

UNAMIR

KIBEHO INCIDENT

25 APR - 25 MAY 1995

/ PLEASE RETAIN  
ORIGINAL ORDER

[1 CONFIDENTIAL]  
RHWG MAR 2009

UN ARCHIVES

SERIES	<u>5-1120</u>
BOX	<u>8</u>
FILE	<u>1</u>
ACC.	<u>198/0278</u>

**BRIEF FOR THE FC AND SRSG**  
**ON**  
**THE INCIDENT INVOLVING THE FRGF PERSONNEL**

**Background**

- On 14 May 95 two Rwandese Citizens named FAUSTIN NDUWIMANA and NGABO YVES BIZIMUNGU reported to a ZAMBATT location in the Rwamiko area and requested protection. They claimed that they were connected with the Former Government and have been in Kibeho camp since Aug 94 and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95. Initial investigations by ZAMBATT revealed Faustin Nduwimana to be a Second Lieutenant in the Former Rwandan Government Forces (FRGF) and Ngabo Yves Bizimungu to be son of Mr Cazimiya Bizimungu, former Rwandan Government Minister of Health.
- These individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. UNAMIR asked the individuals if they wished to give evidence before the International Commission investigating the events of 22 Apr 95 at Kibeho camp. They volunteered to give evidence before that Commission.
- After appearing before the Commission they were questioned by UNAMIR personnel to establish if they had committed any crimes with a view to handing them to the government if they were suspected. After investigation it could not be established that they were implicated in the genocide.
- At that stage, because no guilt was suspected, they were not handed over to the civil authority. They were further informed that UNAMIR could not offer indefinite protection and were therefore offered the choice of being taken to the Rwandan civil authority or being allowed to go free. They initially requested to be taken to Zaire, via Burundi, however, this request was refused outright by UNAMIR. They then requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune and therefore the request was approved.
- Subsequently, it has been learnt that the two men have been arrested by the RPA, who suspect that the men did in fact participate in the genocide.

**Why they were moved to Kigali**

- The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Rwamiko. It was also the intention to pass these individuals over to Rwandan government authorities if they were found to have been involved in the genocide or insurgent activities.

**Dress, Transport and Accommodation**

- When the individuals reported to ZAMBATT they were dressed in dirty civilian attire which they remained in when appearing before the Commission and at the time of their release from the TUNBATT location in Matura. At no time were the two individuals given UNAMIR uniforms. A UNAMIR helicopter on routine duties was used to transport the two from Gikongoro to Kigali and Kigali to Matura. They were interviewed by UNAMIR personnel at the MP compound in Kigali. They were accommodated at ZAMBATT Tac HQ Gikongoro on the night 14 May 95 and INDBATT location (SOALTEE) on night 15 May 95.

**Why they were taken to the Ruhengeri area**

- After being advised that UNAMIR could not offer indefinite protection or take them out of the country (to Zaire, via Burundi) they requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune.

Brief prepared by LTCOL S.J. Dunn, G3PLANS  
In consultation with: G3OPS, PM and SO3 G2  
24 May 95

**BRIEF FOR THE FC AND SRSG**  
**ON**  
**THE INCIDENT INVOLVING THE FRGF PERSONNEL**

**Background**

- On 14 May 95 at 0600 hrs two Rwandese reported to a ZAMBATT location in the Rwamiko area and requested protection. The individuals claimed to be Second Lieutenant Faustin Nduwimana (of the Former Government Forces) and Ngabo Yves Bizimungu (the son of the former Rwandan Government Minister of Health) and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95.
- These individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. They also volunteered to appear before the International Commission investigating the events of 22 Apr 95 at Kibeho camp. They were then questioned by UNAMIR personnel to establish if they had committed any crimes with a view to handing them to the government if they were suspected. After checking their names against the list held by the International Tribunal it could not be established that they were implicated in the genocide.
- At that stage, because no guilt was suspected, they were informed that UNAMIR could not offer indefinite protection. They were therefore offered the choice of being taken to the Rwandan civil authorities or being allowed to go free. They requested to be taken the Ruhengeri area.
- Subsequently, it has been learnt that the two men have been arrested by the RPA, who suspect that the men did in fact participate in the genocide.

**Why they were moved to Kigali**

- The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Rwamiko. It was also the intention to pass these individuals over to Rwandan government authorities if they were found to have been involved in the genocide or insurgent activities.

**Why they were taken to the Ruhengeri area**

- Once it was established that the individuals had not participated in the genocide and did not need to be handed to the civil authority, they were informed that UNAMIR could not offer indefinite protection. They were therefore offered the choice of being taken to the Rwandan civil authority or being allowed to go free. They requested to be taken to the Ruhengeri area.
- Subsequently, it has been learnt that the two men have been arrested by the RPA, who suspect that they did in fact participate in the genocide.

Brief prepared by LTCOL S.J. Dunn, G3PLANS  
In consultation with: G3OPS, PM and SQ3 G2  
18 May 95



When Bizimungu and his guard sought "protection" (or was asylum?) with ZAMBATT, was it known that they were fugitives being sought by the RPA and hence "alleged criminals"?

Although a warning light should have come on as soon as he identified himself as a terrorist.

On 14 May 95 at 0600 hrs two Rwandese reported to a ZAMBATT location in the Rwamiko area and requested protection. The individuals claimed to be Second Lieutenant Faustin Nduwimana (of the Former Government Forces) and Ngabo Yves Bizimungu (the son of the former Rwandan Government Minister of Health) and had been part of the mass flight of IDPs that broke the RPA cordon of Kibeho camp on 22 Apr 95. UNAMIR was unaware that these individuals were being sought by the RPA at that stage.

If so, why was not the normal procedure followed ie. a) report to ICRC, b) interview with Human Rights Monitors, c) handover to civilian prosecutor?

Not applicable.

Who initiated the idea of the two fugitives being brought before the Inquiry Commission (the Commission only wanted witnesses who volunteered). Did the two fugitives demand to go before the commission or was it suggested to them?

NOT ANSWERED

The individuals agreed to be interviewed by UNAMIR regarding the incident at Kibeho camp and to give information about FRGF/Interhamwe activity in the camps. UNAMIR asked the individuals if they wished to give evidence before the International Commission investigating the Kibeho incident. They volunteered to give evidence before the commission.

Once they had volunteered, did the Commission ask that they be brought to Kigali? Or was this initiative taken by UNAMIR?

The individuals were brought to Kigali for interview rather than possibly wasting limited time and resources in sending an interview team from UNAMIR and the International Commission to Gikongoro. It was also the intention to pass these individuals over to Rwandan government authorities if they were found to have been involved in the genocide or insurgent activities.

Were the fugitives brought in UNAMIR uniforms? How were they brought? Where did they stay?

When the individuals reported to ZAMBATT they were dressed in dirty civilian attire which they remained in when appearing before the commission and at the time of their release from the TUNBATT location in Matura. At no time were the two individuals given UNAMIR uniforms. A UNAMIR helicopter was used to transport the two from Gikongoro to Kigali and Kigali to Matura. They remained at ZAMBATT Tac HQ Gikongoro on the night 14 May 95 and INDBATT location (SOALTEE) on night 15 May 95.

Was information regarding their presence with UNAMIR conveyed to the government at any stage?

The government was not advised of their presence.

NOT  
ANSWERED

After their evidence to the commission, why were they taken to Matura? Why were they transported in a helicopter? By now, it must have been evident that they were "criminals" on the run, was it not realised that taking them to Matura (instead of Gikongoro where they reported of even Kigali) and setting them free was tantamount to helping them escape?

How  
was  
established

Once it was established that the individuals had not participated in the genocide and did not need to be handed to the civil authority, they were informed that UNAMIR could not offer indefinite protection. They were therefore offered the choice of being taken to the Rwandan civil authority or being allowed to go free. They initially requested to be taken to Zaire, via Burundi, however, this request was refused outright by UNAMIR. They then requested to be taken to the Ruhengeri area. It was assumed that this was the area of their home commune.

See -

PRESS RELEASE /draft; not released

On 14 May 95 two Rwandese Citizens named FAUSTIN NDUWIMANA and NGABO YVES BIZIMUNGU reported to UNAMIR troops in Gikongoro prefecture and volunteered to be interviewed by the International Commission investigating the Kibeho incident. They claimed that they were connected with the Former Government and have been in Kibeho since August 1994. Investigations by UNAMIR revealed Faustin Nduwimana to be a Second-Lieutenant in the Former Rwandan Government Forces (FRGF) and NGABO YVES BIZIMUNGU to be son of Mr CAZIMIYA BIZIMUNGU, former Rwandan Government Minister of Health.

Based on their requests, both men were brought to Kigali to testify before the Investigation Commission and later to be released if found uninvolved in criminal activities or, if involved, for handing over to the Public Prosecutor's office. Investigations indicated that these persons had not been participants in the Genocide and were in Kibeho IDP camp on 22 Apr 95 and escaped when the cordon was broken. Later on they were moving around the general area before they reported to UNAMIR troops.

The release of these persons by UNAMIR was on the premise that they were innocent and had requested transportation to the Ruhengeri area. As helicopters were moving in the general area of Mutura, the individuals were helicoptered to that place after which they were free to move wherever they wanted.

This was done in good faith by the staff of UNAMIR with no intentions of being pro-FRGF or anti-RPA. A detailed report on the issue will also be circulated to all affected agencies.



- The Rwandese Vice-President and Minister for Defense, Major Paul Kagame on Thursday held talks with the Special Envoy of the European Union, and discussed political solutions to the repatriation of Rwandese refugees. Vice-President Paul Kagame asked the EU to assist Rwanda in the demining of the minefields in tea plantations and the repair of Rwandese tea factories.

- Unidentified gunmen have robbed RWF 16 million at the headquarters of the Rwandese brewing company BRALIRWA. The gunmen managed to escape before the arrival of security forces.

They  
should be  
a report.  
See.  
Sp/7.5

- UNAMIR is reported to have offered refuge and helped to flee a son of Casmir Bizimungu, the former Minister of Health under the regime of the Rwandese defeated Government, and a second lieutenant of the defeated Rwandese army, who were formerly living in Kibeho camp. The two men were arrested in Gisenyi where they were brought by UNAMIR by helicopter, and arrested, while trying to flee to Zaire. The two men revealed that UNAMIR was collaborating with Interahamwe living in Zaire.

cc: FC  
ED  
DFC  
Spokesman  
MPAO  
PA  
CPO  
SASRSG  
SPAO  
HAO  
LA  
PO  
CIVPOL  
CAO  
CISS  
G2  
Force PM  
CO UNAMIR MP Coy  
CSO/ASC  
COS  
Tribunal Internat. B.P 34

CO TunBatt  
CO EthioBatt  
CO Zambatt  
CO MaliCoy  
CO IndBatt  
CO GhanBatt  
CO MalawiCoy  
CO NiCoy  
CO FrafBatt  
Force Engineer Coy  
MILOBS  
UNREO  
WHO  
UNICEF  
UNDP  
FAO  
WFP  
UNHCR  
UNHCHR



DIFFERENCES BETWEEN CHAPTER VI AND CHAPTER VII ACTION  
UNDER THE CHARTER OF THE UNITED NATIONS

Presentation to the Independent Commission  
on Kibeho, Rwanda

Kigali, 11 May 1995

I. K. Minto  
Legal Adviser, UNAMIR

## DIFFERENCES BETWEEN CHAPTER VI AND CHAPTER VII ACTION UNDER THE CHARTER OF THE UNITED NATIONS

### Basic Principles

Public bodies and officials are authorized to act on the basis of powers assigned to them by law (i.e., through a Constitution, legislation, regulations, etc.) For United Nations bodies, such law emanates from the Charter of the organization and resolutions passed by its legislative bodies. Anything done beyond what is legally authorized is considered to be ultra vires and therefore invalid.

In situations where the law allows a range of discretion as to what is permissible, any acts or decisions within that range are legally valid. But it follows that the ultra vires principle applies to any acts or decisions that fall outside that range of discretion.

There are certain other situations where a public body or official may decide to take certain actions that are not legally authorized or required but that are considered desirable on moral or some other grounds. Similarly, a public body or official may refrain from taking certain actions that are legally permissible but that may not be considered prudent or desirable. But these are matters of political or administrative judgment, as the case may be. The decisions made in this manner may even be laudable or morally imperative. But they must not be confused with what is legally permissible or legally required.

### The United Nations Charter

The United Nations Charter determines the powers and functions of the organization and its component parts. Beyond that, the powers and functions of the various agencies, subsidiary bodies, and officials of the organization are derived from resolutions passed by the legislative bodies of the organization. If we may draw an analogy here to national governments, the Charter of the United Nations corresponds to the Constitution of a country, while the resolutions of the organization correspond to laws passed by national parliaments or legislatures.

In the area of Peacekeeping, we must look to the powers of the Security Council and the mandates laid down by the Council in relevant resolutions for particular peacekeeping operations. It goes without saying that even the Security Council, which is the most powerful body of the United Nations, cannot act beyond the powers conferred on it by the United Nations Charter.

The basic provision defining the powers of the Security Council, namely Article 24 of the Charter, provides as follows:

#### *Article 24*

*1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of inter-*

*national peace and security, and agree that in carrying out this responsibility the Security Council acts on their behalf.*

*2. In discharging these duties the Security Council shall act in accordance with the Purposes and Principles of the United Nations. The specific powers granted to the Security Council for the discharge of these duties are laid down in Chapters VI, VII, VIII, and XII.*

Chapter VIII of the Charter deals with "Regional Arrangements" (or Organizations), and chapter XII deals with the "International Trusteeship System"; they are therefore not relevant for our purposes. Let us thus turn to chapters VI and VII.

Chapter VI of the Charter is entitled: "Pacific Settlements of Disputes". This obviously means "peaceful settlement", without resort to arms or war. There are six Articles under Chapter VI, i.e., Articles 33 to 38. I will go through them briefly to underline the main elements of what Chapter VI requires.

*Article 33, paragraph 1, states that "the Parties to any dispute ... likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution through negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." The emphasis here is clearly on action by the parties, through these various means, to find a peaceful solution to their dispute. The role of the Security Council here is, if it deems necessary, to call upon the parties to settle their dispute by such means [Art. 33(2)].*

Under *Article 34*, the Security Council may decide to *investigate* any such dispute, in order to determine whether it is *likely to endanger international peace and security*.

*Article 35* provides a procedure for States to bring such disputes to the attention of the Security Council or the General Assembly. For instance, paragraph 2 provides that a State that is not a member of the United Nations, but that is a party to a dispute, can still bring the dispute to the attention of the United Nations provided that it agrees to accept the obligation of peaceful settlement of the dispute.

*Article 36* provides that the Security Council may, at any stage of the dispute, *recommend appropriate procedures or methods of adjustment*, taking into account the wishes of the parties.

*Article 37* requires the parties to refer the dispute to the Security Council if they are unable to resolve it through the methods suggested under Article 33. The Council is then to *recommend* solutions as under Article 36.

Similarly, *Article 38* provides that, quite apart from the other procedures, all the parties to a dispute may refer it to the Security Council. The Council is then to *make recommendations to the parties* for the peaceful settlement of that dispute.

Now, to sum up, the underlying and recurrent features of Chapter VI are, obviously,



action by the parties towards finding a peaceful solution to the dispute, referral of such dispute to the Security Council at the initiative of the parties, and *recommendations to the parties* by the Security Council for the solution of such disputes. It is quite obvious, in all this, that the Security Council cannot impose any solution on the parties, if the parties do not accept such solution, or if they refuse to cooperate in its implementation.

Chapter VII of the Charter is entitled: "Action with respect to Threats to the Peace, Breaches of the Peace, and acts of Aggression". The provisions here, namely Articles 39 to 51, are obviously designed to address disputes that have not been amenable to peaceful solution. It may be legitimate to state here that where a peaceful solution has not been possible, the failure belongs, first and foremost, to the parties to the dispute, who, as has been seen under the scheme of Chapter VI, bear the primary responsibility for finding a peaceful solution to the dispute, or to implementing the recommendations or other measures proposed by the Security Council for resolving that dispute.

We must also note that, even under Chapter VII, the Security Council cannot necessarily impose peace on the parties. Of the range of actions that may be taken by the Security Council under Chapter VII, most of them still require the consent of the parties or, at least, a prominent role by the parties in implementing the decisions that are taken. Let us examine these provisions, in turn.

*Article 39* requires the Security Council to determine the existence of any threat to the peace, breach of the peace, or act of aggression. The Council is then to make appropriate recommendations or decide what measures are to be taken, in accordance with Articles 41 and 42, to maintain or restore international peace and security. The emphasis on *international* peace and security is in deference to the sovereign equality of states, which is a basic tenet of the Organization. It may be noted, in particular, that Article 2, paragraph 7 of the Charter states: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state..."

Article 39 refers to action under Articles 41 and 42. But before such action or decision, the Security Council may, under Article 40, *call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable*. Again, as we know, the parties may or may not choose to comply.

If a Peacekeeping Mission is established as a desirable means of addressing the dispute, it follows that the success of that Mission requires not only the effective implementation of its mandate by the members of that Mission, but also, even more importantly, the full cooperation of the parties concerned. Without such cooperation, no peacekeeping Mission will be able to keep the peace. Indeed, there may be no peace to keep. [Examples: Somalia, Angola, former Yugoslavia, Rwanda 1994].

*Under Article 41*, the Security Council may decide on certain actions short of the use of armed force. These may include economic sanctions of various types, as well as the severance of

4

diplomatic relations. (Example, the sanctions prior to the Iraqi war).

Finally, when all else has failed (in the estimation of the Security Council), *Article 42* provides for such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. In short, the use of armed force (such as the Iraqi war).

Attachment: UNAMIR's mandate (Security Council resolution 965 of 30 November 1994).

Note in particular, para. 2 (a), which states:

"2. Reaffirms that UNAMIR will:

(a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance, where feasible, of secure humanitarian areas.



Security Council

Distr.  
GENERAL

S/RES/965 (1994)  
30 November 1994

RESOLUTION 965 (1994)

Adopted by the Security Council at its 3473rd meeting,  
on 30 November 1994

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 4 April 1994, 918 (1994) of 17 May 1994, and 925 (1994) of 8 June 1994, which set out the mandate of UNAMIR,

Having considered the progress report of the Secretary-General on UNAMIR dated 25 November 1994 (S/1994/1344),

Noting the report of the Secretary-General on security in the Rwandese refugee camps of 18 November 1994 (S/1994/1308),

Recalling its resolution 955 (1994) of 8 November establishing the International Tribunal for Rwanda,

Stressing the importance of achieving genuine reconciliation between all elements of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting the deployment of human rights officers to Rwanda by the High Commissioner for Human Rights in order to monitor the ongoing human rights situation, to help redress existing problems and prevent possible human rights violations from occurring, to help foster a climate of confidence and the establishment of a more secure environment and thus facilitate the return of refugees and displaced persons, and to implement programmes of technical cooperation in the field of human rights, particularly in the area of administration of justice,

Noting also that the widespread dispersal of landmines is causing hardship to the civilian population and is hampering the return of refugees and displaced persons and other humanitarian relief efforts,

94-47584 (E)



/...



Welcoming the establishment by the Secretary-General of a Trust Fund pursuant to resolution 925 (1994) of 8 June 1994,

1. Decides to extend the mandate of UNAMIR until 9 June 1995;
2. Reaffirms that UNAMIR will:
  - (a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance, where feasible, of secure humanitarian areas;
  - (b) Provide security and support for the distribution of relief supplies and humanitarian relief operations;
  - (c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;
3. Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:
  - (a) Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;
  - (b) Assist in the establishment and training of a new, integrated, national police force;
4. Strongly urges the Government of Rwanda to continue its cooperation with UNAMIR in the implementation of its mandate and in particular in ensuring unimpeded access to all areas of Rwanda by UNAMIR forces, personnel of the International Tribunal for Rwanda, and human rights officers;
5. Welcomes UNAMIR's efforts to increase its radio broadcasting capabilities so as to reach the refugee camps in neighbouring countries and expresses the hope that it will soon be possible for the Government of Rwanda to conclude appropriate arrangements with UNAMIR in this regard, including the allocation of a radio frequency;
6. Commends the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian and other assistance, and encourages them to continue and increase such assistance, particularly in Rwanda;
7. Requests the Secretary-General to make recommendations on possible steps that could be taken by the United Nations to promote the establishment of an effective mine clearance programme in Rwanda;
8. Calls upon the international community to provide resources needed to meet the immediate needs of the Government of Rwanda directly or through the Trust Fund established pursuant to resolution 925 (1994) of 8 June 1994;

/...

9. Requests the Secretary-General, following the usual consultations, to inform the Council should he consider that the additional tasks in paragraph 3 require consideration of an adjustment in the logistic and personnel requirements of UNAMIR;

10. Decides to keep under review the situation in Rwanda and the role played by UNAMIR and, to that end, requests the Secretary-General to report to the Council by 9 February 1995 and 9 April 1995, on UNAMIR's discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards repatriation of refugees;

11. Commends the efforts of the Secretary-General, his Special Representative and his Special Humanitarian Envoy to coordinate the United Nations response to the various aspects of the crisis in Rwanda;

12. Decides to remain actively seized of the matter.

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on Kibeho, Rwanda

Kigali, 11 May 1995

I. K. Minta  
Legal Adviser, UNAMIR



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The basic provision defining the powers of the Security Council, namely Article 24 of the Charter, provides as follows:

#### *Article 24*

*1. In order to ensure prompt and effective action by the United Nations, its Members confer on the Security Council primary responsibility for the maintenance of inter-*

*national peace and security, and agree that in carrying out this responsibility the Security Council acts on their behalf.*

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Chapter VI of the Charter is entitled: "Pacific Settlements of Disputes". This obviously means "peaceful settlement", without resort to arms or war. There are six Articles under Chapter VI, i.e., Articles 33 to 38. I will go through them briefly to underline the main elements of what Chapter VI requires.

*Article 33, paragraph 1, states that "the Parties to any dispute ... likely to endanger the maintenance of international peace and security, shall, first of all, seek a solution through negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means of their own choice." The emphasis here is clearly on action by the parties, through these various means, to find a peaceful solution to their dispute. The role of the Security Council here is, if it deems necessary, to call upon the parties to settle their dispute by such means [Art.33(2)].*

Under *Article 34*, the Security Council may decide to *investigate* any such dispute, in order to determine whether it is *likely to endanger international peace and security*.

*Article 35* provides a procedure for States to bring such disputes to the attention of the Security Council or the General Assembly. For instance, paragraph 2 provides that a State that is not a member of the United Nations, but that is a party to a dispute, can still bring the dispute to the attention of the United Nations provided that it agrees to accept the obligation of peaceful settlement of the dispute.

*Article 36* provides that the Security Council may, at any stage of the dispute, *recommend appropriate procedures or methods of adjustment*, taking into account the wishes of the parties.

*Article 37* requires the parties to refer the dispute to the Security Council if they are unable to resolve it through the methods suggested under Article 33. The Council is then to *recommend* solutions as under Article 36.

Similarly, *Article 38* provides that, quite apart from the other procedures, all the parties to a dispute may refer it to the Security Council. The Council is then to *make recommendations to the parties* for the peaceful settlement of that dispute.

Now, to sum up, the underlying and recurrent features of Chapter VI are, obviously,

action by the parties towards finding a peaceful solution to the dispute, referral of such dispute to the Security Council at the initiative of the parties, and *recommendations to the parties* by the Security Council for the solution of such disputes. It is quite obvious, in all this, that the Security Council cannot impose any solution on the parties, if the parties do not accept such solution, or if they refuse to cooperate in its implementation.

Chapter VII of the Charter is entitled: "Action with respect to Threats to the Peace, Breaches of the Peace, and acts of Aggression". The provisions here, namely Articles 39 to 51, are obviously designed to address disputes that have not been amenable to peaceful solution. It may be legitimate to state here that where a peaceful solution has not been possible, the failure belongs, first and foremost, to the parties to the dispute, who, as has been seen under the scheme of Chapter VI, bear the primary responsibility for finding a peaceful solution to the dispute, or to implementing the recommendations or other measures proposed by the Security Council for resolving that dispute.

We must also note that, even under Chapter VII, the Security Council cannot necessarily impose peace on the parties. Of the range of actions that may be taken by the Security Council under Chapter VII, most of them still require the consent of the parties or, at least, a prominent role by the parties in implementing the decisions that are taken. Let us examine these provisions, in turn.

*Article 39* requires the Security Council to determine the existence of any threat to the peace, breach of the peace, or act of aggression. The Council is then to make appropriate recommendations or decide what measures are to be taken, in accordance with Articles 41 and 42, to maintain or restore international peace and security. The emphasis on *international* peace and security is in deference to the sovereign equality of states, which is a basic tenet of the Organization. It may be noted, in particular, that Article 2, paragraph 7 of the Charter states: "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state..."

Article 39 refers to action under Articles 41 and 42. But before such action or decision, the Security Council may, under Article 40, *call upon the parties concerned to comply with such provisional measures as it deems necessary or desirable*. Again, as we know, the parties may or may not choose to comply.

If a Peacekeeping Mission is established as a desirable means of addressing the dispute, it follows that the success of that Mission requires not only the effective implementation of its mandate by the members of that Mission, but also, even more importantly, the full cooperation of the parties concerned. Without such cooperation, no peacekeeping Mission will be able to keep the peace. Indeed, there may be no peace to keep. [Examples: Somalia, Angola, former Yugoslavia, Rwanda 1994].

*Under Article 41*, the Security Council may decide on certain actions short of the use of armed force. These may include economic sanctions of various types, as well as the severance of



4

diplomatic relations. (Example, the sanctions prior to the Iraqi war).

Finally, when all else has failed (in the estimation of the Security Council), *Article 42* provides for such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security. In short, the use of armed force (such as the Iraqi war).

Attachment: UNAMIR's mandate (Security Council resolution 965 of 30 November 1994).

**Note** in particular, para. 2 (a), which states:

*"2. Reaffirms that UNAMIR will:*

*(a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance, where feasible, of secure humanitarian areas.*



Security Council

Distr.  
GENERAL

S/RES/965 (1994)  
30 November 1994

RESOLUTION 965 (1994)

Adopted by the Security Council at its 3473rd meeting,  
on 30 November 1994

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 4 April 1994, 918 (1994) of 17 May 1994, and 925 (1994) of 8 June 1994, which set out the mandate of UNAMIR,

Having considered the progress report of the Secretary-General on UNAMIR dated 25 November 1994 (S/1994/1344),

Noting the report of the Secretary-General on security in the Rwandese refugee camps of 18 November 1994 (S/1994/1308),

Recalling its resolution 955 (1994) of 8 November establishing the International Tribunal for Rwanda,

Stressing the importance of achieving genuine reconciliation between all elements of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting the deployment of human rights officers to Rwanda by the High Commissioner for Human Rights in order to monitor the ongoing human rights situation, to help redress existing problems and prevent possible human rights violations from occurring, to help foster a climate of confidence and the establishment of a more secure environment and thus facilitate the return of refugees and displaced persons, and to implement programmes of technical cooperation in the field of human rights, particularly in the area of administration of justice,

Noting also that the widespread dispersal of landmines is causing hardship to the civilian population and is hampering the return of refugees and displaced persons and other humanitarian relief efforts,

94-47584 (E)



Welcoming the establishment by the Secretary-General of a Trust Fund pursuant to resolution 925 (1994) of 8 June 1994,

1. Decides to extend the mandate of UNAMIR until 9 June 1995;
2. Reaffirms that UNAMIR will:
  - (a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda including through the establishment and maintenance, where feasible, of secure humanitarian areas;
  - (b) Provide security and support for the distribution of relief supplies and humanitarian relief operations;
  - (c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;
3. Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:
  - (a) Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;
  - (b) Assist in the establishment and training of a new, integrated, national police force;
4. Strongly urges the Government of Rwanda to continue its cooperation with UNAMIR in the implementation of its mandate and in particular in ensuring unimpeded access to all areas of Rwanda by UNAMIR forces, personnel of the International Tribunal for Rwanda, and human rights officers;
5. Welcomes UNAMIR's efforts to increase its radio broadcasting capabilities so as to reach the refugee camps in neighbouring countries and expresses the hope that it will soon be possible for the Government of Rwanda to conclude appropriate arrangements with UNAMIR in this regard, including the allocation of a radio frequency;
6. Commends the efforts of States, United Nations agencies and non-governmental organizations which have provided humanitarian and other assistance, and encourages them to continue and increase such assistance, particularly in Rwanda;
7. Requests the Secretary-General to make recommendations on possible steps that could be taken by the United Nations to promote the establishment of an effective mine clearance programme in Rwanda;
8. Calls upon the international community to provide resources needed to meet the immediate needs of the Government of Rwanda directly or through the Trust Fund established pursuant to resolution 925 (1994) of 8 June 1994;

/...



9. Requests the Secretary-General, following the usual consultations, to inform the Council should he consider that the additional tasks in paragraph 3 require consideration of an adjustment in the logistic and personnel requirements of UNAMIR;

10. Decides to keep under review the situation in Rwanda and the role played by UNAMIR and, to that end, requests the Secretary-General to report to the Council by 9 February 1995 and 9 April 1995, on UNAMIR's discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards repatriation of refugees;

11. Commends the efforts of the Secretary-General, his Special Representative and his Special Humanitarian Envoy to coordinate the United Nations response to the various aspects of the crisis in Rwanda;

12. Decides to remain actively seized of the matter.

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P2/15  
CRN/71

**REPORT OF THE INDEPENDENT INTERNATIONAL COMMISSION  
OF INQUIRY ON THE EVENTS AT KIBEHO  
APRIL 1995**

An outbreak of violence at the camp for internally displaced persons (IDPs) in Kibeho (south-western Rwanda) on 22nd April 1995, which resulted in a considerable number of deaths, has aroused shock and horror both in Rwanda itself and the international public. Diverging accounts were given of what exactly had happened, of the numbers of casualties and of the responsibilities of different parties.

In a speech on 27th April 1995, the President of the Rwandese Republic, Mr. Pasteur Bizimungu, announced the establishment of an independent International Commission of Inquiry and invited Belgium, Canada, France, Germany, the Netherlands, the United Nations organization and the Organization of African Unity to participate, together with Rwanda, in the work of the Commission. President Bizimungu set out a number of questions (see below) concerning the Kibeho incident, to which the Commission was to answer and which were to serve as Terms of Reference (TR).

The Commission was formally established in Kigali on 3rd May 1995 and it held its first working session on 8th May 1995 with the following members present:

- Mr. Marc Brisset-Foucalt, Prosecutor (France)
- Mr. Bernard Dussault, Diplomat (Canada)
- Mr. Koen de Feyter, Professor of International Law (Belgium)
- Mr. Karl Flittner, Diplomat (Germany)
- Mr. Ataul Karim, Diplomat (United Nations organizations)
- Dr. Ashraf Khan, Forensic Pathologist (United Kingdom)
- Mr. Maurice Nyberg, Lawyer (United States of America)
- Colonel-Major Abdelaziz Skik, military expert (Organization of African Unity)
- Ms. Christine Umutoni, lawyer (Rwanda)
- Mr. Ernst Wesselius, Prosecutor (the Netherlands)

In its first working meeting, the Commission appointed by consensus Colonel-Major Skik as its President, Mr. Dussault as its Vice-President and Mr. Wesselius as its Secretary/Rapporteur.



P3/15  
CRN 171

The Commission was assisted in its work by:

- Mr. Claude Cozar, Prosecutor (France)
- Mr. Ron Newman, Criminologist (Canada)
- Mr. Jan Wilken, Criminologist (the Netherlands)

as well as by representatives of different ministries of the Government of Rwanda in their capacity as expert advisers.

On the basis of numerous interviews with witnesses of the events, held in Kigali, Kibeho and Butare between 10th and 17 May 1995, several visits to the site and forensic investigation research in the Kibeho area, as well as briefings given by UN and Rwandan officials, the Commission hereby submits its report to the President of the Republic of Rwanda on May 18th 1995.



P4/15  
CRN171

- I.
- a. IN WHICH CONTEXT WAS TAKEN THE DECISION TO CLOSE THE CAMPS, AND WHAT ABOUT THIS VERY ONE (KIBEHO)?
  - b. ESPECIALLY, WHAT INFORMATION ABOUT MILITIA IN THE CAMPS WAS AVAILABLE?
  - c. BEFORE PROCEEDING WITH THE CLOSURE DID THE GOVERNMENT CONSULT VARIOUS PARTNERS INVOLVED IN THIS MATTER?
  - d. WAS THE CLOSURE OPERATION AIMED TO ELIMINATE A CERTAIN CATEGORY OF PEOPLE, ESPECIALLY ONE ETHNIC GROUP?

Following the assassination of the Presidents of Burundi and Rwanda in the vicinity of Kigali Airport on 6th April 1994, a genocide began which would cost the lives of several hundred thousand Rwandans. A civil war started which would lead to the liberation of the country and the establishment of a national coalition government on 19 July 1994.

During those sad months, Rwanda saw both its material and social infrastructure practically destroyed. Kigali city had no more than some tens of thousand of inhabitants and a large part of the Rwandan people were refugees in Zaire, Tanzania and Burundi or were displaced within the country. In addition of hundreds of thousands were dead. Administrative buildings had been pillaged, damaged and sometimes destroyed and services (water, electricity, communications, social) were nonexistent. The Government found itself faced with an enormous and complex task, compounded by the problems of bringing the perpetrators of genocide to justice.

As soon as the Government was instituted it could see, as could the international community, that one of the priorities had to be the return of refugees and displaced persons to their home communes. The return of these people was necessary and urgent in order to re-start the Rwandan society and economy, to relieve the destabilizing pressure of the presence of these refugees throughout the region and also for reasons of national security. Indeed, it appeared obvious that as long as these refugees and displaced persons were not re-integrated into Rwandan society they would constitute a threat to security of the Rwanda and a permanent social burden.

45/5  
CRN/71



At that time, the international community saw the importance of assisting Rwanda to instill a feeling of security in the country so as to facilitate the return of refugees and displaced persons. Upon the request of the Rwandan Government the United Nations Assistance Mission in Rwanda (UNAMIR), with a contingent of more than 5,500 troops, was deployed with this intention already in early September 1994. In the course of the same month, international cooperation was mobilized in order to rehabilitate certain infrastructures. Discussions were begun with neighboring countries, the OAU, the UN and particularly with UNHCR in order to organize a conference on refugees and displaced persons. Studies were also begun jointly by Rwandans and international experts with a view to preparing a national plan of action which could be supported by donors. The plan in question was submitted in January 1995 in Geneva and the international community responded by pledging some USD 600 million of the USD 780 million requested.

All these initiatives made possible a steady and significant return of refugees and displaced persons to their communes. Rwanda began normalizing and, over the months, the Capital re-established its population and its activities. Many peasants returned to their communes and a sizable population inhabits Rwanda today. It was still important, however, that all refugees and displaced persons should return home. Unfortunately, a significant number of refugees outside the country and internal by displaced persons (IDPs) in camps located in the former protected zone in southern Rwanda refused to return voluntarily for reasons of security, but also because many of these camps were infiltrated by genocidal criminal elements, groups of militia-men and re-grouped military. There was fear of eventual re-arming; military training was observed to take place. Another factor was that refugees and IDPs gradually became dependent on living conditions provided in the camps.

In December 1994, there still remained within the country 38 IDPs camps and Kibeho camp appeared to be a center of hostility and a threat to internal security.

UNAMIR, in consultation with the Government, decided to launch "Operation Hope" in order to disarm Kibeho. While UNAMIR searched for arms within the camp, the Rwandese Patriotic Army (RPA) maintained a security cordon on the outside. This operation, which had worried humanitarian organizations, proceeded well, without loss of life. It sent a clear message to those inside Kibeho camp that the Rwandan Government as well as the international community would not accept subversion at Kibeho camp.

There was still an urgent need to close the IDPs camps. The Rwandan Government announced the final closure of the camps by the end of December 1994. The discussions that followed between the Rwandan Government and UNAMIR led to the launching of Operation Return.

With a view to supporting Operation Return, a working group was established with the assistance of UNAMIR, including government authorities, United Nations' Agencies and the NGO's, for the purpose of defining and developing policies and strategies concerning IDPs with a view to putting forward as soon as possible a plan of action to make possible the return of these people to their home communes. In order to facilitate the task of the working group and to oversee the implementation of the action plan, the Integrated Operation's Center (IOC) was established and in March 1995, 21 persons were employed there full time and 38 persons part-time.

The first formal meeting of the IOC working-group was held on 6th February 1995. Operation Return was reviewed and it was agreed as of then to launch Phase II, the initial operation having had some success but beginning to run out of steam.

In the meantime, faced with the urgency of the situation and the deterioration of security within the camps, the international community, with the support of OAU, the UNHCR as well as many individual countries, agreed to the terms of reference of a conference on refugees and displaced persons in the Great Lakes area, to be held in Bujumbura, from 12th to 17th February 1995. A plan of action was adopted at the end of the Ministerial Conference. Those components concerning Rwanda were as follows:

**Measures to be taken by Rwanda:**  
(para 23, Sub para b):

" To continue to broadcast solemn declarations by all competent authorities involved in welcoming in dignity and security, refugees and displaced persons within its national borders. "

(Sub. para d):

" To continue to fully cooperate in the context of a coordinated, humanitarian strategy and making good use of functions of the Integrated Operations Center, with the UN agencies and the NGO's in order to facilitate the voluntary return of persons displaced within its national borders. "

**Measures to be taken by the International Community:**  
(para 30, Sub. para a):

" To support and encourage activities in Burundi and Rwanda which encourage the process of national reconciliation and the voluntary return of displaced persons and refugees to their home communes. "

On 20th February 1995, the IOC working group could but observe that very few IDPs had returned to their communes in the preceding week.



P7/15  
CRN/71

On 27th February 1995, the IOC working group noted that Operation Return was no longer yielding satisfactory results, that IDPs did not want to go home, that Kibeho camp was a source of insecurity and that the publicity campaign was not yielding the expected results. The conclusion was reached that Kibeho was becoming a criminals' sanctuary and that there was no final strategy to have the IDPs return home.

In the course of the month of March 1995, the question of security continued to dominate Operation Return. The operation was paralysed by questions of security in the communes, in the camps and in the country. This increased the urgent need that something had to be done.

On 6th March 1995, it was agreed officially that 37,000 persons had been transported to their home communes and that a similar number had gone home by foot. It was also agreed that of that number, 60% had stayed home. Finally, it was noted that there remained 250,000 IDPs, and of that number 120,000, were then in Kibeho.

In view of the new importance of Kibeho camp, of the insecurity, the continued dependency of the IDPs on relief and of the growing impatience of the Government vis-à-vis these camps and the international community, it had become urgent to review the situation. Many options were discussed on 6th March 1995; more specifically the five following possibilities were considered:

1. Closure, as soon as possible and by all possible means.
2. Voluntary return and the closure of some camps while keeping one or two.
3. Moving the displaced persons to smaller camps in the vicinity of their home communes.
4. Reorganization of existing camps by grouping people from the same home commune.
5. Photographic record of all displaced persons and regrouping in four permanently patrolled camps.

At the meeting of 9th March 1995, the IOC agreed on the need to close the camps and the five options were reviewed.

On 15th March 1995, a strategy was worked on to cover both national security concerns and the need for the return of displaced persons to their home communes. It was agreed to improve reintegration facilities and security in communes; in the camps, it was agreed to increase security and improve the publicity campaign, to arrest intimidators and those who had participated in the genocide. Finally, a proposal was made to register IDPs, to have them move by foot and by vehicle and to end the distribution of food. The

pg 15  
CAN 171

operation would end after 4 weeks with the systematic interrogation of persons remaining in the camps. This strategy, after acceptance by the Government, would be set in motion at most a week after its approval.

On 20th March 1995, the urgent need to close the camps was stressed.

On 27th March 1995, the Prefect of Gikongoro stated that, for reasons of public order, he could no longer accept the presence of camps in his prefecture.

In its information bulletin of 27th March 1995, the IOC stated that the Government had reiterated its desire to see IDPs back home as soon as possible. It is interesting to note that at that time the figure of 84,000 was used for the number of people in Kibeho.

At the time of that IOC meeting the representative of the IOC declared that it would be unfortunate to begin the operation as decided within a fortnight because it would coincide with the 6th April 1995, the day of the first anniversary of the start of the genocide, and that it would therefore be preferable to postpone it for a week.

The meeting of 2nd April 1995 served to clarify certain components, including transport of refugees and curfew in the camps.

*No consultation*  
In a document signed by the Chairman of the Task Force of the IOC, dated 15th April 1995, it was noted that at the 3rd April 1995 meeting, it was decided to identify cooperation mechanisms between the armed forces, UNAMIR and Human Rights observers with regard to the operation as well as to arrest and detention procedures. It was also agreed that all members of the working group were ready to launch the operation.

In support of the strategy to close the camps, at the request of the Minister of Rehabilitation and Social Integration and of the Minister of Interior, and after consulting with the President, the Vice President/Minister of Defence decided to deploy the armed forces to surround the remaining eight IDPs camps, including Kibeho.

There is no evidence to suggest that the operation was intended to eliminate a certain category of people, especially those belonging to one ethnic group.

79/5  
CRN: 71

II - HOW WAS THE OPERATION CARRIED OUT SINCE 18th APRIL AND  
WHAT ACTUALLY HAPPENED FROM THE 22nd TO THE 23d APRIL 1995?

During the night of the 17th to the 18th April 1995 the RPA surrounded the remaining IDPs camps, including the Kibeho camp. At Kibeho, the frightened IDPs moved into the area between Zambian Company Headquarters and the Zambian platoon compound ("Zambatt"). There is conflicting evidence as to whether they moved voluntarily or were coerced to move.

Not at  
people or tents

According to both the RPA and UNAMIR witnesses, there was sporadic gunfire. On the morning of the 18th, witness testimony agreed that a stampede resulted in the death of 8 to 11 children.

On the 19th April 1995, the RPA Chief of Staff and the UNAMIR Deputy Force Commander visited the camp to explain the situation. Many IDPs indicated that they were willing to go home. The slow progress of the registration procedure and the lack of transport added to the problems.

During the 19th-20th April 1995, approximately 5000 IDPs were searched and successfully registered by the RPA and other Government agencies and transported to their home communes by UNAMIR. During the process of registration, some of the IDPs were identified as having participated in the genocide by some witnesses.

Over this period, the sanitary and other living conditions in the camp deteriorated drastically.

Generally, there was no intimidation or violence directed at the IDPs by the RPA, nor hostility by the IDPs towards the RPA. There is some evidence of hostility among IDPs. In a few instances, IDPs threw stones at the RPA and, according to some reports, tried to snatch RPA weapons, which resulted in RPA opening fire and killing between 13 and 22 IDPs.

The limited delivery of food, water and general facilities were used as an incentive for IDPs to leave the camp.

They were  
dying to leave  
could see fast  
enough

In the late afternoon of the 20th April 1995, it started to rain. This affected road conditions and worsened the transportation problems.



P1 of N  
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Around midday of the 22nd April 1995, a large group of IDPs broke through the cordon in the vicinity of the Zambatt positions. According to RPA witnesses there was firing from among the IDPs and the RPA suffered casualties. IDPs continued to run down the side of the hill into the valley. The RPA responded by firing into the crowd. There is agreement that automatic rifles and machine guns were employed. Numerous IDP casualties resulted.

After the incident the cordon was re-established. In the late afternoon the cordon was breached for a second time, this time to the west of the camp. Large groups of people ran down the valley. RPA witnesses indicated that some IDPs carried rifles and others were armed with traditional weapons such as machetes and stones. RPA witnesses indicated that there was firing from the IDPs which caused casualties to some RPA soldiers. There is evidence that firearms were captured.

The RPA again responded by firing into the crowd causing numerous casualties. It is clear that automatic rifles and machine guns were used. Most witnesses from UNAMIR and from one NGO indicate that heavier weapons such as grenades and rocket propelled grenades were used. There is conflicting UNAMIR testimony on the use of a mortar. It is of interest to note that no physical evidence of mortar fire has been found.

There is evidence to indicate that many suffered injuries from machete, stampede and weapons fire, but the exact proportions cannot be determined. There is agreement that machetes were not used by uniformed personnel but rather by civilians.

UNAMIR witness testimony indicates that a number of summary executions of IDPs by RPA soldiers took place.

During the night of the 22nd April 1995, there was sporadic fire around the Kibeho camp area including, according to some UNAMIR and RPA sources, sniper fire from the IDP compound over the Zambatt Company Headquarters. UNAMIR soldiers were unable to respond because of an inability to distinguish between hostile and non-hostile targets. There were also machete attacks among the IDPs.

UNAMIR witnesses indicate that RPA soldiers were burying bodies in pit latrines and shallow graves. Approximately 15 latrines were examined by the Commission and in one of them the body of one child was found. RPA witnesses indicate that bodies washed up in rain after the incident and were subsequently reburied.

P11/15  
CRN171

Notes  
moved  
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358

The scientific evidence corroborated other evidence that bodies related to the Kibeho incident had been buried outside the Kibeho camp. In the bodies identified, the cause of death ranged from machete, firearm injuries and findings consistent with trampling and hunger. Due to logistic and time constraints, it was not possible to determine the exact number of fatalities but it is apparent that the numbers are more than those formally counted in the Kibeho camp.

It is interesting to note the unusual discrepancy between the various initial counts and estimates of fatalities and the actual number of non-fatal casualties, suggesting over-estimation in the initial fatality counts and estimates.

III a. WHAT WAS THE ROLE, THE LIMITATIONS AND THE BEHAVIOUR OF THE RWANDESE ARMY, THE NGOs AND UNAMIR?

The Commission finds that the operation of the Government of Rwanda to close the IDP camps was well-planned but that failures occurred in the implementation and ensuing panic. The reactions of the RPA soldiers to the threat at that stage were disproportionate and, therefore, violative of international law. The RPA did not distinguish between hostile and non-hostile targets and indiscriminate fire by the RPA soldiers occurred. There are credible indications that individual RPA soldiers committed summary executions.

The following circumstances contributed to the behavior of the RPA :

1. Deficiencies in Communication Systems

Within the RPA, radios exist at best at the level of the Company Commander and above. The RPA relies on couriers and word-of-mouth to communicate information up the chain-of-command and orders back down. In a crisis situation that changes quickly, it can be very difficult for commanding officers to remain in control.

2. Deficiencies in Equipment

The RPA has limited means with which to apply force. The RPA uses presence as a form of deterrence and firing in the air as a means of non-lethal force. When these methods are exhausted, there exists an escalation to deadly force. Such methods as tear gas, water cannons, rubber bullets and batons and shields as used for crowd control are not available within the RPA.

No  
facilities!



212/15  
CRN 171

3. Deficiencies in Training ©

The RPA is trained as a guerilla army and not in law enforcement and security techniques.

4. Deficiencies in Experience

The RPA has never engaged in a similar operation of this kind. Once the operation unfolded, soldiers relied on a background of little relevance to the problem of separating hostile from non-hostile forces.

5. Foreseeability

Given the background of genocide, the insecurity in the camp and surrounding area, the unwillingness of people to leave the camp, and examples of hostility towards the RPA from within the camp, it is suggested that the RPA command failed to appreciate the determination with which hard-core elements would refuse to leave the camp voluntarily.

NGOs

Right!  
There are credible indications that some NGOs actively contradicted the policies of the Government of Rwanda by encouraging IDPs to remain in Kibeho camp and by pursuing discriminatory hiring practices. Moreover, the decision of a number of NGOs not to cooperate with the closure operation once it began exacerbated the humanitarian crisis.

UNAMIR

The mandate of UNAMIR requires it to :

Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible of secure humanitarian areas.

UN Security Council Resolution 965 (1994).

critique  
This mandate requires UNAMIR to protect displaced persons against risks from whatever source, including from the IDPs themselves. There is strong evidence that hard-core criminal elements existed within UNAMIR protected zones where they engaged in intimidation and acts of violence. UNAMIR did not respond adequately to this situation.



P13/N  
ERN/71

III b. WHAT WAS THE PART PLAYED BY THE MILITIA?

There was very strong evidence that over the months that preceded the camp closure operation, there was a heavy build-up of what is known in Rwanda as hard-core elements. By hard-core elements, the Commission means extremists who most likely were deeply involved in criminal activities. The Commission found numerous indications of the widespread use of machetes and other traditional weapons in acts of violence and of a number of firearms within the camp population.

The activities of these hard-core elements ranged from verbal intimidation to physical violence and were instrumental in creating an atmosphere of panic among the IDPs culminating on 22nd of April 1995. The Commission was not able to obtain specific information on the organization and structure of these hard-core elements.

CONCLUSIONS

(III c. WHO IS ACTUALLY RESPONSIBLE FOR THE DEATHS IN KIBEHO?)

1. In the opinion of the Independent International Commission of inquiry, the tragedy of Kibeho neither resulted from a planned action by Rwandan authorities to kill a certain group of people, nor was it an accident that could not have been prevented.
2. The Commission recognizes the legitimate interests of the Rwandan Government and of the international community to have the displaced persons camps closed as quickly as possible, both for reasons of national security and in order to remove an important obstacle to the country's efforts to recover from the devastating effects of last year's genocide.
3. The Commission recognizes the efforts made by UN Special Representative, UNAMIR, the Government of Rwanda and other organizations to keep the situation at Kibeho under control.
4. The Commission regrets that UN Agencies and NGOs were not able to contribute more efficiently to the speedy evacuation of IDPs from the camp.

P14/15  
CRN171

5. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between the 18th and the 23rd April 1995, unarmed IDPs were subjected to arbitrary deprivation of life and serious bodily harm in violation of human rights and humanitarian law committed by RPA military personnel.
6. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between the 18th and the 23rd April 1995, unarmed IDPs were subjected to serious human rights abuses, including arbitrary deprivation of life and serious bodily harm, committed by armed elements among the IDPs themselves.

#### RECOMMENDATIONS

1. The Commission welcomes the initiative taken by the Rwandan Government to carry out an investigation at the national level.

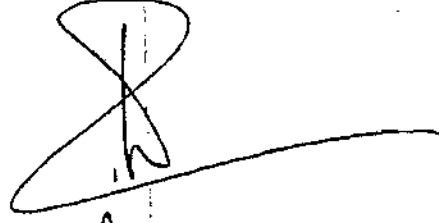
The Commission calls upon the Rwandan authorities to carry out an analysis of mistakes which occurred in the preparation and handling of the closure of the camps, as well as a thorough, prompt and impartial investigation of individual responsibilities within its armed forces and any other factors which may have contributed to the event.

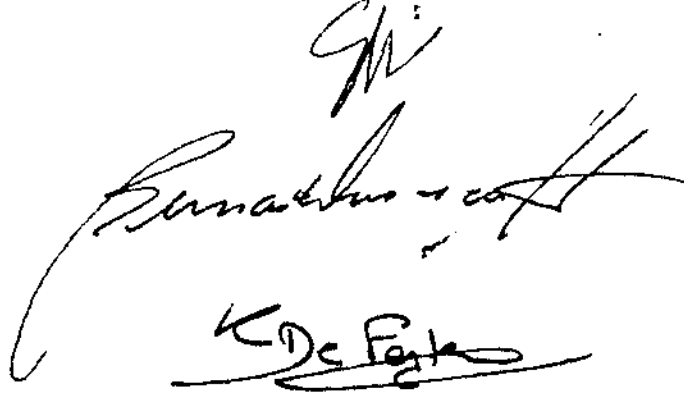
2. In the future, high priority should be given to improving the capability of Rwandan State and local authorities to react adequately and within the internationally recognized framework of human rights and of humanitarian law to situations of social tension and emergency.
3. The Commission recommends to the international community to continue encouraging and assisting the Rwandan Republic in its efforts to achieve justice, national reconciliation and reconstruction.

P15/15  
CRN171

4. The Commission calls on the United Nations system to review its chain-of-command and its operation procedures to make sure that in the future an entire operation is not held hostage or bogged down by one or several agencies and organisations with limited mandates and responsibilities.

Done at Kigali,  
on the 18th of May 1995

  
Angi  
Ani  
Ani  
Ani  
Ani

  
K. De Feyta  
Karl Fitterer  
Maurice Lyberg





THE DEMANDS AT THE END OF THE LETTER ARE:

1. ALL PRISONERS-HOSTAGES SHOULD BE LIBERATED IN VIEW OF THE FACT THAT AFTER THE TRIALS OF 6 APRIL NO PROOFS WERE CONCLUSIVE OF GUILT
2. PREVENTION MEASURES TO AVOID ANOTHER WAR SHOULD BE SET IN PLACE; WE WILL BE THE FIRST TO BE KILLED IN CASE OF ANOTHER WAR; WE BELIEVE IN A NEGOTIATED SETTLEMENT
3. THAT UNAMIR REMAINS AND FINISH ITS MISSION. UNAMIR SHOULD COME CLOSER TO THE PRISONS TO PREVENT UNCONTROLLABLE REACTIONS FROM OUTSIDE
4. PREVENTION MEASURES SHOULD BE PUT IN PLACE SO THAT WE WILL NOT LACK FOOD

OTHER SALIENT POINTS MADE IN THE LETTER:

WE BELIEVE WE HAVE BECOME HOSTAGES

NO PROOF IS PROVIDED OF OUR GUILT

PRISONS NOW SO OVERPOPULATED HAVE BECOME CONCENTRATION CAMPS

THE STATE WISHES TO ENLARGE THEM IN ORDER TO IMPRISON MORE HUTUS

THE MOURNING PERIOD WAS ONLY USED TO INCITE ETHNIC HATRED AND GAIN A GREATER EFFICIENCY TOWARDS COHESION OF THE TUTSI; THIS ANNIHILATES ANY PROSPECT OF RECONCILIATION

GOVERNMENT WISHES EMBARGO LIFTED TO PREPARE FOR FUTURE WAR

THE ETHNIC CRITERIA CONTINUES TO BE USED IN SPITE OF LACK OF ID PAPERS;  
MORPHOLOGICAL CHARACTERISTICS ARE STILL USED

~~THE MILITARY ARE NOT IN THEIR QUARTERS THEY ARE IN THE HOMES OF HUTU REFUGEES~~

A copy for HRFOR #1

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Kigali, le 14 avril 1995

Monsieur le Représentant Spécial  
du Secrétaire Général des Nations Unies  
KIGALI -

Objet : Demande de protection  
des détenus - otages

(Car you pl  
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summary? S 27.4  
Bel)

Monsieur le Représentant Spécial,

Nous, détenus de la prison Centrale de Kigali, avons l'honneur de recourir à votre Excellence pour vous demander d'être notre interlocuteur auprès des Nations Unies, de la Communauté Internationale et de toutes les personnes imprégnées de justice et de paix, afin de pourvoir à notre protection.

En effet, depuis les déclarations du Président de la République, en date du 6 avril 1995, après les premières cérémonies commémoratives du triste événement de génocide qui a endeuillé notre pays, selon lesquelles les détenus dans les prisons du Rwanda sont des complices de ceux qui planifient d'attaquer le Rwanda, nous avons lieu de croire que nous sommes devenus des otages, car nous constituons une force potentielle en cas d'attaques éventuelles.

Notre demande de protection est dictée par des constats consécutifs à ces déclarations du Président de la République qui laissent croire que la guerre est loin d'être terminée :

1. Le deuil, nécessaire et indispensable, a été exploité pour aiguïser la haine ethnique et sensibiliser les TUTSI à une plus grande cohésion à la lutte efficace pour une cause commune : "LE MAINTIEN DU POUVOIR PAR LA MINORITE ET OÙ LA MAJORITE (les tueurs HUTU) DOIT ETRE BANNIE". Il s'agit ici d'une culture de la haine ethnique qui ferme les voies et annihile la volonté à toute réconciliation possible.
2. Déterrer les morts n'est pas moins un moyen efficace à la culture d'une haine viscérale entre les Rwandais, car cela ne fait que remuer le couteau dans les plaies.
3. Les accusations intempestives à l'endroit de la Communauté Internationale toute entière et des Nations Unies en particulier, n'ont d'autres objectifs que de vouloir échapper à un contrôle nécessaire et efficace sur les exactions et les violations des droits de l'Homme qui ne cessent de se commettre dans ce pays. La MINUAR a une mission





Cette mission n'est pas encore terminée quoiqu'en disent le contraire les critiques malveillantes.

4. Les femmes et les enfants se meuvent nombreux dans des camps des réfugiés par suite d'agressions meurtrières. Le gouvernement ne cesse non plus de réclamer la levée d'embargo sur les armes pour s'équiper en armes dans la perspective d'une autre guerre.
5. Le refus catégorique de négocier avec les anciens dirigeants crée chez les réfugiés et les prisonniers une psychose de peur contre les représailles à leur retour au pays ou à leur éventuelle libération. De plus la sécurité est précaire et les biens restent spoliés, sans garantie de récupération. Enfin, le changement de régime a entraîné le changement de la population ; ce qui est inconcevable.
6. Les barrières sont dressées partout dans le pays. La vérification des identifications se fait sur base de constats physiognomiques et morphologiques des individus. ~~Puisque les pièces d'identification n'existent plus les~~ constats facilitent la chasse aux HUTU. Le critère ethnique est devenu un outil pour garder le pouvoir.
7. Les militaires, sans uniformes connus, sont difficilement identifiables dans les forfaits qui se commettent. Ils ne sont pas dans leurs casernes, mais dans les prisons des réfugiés HUTU.
8. Le gouvernement ne s'occupe jamais de nous, mais

Nous saisissons ici l'occasion de présenter tous nos remerciements au C.I.C.R. ~~et~~ sans lequel, plus de la moitié d'entre nous seraient morts de faim et de maladies épidémiques.

Nous avons lieu de croire que tous ces agissements du Gouvernement entre dans une logique de guerre soigneusement orchestrée. Si la guerre éclatait à nouveau, nous servirions de boucliers politiques et nous serions les premiers à être éliminés.

Pour tous ces motifs nous recourons à vous pour demander que :

1. Tous les prisonniers - otages soient libérés. Depuis les déclarations du Gouvernement, les détenus génocidaires ont revêtu le carbet de prisonniers de guerre et/ou politiques indéniable. Tous les prévenus sont présumés innocents. Le principe doit être respecté. Aussi nous déplorons le fait que, le 6 avril 1995, ceux qui devaient être jugés et qui ont été déclarés par les juges comme ne réunissant pas des preuves convaincantes à leur culpabilité, n'aient pas été relâchés sans condition, car "IN DUBIO PRO REO" et "ACTORI INCUMBIT PROBATIO".

2. Le sang n'ayant que trop coulé dans ce pays un dispositif de prévention d'une autre bataille



soit mis en place pour parer et prévenir toutes exactions qui se commettraient, surtout que nous serions les premiers à payer les frais. Mais nous, nous ne voulons plus de guerre. Celle-ci n'a jamais été une solution aux problèmes politiques; seule la voie négociée est la seule qui soit meilleure si le gouvernement veut la réconciliation et la reconstruction de notre pays.

3. Que la MINUAR reste pour terminer sa mission. Elle devrait en plus s'approcher plus des prisons pour parer à toute éventualité fâcheuse brusque et incontrôlée, extérieure.
4. Des mesures de prévention soient envisagées pour que les vires ne soient jamais coupés à l'exemple de ce qui a été fait en représailles aux réfugiés innocents exilés au Zaïre, avec les camions du P.A.M.

~~Vous voudrez bien considérer nos~~  
doléances comme fondées sur la justice et le respect des droits réservés aux prisonniers.

Veuillez agréer, Monsieur le Représentant Spécial du Secrétaire Général des Nations Unies, l'assurance de notre très haute considération.

TO THE INTERNATIONAL COMMUNITY

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Alert and request for protection

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Isel Displaced people of KIBERO refugee camp have been massacred by Rwandese Patriotic army using all weapons including heavy artillery. This operation is a horrible one and certifies that the genocide which is going on has been attentively planned and is being now executed.

We, detainees of Kigali Central Prison, considering speeches and the behaviour of Rwandan politicians, we address a S.O.S. to the International Community and to the good intentioned people to stop the killings which have been prevailing in Rwanda. As a matter of fact, let us have a look on the situation of the people detained in the jails of Rwanda. Among those, there are innocents including children and old people arrested without clear reasons. Most of them are not even judicially recorded. All those people are officially called "Killers".

However, few weeks ago, the official position to the charge changed. Those who are detained are no longer considered as the authors of genocide but suspected to be accomplices of the former Rwandan government, of the militia and the former Rwandese armed forces or even their spies. This was asserted by the President of the Republic, Mr Pasteur BIZIMUNGU, in his April 7th 1995 speech. He said that he was not sure if the detainees are not accomplices of those who could attack Rwanda, especially those

living in Zaïre. All conveyed a clear message to the International Community which didn't react in order to prevent the KIBERO events. The results are that thousands and thousands of people died.

The killings of Kibero are a clear message showing us their deepest intentions. As a matter of fact, national and international media gave contradictory estimations of those who died at Kibero. Some spoke of eight thousands, others five or four thousands. The President of the Republic and the only one, spoke of three hundreds only. The problem of figures counts less, one or a thousand of dead people, that is always the violation of human rights as well as life and human dignity are concerned. This situation has been remaining so since last year and Rwanda is going on suffering and its children within. The authors of this letter are the most concerned by that horrible situation and are victims of the two extremist groups.

The situation which prevailed in April 1994 resembles to the one we are living in. Genocide is going on, Rwandans are still dying of machet coups, gunshots or explosion of grenades. And in all that, it is Rwanda which suffers, Rwandans who are dying, civilians who are victims of the antagonism between the two armed groups. That antagonism led and is still leading to the extermination of those who have not the same political convictions or who are not the same physically and morphologically as tutsi. The conviction or the will of eliminating those who are not at their side remain the same.



Genocide in Rwanda is now at the top and has been well planned. Prisons which stand for concentration camps, the detention areas, the wild killings of Kibeho, Ndag, Muhima, Byumba, Kibungo, Kigali, the abortion and infanticide which are officially authorised and advised to the women who are pregnant, the murdering by suffocation and various epidemics, those are some examples to say just a few of that strong willing to exterminate one ethnic group.

We still remember the case of three men who were forced to rape an old woman in front of the judicial authorities who didn't protest. This way of doing goes beyond the imagination. Even animals cannot do that.

As for Kibeho events, in our case, Rwandan government does not mind. These atrocities are included in their habit of non-respect of human rights. So far, the ICRC is the only one to take care of the detainees.

While the International Community is anxious about the situation of Rwanda, the government of Kigali still behaves irresponsibly. Rwandans kill other Rwandans, and many innocent people are victims of the two extremist groups.

Pretending to practice equality and respect of human rights, the RPF extremists continue to open old graves and rebury the remains with dignity while they are throwing hutu casualties into common holes and latrines. The case of Kibeho is an obvious example.

We, detainees of Kigali Central Prison, led by that will of peace and justice, we call the International Community for protection. May the UNAMIR have all the means in order to be able to rescue those victims of the systematic violation of human rights in Rwanda.

The convicts ask the International Community to pressure the government of Kigali in order to let free the people who are taken as hostages in the jails of Rwanda which became the concentration camps for hate; victims of the murdering and well planned genocide.

While waiting for that, we detainees of Kigali Central Prison, ask UNAMIR forces to be always present all around the jails in order to guarantee peace and protect the prisoners from shameful treatments, tortures, and prevent eventual extermination.

We also express our sincere gratitude to the International Community for the attention it pays to our case.

We wish that attention goes on especially for the victims of Kibeho massacres and for preventing other crimes which are scheduled and punish the authors of that genocide and crimes against Humanity.

Issued at Kigali Central Prison, on April 26th, 1995 on behalf of detainees.

MUTERAKURU Alexandre.

*Alexandre*

HATEGEKIMANA Thomas

*Thomas*

HABUMUREMYI Tatiye

Habumuremyi

AMUBIZIMUTERE Gasparel

Amubizimutere

HABIMANA KARIM

Habimana

HAKIZIRANA Joel

26. July



A l'attention de la Communauté Internationale

Objet: Alerte et demande  
de Protection.

Les déplacés du camp de Kibeho viennent d'être massacrés par les armes lourdes des forces gouvernementales. L'opération est odieuse et montre bien que le génocide qui est entrainé d'être effectué a été soigneusement planifié et sérieusement ordonné de très longue date.

Nous les détenus de la prison centrale de Kigali, après avoir réfléchi sur le discours et le comportement des acteurs de la politique nationale ici au Rwanda, nous lançons un cri d'alarme et d'appel au secours à toute la communauté internationale et aux hommes de bonne volonté, pour que soit mis fin au drame que nous rwandais, nous vivons depuis plus d'une année.

En effet, la population carcérale est un corps hétérogène et à dessein complexe.

Il y a des personnes innocentes, détenues: enfants, vieillards; il y a des prévenus qui attendent depuis des mois que se constitue en leur faveur un dossier judiciaire quelconque. A côté de ceux-là, regroupés sous l'appellation officielle d'"assassins" (ABICANYI), on trouve aussi des délinquants de droit commun et même des habitués des prisons repris pendant et après les combats des mois d'Avril à juillet 1994. Tous ici comme ailleurs, sont considérés dans le langage ordinaire, comme des coupables de "génocide".

H Depuis un certain temps cependant, le discours officiel a occulté le crime pour accuser les mêmes de complicité avec les assaillants de l'extérieur, comme des ombiliens de l'armée

destinée à envahir le Rwanda ou du moins comme leurs espions. C'est le discours actuel, confirmé le 7 avril 1995 par le Président Bizimungu Pasteur lui-même quand il a affirmé que l'on ne savait pas si les prisonniers ne pourraient pas être les complices des gens qui se trouvent au Zaïre. C'était un message clair, destiné à la presse internationale et sans doute comme nous en ce moment, les journalistes ne comprenaient pas encore que la menace concernait aussi KIBETHO et NSAGO. Aujourd'hui c'est plus clair, la mort a frappé et les innocents sont morts par milliers.

Que pouvons-nous conclure? Quelles leçons, quels enseignements pouvons-nous recueillir de ce macabre massacre? Un examen attentif des événements suffira pour vous tracer la ligne de conduite indiquée. Il sera assez facile de lire entre les lignes le message que vous envoient avec notre cri, les événements malheureux de KIBETHO.

Sur les ondes des radios nationale et internationale, des chiffres contradictoires se suivent. Les uns disent plus de huit mille morts (8.000) et d'autres cinq mille ou quatre. Il y eut même un et le seul d'ailleurs qui a avancé le nombre de trois cent morts. Mais qu'il y ait un mort ou des milliers de morts, c'est toujours l'humanité qui est blessée, et la vie humaine dont on nie la valeur, la dignité et l'inviolabilité qui est bafouée. Cela dure depuis plus d'une année et le Rwanda continue à saigner et à souffrir, et nous, ses enfants, avec. Les rédacteurs de la présente, affirment être parmi les premiers à souffrir et à saigner avec le Rwanda. Ils se demandent d'ailleurs pourquoi ils sont victimes des deux extrêmes.

Avec un peu de recul on remarque en effet que les méthodes et les faits se ressemblent comme deux gouttes d'eau.

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Le génocide continue, les rwandais meurent de coups de machette et de balles de fusil ou de roquette. Mais c'est le Rwanda qui souffre et les Rwandais qui meurent, des Rwandais civils victimes de l'ontogénisme de deux groupes armés et qui tuent tous ceux qui n'ont pas la même vision des rapports sociaux qu'eux ou qui ont un détail morphologique différent de l'idéal du moment. C'est donc, comme on le voit, la même ou semblable conviction, la même ou semblable volonté de supprimer celui qui n'est pas de son côté.

Le plan est bien mûri et astucieusement préparé. Les camps de concentration qui sont devenues les prisons et les maisons d'arrêt du Rwanda, les tueries sauvages de KIBETHO, NAGGO, MUHIMA, BYUMBA, KIBUNGO, KIGALI, les avortements et les infanticides déjà socialement autorisés en faveur des mères porteuses et l'oeuvre primée des "INTERAHAMWE", les massacres par suffocation et autres épidémies, sont quelques exemples de cette volonté manifeste de purification ethnique.

Si on ajoute à cela le discours officiel assimilant les prisonniers et les déplacés de guerre aux "INTERAHAMWE" et aux auteurs du génocide; les affirmations plusieurs fois répétées de cette opinion, ont fini par être confortées par le Ministre de la défense lui-même, Vice-Président de la République quand il a dit à son retour d'une mission officielle de Chine: "... nous devons trouver un remède au problème des camps de GIKONGORO, même si le remède est amer. On remarque aisément que la purification ethnique, et particulièrement les tueries de KIBETHO et de NAGGO, ne vont pas s'arrêter là et qu'elles ont été planifiées de longue date.



Cela ne va pas s'arrêter là en effet quand on voit ce qui se prépare autour de la prison centrale de Kigali, et surtout le discours du cadre même de la prison, discours suivi par la présence d'une troupe excessive de militaire, pour garder de simples civils inoffensifs.

On observe par exemple, que les détenus de la prison centrale de Kigali subissent des épreuves au moment de leur entrée dans la prison, épreuves en rien différentes des autres. Traitements inhumains et dégradants. Nous ne parlons pas de la mort par torture et bastonnade qui sont des causes de plusieurs décès. A titre d'exemple, on dénombre pour la seule prison de Kigali plus de 1000 décès pour la période du 19 Août 1994 au 25 Avril 1995. Il sied de signaler que les familles de ces personnes disparues n'ont pas été informées de leur décès et les raisons de leur mort pour la simple raison qu'aucune attestation de décès n'a été délivrée. On ne peut avoir les termes adéquats pour décrire la nouvelle invention de la dégradation et de la torture tant physique que morale que subissent les détenus: les tortures indicibles... et honteuses, qu'on inflige aux vieille personnes des deux sexes... forcés d'exécuter, par contrainte et le fusil à la main, des contacts et des positions bestiales... On ne peut pas aller plus loin dans la description, mais c'est plus bas que ce que font les animaux. Et cela est fait au su et avec des agents de l'administration pénitentiaire. Il n'y a eu suite ni sanction.

Comme pour les événements de KIBERO, ici aussi le gouvernement brille par son absence et laisse la C.I.C.R.

droits de l'Homme au Rwanda.

Les violations nombreuses des libertés humaines d'exprimer  
par le droit à la vie et à l'intégrité physique.

Les déteus de la prison de Kigali envoient à la com-  
mune Internationale de se pencher sérieusement  
sur ce problème sans tenir compte de la propagande  
et de la dispute de territoires politiques.

Constatant que la commune Internationale  
est le seul recours des victimes de la violation des droits  
de l'Homme, les déteus de Kigali lui adressent  
une demande présente pour qu'elle fasse pression  
sur le gouvernement Rwandais en faveur de  
la libération des populations en prison, prison-  
nières, en otages et qui, dans ces camps de concentration,  
sont victimes d'une génocide moderne, silencieux mais  
bien réel. Il serait indigne, en attendant  
cette libération, une présence permanente de la force  
de la MINUAR, soit assurée à l'intérieur et autour  
de, surtout pour garantir une sécurité la vie  
et la sécurité contre les traitements inhumains  
et dégradants, contre la torture et même pour  
prévenir une éventuelle extermination.

Les déteus de la prison de Kigali sont parés  
d'être assez forts pour exprimer leur profonde gratitude  
à la commune Internationale de ce qu'elle ne  
cessa de prêter une attention particulière à leur cas.

... . Par cette attention s'accroître également bien-être,  
de protection, actuelle de la Belgique et la BSH, afin de  
prévenir d'autres crimes, similaires, programmes, dont  
les signes précurseurs s'échappent plus à personne,  
et de prouver comme il se doit, la nature, de ce mouvement  
général et de son action, contre l'humanité.

Fait à Kigali, le 25 avril 1995

Les Prisonniers de KIGALI  
MUSEMUTSERS ABANDONNÉS.

*Chantal*

HABUMUREMYI, Japhet

HATEGEKIRANA Thomas

HABUMUREMYI KASSIA

*WASABU S*

HABUMUREMYI, Japhet

HABUMUREMYI, Japhet

*Paul Japhet*