



Voices from the Rwanda Tribunal

Official Transcript: Saidou Guindo (Part 3 of 8)



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| Role: | Detention Warden |
| Country of Origin: | Mali |
| Interview Date: | 16 October 2008 |
| Location: | Arusha, Tanzania |
| Interviewers: | Donald J Horowitz Lisa P. Nathan |
| Videographers: | Max Andrews Nell Carden Grey |
| Interpreter: | None |

Interview Summary

Saidou Guindo discusses the detention facilities used to house those accused and indicted by the ICTR in Arusha. He describes instances where inmates went on hunger strikes in protest against decisions taken by the Tribunal. Guindo also comments on the common critique that the ICTR detention facilities are far more comfortable than those in Rwanda that house people indicted for lesser offenses. Guindo asserts that the ICTR has a duty to meet the minimum detention standards guaranteed under international law.

The transcript of Part 3 begins on the following page.

Part 3

- 00:00 **Donald J Horowitz: Now many of these people have been charged with terrible crimes and many of these people worked together in Rwanda pre-, presumably.**
- 00:15 **DJH: Do they seem to be doing the same here? Are there times when they take collective action and try – or co-, or make a collective request or demand or something like that? Do you, you understand . . . ?**
- 00:28 Yeah, I understand, of course, of course, you can see them. Sometimes they can write group letters to complain against, against the Rwandan government, against the UN, against the judges, against the staff. And then some of them can sign the letter, some people among them say, “No, we don’t sign.”
- 00:50 There is of course a conflict; some kind of compl-, compl-, latent conflicts among them, yeah. But political – they still continue, writing letter, criticizing the Rwandan government, yes.
- 01:10 **DJH: We heard that there was at one time at least a threat or perhaps there was a hunger strike.**
- 01:18 Yes.
- 01:19 **DJH: Can you tell us about that?**
- 01:21 Hunger strike they did it I think two or three times since I’m here, hunger strike against like decision taken by the tribunal. If the tribunal takes one decision they’re not, they say, “We are not going to court,” and then hunger strike for one or two days or something like that. Or I guess if – ge-, generally if a decision has been taken by the tribunal they say hunger strike.
- 01:48 **DJH: Okay, it’s not a hunger strike – or I’m, I’m gathering it’s not a hunger strike protesting some practice here that, that they object to? No, it was more, more (____) . . .**
- 01:57 There were no – there is one who went for hunger strike twice because of he wants a yogurt to coming from, from, from Kenya, and milk . . .
- 02:08 **DJH: (____) yogurt?**
- 02:09 Yes, he want, need, he need yogurt from Kenya. And then he said that hunger strike because he need cornflakes. Even today I g-, just get a letter from the same person saying that he needs cornflakes, yeah.
- 02:28 **DJH: And what, what happens when people . . .**
- 02:31 But I let him go, say, “Okay, he wants hunger strike, go ahead, one day two days,” they say, “Okay.” And then they also write a letter to ask the Commander, “Please, please, please the guy is going to die.” I say, (____), “Tell him to stop first.”

- 02:43 DJH: Okay, so I'm gathering you don't have a big, a big discipline problem here? Am I . . .**
- 02:50 Not really.
- 02:50 DJH: Okay, tell () . . .**
- 02:51 It happened some time, yeah.
- 02:53 DJH: Can you describe that for us?**
- 02:56 Discipline problem maybe if a court order was given, they refused to, to, to obey, yes. This kind of – but we deal with it. You know if they, they did something, the way we react discourage them to repeat it again. Yeah.
- 03:15 DJH: Okay. And, and . . .**
- 03:16 And now at this moment I think everything is in order.
- 03:19 DJH: Okay, the way you react discourages them.**
- 03:22 Yeah.
- 03:22 DJH: Ca-, can you describe what you do, to, to . . .?**
- 03:24 () because we don't advise them to repeat. If they want to have something, we say no. If it is not in the regulations we say no.
- 03:36 DJH: One of the things that we – again, we're, I'm telling you things we hear and we're not making any judgment about it. One of the difficulties we've heard that, that people have is, or th-, some of the Rwandans have in Rwanda is they think that here are these people who are, been charged with these terrible crimes and they are in facilities that are better by far than the facilities of the people in Rwanda; the, the lower level people who have not been, been charged here. Have you given that thought? Is that something that concerns you or?**
- 04:15 People are saying that. My role is to implement the international standard, to give them the minimum.
- 04:22 DJH: Okay.**
- 04:23 (), see, you don't give them the maximum. People are in a detention. Nothing can replace with freedom.
- 04:30 DJH: Yes.**
- 04:30 You give them everything, it will not be enough. We give them the minimum according to their health, to their age, okay and their cultural be-, be-, habit. This what we give them, we don't give them () things. We have a meal, we have the same menu

for the week, for the month according as I say to their health, their age and, and their cultural habit.

05:00 DJH: Okay. I take it you . . .

05:02 We give them beans, we give them bananas. And this is not something which is really – but the problem is that, you know, generally meals allo-, allocated for a detention are usually very, very, very, very small, you see. And then they don't allocate enough fund to maintain people; to maintain a human being. It's not easy for their health, medical care, for their nutrition, for many things.

05:43 DJH: Okay. Well, you're bringing me to something else I was going to ask about which is you, you, your background is in psychology and, and human behavior. Is there – are there people, staff people here who are, who are skilled in that area that are like counselors if a prisoner has a problem or, and needs or, or asks for some mental health (____)?

06:09 Yes, yes, up to last month I was having here a psychiatrist in charge of the social welfare of the detainee. We are working together, yes.

06:20 DJH: And, and was, was he used, he or she used by the s-, by the prisoners with any frequency?

06:29 Yes, yes they were coming to meet him if they have problems; social problem like visit issues. He was dealing with the visit, he was – yes. (____), yeah.

06:41 DJH: Okay. Is there confidentiality between-, y-, as you know between a, a person who asks for the psychiatrist or the psychologist to talk about their problems? Is that maintained here or not because it's a prison?

06:56 Yes, of course the confidentiality. Usually they don't talk about psy-, psychiatric problems but just social problems.

07:03 DJH: Okay. Social problems.

07:05 "My family member would like to come to visit me, I have this problem at home." And then those are the issues they usually discuss. But confidentiality, of course, is respected and maintained.

07:19 DJH: Okay, and again, medical care, you were ment-, you mentioned a few minutes ago. I take it you have physician available for people who are maybe ill; maybe sick. I gather you're . . .

07:33 Yes.

07:33 DJH: You're, you're, y- I maybe sensed that you felt that you wish you had more, more or better f-, capability in the medical area. Did I misread you or not?

07:48 No, I think we have everything here.

- 07:50 DJH: Okay.**
- 07:50 We have two nurses permanent in charge of them, we have a medical doctor coming every day to see them if there is a problem. If there is a need to take somebody out of a detention facility, we do it. I just came from, from Nairobi yesterday where I went to see one of my, a prisoner who is hospitalized there for medical care. Yes, and then this is not a problem, (), we use means, () . . .
- 08:24 DJH: Okay. But you must provide security for that person . . .**
- 08:28 Yes, of course, we provide, we provide . . .
- 08:29 DJH: And, and I presume . . .**
- 08:29 . . . security in collaboration with country itself.
- 08:34 DJH: Okay. And you also have a, a requirement from time to time to transport people from here to the tribunal and back or to ().**
- 08:46 Every time during the trial process, during the – if there is a need of to see a specialist doctor somewhere else, we do it.
- 08:54 DJH: Okay, so part of – an important part of your job is to see to it that there’s proper security, that things are carried out.**
- 09:02 Yeah, we have to, to take care of all the security inside and outside.
- 09:07 DJH: Okay.**
- 09:07 Yes. The security is concerning all the premises a, a, and also the detainee.
- 09:15 DJH: Okay.**