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BOX 64

FILE 6

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To: Milobs GP HQ

Date: 6 Mar 96

From: HQ Milobs Sector 1

File: Ops/03

FINAL REPORT

Reference:

A. Milobs/Ops/43 dated Feb 96.

1. Attached is above mentioned report in respect of Sector 1 for your retention and necessary action.
2. Please acknowledge receipt.

GA BIAH Maj
GA BIAH
Maj
Ops Offr
for Sect Comd

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FINAL REPORT COVERING PERIOD 01 JANUARY 96 TO 08 MARCH 96

SECTOR 1 (KIBUNGO)

Reference :

A. MILOB/OPS/43 DATED 22 FEB 96.

General

1. This report covers the operations of MILOBS in reorganized/amalgamated Sector 1 from Jan 95 to 08 Mar 96.

Deployment during Various Mandates.

2. Present day Sector 1 is the largest Sector covering about half the geographical landmass of Rwanda. It came into existence with effect from 15 Dec 95 as a result of amalgamation of three Sectors which hitherto existed as independent entities. Details of these three Sectors were as follows:

| Ser No | Sect | Prefecture | No of Com-munes | HQ Location | Establish ed Str | Posted Str | Remarks |
|--------|------|------------|-----------------|-------------|------------------|------------|---------|
| (a) | (b) | (c) | (d) | (e) | (f) | (g) | (h) |
| 1. | 1A | Kigali | 17 | Kigali | | | |
| 2. | 2A | Byumba | 17 | Byumba | 36 | 25 | |
| 3. | 2B | Kibungo | 11 | Kibungo | 28 | 22 | |

3. The creation of the Sector was part of a general reorganization of MILOBS operation in Dec 95. This was necessitated by the mandate of Dec 95 which not only reduced logistics but also drastically downscaled MILOBS strength from an all time high of 320 to just 140.

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4.
 - a. Prior to the creation of Sector 1, there was co located with Sector 2 B a Ghana battalion. This was reduced to a company in the wake of the general troop reduction in the last mandate. The company has however since 26 Jan 96 been redeployed in Kigali.
 - b. Former Sector 2 A on the other hand had no formed troops in their AOR immediately before becoming part of current Sector 1. However at the inception of the operation in 1994, a Bangladesh battalion was deployed alongside MILOBS. This was succeeded by a Nigerian battalion which was subsequently redeployed to Gisenyi in Jun 95.
 - c. Sector 1 A has since the beginning of the operation and before joining up as part of Sector 1, always had formed troops in location. These have at one time or the other, been troops from Belgium, Bangla Desh, India and subunits from Ghanbatt. Sector 1A AOR has also ever been the location of the Force HQ and logistics units.

Historical Background of Sector 1

5. The geographical location of Sector 1 coupled with its majority Tutsi makeup, has had a significant contribution to the situation in Rwanda at various times. Its position, bordering three countries, Uganda to the North, Tanzania to the East and Burundi to the South gave its Tutsi majority easy access to safe havens in these countries especially Uganda during the ethnic clashes of 1959. Again it was through the Uganda approach that the Rwandese Patriotic Front now the Rwandese Patriotic Army used to launch the attack that secured for them the reins of government in 1994.

6. Consequently a lot of returning exiled Tutsis are being settled in this Sector. Large concentrations are there in the Akagera National Park to the North East and the Nasho areas of Rusumo Commune to the South East.

Importance of the Prefecture

7. The three prefectures making up sector 1 have certain features/facilities that are of National and International Importance. The most important ones are detailed below.

a. Kigali Prefecture.

(1) Kigali, the capital of the Prefecture is also the capital of the country and the seat of government.

(2) It is essentially a Hutu dominated Prefecture but with the current Tutsi dominated Government much is not being seen of the Hutus, especially in the Capital and other Urban areas.

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- (3) Kigali also houses the major International airport of the country at Kanombe and various international agencies and business houses.
- (4) The prefecture has one border post at Rutete and one transit camp for returnees at Dihiro.

b. Kibungo Prefecture.

- (1) The Kibungo prefecture is dominated by Tutsis, with most of the Bourgemestres being Tutsis.
- (2) It has two international roads passing through it. From Kigali, one passes through Kayonza to Kagitumba border post with Uganda and the other to the Rusumo border post on the Tanzanian border.
- (3) There is a big hospital at Kibungo manned by Chinese doctors but it is yet to pick up from the adverse effects of the 1994 civil war.
- (4) There are two large refugee transit camps at Birenga and Nyakarambi.
- (5) There is an RPA Brigade and a Gendarmerie company at Kibungo.
- (6) Kibungo prefecture is the leader in the production of bananas.
- (7) The Rwanda Communal Training School is located in Gishali in the Muhazi Commune.

c. Byumba Prefecture.

- (1) The Byumba Prefecture is Tutsi dominated and is currently receiving a large number of returnees into the Akagera National Park area.
- (2) Akagera National park, a major game park is located in the prefecture. The park remains a restricted area for UN troops/MILOBS and other agencies.
- (3) There are two major international road links with Uganda through Gatuna and Kagitumba and a less important one through Buziba.
- (4) There are two refugee transit camps at Nyagatare and Byumba.
- (5) The prefectures have two tea factories at Muhindi (Rushaki Commune) and Kinihira (Cyungo Commune). These factories are being rehabilitated by a European Union Company and is projected to be completed by end of Mar 96.

- (6) There is also some small scale gold panning in Cyungo commune.

Important Events.

8. a. The visit of the Rwandan Prime Minister, MR Pierre Rwigema, and holding of meetings with Rwandan refugees in Tanzania. He spoke to an audience of 10,000 refugees in Benaco Camp in Tanzania and answered questions on property and security. After that the number of returnees from Tanzania showed a significant rise in the month of Feb 96.
- b. During the fourth meeting of the Tripartite Commission of Rwanda/Burundi/UNHCR, it was decided to have the remaining camps in Burundi progressively closed, starting with Ntamba camp. Around 4,000 Rwandans returned through Rutete border post in this Sector.
- c. There has been a dramatic decongestion in Kibungo Prison as a result of the transfer of over 3,000 prisoners to Nsinda prison in Jan 96.

Returnees.

9. In the period under review 14,914 refugees have returned to Rwanda through entry points in the sector. Details at Annex A.
10. The resettlement of these returnees has been satisfactory. There have been positive signs of reconciliation between the ethnic groups. A deliberate attempt has been made by the local authorities and various agencies to increase the rapprochement despite a few isolated cases.
11. However the resettlements of old case loads in isolated settlements could create ethnic pockets and affect their integration into the mainstream. Some of such pockets are in Nasho area in Rusumo Commune and Akagera national Park in Byumba Prefecture. It is also felt that the process of reconciliation here could be long drawn out as adequate confidence is only built up through coexistence.

Prison and Commune Cachot data.

12. The condition of prisoners in the Sector has improved remarkably with the transfer of 3,000 prisoners from Kibungo and other Byumba prisons to a newly renovated and expanded Nsinda prison in Kibungo Prefecture. This enabled the shifting of prisoners in commune cachots in Byumba and Kibungo prefectures who were living in squalid conditions to be shifted to Kibungo prison. Details of the prison population in the sector is at Annex B.

Achievements and Failures of MILOBS and UNAMIR and Lessons to be drawn

13. **Achievements of MILOBS.** MILOBS have contributed in a great measure to the success of the mission of UNAMIR as also in bringing a degree of normalcy to Rwanda. Some of the Major achievements have been;

- (1) Observing and feeding necessary info on the prevailing situation at the grass root level.
- (2) Providing a platform for all UN agencies and NGOs to share info and project their problems.
- (3) Providing a degree of confidence to the locals by their presence in relatively inaccessible areas.
- (4) Assisting local authorities and NGOs in disbursing of humanitarian aid.
- (5) Acting as anchor and coordinating agency for UN Agencies and NGOs.
- (6) Providing unarmed escorts to UNHCR in the repatriation of refugees especially the forced ones.
- (7) Carrying out joint patrolling with Human Rights in cases requiring joint investigations/sharing of similar info.
- (8) Acting as a deterrent to undesirable elements.

14. **Failures of MILOBS.** Some of the areas where MILOBS failed to exert their presence and thus achieve positive results were :

- a. MILOBS were unable to effectively monitor prisons and the condition of the inmates. Reports of Human Rights personnel were relied upon and independent observations were rarely done. This perhaps could have been improved upon with some coordination at HQ level as no person in authority would like his prisoners interviewed by independent international observers.
- b. The situation in communes were rarely monitored by positive frequent interaction with residents. Liaison was restricted mostly to commune officials and excessive dependence was placed on their version of local events.
- c. MILOBS were unable to investigate allegations and stories independently. For instance the statement given in the international media by the EX-PM regarding maltreatment of Hutus in the current regime was glossed over and MILOBS could not give an honest and independent assessment of the same due to their inability to establish

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themselves as an effective and credible body to which all parties could give their versions without fear or favour. They remained a group that did not earn the full faith of the common man. This perhaps was also due to the fact that personal contact and development of personal relationships over an extended period could not be achieved due to the frequent shifts and redeployment of MILOBS.

d. One of the major role of the United Nations in Rwanda was to instill hope and faith in refugees and motivate them to return. MILOBS, acting as the visible international presence on ground, could still not motivate the refugees to return. Perhaps deployment of MILOBS in these refugee camps across could have led to an improvement in this aspect.

e. The efforts of MILOBS sometimes appeared to be uncoordinated with MILOBS performing monitoring tasks that were the exclusive purview of agencies like UNHCR and Human Rights. This effort could have been better coordinated at the MILOBS HQ level.

f. The MILOBS in Rwanda were unable to function as the independent body that they were supposed to represent. Their activities were always linked to formed troops which must not be so. There is a need to ensure that in the command structure and the concept of operations, the MILOBS are kept distinct as an impartial tool of the SRSG by functioning directly under him.

g. MILOBS were tasked to ascertain humanitarian and reconstruction needs of communes without being given any authority to provide or even promise any sort of aid. This led to many embarrassing situations for MILOBS that degraded their credibility.

h. Lack of communications with UN agencies and even UNHCR led the MILOBS to miss out many valuable pieces of information and avoidable delay in emergency situations.

Future Prospects of Rwanda.

15. Though peace and stability seems to be returning to Rwanda gradually, the process of reconstruction is a long drawn out and painful one. With the majority of refugees still outside Rwanda, it is unlikely that the wounds of ethnic divide will heal early. The confidence building measures adopted by the local government, UNHCR and other international agencies for smooth repatriation of returnees does not seem to have borne fruits. The situation may thus be described as stable but is not normal.

16. As per the prevailing situation, despite the threat of an attack by the FRGF, the present government is likely to continue. The RPA seems to be concentrating on consolidating its power and curbing the activities of the insurgents. To achieve this it is resorting to repression and atrocities on the quiet and is trying to dominate the population/show its presence by screening at check points and carrying out foot patrols. This, besides exhausting its soldiers is also

alienating the local population. Its aura of patriotic liberation seems to be slowly wearing off. For the RPA to be accepted in the mainstream of National life, it will have to start concentrating on nation building rather than behaving as an occupation army.

17. It is unlikely that the FRGF elements would succeed in their present campaign to unseat the present government. Their campaign is on a rather low scale and is not likely to give them a foothold or a launch pad for further operations. They are thus likely to continue their activities close to the border areas and may increase these into the heartland with the withdrawal of UNAMIR.

18. Having considered the above aspects, it is evident that a stalemate is likely to continue for the next two or three years. A long term degeneration of the RPA may lead to a political and military vacuum which may be exploited by the FRGF. However this looks unlikely in the present context. The ultimate solution on which the future of Rwanda can be pitched would need to be based on a long term reconciliation amongst the warring ethnic groups and a genuine power sharing between them.

Recommendations

19. Future role of the UN. Of late, the essential role of the UN has been reduced to assist and reconstruct Rwanda. But it would be incorrect to mandate that as the only task for the UN in this country. With a majority of refugees still outside Rwanda, the situation can by no stretch of imagination be described as normal. Security of the returnees and of the majority of the vulnerable ethnic group continues to be a cause of concern. Therefore the role of UN should encompass :

- (1) Providing assistance in the reconstruction of Rwanda in economic and material terms.
- (2) Act as a honest broker and as a deterrent so as to infuse a degree of confidence amongst the locals.
- (3) Monitor the security situation on either side of the border which may impede the smooth repatriation of refugees.

20. Suggested strategies for more effective UN Operations. For more effective operations in the future, the following should be considered :

- a. Need for a central UN Coordinating structure at the prefecture or sector HQ level to coordinate the activities of all UN agencies, MILOBS, UNHCR, UNDP, UNICEF and UNHR in a given area. This will ensure better sharing of info and more coordinated planning and execution of UN operations.
- b. Concept of joint patrols of various UN agencies to ensure a cohesive response to

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emergency situations be evolved.

- c. Need to have a single common system of communication between various UN Agencies to so as to allow them to monitor each other's activities and, share information on an as required basis and come to each other's assistance in case of an emergency.
- d. Avoid overloading the military component with humanitarian tasks thereby diluting its role as a deterrent force.

Conclusion.

21. As the mandate of UNAMIR comes to a close, a honest self appraisal reveals that UNAMIR has contributed in large measure towards the establishment of peace and security in Rwanda by its operations in the last two years. People are getting on with their lives and there is a relative state of security. At the same time it must be acknowledged that UNAMIR is looked upon with misgiving by both the ethnic groups. The ruling Tutsi class feel that no positive steps has been taken by The UN to bring the genocide perpetrators to book whereas the Hutu refugees are disappointed with the inability of the UN make them feel assured that a state of adequate security exists for them to return. This feelings makes one realise that lasting peace has not been brought to the region. With 30% of the population sitting across the borders looking yearningly home, the peace as it exists now can at be best described as fragile. History will judge the role of UNAMIR, but if the mission had been able to ensure the safe resettlement of refugees in their homes, all of us could have gone home fully satisfied with hope for the future.



(V S Dadhwal)
Lt Col
Sector Commander

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FINAL REPORTMILOBS SECTOR 2GENERAL

1. Sector 2 existed through the various mandates as Sector 3 (Gitarama, Butare and Kibuye), Sector 1B (Gitarama) and with the final mandate, it covered the Gitarama and Kibuye prefectures. Gitarama remained central to the various redeployments, thus information gathering was easier and more accurate than the other prefectures which at one time or the other formed part of the sector. In this report, only the Gitarama and Kibuye prefectures will be covered. Information on Gitarama will be mostly used as the measuring rod for the sector as details are readily available. The situation in Gitarama is not much different from Kibuye and details provided herein can be used to assess the general situation prevailing in the sector.

HISTORICAL BACKGROUND

2. Gitarama was the centre of HUTU emancipation and still remains a strategic centre of political and social activity in Rwanda. With the catholic diocese in KABGAYI as a key institution, Hutu intellectuals have strong links with the town. The last major battle between the ex-government forces and the RPA was fought in Gitarama. The only significant things about Kibuye are its remoteness and the fact that it suffered one of the worst atrocities committed during the genocide.

a. Gitarama. Gitarama Prefecture is predominantly Hutu. It has 17 communes. Both the Prefect and the RPA Brigade Commander are moderate Hutus. Majority of the Bourgmestres are Hutus, but the communes bordering Kigali Prefecture have Tutsi Bourgmestres who can be considered as hardliners (resulting from the loss of relatives during the genocide). Kabgayi remains the centre of education, but even though Hutus are in high positions, power really rests with a minority of Tutsis strategically placed in the corridors of power. The Prefecture like any other one in Rwanda has no known natural resources. Majority of the locals are peasant farmers, although tea and coffee in addition to bananas, are widely grown. Roads are reasonably good.

b. Kibuye. Kibuye is a very remote Prefecture with almost impassable commune roads. It has 9 communes. The Prefect is a hardliner Tutsi and so are majority of the bourgmestres. The RPA Battalion Commander comes under the 305 Brigade in Gitarama but whether he takes any orders from Gitarama is another story. Lake Kivu and its abundance of fish can be considered as the only natural resource. Tea and coffee

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are also widely grown.

c. Deployment during various Mandates.

The deployment in the sector during the various mandates is as below:

- (1) Milobs Sector 3 : 30 MILOBS and one infantry company from MALI and a FRENCH battalion.
- (2) Milobs Sector 1B : 24 MILOBS and one Mali Coy (until 8 Dec 95).
- (3) Milobs Sector 2: 21 MILOBS and one Ghanaian platoon (ITR KIBUYE until 02 Mar 96).

IMPORTANT EVENTS

3. The sector did not record any significant events. Killings and arbitrary arrests with political undertones were rampant throughout the sector between August and December 1995. From January however, the situation changed with majority of the killings being carried out by armed bandits with no political connections.

4. Returns. Returnees to the Gitarama prefecture since August 1995 total 2296. Out of this about 3% have been arrested and MILOBS confirmed the killing of 6. MILOBS confirmed majority of the returnees have been reasonably settled in their communes. Some however have found their houses occupied by RPA soldiers and are unable to reclaim them. Figures provided by UNHCR however differ from those who actually get to the communes. What happened to these group of returnees is not known. In the Kibuye prefecture 6800 were reported by officials as having returned. They were unable to say how many have been arrested but it is presumed the situation is not different from Gitarama. The general complaint is lack of food and shelter.

5. Prison/Commune cahots. The Gitarama prison is in fairly good condition. There are currently 6350 inmates including 219 women. The Kibuye prison holds up to 2000 prisoners in very appalling conditions. The most worrying fact is the state of the various commune cahots. Prisoners are crammed into small and poorly ventilated rooms with no space to lie down. Arrests are still continuing in frightening proportions. The frequency of arrests in the Gitarama prefecture between 25 Nov 95 and Mar96 is as shown at Annex A.

ACHIEVEMENTS/FAILURES OF MILOBS AND UNAMIR

6. The achievements of MILOBS cannot be quantified but suffice it to say that they created the necessary interface between the

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RPA and NGOs as well as the local population. MILOBS acted as a check on excessiveness by officials and the RPA. The sight of a UN vehicle in the countryside is a source of hope to the locals. The main problem which confronted MILOBS was language. Interpreters were bad and some MILOBS themselves spoke very little or no English which is the working language of UNAMIR. Information gathering suffered as a result.

7. On the part of UNAMIR, even though the mission rendered significant material assistance to the locals, the name of the mission itself can be described as having outlived its usefulness after the first mandate. An Assistance Mission which has not been equipped to assist can not be described as one. While locals were full of hope that UNAMIR could do everything for them MILOBS had the unpleasant task of explaining that UNAMIR could not meet their aspirations. The mandate was ambiguous as was the name.

FUTURE PROSPECTS OF RWANDA

8. Rwanda is a very backward and underdeveloped country which needs the support of the international community. Throughout the world, countries which tend to rely on their indigenous language are usually inward looking. With a rich countryside and fertile soils, Rwanda has a good future but with the present situation, it will be a while before it can realise its full potential. While some officials are determinedly committed to reconciliation, not much progress is being made at the grassroots where the real problem is. The abrupt manner in which the mission ended will surely put Rwanda in the category of Somalia and Cambodia.

LESSONS LEARNT

9. UNAMIR brought home forcefully the importance of consent in peace keeping. While some countries are committed to world peace, some (the developed ones) are only interested in their personal interests. The ambiguity of the name and the mandate often made the peacekeepers look stupid in the face of the RPA and local officials. The deployment of MILOBS with no English or French background was a big drawback for the mission.

RECOMMENDATIONS

10. The following recommendations are made:

- a. Mandates for future UN missions should be very clear to both the host nation and peacekeepers.
- b. Future missions should have adequate resources to meet their mandate.

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c. Rwandan government officials should be encouraged to extend their efforts at reconciliation to the grassroots.

d. Houses of returnees being illegally occupied should be returned to their legitimate owners.


CHRIS NUTAKOR
Major
Sector Commander

4 March 1996

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ANNEX A**STATE OF PRISONERS**
(GITARAMA PREFECTURE)

| SER NO | COMMUNE | GR | PRISONERS 25 NOV 95 | PRISONERS 6 MAR 96 | INCREASE | PERCENTAGE INCREASE |
|--------|--------------|------|------------------------|-----------------------|-------------|------------------------|
| 1 | BULINGA | 6679 | 72 | 107 | 35 | 49 |
| 2 | KAYENZI | 8389 | 196 | 308 | 112 | 57 |
| 3 | KIGOMA | 7649 | 133 | 231 | 98 | 74 |
| 4 | MASANGO | 6254 | 250 | 296 | 46 | 18 |
| 5 | MUGINA | 9267 | 225 | 406 | 181 | 80 |
| 6 | MUKINGI | 7160 | 115 | 147 | 32 | 28 |
| 7 | MURAMA | 6749 | 301 | 291 | -10 | -3 |
| 8 | MUSAMBIRA | 8274 | 187 | 265 | 78 | 42 |
| 9 | MUSHUBATI | 6970 | 77 | 136 | 59 | 77 |
| 10 | NTONGWE | 9057 | 439 | 467 | 28 | 6 |
| 11 | NYABIKENKE | 7292 | 93 | 187 | 94 | 101 |
| 12 | NYAKABANDA | 6597 | 55 | 109 | 54 | 98 |
| 13 | NYAMABUYE | 7570 | 160 | 269 | 109 | 68 |
| 14 | RUNDA | 9882 | 260 | 411 | 151 | 58 |
| 15 | RUTOBWE | 7781 | 102 | 109 | 7 | 6 |
| 16 | TABA | 8883 | 183 | 421 | 238 | 130 |
| 17 | TAMBWE | 7653 | 164 | 215 | 51 | 31 |
| | TOTAL | | 3012 | 4375 | 1363 | 45 |

* GITARAMA PRISON AS AT 18 FEB 96 : 6350 (INCLUDING 219 WOMEN)

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PRISON AND COMMUNE CACHOT DATA

Annex B
To Final Report
Dated 5 Mar 96

1 PRISON DATA

| Srl | Prison | Men | Women | Minors | Total | Infants | Capacity | Date | Remarks |
|-----|--------------|--------------|------------|------------|--------------|------------|-------------|--------|---------|
| 1 | BYUMBA | NIL | NIL | NIL | NIL | NIL | 1000 | DEC 29 | 1995 |
| 2 | KIBUNGO | 1395 | 65 | 44 | 1504 | 13 | 400 | FEB 14 | 1996 |
| 3 | KIGALI | 9642 | 370 | 353 | 10365 | 87 | 2000 | DEC 29 | 1995 |
| 4 | NSINDA | 5007 | 114 | 74 | 5195 | 25 | 5000 | JAN 01 | 1996 |
| 5 | RILIMA | 3385 | 102 | 53 | 3540 | 17 | 1200 | DEC 29 | 1995 |
| | TOTAL | 19429 | 651 | 524 | 20604 | 142 | 9600 | | |

2 COMMUNE CACHOT DATA

A KIBUNGO

| Srl | Commune | Number | Date | Remark |
|-----|--------------|-------------|--------|--------|
| 1 | BIRENGA | 141 | JAN 24 | 1996 |
| 2 | KABAROND | 10 | JAN 30 | 1996 |
| 3 | KAYONZA | 37 | FEB 14 | 1996 |
| 4 | KAGARAMA | 100 | JAN 18 | 1996 |
| 5 | MUGESERA | 346 | FEB 09 | 1996 |
| 6 | MUHAZI | 278 | FEB 15 | 1996 |
| 7 | RUKARA | 60 | JAN 17 | 1996 |
| 8 | RUKIRA | 86 | JAN 31 | 1996 |
| 9 | RUSUMO | 60 | JAN 17 | 1996 |
| 10 | RUTONDE | 143 | JAN 25 | 1996 |
| 11 | SAKE | 216 | FEB 02 | 1996 |
| | TOTAL | 1477 | | |

B. KIGALI. NOT AVAILABLE

C. BYUMBA. NOT AVAILABLE

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RETURNEE STATISTICS BY ENTRY POINT
JAN 95 TO MAR 96

Annex A
To Final Report
Dated 5 Mar 96

| Srl | Month | Byumba | | | Kibungo | | | Kigali | | | Sector |
|-----|----------------|---------------|------------|---------------|-------------|-------------|--------------|------------|--------------|--------------|---------------|
| | 1995 | Old | New | Total | Old | New | Total | Old | New | Total | Total |
| 1 | JAN | 18850 | NIL | 18850 | 1511 | 384 | 1895 | NIL | NIL | NIL | 20745 |
| 2 | FEB | 14625 | NIL | 14625 | 1318 | 482 | 1800 | NIL | 1070 | 1070 | 17495 |
| 3 | MAR | 20964 | NIL | 20964 | 629 | 433 | 1062 | NIL | 338 | 338 | 22364 |
| 4 | APR | 16652 | NIL | 16652 | 1111 | 63 | 1174 | NIL | NIL | NIL | 17826 |
| 5 | MAY | 17513 | NIL | 17513 | 35 | 175 | 210 | NIL | 58 | 58 | 17781 |
| 6 | JUN | 3376 | NIL | 3376 | 36 | 672 | 708 | NIL | 1639 | 1639 | 5723 |
| 7 | JUL | 2474 | NIL | 2474 | 804 | 227 | 1031 | NIL | 689 | 689 | 4194 |
| 8 | AUG | 1860 | NIL | 1860 | 226 | 425 | 651 | NIL | 4046 | 4046 | 6557 |
| 9 | SEP | 1076 | NIL | 1076 | 187 | 797 | 984 | NIL | 3860 | 3860 | 5920 |
| 10 | OCT | 1238 | 77 | 1315 | 27 | 2042 | 2069 | NIL | 470 | 470 | 3854 |
| 11 | NOV | 617 | 4 | 621 | 56 | 619 | 675 | NIL | 214 | 214 | 1510 |
| 12 | DEC | 897 | NIL | 897 | 96 | 166 | 262 | NIL | 2746 | 2746 | 3905 |
| | | | | | | | | | | | |
| | TOTAL | 100142 | 81 | 100223 | 6036 | 6485 | 12521 | NIL | 15130 | 15130 | 127874 |
| | 1996 | | | | | | | | | | |
| 13 | JAN | 942 | NIL | 942 | NIL | 613 | 613 | NIL | 2831 | 2831 | 4386 |
| 14 | FEB | 633 | NIL | 633 | NIL | 2322 | 2322 | NIL | 6524 | 6524 | 9479 |
| 15 | MAR/03 | 140 | NIL | 140 | NIL | 12 | 12 | NIL | 23 | 23 | 175 |
| | TOTAL | 1715 | NIL | 1715 | NIL | 2947 | 2947 | NIL | 9378 | 9378 | 14040 |
| | | | | | | | | | | | |
| | GRD TOT | 101857 | 81 | 101938 | 6036 | 9432 | 15468 | NIL | 24508 | 25508 | 141914 |
| | | | | | | | | | | | |

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TO: MILOB GP HQ

REF:MILOB/OPS/C18

FROM: MILOB SECTOR 4

DATE: 02 MAR 96

FINAL REPORT - MILOB SECTOR 4

THE HISTORICAL BACKGROUND OF MILOB SECTOR

1. After 1959 when the Hutus conveniently saw the exist of , the Tutsis, economic, governance and other essential interests of Rwanda was taken over by the Hutus. The elites of Cyangugu prefecture legitimized its power by ethnicity forming Hutu parties against the Tutsis. Political parties here did not see much ethnic mix. The Hutus who were about 95% of the pre-war population of about 560,000 saw the Tutsis as conquerors, invaders, outsiders and oppressors. Tutsis have felt marginalised and neglected by the then Government of Rwanda. The perceived ethnic division and its use by the politicians transformed to the pattern of the genocide committed in the prefecture. The number of persons killed in the Prefecture as estimated by Human Rights was 68.000 with 90 per cent being Tutsis. Consequently, the political situation in the Sector has been that of mistrust and suspicion between mostly Tutsi heads(supported by RPA)and the Hutu subordinates.

2. The foregoing background made the history of Sector 4 unique and most eventful in the tenure of UNAMIR in Rwanda. Sector 4 was one of the 10 sectors created following the withdrawal of Organization of Africa Neutral Military Observer Group (OAUNMOG) and the formation of UNAMIR on 22 August 94. During the war the Prefecture was within the French Humanitarian Protection Zone (HPZ) like most parts of western Rwandan. Even though UNAMIR sectors were redeliniated 3 times since Aug 94, Sector 4 remained the same but only changed its nomenclature from 4C TO 4.

3. There are 11 Communes in Cyangugu Prefecture, namely: Kagano, Kirambo, Gatare, Kamembe, Gisuma, Cyimbogo, Karengera, Gishoma, Bugarama and Nyakabuye.

IMPORTANCE OF THE SECTOR

4. Cyangugu Prefecture was one of the 3 (including Butare and Bukavu) ancient trade centers in the Rwanda-Burundi union.

Its endowment with economic activities thus back to history. Agriculture here is basically subsistence farming, fishing and animal house-boundary. The only cash-cropping in the area are the tea plantations. The Prefecture has a few industries which are important to the development of Rwanda eg the Shagasha and Gisakura tea factories (run in conjunction with the European Union), Cemerwa Cement Factory, the Cocoshoma Cooperative. Some gold mining is done by the locals at Bweyeye. Though most of these industries are operating below their installed capacity due to the devastation of the war, they have high prospects. Considering also that the ex-Government officials, FRGF soldiers and most of Rwandan refugees are settled in Bukavu makes the Prefecture sensitive and very important to the Rwandese Government. The location of the Prefecture and its topology makes it vulnerable to infiltration of the FRFG elements from Zaire. Most of the attacks on the RPA and other Government interests have been through the Prefecture.

DEPLOYMENT DURING VARIOUS MANDATES

5. The deployment of MILOBs in the Sector has been the same until Dec 95 when it was changed. The Sector HQ had been in Kamembe Gihundwe sector with 3 subsectors located at Nyamasheke (north), Bugarama (south) and Kamembe (central) to facilitate effective coverage of the AOR. The operation of the subsectors continued until 17 Dec 95 when they were disestablished and all MILOBs pulled to Kamembe to centralize the operation of the Sector as requested by the last mandate. The strength of the MILOBs during the various mandate remained at an average of 30.

IMPORTANT EVENTS IN THE SECTOR

6. During the MILOBs stay in this Sector there was only one major event thus the forced repatriation of refugees by the Zairian Government in Aug 95. About 7,442 refugees were forcefully repatriated and MILOBs participated by monitoring and escorting the refugees from the entry points to the transit camps. Security of the refugees was guaranteed by the MILOBs and their rehabilitation and resettlement were followed up through our patrols.

RETURNEES

7. Repatriation of refugee in 1995 progressed normally until Dec 95 when there was uncertainty on the renewal of the UNAMIR mandate. Refugee inflow stalled until the mandate was renewed. Repatriation of refugee through the Sector has depended

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largely on the security in the area. Constant confrontation between the RPA and the FRGF infiltrators results in killings and attacks. These activities have been limiting factor to voluntary repatriation of the refugees. Currently, refugee repatriation has remained at the lowest ebb (see Annex A). However the returnees in this Prefecture have been fairly resettled and rehabilitated in the communes with exception of four communes thus Kamembe, Gisuma, Bugarama and Cyimbogo. Problems in these communes were those of accommodation and farmland allocation.

a. Returnees Statistics. Since Jan 95 to date 22,654 (comprising 15,437 new case returnees and 7,217 old cases) refugees returned through Cyangugu prefecture. A total of 5,814 returned and resettled in communes in the Sector (see Annex B). The summary of returnee figures in the Prefecture is as follows:

| | | |
|---------------|----------------|----------------|
| Bugarama- 625 | Cyimbogo- 300 | Gafunzo- 405 |
| Gatare - 122 | Gishoma - 635 | Gisuma - 671 |
| Kagano - 434 | Kamembe - 2101 | Karengera- 232 |
| Kirambo - 93 | Nyakabuye- 124 | Others- 72 |

b. Progress of Returnees Resettlement. Generally, the rehabilitation of returnees in the Prefecture had been without much problems with the exception of 4 communes namely Kamembe, Gisuma, Cyimbogo and Bugarama. New case load returnees do not face much problems settling down into their former accommodation and farmlands. Old case load returnees often encounter problems of accommodation and in most cases they pack into abandoned houses of the new case load who are yet to return to Rwanda. In some places where there are no free accommodation they live in make-shift houses. Cases of 4 communes with bad resettlement cases are as follows:

(1) Gisuma commune. At Gisuma commune, due to acute shortage of accommodation and farmlands, old case load returnees don't have temporary accommodation or abandoned houses of the new case load who are yet to return. Consequently, new arrivals from this commune stay further at the transit camp even after they might have been cleared.

(2) Cyimbogo commune. Due to lack of accommodation in this commune, some 1,500 families

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are presently leaving in make-shift houses made with plastic sheets provided by the UNHCR.

(3) Bugarama commune. There exist here an acute food shortage for both new and old case returnees in the commune.

(4) Kamembe commune . Presently 252 old case load returnees in the commune are occupying houses belonging to new case load refugees who are yet to return. UNHCR and WFP are planning to build 80 housing units in the commune for the returnees. Arrangement to implement this is in advance stage.

PRISONS AND DETENTION CENTERS

8. Prisons and detention centers in the Prefecture are holding about 3500 inmates. The breakdown of the inmates holding in the prisons/detentions are as follows:

a. Central Prisons and Brigades

| | |
|------------------------------|------|
| (1) Cyangugu Central Prison | 2074 |
| (2) Kamembe Brigade | 227 |
| (3) Bugarama Cite Brigade | 65 |
| (4) Bugarama Cimerwa Brigade | 83 |
| (5) Gisuma Brigade | 144 |
| (6) Rwesero Brigade | 32 |

b. Commune Cachots

| | | | |
|---------------|-----|---------------|-----|
| (1) Kamembe | 21 | (7) Kirambo | 85 |
| (2) Nyakabuye | 63 | (8) Gisuma | 156 |
| (3) Kagano | 267 | (9) Karengera | 59 |
| (4) Bugarama | 23 | (10) Gishoma | 55 |
| (5) Cyimbogo | 49 | (11) Gatare | 238 |
| (6) Gafunzo | 165 | | |

ACHIEVEMENTS AND FAILURES

9. Achievements. The following achievements were realised:

a. MILOBs continued to operate effectively in the Sector. Monitoring of refugees and their resettlement in the communes were done on daily bases. Humanitarian activities such as distribution of drugs to the health posts and hospitals were carried out by the MILOBs during the period, especially December and January.

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- b. Created a sense of security for operation of UN Agencies and NGOs in the field.
- c. Instilled a sense of security and confidence conducive to normal living by the local population in the rural and remote areas.
- d. Coordinated and implemented humanitarian assistance of UNAMIR, UN Agencies and NGOs.
- e. Above all, monitoring of security of own UN personnel and property have been all well covered. Nicoy was of tremendous assistance to the locals in the health aspect and also provided transport for local projects to RPA and NGOs on request.

10. Failures. Despite the above achievements, some failures were recorded as follows:

- a. Publicity and Public relations aspects highlighting the importance and benefits of UNAMIR's presence was found wanting at all levels including the international media.
- b. Even though a lot of emphasis was given on the importance of humanitarian assistance, regrettably resources were virtually non-existent.
- c. MILOBS and UNAMIR have also failed to encourage the safe and massive return of refugees. This could be attributed to the inability of MILOBS to have access to refugee camps in Zaire and other neighbouring countries.

FUTURE PROSPECTS FOR RWANDA

- 11. The long term prospects for Rwanda can only be considered with the safe and voluntary return and absorption of refugees now residing in Zaire and other neighbouring countries. Unfortunately this not occurring due to the fear of reprisal action against them and also due to threats by FRGF in refugee camps to discourage large scale return of refugees.
- 12. Also direct talks and negotiations between the present Government and the former Government is unlikely to occur in the near future. This is because both sides are unwilling to indulge in power sharing.
- 13. The FRGF will also continue its acts of insurgency to create an atmosphere of insecurity thus convincing the people

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of Rwanda that the Government is incapable of providing them adequate security. Low-intensity operations by the FRGF will therefore prolong their existence, avoid decisive action and allow them to feel that they have a say in their own destiny.

14. Therefore peace, stability and security in Rwanda for its effective development is not likely to occur in the immediate future. Both the present Government and former Government must forget the past and see themselves as one people, one nation with a common destiny. It is only in the light of this that one can see a bright future for Rwanda.

LESSONS LEARNT

15. The following are some of the lessons learnt:

a. Collation of Information. A wealth of information was collected on communes, operation of UN Agencies and NGOs but the collation and dissemination of the information was found wanting. Information which is not disseminated on time to where it is most needed is wasted effort.

b. Coordination of Effort to Avoid Duplication. In an effort to be seen doing some humanitarian work, there is often duplication of effort by UN Agencies and NGOs at the expense of other areas. Such acts could be avoided by effective coordination at regular meetings and conferences.

c. Importance of Publicity. Publicity should have been exploited in both the local and international media to get credit for a good job done and also to put across the limitations of UNAMIR. If this was effectively done, the present Government/RPA would not have accused UNAMIR for not stopping the genocide in Rwanda.

RECOMMENDATIONS

16. The following recommendations are made:

a. Future Role of UN in Rwanda.

(1) UN should assist the Rwanda Government in the reconstruction of Rwanda.

(2) There should be at least a company strength of

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armed troops to provide security for UN installations.

(3) There should also be military observer group for effective monitoring.

b. Alternate Strategies.

(1) Future UN intervention must be timely and decisive to avoid the type of genocide that took place.

(2) MILOBS should be allowed to visit refugee camps in neighbouring countries to encourage the safe return of refugees.

(3) UN should assist in the negotiations and reconciliation of the present Government and the former Rwandan Government.

c. Suggested Strategies.

(1) UN should have stand-by forces well equipped and trained in some UN contributing countries.

(2) The action of the stand-by forces must be timely and decisive.

(3) The UN must have an effective public relations and radio broadcasting system in any UN area of operation.

(4) The command and control of MILOBS should be completely parallel or different to that of formed troops since the two categories are entirely different.

DJK AKPLOR
Lt Col
Sector Comd

Annexes:

A. Refugee Returns Through Cyangugu Prefecture.

B. Summary Of Returnees Resettlement In Communes.

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ANNEX A TO
MILOBS/OPS/C18
DATED 02MAR96

RETURN OF REFUGEES IN SECTOR 4
CYANGUGU PREFECTEUR
JAN 95 TO MAR 96

| MONTHS | BURUNDI | | | ZAIRE | | |
|--------|---------|-----|-----|-------|-------|--------|
| | OCL | NLC | TOT | OCL | NLC | TOT |
| JAN 95 | 00 | 00 | 00 | 1,306 | 611 | 1,917 |
| FEB 95 | 03 | 00 | 03 | 719 | 393 | 1,112 |
| MAR 95 | 14 | 07 | 21 | 470 | 173 | 643 |
| APR 95 | 32 | 04 | 36 | 281 | 179 | 460 |
| MAY 95 | 23 | 04 | 27 | 209 | 132 | 341 |
| JUN 95 | 09 | 00 | 09 | 172 | 155 | 327 |
| JUL 95 | 07 | 02 | 09 | 531 | 632 | 1,163 |
| AUG 95 | 12 | 00 | 12 | 384 | 8,108 | 8,492 |
| SEP 95 | 09 | 308 | 317 | 634 | 764 | 1,398 |
| OCT 95 | 25 | 07 | 32 | 587 | 858 | 1,445 |
| NOV 95 | 15 | 09 | 24 | 441 | 622 | 1,063 |
| DEC 95 | 08 | 05 | 13 | 531 | 647 | 1,178 |
| JAN 96 | 18 | 26 | 44 | 350 | 681 | 1,117 |
| FEB 96 | 27 | 150 | 177 | 380 | 870 | 1,250 |
| MAR 96 | 00 | 20 | 20 | 20 | 60 | 80 |
| TOTAL | 202 | 542 | 744 | 7,015 | 1,492 | 21,986 |

NOTES:

1. OCL - OLD CASE LOAD (1959 RETURNEES)
2. NEW CASE LOAD

A - 1
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ANNEX B TO
MILOBS/OPS/C18
DATED 02MAR96

SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
JANUARY 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 00 | 15 | 00 | 15 |
| CYIMBOGO | 01 | 28 | 00 | 29 |
| GAFUNZO | 01 | 39 | 00 | 40 |
| GATARE | 00 | 09 | 00 | 9 |
| GISHOMA | 01 | 27 | 00 | 28 |
| GISUMA | 00 | 32 | 00 | 32 |
| KAGANO | 00 | 99 | 00 | 99 |
| KAMENBE | 00 | 134 | 00 | 134 |
| KARENTERA | 00 | 11 | 00 | 11 |
| KIRAMBO | 00 | 04 | 00 | 4 |
| NYAKABUYE | 00 | 01 | 00 | 1 |
| STRAY CASES | 00 | 00 | 00 | 00 |
| TOTAL | 03 | 399 | 00 | 402 |

FEBRUARY 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 00 | 06 | 00 | 06 |
| CYIMBOGO | 00 | 06 | 00 | 06 |
| GAFUNZO | 00 | 04 | 00 | 04 |
| GATARE | 00 | 03 | 06 | 09 |
| GISHOMA | 00 | 14 | 00 | 14 |
| GISUMA | 03 | 10 | 03 | 16 |
| KAGANO | 00 | 01 | 00 | 01 |
| KAMENBE | 00 | 05 | 00 | 05 |
| KARENTERA | 00 | 03 | 00 | 03 |
| KIRAMBO | 00 | 06 | 02 | 08 |
| NYAKABUYE | 00 | 01 | 00 | 01 |
| STRAY CASES | 00 | 00 | 00 | 00 |
| TOTAL | 03 | 59 | 11 | 73 |

B - 1

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SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
MARCH 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|--------------|------------|-----------|-----------|------------|
| BUGARAMA | 01 | 00 | 00 | 01 |
| CYIMBOGO | 00 | 00 | 00 | 00 |
| GAFUNZO | 00 | 00 | 00 | 00 |
| GATARE | 00 | 01 | 00 | 01 |
| GISHOMA | 05 | 02 | 00 | 07 |
| GISUMA | 08 | 02 | 00 | 10 |
| KAGANO | 00 | 01 | 00 | 01 |
| KAMENBE | 03 | 00 | 00 | 03 |
| KARENTERA | 00 | 06 | 00 | 06 |
| KIRAMBO | 00 | 04 | 00 | 04 |
| NYAKABUYE | 00 | 00 | 00 | 00 |
| STRAY CASES | 115 | 00 | 00 | 115 |
| TOTAL | 132 | 16 | 00 | 148 |

APRIL 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|--------------|------------|-----------|-----------|------------|
| BUGARAMA | 00 | 06 | 00 | 06 |
| CYIMBOGO | 01 | 01 | 00 | 02 |
| GAFUNZO | 00 | 00 | 00 | 00 |
| GATARE | 00 | 01 | 00 | 01 |
| GISHOMA | 00 | 00 | 00 | 00 |
| GISUMA | 00 | 00 | 00 | 00 |
| KAGANO | 00 | 00 | 00 | 00 |
| KAMENBE | 01 | 00 | 00 | 01 |
| KARENTERA | 00 | 00 | 00 | 00 |
| KIRAMBO | 00 | 00 | 00 | 00 |
| NYAKABUYE | 00 | 00 | 00 | 00 |
| STRAY CASES | 101 | 00 | 00 | 101 |
| TOTAL | 103 | 08 | 00 | 111 |

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SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
MAY 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 01 | 00 | 00 | 01 |
| CYIMBOGO | 00 | 02 | 00 | 02 |
| GAFUNZO | 00 | 05 | 00 | 05 |
| GATARE | 00 | 00 | 00 | 00 |
| GISHOMA | 00 | 03 | 00 | 03 |
| GISUMA | 00 | 07 | 00 | 07 |
| KAGANO | 00 | 00 | 00 | 00 |
| KAMENBE | 02 | 02 | 00 | 04 |
| KARENTERA | 00 | 00 | 02 | 02 |
| KIRAMBO | 00 | 00 | 00 | 00 |
| NYAKABUYE | 00 | 00 | 00 | 00 |
| STRAY CASES | 64 | 00 | 00 | 64 |
| TOTAL | 67 | 19 | 02 | 88 |

JUNE 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 00 | 00 | 00 | 00 |
| CYIMBOGO | 00 | 05 | 00 | 05 |
| GAFUNZO | 00 | 07 | 00 | 07 |
| GATARE | 00 | 03 | 00 | 03 |
| GISHOMA | 01 | 00 | 00 | 01 |
| GISUMA | 00 | 01 | 00 | 01 |
| KAGANO | 00 | 00 | 00 | 00 |
| KAMENBE | 00 | 00 | 00 | 00 |
| KARENTERA | 00 | 00 | 00 | 00 |
| KIRAMBO | 00 | 00 | 00 | 00 |
| NYAKABUYE | 02 | 00 | 00 | 02 |
| STRAY CASES | 58 | 00 | 00 | 58 |
| TOTAL | 61 | 16 | 00 | 77 |

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**SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
JULY 95**

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|--------------|-----------|------------|-----------|------------|
| BUGARAMA | 00 | 04 | 00 | 04 |
| CYIMBOGO | 02 | 14 | 00 | 16 |
| GAFUNZO | 00 | 72 | 00 | 72 |
| GATARE | 00 | 06 | 00 | 06 |
| GISHOMA | 01 | 38 | 00 | 39 |
| GISUMA | 00 | 56 | 00 | 56 |
| KAGANO | 00 | 44 | 00 | 44 |
| KAMENBE | 00 | 176 | 00 | 176 |
| KARENTERA | 01 | 02 | 00 | 03 |
| KIRAMBO | 00 | 01 | 00 | 01 |
| NYAKABUYE | 00 | 14 | 00 | 14 |
| STRAY CASES | 12 | 00 | 00 | 12 |
| TOTAL | 16 | 427 | 00 | 443 |

AUGUST 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|--------------|-----------|-------------|-----------|-------------|
| BUGARAMA | 00 | 81 | 00 | 81 |
| CYIMBOGO | 00 | 101 | 00 | 101 |
| GAFUNZO | 00 | 96 | 00 | 96 |
| GATARE | 00 | 50 | 00 | 50 |
| GISHOMA | 00 | 101 | 00 | 101 |
| GISUMA | 01 | 264 | 00 | 264 |
| KAGANO | 00 | 193 | 00 | 193 |
| KAMENBE | 01 | 476 | 00 | 477 |
| KARENTERA | 00 | 20 | 00 | 20 |
| KIRAMBO | 00 | 49 | 00 | 49 |
| NYAKABUYE | 00 | 28 | 00 | 28 |
| STRAY CASES | 00 | 00 | 00 | 00 |
| TOTAL | 02 | 1459 | 00 | 1461 |

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SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
SEPT 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 03 | 49 | 00 | 52 |
| CYIMBOGO | 01 | 16 | 00 | 17 |
| GAFUNZO | 00 | 17 | 00 | 17 |
| GATARE | 03 | 03 | 00 | 06 |
| GISHOMA | 01 | 109 | 00 | 110 |
| GISUMA | 00 | 46 | 00 | 46 |
| KAGANO | 00 | 24 | 00 | 24 |
| KAMENBE | 30 | 229 | 00 | 259 |
| KARENTERA | 00 | 17 | 00 | 17 |
| KIRAMBO | 00 | 06 | 00 | 06 |
| NYAKABUYE | 00 | 26 | 00 | 26 |
| STRAY CASES | 00 | 00 | 00 | 00 |
| TOTAL | 38 | 542 | 00 | 580 |

OCT 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 55 | 113 | 00 | 168 |
| CYIMBOGO | 00 | 14 | 00 | 14 |
| GAFUNZO | 00 | 22 | 00 | 22 |
| GATARE | 00 | 01 | 00 | 01 |
| GISHOMA | 03 | 85 | 00 | 88 |
| GISUMA | 01 | 71 | 00 | 72 |
| KAGANO | 00 | 17 | 00 | 17 |
| KAMENBE | 01 | 283 | 00 | 283 |
| KARENTERA | 00 | 02 | 00 | 02 |
| KIRAMBO | 00 | 02 | 00 | 02 |
| NYAKABUYE | 00 | 08 | 00 | 08 |
| STRAY CASES | 00 | 07 | 00 | 07 |
| TOTAL | 59 | 625 | 00 | 684 |

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SUMMARY OF RETURNEES RESETTLEMENT IN COMMUNES
NOV 95

| COMMUNES | OCL | NLC | IDPs | TOTAL |
|-------------|-----|-----|------|-------|
| BUGARAMA | 31 | 132 | 00 | 163 |
| CYIMBOGO | 01 | 21 | 00 | 22 |
| GAFUNZO | 01 | 34 | 00 | 35 |
| GATARE | 00 | 02 | 00 | 02 |
| GISHOMA | 00 | 50 | 00 | 50 |
| GISUMA | 00 | 27 | 00 | 27 |
| KAGANO | 00 | 07 | 00 | 07 |
| KAMENBE | 01 | 160 | 00 | 161 |
| KARENGERA | 00 | 12 | 00 | 12 |
| KIRAMBO | 00 | 07 | 00 | 07 |
| NYAKABUYE | 00 | 16 | 00 | 16 |
| STRAY CASES | 03 | 00 | 00 | 03 |
| TOTAL | 37 | 468 | 00 | 505 |

DEC 95

| COMMUNES | OCL | NLC | IDPs | TOT |
|-------------|-----|-----|------|-----|
| BUGARAMA | 06 | 30 | 00 | 36 |
| CYIMBOGO | 00 | 25 | 00 | 25 |
| GAFUNZO | 01 | 01 | 00 | 02 |
| GATARE | 00 | 16 | 00 | 16 |
| GISHOMA | 03 | 17 | 00 | 20 |
| GISUMA | 02 | 32 | 00 | 34 |
| KAGANO | 00 | 13 | 00 | 13 |
| KAMENBE | 06 | 243 | 00 | 249 |
| KARENGERA | 00 | 125 | 00 | 125 |
| KIRAMBO | 00 | 00 | 00 | 00 |
| NYAKABUYE | 00 | 10 | 00 | 10 |
| STRAY CASES | 03 | 03 | 00 | 06 |
| TOTAL | 21 | 545 | 00 | 566 |

REPUBLIQUE RWANDAISE
MINISTRE DE LA JUSTICE
PARQUET DE LA REPUBLIQUE
GITARAMA .

Gitarama, le 12/10/1995
N° 13/288/D11/A/Proc

CONFIDENTIEL

Monsieur Ian Martin
Chef de la Mission du Haut Commissariat
aux Droits de l'Homme au
RWANDA .

Monsieur,

Je me permets de vous adresser la présente pour vous mettre au courant d'une situation plus que lamentable due à l'activité de certains membres de l'équipe des Droits de l'Homme dans notre Préfecture et pour que vous puissiez y apporter un prompt remède .

Lors de la visite à Gitarama de votre prédécesseur, Monsieur William Clarence, je lui avais parlé de ce problème.

Presqu'aucun changement n'étant intervenu depuis lors, je me vois obligé de vous adresser cette lettre, tout en espérant pouvoir compter sur une réponse rapide de votre part .

Depuis quelques temps, les moniteurs des Droits de l'Homme rendent visite aux Inspecteurs de Police Judiciaire déployés dans les Communes, leur posent de nombreuses questions ayant trait aux dossiers répressifs et, souvent, prétendent prendre connaissance directe du contenu des mêmes, en violation de tout secret instructoire. (Voir notamment les visites aux Communes de Tambwe, Kigoma, Nyabikenke, Masango et MUSHURATI) .

.... /

CONFIDENTIEL

Ils se permettent en outre de faire des remarques aux agents du Parquet sur la façon dont les dossiers sont traités, remarques qui dénotent, entre autre la profonde méconnaissance en matière juridique.

A titre d'exemple dans une lettre datée 25 septembre 1995, en annexe, Monsieur Etienne BIHOUMBA MOUNIEMBA cite, à l'appui de sa thèse concernant l'Hôpital de Kabgayi, les articles 12 et 13 du Protocole additionnel aux conventions de Genève du 12.8.1949, sans préciser de quel protocole il s'agit.

A ma connaissance, il n'y a que deux protocoles. Le premier a trait aux conflits armés internationaux et le deuxième - le seul applicable en la matière - est relatif à la protection des victimes des conflits armés non internationaux.

Or, l'article 12 de ce dernier concerne le signe distinctif de la Croix Rouge et l'article 13 la protection de la population civile

Sans doute, ce moniteur des Droits de l'Homme, a oublié que la guerre du Rwanda de 1994, n'a pas été un conflit international et que dès lors les articles 12 et 13 du premier protocole, concernant les hôpitaux ne sont pas d'application dans le cas d'espèce.

Dans une autre lettre erronément datée 4.5.1995- elle fait en effet référence à des faits postérieurs à cette date - au deuxième paragraphe ce même moniteur affirme avoir " interrogé le prévenu devant l'IDJ qui a reconnu les faits " (1 ?) .-

Il en est de même dans la lettre du 23.9.1995 dans laquelle ce même moniteur fait en outre mention de libération par " nos services " , alors que la libération au niveau Communal en cas de Génocides s'effectue par délibération collégiale : Bourgmestre, Militaires, IDJ . -

..../....

CONFIDENTIEL

Enfin dans une autre lettre du 02 Septembre 95, ce même moniteur affirme avoir eu accès aux statuts en violation du secret instructoire.

Il mentionne en outre un " quorum des personnes à charge " qui ne serait pas atteint pour procéder à la détention préventive. En vertu de quel code de procédure pénale ?

A l'appui de tout ce qui précède, je vous prie de bien vouloir trouver en annexe copie des lettres susmentionnées ainsi que copie d'un échange de correspondance avec le chef de l'équipe des Droits de l'Homme, Monsieur Thierne Oueye, éléments qui, si besoin en était, prouvent plus qu'à suffisance, je le répète, non seulement la méconnaissance des règles de procédure mais aussi et surtout l'ingérence dans les affaires internes de notre justice, et donc de notre Pays, de la part de certains membres de l'équipe locale des Droits de l'Homme .

Il ne crois pas que cette ingérence ait été prévue et fasse partie de l'accord intervenu entre notre Pays et le Haut Commissariat des Nations Unies pour les Droits de l'Homme . -

Nous apprécions beaucoup la mission des Droits de l'Homme et reconnaissons qu'un contrôle du respect de ces mêmes droits et libertés ne peut que nous être utile et bénéfique, pourvu toutefois qu'il soit exercé dans le respect et les limites de notre indépendance Nationale.

Vous avez fait beaucoup pour la réhabilitation de notre système judiciaire. Et à travers l'activité combien appréciée de la représentante de la coopération Technique, Madame Rafina, vous nous avez aidé et continuez à nous aider énormément soit du point de vue matériel que dans notre travail quotidien .-

..../...

Que cette Coopération puisse continuer dans l'Harmonie et dans le respect des droits de l'Homme que nous tous préconisons vivement pour que notre Pays puisse se prévaloir, à juste titre et à jamais de l'appellation d'un Etat de Droit.-

Je vous souhaite bonne réception de la présente et vous prie d'agréer, Monsieur, l'expression de mes sentiments distingués .

POUR LE PROCUREUR DE LA REPUBLIQUE

LE SUBSTITUT DU PROCUREUR DE LA REPUBLIQUE

Copie pour informations:

- Madame le Ministre
de la Justice

KIGALI .

- Monsieur le Préfet
de Préfecture

GITARAMA .

- Monsieur ESSAIREL, Chef adjoint
de la Mission HCDH au

RWANDA.

- Monsieur le Commandant de Brigade 305- GITARAMA-KIFUYE.

✓- Lieutenant Colonel BLANCHETTE ,
Commandant de Secteur de la

KINUAR .

