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Statement by Alice Wairimu Nderitu, Under-Secretary-General and Special Adviser of the Secretary-General on the Prevention of Genocide on the opening of the trial of Félicien Kabuga before the International Residual Mechanism for Criminal Tribunals

(New York, 28 September 2022) The Special Adviser on Genocide Prevention, Alice Wairimu Nderitu welcomed the opening of the trial against Félicien Kabuga before the International Residual Mechanism for Criminal Tribunals in The Hague. Félicien Kabuga is charged with genocide, direct and public incitement to commit genocide, conspiracy to commit genocide, persecution on political grounds, extermination, and murder as crimes against humanity, committed in Rwanda in 1994. According to his indictment, Félicien Kabuga, a founder of the radio station Radio Télévision Libre des Mille Collines (RTLM), operated this radio in a manner that furthered hatred and violence against Tutsi and others.

“Our collective commitment not to forget constitutes a commitment to prevent” Special Adviser Nderitu highlighted. “Accountability is prevention in itself and hence a deterrent for future crimes”, she added.

Special Adviser Nderitu stated that fair and credible judicial proceedings can also provide victims with a form of redress for the gross and systematic violations of human rights and humanitarian law that they have endured. These measures can also help prevent and address feelings of frustration and bitterness, and the possible desire for retaliation. On the contrary, when justice is not served, lingering perceptions of injustice can become a risk factor for further violence and possibly, atrocity crimes. In this context, the Special Adviser commended the important work by the Mechanism on ensuring accountability for serious international crimes, including in the context of Kabuga’s alleged role in the 1994 genocide against the Tutsis in Rwanda.

Special Adviser Nderitu stressed that hate speech contributes to exacerbate mistrust between communities; feed an ‘us versus. them’ narrative; and corrode social cohesion between communities. In its most serious forms, it can lead to incitement to violence and even genocide, forms of speech that are prohibited under international human rights law. In this context, she reiterated that the commitment to prevent atrocity crimes requires all relevant stakeholders to take appropriate measures against hate speech and incitement to discriminations, hostility or violence. “Literally all atrocity crimes were preceded by hate speech. Hence, it is our responsibility to pay particular attention to this phenomenon if we are really committed to prevent atrocity crimes” the Special Adviser added.

Special Adviser Nderitu further called on all Member States to continue to fully cooperate with the International Residual Mechanism for Criminal Tribunals in the identification, arrest, detention, surrender, and transfer of accused persons still at large as mandated in Security Council resolution 1966 (2010). She also urged the international community to multiply efforts

to address and counter hate speech and prevent incitement to violence in line with the UN Strategy and Plan of Action on Hate Speech and the Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence.

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