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PEACE AND SECURITY COUNCIL
1206TH MEETING

4 APRIL 2024
ADDIS ABABA, ETHIOPIA

PSC/PR/CN.1206 (2024)

CONCEPT NOTE

**OPEN SESSION ON PREVENTION OF IDEOLOGY OF HATE, GENOCIDE AND HATE CRIMES IN AFRICA -
30TH ANNIVERSARY COMMEMORATION OF THE GENOCIDE AGAINST THE TUTSI IN RWANDA**

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I. BACKGROUND

1. The Peace and Security Council (PSC) of the African Union (AU) at its meeting held on 11 April 2017 took a decision to convene, annually in April, a PSC session on prevention of the ideology of hate, Genocide and hate crimes in Africa. The session recalled the horror of the 1994 Genocide against the Tutsi in Rwanda and reiterated its commitment to prevent the recurrence of similar mass atrocities, hate crimes and ideology of genocide throughout the African continent. This year marks 30 years since the said Genocide happened and yet traces of the ideology of hate, Genocide still exist in Africa.

II. OBJECTIVE OF THE PSC OPEN SESSION

2. The main objective of the annual open session of the PSC is for the PSC, AU member states as well as other key stakeholders to debate and continuously devise means to collectively prevent the ideology of hate, genocide and hate crimes in Africa.

III. KEY INTERNATIONAL, AFRICAN INSTRUMENTS DECISIONS AND RESOLUTIONS

3. Hate and genocide crimes are covered by a number of UN and African instruments as well as key decisions and resolutions of the AU and UN. Key among those instruments are the following:

a. AU and United Nations Instruments :

- i. AU Constitutive Act;
- ii. The Charter of the United Nations (UN);
- iii. The Universal Declaration of Human Rights (1948);
- iv. The Convention on the Prevention and Punishment of the Crime of Genocide (1948);
- v. International Covenant on Civil and Political Rights (ICCPR) adopted in 1966;
- vi. International Convention on Elimination of All forms of Racial Discrimination (1969);
- vii. African Charter on Human and People's Rights (1981).

b. Policies :

- i. AU Post – Conflict Reconstruction and Development Policy Framework (2006);
- ii. AU Transition justice policy (2019).

c. Decisions and Resolutions :

- i. UN General Assembly Decision 72/550 of 26 January 2018 designating 7th April as the International Day of reflection on the 1994 Genocide Against the Tutsi in Rwanda;

- ii. AU Assembly Decision: Assembly/ AU / Dec.695 of July 2018, designating 7th April of each year as the African Union Day of Commemoration of the 1994 Genocide Against the Tutsi in Rwanda;
- iii. United Nations Security Council Resolution 2150 (2014);
- iv. **Decisions of the AUPSC Communiqués:** 1147th meeting of 6 April 2023, [PSC/PR/COMM.1147(2023)]; 1088th meeting of 7 June 2022, PSC/ [PR/COMM.(CMLXXXIX)]; 7 June 2022 989th meeting of 12 April 2021, [PSC/PR/COMM.(CMLXXXVI)]; 761st meeting of 5 April 2018, [PSC/PR/COMM.(DCCLXI)]; 678th meeting of 11 April 2017, [PSC/PR/COMM.(DCLXXVIII)].

4. However, hate crimes and genocide ideology persist on the African Continent despite the existence of the above instruments. If allowed to go unchecked and unchallenged, this phenomenon could lead to future violent crimes or, worse still, to another genocide.

IV. PERPETUATING HATE CRIMES AND GENOCIDE

5. Hate and genocide crimes do not happen abruptly. They are systematically planned and involve perpetrators who execute these heinous crimes using all the available machinery. Planners of hate crimes and Genocide organize campaigns and define target group of the society for systematic extermination.

6. In Rwanda, the genocide against the Tutsi for instance was preceded and prepared by widespread hate ideology and propaganda. The genocide ideology was propagated when political leaders using state machinery started branding a section of their own population – the Tutsi – as the ‘other’, ‘enemy of the State’, ‘cockroaches’ who were to be exterminated and destroyed. Language such as “*cleansing from the face of Rwanda the Tutsi*” was commonly used prior to and during the 1994 genocide against the Tutsi. This culminated in the killing of over one million innocent lives in a period of 100 days. Thus discrimination, marginalization, tribalism and manipulation of ethnicity create conditions for hate crimes and ideologies of genocide to thrive. Perpetrators of the 1994 Genocide against the Tutsi including Democratic Forces for the Liberation of Rwanda (FDLR), continue to spread genocide ideology with aim at executing its plan to exterminate the Tutsi in Rwanda and in the neighboring regions.

7. Hate speech precedes and accompanies ethnic conflicts, and particularly genocidal violence. Without such incitement to hatred and the exacerbation of ethnic, or racist tendencies, no genocide would be possible. In today’s Africa, the ideology of extremism among religious factions is fostering a new ground of hate speeches and crimes and if unchecked could lead to violet ethnic conflicts across the continent. Enforcement of one religious doctrine or the other as state religion in AU member states that upon independence agreed to remain secular states due to the varied ethnic and religious composition of their societies is planting the seed for violet ethnic wars on the continent. After all, religion is a personal matter and each citizen and not a state will appear before God to answer for their deeds.

V. RECOMMENDATIONS ON PREVENTING THE IDEOLOGY OF HATE, GENOCIDE AND HATE CRIMES FOR CONSIDERATION BY THE PSC

- a. **Signing, ratify or acceding to relevant international legal instruments:** Member states that have not yet ratified or acceded to relevant international legal instruments especially the

Convention on the Prevention and Punishment of the Crime of Genocide should be called upon to do so and, where necessary, to enact national legislation in order to meet their obligations under that Convention.

- b. Combating impunity:** Cooperation among AU member States as well as the international Cooperation should facilitate the timely prevention and punishment of the crime of genocide as well as hate crimes. 980 indictments and International arrest warrants have been issued for different suspects in 33 countries worldwide. In response, there have been groundbreaking domestic prosecutions, deportations and landmark judgments, as well as numerous commissions, which have visited Rwanda to conduct their own investigations. However many other perpetrators of Genocide against the Tutsi in Rwanda continue to elude justice. It is therefore important to combat impunity for all violations that constitute the crime of genocide and other hate crimes. Holding the perpetrators, including their accomplices, accountable is essential.
- c.** AU member states and the international community should be called upon to comply with their relevant obligations to end impunity of perpetrators of hate crimes and genocide. To that end, there is need to thoroughly investigate and prosecute persons responsible for genocide, crimes against humanity, hate crimes, or other serious violations of international humanitarian law and international human rights law, in order to avoid their recurrence and to seek sustainable peace, justice, truth and reconciliation.
- d. Preventing Genocide Denial:** Denial is part of the genocide process and one that has been continuous for the Genocide against the Tutsi. There is need to continuously fighting Genocide denial in all its manifestations including argument for double genocide, minimizing the number of victims of Genocide. Furthermore, deniers should be prevented from promoting hate and offensive speech through the denial of the genocide.
- e. Cooperation with the International Residual Mechanism for Criminal Tribunals:** Member states and the international community should also be encourage to cooperate with the International Residual Mechanism for Criminal Tribunals and the Government of Rwanda in the arrest and prosecution of the remaining indicted fugitives, and further to investigate, arrest, prosecute or extradite, all other fugitives accused of genocide residing on their territories including leaders of the Democratic Forces for the Liberation of Rwanda (FDLR).
- f. Unity and Reconciliation initiatives:** For hate crimes and genocide ideology to be prevented. It is critical that deliberate reconciliation programs be developed in societies divided on ethnic, racial, religious or any other basis. In Rwanda, a national unity and reconciliation commission was created in March 1999 to promote unity and reconciliation among Rwandans in the aftermath of the genocide against Tutsi, which has fundamentally positively impacted on the Rwandan society. Programs such as “Ndi Umunyarwanda” (I am Rwandan) where developed to further promote unity, reconciliation and to build social cohesion.
- g. The youth to play a key role in societal transformation:** In Rwanda it is the Youth that were indoctrinated and executed the Genocide. On the other hand, it was another group of Youth under the Rwandese Patriotic Army who stopped the Genocide. The AU member states should therefore ensure that Youth inclusion in various national programs as well as values imparted in them to ensure they are pursuers of peace, unity and harmony within the society.

- h. **Early warning mechanism:** The AU's early warning mechanism should be strengthening to detect early warning signs of situations, which could easily degenerate into violent conflicts and genocide if not addressed in a swift and effective manner.
- i. **Reinforcement of Laws that prohibit and criminalize hate speech:** Hate speech should be prohibited and criminalized in member states. At the international level, it is addressed in two primary international instruments; the International Convention on the Elimination of all forms of Racial Discrimination (ICERD) adopted in 1969, and the International Covenant on Civil and Political Rights (ICCPR) adopted in 1966. Member states that are not signatories of these instruments should be called upon to sign and domesticate them.
- j. At the national level, it is important that member states establish necessary legal frameworks or strengthen existing ones to ensure that laws that deal with hate speech, hate crimes, discrimination, ethnic division and genocide ideology are put in place. Some member states have already enacted such laws. It is crucial that those that have not yet enacted them do so.
- k. **Awareness campaigns through formal and informal education:** the education systems should be inclusive in their policies and reflect the ethnic, racial and cultural diversity of each member state. The education policies by member states should aim at producing citizens free from ethnic, regional, national and religious prejudices and who are committed to protect human rights. Further, the education sector should contribute to national reconciliation by creating a culture of peace, emphasizing positive values, promoting the universal values of justice and tolerance among others. The teaching peace, reconciliation, tolerance, justice, democratic values should be promoted.
- l. **Use of media:** the media can actively engage in fighting incitement to hatred and violence by adopting journalism principles, guidelines and ethical values to improve the quality of information and reporting, to avoid bias, prejudice and manipulation. In countries where media has played a negative role in spreading hate speech, media reform could be an important element in preventing and responding to hate speech. Post-conflict societies often require media reform, particularly when hate speech, dangerous rhetoric, and media abuses have in part fueled the conflict.

VI. PARTICIPANTS

8. For this Open Session of the PSC, it is envisaged that all Member States of the AU, the Regional Economic Communities/Regional Mechanisms (RECs/RMs) and AU Organs will participate. Representatives of the international community in Addis Ababa, Ethiopia, Think Tanks, Civil Society Organisations, and many more are expected to attend.

VII. OUTCOME

9. The outcomes of the session will be a Communiqué.

VIII. DATE AND VENUE

10. The meeting will be held virtually on Thursday, 4 April 2024, at 10:00 am, Addis Ababa local time.

African Union Commission (AUC)

PAPS Digital Repository

<https://papsrepository.africa-union.org/>

PSC Outcomes

Press Statements

2024-04-04

Press Statement of the 1206th Meeting of the Peace and Security Council, held on 4 April 2024, to an Open Session on the Prevention of the Ideology of Hate, Hate Crimes and Genocide.

Peace and Security Council

African Union Commission

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