



Voices from the Rwanda Tribunal

Official Transcript: Mandiaye Niang (Part 3 of 13)



Role:	Senior Legal Advisor
Country of Origin:	Senegal
Interview Date:	8 October 2008
Location:	Arusha, Tanzania
Interviewers:	Batya Friedman Eric Saltzman
Videographer:	Patricia Boiko
Interpreter:	None

Interview Summary

Mandiaye Niang describes the early years of UN investigations and procedures, and recounts being traumatized by his initial experiences in the field listening to the stories of witnesses. He claims that these experiences increased his sensitivity to the needs of Rwandan people. He notes that the Tribunal's capacity building initiatives have helped strengthen Rwanda's judicial sector, indicating that these initiatives have transformed attitudes of Rwandans from initial distrust and criticism to feelings of ownership and support.

The transcript of Part 3 begins on the following page.

Part 3

- 00:00 **Batya Friedman: And, so you've been working here at the tribunal for a long time . . .**
- 00:05 Yes.
- 00:05 **BF: . . . you know, sort of 11 years. Is there something from your – just reflections of that time that, before we go off onto other pieces of the conversation, that you would, would like to share, that you would the world to know, not just now but 50 or 100 years from now?**
- 00:22 Yeah, no, as, as I told you, I think this (_____) was really something wonderful in a sense that it has completely changed my life. It has completely changed my life in the sense that, you know, I was, you know, like many people, you are in a small country in your small town doing your routine business and even happy to do so. And all of a sudden so you discover a completely new world.
- 00:52 So, I never, you know, before that time, I, in my previous life I have never even seen a dead body, for example. All of a sudden, not coming across that but seeing people who have lost everything. And I spent a great deal of time at the time just trying to translate those to my own family.
- 01:16 For example, speaking to someone who tells you, "Okay, you know in, in my family we were 27. My auntie, my mom, my brother. I had six brothers," and so on, so forth. And then, after the genocide, they remained alone. So I translated that into my own life because I have also a mom, brothers, sisters and so on.
- 01:42 And that was q-, quite traumatizing but also, what, what it created in me was a huge understanding, or even a certain level of complacency, with Rwandan people because at the time I remember most of the thing I was telling to myself is that, "Okay, I think that if what happened to them had happened to me, I would be someone spending the rest of his life trying to avenge my family.
- 02:15 Maybe carrying a gun just like in that famous story of Mack Bolan, that people, that Vietnam soldiers whose, whose family was killed by the mafia and who devoted the rest of his life just, you know, trying to track down member of the mafia.
- 02:33 So for me, that was a traumatizing experience and also, I, I found that really people in fact, that life is something which always comes back because even when I go back to Rwanda now, you see people also smiling, living almost a normal life. Also that, that's also a lesson, you know, I will never forget because, you know, you may be inclined to think that some of the people, after what they underwent, they will never come back to normal.

- 03:09 But now, you see, you go back to Kigali, you see that – okay it’s one of the cleanest town in Africa. Life has, you know, life is back and people are smiling, living almost a normal life. So that’s also really something what, that struck me and which is I’m living still with.
- 03:28 **BF: So when you talk about the way you felt traumatized, or you put yourself in other people’s positions and you felt that – how did that change how you did your work here at the tribunal? Like have you, are there ways in which it entered into different aspects of the work that you did or how you thought about things or, you know, that that became a part of who you are, and . . . ?**
- 03:54 Definitely, definitely. That, that, I think that that gave me also a kind of sensitivity in respect of everything here, in my, particularly in my current capacity because I think that what it did was that you know, this drive, for example, in the Office of the Registrar to always be involved in capacity building, for example, I think that, that, that is a direct result, result of that experience.
- 04:27 Because now, since I joined the Office of the Registrar, we have done almost everything with Rwanda now. We have really – there was a huge gap in terms of communication, in terms of trust building. You, you, you would see that in the beginning, Rwanda, there was so, they had so much resentment against the tribunal. Always it was about criticism.
- 04:53 But I think that because, you know, some of the Rwandan also felt that, you know, they had in this tribunal people who are very supportive of them. And how I did translate that was that I was involved in every part of the capacity building. Up ‘til now, for example, I have with the help of the Registrar created this framework whereby now we send our lawyer to go to Univ-, National University of Rwanda to teach international humanitarian law.
- 05:24 In fact, just two weeks ago I was there teaching. And now, when I go to Rwanda I find a lot of friends, many friends who have now completed the university because for the last five years I’ve been there teaching with some other lawyers here and I think that this also has dramatically changed.
- 05:45 That’s a small thing because we are just a few people doing it, but it has changed quite a lot because even now with the Registrar, when I go to Rwanda, for example, attend a meeting, I see beside me an adviser to the President or adviser to Minister or Prosecutor who has been my student in Rwanda.
- 06:04 And this I think that has helped a lot build confidence and because of those small things now, Rwandan, who was kind of very dismissive about the tribunal now, even if you look at now, they’re still very critical and sometimes they are still expressing anger.

- 06:22 But what I have experienced is that now because they know that many people are supportive of them, they are now claiming a kind of ownership of the tribunal.
- 06:34 And there is a shift even in their criticism. You can see that now, when they would, they used to say, "Okay, this tribunal is completely worthless, full of incompetent people, not caring about us." They would ask for more. "Okay, why don't you send more people to us, to help us? Why don't you train more people, for example?" You see, it's a shift. It's now a kind of ownership.
- 07:03 And I remember also, even before I joined the Office of the Registrar, I think that, that experience I had in Rwanda also even helped me better assist also the, the judges. Because I, in, in the beginning, for example, you know, when you speak with some legal officer and so on, their perception of what happened was quite abstract because it's just on transcript on paper.
- 07:36 Not only because you know, sometime you have witness to come to court but it is, our procedure are so cumbersome that by the time you write the judgment or you do anything, you know, a huge amount of time has already elapsed.
- 07:52 So you just face cold transcript. And I think that, you know, knowing the context also can help you better understand what is really at stake. In that sense also this has I think that helped me a lot.