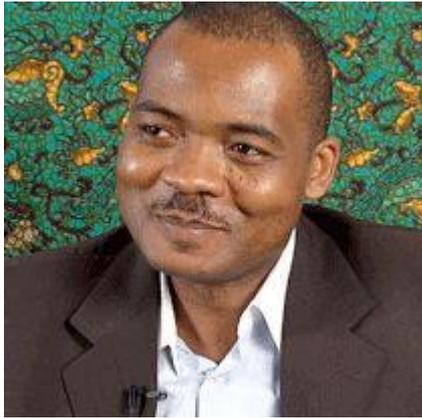




Voices from the Rwanda Tribunal

Official Transcript: Jean-Pele Fomete (Part 8 of 15)



Role:	Program Director
Country of Origin:	Cameroon
Interview Date:	24 October 2008
Location:	Arusha, Tanzania
Interviewers:	Batya Friedman John McKay Robert Utter
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Jean-Pele Fomete speaks about his role in court management services, overseeing legal aid and capacity building for pan-African justice systems. He highlights the need for civil society support to make the Tribunal a success, which has been challenging in Rwanda. He also comments on the lack of infrastructure in Africa, and the difficulty in mobilizing resources and ensuring adequate access to information about the Tribunal's work. He discusses the positive and negative impacts of the ICTR and international human rights standards on Rwanda's justice system.

The transcript of Part 8 begins on the following page.

Part 8

- 00:00** John McKay: Let me, let me focus now on, on, on Rwanda itself and its justice system. Who, who makes the decision as to whether Rwanda is in a position to take those who have been indicted by ICTR?
- 00:16 As per our rules, the decision is made by a trial chamber. So the Prosecutor makes the application and the judges in a bench of three review the application. And experience has shown that there's a lot of interest in this transfer.
- 00:33 Many NGOs like Human Rights Watch have been appearing as amicus curiae and advocating for a decision in one direction or the other, but the final decision is taken by the trial chamber.
- 00:51 The decision is appealable and it has been appealed but the appeals chamber upheld the decision of the trial chamber at least in one case that Rwanda was yet to meet all the requirements. So that's the position at this point.
- 01:13** JM: What is your, what is y-, I don't want to really ask you what your feeling is on that decision. Maybe I can ask you a broader question about what your hopes are for the justice sector in Rwanda.
- 01:26** JM: How it has been affected or, or either positively or negatively by the existence of ICTR? Is it lifting the justice sector in Rwanda? Is it, is it exacerbating relations? And do you have hopes for improvement of the Rwandan justice sector?
- 01:45 Yeah, I have a great hope for improvement of the Rwandan justice sector. And I can just take one example. Within a year or so, in its effort to meet the so-called standard to host the cases from the ICTR, Rwanda first of all waived the death penalty for those kind of cases and later on simply outlawed the death penalty in Rwanda.
- 02:21 So for, for a country like Rwanda, coming out of a genocide just a decade after taking such a bold move – I think is a good message. That's one. Second message, they have been working hard to come out with a really independent judiciary. It will take very long but in terms of structure it's clear that they want to achieve that goal.
- 02:54 The Minister of Justice has very little to do with the judiciary. If you compare it to countries like Cameroon where the Minister of Justice is in charge of everything appointing judges and you know – it's a very significant point in the, in the move, in the good direction coming from Rwanda. Of course, the entire system was destroyed by the genocide.
- 03:19 People were killed. People went abroad. So reinvesting in justice is not just a matter of financial resources. It takes time. How do you train lawyers? How do you train judges? And thing (), so it takes time. My perception is there is willingness, political willingness to do something but the task is simply overwhelming.

- 03:44 Why am I confident? Just because we have been working together with them in the framework of a joint capacity building program to strengthen their judicial sector. So when you meet with them you, you really feel they want to do something.
- 04:00 And this doesn't apply only to official authorities. It applies to defense lawyers. They want to do something. They want to forget the past and be, even, they, they want to be showing the way to other countries in the region.
- 04:20 If I give you the example of becoming, you know, going electronic in many areas including the production of real-time court reporting services, you know. That's the kind of things they want to do and we're trying to work with them towards that direction.
- 04:40 So I, I might be overly optimistic. The challenges are just huge, daunting, but from going to Rwanda, from speaking with, with the, with the actors, they want to move ahead.