

International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda, 7 April 2022

Genocide perpetrators must be brought to book

Last year, I visited Rwanda as United Nations Special Adviser of the Secretary General on the Prevention of Genocide, to honour and pay respect to the victims and survivors of the Genocide against the Tutsi in Rwanda. My visit was also aimed at contributing to advancing national reconciliation and trust-building efforts across the country, including by supporting initiatives at the local and community level.

This year as we mark, the anniversary, and the beginning of the mourning period, *Kwibuka*, I remember too that Rwanda is a country of historical significance to my office. The mandate of my office was created largely because of the failures of the United Nations and the international community to prevent and respond to the Genocide against the Tutsi in Rwanda, 1994 and the Srebrenica Genocide in 1995.

Secretary-General Antonio Guterres often states that acknowledging the past is a vital step towards rebuilding trust, and that reconciliation means rejecting denial of genocide and war crimes and of any effort to glorify convicted war criminals. It also means recognizing the suffering of all victims and not attributing collective guilt.

The International Criminal Tribunal for Rwanda (ICTR) determined conclusively that a Genocide was committed against the Tutsi in Rwanda. This constitutes an important step towards re-establishing peace and security in Rwanda and promoting reconciliation among Rwandans.

I came to Rwanda from an earlier visit to Bosnia and Herzegovina, where another Genocide, the Srebrenica Genocide happened. My visit to Bosnia and Herzegovina was due to growing concerns around persistent patterns of denial of the crime of genocide, crimes against humanity and war crimes, glorification of war criminals, hate speech, and rhetoric of division.

There is a pattern to denial of not just the Srebrenica Genocide, the Rwandan Genocide against the Tutsi, and the Holocaust. Those who deny these atrocities also celebrate the criminals who committed these atrocity crimes. The arguments for denying all three of these most tragic of human experiences, Genocide - the crime of crimes - are similar and without merit. The deniers ignore historical facts and judicial decisions.

Yet justice continues to be done. In Germany, a man in his 90's was recently found guilty of complicity in more than 5,200 murders during the Holocaust. A 96-year-old woman who prosecutors say worked as a secretary to the commandant of a concentration camp, will face trial for alleged complicity in the killings of more than 11,000 people; a 100-year-old man who allegedly served as a guard at a Nazi concentration camp will stand trial for alleged complicity in the killings of more than 3,500 people. Ratko Mladic, the former Bosnian Serb commander, lost his appeal before the United Nations International Residual Mechanism for Criminal Tribunals (UNIRMCT) on the convictions for genocide, war crimes, and crimes against humanity as well as his sentence of life imprisonment. An alleged financier of the Rwandan genocide against the Tutsi, Felicien Kabuga in his 80's, was arrested and is facing trial after more than twenty years on the run.

The denial of genocide is an affront to the victims. It aims to deny the right of remembrance to those who died. I consider it important to take **specific steps and a structured approach** to prevent Genocide. This includes promotion of education and remembrance as key tools against denial of past crimes, criminal accountability and adjudication of criminal allegations, trust building and reconciliation.

We must teach each new generation that Genocide signifies a coordinated plan of action defined in the 1948 Convention on the Prevention and Punishment of the Crime of Genocide as *intent to destroy, in whole or in part, a national, ethnical, racial, or religious group*. **We must never forget the victims and we must never forget the crime of genocide against the Tutsi in Rwanda.** Twenty-eight years after the genocide, significant steps towards justice and accountability for past crimes have been achieved in Rwandan courts and before the International Criminal Tribunal for Rwanda but more remains to be done.

As is common knowledge, **many indicted people are still at large**, with some reportedly living “normal lives” without fear of being brought to justice in Member States of the UN. Undoubtedly, this impunity undermines what my office stands for. As the USG for the Prevention of Genocide, it is incumbent on my Office to join hands with all parties seeking accountability for perpetrators of atrocity crimes as well as to help provide a strong deterrence to would-be perpetrators of atrocity crimes.

It is important that all UN Member States extend cooperation to the Office of the Prosecutor of the IRMCT and Rwanda Judiciary to apprehend and bring to justice Genocide perpetrators and fugitives living in their territories while acknowledging the good efforts of the Member States who have done so.

On transitional justice, the world has learnt a lot from the role locally led initiatives such as the Gacaca courts played and contributed, not only to hold accountable low-level perpetrators, but also in promoting truth and reconciliation in Rwanda.

Accountability for atrocity crimes is important to obtain justice for the victims and rebuild public trust in justice and security institutions; prevent future crimes and through transitional justice, promote reconciliation and contribute to sustainable peace.

As the UN system-wide Focal Point on the implementation of the UN Strategy and Plan of Action on Hate Speech, my Office shall work with Rwanda and other countries, which have experienced Genocide or face the risk of commission of that crime to combat hate speech.

It is critically important to continue working to raise awareness about the lessons of the past to protect all populations from the crime of genocide and other atrocities. It is not until we achieve this objective that we can ensure that everyone, lives in peace and dignity everywhere.

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