



Voices from the Rwanda Tribunal

Official Transcript: Avi Singh (Part 2 of 7)



Role:	Legal Assistant
Country of Origin:	India
Interview Date:	24 October 2008
Location:	Arusha, Tanzania
Interviewers:	Batya Friedman John McKay
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Avi Singh speaks about his experiences defending Jerome Bicomumpaka, posing the question: Are all government members responsible if genocide occurs in their country? In other remarks, he critiques the legal aid structure at the ICTR, claiming the United Nations is plagued by inefficiency. He stresses the importance of high quality defense to avoid political prosecutions, and discusses the problem of hearsay in witness testimonies. Singh comments that alleged perpetrators of genocide typically view themselves as victims of an international conspiracy.

The transcript of Part 2 begins on the following page.

Part 2

- 00:00** Batya Friedman: So, going back just to your own personal history, w- what's the ethnic conflict that you said you grew up in and . . . ?
- 00:07 Well, I mean, I grew up in Punjab, which is a region in India, which when I grew up, and now it's ended and people hardly remember it, and we, we never write about anything, is it was basically there was a movement then to have a separate Sikh state, called the Khalistan movement and, which was fairly violent.
- 00:27 You know, it was, led to about, I don't know, how many wars, but, you know, definitely fairly violent. So through the '80s, so I was 18 in '91. So through the '80s was at its peak and I lived in Punjab so it was, you know, it's what you grew up with. And, and, I'm Sikh, but I'm not a orthodox Sikh. So you grew up in that context of, you know, it's your community in one way and not your community and having to take sides in political situation and it was ethnic.
- 01:00 I mean there were actually moments where, you know of course the state which also had a ma-, majority Sikh police force, but there was still discrimination against Sikhs. There was a, sort of a, a major program you could call it, in Delhi in 1984. There was, you know, Sikh, and this is a – it's a very political thing what people call them. You know, people who oppose them, like me call them terrorists.
- 01:24 People who support them call them – or, or more sympathetic call them militants. A bit like Iraq now, you know, the terrorists or militants. But they would actually pull out people from buses and, and, you know, sort of, kill them if they weren't wearing a turban.
- 01:42** **BF: And you said you grew up in a refugee camp? (____) you (____) . . .**
- 01:44 No, I didn't grow up in a refugee camp. My families are refugees from Pakistan. Both sides of my family in '47 . . .
- 01:49** **BF: Okay.**
- 01:50 . . . as Sikhs had to move from Pakistan. And then we may have had to move out of Punjab if there had been a separate Sikh state, as not very orthodox Sikhs. So you know there's sort of, you know, (____) . . .
- 02:01** **BF: Mm-hmm.**
- 02:01 . . . this ethnic conflict, if you want to call it that, has in a sense, informed my personal history.

- 02:07** BF: Mm-hmm. So what is it that made you decide to get involved with the ICTR? I mean, what, what, what specific things happened that, you know, at some point you said, “Okay, I'm going to go and get to know what this is about in a really personal way”?
- 02:25 It's, it's bizarre. It was very accidental. I mean, now I've always kept an interest. But you know, for seven years I worked in corporate America you know, as business development. So from '95 to 2002 . . .
- 02:41** BF: Mm-hmm.
- 02:42 . . . and I went back to get a JD in 2002, and I really, you know, never thought I would do criminal defense; furthest thing from my mind.
- 02:56 My first summer I was at the ACLU, you know, in San Francisco, very human rights. I applied to be an intern here, and I came out here in 2004 for six months, basically my fourth semester in JD. And, you know, very, very idealistic UN court.
- 03:23 I didn't want to go to a . . . and I knew more about Yugoslavia but I thought Rwanda court is in Africa and it's () be a more interesting experience. So that was it, it was not really well thought out, why I came out here.
- 03:36** BF: Mm-hmm.
- 03:37 That's what brought me here first.
- 03:39** BF: So, before we carry on with the conversation around specific questions, you've been involved with this particular trial for four or five years now . . .
- 03:50 Yeah.
- 03:50** BF: . . . is there anything, any reflections about your experience with that, that you'd like to share with us?
- 03:57 You know, it's hard to be, you know, I'm () 35 now, so it's not that much of my life. I'm not in my twenties, but still five years is significant part of your life. It's, it's been really a interesting experience but that's, that's a fairly banal statement actually.
- 04:12 It's . . . how sh-, how do I put it? It's, I don't think – you know, it's not just being in the trial, it's like being here, it's, it's sort of this intensity, you know. You don't go home when you're working in Arusha, because home is bunch of other lawyers.
- 04:32 You're talk-, you're living these cases. And, and I, I'm not even equating it to that but it's like working, you know, the closest thing – I remember thinking about it

because I read this quote from Charlie Chaplin. He said, "When, when you're working on a movie set, it's like, you know, you die from normal life." That's what it's like, there's, you know, you never get a bill here.

- 04:52 You, you know, none of your normal lives we've all – you know our normal lives have kind of, you know, our friendships, we've maintained some of them but it's really hard. They've really taken course which are very, very different.
- 05:06 And, and it happens to all of us, I mean it's happened to us to a large extent. We're not here all the time but still it's happened to us, a lot of things.
- 05:12 So, so, it, it – there's a big effect of being in this, because it's very intense. You're, you're removing yourself to another juris-, place to work just on a trial. And everybody else that mostly you know is also working in one way or the other with the court.
- 05:27 BF: Mm-hmm.**
- 05:28 So just from a social aspect, you know, it's, it's a, it's a bit like going to camp or going to a boarding school or going to, you know, going on a movie set I guess, from the Charlie Chaplin analogy.
- 05:38 You know, it's sort of, it's very, very intense.
- 05:42 BF: Mm-hmm.**
- 05:43 And I'm realizing this again because I've s-, I've restarted a, a private practice now in India, and you know there's normality. You know, you don't go out every e-, evening with a bunch of lawyers and discuss what you worked on during the day, which is good and bad. Because nobody cares what you've done during the day, the bad part, but yeah, but it's, it's that aspect of it.