



Voices from the Rwanda Tribunal

Official Transcript: Erik Møse (Part 1 of 14)



Role:	Judge
Country of Origin:	Norway
Interview Date:	22 October 2008
Location:	Arusha, Tanzania
Interviewers:	Robert Utter Donald J Horowitz
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Erik Møse addresses the mission of the ICTR, his role and contributions as both judge and Vice President of the court. He speaks about the various lessons learned by the institution; the need to increase efficiency by adding trial judges and establishing a separate prosecutor dedicated to the ICTR and not shared with the ICTY, and amending the court rules of procedure and evidence. He discusses the relationship between common and civil law, and between judges and court interpreters. He speaks about the cases he has been involved in, and about the role of victims in the justice process.

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Part 1

- 00:00** Robert Utter: Let me introduce myself as Justice Robert Utter, formerly of the Washington State Supreme Court where I was Chief Justice for a while, and then some 34 years total in the courts of Washington State. We had about 750 judges at all levels, nine on the Supreme Court; terrible number to have to deal with but it worked out and an interesting time with them.
- 00:29** RU: I was in charge of both the administrative as well as the judicial end as Chief Justice and hopefully made some changes that were a benefit to the court. My involvement in the United States has been chair of a number of organizations dealing with judicial efficiency and administration.
- 00:51** RU: My work in foreign countries is essentially that of working with them on administrative issues and on constitutional issues. I taught constitutional law in a law school in the United States for about eight years. There's much I don't know but I've experienced a great deal and I can share that with others.
- 01:13** RU: I'm here on behalf of the ICTR and their Information Heritage Project and that's why I'm here. It's my great pleasure to speak with my host here, Judge Møse and, Judge, I might start out by asking your background in as much detail as you would care to give it – how did you get here, why did you get here? And then we'll follow from there.
- 01:40** Well, at the national level I started in the Ministry of Justice, the Department of Legislation which is the department which is responsible for drafting acts, draft projects to parliament and also to give the legal opinions whenever the governmental authorities are in doubt about legal matters.
- 02:08** Then I went on after about ten years there to become an attorney, a, a barrister before the Supreme Court pleading cases for the Attorney General's Office for Civil Affairs. With other words, pleading for the government. This was about seven years and we covered the whole range of country, the, the entire country bo-, both the Supreme Court, the courts of appeals and the first instance courts.
- 02:39** So we were traveling around in the country pleading, but mostly in Oslo, the capital of course. Then another six, seven years in the court of appeals in Oslo and then to the ICTR.
- 02:58** But let me simply say that this was the national background, but in addition to that I've always worked internationally because of my human rights interest. Partly in Strasbourg in connection with the Council of Europe, partly in Geneva and New York in connection with the United Nations committees, supervising the implementation of states' human rights obligations.

03:25 **RU: That's a marvelous background for work here. How did you become involved with the ICTR?**

03:33 Well, I suppose that because of my background, the Ministry of Foreign Affairs thought that it would be a good idea to ask me whether I would be willing to accept standing for election and possibly be elected. And I said yes. The reason was that I think that if you mean something with your human rights commitment you should act if the opportunity is there.

04:03 I remember being a bit worried when I was told that the term was for four years. I thought that was a long time in East Africa coming from a Scandinavian country even if I had had a few missions in Africa before, but the irony of the case is of course now that I've been here for almost ten years. I was so captivated by this work that I haven't been able to give it up.

04:30 So I accepted another four years and then another year and another year after that. So I'm approaching my ten years' anniversary here in Arusha.

04:39 **RU: And what was your role initially with the ICTR?**

04:44 Well, I arrived in May 1999 and after the pl-, a, a few days we had the plenary here in May '99. And I was asked whether I was willing to become the Vice President in addition to being a judge here at the ICTR, so having been elected by the General Assembly . . .

05:09 **Note: Gap in interview (Approx. 1 minute in duration) Gaps occurred due to interruptions during the interview, technical issues, or corrupted data files.**

05:23 So having been elected by the General Assembly in November '98, I took up office here in May '99 as a judge. And we had the plenary in May '99 and I was asked whether I was willing to be the Vice President under Judge Pillay, who was then about to become the President. And I said yes to that and we were both elected by our colleagues. And I was Vice President from '99 to 2003 and then later became President from 2003 to 2007, May 2007.