



Voices from the Rwanda Tribunal

Official Transcript: Beth Lyons (Part 8 of 13)



Role:	Defense Counsel
Country of Origin:	United States
Interview Date:	3 November 2008
Location:	Arusha, Tanzania
Interviewers:	Batya Friedman Ronald Slye
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Beth Lyons highlights the importance of a fair trial for all. She discusses the politicization of ICTR prosecutions, particularly the failure to investigate war crimes committed by the Rwandan Patriotic Front (RPF). She states she has found no evidence of a plan to commit genocide by those accused by the Tribunal, which she views as a key difference between the events in Rwanda and the Holocaust. Lyons reflects on the inequity of resources between the prosecution and defense.

The transcript of Part 8 begins on the following page.

Part 8

- 00:00 **Ronald Slye: Let me, let me take you back to when you first started working at the ICTR and you, you mentioned that in 1994 you were preoccupied with other things . . .**
- 00:09 Right, right, right, yeah, right, right.
- 00:09 **RS: . . . and not as conscious of what was happening, and I assume you came here with some ideas about what the Rwandan conflict was about. Did that change during the time of your work here?**
- 00:21 Absolutely did because when I – before I was very involved, I had read what was available to me in English in the U.S. Basically, it was a volume prepared by a team but under the authorship of, of Alison Des Forges, Leave None to Tell the Story, produced by the Human Rights Watch team, which was based on interviews.
- 00:46 Now, when I came here, I began quickly to see that this book and its allegations in these interviews were almost like the Prosecutor’s bible and I could actually trace in one or two indictments that this came from page X in the book, and the book wasn’t a legal document. The book was a person said this to an interviewer, but the weight given to it as prima facie evidence was, was shocking to me, clearly unfair to defendants.
- 01:24 And when I came here I began to find and read other sources, particularly sources available in French – both from this continent, some published in France and more recently the, the spokesperson from Carla Del Ponte has published an excellent book Paix et Châtiment which actually talks about, in the setting up of ICTY a lot but also ICTR, the, the issue of the RPF and the, the role of the, the United States government and the quid pro quo not to prosecute the RPF.
- 01:56 I mean there’s just a few pages on that, but a world opened up. Because even I who was, I mean I was well educated, I had access to internet, you know, I lived near a major metropolitan area, you know, I didn’t have this information. So that I think that the information, you know, depending on where you are, information’s different.
- 02:21 But in America, I was only getting at best one side of the story and when I came here, I realized that the story I was getting particularly from, from this volume was, was being challenged and, and was not always supported; was not, was in fact not supported by evidence I heard or discussions I had. But the fact is that you on-, I only had access to one side so that my ideas actually changed.
- 02:54 I came here with strong positions on defendant’s rights. That was no – but I ha-, was not well informed about the struggle, and my information came only from, from one, from one source.

03:07 RS: Did your view of the individuals that you were representing change over time?

03:13 I think that the, the, the, my view of the individuals, the way it has changed is it, it has grown in terms of the respect for these people. I mean, let me be frank. I worked at Legal Aid. Many of our clients had gone through the system. Certainly, many had been convicted of, of, of criminal acts. Some unfairly, some, some, some not that case, but I had personally had never been dealing so closely with a political case.

03:53 When I came here, I began to understand that the context of the cases here was the invasion by the RPF October 1990 from Uganda into Rwanda, led by Kagame who had been trained at Fort Leavenworth, and supported by the government.

04:16 And you know, from that perspective, to understand that there had been a war in 1990 to '93, the fi-, the finalization of the Arusha Accords, the efforts to broker the peace which took place here in Arusha and then to, to see after part-, throughout that time but particularly after '93, the violations of the ceasefire culminating – by the RPF – culminating in the shooting down of the plane which launched the tragedy, the tragedy i-, in Rwanda, so that they could finalize and, and, and solidify a military victory.

04:59 The Rwandan Army was prepared for peace. But that was the context of, that, that I began to, to learn about also when, when I came here. But I have to say that, you know it's, you know the, the, the, it is for me, personally as a criminal defense attorney, I've never had – I've, I've dealt with different group of clients, right, and it has, it has been, you know, a learning experience in, in a positive way, a pleasure for me to work with my clients here from whom I've learned a great deal.

05:46 RS: A-, and what sort of things have you learned?

05:51 I think that, that I've certainly learned about what happened but I have cli- – you know here, we all have clients that can assist in their defense, that play a very strong role in their defense, right. We have clients who I believe were wrongly charged based on evidence investigation that I'm, with which I'm familiar. I mean, obviously not, I don't know everything, yet there's been, you know, only three or four acquittals here and I can't speak for all the cases but for the cases I'm involved in.

06:36 And in clients, in my own clients showing a great deal of patience since many in each case have been in, now my current client has been in I think probably for eight years, and my former client at that time probably four or five years, I don't remember exactly – but a long, long time. So I have the greatest respect for the clients with whom I have – whom I've met and with, and whom I've represented here.