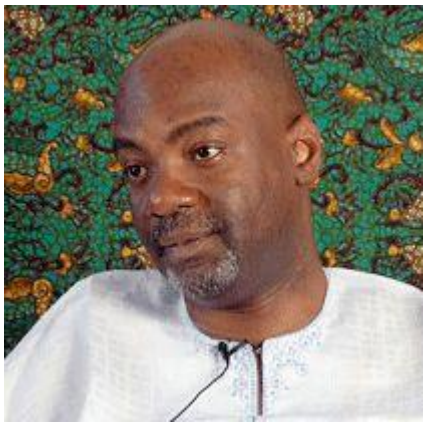
Voices from the Rwanda Tribunal

Official Transcript: Charles Adeogun-Phillips (Part 9 of 9)



Role:	Prosecutor
Country of Origin:	Nigeria/Great Britain
Interview Date:	6 November 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan Robert Utter
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Charles Adeogun-Phillips discusses the impact of the UN's requirement for broad regional, linguistic and racial representation at the Tribunal, which influences recruitment policies. He further emphasizes the need for practitioners, and especially judges, to understand the cultural context of Rwanda when considering evidence. Adeogun-Phillips reflects on the treatment of victims and witnesses in Court, on the merits and shortcomings of adversarial and inquisitorial legal approaches, and the need to involve Rwandans in the justice process.

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Part 9

00:00 **Robert Utter: You've been very kind with your time. I've just checked my watch. We're about two hours, and I've enjoyed every minute of it. Let me ask, in all of the matters that you've handled here, what impact has this had on you personally when you look back at the person you were ten years ago and the person you are now?**

00:20 I think my wife would answer that question a little bit better than I, than I would. I think I've taken a lot of things for granted and I, I may not have realized how, how much of a toll this, this, this certainly has, has taken. It's, it's extremely difficult, extremely difficult to be able to deal with (_____).

00:44 And like I say to people, I, I lost my dad in, in May, 2005 and I, I was amazed that – I'm an only child – and I was amazed at how I received a phone call right here in Arusha to say, "Well, your dad is, is ill." And I got on a flight to, to Lagos from Nairobi and then got to Lagos and he had died like hours before. And right there, I had to go to the hospital, deal with having his body moved from the hospital to a mortuary because he had died in a hospital that didn't have its own mortuary.

01:25 And just hit the ground running, making the arrangements, taking charge of my mom, taking charge of the family, making the arrangements for his funeral and I was just go, go, go, go. And at the end of all this, having not shed a tear and buried him, I was thinking, where did you derive that strength from, you know?

01:44 And in retrospect, having dealt with things like this for so many years, talking to victims of such heinous crimes, women, kids, husband killing child, wife killing, brother killing, and you think, "Gosh. I've become so cold and, and hardened to some of the things that would break any, any human being" and it's only from experiences like that that you rewind and you think, where did I derive that strength from?

02:16 And it's got to be this, this sort of work. It's, it's, it's perhaps, apart from being humbling, it's perhaps one of the most trying things you could ever . . . having to sit down with witnesses day in and day out that just relive their experiences. And, you know, to be able to help them tell their story, you literally have to put yourself in their position and visualize what, what they . . .

02:38 **RU: Of course.**

02:38 . . . what they went through and it's, it's very difficult.

02:42 **RU: Must tear your heart out. Yeah.**

02:43 Absolutely, absolutely, absolutely.

02:46 RU: One last question. We had a marvelous interview with a judge the other day. He indicated someone had given him a, a gift, The Iliad and the Odyssey, and he re-read that, he'd read it before of course in school. And after he finished it, he reflected and

said, “Things have not really changed much from those days.” Do you share the same view or do you have hope for, for something better from what you’ve seen?

03:15 Well, I do have hope. I worry about Rwanda and I’ve shared that with many people. I’m happy from what I’ve seen that the country seems hell bent on moving on and developing themselves and moving on from being known or recognized with genocide. But I worry as to whether or not they’re healing and I, I, and I have reason to know because of the work that I’ve done.

03:50 I’ve had the privilege and I’m, I, I must be one of the very few people who have been able to look at the Rwanda story from both sides. Having been in the tribunal for ten years and prosecuted ten cases, the Prosecutor then got me involved with the RPF files, which was the other side and I had those files for 18 months and I headed the special investigations for 18 months.

04:18 And so I have a unique opportunity to actually look at this whole story from two different angles. That aside, and without making any specific reference to the, the, the merits or demerits of, of, of the whole genocide story, one won-, wonders on a broad scale if they’re healing, if there is healing, if there’s reconciliation.

04:45 And, and if so, how, how healed people, is there, is there a prospect that Rwandans would be reconciled? I say this to my, my, my Rwandan colleagues, be they Hutus or Tutsis and I asked them and I said when I was investigating the RPF files, I would go out and talk to people in the diaspora because now, I’m looking at the other side.

05:19 And they would tell me things, not about the RPF files but about the RPF and about the Tutsi and about the government of the day, and what, and they would tell me things that they’re telling their children. And I would walk away from that interview, that meeting and I would sit on a plane and I would say to myself, isn’t this the same old story? Wasn’t this what these guys were telling their children when they were out there?

05:49 And I’m hearing this in 2007 and 2008 from a guy sitting in Montreal or in London or in Quebec, and he’s telling me how, “Even if I don’t go back, my children have to go back.” And he’s not sounding like he’s reconciled or like he’s come to terms with the situation and I, I sense vengeance and I sense revenge, and I sit down and I, I worry. I worry and I, I, I certainly don't want to be doing this in 20 years or, or, you know, be involved in things like this.

06:30 I had thought that this would – this whole system of international justice would deal very adequately with the, with the problem. And I’m very happy for Rwanda in terms of the economic development. I’m very happy with the pace of the economic development, but I’m worried about the reconciliation.

06:52 RU: Perhaps reconciliation is too broad a term.

06:55 Maybe it is.

06:56 **RU: And one wise person I spoke to in Rwanda said, "Reconciliation, perhaps. Learning to live together, probably." Let's hope at least, let's hope.**

07:06 Absolutely. Absolutely, absolutely. And I – another way to look at it is that the country may become so important economically that that in itself may, may help to build bridges and, and reconcile people and there, there might be so much economic buoyancy that they might, that might pacify ill-feeling, and . . . but there is a lot of division.

07:31 **RU: Yes.**

07:31 I sense it from the work I've done on both sides, there's a lot of division and I, I hope that we've done, we've, we've, we've done our own little call to help, to help solve the problem.

07:47 **RU: You've been very kind. I could continue this discussion for hours literally but I think we have a film problem.**

07:56 We're running out of . . .

07:56 **RU: So let me thank you so much.**

07:57 Thank you sir for having me. Thank you very much. Thank you.