

The African Commission on Human and Peoples' Rights
30th Commemoration of the 1994 Genocide Against the Tutsi in Rwanda
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"Remember, Reflect, Renew: Upholding Human Dignity and Preventing Future Atrocities"

Keynote address by
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Excellencies, Ladies and gentlemen,

I am particularly honored to be with you this morning. I should say that it's difficult to decline any invitation coming from the African Commission, an institution which is extremely close to my heart. It's even harder to say no when it's about commemorating the 30th anniversary of the 1994 Genocide Against the Tutsis in Rwanda.

Indeed, we must all continue to emphasize the importance of remembering the past, to honoring the victims and survivors. We must continue to reflect on the lessons learned to prevent future atrocities. We must continue to renew our commitment to upholding human dignity and promoting justice and reconciliation.

The African Commission on Human and Peoples' Rights (ACHPR), a key regional institution, is a quasi-judicial mechanism that helps strengthen human rights across Africa. If I may ask, what do these African capitals, Banjul, Abuja, Accra, Bamako, Bissau, Cotonou, Dakar, Freetown, Khartoum, Lome, Ndjamen, Nouakchott, Ouagadougou, Niamey, Yamoussoukro and Yaoundé have in common?

These capitals have in common the fact of representing countries comprising Fulani communities. The Fulani are also known as the Fula, Peul or Pullo, Fulbe, Fulfulde, Pulaar, Fallata or Fellata. Here or there, the Fulani populations could become targets of the ordeals that the Tutsis suffered 30 years ago in Rwanda, if we do not condemn with the utmost energy recent statements and other xenophobic declarations which stigmatize them. In my own country, Senegal, examples of hate speech targeting the Fulani have been repeated over the past weeks. These hateful campaigns must be systematically and strongly denounced. I am proud to note that the Senegalese Minister of Integration and Foreign Affairs, our sister Yassine Fall was the first to inform me about her action to alerting her colleague the Minister of Interior. This attitude of Mrs. Fall should be commended, and I hope it will serve inspiring other governments throughout the Continent. As you may know, with the exception of Guinea where they constitute the majority ethnic group of the population, the Fulani are particularly numerous but often a minority in these countries. And yet, the Fulani mosaic, made of distinct pastoral, nomadic, sedentary, pagans, islamized

transhumant or immigrant groups, has very significantly contributed to the History, African culture and the global economy.

In the era of new social media, the nauseating exploitation of xenophobic feelings can relay or fuel calls for the stigmatization, expulsion, or murder of the Fulani, just like the Tutsis were stigmatized then murdered 30 years ago in Rwanda. Under no circumstances, these populations should be subjected to popular vindictiveness by individuals or groups driven by hate, ignorance or resentment. This means that the work of the Commission is more important than ever.

Excellencies, Ladies and gentlemen,

I visited the Gisozi Memorial in Kigali. Elsewhere, in Rwanda, I visited Murambi, Nyarubuye, and Bisesero. I froze, with a lot of emotion, in front of individual portraits, family photos, pictures of children – victims of the madness of extremism and fanaticism that deprived them of a future by despising their innocence. We should do everything to preserve the memory of these children, men and women slaughtered thirty years ago in the Land of a Thousand Hills.

An event like this, organized by the African Commission on Human and Peoples' Rights, is therefore as necessary as it is useful.

Hate in Rwanda denigrated, demeaned and dehumanized a minority. The harmful use of media had already forced hundreds of thousands of Tutsis to flee the country. The confluence of hatred, power and ordinary evil has led to the unthinkable, resulting in the genocide against the Tutsis with the murder of nearly a million people. A minority was hunted, desecrated, crushed. An orgy of murders often carried out almost casually by Hutu nationalists, first in the capital, Kigali, subsequently spreading across the country, with speed, ferocity and sheer brutality.

Hutu Power urged ordinary citizens to take up arms against their neighbors. Nearly a million innocent Rwandans were bludgeoned with clubs, or decapitated with machetes, or massacred with knives, bleeding to death because they belonged to the Tutsi ethnic group. Many injured people could have survived but died a lonely death in agony, because it was total chaos. They died in the fields, on the banks of rivers, on the sides of mountains, sometimes in the bushes. In Rwanda and neighboring regions, an unprecedented humanitarian crisis was compounded by devastation and brutal environmental degradation.

How could the genocide perpetrated against the Tutsis be committed under the passive gaze of the international community even though there was no shortage of warning signs? Already in 1990, I made a submission to this African Commission on Human and Peoples' Rights in which I denounced serious and massive human rights violations committed in Rwanda. In 1992, following the wave of arrests of thousands of people in Rwanda, I dispatched an emissary to Kigali to request their release. He was received by President Habyarimana who instructed the Attorney General Alphonse Nkubito, the official who had alerted me, to release the detainees. It was smoke and mirrors because the process of exterminating the Tutsis had already begun. The media, notably the infamous *Radio des Mille Collines*, distilled the venom of hatred against this minority.

How can we not recall the recommendations made in 1993 by my friend the Barrister Bacre Waly Ndiaye, in his capacity as United Nations Special Rapporteur on extrajudicial executions? As he stated before the UN Commission on Human Rights, his recommendations were based on the principle that “it is not because their country is poor and overpopulated and its population exposed to all the scourges of underdevelopment that Rwandan citizens, whatever their ethnicity, political affiliation or origin social, do not have the same fundamental rights as all other citizens of the world. There is no reason why their lives should not be as precious and protected as those of, say, a Dutch citizen. “

Despite the accumulated evidence, the international community seemed to be deaf to our calls, even being guilty of failing to assist people in danger.

Let’s be clear, the genocide against the Tutsis did not begin on April 7, 1994. On that day of the fatal plane incident, the Presidential Guard, members of the Rwandan Armed Forces, Hutu militias, the Interahamwe ("Those who attack together") and the Impuzamugambi (“Those who have the same objective”) went on a rampage, setting up roadblocks, ready to inflict carnage, willing and happy. This was not spontaneous! It was planned long before April 7th .

The massacre transformed a country into a slaughterhouse.

In the “*Land of a Thousand Hills*,” the truth is that the international community remained largely on the sidelines during the genocide. Of course, there are notable exceptions, such as the hero Captain Mbaye Diagne, a Senegalese UN peacekeeper who took enormous risks to save 600 people.

But beyond these heroic exceptions, history will also record that a vote by the United Nations Security Council in April 1994 led to the withdrawal of most of the UN Peacekeeping Operation (UNAMIR). Many prominent observers have lamented that the international community's general lack of awareness of the situation and its inability to act quickly and effectively to prevent atrocities from occurring constituted a major failure. As a response to this failure, the Security Council established in 1994 the International Criminal Tribunal for Rwanda (ICTR) where I had the honor of serving as The Registrar.

In September 1998, Jean-Paul Akayesu, a town mayor, was found guilty by the International Criminal Tribunal for Rwanda, this first conviction for genocide following an ICTR trial confirmed to the world that the wheel of justice turns.

As I emphasized in Kigali during the commemoration of the 25th anniversary 5 years ago, “it is important that the horrors of the 1994 genocide in Rwanda galvanize our lasting commitment to ‘never again’”. I added that it was unfortunate, as we gathered to reflect on the 1994 genocide, that we still lived in a world where the risk of genocide remained high and real.

Since the Rwandan tragedy of 1994, we have continued to witness gross human rights violations and other atrocities committed against civilians in different parts of the world. It is

serious enough to underline that today, genocide is no longer an ancient or distant trauma: genocide is now on the table, including on the African continent. The proceedings initiated in The Hague by South Africa against Israel are eloquent enough to remind all of us that ensuring that the perpetrators of the crime of genocide are held accountable is truly a sacred duty.

This is why, after having had the honor of serving in Arusha, after having also worked as Special Advisor on the Prevention of Genocide at the United Nations - my office was created to serve as an early warning mechanism for the risks of genocide and other mass atrocities, it is with great humility that I learned, a little over a month ago, of my appointment as the very first Special Envoy of the African Union for the prevention of the crime of genocide and other mass atrocities. In appointing me to this position, H.E. Moussa Faki Mahamat, Chairperson of the African Union Commission, expects me to lead all relevant AU programs on the prevention of the crime of genocide and other atrocities massive.

To this end, I have committed to carrying out specific tasks. For instance, I will focus on identifying the risk indicators of the ideology of hatred, genocide and other mass atrocities; I will also ensure that timely interventions are a reality on the continent; I will strive to improve early warning mechanisms; I will pay greater attention to the warning signs; I will do everything in my power to prevent escalation; I will closely monitor the misuse of media platforms and encourage Member States to adopt necessary policies that would monitor the media and promote professionalism and ethical and fact-based reporting.

Excellencies, Ladies and Gentlemen,

The lessons of the genocide against the Tutsi clearly demonstrate that effective prevention must involve a multiplicity of actors. In Rwanda, it was the neighbor who, with a machete, killed his fellow citizen next door. As far as the region is concerned, neighboring countries and their institutions remained virtually indifferent to the events that led to the genocide. Regional and global organizations must also be more responsive to situations that present risk factors for atrocity crimes next door.

Drawing lessons from the failure of the international community in Rwanda, former Secretary-General Kofi Annan adopted in 2004 an Action Plan, specifically on the prevention of genocide. And yet, many hotbeds of tension exist with fears, claims or risk of genocide, whether in Sudan at large and Darfur in particular, the Great Lakes region, Gaza, or the Sahel region, and the list is not exhaustive. The international community has the capacity to reduce these risks of genocide at several levels. But it seems that political, economic and geostrategic interests prevail over the obligation of prevention. Based on this observation, I made my modest contribution to the ongoing proceedings initiated by The Gambia and South Africa before the International Court of Justice, relating respectively to Myanmar and Israel.

Let us not be skeptical about the role of justice and in particular international justice. Furthermore, the *gacaca* courts set up at the local level allowed victims to know the truth about

the death of their loved ones and gave perpetrators the opportunity to confess their crimes and ask for forgiveness in front of the community, with the suffering of the victims and their families recognized, and some restoration of the dignity or integrity that had been lost or seriously damaged.

After one of the bloodiest orgies of killing of the late 20th century, what have we learned from Rwanda?

That hearts and minds poisoned by hatred must continue to heal. Then, that this peace of hearts and minds, peace in the cities and in the hills, is necessary. But also, that peace will still take time. Thus, beyond peace within a nation such as Rwanda, peace in an entire sub-region also seems essential to the equation of hope, such as in the Great Lakes. It is therefore crucial that peacemaking efforts, diplomatic and mediation initiatives are strengthened to promote stability in this devastated sub region. The renewed military tensions and the persistence of the activities of rebel groups, including the FDLR which continue to promote genocidal ideology, are fueling insecurity and distrust while aggravating an already catastrophic humanitarian situation.

With this predicament in mind, I remain very concerned by the denialist discourse of the genocide against the Tutsis, just as I am concerned by the hate speech against the Fulani, particularly in the Sahel, or against other minority communities, here and there in Africa. Our continent, which witnessed the genocide perpetrated against the Tutsis, today experiences growing intolerance and tensions between local communities and those who cross borders to seek refuge from persecution and other serious human rights violations, or who desperately seek to escape poverty. As extremists spread inflammatory language into mainstream political discourse under the guise of “populism,” hate speech and hate crimes continue to rise. Let us not lose sight of the fact that hate speech is a challenge to which no country can claim to be immune, especially with new media now connecting the world in real time. I would like to emphasize that the tragedy unfolding into our eyes in Sudan with the on-going killings of members of the Masalit ethnic group but also the massacres taking places in other part of Sudan call for our immediate action to prevent another genocide. No one would dare to say: “We didn’t know.”

Excellencies, Ladies and Gentlemen,

In January 2019, the UN Secretary-General gave me the mandate to develop a Global Strategy and a Global Action Plan to combat hate speech. I was able to finalize this momentous task after 4 months. The document that I invite you to download from the UN website includes 13 commitments, which include tackling the root causes of hate speech, strengthening the capacities of United Nations personnel, optimizing the use of technology and education, leveraging partnerships – including with social media companies – and supporting Member States in capacity building and policy development to combat hate speech. Social media should promote the values of tolerance, non-discrimination, pluralism, freedom of opinion and expression.

Education is also an essential part of this document. The implementation of the 2030 Agenda for Sustainable Development - particularly Sustainable Development Goal 4, which

includes the promotion of the values and skills of global citizenship education, will play a fundamental role in implementation of the strategy and action plan.

Remembering my participation in the hate media trial, at the end of which Ferdinand Nahimana, Jean Bosco Barayagwiza and Hassan Ngeze were sentenced to life imprisonment by the International Criminal Tribunal for Rwanda, I would like to emphasize that these genocidaires did not kill with their hands, but with their words and calls for hatred, at the height of the 1994 Rwandan genocide. The ICTR judges had established an international precedent that those who use the media to target an ethnic group will face justice. I dare to hope that our Member States will draw inspiration from this jurisprudence in the fight against hate speech and the denial of the genocide perpetrated against the Tutsis.

It must therefore be recalled here that the jurisprudence of the African Commission on Human and Peoples' Rights has recognized the right to life as a fundamental right, without which other rights cannot be implemented.

Excellencies, Ladies and Gentlemen,

Whether in my capacity as Special Envoy of the African Union, or as founder and president of PATROL-AFRICA, the Pan-African Alliance for Transparency and the Rule of Law, or as a simple citizen, I strongly reaffirms that I am ready to support all national, regional and international entities, including of course the African Commission on Human and Peoples' Rights, to meet the challenge of delivering the respective mandates of these entities, and ensure justice for victims and survivors.

I thank you very sincerely once again for granting me the privilege of addressing this esteemed audience on the painful issue of the genocide of the Tutsis in Rwanda.

I salute the victory of the Rwandan people over adversity and horror.

Very respectfully, I also welcome the work carried out by the African Commission on Human and Peoples' Rights, whose bodies contribute significantly to global efforts to prevent the crime of genocide and atrocity crimes. I am not one of those who think that humanity is incapable of learning lessons from the past, and that as a result, it would be condemned to periodically repeat the same mistakes, the same horrors.

I remain an optimist.

Thank you.

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