



The Hague, 7 April 2021

JUDGE CARMEL AGIUS, PRESIDENT

**REMARKS ON THE OCCASION OF THE TWENTY-SEVENTH COMMEMORATION
OF THE 1994 GENOCIDE AGAINST THE TUTSI IN RWANDA
(KWIBUKA 27)**

It is an honour and a privilege to be invited to participate in this exceptional programme to commemorate the International Day of Reflection on the 1994 Genocide against the Tutsi in Rwanda. I wish to thank Ambassador Nduhungirehe and the Rwandan Embassy in the Netherlands for allowing me to present this message.

On this solemn occasion, we come together to reflect on one of the most gruesome atrocities committed in modern history. It is difficult for the human brain to fathom the volume and scale of Rwanda's loss whereby every single man, woman, and child who fell at the hands of *génocidaires* represented an entire world.

Although the global health pandemic prevents us once again from meeting in person, that does not make this day less significant or powerful. People all over the world are commemorating with you – you are not alone. As I address you from my home in The Hague, far away from Rwanda, let me assure you that the Rwandan people are ever more present in my heart and in my mind. It is of paramount importance that we keep the spirit of Kwibuka living on in perpetuity. While this remembrance plays an essential role in ensuring that momentum is not lost in bringing to account the remaining perpetrators of the genocide against the Tutsi in Rwanda, it also aids in countering those who add insult to injury, who commit an additional heinous crime against the victims of these atrocities – those engaged in genocide denial.

Genocide denialism is not a new phenomenon. Sadly, history has taught us that as surely as night follows day, denialism follows the depraved act of genocide. The concept manifests itself in a number of different ways, the twisting of reality, the glorification of convicted criminals, the justification of the unjustifiable, and revisionism. It is also not simply the denial of facts, but a distortion of the truth. In the digital society we live in, with access to countless unverifiable sources of information, the concept of “alternative facts” has become all too pervasive, and denialism thrives. Although the world's interconnectivity via social media brings us closer together, it also serves as a platform to enable this despicable practice. Through social media, *génocidaires* and their supporters have access to an unlimited audience to promote their outrageous narrative. They will stop at nothing in their attempts to erase or revise the past. If we are not vigilant, the tiniest of untruths that is allowed to go unchallenged will multiply and spread, and become even more difficult to rectify in the future. Therefore, all right-thinking people must counter the misguided



arguments of the genocide deniers with equal, if not greater intensity to ensure that the truth prevails and lessons are learned. Only facts can fight lies, and we must stand united to ensure that the facts are being heard.

I wish to recall the words of Kofi Annan back in 1994: “In the face of genocide, there can be no standing aside, no looking away, no neutrality – there are perpetrators and there are victims; there is evil and there is evil's harvest.” This must also apply to genocide denial – the inaction of the international community, but also of every individual, when confronted with such denial would be tantamount to complicity in creating an alternate reality. It would further abet the dehumanisation of the survivors and strip them of both recognition and justice. Denialism does not only inflict additional pain and suffering on the victims of the genocide, it delays reconciliation and is an overall danger to peace and security.

Moreover, genocide denial is a direct threat to international justice and the rule of law. The ICTR was established not only to bring justice to the victims, but also to contribute to the process of national reconciliation and to the restoration and maintenance of peace. The Tribunal, which closed its doors in December 2015, indicted 93 individuals suspected of being among the most responsible for the 1994 Genocide. In the course of its existence, it established beyond reasonable doubt the horrific events that the people of Rwanda, and Rwanda as a nation, endured 27 years ago. Another critical aspect of the ICTR's legacy is that today we can no longer claim the absence of structures to pursue justice, or a lack of jurisprudence that we may consult. We must use these instruments to prevent an erosion of the gains that have been made in the fight against impunity. In this regard, I am pleased to share with you that the Mechanism has now completed the Kinyarwanda translations of all remaining ICTR trial judgements, and is in the process of making them accessible so that these judgements will be available in the language of, and for, the Rwandan people.

Historians may deliberate over the inaction of the international community during those dark days. Scholars may engage in extended discourse on the time it takes for international criminal justice to be administered. But thanks to the resolve and compelling evidence provided by witnesses to the ICTR and the clear judgements that resulted from their testimony, what will never be up for debate is the fact that genocide, crimes against humanity, and war crimes were perpetrated in Rwanda in 1994. Lies written in ink (or on social media) will not erase facts written in blood. Indeed, the ICTR judgements are filled with facts written in blood.

I reiterate that having established this as an objective fact, it is important to confront the denialists and call evil by its name. We must do this, not simply to set the record straight and to deliver justice to the victims, but because it is the right thing to do. Because it is the least we can do to ensure that the uncountable souls who perished did not die in vain. Of this there can be no denial.

Therefore, rest assured that the Mechanism remains as committed as ever to succeed in its mandate and to carry on protecting the legacy of the ICTR.

Thank you and please stay safe.