



Voices from the Rwanda Tribunal

Official Transcript: William Egbe (Part 10 of 12)



Role:	Senior Trial Attorney
Country of Origin:	Cameroon
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Interviewers:	Robert Utter Donald J Horowitz Batya Friedman
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

William Egbe discusses the ways in which the Office of the Prosecutor (OTP) has evolved during his ten years at the ICTR. He describes the OTP selection processes for determining which perpetrators should face trial. He also compares the sentencing processes at the ICTR with those at other international tribunals such as the ICTY. Egbe identifies the limitations of the ICTR Statute and discusses the impacts of these on the Tribunal's work. He highlights best practices for new international tribunals.

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Part 10

00:02 Batya Friedman: So I'm Professor Batya Friedman at the University of Washington.

00:07 Yeah.

00:07 BF: And I thought I would actually have you pronounce your own name and also say your title and the country that you're from.

00:14 Okay.

00:15 BF: For the record.

00:15 Good, good, good. My full name is William Tambon Egbe but my friends call me Bill and I'm comfortable with that, yeah. Currently I am Senior Trial Attorney at the Office of the Prosecutor. The senior trial attorneys are the attorneys, the senior lawyers of the tribunal and we head different trial teams, all the other lawyers are constituted in two other teams.

00:48 B-, Above the senior trial attorney is management: Chief of Prosecution, Deputy Prosecutor and the Prosecutor. But we are the ones with the prime responsibility to carry the cases to court and prosecute.

01:05 BF: And you're from?

01:05 Cameroon.

01:06 BF: Cameroon.

01:07 I'm from Cameroon. And I, I did my early education in Cameroon up to 1972 and then I went to Lagos where I did – well, I went to Nigeria where I did high school for two years in Eban and entered University of Lagos in 1975 and graduated in 1978.

01:33 So in 1978 I had the option of going to, to the Lagos Law School to practice as a private attorney but I said, "No," I wanted to go back to the government and work with the government.

01:48 So in '78 I went back to Cameroon and I entered the government bar. That's what we call the School of Magistracy and Administration. I did two years there until 1980 when I became, I graduated as a magistrate.

02:02 So in our system, which is a hybrid system, as a magistrate, as a trained magistrate you can either be appointed as a prosecutor or as a judge of the bench. So throughout my career since 1980 I have been interfacing between the Office of the Pros-, Attorney General and the bench.

02:24 And it's in that capacity that I was at some point deputy prosecutor, at some point the public prosecutor for my region then went to the bench again and be, I was a judge and then I was the President of the tribunal.

02:39 And cumulatively also I had some experience with the military tribunal. That may be part of the reason, I do not know, why the prosecutor decided that I should actually supervise and monitor the trials that are going on in the military tribunal in Rwanda but of course I had significant experience in that area as well. And that's the experience I brought to the ICTR when I came in in June 1997.

03:06 BF: So let me, for a minute, take you back to the spring of 1994.

03:10 Yes.

03:11 BF: Where were you during that time?

03:13 In 1994, I was actually the director of public prosecution in my region. That is the last post I held before I joined the tribunal. That was in 1994.

03:27 BF: Mm-hmm.

03:28 Because I was in that position from 1994 until I left in 1997.

03:32 BF: And if you had stayed in that post, what would your trajectory have been?

03:37 If I had stayed in that post, after that probably I would have been looking at moving towards the position of the attorney general.

03:46 BF: Of your country?

03:47 Well, the attorney general of my province.

03:49 BF: Mm-hmm.

03:51 Because the way our country is structured you have at the head of the province an entire, well you have the chief justice of the province on the bench. The opposite number is the attorney general of the province.

04:04 BF: Mm-hmm.

04:05 Then you have the judges of the court of appeal below the chief justice, then on the side of the prosecution you have the, the public prosecutors who are all representing the districts.

04:13 BF: Mm-hmm.

04:16 So I would actually have been moving, looking towards that direction and then from there possibly to the Supreme Court.

04:24 BF: So a pretty major role within your own country. When did you hear about the genocide in Rwanda?

04:30 I heard about the genocide in Rwanda when it occurred because it was an event of international importance. We heard about it on the radio, in discourses at intellectual gatherings we all heard about the genocide.

- 04:49 But then it was like a notion like any other notion, very fanciful notion. In our ju-, in our jurisdictions and in our practice we had never come close to anything like that.
- 05:04 We knew of multiple homicides, but never had it really been something that we actually paid attention to when it was said that people were killed in hundreds of thousands within a very short time.
- 05:18 So I started searching privately. And I did some consulting work in South Africa in 1995 and I went to Brussels also in 1996 where I met an interesting person, George Forbes. George Forbes was one of the judges in the appeals chamber.
- 05:42 And he – I had a chat with him and he was like, “By the way Mr. Egbe, are you aware that there is a tribunal that is set up in Rwanda that is involved in the kind of things that your profile fits?” I was like, “I heard about it, but I have not actually given it very focused thought because right now I’m involved in my consultancy work in international banking and trade finance.”
- 06:12 It was in that context actually that I went there, after doing the work I did in Investec Bank in South Africa. So I was interested in the idea and I made up my mind to come over to Rwanda on a visit and to see exactly what the tribunal was doing.
- 06:28 So in early 1997 I came over at my own expense. I went and sat in court and I saw what was happening. And after that I came back to meet a certain woman who was called Wendy Woodruff, an American. She is actually in the Sierra Leone tribunal. She’s in, in charge of human resources.
- 06:48 I went to introduce myself to her and I told her that, “I’ve had a couple of references and I want to talk to you about my experiences. I just came here and I’ve seen what is going on. I’m very interested.”
- 06:59 I started discussing some details about issues of witness presentation with her. She was not a legal mind. And she, she said, “Mr. Egbe you sound interesting and I have looked at your CV. And you are the kind of person that we would need at this time in the life of the tribunal. Are you interested?” I said, “Yes, I’m interested.”
- 07:24 There and then she interviewed me and said, “I could give you a job now but if I did that you would lose because you would be hired as a local. Go back to your country and I will send you a recruitment letter.” And that is how I went back to my country and after a couple of months I got a letter calling me to come and serve as a trial attorney in the ICTR.
- 07:52 I came then and I was deployed to the office in, in Kigali. At that time the Office of the Prosecutor was still struggling to find its feet. We were at a stage where the trial attorneys, unlike now, were actually involved with the investigations.
- 08:12 We built up a case from the scratch. We listened to the witness’ testimonies. We selected the witnesses. We determined what charges could actually be supported by the testimony that we heard.

- 08:25 We took part in indictment reviews because it was a process where after you prepare the indictment and you had all the supporting material you had to send it for the peer reviews.
- 08:34 Once we passed the test of indictment reviews, the attorneys that were involved in the process from the investigations were the attorneys that moved to Arusha to confirm the indictment and to respond to our pretrial motions and suddenly be prepared for trials. That is how it was in the, those early days.