Official Transcript: Optatus Nchimbi (Part 5 of 6)

Role:	Information Network Assistant
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Interviewers:	Lisa P. Nathan
	John McKay
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Interpreter:	None

Interview Summary

Optatus Nchimbi outlines his information management responsibilities at the ICTR. He explains the evolution of processes for archiving audio and visual materials collected and generated by the Tribunal. He comments on the importance of different levels of security and access to trial archives for Tribunal personnel that depend on role and seniority. In addition, speaking in his role as President of the ICTR Staff Association, Nchimbi describes the Association's purpose and discusses various tensions between staff and their supervisors.

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Part 5

00:00 **John McKay: So when you talked to me earlier about tensions, you were talking about the tensions between the employees and their supervisors and their managers?**

00:08 Yeah, as I said most of the supervisors are from West Africa and the supervisees most of them are from East Africa and other block. There's a tendency from some program managers just to frustrate their subordinates so that they can find a good e-, excuse to employ somebody from, that's from West African block. That's what is happening.

00:30 **JM: And have you (_____) . . .**

00:31 And in, in most cases, you can find that a person has been employed from West Africa. Once he comes here, the, the subordinate is the one supposed to teach that person what, how to perform. A good example is my case. My super-, I was teaching my supervisor about the system because he was new to the system. He was not aware of what TRIM is so from the scratch I started to teach him. Even now I'm teaching him.

00:58 The only difference is that he was attached to – he, he is a good programmer so he knows how to program and program things nicely; that was the only difference. But now if you come for the user, user part of the system, I am the one who is teaching him. And it's not only me, it's most of the national, national staff members. They are teaching them.

01:20 Even sometimes even the academic-wise, most of our people are very qualified compared to those from other blocs but they're still their supervisors. It's because they've been getti-, given that post because of the either the relationship between them and the top management.

01:37 **JM: Can you give me an example, without telling me any names . . .**

01:40 Yeah.

01:40 **JM: . . . but can you give me an example of miscommunication or, or dispute between the e-, employee member of the Association and their supervisor?**

01:51 Yeah, we have the cases when we're talking about the e-PAS; e-PAS is the electronic performance appraisal system. We have a very recent case. When there is confrontation between the program manager and the supervisor, and the, the supervisees. The program manager was against the, the team he was working with, so he decided to frustrate these people by making sure that he underrates them.

02:16 So they decided to make a report against him. So when he's come for filling in the e-PAS, they ma-, he made the recommendation that this is, they're not supposed – I mean, they're underperforming. So he put all, he put all his inputs there, de-, di-, downgrading them. So in fact there's a portion where the, a, a staff member can say

something about the supervision received and even the comment he has to make against the program manager.

02:45 So they made also the nasty comment against the program manager. So now what happened is the first reporting officer refused to sign that e-PAS. The second reporting officer decided to sign that e-PAS. Now because the first reporting officer refused to sign, so there is a dispute already. So the second reporting officer was supposed to come in to try to harmonize them.

03:09 So they agreed that what they can do is to ask the New York to roll back the system, I mean the e-PAS, so that they can harmonize themselves. They tried to make a request to New York but what came out of New York they say, "We cannot roll back because the case is, this one has been finalized." But still the program manager said that he cannot sign.

03:30 So the only option they said they should start a fresh e-PAS. So now that fresh e-PAS is not going to be objective, it's distorted already because exactly, it will not reflect the, what happened exactly because they want to, just want to balance them that this is what happened. So they don't want to, they want to go against what happened exactly to create something which is, which is not the actual.

03:53 **JM: What was the role of yourself or the Association in that?**

03:57 It just came to our attention last week.

04:00 **JM: What do you expect in a situation like that you could offer to help?**

04:03 In fact what we need is to rebut against the decision; that we cannot, it's, the program manager has to sign it. Because he was the one who rated a staff member, they were in that disagreement so the e-PAS should be just used objectively.

04:15 **JM: What do you think the role of the Association is; is there a positive role for the Association in this kind of a dispute? What if you didn't exist, what, what would happen in a dispute like that?**

04:26 There would be a lot of misunderstanding between the program managers and the supervisors and even it would lead to fighting; the physical fighting.

04:33 **JM: So if I were (_____) . . .**

04:34 Because we have, we have the cases where the people decided to engage in physical fighting because of the e-PAS dispute.

04:41 **JM: And that would not be a good thing.**

04:43 Pardon?

04:44 **JM: That would not be a good thing.**

04:45   Yeah, it was, it (_____) be, be a good thing.

04:47   JM: So if, if we had another commission, another tribunal. And we would hope that this would never have to happen but, but, but if it were to be set up in another country, would you, would you suggest that they consider from the beginning having an Association like yours?

05:04   Yeah (____).

05:05   JM: And can you tell us why?

05:07   Because of the role we are playing. We are just trying to bridge the gap between the administration and the, and the staff members to try to bring harmony in. Because most of the program manager, they're very stubborn, they don't want to, they don't want the progress of their subordinates so to speak.

05:26   JM: If you could be in charge of everything, everything, you . . .

05:31   Everything li-, like, like what?

05:32   JM: Everything at the, everything at ICTR.

05:34   Mm-hmm.

05:35   JM: Would you, would you have in the beginning tried to have less diversity if you will, less maybe all East Africans or all Kenyans or all Tanzanians, would that have reduced the miscommunications and tensions?

05:52   Yeah, in fact if the process of recruitment is very objective and transparent we'd, we are not s-, expecting to have this kind of relationship; the bad relationship. What happen is when a person who is brought in the system does not meet the qualification required, what do you expect? Because you are bringing somebody to supervise me and I am overqualified than him.

06:12   So there will be some confrontation. So if the system is very transparent we won't have that kind of issues. It's like United States, I mean in, in Headquarters because the, the system is very transparent. But now here, they are offering jobs according to technical 'know who' not technical know-how in most of the cases.

06:31   JM: Explain what you mean. Technical 'know who'.

06:33   Kno-, I know you. I give you the offer based on 'who are you' but not what, based on 'what are you.'

06:41   JM: Does that, does that issue relate to the, a country of origin, to ethnicity, to religion? You're talking about qualifications.

06:52   Yeah.

06:53   **JM: What is the role, if any, of the country of origin, ethnicity, religion, gender, is there any relation?**

07:01   Yeah, there is a relation. If I know you I gi-, I give you an offer, if I don't know you, no. In fact in most cases, there is this called – how do you put it – nepotism. The issue of nepotism is very rampa-, rampant here. Nepotism is very rampant. It's often.

07:25   **JM: Do you, do you draw any relation, do you, do you think it's, that nepotism is related to the question of the country of origin?**

07:31   Integrity. In-, integrity.

07:33   **JM: Integrity.**

07:33   Yeah.

07:34   **JM: Tell me about that, why is it integrity?**

07:36   Because if somebody has integrity, you cannot do such things which are not acceptable. I cannot just give you offer because I know you, not because of your qualification. You have two person, one with high qualification, the second with less qualification. But this person with less qu-, qualification is from your country. You want to give him a favor-, a favor; favoritism.

08:01   You want to favor this one because he's from your country; at the expense of the quality of the work.

08:07   **JM: And is this a problem that you have seen here at ICTR in your time?**

08:11   Yeah, we have seen it here. In fact . . .

08:15   **JM: Do you want to tell me more about that?**

08:16   . . . in fact it was even raised by the previous administration of the staff association in New York to find out exactly why. Why this exists? Why are we not part of the secretariat? So the reason was very simple that your Registrar refused to allow all recruitment to be done in New York headquarters.

08:35   Because the delegation of authority was given that he can employ, recruit whoever he want from here based on the qualification. But now w-, when it's come to appli-, applicability, it's different. They are not following the, the proper rules.

08:50   **JM: And so it's an issue of integrity. Are there . . .**

08:52   Yeah, it's an issue of integrity.

08:53   **JM: . . . are there people, are there people here – and I'm not asking you to name names if you don't feel comfortable with that – but are there people here who you**

think as people in management, of high integrity, who are working against this? Or do you think this is an issue that is just simply not fixable here?

09:09   The problem is people are not ready to speak against somebody. The issue of fear that I'm going to lose my bread if I'm going to be open. So they are afraid to say it out.

09:22   JM: And how would you fix that problem if you could control everything?

09:26   No, I've been trying to tell them exactly, the management, right from the beginning that this is not the way it should be. Because once we find that there is a breach of the rules, we tell them exactly on their face that this is not the proper way.

09:38   JM: Are you able to be effective? Do you think you're having an impact by, by saying these things; by speaking these things?

09:43   Yeah, there is an impact now.

09:44   JM: Tell me about that.

09:44   It seems there's a change, there's a change. There's a, there's change at least now. People respect the rules. But initially there was no respect for the rules. A person can just decide: you have five candidates, okay, three are qualified, the two are not qualified. But because you have the power to select out of the list who you want, so you can just take the last one even if he doesn't qualify, he or she does not qualify.

10:10   We have that cases where we have, the six names were presented, so the Registrar has to make the decision on who to take.