



Voices from the Rwanda Tribunal

Official Transcript: Ayodeji Fadugba (Part 8 of 9)



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| Role: | Chief of Information and Evidence |
| Country of Origin: | Nigeria |
| Interview Date: | 23 October 2008 |
| Location: | Arusha, Tanzania |
| Interviewers: | Lisa P. Nathan John McKay |
| Videographer: | Max Andrews |
| Interpreter: | None |

Interview Summary

Ayodeji Fadugba discusses her role overseeing the management and security of evidence. She describes the ways in which information security has evolved at the Tribunal and differentiates between processes of collecting and storing evidence. She reflects on the ICTR as a method of 'crisis management' immediately following the events in Rwanda, but states that as details of particular cases unfolded, the ICTR's role in documenting events shifted. She reflects on her personal emotional response following the release of a judgment.

The transcript of Part 8 begins on the following page.

Part 8

- 00:01** John McKay: When you support an attorney who is in trial . . .
- 00:04 Yeah.
- 00:05** JM: . . . actually in one of the trial chambers in, in, in a case, it gets – I’m sure that it, that, that the activity here spikes up . . .
- 00:13 Yeah.
- 00:13** JM: . . . and there’s a lot of work to be done to satisfy the judges and to support the attorney. You must become invested in the case. And as it comes time for a decision there must be a feeling here. Can you describe that feeling and, and, and what, what the feeling is like right before a ruling is made?
- 00:33 Trepidation. I think that’s generally the feeling actually that everybody is so afraid and you’ve just got knots in your stomach. You, you, you’re wondering how it will all come out. And sometimes if you’ve been privy to the debates of what to present, what not to present, you hope this is not the moment that will haunt you for the rest of your life.
- 00:59 Usually here we have a TV there. I have a TV in my room. We have a few TVs but we tend to huddle in there at the helpdesk room, you know. It’s the bigger room and we all tend to huddle there to listen to the judgments and so peop-, people who have TVs in their office will usually leave their office to be with other people. I think there is an escape in being with other people when you hear it, yeah.
- 01:22** JM: Can you describe a great satisfaction or happiness on a ruling? And can you describe one in which you were very upset?
- 01:31 I’ll start with the one in which I was very upset because I work on the, I worked on the case and that is the case of Cyangu. Bagambiki and Ntagerura, they were acquitted as you would know, and that was very, very painful. That was very painful because that was based on some defects in the indictment, you see.
- 01:52 And this is, this is actually one of those – for me it’s one of those things that you have to get p-, you, you have to get past it because in terms of talking about the fact that there was d-, there were defects in the indictment, we knew that and we attempted to correct the defects. We filed an amendment.
- 02:13 The amendment had been filed for over a month or two and we were told no trials have to start now because the trial chambers are not doing anything so they have to proceed to trial, you couldn’t amend the indictment. So, that’s, that’s, we withdrew the indictment.
- 02:33** JM: How did you – how did this make you feel when you heard the ruling?
- 02:38 You just felt you wanted to kill somebody. But fortunately you didn’t do it. You know you feel so – I mean it’s just a way of saying that, you know, the time we would have

wasted in amending the indictment and the outcome, you see, it, it, it's, it just leaves you for a few days asking, "What I'm I doing here, what is, what, what, why did it have to come to this? Was it that important that we couldn't have invested six months more? How much was it worth? How much was the six months worth?" Even if it was six months, because that would have been the maximum.

03:17 JM: Did you ever feel that, that you were disappointed in, in, in the justice system in, in the approach to, to the genocide?

03:29 Sometimes yes. (____).

03:30 JM: Can you tell me about that?

03:32 Yes, sometimes you just think that there are all this mechanisms to uphold the right of the accused. And then you wonder who, you know, what about the right of those who, who were massacred? Like talking about the defects in the indictments you see is the, is the cure really an acquittal? You know especially for these big crimes? That there must be somehow a, there must be somehow a balance, you know, to be struck.

04:01 Okay the prosecutor's indictment was defective. Even if you said it was, is acquittal necessarily the remedy that would, you know, be appropriate? Well, if the courts have said that is the remedy, but as a person you ask yourself. Surely there must be something, you know, if you look at the nature of the crime. That there is something in between that, that could be done, you know.

04:27 Yes, you, you do ch-, you, you think about that sometimes and you think it's not, you know, and you, you say, "Is it worth it?" But I think also it's been worth it because there are so many things also on the record that would guide the future. Even if we had gotten five convictions, I think it's a statement. You can, I mean, I don't think we can, I've come to the conclusion that we can do it all and that we can do justice the way we wanted to. But if we can, you know, make some people responsible? I think that is part – that helps.