Statement

Security Council VTC on the International Residual Mechanism for Criminal Tribunals

by Ambassador Valentine Rugwabiza

Permanent Representative of Rwanda to the United Nations

08 June 2020
Madam President,


We thank the Principals of the Court for their useful briefings and continued efforts in the pursuit of justice. Rwanda appreciates the constructive cooperation with the Court under the able leadership of President Agius.

Madame President,

Two months ago, we started for the 26th year, the annual 100-days commemoration period of the Genocide against the Tutsi under the theme – Kwibuka26: Remember, Unite, Renew. The annual commemoration is always an act of honor in memory of the victims, for the resilience of the survivors and the courage with which Rwandans have come together to rebuild our country. It is also an act of prevention and a reminder of the important lessons to be learned from the failure of this Council to prevent or stop the genocide. Finally, it is a reminder that justice for the victims of the 1994 Genocide against the Tutsi is still an incomplete task; albeit we all agree that justice is a powerful deterrent of possible future genocides and crimes against humanity.

Last month saw a major development for international justice against the masterminds and perpetrators of the 1994 Genocide against the Tutsi with the arrest of Félicien Kabuga. He had managed to escape justice for more than two decades.
We commend the efforts of the office of Prosecutor Brammertz and the cooperation extended by France law enforcement agencies and others. It is only when Members honor their obligations to extend cooperation to the Office of the Prosecutor, that arrests can be made and brought to justice. Félicien Kabuga was the financier, the principal shareholder and the Chairman of the infamous Radio Télévision Libre des Milles Collines” (RTLM), which throughout the 100 days of the genocide, was inciting and calling for the killings and extermination of the Tutsi.

In addition, more than a year before April 1994, Félicien Kabuga financed the importation of tons of machetes to Rwanda. These machetes were used by Interahamwe militias and other perpetrators to kill the Tutsi, the targeted group for extermination.

Now that he has finally been arrested, we hope that his trial will start without unnecessary delays.

It is clear that Kabuga could not have escaped international justice for so long without an extensive network of accomplices, which enabled him to enjoy facilitation from Government institutions in the several African and European countries where he sojourned since 1994. This raises a number of questions which we hope his trial will help answer.

**Madame President,**

I wish to recall that the Prosecutor General of Rwanda has issued more than 1000 indictments to several UN Member States, including members of this Council, requesting for their cooperation to arrest and prosecute individuals
indicted for genocide or transfer them to Rwanda to face justice. Very few countries have responded to these indictments.

Let us recall that UNSC resolution 1966 (2010), urged all Member States particularly those where genocide fugitives are suspected to be hiding, to further intensify cooperation with and render all necessary assistance to the Mechanism. The Council has repeated this call in subsequent resolutions, including most recently in resolution 2422 (2018).

We take note of the efforts of the court, regarding consideration of applications for early release. We note in particular the issuance of a revised Practice Direction to provide guidance on the procedure for the determination of applications for pardon, commutation of sentence, or early release of persons convicted by the Tribunal or by the Mechanism. We also note the important inclusion of the need to consider the views of the associations of survivors of the 1994 Genocide against the Tutsi and the opinion of the Government of Rwanda prior to granting any future application for early release.

We urge the Mechanism to attach rigorous provisions for conditional releases based on stringent and eligibility requirements to be fulfilled before the consideration of any application for early release. It is only in doing so, that we can make sure that those released by the Mechanism at the end of their sentence will find it costly to engage in activities propagating genocide denial or ideology in the future.

As reported by the IRMCT, particularly in the Prosecutor’s report, it’s highly concerning that genocide denial and ideology continues to be propagated.
The Prosecutor’s report notes that efforts to deny, trivialize and minimize the genocide against the Tutsi, to detract attention from the facts of the genocide, are on the rise and being disseminated by genocide perpetrators yet to be brought to justice as well as their sympathizers, which include some government officials from UN Member States. These actions should be unequivocally condemned by this Council.

Indeed, there is no legal or political ambiguity about the genocide committed in Rwanda and the Appeals Chamber of the International Criminal Tribunal for Rwanda in June 2006, recognized that it was a “fact of common knowledge” and “beyond any dispute and not requiring proof” that “between 6 April and 17 July 1994, there was a genocide in Rwanda against the Tutsi ethnic group”.

**Madame President,**

In conclusion, while we welcome the arrest of Félicien Kabuga and look forward to his trial, we share the concerns expressed in the report of the Prosecutor that the continued lack cooperation by some Member States and the rise of genocide denial, continue to undermine his efforts to bring remaining genocide fugitives to justice.

We urge the Council to take decisive action on these two important issues and in doing so contribute to our collective obligation to pursue justice for the victims of the 1994 Genocide against the Tutsi in Rwanda.

I thank you