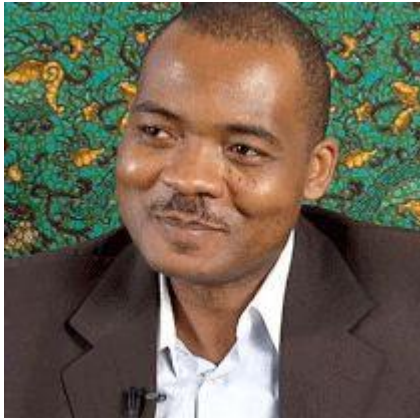




# Voices from the Rwanda Tribunal

## Official Transcript: Jean-Pele Fomete (Part 9 of 15)



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| <b>Role:</b>              | Program Director                             |
| <b>Country of Origin:</b> | Cameroon                                     |
| <b>Interview Date:</b>    | 24 October 2008                              |
| <b>Location:</b>          | Arusha, Tanzania                             |
| <b>Interviewers:</b>      | Batya Friedman<br>John McKay<br>Robert Utter |
| <b>Videographer:</b>      | Max Andrews                                  |
| <b>Interpreter:</b>       | None   |

### Interview Summary

Jean-Pele Fomete speaks about his role in court management services, overseeing legal aid and capacity building for pan-African justice systems. He highlights the need for civil society support to make the Tribunal a success, which has been challenging in Rwanda. He also comments on the lack of infrastructure in Africa, and the difficulty in mobilizing resources and ensuring adequate access to information about the Tribunal's work. He discusses the positive and negative impacts of the ICTR and international human rights standards on Rwanda's justice system.

*The transcript of Part 9 begins on the following page.*

## Part 9

- 00:00 **John McKay: Yes, I certainly have the impression in speaking to some Rwandan government officials that they recognize that traditional Rwandan courts are not in a position to handle the huge, huge number of people involved and, and you then saw the development of Gacaca.**
- 00:18 Mm-hmm.
- 00:19 **JM: And some will say that they recognized the value of the ICTR but I think people on the street today in, in Rwanda, in Kigali, throughout the country, I don't think I'm overstating this in saying that they, they see the international justice as a country club.**
- 00:39 **JM: That, that, that the worst offenders, the planners, the instigators, the government officials are in beautiful cells from their standpoint. Not that anyone really wants to be there, but they're well fed, they have resources and the people who are the lower level are in crowded prisons without food, they die there. Wha-, what is the legacy really of ICTR for the Rwandan people?**
- 01:07 It, it's not an easy question and I can go back to the, to the point I made earlier concerning enforcement of sentences. Because the people convicted were involved in a genocide do they as prisoners deserve less than other prisoners in terms of their rights?
- 01:40 Do we further punish them or do we take advantage of the international community's involvement in international justice to uplift the standards of prisons? I think that's the way to go and that's what we have been doing with Rwanda also.
- 01:55 We met with them. We told them, "Listen. We understand your situation but this is an opportunity also to, to improve." They refused initially but they ended up understanding and accepting and they started improving some of their facilities. That's one.
- 02:14 Do we provide our accused persons here with less than the standards, you know, adopted in the framework of the UN just to please some quarters? What do we do in terms of standards? Should you make sure they have good lawyers?
- 02:36 They have, they appear before good judges of the ICTR and when they go to the detention center we don't meet the international standards? I have to admit it was a difficult situation but we are left with no other option than, you know, doing what we have done.
- 02:55 Now the problem of the connection between what we are doing here and the street citizen in Rwanda is another issue. How do you reach out to those people? Does international justice sell to those people? How do you make sure the, the, the field is bringing something to their daily life?

- 03:17 It's difficult because at the same time when we go in the field, our investigators go in the field, they go with nice four by four cars, you know, asking for people to appear before the tribunal. People who are struggling to eat, people who are struggling to have access to medical facilities, struggling to go to school so but – those are important elements.
- 03:42 Justice is just the element, but you have other organizations of the United Nations systems involved in trying to uplift the standards of the people in those areas. You have the government of Rwanda also trying to do that. But as a judicial body we can recognize the situation but at the same time what can we really do?
- 04:07 I can add one point. When we realized that the structure of the ICTR and the ICTY, does not make provision for the involvement of victims in the process, we brought this to the attention of the UN. No decision was taken but the ICC took over.
- 04:26 And theoretically, you know, the victims at the ICC have a better role to play, a better place. They are part of the structure. Everything is put in place to make sure that they can, you know, contribute into the system.
- 04:43 Just to say that, yes, there have been shortcomings in the, in the design of the tribunal. As far as possible the tribunals or other international endeavors have been trying to learn from the weaknesses, the loopholes and things like that. So but what will be the final outcome? We have to wait and see how the ICC does.