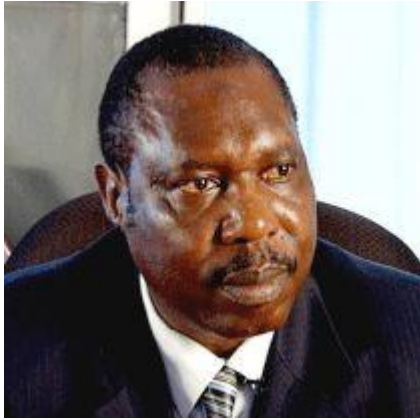




# Voices from the Rwanda Tribunal

## Official Transcript: Saidou Guindo (Part 5 of 8)



<b>Role:</b>	Detention Warden
<b>Country of Origin:</b>	Mali
<b>Interview Date:</b>	16 October 2008
<b>Location:</b>	Arusha, Tanzania
<b>Interviewers:</b>	Donald J Horowitz Lisa P. Nathan
<b>Videographers:</b>	Max Andrews Nell Carden Grey
<b>Interpreter:</b>	None

### Interview Summary

Saidou Guindo discusses the detention facilities used to house those accused and indicted by the ICTR in Arusha. He describes instances where inmates went on hunger strikes in protest against decisions taken by the Tribunal. Guindo also comments on the common critique that the ICTR detention facilities are far more comfortable than those in Rwanda that house people indicted for lesser offenses. Guindo asserts that the ICTR has a duty to meet the minimum detention standards guaranteed under international law.

*The transcript of Part 5 begins on the following page.*

## Part 5

- 00:00** Donald J Horowitz: If you were building – let’s say there was another tribunal five years from now and they said, “We would like for you to do, do your j-, do the, do your job well,” what would you do that, what, that would improve what you’ve been able to do here? You must have some thoughts of that.
- 00:18 Yes, we, you know, every time we are going to improve some of the rules; internal rules, yes. We are going to improve some of the, the areas. Of course.
- 00:29** DJH: Such as what?
- 00:30 Like, you know, like here. You have people coming from everywhere, like lawyers . . .
- 00:36** DJH: Right.
- 00:37 . . . coming from America, France and other things. When they come here they come and even to search them it is a problem sometimes. They say, “No, you are not going to search us.” We say, “No, you’re coming in the detention, you have to be searched.”
- 00:52** DJH: Of course.
- 00:53 And these kinds of conflicts. Sometime if they (\_\_\_), “No, we’re going” and then they want to use their position as a lawyer to challenge us. They think that we don’t know. This is, this is something I think we have to improve.
- 01:08** DJH: Mm-hmm.
- 01:09 And we are very firm; my team and myself, to show them it’s not possible, we have to do that, our duty. If they don’t want they have to leave the area. But sometimes it’s not easy, it’s not easy.
- 01:25 And well, this is one of area at the beginning when we tried to be very firm and then even the detainees they say, “The commander don’t want our lawyer to come” and then they went on hunger strike. I say, “Okay,” and then I keep my position.
- 01:43** DJH: Mm-hmm.
- 01:43 Before investigator were coming here to enter they say that they’re lawyers. They are not lawyers because they are recruited; they don’t have any background on law.
- 01:55 They don’t – they’re not covered by any privileges. They are recruited by the – like, you know, like anybody. Most of them – some of them are even the relatives of the detainees. Yeah.
- 02:08 And some of them were even, what they say, involve in the, in the same time with the detainees. We have one of them or two of them were investigator, arrested later and then brought here.

- 02:24 Those are the people we are dealing with and bringing a lot of things inside the detention, trying to bring a lot of things inside the detention, giving to the detainees.
- 02:36 DJH: Okay.**
- 02:37 Yeah. Then, that's why we said, "Oh, you have to do accordingly. If you don't want to be searched." Me if I go at ICTY prison or somewhere in America I have to be searched as a Commander . . .
- 02:50 DJH: Right.**
- 02:51 . . . even if I'm in official delegation.
- 02:54 DJH: So have you had a big problem of people bringing in, w-, I can't remember the word we used to use.**
- 02:58 You know everywhere in the detention they try to smuggle things of course – money, money, electronic device, you know, telephones. Especially some electronic device which are – you know, every day you have new. Every day you have one sophisticated, sophisticated device. They are trying to bring it inside and then we have to be very vigilant and to detect that and to take it during our searches.
- 03:31 I bought one equipment from, from America in 2006 to detect all the electronic devices inside the, the detention. And it cost us almost \$16,000.
- 03:50 DJH: Okay. We would like to take a break now and Lisa has a few more questions to ask you and I think then we might well be finished if that's okay with you.**
- 04:00 Okay.
- 04:00 DJH: W-, but before I, I do that, I – is there something that you yourself would like to say to people five years from now, ten years from now, 15 years from now, something that, from your heart about the tribunal, about your part of the tribunal, about what you would like to see done, what you have done?**
- 04:23 DJH: Something that you know that people are going to watch or see on their computer or hear your voice years from now that your grandchildren will also look at. Is there something that you have in your heart that you would like to say? To the future.**
- 04:37 Yes, of course, I would like – of course everybody – that's why I say we are going everywhere, we are called everywhere to exchange our experience. I would like the world to know what we did here, regarding the implementation of international standards.
- 04:54 Because I know you have many conflicts come, around the world. You cannot prevent. We have ICC, they're, they have their detention. I think it is good for them also to get to benefit of our expe-, experiences, why not?

- 05:18 DJH: 'kay. So if we can take that ( \_\_\_\_\_ ) . . .**
- 05:20 To, to fight, to, to fight impunity and then also to participate in, in what they say, in the international justice. I forgot to . . . [cell phone rings]
- 05:34 DJH: It's okay. T-, to fight impunity.**
- 05:40 Take this one, it's Nairobi Hospital. They are calling me.
- 05:48 DJH: "To fight impunity" – I've seen that slogan. Tell me what that means to you, to fight impunity.**
- 05:54 Impunity is everybody who, who involve or kill people, involve himself in a mass killing, in a, what they say, crime against humanity like genocide . . .
- 06:11 DJH: Yes.**
- 06:11 . . . raped, to be brought to justice, tried and he's found guilty – he has to be sentenced and he has to be, to serve his sentence. This is the fighting of impunity for me. Not to say that we can sit together to talk and for-, forget.
- 06:32 And you know Rwanda this is not the first time, since 50-, 1959. '59, '70 and others it's the same thing repeating.
- 06:42 DJH: Yes.**
- 06:43 Going and coming back.
- 06:45 DJH: You, you, you know the history and of course you must know the history to do your job well.**
- 06:49 Yeah.
- 06:50 DJH: Is there impunity still in, in here with some of the people that you have here, do you think?**
- 07:00 I can say yes – why not – because they have the ideology. Some of them are here still maintaining that there's a problem between them and the, the, the Tutsis. They, they, they are fighting.
- 07:16 The way they are encouraged they will, they say that those who want, they come and then, they themselves also they are preparing. Maybe one day they will prepare to come back, why not. This what they are saying.
- 07:31 DJH: So they haven't learned to . . .**
- 07:32 They don't say directly but they haven't learn yet. They would like also the other part to be brought to justice, is what they say.
- 07:47 DJH: Okay, thank you.**