



Voices from the Rwanda Tribunal

Official Transcript: Optatus Nchimbi (Part 4 of 6)



Role:	Information Network Assistant
Country of Origin:	Tanzania
Interview Date:	21 October 2008
Location:	Arusha, Tanzania
Interviewers:	Lisa P. Nathan John McKay
Videographer:	Max Andrews
Interpreter:	None

Interview Summary

Optatus Nchimbi outlines his information management responsibilities at the ICTR. He explains the evolution of processes for archiving audio and visual materials collected and generated by the Tribunal. He comments on the importance of different levels of security and access to trial archives for Tribunal personnel that depend on role and seniority. In addition, speaking in his role as President of the ICTR Staff Association, Nchimbi describes the Association's purpose and discusses various tensions between staff and their supervisors.

The transcript of Part 4 begins on the following page.

Part 4

- 00:00** **John McKay: Let me introduce myself. I'm John McKay, Professor at Seattle University Law School. I'm part of the Heritage Project here for ICTR and I've listened of course to the first part of, of your interview; thank you very much. In addition to your responsibilities here, you are involved with the Employee Association. Can you, can you tell us about that?**
- 00:22** Yeah, I'm the President of the Staff Association. And basically our role is to safeguard the interests of the staff members. We are acting as a bridge between staff members and the administration.
- 00:37** **JM: When did you first get involved with the staff association?**
- 00:42** Almost six years ago. When I was employed nine years ago, after two years there was some rebuttal cases which was going on. People were, people were not happy about their ratings even by their supervi-, by their supervisors so because of my position on that they said, "Now you should seek to be a, I mean, to be a representative of the staff." I accepted to be the representative representing the GS category.
- 01:10** That is general staff category, local recruited staff members. I did that for two years. Later on I was the Vice President of the Staff Association for four years. And last year in June, I became the President of the Staff Association.
- 01:27** **JM: Can you tell us what in general the, the mission is of the Staff Association? What are the issues that, that the Association addresses on behalf of, of its members?**
- 01:38** It's all issues ranging from the entitlement, those pertaining to their functions. It was basically the, most of the issue that comes to us is the misunderstanding between the management and the Staff Association, especially the supervisor and the supervisee. There's a lot of confrontations. A person just because sh-, he or she doesn't like you can just put a bad rating so that your contract cannot renewed.
- 02:07** The extension of contract is based on your performance. So if a program manager wants to get rid of you, what he can do in the two years' time is just to put you in the low grade so that the management will say that, "This person is not performing." But in the real sense the person can be performing. We have cases where the staff member, the-, I mean there's a proposal from the program manager, recommendation that this person – this contract shouldn't be renewed.
- 02:32** So when they bring the case to us, we sit down, we review the cases. Even we assisted them to write to the Joint Appeals Board in New York to, I mean to challenge the decision of the management. And in fact both the case that we've written to New York level, at Headquarters level we have won them.
- 02:50** We have won almost all of them, because they, they don't want to follow the procedure. This is international justice, international jurisdiction, jurisdiction but now

when it comes for the management side, they are not prepared to following the rules sometimes. It's, it's incredible.

03:06 JM: Does the, does, does management support the, the Association?

03:11 Yeah, they support the Association.

03:14 JM: And how do they do that?

03:17 Wh-, whenever we make a presentation they have to (____) the presentation and sometimes they are supposed to be very neutral. They don't want to be on the side of the management, on, I mean on the program manager or on the side of the staff member. They're just in between. But if you make a presen-, a case – if you present a case in a very proper manner, in fact they take up the decision.

03:37 JM: Does the, does the Association have any input on, on pay and compensation for its members?

03:44 Yes, in fact we have. For the international staff member, they are paying 10 dollars a month and for the national staff member they are paying 3-, 3,000 Tanzanian shillings per month.

03:55 JM: Those are the dues? Those are the fees that belong to the Association?

03:56 The fee-, the fees yes.

03:58 JM: Okay, let me ask you this – what about the compensation; the salary paid to members, does the association advocate to management . . .

04:07 No.

04:07 JM: . . . for salary? That's out of it?

04:09 No, no.

04:11 JM: Do you, does the Association address issues involving culture and inter-relationship? You have many, people from many different countries here . . .

04:21 Yeah.

04:21 JM: Could you tell us a little bit about how the Association is involved in, in those relationships?

04:27 Yeah, normally we used to organize functions. Like on, on 25th this month, we are going to have a social gathering that's called the UN Family Fun Day. So we bring all the family together to be like one family and then we celebrate the whole day. We are going to do that in one day they're called Njiro, Njiro () Grounds. There is from, from nine, nine in the morning, the whole day.

- 04:51 JM: Among your, among your Association members, are there many here in Arusha who are Tanzanian people?**
- 04:59 Yes.
- 05:00 JM: And can you give us an idea of other countries who, who have representation in your Association?**
- 05:06 We have from Ethiopia, we have from Liberia, we have from the States, and then we have from Gambia, and then we have from Nigeria, and then we have some from Cote d'Ivoire, yeah.
- 05:32 JM: Have you found in your experience that there are issues between the employees and their managers or the employees and their supervisors that you feel are related to cultural differences, to language differences, and, and can you tell us about that?**
- 05:48 Yeah, normally there's a language barrier. There's a language barrier between employ-, I mean, the supervisor and the supervisee. Most of the supervi-, most of the program managers here also speak. All the key posts at the apex level has been occupied by the people from West Africa, at least 95-, nine-, 90%. All the chiefs of sections; either the chief of the section or the deputy chief of the section are from that zone, West African zone.
- 06:20 JM: And most of your members are from East Africa?**
- 06:24 No, West Africa.
- 06:25 JM: West Africa.**
- 06:26 Yeah, most of them are from West Africa. Now it's like language section; language section turns up more than 100 staff members. Almost 95% are from West Africa, especially Cameroon.
- 06:39 JM: Is, is there tension between West Africans and East Africans?**
- 06:43 No, it's, what happened is the first Registrar of this tribunal is from Kenya. So when he came here, what he did, he tried to bring as many people as possible from Kenya. The second Registrar was from Nigeria. So soon after coming in power, what he did, he tried his best to make sure that he exhausts all the people from West Africa.
- 07:07 So he brought them, many. The current President, the current Registrar is from Senegal, so he's also doing the same. He's trying his best to make sure that many people from West Africa are employed here. The, the, the excuse these people are giving is that because the genocide which happened in Rwanda, Rwanda, most of the Rwandans speaks French and Kinyarwanda.
- 07:34 So they think in East Africa, we cannot get anybody who can speak French. So they prefer to go to West Africa to look for potential candidates.

- 07:45** JM: You, you, you are, you are a Tanzanian.
- 07:48 Yes.
- 07:49** JM: And so you are an East African?
- 07:50 Yes.
- 07:51** JM: Do you, are there, does that cause resentment, the fact that there seem to be so many West Africans here among the employees who are either East, Tanzanian or Kenyan or other East African countries?
- 08:05 Not really, no.