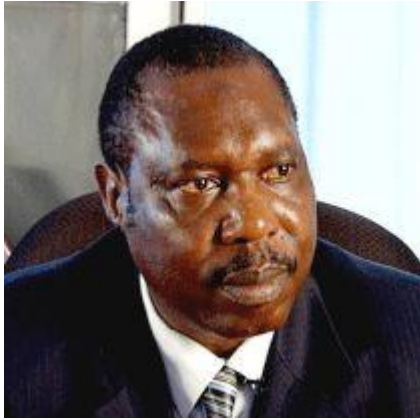




# Voices from the Rwanda Tribunal

## Official Transcript: Saidou Guindo (Full Interview)



<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 the interview begins on the following page.*

## Part 1

- 00:00** Donald J Horowitz: This is Judge Donald Horowitz with the ICTR Information Heritage Project. And today I'm interviewing Mr. Guindo who is the Head of the UN Detention Facility for the ICTR. Can we start Mr. Guindo by having you give us your full name and your title?
- 00:20 My name is Saidou Guindo.
- 00:22** DJH: Can you spell it f-, because . . .
- 00:23 Saidou is S-A-I-D-O-U, Guindo G-U-I-N-D-O.
- 00:32** DJH: Okay. And your job?
- 00:33 I am the Commander of the detention facility; United Nation Detention Facility.
- 00:39** DJH: And how long have you had that job, sir?
- 00:42 Since July '99.
- 00:46** DJH: You've been here a long time. Is that when it opened or was it – had it been opened before then?
- 00:52 It has been opened in October '96. Yes.
- 00:56** DJH: Okay. Alright.
- 00:57 I'm the third commander of the detention facility.
- 01:01** DJH: And had you worked here before; before you became the commander?
- 01:06 No.
- 01:07** DJH: Okay. Can you give us a little bit about your background in the area of security and co-, corrections or penology?
- 01:16 Okay, I am a Malian. I came from Mali. I studied in a high school. I have a (\_\_\_\_) Master's Degree in Psychology and Education and after that I went to teach Psychology and Education for almost two, three years. I joined the penitentiary administration in Mali where I was in charge of the division of Social (\_\_\_\_) and (\_\_\_\_) of the penitentiary administration.
- 01:55 I also later on appointed Deputy National Director of – Acting Deputy National Director of the Penitentiary. Then I left. I went to in administration as Commander District in Administration; civil administration.
- 02:14 From there I was appointed as a technical advisor of the Ministry of Foreign Affairs in charge of, of Tuareg rebellion. It means that, it means that, you know, Mali was faced with a Tuareg rebellion. I was in charge of this, this file.

- 02:37 From there I went to Haiti in '93 as a Human Rights Officer in charge of the detention at, in Haiti. And then I came back in Mali and after that in '94 I went in Rwanda up to '98 for human right field operation in Rwanda after the genocide in '94 October.
- 03:00 **DJH: Who, who – excuse, excuse me, who, who did you work for when you went to Rwanda; who was your employer?**
- 03:06 High Commissioner of Human Rights.
- 03:08 **DJH: From the UN? Okay. (\_\_\_).**
- 03:09 From the UN. For, from October '94 up to Ju-, March '98. From there I went back in Mali and then in '99 I was recruited to be Head of, Commander of the detention facility here. I was completing the duty of, of Deputy Chief of Security and also Commander of the detention facility.
- 03:43 **DJH: Okay. What are your duties briefly, s-, your summary of your duties now in this job?**
- 03:52 My responsibility is to, to implement all the rules covering the detention facility. It means that administrating, administration, management, security and good order; to maintain a good order of the detention facility.
- 04:13 **DJH: And what . . .**
- 04:13 To be sure that the condition of the detention prescribed by the tribunal and the international standards are well implemented in this detention facility.
- 04:26 **DJH: And I was going to ask you, you said to make sure the rules and regulations are followed and I think you've answered – who provides those rules and regulations, are they written in by the UN and also by the ICTR?**
- 04:40 It's written by, by, by – we have the rules of the statu-, the statute, basic document of the tribunal. We have that rules but we have also the international standards rules provided by the United Nations.
- 04:54 **DJH: And that's your guide.**
- 04:55 Yeah, of course I have also my experience, yeah.
- 04:59 **DJH: Of course, of course and extensive experience it is and a very varied experience. W-, what kind of prisoners do you have here? In other words are there different categories of prisoners or, or people who are detained here?**
- 05:18 I have different categories. We have military high rank, we have some generals, majors, captain, major, majors also are here and even colonel among them, which means that they are well, high, well-educated. We have a member of the government; different backgrounds: doctors in medicine, we have lawyers, we have also – what they say – economists.

- 05:50 DJH: Mm-hmm.**
- 05:51 And we have also some lower people among them – prisoners which are, didn't get high education but they are very few.
- 06:03 DJH: I was – and that's, that's very helpful. I, what I, I think I was meaning was, are there some here who have not yet been tried, some who are being tried and some who are – have already had a trial? Different categories and have they . . .**
- 06:18 Yes, we have the detainees who didn't start their trials yet who, and who are under trial – undergoing trial and the people who are already sentenced . . .
- 06:30 DJH: Okay.**
- 06:30 . . . yes, and waiting to be transferred . . .
- 06:33 DJH: And waiting to be . . .**
- 06:34 . . . somewhere else.
- 06:34 DJH: Somewhere else.**
- 06:35 Yeah. Because they are supposed after sentence to be transferred in another country where – like a country who are willing to receive them to, to, to, for the enforcement of their sentences.
- 06:45 DJH: Okay . . . okay. So the detention center here is not supposed to be a long-term sentence, sent-, place where somebody has been sentenced for a long term?**
- 06:58 No, no, no. As you know as you finish your trial you are supposed – if you're sentenced then you're supposed to leave to be transferred somewhere else. That's, that's why we sign an agreement.
- 07:10 We have Mali who is willing to receive them. We have six people already in Mali serving their sentences. We have Swaziland, the Kingdom of Swaziland. We have Benin where we already made all the arrangements ready to receive.
- 07:27 We have of course Rwanda also who is willing to receive them. We have France; we have Sweden. We have one person already serving sentences; one prisoner is serving his sentence in, in Italy.
- 07:42 DJH: Okay, and must the other places to which you would be sending those people, must they conform to the UN – to the standards of the UN; the international standards of the UN?**
- 07:56 Yes, this is part of agreement. We have to be sure that everything will be according to international min-, international minimum standard.
- 08:05 DJH: Okay.**

## Part 2

- 00:00 **DJH: And while the prisoners are here and they're in these different categories, are the prisoners treated or, treated differently? I mean do they have different things they must do, or are they allowed, all treated exactly the same?**
- 00:15 **DJH: In other words are there activities for people who are pre-trial that are different from the people who are being tried or different from the people who are being sentenced?**
- 00:25 No, they have the same regime in this detention facility.
- 00:26 **DJH: The same regime. And are they . . . ?**
- 00:29 That's why we say detention facility because we give them a lot of facilities to prepare their case. They have to really, to be really comfortable to prepare and to defend themselves.
- 00:42 **DJH: Okay, and after they've been sentenced of course unless there is an appeal, they're done with preparing their case and they're waiting to go. But the-, they would be tr-, still treated the same way.**
- 00:52 The same way; same regime.
- 00:53 **DJH: Are they, are they all housed together or are there different categories for different places?**
- 00:57 No, they are not all housed together. We have – each of them have (\_\_\_), individual cell and we have also – we know them depending on the cases, depending on the behavior of each of them. And also for the convicted people we have also a (\_\_\_\_) for the convicted people.
- 01:20 **DJH: So there's a, a place where the, the convicted people are that, that's separate from the other people.**
- 01:22 Yeah, yeah, yeah. Separate yes. We have also for the one – we have only one woman here. She is living in (\_\_\_), in the, in her compound separately.
- 01:32 **DJH: Okay, so if I understand, people who are, the-, everybody has their own cell. The people who are pre-trial have their place; people who are post-trial or sentenced have their own place. Okay. (\_\_\_\_\_) . . .**
- 01:44 Yes, and then people who also plead guilty or would like to plead guilty are in the, in the different compound.
- 01:52 **DJH: Okay, but each has their own cell?**

- 01:54 Yeah.
- 01:54 DJH: Okay, and the woman of course is treated carefully and protected I'm sure.**
- 01:57 Yeah, yeah.
- 02:01 DJH: Do they mix during the day, you know, in, in the various activities . . .**
- 02:06 It depends, it depends, you know, they s-, can share some activities like sport to play together, sport, volleyball, football and some leisure activities it depends on if they can do it together.
- 02:21 And they go to mass together in the same area or to go to pray. Muslims they have their own mosque. And also this is the, the time maybe they can be, they can meet or to, to go to the cafeteria or the lounge or dinner or to take their meals.
- 02:42 But this does not mean that they, they are mixed totally to, to, to share everything, no.
- 02:49 DJH: Okay. And what do you see as your mission besides of course c-, complying with the rules? What is it that you would like to be the outcome of your, your service here if, if that's a clear question?**
- 03:07 You know our mission here, we are always – we are pioneer in the implementation of, of international minimum standards because UN everything was theory. It is the first time and the first detention which is totally managed by the UN staff. It was a very big challenge for us and . . .
- 03:31 DJH: In what way?**
- 03:32 Yeah, in one way.
- 03:33 DJH: In what way was it a challenge?**
- 03:35 It is a challenge. It is not easy to, to, to from a theoretical view from there to come to, to implement practically. It is another issue; it is a big, big, big, big, big challenge, yes.
- 03:55 DJH: What are the in-, are, do these people have jobs? Or what is it that they are expected to do during the, during the day?**
- 04:03 No, they don't have jobs, no they don't – at the moment because they're very busy . . .
- 04:09 DJH: What are they . . .**
- 04:09 . . . in the preparation of their cases. It is not easy and they have very huge s-, program activities to prepare their case, making the schedules and to prepare their cases. But at the moment – and even the international standards didn't prescribe that they have to work yes, at this stage. Maybe after their sentence, then.
- 04:35 DJH: I was going to ask that. The people who have been sentenced, do they have to do anything?**

- 04:40 Not here, maybe if they are transferred somewhere else maybe they can do something there. It depend on the, the reglamentation and the rules applying on the correctional services of those countries.
- 04:55 **DJH: Okay, and do you have rules for conduct of the prisoners within the facilities, what is allowed and what is not allowed in terms of their personal conduct, you know?**
- 05:10 Like – to fight? Among them?
- 05:13 **DJH: Yes things of that sort. Yeah, yeah ( \_\_\_\_\_ ) . . .**
- 05:15 Like to, to, to – to what they say – to fight or not to respect the rules . . .
- 05:24 **DJH: Right. Yeah. Okay.**
- 05:25 . . . inside the detention? Yes, to have a problem with the security of the staff. Those are, we have the rules, internal rules, which they know that they are not supposed to do.
- 05:39 **DJH: Okay, and has there – have there been any consistent problems of pe-, people violating, one or more people violating those rules? And what is the procedure for taking care of that if that is ( \_\_\_\_\_ )?**
- 05:50 We have – of course where you are dealing with human beings of course . . .
- 05:55 **DJH: Sure.**
- 05:56 . . . especially in the detention. The pressure, the fact that he’s already confined is a problem.
- 06:04 **DJH: Right.**
- 06:06 There will be days when maybe he can lose his self-control and then to, to behave against the rules.
- 06:17 **DJH: Okay.**
- 06:18 And we have, what they say – a report to be made, made and a ( \_\_\_\_\_ ), a sanction to be taken. We have a misbehavior form which has to be filled according to what the person did, and then it will, from the Duty Officer to the Chief of Operation, the Deputy and then to the Commander.
- 06:42 **DJH: Okay.**
- 06:43 From there we take appropriate action.
- 06:46 **DJH: Can you give me an example – you don’t need to mention a name – but can you give me an example just so we can understand what kind of conduct and what does it lead, what would the penalty be?**

- 06:55 Like the duty officer asked a detainee to ( ), to go back for, in his cell. He refused. During the closing time he asked him to go in his cell, he refused. And then he – what they say – he exchanged bad words with the, with the, the, the officer.
- 07:15 And then there is a sanction to be taken to remove some of the privileges like phone calls, like to prevent him to go to, to cafeteria or to participate in general activities . . .
- 07:30 DJH: Okay.**
- 07:31 . . . which is very important for them.
- 07:32 DJH: Yes. And have there been instances of fighting or one or more people or somebody beating somebody else? ( ) . . .**
- 07:39 No, no, no, no, because they are people, well-educated people and then calm people and there could be some problem but they don't reach a point where really they, they use force.
- 07:55 DJH: Okay.**
- 07:56 Yeah.

### Part 3

- 00:00 DJH: Now many of these people have been charged with terrible crimes and many of these people worked together in Rwanda pre-, presumably.**
- 00:15 DJH: Do they seem to be doing the same here? Are there times when they take collective action and try – or co-, or make a collective request or demand or something like that? Do you, you understand . . . ?**
- 00:28 Yeah, I understand, of course, of course, you can see them. Sometimes they can write group letters to complain against, against the Rwandan government, against the UN, against the judges, against the staff. And then some of them can sign the letter, some people among them say, “No, we don't sign.”
- 00:50 There is of course a conflict; some kind of compl-, compl-, latent conflicts among them, yeah. But political – they still continue, writing letter, criticizing the Rwandan government, yes.
- 01:10 DJH: We heard that there was at one time at least a threat or perhaps there was a hunger strike.**
- 01:18 Yes.
- 01:19 DJH: Can you tell us about that?**
- 01:21 Hunger strike they did it I think two or three times since I'm here, hunger strike against like decision taken by the tribunal. If the tribunal takes one decision they're not, they



say, "We are not going to court," and then hunger strike for one or two days or something like that. Or I guess if – ge-, generally if a decision has been taken by the tribunal they say hunger strike.

- 01:48 DJH: Okay, it's not a hunger strike – or I'm, I'm gathering it's not a hunger strike protesting some practice here that, that they object to? No, it was more, more (\_\_\_\_) . . .**
- 01:57 There were no – there is one who went for hunger strike twice because of he wants a yogurt to coming from, from, from Kenya, and milk . . .
- 02:08 DJH: (\_\_\_\_) yogurt?**
- 02:09 Yes, he want, need, he need yogurt from Kenya. And then he said that hunger strike because he need cornflakes. Even today I g-, just get a letter from the same person saying that he needs cornflakes, yeah.
- 02:28 DJH: And what, what happens when people . . .**
- 02:31 But I let him go, say, "Okay, he wants hunger strike, go ahead, one day two days," they say, "Okay." And then they also write a letter to ask the Commander, "Please, please, please the guy is going to die." I say, (\_\_\_\_), "Tell him to stop first."
- 02:43 DJH: Okay, so I'm gathering you don't have a big, a big discipline problem here? Am I . . .**
- 02:50 Not really.
- 02:50 DJH: Okay, tell (\_\_\_\_) . . .**
- 02:51 It happened some time, yeah.
- 02:53 DJH: Can you describe that for us?**
- 02:56 Discipline problem maybe if a court order was given, they refused to, to, to obey, yes. This kind of – but we deal with it. You know if they, they did something, the way we react discourage them to repeat it again. Yeah.
- 03:15 DJH: Okay. And, and . . .**
- 03:16 And now at this moment I think everything is in order.
- 03:19 DJH: Okay, the way you react discourages them.**
- 03:22 Yeah.
- 03:22 DJH: Ca-, can you describe what you do, to, to . . .?**
- 03:24 (\_\_\_\_) because we don't advise them to repeat. If they want to have something, we say no. If it is not in the regulations we say no.

- 03:36** DJH: One of the things that we – again, we’re, I’m telling you things we hear and we’re not making any judgment about it. One of the difficulties we’ve heard that, that people have is, or th-, some of the Rwandans have in Rwanda is they think that here are these people who are, been charged with these terrible crimes and they are in facilities that are better by far than the facilities of the people in Rwanda; the, the lower level people who have not been, been charged here. Have you given that thought? Is that something that concerns you or?
- 04:15 People are saying that. My role is to implement the international standard, to give them the minimum.
- 04:22** DJH: Okay.
- 04:23 (\_\_\_), see, you don’t give them the maximum. People are in a detention. Nothing can replace with freedom.
- 04:30** DJH: Yes.
- 04:30 You give them everything, it will not be enough. We give them the minimum according to their health, to their age, okay and their cultural be-, be-, habit. This what we give them, we don’t give them (\_\_\_\_\_) things. We have a meal, we have the same menu for the week, for the month according as I say to their health, their age and, and their cultural habit.
- 05:00** DJH: Okay. I take it you . . .
- 05:02 We give them beans, we give them bananas. And this is not something which is really – but the problem is that, you know, generally meals allo-, allocated for a detention are usually very, very, very, very small, you see. And then they don’t allocate enough fund to maintain people; to maintain a human being. It’s not easy for their health, medical care, for their nutrition, for many things.
- 05:43** DJH: Okay. Well, you’re bringing me to something else I was going to ask about which is you, you, your background is in psychology and, and human behavior. Is there – are there people, staff people here who are, who are skilled in that area that are like counselors if a prisoner has a problem or, and needs or, or asks for some mental health (\_\_\_\_\_)?
- 06:09 Yes, yes, up to last month I was having here a psychiatrist in charge of the social welfare of the detainee. We are working together, yes.
- 06:20** DJH: And, and was, was he used, he or she used by the s-, by the prisoners with any frequency?
- 06:29 Yes, yes they were coming to meet him if they have problems; social problem like visit issues. He was dealing with the visit, he was – yes. (\_\_\_\_\_), yeah.

- 06:41 DJH: Okay. Is there confidentiality between-, y-, as you know between a, a person who asks for the psychiatrist or the psychologist to talk about their problems? Is that maintained here or not because it's a prison?**
- 06:56 Yes, of course the confidentiality. Usually they don't talk about psy-, psychiatric problems but just social problems.
- 07:03 DJH: Okay. Social problems.**
- 07:05 "My family member would like to come to visit me, I have this problem at home." And then those are the issues they usually discuss. But confidentiality, of course, is respected and maintained.
- 07:19 DJH: Okay, and again, medical care, you were ment-, you mentioned a few minutes ago. I take it you have physician available for people who are maybe ill; maybe sick. I gather you're . . .**
- 07:33 Yes.
- 07:33 DJH: You're, you're, y- I maybe sensed that you felt that you wish you had more, more or better f-, capability in the medical area. Did I misread you or not?**
- 07:48 No, I think we have everything here.
- 07:50 DJH: Okay.**
- 07:50 We have two nurses permanent in charge of them, we have a medical doctor coming every day to see them if there is a problem. If there is a need to take somebody out of a detention facility, we do it. I just came from, from Nairobi yesterday where I went to see one of my, a prisoner who is hospitalized there for medical care. Yes, and then this is not a problem, ( ), we use means, ( ) . . .
- 08:24 DJH: Okay. But you must provide security for that person . . .**
- 08:28 Yes, of course, we provide, we provide . . .
- 08:29 DJH: And, and I presume . . .**
- 08:29 . . . security in collaboration with country itself.
- 08:34 DJH: Okay. And you also have a, a requirement from time to time to transport people from here to the tribunal and back or to (\_\_\_\_\_).**
- 08:46 Every time during the trial process, during the – if there is a need of to see a specialist doctor somewhere else, we do it.
- 08:54 DJH: Okay, so part of – an important part of your job is to see to it that there's proper security, that things are carried out.**
- 09:02 Yeah, we have to, to take care of all the security inside and outside.

09:07 DJH: Okay.

09:07 Yes. The security is concerning all the premises a, a, and also the detainee.

09:15 DJH: Okay.

## Part 4

00:00 DJH: I, I want to move on to something more personal. You have an e-, an extensive background in the s-, well, in social sciences to begin with, but also in penology or – you I’m sure have your own ideas about what, what’s right and what’s wrong and all of that. And I’m, I’m not going to ask you to be controversial. I . . .

00:24 DJH: But I am, I am interested in knowing if there’s something that you’re proud of that you have done here and that you’re doing here. I’d like to know what, what you’re proud of?

00:35 DJH: And then I’m going to ask you the other part of it, there, there’s something that you wish had been done better. I’m going to ask you about that too. This is your personal – you’re an authority, you could teach anywhere probably. And so you – listening to what you have to say here is an important thing for the future as we go forward.

00:55 I am proud after implementing the international standard trying on national level and I came here, I tried. I was working also on theoretical level in Haiti and Rwanda, but to be a manager of a detention, to implement, myself, as a pioneer, one of the pioneer with my team of, of implementation of the international standards, I’m very proud of it.

01:25 And then we usually receive a visit of International Red Cross, of the specialist in detention. As I told you, the American Correctional Association, the president and director executive came here, visited. He was very proud; we received many personalities from the UN, the Secretary General and the Assistant Secretary General.

01:49 Many personnel, ambassadors – they came to visit the detention facility. And many specialists in penal, in the correctional, from correctional services also visited our detention facility. And all of them, all their appreciation, they are really positive and encouraging. I’m very proud of it because I can say that there was among the pioneer in the implementation of international standards from the UN, we are among the first group – my team and myself.

02:24 DJH: Okay.

02:25 This is something – that’s why I don’t want this thing to be a lose for the UN, because having this kind of, of experience of, for ten years, I think it’s something which we can also give chance to other correctional services to share it with them. That’s why I’m always invited by the American Correctional Association.

- 02:52 I went in France, I went in Germany and we now want to create the association of All African Correctional Association, okay? Head of Correctional Services and we share always our experience with them. They come here, we go there, we share, we have a meeting, yes.
- 03:13 **DJH: So I'm – what I'm hearing from you that's particularly interesting is you're not just thinking about other tribunals and their detention facilities and, and making sure that they're good, but also that what your experience has been here and what you've been able to implement can be used by other countries . . .**
- 03:30 Yes.
- 03:31 **DJH: . . . a-, as standards regardless of the UN, et cetera.**
- 03:33 Yes. This, this I think is the experience of what my people get here. That's why even the other tribunals are now recruiting my, my staff.
- 03:43 **DJH: Okay.**
- 03:44 I have many of my staff in, at ICC, ICTY and Sierra Leone would like to take some of them. Even I think the other tribunals like Lebanon ad hoc tribunal, would like to recruit some of my staff. Yeah.
- 03:57 **DJH: Okay. Okay.**
- 03:59 I'm losing some of my staff because – but I'm proud because they were chosen to go there.
- 04:05 **DJH: Of course you are, I understand that. But, and what if, if you had the opportunity to do it again or whatever, in other wor-, is there something that you're disappointed with that you haven't quite been able to do that you would like to do?**
- 04:18 **DJH: Or that, or that if you had the next time you would improve? Or if you had a wish that the UN had done something to help that, you know what I'm saying (\_\_\_\_).**
- 04:28 Yes, you know, sometimes you work with people, they don't understand really. They don't have experience on penitentiary areas. It is not easy area, you know. Say if you work according to the standard, according to the rules, you can be perceived like someone who would like to, you know, to, (\_\_\_\_) to torture people.
- 04:54 Sometimes you can be perceived like someone who is giving too much as you say, compared like to Rwanda (\_\_\_\_). And sometimes it's, it is discouraging. Even you don't get too much support.
- 05:12 But now I think with the management of the tribunal, I'm having a lot of support from my, my, my supervisors. They are giving me a lot – not all of them but the direct supervisor are giving me a lot of support, yeah.

05:25 DJH: Okay.

05:27 To understand what we are doing, that is not easy things, yeah.

## Part 5

00:00 DJH: 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 experience, 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.**

## Part 6

00:00 **Lisa P. Nathan: Would you like to revisit the question on whether – if you revoke detainees' privileges to go to the cafeteria, then . . .**

00:11 Yeah. No, I just would like to say that if there is a sanction taken to prevent the detainees to, to go to the cafeteria, it means he will be served in his cell, in his compound especially. Not in the cell but in the compound to prevent him moving around, yes.

00:34 **LPN: I understand. So when – in your time here if you can reflect back, has there been one or two things that have surprised you about how things as you implemented – you know, it was no longer a theory, here's the implementation of the detention facility. What has surprised you about that?**

01:00 What surprised me was that at the beginning it was – I was a little bit worried to dealing with these kinds of people because well educated people, high ranking people, high ranking military people and also ministers and politician.

01:22 And, I was (\_\_\_), I was worried if I really I can, I can, what they say, the challenge; if I can do it. And then I did it. This has surprised me. I'm surprised that I am someone who is really capable to do these kinds of things.

01:42 **LPN: So what was it, like a spec- . . .**

01:43 Give me a very big confident, yes.

01:47 **LPN: Can you give me a, a specific thing of what you thought they might do in there because of their educational backgrounds? What problems they might – a specific idea of what you were worried might happen?**

02:04 Because at the beginning they, everything – they were doing what, whatever they want. Whatever they want they will do it. They will bring everything inside the prison; money and everything. And the investigator are coming and doing whatever they want. And then we put an end of that and then we put order.

02:29 And then we start building a different compound. There was two or three big compound; now we have 18 compound. And we impose the closing of cells and then they cannot move as they want. Before they were moving as they want. And all those things they went to write a lot of letters, they went even on a hunger strike but we maintain our position and then we, really, we win. Yeah . . .

03:02 **LPN: So . . .**

03:02 We, we were able to maintain a kind of discipline and order in the detention. Yeah.

**03:10 LPN: So when you first arrived . . .**

03:12 Because even before some of our, our prison officers, even security officers were fearing, because they were saying, “I am a minister, I am a general, I am a colonel, I am a major.” And then they, they, they behave like a colonel, like a general, like a minister.

03:29 I said, “No, here you are a detained person and you must obey. Nothing that. You’re not a minister.” And even at the, at the tribunal, there they were, at the beginning, they were treated as a minister, they were even scared to handcuff them. No, we have to treat them as a detainee but on a human way of course.

## Part 7

**00:00 LPN: So you were saying that many of your staff are being, have been recruited or are being recruited to go to other co-, to other detention and prisons.**

00:09 Yeah. Yeah.

**00:10 LPN: So what do you do here or what do you recommend to others as they train their staff? Can you think of a few things that you would like others in this role to know about doing the job?**

00:26 Experience, how to deal – how to communicate with the detainees. How to deal with this kind of detainees, because, you know, in, generally on national level we don’t have – we don’t deal with these kind of prisoners or detainees; well-educated. We have a different category; you have thieves, you have criminals, some kind of criminals and then it’s totally different.

01:02 But here you have people who are involved on political matters and then because of the way they handle issues it went in to, to, to the massacre, ma-, massacres; genocide. Yeah.

**01:21 LPN: Yeah.**

01:25 And those, those staff who are going there they don’t have problem how to, to, to deal, to, to, to, what they say, to manage these kinds of persons. That’s why they’re recruited. Every time they apply they’re, they are now recruited.

01:45 And the feedback we are receiving are really encouraging and good. Because I’m very firm with them; I show them what supposed to be done, what’s not supposed to be done. Which type of conduct they’re supposed to, to, to have, which type of conduct they’re su-, not supposed to have, and if they are, at the beginning when I was very firm with the detainees when I came, they were scared.

- 02:12 So what happens? Because some of them at the beginning when they had a problem with the detainee, (\_\_\_\_\_) just write a letter, “We don’t want to see these security officers here.” And then they remove them.
- 02:24 I said, “No, you had a problem. If one of them here, they say, ‘Ah we don’t want.’ They did everything; they wrote a letter, group letter they don’t want my team of operations to be here,” I said, “No, you stay here.”
- 02:38 It is not up to a detainee to ask a, a staff to be removed, no. Since that time, they understand that they are dealing with somebody or some people who are really – knows their duty.
- 02:59 LPN: So big clarity there.**
- 03:01 Yeah, because when I came here they even start writing, “Oh, we give him six months. After six months we are going to kick him out.” They say, yeah, we have those letters here, written by detainees. But I’m now here almost, we’re here almost ten years now.

## Part 8

- 00:00 LPN: Is there – if you – I don’t know if you ever take trips to Rwanda, but if you were to speak to the Rwandan people about your role here, what would you like them to know?**
- 00:15 To know that the international standard, to implement the international standard is very important for people who are in a jail – in detention. Okay, because it is something which is written by the United Nations, approved by the United – ratified by many countries, among them Rwanda.
- 00:39 And when we went there during – when I was working there from October ‘94 to ‘98, it was not easy at the beginning. Even to visit the, the, the prisons it was difficult. Slowly they agreed that you can visit but you have to be very, very – what they say – firm.
- 01:02 And later on when we went to, for negotiation of agreement, it was not easy regarding facilities we want them to, to have if they are maybe one day transferred there. Like to have to be in touch with the family is very important, to have a visit is very important.
- 01:23 Later on when even when we, we implemented the conjugal visit the Minister of Justice of Rwanda reacted very, very, very strongly. Those kind of things I think – (\_\_\_\_) we say, “No, you have to go, you cannot . . .”
- 01:39 The husbands are in detention, okay, but why to, to, what they say, the family members have to suffer, the wife? It is the kind of thing which can maintain, I think, the contact of, consolidate the, the, the unity of, the union of the family. But if there’s nothing and after ten years it’s not easy.
- 02:08 LPN: So for my last question, I would like to hear your thoughts on justice. What do you think about when you think about justice?**

02:20 Justice if something did something wrong, he has to be brought to justice, of course, to show him that what he did is wrong according to the society. And it is not because you're strong or you're not, you're weak in the society, it's supposed to be equal for everybody. This is what I think of justice.

02:50 **LPN: Thank you.**