

Historic UN tribunal a career highlight

Working at the United Nations International Criminal Tribunal for Rwanda was a valuable experience for Master of Public and International Law student Amy Barber.

Amy Barber worked in the UN Office of the Prosecutor in Tanzania on an appeal case which marked the first time a woman has been found guilty of genocide and genocidal rape by an international tribunal. Having just returned to Melbourne to continue her studies, Ms Barber aims to use the Master of Public and International Law to narrow down the direction of her career in international law. Ms Barber reflects on the highlights and challenges of working in Tanzania.

How would you describe working for the UN in Tanzania?

The United Nations International Criminal Tribunal for Rwanda (ICTR) has contributed to a crucial advance in international criminal law. It was the first tribunal since Nuremberg to find a head of state guilty of genocide and sent the message that no head of state will be awarded immunity by the court. Rape was recognised as a form of genocide for the first time and the legal doctrine of superior responsibility has been significantly developed.

I joined the Office of the Prosecutor at a busy time and was thrown into helping various appeal teams with their written submissions and appeal hearings. I was one of two Australians in the Office working in a diverse bilingual environment with practitioners from civil and common law jurisdictions. My team saw the partial confirmation of government minister Augustin Ndirabatware's convictions by the Appeals Chamber and a sentence of 30 years imprisonment imposed.

One of the highlights of my time at the tribunal was working on one of the ICTR's legacy activities, to establish a sexual violence committee designed to promote best practices to prosecute sexual violence crimes in the region.

We launched a manual on the prevention and prosecution of sexual violence crimes and suggestions on better partnerships between agencies.

Describe the Butare appeal where a woman is accused and convicted for the first time of a sexual crime?

The Butare case refers to six co-accused charged with crimes committed in the Butare region. One of the co-accused is Pauline Nyiramasuhuko who was the minister for family welfare and the advancement of women during the genocide.

In what they described as among the worst evidence they had ever encountered, the Trial Chamber found her guilty of genocide in the form of rape, among other convictions.

The Butare group was arrested in 1997 and their trial began in 2011. By the time their appeal judgment is delivered it will be 18 years of litigation. The appeal hearing in this matter is scheduled for April 2015.

Can you see the impact your work is having in East Africa?

The success of the tribunal in my opinion will be determined by its impact on the Rwandan people and its contribution to international criminal justice. While the Rwandans have rightly been frustrated by the pace of the judgments and some acquittals, 93 individuals have been indicted by the Tribunal for serious crimes including genocide, crimes against humanity and war crimes and many are serving lengthy sentences. The message is that your level of seniority or influence will not protect you from criminal prosecution.

How would you describe life in Tanzania?

Chaotic with daily challenges you learn to laugh about. On any given day you can battle power cuts, language barriers, water shortages, bad roads, car problems and security concerns. But this is coupled with nearby safari parks, incredible mountain landscapes and a lively local community.



PHOTO SUPPLIED BY MELBOURNE LAW SCHOOL

INTERNATIONAL LAW STUDENT AMY BARBER WORKED AS AN ASSOCIATE APPEALS COUNSEL IN THE UN OFFICE OF THE PROSECUTOR IN TANZANIA.

I had to the chance to visit the Virunga National Park in the DRC and sleep on the rim of a live lava lake on Nyiragongo volcano, see the gorillas in Rwanda, swim with humpback whales in Mozambique, hunt with the last nomadic tribe, the Hadzabe in Tanzania, microlight over Victoria Falls and explore the underground churches of Ethiopia.

What is next for you?

I am enjoying keeping my feet on the ground for now in Australia and focusing full time on my Master of Public and International Law at Melbourne. I hope to complete my final two units in Paris so I can practise my French. More recently I've applied to be a legal officer reservist with the Australian Defence Force. Next year I'll look abroad again, the UN in the Central African Republic is in the process of setting up a team to investigate allegations of genocide.

To find out more about the Melbourne Law Masters program visit, www.law.unimelb.edu.au/masters. ■

PROUDLY SUPPORTED BY



For more information and to view the program visit
www.law.unimelb.edu.au/masters

Questions?
Contact the Melbourne Law Masters team at law-masters@unimelb.edu.au