

Official Transcript: Hassan Jallow (Part 4 of 15)



Role:	Chief Prosecutor
Country of Origin:	The Gambia
Interview Date:	5 November 2008, 6 November 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan Donald J Horowitz Batya Friedman
Videographer:	Nell Carden Grey
Interpreter:	None

Interview Summary

Hassan Jallow emphasizes the need for extra-legal responses to post-conflict reconciliation and calls for the involvement of local communities in the justice process. He discusses the challenges of prosecuting gender violence and its role as an act of genocide. Jallow refutes the notion that the Court has delivered 'victor's justice', drawing attention to an investigation into war crimes committed by RPF forces. He suggests that the process of holding leaders accountable is feasible at the international level.

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Part 4

- 00:00** Lisa P. Nathan: So in your, during your experiences here, you brought with you a, a history and an awareness, an incr-, you know, an education all built around this concept of justice.
- 00:15 Mm-hmm.
- 00:16** LPN: And then you've been working here for a number of years and the different trials have gone in, in, in favor of various people and, and not in favor of others. I'm wondering how the outcome of those trials in the, what you have seen gone on in, in the courtroom has influenced, changed your concept of justice?
- 00:43 Well, it's, it's . . . here we are concerned with legal justice. We, we are concerned with legal justice. We, we, we are hoping that as a result of legal justice, maybe we will have an impact on reconciliation and peace in, in, in Rwanda.
- 01:02 W-, I think one of the, one of the lessons we may have to learn from this sort of intervention in, in post-conflict societies is that legal justice is not sufficient, it is absolutely necessary but it's not sufficient. You need to hold to account the people who, who, who got in, who, who were involved in the atrocities.
- 01:23 But beyond that you also need to look at, for instance, the plight of the victims. We are, we are absolutely helpless in this court here, in dealing with the plight of victims except insofar as they are witnesses.
- 01:36 If they are witnesses we provide a little bit of welfare for them, you know, and they go back. If it's a victim of sexual violence who is now HIV positive as a result of it, what do we do? We provide some medication for them and then we let them go back.
- 01:51 When we close down, what will happen to them? I mean, if, if the international community is going to intervene in these post-conflict situations, they, they have to then move on a broad front I think. You, you need to, to have a, a legal justice program. You need to have a program for dealing with the welfare of the victims.
- 02:11 You also then need to, to, to intervene in the society to try and create an environment where you could then have good governance and respect for human rights as a way of sort of preventing, as a preventive, potential present-, preventive measure for, for a recurrence of this sort of tragedy.
- 02:33 So I, I think it would be wrong for us to just do legal justice and go away. It's not enough. It is absolutely necessary, as I said, but it's not enough.
- 02:44** LPN: Okay, thank you.