



# Voices from the Rwanda Tribunal

## Official Transcript: Beth Lyons (Part 12 of 13)



<b>Role:</b>	Defense Counsel
<b>Country of Origin:</b>	United States
<b>Interview Date:</b>	3 November 2008
<b>Location:</b>	Arusha, Tanzania
<b>Interviewers:</b>	Batya Friedman Ronald Slye
<b>Videographer:</b>	Max Andrews
<b>Interpreter:</b>	None

## Interview Summary

Beth Lyons highlights the importance of a fair trial for all. She discusses the politicization of ICTR prosecutions, particularly the failure to investigate war crimes committed by the Rwandan Patriotic Front (RPF). She states she has found no evidence of a plan to commit genocide by those accused by the Tribunal, which she views as a key difference between the events in Rwanda and the Holocaust. Lyons reflects on the inequity of resources between the prosecution and defense.

*The transcript of Part 12 begins on the following page.*

## Part 12

- 00:00** Ronald Slye: Let me, I guess close with one, one last question. You, you worked for the South African Truth and Reconciliation Commission, and one of the purposes of the ICTR is reconciliation as well as justice.
- 00:16 Mm-hmm.
- 00:17** **RS: Do you think, given the experience in Rwanda, that a Truth Commission either on its own without something like the ICTR or in combination with the ICTR would be doing a better job at addressing some of the, the criticisms that you've raised in terms of victor's justice and unfairness, inability to look at the, the activities of the RPF and others?**
- 00:44 First of all, I would just as, there, there was at some point legislation for a Truth Commission in, in, in Rwanda. My position on that is this – the efficacy of a Truth Commission to achieve the objectives of truth and reconciliation depends on the context and never would I compare the RPF to the ANC.
- 01:10 Let me be very clear. The RPF has violated human rights and this has been documented by “sources” like The Economist which make them, put them very low on their list of, of human rights achievers and high on their list of human rights violators.
- 01:30 But I, I think that the ANC, what was different about the Truth Commission in South Africa was the ANC as a liberation movement was able to, to implement the concept – not without some struggle within its own ranks and within the country.
- 01:53 Its version of a Truth Commission in fact was different than the previous 16 or 17. Its process was more open and more transparent, and that had to do with what the ANC's liberation movement stood for and the history of secrecy of the anti-apartheid movement, this secret legislation, et cetera, et cetera.
- 02:14 At this point if you were to say, "Should there be a Truth Commission in, in, in Kagame's Rwanda?" it, it would obviously would fail. It couldn't do anything because you have to look at the context of the country. You have to look at how that country is operating, how its opposition, opposition leaders and members in the country are treated.
- 02:34 You have to talk about the treatment of witnesses who come here. You have to talk about all of those things. So that's the issue. You know, the answer is – no, it wouldn't function.
- 02:47 Now, if Rwanda were under a different leadership and it was a different time, is that possible? Of course it is, but we're dealing with the reality now so that a Truth Commission I think would be hard pressed – would not be able to achieve its objectives.

- 03:02 Now, not to say that there aren't citizens in the country who really want to find the truth and would make every effort. That may be true, but I'm not denying that, that's a possibility but I'm talking about the government policies to establish it.
- 03:18 The Kagame government could not establish, cannot establish a Truth Commission with the kind of transparency, the kind of outreach, the kind of support and the kind of fairness that, you know, that, that, that may be felt by an ordinary Rwandan but the government could not establish that kind of a Truth Commission in my view.