



Voices from the Rwanda Tribunal

Official Transcript: Optatus Nchimbi (Part 3 of 6)



Role:	Information Network Assistant
Country of Origin:	Tanzania
Interview Date:	21 October 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan John McKay
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Optatus Nchimbi outlines his information management responsibilities at the ICTR. He explains the evolution of processes for archiving audio and visual materials collected and generated by the Tribunal. He comments on the importance of different levels of security and access to trial archives for Tribunal personnel that depend on role and seniority. In addition, speaking in his role as President of the ICTR Staff Association, Nchimbi describes the Association's purpose and discusses various tensions between staff and their supervisors.

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Part 3

- 00:00** Lisa P. Nathan: So since you have been working here at the ICTR, can you think of anything that surprised you?
- 00:07 Yes, what surprises me here, it was that the way the rape was defined as genocide, because I think ICTR was the first tribunal to define rape as one of the component in the genocide.
- 00:28** LPN: Can you say more about why that surprised you?
- 00:32 It surprises me because I was even not thinking about that rape can be a component of genocide, I was not even thinking about it, because I took rape as just the normal offense but it, I don't, I was not, not thinking that it con-, it can constitute as the genocide. And this tribunal is the first to define rape as part of the genocide.
- 00:55** LPN: Do you agree, personally?
- 00:57 I d-, I, I, I do agree because, because of the incidents that happened in Rwanda. If you look at the film we have, that's exactly (_____) something. And also surprised to find that some of the defense lawyers who came here to defend the, the accused were also indicted, so it, for them – for me, it's, we have two cases: One, there's a person by the name Bahati Weza. Bahati Weza was a defense lawyer here.
- 01:25 He came with a different name but his name later it came to be known he was a Siméon, Siméon Nchamihigo. And he has just been convicted to life sentence, I think. And another person is J-, Joseph Nzabirinda, but when he came here he came as a Biroto. So he was just often here in the system, (____) see him, but when the person come to testify they say, "But this man we know him, he was pa-, he, he was one of us." So he was arrested and he was indicted.
- 01:56** LPN: Since you have been working here and you have seen so much of the evidence, you have heard just from your job sometimes even at the beginning you had to listen in order to know where the different documents came from, how to file them, how to store them. Has your opinion or your thoughts about humanity, about people, has it changed at all since, from what you have been exposed to here?
- 02:24 Yeah, if you look, if you look at those photos, the live one, especially when the genocide was going on in Rwanda, it kills somebody's memory to find that a person can just attack a person with the same family. To start just slaughtering one another; it is very difficult. Even during the testimony, people came to testify, you need the courage of heart to (____), to, to stand by.
- 02:53 To come and witness exactly what happened. But now because of time, people, I mean, most of the witnesses now, a person cannot remember exactly what happened 13 or 14 years ago. It's, cannot remember. We have one incident very recently when a

person was planted as a witness just to come to testify against somebody in the system that this is what happened.

03:23 Later on because of the conscience, he realized that he made a mistake. So he came back saying, "Now I want to tell the truth." So it means even when he was under oath he'll ta-, he, he, I mean he was not f-, he, he, he did not tell, he, he did not tell the truth. He said, "Okay, I want to change my statement what I said was this because I was told by my government to come and say against the person."

03:50 "Now my, because of my conscience, I want to make my conscience very clear so I want to denounce what I said." So now what happened is that the person, he just disappeared. So they've been trying to hunt him everywhere, they cannot find him up to now. So he was, he was one of the witness who just disappeared. I think it was three or four months ago.

04:13 He was – initially he came in, he tell the lies so now he said, "Now, I want to tell the truth." Because it seems there was a deal with the Rwandan government that he should come and say the lies. Now they say, "Okay, now if you say the lies against this person, what we're going to do, we're going to reduce your sentence."

04:30 Then the person, he w-, he was prepared to come and say the lies so that he can enjoy the benefit of reducing the life sentence.

04:39 LPN: Did he ever come here after to, to make that statement?

04:42 He came, in fact he came here. So when he said now he was negotiating on the – I think after the Prosecutor that now he's going to, he's going to tell the truth. He just disappeared in the safe house.

05:01 LPN: So for – thinking of the future and someone who is in your role as you are now, in the information office and, and working with TRIM, what would you recommend to that person who is training to have a job like yours?

05:22 I think that person should, should have knowledge of the software first; of the TRIM software. He should know the knowledge and then it is the integrity of the person. Because you can just, you cannot just come here, it, otherwise you can just give the information to the wrong person. We have an incident when I was working in the judicial records and archives unit as a record, as a r-, records clerk.

05:51 We have some interns from University of Rwanda in Kigali. They came here. They have been given access to access the strong rooms, okay. But now in the course of time, it came to realize that these were planted by the government of Rwanda to come and get some of the court information. So initially people, we are working under oath but now you can break the oath because you want to serve somebody.

06:21 So if you don't have integrity it's difficult. You should stand by your integrity, you should know exactly what your limits are and then stand firm. In fact we raised the

alarm that we cannot allow the people from Rwanda as an intern to come and work in the strong room. To have access to this one, it's, there is a breach of security, confidentiality.

06:43 So when we realized the issue in fact they decided to get them out of the, out of the archives.

06:50 LPN: So you're using a term "strong room"? Is that what you're saying?

06:54 Yeah, strong room. Strong room is where we keep the confidential records. We call it strong room here.

07:01 LPN: Thank you.