

NAMIR

SPECIAL MISSIONS AND OPERATIONS

2 JULY 1994 - 28 APR 1995

OPERATION RETOUR AND OPERATION TURQUOISE

[ 2 STRICTLY CONFIDENTIAL ]

[ 5 CONFIDENTIAL ]

EL/WG JULY 2009

PLEASE RETAIN  
ORIGINAL ORDER

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BOX 69

FILE 10

ACC. 1998/0282

File: Special Operations  
UNAMIR -

SRSG's Political Advisor

INTEGRATED OPERATIONS CENTRE  
(IOC)

OPERATION RETOUR - DAILY SUMMARY 23.2.95

Operation Retour transported people from Kibeho, Nyamigina and Kanyinya camps. The total figure for today was 218.

This figure continues the pattern of relatively low transport figures seen over the past two weeks. In response, some UNAMIR vehicles have been released for other tasks in order not to tie up resources which for the time being are underused. The IOC is following up individual security incidents and addressing the overall security situation through the Ministry of Defence and the Ministry of Justice.

Periods of low figures were always anticipated. The fact remains that in many camps large numbers of people still indicate their wish to return home - but their doubts about security are holding them back. The key now is to address those concerns in a way that improves security and reduces the obstacles preventing people from going home. The transport schedule will constantly be reassessed and adjusted as the situation demands. Operation Retour stands by its principles of enabling voluntary return, in safety and dignity. yes

For this reason, all partners, including the government and RPA, have agreed that food distribution will continue in those camps where the ICRC is currently distributing. One of these camps, Rwamiko, has grown to around 22,000 people, in line with the expected redistribution of IDPs as more northern camps empty.

The provisional figures for today as supplied by UNHCR sub-office in Gikongoro are as follows:

	TOTAL
FROM: Kibeho camp	114
TO: Butare communes	76
Gitarama	1
KGL Town	7
Ngenda	13
Gashora	15
Bicumbi	2
FROM: Nyamigina camp	68
TO: Butare communes	29
Ngenda	39
FROM: Kanyinya camp	36
TO: Butare communes	7
Ngenda	20
Gashora	9
TODAY'S TOTAL	218
Overnighting at Kigali Waystation:	105

INTEGRATED OPERATIONS CENTRE  
(IOC)

OPERATION RETOUR - DAILY SUMMARY 22.2.95

The operation transported people from Kibeho, Nyamigina, Ndago and Kanyinya camps. The total number of people transported was 171. This is low largely because of fears of insecurity, and particularly because of the following reported incident at Kibeho.

It was reported that between 0600 and 0700 on 21 Feb some IDPs left their shelters at Kibeho camp to collect firewood on the edge of the camp. They were reportedly met and beaten by an unknown number of RPA soldiers. Four people (2 men, one woman and one child) were admitted to Kibeho hospital as a result. Injuries sustained were mostly bruises except the woman who was stabbed on the face and feet.

Another report from the same camp claimed that in the evening of 21 Feb RPA soldiers entered the house of a local business man and beat his wife who was also hospitalised.

Attitudes of IDPs in Rwamiko camp (approx 15 km south of Gikongoro) are apparently very militant. The Bourgmestre of Maraba commune (Butare prefecture) is due to visit Rwamiko tomorrow.

Nyarusizu camp (7 km south-east of Gikongoro) is now empty, as is Mbuga camp (10 km west). Large proportions of the populations of these camps are thought to have walked to Kibeho or other southern camps. Kizi camp (4 km south-east of Gikongoro) has only 30 shelters remaining.

The provisional figures for today as supplied by UNHCR sub-office in Gikongoro are as follows:

	TOTAL
FROM: Kibeho	81
TO: Butare communes	73
Gitarama communes	1
Ngenda	4
Gashor'a	2
Rubungo	1
FROM: Ndago camp	15
TO: Butare communes	10
Ngenda	5
FROM: Kanyinya camp	51
TO: Butare communes	51
FROM: Nyamigina camp	24
TO: Butare communes	7



30 January 1995

NOTE TO ED

In response to your request, the following are my main comments on Mr. Kent's memo of 28 January to the FC:

- 1) What does Mr. Kent want us (UNAMIR/UN) to do? To arrange a meeting with the Government to review Opération Retour? The point is not clear.
- 2) Is Opération Retour a UN programme with Government involvement or is it a Government programme with UN assistance? Mr. Kent seems to think it's the latter. This has not been my impression so far. The SRSG presented it in December as an integrated UN effort with Government participation and support. This is an important point which needs to be clarified as it would help answer the question of leadership which is raised in para. 1 of Mr. Kent's memo, under "Full Government of Rwanda commitment to participate in the operation."

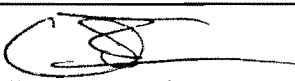
In this connection, overall, you may wish to recall my 19 December memo, through you, to the SRSG and his comments - attached.

Sammy Kum Buo  
Political Adviser



UNITED NATIONS RWANDA EMERGENCY OFFICE  
BUREAU D'URGENCE DES NATIONS UNIES POUR LE RWANDA  
(UNREO)

**MEMORANDUM**

To: Maj General Guy C. Toussignant Acting Special Representative of the Secretary-General	Date: 28 January 95  File:
From: Randolph Kent  UN Humanitarian Coordinator in Rwanda	
Subject: Discussions with Government, Re: IDPs	

First of all, please let me thank you for all the time you gave me yesterday. I found our discussions extremely useful, and I look forward to pursuing the various matters we discussed. In this first instance, let me briefly outline what I believe was the substance of our discussions regarding Government involvement in the movement of the internally displaced. By Monday, I would like to give you a note not only on a proposed public relations strategy, but also on a public relations/information exercise for a Ministerial delegation and the group of Parliamentarians we mentioned yesterday. Finally, I look forward to suggesting a date early next week that might be convenient for you to be briefed by the IOC on home commune plans and requirements.

Issues. There are five subjects that require the full support of the Government of Rwanda at the highest levels to ensure that the short-term as well as longer-term objectives of Operation Retour are achieved:

[1] Full Government of Rwanda commitment to participate in the operation. To date, there has been relatively inconsistent involvement by the Government in Operation Retour. Various ministries have been represented [ie, Ministry of Defense/RPA, Ministry of Rehabilitation] in the Integrated Task Force and Integrated Operations Centre, but their presence has not been consistent nor necessarily at an appropriate level. In this regard, three commitments are required: [i] the Government must play a full leadership role in the operation, and, therefore, be represented by an individual with decision-making authority; [ii] representatives from the key ministries, including Ministry of Interior and Ministry of Justice, must make a full-time commitment to the operation; [iii] the designated representatives from the proposed Government authorities must also have decision authority.

[2] Clear Directives from Government Central Authorities to the Field. One of the weakest aspects of the operation to date has been the inability of the Government

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and other participating organisations to communicate the details of operational plans, time-frames, etc., to local authorities in the prefectures, and vice versa to have communications from the field reach headquarters levels. A basic starting point for clearer communications would be clear directives from Government central authorities about objectives and operational plans of the IDP programme. One theme in particular is essential, namely, that local authorities must give full support to the IDP programme of the Government that is being assisted by the international community.

[3] Justice Guidelines. This extremely complex issue cannot be dodged. While recognising that the whole issue of the administration of justice is fraught with vast ramifications, the fact of the matter is that -- be they returning refugees or internally displaced persons -- they must have some sense of the standards that will be used to judge their individual cases. In a very practical sense, without some clear and simple guideline, the whole movement process of the displaced will not achieve its sustainable objectives.

[4] Senior Government Representation in the Camps. The operation will now soon be dealing with more difficult camps than it had previously. A team of ministers to go to the camps [eg, Rokondo, Kebehoe] would serve to loosen up many of those camp occupants who are reluctant to leave. This sort of trip could be combined with a trip to a selected number of Home Communes, a subject that I will raise in another context in a note to you this coming Monday.

[5] Senior Government Review. There should be a review of the operation to date and "mid-term adjustments" towards the end of February. This sort of review will re-enforce the ownership of the process that the Government should assume and also allow for some practical modifications of the operations, should modifications be required. The Government, therefore, might wish to consider such a policy review at the ministerial level.

Action: A trigger is needed to turn the issues as quickly as possible into action. The necessary action will require the endorsement of Government officials at the highest levels. Therefore, I would request that I might join you for discussions with those officials that you feel are appropriate for the subjects outlined above.

In making this request, I also would like to mention that this morning I had a very positive meeting with the Minister of Rehabilitation, and attached to this note, please find a "bullet" summary of the main points discussed.

Once again, thank you for all your help and the time you gave me yesterday.

A handwritten signature in dark ink, appearing to be 'J. H. A.', written over a large, loopy flourish that starts under the 'O' in 'Once' and extends to the right.

16

CONFIDENTIAL

**OUTCOME OF MEETING BETWEEN UN HUMANITARIAN COORDINATOR AND MINISTER OF  
REHABILITATION AND SOCIAL REINTEGRATION - Jan. 28, 1995**

After a briefing on the current progress of Operation Retour and an evaluation of future needs the minister stated that he would take action on the following points.

- 1) To assure that the government is well represented in the Integrated Task Force the minister will have his Director General represent MINIREISO. He will request the ministers of Interior and Defence to also nominate their Directors General to this group. The minister felt that it was essential that the ITF was capable of quick response and high level decision making with regard to the coordination of country-wide operations.
  - 2) At the IOC level of daily operation the minister requested a complete staffing list outlining the international personnel and the qualifications of requisite Rwandan counterparts. He will put into action by this afternoon a plan to identify and recruit staff for all posts not yet staffed in the operations center.
  - 3) A weekly briefing schedule was established for the minister, or in his absence his Director de Cabinet. Effective immediately the minister will be briefed every Saturday at 9:00 a.m. on the weeks events in Operation Retour, the functioning of the IOC, and other areas of concern identified by the IOC.
  - 4) The grand opening of the IOC will take place on February 8. The minister said he would request the vice president to lead the ceremony.
-



OPERATION  
RETOUR





*Je: Special Operation*

13 Jan 95

To: DCOS

Info: SRSG / FC / DFC / COS / G-2 / [REDACTED] Pol leg O

From: UNAMIR PAFFO

Subject: OP RETOUR INFO CAMPAIGN

Ref: A. Conversation SPOKESMAN/Capt Grenier 11 JAN 95

B. Meeting at UNREO 12 Jan 95

1. Although some have expressed a desire to launch a UNAMIR info campaign in support of Op Retour, it is my understanding that many players are already engaged in such activities. I firmly believe that what could be perceived as a UNAMIR take over of the info campaign might be more damaging than beneficial at this moment. At ref B, I proposed several activities which were welcomed by the present IOC information staff. I believe that the best solution at this moment is to attempt to re-focus and influence present efforts of the humanitarian community and therefore lead the operation to success. However, this campaign is separate from the campaign currently under way to promote the UN in Rwanda and will be the subject of a future proposal.

2. For the moment I propose to keep my end of the Op Retour campaign divided in two areas.

1 - A vocal information system (short term): and

2 - A print information system (longer term).

3. The fundamental principles of such an info campaign are simplicity, flexibility and sustainment. In my opinion, those looking for the miracle solution to trigger an exodus back to Rwanda might continue to be disappointed. I am of the school of thought that this return home will take months unless NGO's seriously pull resources out of the camps. Until this occurs, information will have limited but nevertheless positive effect on the return home.

4. From a broader perspective, my end of the campaign outlined at para 2 will be complimentary to activities such as : visit back and forth to camps by gov officials and returnees to tell their stories and the use of both UN Radio and Radio Rwanda. These activities will be coordinated by UNREO personnel.

### VOCAL INFORMATION SYSTEM:

5. Using resources which I have already purchased and several small items which can be purchased at limited cost, I propose to build PA systems which can be brought in camps to pass on short messages focusing on the essentials and influential messages required to convince DPs to return home.
6. These PA systems would be used by UNAMIR staff in camps. Vehicles would be used to travel throughout the camps (in coord with IOC) to ensure widest reach to displaced populations. Message will be pre-recorded on tape and would be played constantly in the camps through the use of loud hailer.
7. Messages would be developed by Force Public affairs officer in consultation with IOC and UNAMIR staff with Psy Ops experience such as G-2 pers. Messages could be translated and recorded in house by Radio UN staff.
8. If approved, I anticipate that such a campaign could be launched within the next week pending purchase of playback and recording capability.

### PRINT INFORMATION SYSTEM:

9. I propose to produce generic cartoon style pamphlets with slogans and short messages showing in a simple way the current repatriation process. These pamphlets would be complimented by posters showing the same. This process is widely used in third world countries to explain election process and alleviate many fears. This process has proven effective in the past.
10. Pamphlets would be developed and produced by Force Public affairs officer in consultation with experienced UNAMIR staff with Psy Ops background.
11. This production will definitely be more costly than the vocal side of the campaign. It will also require a couple of weeks of production. These items should be distributed by ground personnel and possibly by helo (in limited quantities).
12. I anticipate that the print campaign will cost approximately \$30 000.00. If approved, I will make the necessary contractual arrangements through Gen Svc.

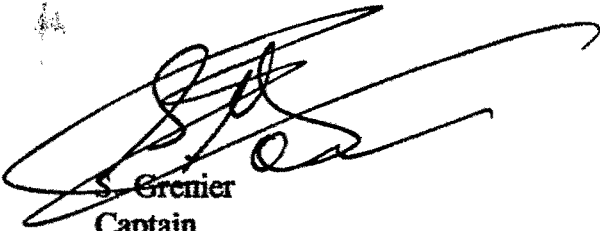
### OTHER OPTIONS

13. On the longer term, we can also look at the possibility of creating a mobile TV display which would show life in targeted communes with interviews/short documentaries. These could be transported directly in camps and shown to the DPs. I will look at this option more closely if concept is generally accepted.

### CONCLUSION

14. The key to information is once more, a well planned but quick and sustained flow of information. As in all operations, I believe that we have to demonstrate continuity and
-

sustainment during this campaign and not totally revamp our system at the slightest sign of defeat. It must be flexible and we must be ready and willing to modify msg and themes, but the mechanisms put in place should be constant. People will get used to them and learn to depend on them.



S. Grenier

Captain

UNAMIR PAffO

11123 or 2052(Cdn net)



UNITED NATIONS RWANDA EMERGENCY OFFICE  
BUREAU D'URGENCE DES NATIONS UNIES POUR LE RWANDA  
(UNREO)

**INTEGRATED OPERATIONS CENTRE (IOC)**

There follows a summary of progress to date on Op Retour. It is provided for the information of spokespeople, and may be used as briefing notes, but is not for publication in written form.

**OP RETOUR - PROGRESS TO DATE**

Op Retour builds on Op Homeward and other IDP return operations with the involvement of all UN agencies and a considerable number of NGOs. It aims to produce an intensified and integrated means of encouraging and enabling IDPs to return home in a safe, humane and expeditious manner.

Current activity has 2 main strands as follows:

a. Open Relief Centres. The promoting of the concept of Open Relief Centres to local government, to local military commanders, and to IDPs, is well under way. The concept has the full support of central government. These centres are now being established in the communes due to receive the largest number of IDPs currently in the camps. In due course more will be opened according to need.

Open relief centres are temporary structures providing a sentinel function, with at least one international organisation (NGO or agency) present daily to monitor the situation and help the confidence of returnees. This organisation will also help to coordinate appropriate assistance for the commune, some of which may be given through the centre if necessary.

b. Information campaign. An intensive information campaign in the camps is to take place throughout the next 2 weeks, beginning on 20 Dec 94, coordinated by the IOC information team. Government ministry officials and international humanitarian personnel will take part. The aim is to inform people in the camps of the true situation in their home communes and of how they can go home.

The IOC was established on 28 Nov 94 to bring government authorities, UN agencies, UNAMIR and NGOs together around an integrated plan for the return of the internally displaced. Currently located in temporary accommodation, it will move into the Ministry of Rehabilitation and Social Integration as soon as offices there are ready. The IDP Task Force meets in the IOC to plan and facilitate agreed activities. The IOC serves the Task Force as a centre for information on IDPs and as a focal point for resource exchange.

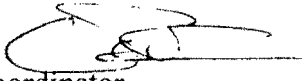
Barney Mayhew, Operations Officer, UNREO.

18 December 1994



UNITED NATIONS RWANDA EMERGENCY OFFICE  
BUREAU D'URGENCE DES NATIONS UNIES POUR LE RWANDA  
(UNREO)

**MEMORANDUM**

To: Ambassador Shaharyar Khan Special Representative to the Secretary-General UNAMIR HQs	Date: 14 December 1994  File:
From: Randolph Kent  Humanitarian Coordinator UNREO	
Subject: The Integrated Humanitarian Response	

I take the opportunity to appraise you of the progress being made by the Integrated Humanitarian Response team comprising Government, UN agencies, UNAMIR, and NGOs.

Yesterday, 13 December, three separate teams went out on reconnaissance missions to three prefectures, Gitarama, South Kigali and Butare. These areas have been identified as principal places of origin for many of the IDPs in the camps of the South-west. The teams held discussions with local authorities in various communes in these prefectures to establish what the perspectives of the local authorities are with regard to receiving large numbers of returnees, establish what infrastructure is in place and what the basic needs are. The teams also held discussions with these authorities on possible locations for Open Relief Centres. I will keep you up-dated as to the outcome of these visits as soon as I too get briefed on them.

As you are aware, we are witnessing a commendable integrated Government/UN agencies/UNAMIR/NGO effort in the establishment of structures to receive IDPs. The goodwill so far demonstrated by all the sectors in the humanitarian arena as well as the tremendous support of UNAMIR is one that we must continue to nurture. But even more important is the potential structure that is emerging between the peace-keeping mission, UNAMIR and the humanitarian community. What has been achieved through the efforts of the Government, UNAMIR, and humanitarian organisations thus far should be seen as a potential model for similar situations elsewhere. A good part of the goodwill and understanding so far demonstrated can be maintained through continued acknowledgement of both general and specific inputs from every player in the integrated humanitarian response through various fora.

I am aware that you have a spokesperson briefing press daily on the activities of UNAMIR. As this is an already established channel of communication with the press, I am keen to suggest that we tap into this forum as efficiently as possible to appraise the public and especially the press on the integrated humanitarian response to the IDP issue.

To this end, here are some proposals on how we can achieve this for your reflection:

yes

- That the Spokesperson arranges a meeting with the staff at the Integrated Operations Centre to get an inside view of the preparatory work on the resettlement of IDPs.

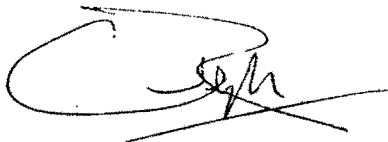
yes

- That the Spokesperson establish contact with the IOC so as to be able to give regular progress reports to the press on preparations for the returnee operation. Alternatively, the IOC appoint one person who in collaboration with the Spokesperson will give a progress report to the press on the preparations for IDP return.

yes

- That the Spokesperson convenes a meeting with all information Officers in various agencies and NGOs to map out a press strategy that will represent as accurately as possible this integrated Government/UN agencies/UNAMIR/NGO effort. Among the issues that can be discussed by this team of information people are the events and opportunities that can be used to produce positive press impact for the returnee operation. Imminent events include the establishment of the Open Relief Centres, setting up of the IOC at the Ministry of Rehabilitation etc.

I do hope that you will appreciate my eagerness to nourish this consolidated Government/UN/NGO effort. Staff at the IOC are also willing to give their support if called upon.



I entirely agree with  
your suggestions related  
to the Spokesman. I  
agree with S-6's  
directions on this issue.

Seawey 2

14/2

R.K.



File: Special Operations

RETOUR

Samy This was a  
be difficult for you  
SIC 800 15.12

**DRAFT PRESS NOTE ON OPERATION  
RETOUR AND THE INTEGRATED HUMANITARIAN  
RESPONSE  
KIGALI - 10 DECEMBER 1994**

Reconciliation  
reparation  
or return

Over 2,000,000 Rwandese are displaced, over 300,000 within Rwanda itself and approximately 1,800,000 outside its borders. The nation's normalisation and reconciliation process can only truly begin with the return of the vast majority to their homes. This fundamental fact is recognised not only by the Government of Rwanda, but also by the international community.

Agreed  
set of principles

It is clear that the process of normalisation and reconciliation must begin with commitment to means both humane and expeditious. Towards that end the Government and United Nations operational agencies, UNAMIR and participating multilateral and non-governmental organisations have agreed today to a set of principles and an operational plan for the safe and secure movement of the internally displaced.

Refused  
UNAMIR  
UNAMIR  
UNAMIR

Under the banner of Operation Retour, the Government and those organisations represented in this integrated humanitarian response have agreed to certain basic principles, including, that of no forced closure of IDP camps. Furthermore, it has been agreed that all efforts will be made to ensure that people return in safety, a principle that will supported in practice by relevant Government authorities and UNAMIR.

(1) security  
along routes  
(2) safety  
when reaching  
"O.R.S."  
temp. sites  
"way stations"

At the same time that security along transit routes and in the displaced persons' home areas is established, UN agencies and non-governmental organisations will be funnelling resources into the home areas for the rehabilitation of homes, water and sanitation systems as well as for the provision of food, particularly for vulnerable groups. For those displaced returning to their home areas where no shelter is available or where security remain uncertain, the plan calls for the creation of "open relief centres". These open relief centres are intended to be temporary sites where displaced persons on the move and other returnees as well as locals in vulnerable condition can freely enter or leave and obtain essential relief assistance in a secure environment.

camps  
symbol of  
dependency  
supported by  
assistance -

The pressure to bring people home from the camps is mounting. Those who are displaced occupy agricultural lands that local people should be using, and those farmers in the camps are needed to produce on lands abandoned during the violence. The camps themselves, while generously supplied by the international community, have become a symbol of potential dependency. At the same time, they reflect the discrepancy between the normal lives of local peoples and those supported by outside assistance.

Violence

intimidation

challenge to

stability, normalcy

The camps also pose a problem of security. Violence and intimidation from within the IDP camps parallel those of the refugee camps in Zaire. A small minority of camp occupants are seen as extremists in waiting. And, to that extent, they also challenge the very essence of the Government's efforts to promote normality.

Op retour

integrated

comm. response

Accountability

Operation Retour is a clear demonstration of an integrated humanitarian response. The principles of the operation as well as the plan of implementation have been the product of joint deliberations with representatives of Government, UN operational agencies, UNAMIR, IOM and participating non-governmental organisations. The planning process has been the product of an Integrated Task Force, and the operation, itself, will be monitored through an Integrated Operations Centre located in the Ministry of Rehabilitation and Social Integration.

I.O.C.

The Integrated Operations Centre has three functions: [1] to monitor the implementation of the plan of action; [2] to ascertain gaps in the operation and to fill such gaps; and [3] to act as a focal point for resource exchange to ensure that all resources can be mobilised and utilised for the operation.

unpredictable

stability

failure

Inevitably factors of insecurity in the region as well as the concerns of the displaced, themselves, will make Operation Retour complicated and in many aspects unpredictable. However, rarely have humanitarian operations of this potential magnitude in the past been marked by such integration of effort than this operation.

## OP RETOUR

### RETURN OF INTERNALLY DISPLACED PERSONS

#### PROPOSED OUTLINE PLAN

##### GENERAL

1. Phase 1 of Op RETOUR (the planning phase) is drawing to a close. The Outline Plan for Phase 2, developed by UN Agencies, UNAMIR, participating NGOs as well as government representatives, is attached. This is the implementation phase which relocates the IDP population, mainly concentrated in the Prefecture of Gikongoro, to their home Communes, principally in the Prefectures of Gitarama, Butare and South Kigali.
2. Much of the detailed work has yet to be completed on the format of the move. However, the Task Force is confident that it will be able to achieve the necessary timing. They are based on a "poor case" scenario and it may be feasible to improve on them significantly, if the security environment is improved to provide confidence for the people to walk home.
3. Throughout Op RETOUR, total commitment of the government and the international community to the guiding Principles has to be assured. [These are at **Annex A**]

##### PROGRAMME

4. People will be encouraged to leave the IDP camps in line with an agreed schedule.

##### PREPARATION

5. Way Stations. It is proposed to use Cyanika Camp as the first Way Station in the Operation. This will negate the need to construct a special facility early on, allowing concurrent work to construct Way Stations in other areas, to continue. Cyanika will also be used as the Way Station for Rukhondo Camp.
  6. Open Relief Centres. The location of the first Open Relief Centres (ORCs) has been proposed. ORCs will be activated in time for them to have a positive impact on the resident Commune population, before the first IDPs arrive. NGOs and agencies which currently serve the camps will be actively encouraged to shift their resources to ORCs, as the Operation progresses and camp populations dwindle. A list showing ORC management responsibility, derived from camp population figures, is at [Annex B]. A fuller description of the role of ORCs is at [Annex C]. The first nine ORCs, to be established and fully operational by D-3 are in the Communes of:  
  

South Kigali:	Ngenda, Gashora, Kanzenze, Bucumbi
Butare:	Muyira, Rusatira, Ntyazo
Gitarama:	Ntongwe
Kibungo:	Sake
  7. Water & Sanitation. Priority work on water and sanitation deficiencies in the Communes has already begun. Water assets will be required from Agencies, NGOs and UNAMIR in order to meet immediate needs, while water and sanitation systems are being re-introduced
-

## SECURITY

8. The details of the security plan will now evolve from the Outline Plan. A strong security presence will be established during the periods when camp populations are being encouraged to leave in order to prevent intimidation. Escorts will be required for road moves and route security for movement on foot. Additionally, ORCs will require a security presence, in order to protect the population, and the commodities in the ORCs. Security will be provided using complementary assets from the RPA, the Gendarmerie and UNAMIR.

## MOVEMENT

9. Initial movement will be carried out by vehicle. Earlier camps on the schedule have large populations beyond easy foot travelling distance, and these people will be transported by bus and truck. At later stages of the move, as momentum increases and as camp populations have shorter distances to travel, much greater movement on foot is envisaged.

## INFORMATION

10. A coordinated information plan will be directed at the IDP population as a whole, as well as focusing more specifically on the next camp on the schedule. Information will be impartial and will concentrate on confidence-building, using feedback from the Home Communes.

## TIMESCALE

11. The sort of timescale envisioned is proposed to the government. Using this methodology, changes to the schedule and improvements in targets, can be adjusted with relatively little effort. The aim is to develop a flexible programme capable of alteration. The arrival of a large fleet of UN vehicles (expected before the beginning of Feb 95) are likely to be significant milestones in the forward movement of the schedule.

12. D Day has not yet been fixed. From the date of the Government of Rwanda's endorsement of the Outline Plan, D Day can take place 15 days later. It is hoped that an early decision by the Government can lend impetus to the programme.

Kigali, 8 December 1994

Annexes:

- A. Guiding Principles.
- B. Open Relief Centre Management Responsibility.
- C. Open Relief Centres - Method of Operation.

## ANNEX A

### PRINCIPLES FOR SETTLING THE INTERNALLY DISPLACED

Stability, security and development are objectives of tantamount importance to the people of Rwanda, their Government and the international community. Fundamental to these objectives is the return of hundreds of thousands of Rwandese who are displaced within their own nation. Towards this specific goal, the Government with the support of the international community will intensify its efforts to settle the displaced in an expeditious and humane manner. In pursuing this immediate goal, the Government and the international community are determined to ensure that the principles set out below will underpin all their efforts:

#### Immediate Objectives

1. The immediate objective of the Government and international community is to have the internally displaced people of Rwanda return home with dignity and in conditions of safety and security.
  2. In ensuring that these immediate objectives are upheld, it is agreed that there be:
    - i. Total Political Endorsement. All plans established to support the IDP operation will have the full support and active cooperation of the Government of Rwanda;
    - ii. No Enforced Camp Closure. Camps will not be forcibly closed. That said, an environment in which the people are motivated to leave voluntarily will be created;
    - iii. Initial Operations to Create Confidence. It is essential to build confidence amongst the displaced population and momentum in the operation. Therefore from the very outset full attention must be given to ensuring success along these lines;
    - iv. Secure Environment. Conditions in the Home Communes will be established to create a secure environment and provide essential social services which attract people home from the camps;
    - v. Confidence Building. Confidence building measures, primarily concerning security and information dimensions, will be essential;
-

vi. Impartial Information. Information promulgated as part of confidence building measures must be impartial;

vii. Return in Safety. All effort must be made to ensure that people return in safety. While ensuring this principle, the Government maintains the right to bring to justice, consistent with the due process of law, those accused of perpetrating genocide;

viii. Cooperation. The success of the operation will require the full cooperation of all contributing organisations, within the scope of their mandates;

vi. Flexibility. All plans developed to support the settlement of IDPs must be flexible and lend themselves to modification. Mechanisms must be in place to ensure that any adjustments take place in a way that fulfills the aforementioned principles both at the policy and implementation levels.



## ANNEX C

### OPEN RELIEF CENTRES

1. The concept of Open Relief Centres (ORC) has been established to address the fundamental concerns of Internally Displaced Persons and the recipient communities, ensuring the re-integration of IDPs while maintaining the security and dignity of both groups. The ORC is a temporary place where displaced persons on the move and other returnees as well as locals in vulnerable conditions can freely enter or leave and obtain essential relief assistance in a relatively safe environment.
2. Open Relief Centres will be set up in accordance and in phase with local conditions and requirements in Rwanda. The ORC, are transit points, in the home communes, for IDP's returning to their homes. They are to facilitate immediate re-integration, through the provision of basic food items, seeds and construction materials, and by increasing confidence in law and order in the home communes. At the same time Quick Impact Project will promote rehabilitation of the country, at the communal level.
3. Material assistance provided through the ORC's in the home communes is aimed at re-integration, and will be phased out; dependency must be avoided.
4. The actors in setting up Open Relief Centres will be UNHCR (set-up and protection), WFP (food), UNICEF (water and sanitation), WHO (health), UNAMIR (security), UNFPA (protection), NGOs and local authorities. Each ORC will be managed by a designated NGO or UN Agency. Information gathering and dissemination will come under the responsibility of UNREO. Overall coordination will take place in the context of the Integrated Humanitarian Operations Centre framework, in close cooperation with the Ministry of Rehabilitation.

#### ORC components

##### a. Food distribution

Food needs are best covered by food (for work) programmes, distributions of food or rations at the commune level. Sustained direct distribution at the ORC-site should be avoided so as to not have concentration of foodstuffs at one location nor provide an incentive for people to stay at the ORCs. One-off distribution to IDPs for a two week period will be effected in conjunction with WFP/CRS/ICRC targeted distributions. (half rations/250grms/person/day).

Once IDPs leave the ORCs for their homes, they should be absorbed to the ongoing food, seeds and tools, distributions in the communes.

##### b. Temporary shelter

Ideally, ORCs would be considered a temporary solution limited in time (3-10 days), while the local authorities find an acceptable temporary, or preferably durable solution for those whose homes are either occupied or need repairs. It will be forbidden to build huts at the ORC's. Construction materials will be made judiciously available in the vicinity of the ORC to targeted populations in order for people to instantly work on rebuilding their houses. For planning purposes, plastic sheeting for one out of four families will be made available in each ORC.

c. Health

Ideally people in transit at the ORCs needing medical assistance should be referred to the health system in place at the commune level. Where such structures are inadequate NGOs or the appropriate UN Agency will be given the responsibility of supplying such services.

d. Water and sanitation

Access to a water source or water availability will be one of the criteria to determine the ORC location. These should be simple latrines; For planning purposes 1 pit latrine per 50 IDPs.

e. Transport

It is considered advisable to have transport facilities available at the ORCs, for people who cannot reach their secteur on foot (distance too big, disabled persons etc.).

f. Protection

Protection is one of the key issues of the ORCs. The protection role will be taken care of by UNHCR and UNHR in close collaboration with local authorities. It is considered important to register the IDPs on arrival to the centre, so as to monitor further events. UNHCR/UNHR or ICRC in principle will ensure presence in each of the ORCs.

Local residents as well as IDP's having returned to their homes, can contact the local authorities and the ORC in case of security problems in their home areas, including tensions over house occupation etc. In such cases admission and emergency shelter may be granted on a case by case basis. Solutions will then be found by, and in cooperation with the local authorities, including the gendarmerie or army as required.

The local authorities have at all times access to the ORC's in order to promote confidence etc.

The ORC's should not be a sanctuary for persons having committed crimes. Local law enforcement agents, including army personnel if duty authorized, can enter the ORC to arrest persons, if it can be demonstrated that substantiated suspicions against such persons exists. Arrests can in principle only be made in the presence of UN or ICRC official unless there is an emergency situation (risk of escape, genuine threat to the security of others, etc. The law enforcement agents will sign, at the ORC, for any arrest made, and family members, the ICRC and the UNHCHR will have access to the person concerned.

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UNITED NATIONS

ASSISTANCE MISSION FOR RWANDA

NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

INTER-OFFICE MEMORANDUM

*I agree  
entirely with Spokesman  
the, in the way Miss Rafii  
TO: [signature] SRSG  
small please  
if an update*

THROUGH: Dr. A.H. Kabia *AK*  
Executive Director

DATE: 19 December 1994

FROM: Sammy Kum Buo *[signature]*  
Political Adviser and Acting Spokesman

SUBJECT: Information Programme for Operation Retour

1. Following the agreement with UN agency information officers on Saturday 17 December to devise an integrated information strategy specifically with regard to Operation Retour, Ms. Ladan Rafii and I met today with Ms. Chentale de Montigny of the OIC information programme for an update on the information campaign planned for launching tomorrow, 20 December. She gave us copies in English and French of the programme (copies attached) and informed us that the campaign would be led by an official of the Ministry of Rehabilitation, Mr. Evode Ntagwera, and implemented jointly by teams comprised of representatives of four Government ministries namely Defense, Justice, Interior and Rehabilitation.

2. Our concerns with the programme and arrangements for its implementation include the following:

*yes* - while we agree with most of the themes identified, we believe that the content of the message to be conveyed under each of those teams is too general and should be more precise.

*fully agree* - the English and French texts of the campaign should be greatly refined. We should also have on record the text in Kinyarwanda in order to ensure conformity with the other versions.

*This is an important point* - we believe that UN leadership of the campaign is vital for inspiring confidence among the IDPs who are likely to respond better to a neutral outside international campaign than one launched solely by Rwandese Government authorities. Since Operation Retour is conceived as a joint UN-Government effort, UN leadership of the information campaign with the Government participating in it could encapsulate the collaborative nature of this endeavour.

## ROUTING SLIP

## FICHE DE TRANSMISSION

TO: A: <i>SPA</i>		
FROM: DE: <i>HEL</i>		
Room No. - No de bureau	Extension - Poste	Date <i>2-12-94</i>
FOR ACTION		POUR SUITE A DONNER
FOR APPROVAL		POUR APPROBATION
FOR SIGNATURE		POUR SIGNATURE
FOR COMMENTS		POUR OBSERVATIONS
MAY WE DISCUSS?		POURRIONS-NOUS EN PARLER ?
YOUR ATTENTION		VOTRE ATTENTION
AS DISCUSSED	<input checked="" type="checkbox"/>	COMME CONVENU
AS REQUESTED		SUITE A VOTRE DEMANDE
NOTE AND RETURN		NOTER ET RETOURNER
FOR INFORMATION		POUR INFORMATION

3. In light of the above, and if you agree, we would like to propose the following:

*Agree.* a) The launching of the information campaign should be postponed to Wednesday 21 December (instead of Tuesday 20 December). This would permit us to revise the text of the document prepared for the campaign and to discuss it with the IOC and the participating Government ministries.

b) The UN and in particular UNAMIR personnel (military and/or civilian) should lead the campaign. Specifically, this would involve UN/UNAMIR personnel presenting the members of the campaign team to the IDPs and explaining the purpose and elements of the operation. The Government participants would spell out the efforts and contribution of their respective ministries to facilitate the return and resettlement of IDPs in safety and dignity. We think that our military personnel, especially those deployed in the areas where the camps are located, could be particularly useful in this regard, especially in view of their knowledge and familiarity with the locations and situation of the camps. If this proposal is acceptable, the military will have to be guided and instructed accordingly to liaise with the UNREO/IOC team in Gikongoro.

4. We would appreciate your guidance and instructions with regard to the above.

## CAMPAGNE D'INFORMATION -- INFORMATION CAMPAIGN

### aide-memoire/checklist

**Les themes et les details importants pour informer les populations sont les suivants:**

#### **Securite:**

Camp: la securite dans les camps est assuree par les forces UNAMIR deployees dans les regions respectives de ceux-ci.

Waystations & ORC: la securite dans ces deux relais est assuree par les forces UNAMIR deployees dans les regions concernees.

Convoi: la securite physique du convoi est assuree par les forces UNAMIR deployees dans la region du camp de depart.

Route: la securite des routes utilisees par le convoi est assuree par l'APR.

Mouvement pedestre: la securite des personnes rentrant dans leur commune d'origine par voie pedestre est assuree par l'APR uniquement si ces personnes empruntent les routes utilisees par les convois.

Il est a noter que le mouvement des troupes UNAMIR suivra le mouvement des populations au fur et a mesure que celles-ci reintegreront leurs communes d'origine ou les communes en generale.

Sensibilisation aux mines: une collecte de donnees est presentement en cours aupres des Milobs et des troupes UNAMIR deployees dans le pays. Une fois compilees, ces donnees nous donneront un meilleur apercu de la situation du minage dans le pays. Pour l'instant, les incidents personnels sont rares, la region cherchee. Mais il y a un manque de personnel qualifie dans le

#### **Procedures d'arrestation en matiere penale:**

Le Ministere de la Justice suit le code penal existant avant la guerre. Il a ete adapte selon les circonstances presentes, i.e. qu'au lieu de lire au code qu'une arrestation est possible apres le temoignage de plusieurs temoins, le present gouvernement a chiffre "plusieurs" au nombre de 10 temoins.

#### **Procedures:**



- plainte
- enquête
- témoignages des personnes
- détention préventive surtout lorsqu'il est question de sécurité publique (peut aussi protéger le présumé innocent contre les vengeances personnelles)
- le Procureur doit être saisi du dossier suite aux P.V.: audience du prévenu  
audience des témoins  
p.v. d'arrestation

-le Juge décide seul et de façon indépendante si le prévenu doit être arrêté et détenu de façon préventive en attendant le procès. Il peut si les témoignages ne sont pas concordants relâcher le prévenu.

Au point de vue technique, le représentant du Min de la Justice nous informe que le gouvernement attend sous peu l'assistance extérieure pour faire face aux tâches actuelles: juges et avocats étrangers. Le présent personnel qualifié du Ministère est peu nombreux. Il ajoute également qu'il ne s'agit pas d'arrêter la majorité de la population de retour dans les communes mais uniquement les personnes coupables.

Il est très important de diffuser une information juste et objective.

## 2) Logis et terres: (voir avec le Min. de l'intérieur)

-procédures pour récupérer ses biens;  
s'adresser à la préfecture dès que l'on sait que sa maison est déjà habitée / possibilité de partager temporairement les terres et logis / procédures du règlement des litiges au sujet des terres.

-description des ORC et insistance sur son caractère temporaire;  
les ORC sont des endroits de passage en attendant que les autorités locales puissent reloger les personnes ailleurs / il n'y aura pas de services de santé dans les ORC, les gens devront aller dans les centres de santé communaux / il n'y a pas de distribution de nourriture dans les ORC, les gens seront assistés dans leurs secteurs / la présence de représentants des Droits Humains, des agents du Haut Commissariat aux Réfugiés ainsi que des autorités locales sera assurée à des moments précis dans les ORC / UNAMIR assurera la sécurité physique des ORC / il n'y a pas de possibilité de construire des huttes dans les ORC, les gens devront dormir à l'endroit indiqué en attendant de retourner chez soi / les gens devront s'enregistrer dès l'arrivée à l'ORC afin de faciliter l'assistance / le temps de passage prévu dans ces centres d'accueil ouverts est de 3 à 10 jours / dans certains ORC la cuisine se fera dans un endroit précis et non aux alentours directs du gîte / 1 personne médicale responsable orientera les personnes vers les centres de santé adéquats dans la commune.

-assistance à la réhabilitation des établissements;  
dans certaines communes des ONG sont à réhabiliter les logis et certaines infrastructures (santé, écoles, etc.) / dans certaines communes, lorsque nécessaire une assistance sera

-assistance a la rehabilitation des etablissements (suite);  
apportee aux personnes pour construire un nouveau logis traditionnel

3) **assistance alimentaire;**

procedures de distribution dans les communes: l'assistance alimentaire se fera a travers les structures communales et dans les secteurs / des programmes d'assistance sont deja en place tels que "food for work" et assistance aux groupes vulnerables

type de ration: une ration de 15 jours vous sera distribuee a votre depart dans un des waystation

4) **Sante, eau et sanitation**

situation des centres de sante dans les communes d'origine / situation de l'eau dans les communes d'origine: deja la communaute internationale oeuvre dans les communes afin de retablir les services de sante et assurer l'approvisionnement de l'eau dans les

personnes devant utiliser les services de sante peuvent se rendre directement aux centres de sante operationnels dans la commune ou encore s'informer aupres de la/ du responsable medical dans l'ORC qui orientera ces personnes vers les centres adequats.

5) **Transport**

le transport de retour dans les communes sera disponible comme auparavant. Il est tres important de s'enregistrer auparavant afin de s'assurer d'une place dans le camion et pour eviter une perte de temps au moment du depart. Toutes personnes voulant retourner chez elle sera la bienvenue et pourra le faire avec les facilitees de transport du HCR et de l'OM. Les convois seront escortes par un representant du Ministere de la Rehabilitation de Gikongoro a Butare et/ou Kigali et jusqu'a la destination finale par UNAMIR.

Pour les personnes desirant rentrer en marchant nous leur suggerons d'utiliser les routes des convois qui sont securisees. On ne peut assurer la securite des gens rentrant par les collines.

Ces communes sont renforcees par les travail de votre gouvernement et de la communaute internationale afin de mieux vous recevoir: (communes selon le camp visite).....

## **information campaign / idps issue**

**Monday 19 December and Tuesday 20 December 1994 a.m.**

Visits to local authorities to inform them on the info campagne in South-Kigali, Butare, Gikongoro, Gitarama and Kibungo.

**Tuesday 20 December / p.m.**

Visits to camps begin:

Team 1: Kibeho and Ndago  
Team 2: Cyanika and Rukondo  
Team 3: Kamana and Munini  
Team 4: Bivumu and Bohoro

**Wednesday 21 December 1994 THRU Sunday 1st of January 1995**

**a.m.** Team 1: Kibeho and Ndago  
Team 2: Cyanika and Rukondo  
Team 3: Kamana and Munini  
Team 4: Ruramba and Rwanika

**p.m.** Team 1: Kibeho and Ndago  
Team 2: Cyanika and Rukondo  
Team 3: Kamana and Munini  
Team 4: Bivumu and Bohoro

Every evenings at 18h00 the 4 team members will be meeting at UNREO Field Office in Gikongoro to exchange members from one team to the other as well as informations.

IF necessary or possible, the teams will be rotated by December 25th. The exchange of information will be done the same night between the 2 groups of teams at UNREO field office.

Each teams will be composed as follow:

1 rep. of Min. of Rehabilitation  
1 rep. of Min. of Justice  
1 rep. of Min. of Defence  
1 rep. of Min. of Interior  
1 rep. of Human Rights

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1 rep. of UNDP / for 1 team only  
1 rep. of LWF / for 1 team only

To be part of some team on an irregular basis:

1 rep. of local authorities (Prefet, bourgmesters, chief of sectors, etc.)  
1 elderly person from home communes  
1 returnee from camp now in home communes

Monday, 2 January at Amohoro Stadium in Kigali at 14h00

All actors of this mission are requested for a final evaluation

#### Thems of the information campaign

Security: In the camp, convoys, on the road and upon arrival, monitoring system, arrest procedures, mines awareness

Food assistance: procedures -- communes level, rations, etc.

ORCs: What are they?, emphasis on its temporary status, services offered, etc.

Health and Water: Health and water situation in home communes, utilisation of existing structures, etc.

Unaccompanied Children/ family: Importance of keeping the families together, assistance for needy families at home communes level, do not leave your kids behind, keeping children/families together until we find real families, etc.

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## **CAMPAGNE D'INFORMATION -- INFORMATION CAMPAIGN**

### **aide-memoire/checklist**

**These themes and details are important to inform those populations in the camps:**

#### **1) Securite:**

Camp: the camp security is ensure by UNAMIR forces who are already deployed in the camp's area

Waystation and ORCs: security at those locations is ensure by UNAMIR

Convoy: convoy security is ensure by UNAMIR

Roads: the roads are ensure by RPA

Walking home: security of people walking home is ensure by RPA only if those people will use the roads used by the convoys.

Note: UNAMIR troops will move following the population movement along going back in home communes.

#### **2) Arrest procedures:**

Ministry of Justice is following the pre-war existing code. But instead of having "few witnesses" as written in the code, the present government says "10 witnesses" are required to start an investigation.

##### **Procedures:**

- reporting
- investigation
- statements of 10 persons
- Prosecutor will be aware of the case when presented to him minutes of:
  - suspect's audience
  - witnesses audience
  - arrest report

The Judge is the only one to decide, independently, if the suspect has to be arrested and be detained before the court hearing. If witnesses statements are not coherent, the judge may decide to release the suspect.

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### **3) Land tenure and housing:**

#### **Procedure to follow in order to**

Once you know that your house is occupied, go to the prefecture office / possibility to share, on a temporary basis, land and housing / description of the procedure to settle land tenure / housing dispute.

#### **Description of ORC with emphasis on the temporary nature of these instalations**

**(ORCs are transit center)** to be used until the local authorities can relocate the people / there will be no medical services in the ORCs, people will have to seek help in the existing health centers at the commune level / there will be no food distribution in the ORCs, people will receive assistance close to their home / Human rights observers, UNHCR representatives and the local authorities will visit the ORCs on a regular basis / Physical security in the ORCs will be provided by UNAMIR / erection of temporary shelter in the ORCs will not be permitted, people will be indicated where to sleep while awaiting to return home / people will register upon arrival in the ORCs to facilitate the distribution of humanitarian aid / average time spent in the ORCs should be 3 to 10 days / in some ORCs cooking will be done in a collective and specific area / 1 medic person will send sick persons to Health Center in communes.

### **4) Assistance to rehabilitation/reconstruction of housing:**

procedures to get back properties / in some communes the international community is rehabilitating and/or reconstructing housing / in some communes when necessary building kits will be provide to needy families

### **5) Food assistance**

food distribution will be done through sectors structures / some food programs are already in place "food for work" and "vulnerable groups". Ration for 15 days will be given at waystations.

### **6) Health, water and sanitation**

situation of health centers and water in communes: NGO are already working in some of the health infrastructures - others are being rehabilitated now / also water will be distributed in communes while water system is being repaired.

For the ones who need health care they can go directly to health centers in communes or can be inform by the medic responsible person at the ORC to know where to go.

### **7) Transport**

transport towards home communes will be provided. It is very important to registre before that way people can make sure to get a place in the bus. Everyone who desires to go home will be transported if wanted. All convoys will be escorted by UNAMIR and by a Ministry of Rehabilitation representative from Gikongoro to Butare to Kigali

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The one who decide to walk are asked to use the same roads than the convoys. Those roads will be secure. No one can ensure security for people walking through hills.

These communes are being reinforced by your government and the international community for a better reception (see communes according to camps).

Kibungo	Sake	Ndago	665
		Ruramba	101
		Bivumu	87

### Camps/communes

Kibeho	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Rusatira/ Ntyazo/Runyinya Gitarama: Ntongwe/Kigoma Kibungo: Sake
Ndago:	S-Kigali: Ndago/Gashora/Kazenze Butare: Muyira/Rusatira/Ntyazo/Runyinya Gitarama: Ntongwe/Masange/Murama/Kigoma Kibungo: Sake
Cyanika:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Rusatira/Ntyazo Gitarama: Ntongwe
Munini:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Ntyazo/Runyinya Gitarama: Ntongwe
Kamana:	S-Kigali: Ngenda/Gashora/Kazenze
Rwamiko:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Rusatira/Ntyazo/Runyinya Gitarama: Ntongwe/Kigoma
Bohoro:	S-Kigali: Ngenda/Kazenze Butare: Muyira/Rusatira/Ntyazo/Runyinya Gitarama: Kigoma
Ruramba:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Rusatira/Runyinya Kibungo: Sake
Bivumu:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Rusatira/Ntyazo/Runyinya Kibungo: Sake
Rukondo:	S-Kigali: Ngenda/Gashora/Kazenze Butare: Muyira/Rusatira/Ntyazo/Runyinya Gitarama: Ntongwe/Masange/Murama/Kigoma

SRS6  
Humanitarian  
file: Operation Retour

NOTE

JOINT PRESS CONFERENCE

FC  
ED  
SPA/Spokesperson  
Chief of Protocol

1. The SRS6 would like to launch Operation Retour on 6 December. With that in mind he would need the presence of the Minister of the Interior, the Minister of Rehabilitation, the Force Commander, and the Humanitarian Coordinator.
2. The above would be the ideal for a joint presentation. However if one of the Ministers is unable to attend, one will be enough.
3. He would appreciate it you would initiate the necessary arrangements to carry this out.
4. I remain at your disposal to answer any questions or to assist you as appropriate.

Isel Rivero  
SPAO

cc. SRS6

INDEPENDENT  
COMMISSION  
(KIBEHO)

Originals  
moved to file  
folder immediately  
following this binder

Rjm

4/4/2006

**RAPPORT DE LA COMMISSION INTERNATIONALE  
D'ENQUETE INDEPANDANTE  
SUR LES EVENEMENTS DE KIBEHO**

**AVRIL 1995**

Un accès de violence au camp de personnes déplacées de l'intérieur de Kibeho (Sud ouest du Rwanda) le 22 avril 1995, qui a causé un nombre considérable de morts, a choqué et a soulevé l'horreur aussi bien au Rwanda lui-même et que dans le public international. Des récits divergeants ont été donnés sur ce qui s'était réellement passé, sur le nombre de victimes et sur les responsabilités des différentes parties en cause.

Dans son discours du 27 avril 1995, le Président de la République Rwandaise, Mr. Pasteur Bizimungu a annoncé l'établissement d'une Commission internationale d'enquête indépendante et a invité la Belgique, le Canada, la France, l'Allemagne, les Pays-Bas, le Royaume Uni, les Etats Unis d'Amérique, l'Organisation des Nations Unies et l'organisation de l'Unité Africaine ainsi que le Rwanda à prendre part aux travaux de la Commission. Le Président Bizimungu a établi plusieurs questions (voir ci-dessous) concernant l'incident de Kibeho, auxquelles la Commission devait répondre et qui ont servi de mandat.

La Commission a été formellement installée à Kigali le 3 mai 1995 et a tenu sa première session de travail le 8 mai 1995 en présence des membres suivants:

- M. Marc Brisset-Foucault, Procureur (France)
  - M. Bernard Dussault, Diplomate, (Canada)
  - M. Koen de Feyter, Professeur de Droit International (Belgique)
  - Mr. Karl Flittner, Diplomate (Allemagne)
  - M. Ataul Karim , Diplomate (Organisation des Nations Unies)
  - Dr. Ashraf Khan, Médecin Légiste (Grande Bretagne)
  - M. Maurice Nyberg, Juriste (Etats Unis d'Amérique)
  - Colonel-Major Abdelaziz Skik, Expert militaire (Organisation de l'Unité Africaine)
  - Mlle. Christine Umutoni, Juriste (Rwanda)
  - M. Ernst Wesselius, Procureur ( Pays-Bas)
-

Au cours de sa première réunion de travail, la Commission a nommé par consensus le Colonel-Major Skik comme Président, Monsieur Dussault comme Vice-Président et Monsieur Wesselius comme Secrétaire-Rapporteur.

La Commission a été assistée dans ses travaux par

- M. Claude Cozar, Procureur (France)
- M. Ron Newman, Criminologue (Canada)
- M. Jan Wilken, Criminologue (Pays-Bas)

ainsi que par des représentants de différents ministères du gouvernement du Rwanda en qualité d'experts-conseils.

A partir de nombreuses auditions de témoins des événements, qui se sont tenues à Kigali, Kibeho et Butare entre les 10 et 17 mai 1995, plusieurs visites sur le site et des investigations et recherches medico-légales dans la zone de Kibeho, ainsi que des réunions de travail avec des responsables officiels des Nations Unies et Rwandais, la Commission a l'honneur de soumettre son rapport au Président de la République du Rwanda le 18 mai 1995.

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- I.
- a. DANS QUEL CONTEXTE A ETE PRISE LA DECISION DE FERMER LES CAMPS ET EN PARTICULIER CELUI-CI (KIBEHO)?
  - B. PLUS PARTICULIEREMENT DE QUELLES INFORMATIONS DISPOSAIT-ON SUR LA SITUATION DES MILICES A L'INTERIEUR DES CAMPS?
  - c. LE GOUVERNEMENT AVAIT-IL CONSULTE AU PREALABLE LES DIFFERENTS PARTENAIRES INTERESSES A CES QUESTIONS?
  - d. L'OBJECTIF DE L'OPERATION DE FERMETURE ETAIT-ELLE L'ELIMINATION D'UNE CERTAINE CATEGORIE DE GENS, SUR BASE ETHNIQUE EN PARTICULIER?

Suite à l'assassinat des présidents du Burundi et du Rwanda dans les environs de l'aéroport de Kigali le 6 avril 1994, un génocide s'est amorcé qui allait coûter la vie à plusieurs centaines de milliers de Rwandais. Une guerre civile s'est déclarée qui a abouti à la libération du pays et à la mise en place d'un gouvernement de coalition nationale le 19 juillet 1994.

Pendant ces tristes mois, le Rwanda a vu son infrastructure tant matérielle que sociale être pratiquement détruite. La ville de Kigali ne comptait plus que quelques dizaines de milliers d'habitants et une grande partie des rwandais s'étaient réfugiés au Zaïre, en Tanzanie et au Burundi ou encore déplacés à l'intérieur du pays. Il y eut en outre des centaines de milliers de morts. Les bâtiments administratifs avaient été pillés, endommagés, parfois détruits et les services publics (eau, électricité, communication et les services sociaux) étaient inexistantes. Le gouvernement se retrouvait devant une tâche énorme et complexe, compliquée par le problème de la traduction en justice des auteurs du génocide.

Dès la mise en place du gouvernement, il lui est apparu, tout comme à la Communauté internationale, qu'une des priorités devait être le retour des réfugiés et des personnes déplacés dans leur commune d'origine. Ces retours étaient nécessaires et urgents pour faire redémarrer la société et l'économie rwandaise, pour alléger la pression destabilisatrice que la présence des réfugiés créait dans toute la région, et également pour des raisons de sécurité nationale. En effet, il apparaissait que, tant et aussi longtemps que ces réfugiés et personnes déplacées ne se réintégraient pas dans la société rwandaise, ils constitueraient une menace pour la sécurité de l'Etat rwandais, et un fardeau social permanent.

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D'ores et déjà pour la Communauté internationale, il devenait important d'assister l'Etat rwandais à sécuriser le pays afin de faciliter le retour des réfugiés et déplacés. A la demande du gouvernement du Rwanda, le dispositif d'assistance des Nations Unies au Rwanda a été déployé. La MINUAR avec un contingent de plus de 5 500 hommes fut déployée à cet effet dès le début septembre. Autours de ce même mois, une coopération internationale s'est mobilisée afin de restaurer certaines infrastructures. Des discussions avec les pays limitrophes, à l'OUA, à l'ONU et particulièrement au sein du HCR ont été engagées afin de mettre sur pied une conférence sur les réfugiés et déplacés. Des études ont également été entreprises entre Rwandais et experts internationaux afin d'aboutir à un plan d'action national qui serait susceptible d'être appuyé par les bailleurs de fonds. Ce plan fut présenté à Genève en janvier 1995 et la Communauté internationale a répondu en promettant quelques 600 millions de dollars américains, sur les 780 demandés.

Toutes ces initiatives ont permis un retour régulier et certain des réfugiés et déplacés dans leur commune. Le Rwanda s'est normalisé et au fil des mois la capitale s'est repeuplée et a repris son activité. De nombreux paysans sont revenus dans leur commune et aujourd'hui une population appréciable vit au Rwanda.

Il apparaissait par ailleurs toujours important que tous les réfugiés et déplacés retournent chez eux. Malheureusement, un nombre significatif de réfugiés à l'extérieur du pays et de personnes déplacées des camps situés dans l'ancienne zone protégée au sud du Rwanda, refusaient ce retour volontaire pour des raisons de sécurité mais aussi parce que plusieurs de ces camps étaient noyautés par des éléments criminels génocidaires, des groupes de milices et des regroupements militaires. On s'inquiétait d'un réarmement éventuel; on constatait de l'entraînement militaire. Un autre facteur a été que les réfugiés et les déplacés sont progressivement devenus dépendants des conditions qui leur étaient offertes dans les camps.

En décembre, à l'intérieur du pays, il restait toujours 38 camps de déplacés et le camp de Kibeho apparaissait comme un noyau hostile à la sécurité intérieure.

La MINUAR, de concert avec le gouvernement, décidait l'"Opération Espoir" afin de désarmer Kibeho. Pendant que la MINUAR saisissait des armes à l'intérieur du camp, l'Armée Patriotique Rwandaise (APR) maintenait un cordon de sécurité à l'extérieur. Cette opération, qui avait inquiété les organisations humanitaires s'est bien déroulée, sans que l'on ait eu à déplorer de pertes humaines. L'opération adressait un message clair à ceux qui se trouvaient à l'intérieur du camp de Kibeho, à savoir que le gouvernement rwandais ainsi que la Communauté internationale n'accepteraient pas la subversion dans le camp de Kibeho.

Il y avait néanmoins urgence à fermer les camps de déplacés. Le gouvernement rwandais annonça la fermeture définitive des camps pour la fin décembre 1994. Les discussions qui suivirent entre le gouvernement rwandais et la MINUAR aboutirent à la mise en place de l'"Opération Retour".



Pour appuyer l'Opération Retour et avec l'assistance de la MINUAR, un groupe de travail comprenant les autorités gouvernementales, les agences des Nations Unies, les ONG a été créé afin de définir et de développer des politiques et des stratégies traitant la question des personnes déplacées et d'aboutir dans les meilleurs délais à un plan d'action permettant à ces personnes de réintégrer leurs communes d'origine. Pour faciliter la tâche du groupe de travail et veiller à l'exécution du plan d'action, on créa concurremment l'IOC (Integrated Operation Center) qui, au mois de mars 1995 employait 21 personnes à plein temps et 38 à temps partiel.

La première rencontre formelle du groupe de travail eut lieu le 6 février 1995. On y fit le point sur l'Opération Retour et on y convint qu'il fallait dès maintenant aborder une Phase II, l'opération initiale ayant été un succès mais commençant à s'essouffler.

Entre temps, devant l'urgence de la situation et la dégradation de la sécurité dans les camps, la Communauté internationale avec l'appui de l'OUA, du HCR, des Nations Unies ainsi que de nombreux pays s'entendaient sur des termes de références pour une conférence sur les réfugiés et les déplacés dans la région des Grands Lacs qui se tiendrait à Bujumbura, du 12 au 17 février 1995. A l'issue de cette conférence ministérielle un plan d'action a été adopté. Les événements concernant le Rwanda furent les suivantes:

#### **Mesures à prendre par le Rwanda:**

para 23 alinéa b: "continuer à diffuser des déclarations solennelles de toutes les autorités compétentes accueillant dans la dignité et la sécurité les réfugiés et les personnes déplacées à l'intérieur du territoire national".

alinéa d: "continuer de coopérer pleinement dans le cadre d'une stratégie humanitaire coordonnée, et tout en mettant à profit le travail du "centre intégré des opérations" avec les institutions de l'ONU et des ONG, afin de faciliter le retour volontaire chez elles des personnes déplacées à l'intérieur du territoire national"

#### **Mesures à prendre par la Communauté internationale**

para 30, alinéa a: "soutenir et encourager les actions qui au Burundi et au Rwanda, favorisent le processus de réconciliation nationale et le retour volontaire des personnes déplacées et des réfugiés dans leur commune d'origine".

Le 20 Février 1995, le groupe de travail de l'IOC ne pouvait que constater que très peu de personnes déplacées avaient réintégré leur commune au cours de la semaine précédente.

Le 27 février 1995, le groupe de travail de l'IOC constatait que l'Opération Retour ne donnait plus de résultats satisfaisants, que les déplacés ne voulaient pas rentrer chez eux, que le camp de Kibeho était source d'insécurité et que la campagne d'information ne donnait pas les résultats escomptés. On en a conclu que Kibeho devenait un repaire de criminels et que l'on n'avait pas de stratégie définitive pour faire retourner les personnes déplacées dans leur commune.

Au cours du mois de mars 1995, la question de la sécurité continuait à dominer l'Opération Retour. L'Opération fut paralysée par les questions de la sécurité dans les communes, dans les camps et dans le pays, ce qui a renforcé l'urgence de faire quelque chose.

Le 6 mars 1995, on s'accordait pour dire que 37 000 personnes avaient été transportées officiellement dans leur commune et qu'un nombre similaire s'y était rendu à pied. On s'entendait également pour dire que de ceux là 60% étaient restés chez eux. Enfin, on constatait qu'il restait 250.000 déplacés et que sur ce nombre, Kibeho en détenait maintenant 120.000.

Compte tenu de la nouvelle importance du camp de Kibeho, de l'insécurité, de la dépendance des personnes déplacées qui se prolongeait, et de l'impatience grandissante du gouvernement face aux camps et à la Communauté internationale, il devenait urgent de revoir la situation. De nombreuses options furent rediscutées, et plus particulièrement les suivantes:

1. La fermeture dans les meilleurs délais par tous les moyens possibles,
2. Le retour volontaire et la fermeture de certains camps tout en conservant un ou deux,
3. Le déménagement des déplacés dans de plus petits camps en périphérie de leur commune d'origine.
4. La réorganisation des camps existants en regroupant dans chacun d'eux les personnes de même commune d'origine,
5. L'enregistrement photographique de tous les déplacés et le regroupement dans quatre camps constamment patrouillés.

Au cours de la réunion du 9 mars 1995, l'IOC est convenu de la nécessité de fermer les camps, et les cinq options ont été réexaminés.

Le 15 mars 1995, a été développée une stratégie pour répondre tant aux préoccupations de sécurité nationale qu'à la nécessité du retour des déplacés dans leur commune d'origine. Dans les communes, on s'entendait pour améliorer les facilités d'accueil et la sécurité dans les camps, il a été convenu d'accroître la sécurité et d'améliorer la campagne d'information, d'arrêter les intimidateurs et ceux qui avaient participé au génocide. Finalement, une proposition a été faite de recenser les déplacés,

de leur faire faire mouvement à pied ou en véhicule, et d'arrêter la distribution de nourriture. L'opération devait se terminer après 4 semaines par l'interrogatoire systématique des personnes restantes dans les camps. Cette stratégie après avoir été acceptée par le gouvernement, serait alors mise en place au plus tard une semaine après son approbation.

Le 20 mars 1995, l'urgence de fermer les camps fut soulignée.

Le 27 mars 1995 le préfet de Gikongoro déclare que pour des raisons d'ordre public, il ne pouvait plus accepter dans sa préfecture la présence des camps. Dans son bulletin d'information du 27 mars 1995, l'IOC déclare que le gouvernement a réitéré son désir de voir les personnes déplacées retourner chez elles le plus tôt possible. Il est intéressant de noter qu'à cette date le nombre de 84 000 à Kibeho a été avancé.

Lors de la réunion de l'IOC, son représentant a déclaré qu'il serait malheureux de débiter l'opération telle que décidée dans les deux semaines, car elle coïnciderait avec le 6 avril 1995, jour du premier anniversaire du début du génocide, et qu'il serait donc préférable de la retarder d'une semaine.

La réunion du 2 avril 1995 sert à préciser certains éléments dont le transport des réfugiés et le couvre-feu dans les camps.

Dans un document signé par le président du groupe de travail de l'IOC, en date du 15 avril 1995, il est noté qu'au cours de la réunion du 3 avril 1995, il a été décidé d'identifier les mécanismes de coopération entre forces armées, la MINUAR, et les observateurs des droits de l'homme aussi bien pour l'opération que pour les procédures d'arrestations et de détention. Il a également été conclu que tous les membres du groupe de travail étaient prêts pour le démarrage de l'opération.

Pour appuyer la stratégie de fermeture des camps, et à la demande du Ministre de la Réhabilitation et de l'Intégration Sociale et du Ministre de l'Intérieur, et après consultation auprès du Président, du Vice-Président, Ministre de la Défense, il a été décidé de déployer les forces armées pour encercler les huit camps de déplacés restant, y compris celui de Kibeho.

Il n'existe aucun élément permettant de supposer que l'opération a été envisagée afin d'éliminer une certaine catégorie de personnes, plus particulièrement en fonction de leur appartenance à un groupe ethnique.

II - COMMENT L'OPERATION A-T-ELLE ETE MENEES DEPUIS LE 18 AVRIL  
ET QUE S'EST-IL REELLEMENT PASSE ENTRE LE 22 ET  
LE 23 AVRIL 1995 ?

Pendant la nuit du 17 au 18 Avril 1995, l'APR a encerclé les derniers camps de déplacés y compris le camp de Kibeho. A Kibeho les personnes déplacées, effrayées, ont fait mouvement vers la zone située entre le quartier général de la compagnie Zambienne (Zambatt) et l'enclos occupé par le peloton Zambien. La question de savoir s'ils ont fait mouvement volontairement ou s'ils ont été contraints par la force n'a pas été résolue.

D'après plusieurs témoins de la MINUAR et de l'APR il y a eu des tirs sporadiques. Les témoins s'accordent pour dire que 8 à 11 enfants sont morts dans une bousculade durant la matinée du 18 Avril.

Le 19 Avril 1995, le Chef d'Etat Major de l'APR et le Commandant en Chef Adjoint de la force de la MINUAR ont visité le camp pour expliquer la situation. Beaucoup de personnes déplacées ont indiqué qu'elles voulaient bien rentrer chez elles. La lenteur du recensement et le manque de moyens de transport ont rendu le problème plus difficile à résoudre.

Au cours des journées des 19 et 20 Avril 1995, environ 5000 personnes déplacées ont été fouillées et recensées par l'APR et d'autres organismes gouvernementaux, puis transportés par la MINUAR dans leur commune d'origine. Au cours du recensement, certains déplacés ont été identifiés comme ayant participé au génocide par quelques témoins.

Au cours de cette période les conditions sanitaires et autres conditions de vie du camp se sont considérablement détériorées.

De manière générale, il n'y a pas eu de manoeuvres d'intimidation ou de violence dirigées contre les personnes déplacées par les membres de l'APR ni d'hostilité de la part des personnes déplacées à l'encontre des membres de l'APR. Il ressort de témoignage que des actes hostiles ont opposé des personnes déplacées entre elles. Il est parfois arrivé que des personnes déplacés aient jeté des pierres sur les membres de l'APR et d'après certains témoignages, essayé de prendre les armes des militaires, ce qui a entraîné l'ouverture du feu par l'APR et la mort de 13 à 22 personnes déplacées.

L'approvisionnement limité en nourriture, en eau et en installations sanitaires, a été utilisé comme moyen de pression sur les personnes déplacées pour les inciter à quitter le camps.

A la fin de l'après-midi du 20 Avril 1995, il a commencé à pleuvoir, ce qui a endommagé les routes et aggravé le problème du transport.

Vers midi le 22 avril 1995, un groupe important de personnes déplacées a rompu le cordon à proximité des positions Zambiennes. D'après des témoignages de membres de l'APR, il y a eu des coups de feu provenant des personnes déplacées et l'APR a subi des pertes. Les personnes déplacées ont poursuivi leur course vers le bas de la vallée. L'APR a répliqué en ouvrant le feu sur la foule. Il est établi que des armes automatiques individuelles et des mitrailleuses ont été utilisées. Il y a eu de nombreuses victimes parmi les personnes déplacées.

Après l'incident, le cordon a été réétabli. En fin d'après-midi, le cordon a été rompu pour la seconde fois, cette fois vers l'ouest du camp. Des groupes importants de personnes ont couru vers le bas de la vallée. D'après des membres de l'APR, quelques personnes déplacées portaient des fusils, et d'autres portaient des armes traditionnelles, telles que machettes et pierres. Des témoins de l'APR ont indiqué que des personnes déplacées leur avaient tiré dessus et que l'APR avait subi quelques pertes. Il est établi que des armes ont été saisies.

L'APR a de nouveau riposté en ouvrant le feu sur la foule, causant de nombreuses pertes. Il est certain que des armes automatiques individuelles et des mitrailleuses ont été utilisées. La plupart des témoins de la MINUAR et d'une ONG ont indiqué que des armes plus lourdes telles que grenades, lance-roquettes (RPG) avaient été utilisées. Sur l'usage d'un mortier, les témoignages des membres de la MINUAR ne concordent pas. Il doit être relevé qu'aucune preuve matérielle de l'usage d'un mortier n'a été rapportée.

Il apparaît clairement qu'un nombre important de personnes ont été piétinées, blessées par des coups de machettes ou par armes à feu, mais les proportions exactes ne peuvent être déterminées. Il est établi que des machettes ont été utilisées non pas par le personnel en uniforme, mais par des civils.

Des témoins de la MINUAR ont indiqué qu'un certain nombre d'exécutions sommaires de personnes déplacées par des membres de l'APR avaient eu lieu.

Pendant la nuit du 22 avril 1995, il y a eu des tirs sporadiques autour de la zone du camp de Kibeho, y compris, d'après quelques sources de la MINUAR et de l'APR, des tirs de tireurs isolés venant du camp des personnes déplacées par dessus le quartier général de la compagnie Zambienne.

Les militaires de la MINUAR n'ont pas été à même de riposter du fait de l'impossibilité de distinguer entre cibles hostiles ou non hostiles. Il y a eu également des agressions à la machette entre personnes déplacées.

Des témoins de la MINUAR ont indiqué que des soldats de l'APR enterraient des corps dans des latrines et des tombes à fleur de terre. La Commission a examiné environ 15 latrines. Dans l'une d'elles, le corps d'un enfant a été trouvé. Des témoins de l'APR ont indiqué que des corps ont été deterrés par la pluie après l'incident et ont été ensuite réenterrés.

Des éléments scientifiques en ont corroborés d'autres qui indiquent que des corps liés à l'incident de Kibeho avaient été enterrés en dehors du camp de Kibeho. Ont été relevées comme causes de la mort sur les corps identifiés des blessures dues soit à des machettes, soit à des coups de feu, et des observations ont été faites permettant d'affirmer que des victimes ont été piétinées ou qu'elles sont mortes de faim. Les contraintes logistiques et le manque de temps ont rendu impossible la détermination du nombre exact de morts, mais il apparaît plus élevé que celui retenu officiellement au camp de Kibeho.

Il est intéressant de noter l'écart inhabituel entre les différents décomptes et estimations initialement réalisés du nombre de morts, d'une part, et du nombre de blessés, d'autre part, ce qui pourrait indiquer que les décomptes initiaux ont été surestimés.

III a. QUEL A ETE LE ROLE OU LES LIMITATIONS ET LE COMPORTEMENT DE L'ARMEE RWANDAISE, DES ONG ET DE LA MINUAR?

La Commission estime que l'opération engagée par le gouvernement du Rwanda de fermer les camps de déplacés était bien planifié, mais que des défaillances ont eu lieu pendant sa réalisation, entraînant la panique. A ce stade, les réactions des soldats de l'APR face au danger du moment furent disproportionnées et par conséquent, en violation du droit international. Les membres de l'APR tirèrent sans faire de distinction entre les éléments hostiles et ceux qui ne l'étaient pas, et les soldats de l'APR ont ouvert le feu sans discrimination.

Des informations crédibles révèlent que des soldats de l'APR commirent individuellement des exécutions sommaires. Les circonstances ci-dessous ont contribué au comportement de l'APR:

1. Systèmes de communication déficients

Au sein de l'APR, seuls le Commandant de compagnie et ses supérieurs disposaient au mieux d'une radio. L'APR dépend de courrier et du bouche-à-oreille pour transmettre des renseignements à la chaîne de commandement et les ordres sont transmis par les mêmes moyens. En situation de crise qui évolue rapidement il peut être très difficile pour des officiers commandant une opération de maintenir le contrôle de celle-ci.

2. Equipement déficient

L'APR dispose de moyens limités pour utiliser la force. Elle utilise sa présence comme moyen de dissuasion et les coups de feu en l'air comme moyen de contrainte non mortel. Lorsque ceux-ci sont dépassés, il y a une escalade vers des moyens susceptibles de causer la mort. L'APR ne dispose pas de gaz lacrymogène, de canons à eau, de balles de caoutchouc, de matraques et de boucliers, armes habituellement utilisées pour contrôler les foules.

### 3. Formation déficiente

L'APR A été formée à la guérilla, et non au maintien de l'ordre et aux techniques de sécurité.

### 4. Expérience insuffisante

L'APR n'a jamais été engagée auparavant dans une opération de ce genre. Une fois l'opération engagée, les soldats firent appel à une expérience qui avait peu de rapport avec le problème consistant à différencier les forces hostiles de celles qui ne le sont pas.

### 5. Prévisibilité

Compte tenu du contexte général dû au génocide, de l'insécurité dans les camps et dans ses alentours, du manque de volonté des gens de quitter le camp, et des cas de comportement hostile envers l'APR venant de l'intérieur du camp, la Commission estime que le commandement de l'APR n'a pas apprécié à sa juste valeur la détermination avec laquelle les éléments du noyau dur refuserait de quitter volontairement le camp.

## ONG

Des indications crédibles existent selon lesquelles certaines ONG ont activement contrarié les politiques du gouvernement du Rwanda en encourageant les déplacés à rester dans le camp de Kibeho, et en engageant du personnel de façon discriminatoire. En outre, la décision qu'ont prise certaines ONG de ne pas coopérer avec l'opération de fermeture après qu'elle ait commencé, a exacerber la crise humanitaire.

## MINUAR

Le mandat de la MINUAR exige qu'elle:

"contribue à la sécurité et à la protection des personnes déplacées, des réfugiés et des civils en danger au Rwanda, grâce notamment à la création et au maintien, là où cela est possible, de zones protégées à des fins humanitaires".

Résolution 965 du Conseil de Sécurité des Nations Unies (1994)

Ce mandat demande à la MINUAR de protéger les personnes déplacées contre tout danger d'où qu'il vienne, y compris celui provenant des déplacés eux-mêmes.

Il y a de forts éléments de preuves qu'il y avait un noyau dur d'éléments criminels dans les zones protégées par la MINUAR, au sein desquelles ceux-ci procédaient à des actes d'intimidation et de violence. La MINUAR n'a pas fait face à cette situation de manière adéquate.

### III b. QUEL FUT LE ROLE JOUE PAR LA MILICE?

Il y a de très forts éléments de preuves que durant les mois qui ont précédé l'opération de fermeture du camp, des individus connus au Rwanda sous le nom de "noyau dur" se sont considérablement renforcés. Par noyau dur, la Commission désigne des extrémistes très vraisemblablement impliqués dans des activités criminelles. La Commission a trouvé parmi la population du camp de nombreuses preuves d'une utilisation très répandue de machettes et d'autres armes traditionnelles employées pour commettre des actes de violence, ainsi qu'un certain nombre d'armes à feu.

Les activités de ce noyau dur variaient de l'intimidation verbale à la violence physique et contribuèrent à l'établissement d'une atmosphère de panique parmi les personnes déplacées, qui a culminé le 22 avril 1995. La Commission n'a pu obtenir de renseignements précis sur l'organisation et la structure de ce noyau dur.

### CONCLUSIONS

### III c. QUI EST RELLEMENT RESPONSABLE DES MORTS DE KIBEHO?

1. De l'avis de la Commission d'Enquête Internationale Indépendante, la tragédie de Kibeho n'a pas été le fruit d'une action planifiée par les autorités rwandaises afin de tuer un certain groupe de personnes. Elle n'a pas été non plus un accident qui n'aurait pas pu être évité.
2. La Commission reconnaît que le gouvernement du Rwanda et la communauté internationale avaient de légitimes intérêts à fermer aussi rapidement que possible les camps de personnes déplacées, aussi bien pour des raisons de sécurité nationale que pour éliminer un obstacle important aux efforts faits par le gouvernement pour se remettre des effets dévastateurs du génocide qui avait eu lieu l'année passée.
3. La Commission reconnaît les efforts réalisés par le Représentant Spécial de l'ONU, la MINUAR, le gouvernement du Rwanda et d'autres organismes pour maintenir le contrôle de la situation à Kibeho.
4. La Commission regrette que les agences des Nations Unies et les ONG n'aient pas pu contribuer plus efficacement à l'évacuation rapide des déplacés qui se trouvaient dans le camp.
5. Il y a suffisamment d'éléments de preuve dignes de foi qui permettent d'établir que, pendant les événements survenus au camp de Kibeho entre les 18 et 23 Avril 1995, des personnes déplacées non-armées ont été soumises à des atteintes arbitraires portées à leur vie et à leur intégrité corporelle, en violation des Droits de l'Homme et du droit humanitaire, commises par du personnel militaire de l'APR.



6. Il y a suffisamment d'éléments de preuve dignes de foi qui permettent d'établir que, pendant les événements survenus au camp de Kibeho entre les 18 et 23 Avril 1995, des personnes déplacées non-armées ont été soumises à de graves atteintes aux Droits de l'Homme, comprenant des atteintes arbitraires portées à leur vie et à leur intégrité corporelle commises par des éléments armés parmi des personnes déplacées elles-mêmes.

## RECOMMANDATIONS

1. La Commission se réjouit de l'initiative prise par le Gouvernement du Rwanda d'entreprendre une enquête au niveau national. La Commission demande aux autorités du Rwanda d'effectuer une analyse des erreurs commises au cours de la préparation et de l'exécution de la clôture des camps, ainsi qu'une enquête sérieuse, rapide et impartiale sur les responsabilités individuelles au sein des forces armées et sur tous autres facteurs qui auraient pu contribuer à l'évènement.
2. A l'avenir, une grande priorité devrait être accordée à l'amélioration des possibilités de l'Etat Rwandais et des autorités locales pour réagir de manière appropriée, et dans le respect des normes internationalement reconnues des Droits de l'Homme et du droit humanitaire, aux situations de tension sociale et d'urgence.
3. La Commission recommande à la Communauté internationale de continuer à encourager et à aider la République du Rwanda dans ses efforts pour établir la justice, de réconciliation et de reconstruction nationale.
4. La Commission demande au système des Nations Unies de revoir sa chaîne de commandement et ses procédures opérationnelles afin de s'assurer qu'à l'avenir une opération toute entière ne sera pas prise en otage ou enlisée par une ou plusieurs agences et organisations disposant de mandats et responsabilités limités.

A Kigali le 18 mai 1995

File: Kibeho  
Commission

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Security Council

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LETTER DATED 19 MAY 1995 FROM THE SECRETARY-GENERAL  
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

You will recall that in its Presidential statement of 27 April 1995 (S/PRST/1995/22), the Security Council welcomed the decision of the Rwandan authorities to establish an independent inquiry with United Nations and other international participation to carry out an investigation of the events at Kibeho and requested the Secretary-General to report to it on these events and on the role of the United Nations Assistance Mission for Rwanda (UNAMIR).

The Independent International Commission of Inquiry commenced its work in Rwanda on 8 May 1995 and concluded it on 18 May 1995, on which day it completed its report. Since the Commission made the report public in Kigali, it also was made available to the media here today.

(Signed) Boutros BOUTROS-GHALI

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#### Annex

Report of the Independent International Commission of Inquiry into the events at Kibeho in April 1995

1. An outbreak of violence at the camp for internally displaced persons in Kibeho (south-western Rwanda) on 22 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.
2. In a speech on 27 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 (OAU) to participate, together with Rwanda, in the work of the Commission.

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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.

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

Mr. Marc BRISSET-FOUCAULT, 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 of Great Britain and

Northern Ireland)

Mr. Maurice NYBERG, lawyer (United States of America)  
Colonel-Major Abdelaziz SKIK, military expert (OAU)  
Ms. Christine UMUTONI, lawyer (Rwanda)-  
Mr. Ernst WESSELIUS, Prosecutor (Netherlands)

4. At 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.

5. The Commission was assisted in its work by:

Mr. Claude Cozar, Prosecutor (France)  
Mr. Ron Newman, criminologist (Canada)  
Mr. Jan Wilken, criminologist (Netherlands)

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

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

#### I. CLOSURE OF THE CAMPS

##### Questions

(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?

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

8. During those sad months, Rwanda saw both its material and social infrastructure practically destroyed. Kigali city had no more than some tens of thousands of inhabitants and a large part of the Rwandan people were refugees in Zaire, the United

Republic of Tanzania and Burundi or were displaced within the country. In addition, hundreds of thousands were dead. Administrative buildings had been pillaged, damaged and sometimes destroyed and services (water, electricity, communications, social) were non-existent. The Government found itself faced with an enormous and complex task, compounded by the problems of bringing the perpetrators of genocide to justice.

9. 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 restart 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 the refugees and displaced persons were not reintegrated into Rwandan society, they would constitute a threat to the security of Rwanda and a permanent social burden.

10. 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 for 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 neighbouring countries, OAU, the United Nations and particularly the Office of the United Nations High Commissioner for Refugees (UNHCR) in order to organize a conference on refugees and displaced persons. Studies were also begun jointly by Rwandan and international experts with a view to preparing a national plan of action that could be supported by donors. The plan in question was submitted in January 1995 at Geneva and the international community responded by pledging some US\$ 600 million of the US\$ 780 million requested.

11. 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 sizeable 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 internally displaced persons 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 militiamen and regrouped military. There was fear of eventual rearming; military training was observed to take place. Another factor was that refugees and internally displaced persons gradually became dependent on living conditions provided in the camps.

12. In December 1994, there still remained within the country 38 internally displaced persons camps and Kibeho camp appeared to be a centre of hostility and a threat to internal security.
13. 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 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.
14. There was still an urgent need to close the internally displaced persons 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.
15. With a view to supporting Operation Return, a working group was established with the assistance of UNAMIR, including government authorities, United Nations agencies and non-governmental organizations (NGOs), for the purpose of defining and developing policies and strategies concerning internally displaced persons 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 Operations Centre was established and in March 1995, 21 persons were employed there full time and 38 persons part time.
16. The first formal meeting of the Integrated Operations Centre working group was held on 6 February 1995. Operation Return was reviewed and it was agreed as of then to launch phase II, as the initial operation had had some success but was beginning to run out of steam.
17. 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, 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 12 to 17 February 1995. A plan of action was adopted at the end of the Ministerial Conference. Those components concerning Rwanda were as follows:
- (a) Measures to be taken by Rwanda:
    - (i) 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 (para. 23 (b));
    - (ii) To continue to cooperate fully in the context of a coordinated humanitarian strategy and making good use of functions of the Integrated Operations Centre, with the United Nations agencies and the NGOs in order to facilitate the voluntary return of persons displaced within its national borders (para. 23 (d));

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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 (para. 30 (a)).

18. On 20 February 1995, the Integrated Operations Centre working group could but observe that very few internally displaced persons had returned to their communes in the preceding week, and on 27 February 1995, the working group noted that Operation Return was no longer yielding satisfactory results, that internally displaced persons 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 internally displaced persons return home.

19. 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.

20. On 6 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 per cent had stayed home. Finally, it was noted that there remained 250,000 internally displaced persons and, of that number, 120,000 were then in Kibeho.

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

(a) Closure, as soon as possible and by all possible means;

(b) Voluntary return and the closure of some camps while keeping one or two;

(c) Moving the displaced persons to smaller camps in the vicinity of their home communes;

(d) Reorganization of existing camps by grouping people from the same home commune together;

(e) Photographic record of all displaced persons and regrouping in four permanently patrolled camps.

22. At its meeting on 9 March 1995, the Integrated Operations Centre agreed on the need to close the camps and the five

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options were reviewed.

23. On 15 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 internally displaced persons, to have them move by foot and by vehicle and to end the distribution of food. The operation would end after four 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.

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

25. On 27 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.

26. In its information bulletin of 27 March 1995, the Integrated Operations Centre stated that the Government had reiterated its desire to see internally displaced persons 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.

27. At the time of that Integrated Operations Centre meeting, the representative of the Integrated Operations Centre declared that it would be unfortunate to begin the operation as decided within a fortnight because it would coincide with 6 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.

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

29. In a document signed by the Chairman of the Task Force of the Integrated Operations Centre, dated 15 April 1995, it was noted that, at the 3 April 1995 meeting, it had been decided to identify cooperation mechanisms between the armed forces, UNAMIR and human rights observers with regard to the operation as well as arrest and detention procedures. It was also agreed that all members of the working group were ready to launch the operation.

30. 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 and Minister of Defence decided to deploy the armed forces to surround the remaining eight internally displaced persons camps, including Kibeho.

31. 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.

## II. CONDUCT OF THE OPERATION

### Question

How was the operation carried out since 18 April and what



actually happened on 22 and 23 April 1995?

32. During the night of 17-18 April 1995, the Rwandese Patriotic Army surrounded the remaining internally displaced persons camps, including the Kibeho camp. At Kibeho, the frightened internally displaced persons moved into the area between the Zambian Company headquarters and the Zambian platoon compound (ZAMBATT). There is conflicting evidence as to whether they moved voluntarily or were coerced into moving.

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

34. On 19 April 1995, the Rwandese Patriotic Army Chief of Staff and the UNAMIR Deputy Force Commander visited the camp to explain the situation. Many internally displaced persons indicated that they were willing to go home. The slow progress of the registration procedure and the lack of transport added to the problems.

35. On 19 and 20 April 1995, approximately 5,000 internally displaced persons were searched and successfully registered by the Rwandese Patriotic Army and other government agencies and transported to their home communes by UNAMIR. During the process of registration, some of the internally displaced persons were identified as having participated in the genocide by some witnesses.

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

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

38. The limited delivery of food and water and general facilities were used as an incentive for the internally displaced persons to leave the camp.

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

40. Around midday on 22 April 1995, a large group of internally displaced persons broke through the cordon in the vicinity of the ZAMBATT positions. According to Rwandese Patriotic Army witnesses, there was firing from among the internally displaced persons and the Rwandese Patriotic Army suffered casualties. Internally displaced persons continued to run down the side of the hill into the valley. The Rwandese Patriotic Army responded by firing into the crowd. There is agreement that automatic rifles and machine-guns were employed. Numerous casualties resulted among the internally displaced persons.

41. 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. Rwandese Patriotic Army witnesses indicated that some internally displaced persons carried rifles and others were armed with traditional weapons such as machetes and stones. Rwandese Patriotic Army witnesses indicated that there was firing from the internally displaced persons that caused casualties to some Rwandese Patriotic Army soldiers. There is evidence that firearms were captured.

42. The Rwandese Patriotic Army 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.

43. 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.

44. UNAMIR witness testimony indicates that a number of summary executions of internally displaced persons by Rwandese Patriotic Army soldiers took place.

45. During the night of 22 April 1995, there was sporadic fire around the Kibeho camp area including, according to some UNAMIR and Rwandese Patriotic Army sources, sniper fire from the internally displaced persons 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 internally displaced persons.

46. UNAMIR witnesses indicate that Rwandese Patriotic Army 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. Rwandese Patriotic Army witnesses indicate that bodies washed up in rain after the incident and were subsequently reburied.

47. The scientific evidence corroborated other evidence that bodies related to the Kibeho incident had been buried outside the Kibeho camp. Among the bodies identified, the cause of death ranged from machete, firearm injuries and findings consistent with trampling and hunger. Owing 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.

48. 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 overestimation in the initial fatality counts and estimates.

### III. THE ROLE OF THE VARIOUS PARTIES

#### Question

What was the role, the limitations and the behaviour of the Rwandese Army, non-governmental organizations and UNAMIR?

49. The Commission finds that the operation of the Government of Rwanda to close the internally displaced persons camps was

well planned, but that failures occurred in the implementation  
and ensuing panic. The reactions of the Rwandese Patriotic  
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Army soldiers to the threat at that stage were disproportionate and, therefore, violative of international law. The Rwandese Patriotic Army did not distinguish between hostile and non-hostile targets and indiscriminate fire by Rwandese Patriotic Army soldiers occurred. There are credible indications that individual Rwandese Patriotic Army soldiers committed summary executions.

Rwandese Patriotic Army

50. The following circumstances contributed to the behaviour of the Rwandese Patriotic Army:

(a) Deficiencies in communication systems. Within the Rwandese Patriotic Army, radios exist at best at the level of the Company Commander and above. The Rwandese Patriotic Army 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 to commanding officers to remain in control;

(b) Deficiencies in equipment. The Rwandese Patriotic Army has limited means with which to apply force. The Rwandese Patriotic Army uses its 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 Rwandese Patriotic Army;

(c) Deficiencies in training. The Rwandese Patriotic Army is trained as a guerrilla army and not in law enforcement and security techniques;

(d) Deficiencies in experience. The Rwandese Patriotic Army has never engaged in an operation similar to this. Once the operation unfolded, soldiers relied on a background of little relevance to the problem of separating hostile from non-hostile forces;

(e) 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 Rwandese Patriotic Army from within the camp, it is suggested that the Rwandese Patriotic Army command failed to appreciate the determination with which hard-core elements would refuse to leave the camp voluntarily.

Non-governmental organizations

51. There are credible indications that some NGOs actively contradicted the policies of the Government of Rwanda by encouraging internally displaced persons to remain in Kibeho camp and by pursuing discriminatory hiring practices.

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Moreover, the decision of a number of NGOs not to cooperate with the closure operation once it began exacerbated the humanitarian crisis.

#### UNAMIR

52. 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.

53. Security Council resolution 965 (1994) requires UNAMIR to protect displaced persons against risks from whatever source, including from the internally displaced persons 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.

#### Question

What was the part played by the militia?

54. 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.

55. 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 internally displaced persons, culminating on 22 April 1995. The Commission was not able to obtain specific information on the organization and structure of these hard-core elements.

#### IV. CONCLUSIONS

#### Question

Who is actually responsible for the deaths in Kibeho?

56. 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.

57. 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.

58. The Commission recognizes the efforts made by the Special Representative of the Secretary-General, UNAMIR, the Government of Rwanda and other organizations to keep the situation at Kibeho under control.

59. The Commission regrets that United Nations agencies and NGOs were not able to contribute more efficiently to the speedy evacuation of internally displaced persons from the camp.

60. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between 18 and 23 April 1995,

unarmed internally displaced persons were subjected to arbitrary deprivation of life and serious bodily harm by Rwandese Patriotic Army military personnel in violation of human rights and humanitarian law.

61. There is sufficient reliable evidence to establish that, during the events at Kibeho camp between 18 and 23 April 1995, unarmed internally displaced persons were subjected to serious human rights abuses, including arbitrary deprivation of life and serious bodily harm, committed by armed elements among the internally displaced persons themselves.

#### V. RECOMMENDATIONS

62. 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 that 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 that may have contributed to the event.

63. 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.

64. The Commission recommends that the international community continue encouraging and assisting Rwanda in its efforts to achieve justice, national reconciliation and reconstruction.

65. 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 organizations with limited mandates and responsibilities.

Done at Kigali,

on the 18th of May 1995

(Signed): Marc BRISSET-FOUCAULT

Bernard DUSSAULT

Koen de FEYTER

Karl FLITTNER

Ataul KARIM

Ashraf KHAN

Maurice NYBERG

Abdelaziz SKIK

Ms. Christine UMUTONI

Mr. Ernst WESSELIUS

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**PRESS COMMUNIQUE OF THE OPENING SESSION OF THE INDEPENDENT  
INTERNATIONAL COMMISSION ON KIBEHO**

The Independent International Commission on Kibeho held its opening meeting on 3 May 1995 at 19.00 hours at the Prime Minister's office.

As host, the Prime Minister was requested to take the chair. The Prime Minister welcomed the representatives of governments and organisations of the Commission and expressed his satisfaction that the Commission had commenced its deliberations on the appointed date.

Members of the Commission briefly addressed the opening session and, in view of the fact that the majority of nominated leaders of delegations were on their way to Rwanda, requested a brief adjournment.

It was unanimously agreed that the opening session be adjourned and that the first working session of the Commission be held on Monday, 8 May 1995.

*This was PH  
generally agreed. PH  
stated F. public UNHCR  
himself.*

*See  
4.5*

*Mr. Canku  
SP.*



Date: 8 May 1995

TO: Mr. Ally Golo, OIC, Administration

FROM: Ambassador Shaharyar Khan, SRSG

*Shaharyar Khan*

SUBJECT: Placement of two bilingual secretaries at the Service of the Commission of Inquiry

Please make available immediately two bilingual (French-English) secretaries, two interpreters (French-English) and one mini-bus for the use of the Independent Commission of Inquiry.

The Commission will hold its first official session today at 15.30, therefore, the secretaries and interpreters should report as soon as possible either to Ambassador Conde, Senior Political Officer, or to Ms. Kristen Scott, Political Affairs Officer.

The duration of the Commission's work, though uncertain at this point in time, could be estimated at two to four weeks.

Thank you for your cooperation.

*(ED)*

1/ UN Delegation supporting Amb. Karim should be Amb Conde and Kristen Scott

2/ The UNAMIR component (civil & military) with the UN delegation permanently should consist of one mil (to be nominated by DFC) and one civil (to be nominated by DFC)

3/ There should also be a Secretariat helping the chairman. *Shaharyar Khan*



Pour mémoire

- Le Représentant des Pays-Bas à Kigali (M<sup>r</sup> VAN LOOSDRECHT) est venu ce matin (10H45) au siège pour présenter deux représentants de son pays, membres de la Commission d'enquête au Kibeho. Ce sont:

M<sup>r</sup> ERNST WESSELIUS, Procureur

M<sup>r</sup> JAN WILKEN, Inspecteur de Police

- Points soulevés par M<sup>r</sup> LOOSDRECHT:

1. Leur transport?

2. Carte d'identité?

- J'ai répondu que les points évoqués seront portés à votre attention -

cc: MM. Sammy BWO

Mawady Gonde'

5/5/95  
B. DESSAUX

✓ We can issue identity cards. If they are staying with Mike Collins & Henriem - perhaps we can arrange a shuttle - but if they are staying with CDH we could have them dropped and picked up? We would provide helicopters for commissions visit to Kibeho whenever they decide to visit.

ED  
Ant. Gonde'

Shelley

Independent Commission - Relevant Questions

A. On What basis was camp-closure planned?

Did we advise against forcible closure?

Operation Retour - why had it stalled? What were plans for revival?

What evidence of militia/interahamwe activity in IDP camps?

Collaboration with cross border military activity from Zaire, was is it on the increase?

Had RPF given notice of early closure?

B. Prior Consultation

To what extent was there consultation between UN and GOR? Which issues were discussed and agreed? Was there agreement on all issues? Which issues remained to be discussed? Was the timing of the launch discussed?

At what level was there agreement on a combined approach? Had there been consultation on camp closure between RPA and UNAMIR's military contingent?

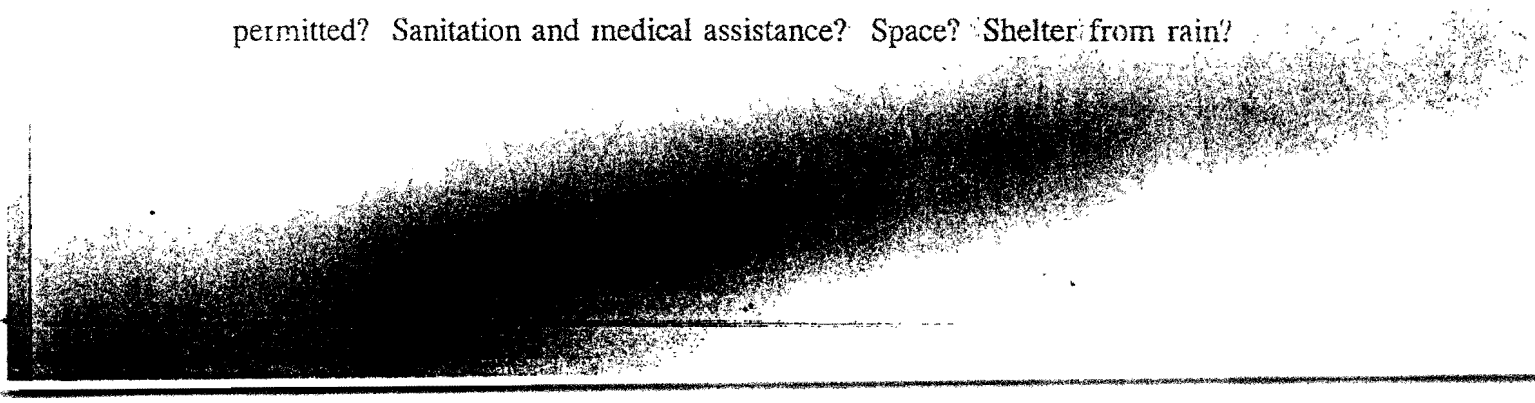
In what way did the lack of consultation affect the Kibeho tragedy?

C. Ethnic base

Was there an ethnic basis for the closure of camps? Were IDP's expected to return exclusively to Tutsi or Hutu communes?

D. The Kibeho tragedy

What were the conditions from 18-22 April in Kibeho? How many people were there in the Kibeho IDP camps? How many moved to the Central Hill? How much food and water permitted? Sanitation and medical assistance? Space? Shelter from rain?



What was IDP condition after 5 days on Kibeho hill? How close or deep was the RPA cordon? Were Humanitarian Organizations allowed access?

When and how did the first break-out occur? When and how did the second break-out occur? What was the state of intimidation inside the camps? Were there machete attacks and by whom? Did Zambatt arrest some attackers? How did these machete attacks affect the atmosphere inside the camps? Were arms found in the camp?

Was there provocation/aggression from within camps against RPA? Was there an attack on RPA before break-out? How many RPA soldiers were treated for wounds?

If the reason for closing camps was the presence of organized militia/interahamwe within the camps, was not an element of provocation anticipated by RPA? If so what measures had been taken to meet such provocation?

Approximately what was the percentage of deaths through (a) firing by RPA, (b) crush and stampede within camp, (c) machete attacks?

Was the RPA firing in response to attacks by armed IDP's? Or was there indiscriminate killing as a result of panic and the situation going out of control? Was there cold-blooded revenge killing of defenceless people?

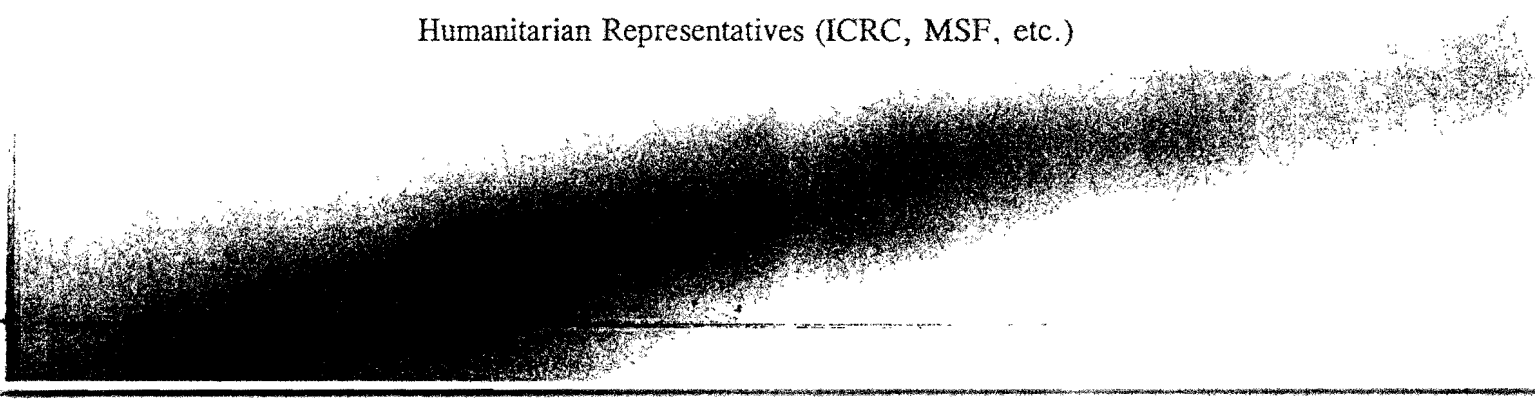
How did UNAMIR arrive at its initial estimate (on Saturday) of deaths? How was a "more accurate" count taken the following day? What was the method used for calculating deaths?

Who were the eye witnesses to the events?

Zambatt, Ausmed and UNAMIR visitors

Human Rights Monitors

Humanitarian Representatives (ICRC, MSF, etc.)



Journalists

Any others

Would all the dead bodies be buried around Kibeho? Could they be removed or hidden? If so how? Would the re-opening of graves give an accurate count of the deaths? Did RPA bar UNAMIR and agencies from certain areas? Have films been confiscated? Are there any video films of the tragedy.

Those IDP's who were allowed to walk - how were they treated on their way back? In their communes?

E. UNAMIR's role

What was the advice given by UNAMIR on the closure of IDP camps before 18 April?

What did UNAMIR contingent do on the morning of 18th when action started? Why was Zambatt allowed to stay in compound? What role did they and Ausmed play from within camp?

What was the advice being given by UNAMIR to RPA and government to resolve the crisis?

Did UNAMIR contingent in Kibeho fire any shots at any time? Why did not UNAMIR take action against interahamwe/militia? Why did not UNAMIR take action against RPA?

~~What was Zambatt/UNAMIR's role during heat of crisis?~~

Did UNAMIR bury dead bodies? - by themselves or jointly with RPA? How many children, women are assisted by UNAMIR? How did UNAMIR protect "civilians at risk"?

What support did UNAMIR give the government when they are informed of the operation? How did UNAMIR influence the Agencies to provide assistance in addressing the humanitarian problem?

F. General

Was the Kibeho tragedy due to pre-meditated action?

Or was the firing the result of panic, chaos and loss of control by troops?

Was there deliberate, cold blooded revenge killing?

Was the dead-count exaggerated?

Was there recognition by RPA that appalling humanitarian suffering would result in breach of human endurance?

Kristen

The following is written in some haste - en route to join the DFC in Kibeho. I hope it is enough for this afternoon's meeting.

INDEPENDENT COMMISSION -  
PROVOST MARSHAL'S ANSWERS TO RELEVANT QUESTIONS

- A. I am aware that shooting took place from the MSF compound during the evening of Sat 22 Apr; those of us in the ZAMBATT Coy HQ had to be careful in our movements for fear that we would attract his fire although we believed that he was firing over our heads at the RPA further up the hill. His activities do no excuse attacks on IDPs by the RPA elsewhere in the camp.

I have heard reports that a number of obsolescent and dirty firearms were seen being carried by RPA soldiers through the camp on Sat 22 Apr. It was guessed that they had been recovered from Interahamwe or another militia.

- B. For some time, I understood that the RPA had been talking of the closure of the camps. From my position, however, it was not possible to foresee attempts at forcible closure. Had the RPA consulted about their plan and a specific date, it is probable in my view, that attempts would have been made by UNAMIR to ensure a humanitarian execution of the plan - in the same way as headed off precipitate action by undertaking Op HOPE. The Op HOPE lesson for the RPA, however, was that security was compromised and few criminals were detained.

- D. By the afternoon of Tue 18 Apr, when I briefly visited the camp, conditions were appalling. I saw about 10 corpses - victims of crush injuries - and terribly overcrowding immediately around the 2 x ZAMBATT positions. See the conclusions that I drew in my report dated 30 Apr.

NGOs were present up to the evening of Sat 22 Apr when they pulled out at 1800 hrs. From then on, their access became more and more difficult.

I saw only one injured RPA soldier (on Sun 23 Apr).

My guess at the balance of injuries is 60% crush, 25% firearms and grenades, 15% machete - but this is a guess!

I saw much indiscriminate killing during the evening of Sat 22 Apr.

I did not see the source of the breakout.

I did not see armed attack on the RPA and can vouch only for hearing the single firer mentioned above.

For the story on estimates and the number of people, see my report.

Exposed film was taken (on Sun 23 Apr, before the arrival of the militia). Also taken were unexposed film and an order was given (by Capt Shema) to take no more

photographs.

Strict limitations have been placed on my movement into, in and around the camp at various times... on Sat 22, Sun 23 and Sat 29 Apr.

I am not aware of any shots being fired by UNAMIR... but I was not everywhere or there through the whole event.

See my report for mention of UNAMIR graves. Some have been dug more recently.

- F. See the conclusions of my report. I believe that the operation was poorly planned and commanded badly. Control was lost and firing became indiscriminate but whether it was for revenge, I cannot say for sure. It was probably one of many motives.

I do not think that RPA commanders have any concept of human suffering with regard to IDPs

*Neil*

File : Kibeho Invest  
(Comm) Fica  
01C-ED/06256  
for information

**Botschaft  
der Bundesrepublik Deutschland  
Ambassade  
de la République fédérale d'Allemagne**

Rec'd  
5/5/95

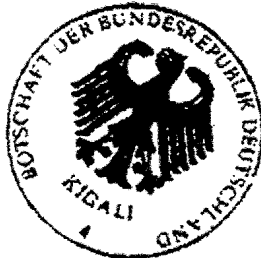
Pol 321.32 - No 82/95

L'Ambassade de la République fédérale d'Allemagne présente ses compliments au Ministère des Affaires étrangères et de la Coopération de la République Rwandaise et, se référant à sa note verbale no. 0528/03.03.1/CAB du 28 avril 1995, a l'honneur de lui communiquer que le gouvernement allemand vient de nommer le diplomate Karl Flittner comme membre de la commission d'Enquête sur les événements de Kibeho. Son Excellence l'Ambassadeur Karl Flittner va arriver lundi le matin pour prendre part à la réunion constitutive de ladite commission. Outre l'Ambassadeur Flittner, le gouvernement allemand va nommer un médecin légiste pour la commission, dont le nom sera communiqué ultérieurement.

L'Ambassade de la République fédérale d'Allemagne saisit cette occasion pour renouveler au Ministère des Affaires étrangères et de la Coopération de la République Rwandaise les assurances de sa haute considération.

Kigali, le 4 Mai 1995

Ministère des Affaires étrangères et  
de la Coopération de la  
République Rwandaise



KIGALI



c.p.i

Missions diplomatiques

- des Etats-Unis d'amerique
- de l'Angleterre
- de la Hollande
- de la France
- de la Belgique
- du Canada
- OAU

REPUBLIQUE RWANDAISE  
MINISTERE DES AFFAIRES ETRANGERES  
ET DE LA COOPERATION  
B.P. 179 KIGALI

N°053/103.00.1/CAB

File: Indepent Investigat  
Commission

cc: Mr. Conde, Mr. Golo  
SS, KS  
LA

Le Ministère des Affaires Etrangères et de la Coopération de la République Rwandaise présente ses compliments à la Mission des Nations Unies pour l'Assistance au Rwanda et a l'honneur de porter à sa connaissance que le Gouvernement de la République Rwandaise a créé une Commission d'Enquête sur les événements de KIBEHO dont la MINUAR fait partie.

Le Gouvernement de la République Rwandaise prie le Secrétariat Général de l'OUA de bien vouloir apporter une aide financière et logistique à cette Commission et d'en nommer un représentant.

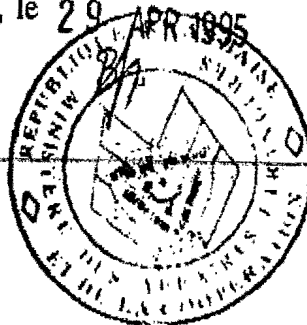
La Commission d'Enquête doit commencer ses travaux le 03 Mai 1995 et dispose d'un délai de deux semaines pour déposer son rapport.

La Commission d'Enquête qui comprend un représentant de chacun des pays suivants: les Etats-Unis d'Amérique, l'Angleterre, l'Allemagne, la Hollande, la France, la Belgique et le Canada, des représentants de l'OUA ainsi que ceux du Gouvernement rwandais, se choisira son bureau (Président, Vice-Président, Rapporteur) lors de sa première séance de travail.

Le Ministère des Affaires Etrangères et de la Coopération de la République Rwandaise remercie la Mission des Nations Unies pour l'Assistance au Rwanda de l'urgence qu'il voudra bien accorder à la présente et saisit cette occasion pour lui renouveler les assurances de sa haute considération.

Kigali, le 29 APR 1995

MISSION DES NATIONS UNIES  
POUR L'ASSISTANCE AU RWANDA  
KIGALI





URGENT

29 April 1995

To : See distribution list below.

Info : SRSG

From : Sammy Kum Buo,  
OIC/OSRSG

With regard to the work of the independent investigation commission on the Kibeho crisis, whose establishment was announced by the President of Rwanda on 27 April and of which the United Nations is a member, Mr. Lamine Condé, Senior Political Affairs Officer at UNAMIR, assisted by Ms. Kristen Scott, Political Affairs Officer, will coordinate the necessary local arrangements pertaining to the participation and/or contribution of the United Nations.

All questions, requests and inputs related thereto should be addressed to them.

UNREO  
UNDP  
UNICEF  
HR  
UNHCR  
WFP  
WHO  
FAO  
Latifa,  
Action  
Taken.  
Abdullah  
29/4/95  
World Bank  
ICAO

Distribution List:

FC - OIC/Admin. - DFC - COS - Spokesman - Chief of Protocol -  
Heads of UN Agencies in Rwanda -

final 10  
19/4

**- Independent Investigation Commission on Kibeho -**

**Members of the Commission:**

- Belgium
- Canada
- France
- Germany
- Netherlands
- OAU
- UK
- UN
- USA

**Terms of reference:**

- Why have the camps been closed?
- Were there enough consultations before the closure?
- Was the closure motivated by ethnic considerations?
- How was the closure implemented?
- How did the tragedy in Kibeho camp happen?
- How many people died?
- How many were killed by firearms, how many by machetes and how many by stampede?
- What was the conduct of RPA forces, UNAMIR forces and militia?



NOTE TO SRSG

Yesterday afternoon, 28 April, the Chief of Staff, the OIC-Administration, the Spokesman, the Senior Political Affairs Officer, the Political Affairs Officer and I met to consider possible UNAMIR support for the Independent Investigation Commission on Kibeho. From the outset, as you directed, I informed the participants that Mr. Condé will coordinate the necessary arrangements and will be assisted in this task by Ms. Kristen Scott. Two immediate procedural questions were posed:

1. Is Rwanda a member of the Commission and should it be?
2. Is UNAMIR part of the UN team and should it be?

The basis for these questions, everyone agreed, relates to the possible investigation of the respective roles of UNAMIR and the Government.

Another question raised, in particular, by the OIC-Administration, relates to the time frame. This question is critical in estimating the nature and volume of logistic support that could be provided by UNAMIR. All participants agreed in principle that the Government, having established the Commission, should assume responsibility for its operation. It was noted at the same time, however, that the Government lacks the necessary means with which to do so. Thus, UNAMIR should be prepared to provide assistance upon request.

For the Commission's effective operation, it was agreed that the following needs would arise: security, transportation, accommodation, clerical support and interpretation.

I expressed the view, with regard to needs, that UNAMIR should rule out any support related to accommodation, except in the case of UN participants. UNAMIR could, if approached, provide the following support: ground and air transportation, security, clerical/secretarial assistance, background information and English-French interpretation/translation.

The extent of UNAMIR's support would depend on need and availability of resources.

With regard to air support, the OIC-Administration stressed that the Government should ensure the unrestricted movement of the Commission by suspending its requirement of prior authorization for the movement of UNAMIR flights.

Everyone agreed that UNAMIR should only respond to specific requests for assistance and should not volunteer its support.

A Note Verbale from the Ministry of Foreign Affairs dated 28 April and received at UNAMIR today, 29 April, provides answers to two questions raised above, relating to time-frame and financing of the investigation: according to the Government, the commission's work would begin on 3 May and conclude within two weeks. The Government has requested Belgium, Canada, France, Germany, the Netherlands, the UK and the USA to provide financial support for the work of the commission. As a result, UNAMIR should be in a better position to plan its assistance which could be limited perhaps to air support and security if the requested aid is granted.

Sammy Kum Buo  
29 April 1995



UNAMIR - MINUAR

INTEROFFICE MEMORANDUM

28 April 1995

- NOTE TO : DFC  
OIC/Admin.  
Spokesman  
Chief of Protocol  
SPAO  
PAO

In connection with the imminent commencement by 3 May of the work of the Kibeho independent investigation commission of which UNAMIR is a member, and having in mind that UNAMIR is expected to provide logistical support for the commission, you are kindly invited to a meeting in the SRSG's conference room **today, 28 April, at 16.00**, to consider UNAMIR's possible assistance.

Sammy Kum Buo  
OIC/OSRSG



**OPERATION  
TURQUOISE**

File: Operation Turquoise  
Mr. Bmo

UNITED NATIONS  
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES  
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

Kigali, 5 July 1994

Dear General,

**SUBJECT: STATEMENT TO THE PRESS BY FRENCH  
LOCAL COMMANDER IN SOUTHWEST RWANDA**

1. The statement of yesterday, 4 July 1994, by the French-led coalition forces in south-west Rwanda regarding their deployment intentions and tasks has been strongly and totally denied by the overall Commander of the Force, Brigadier-General Lafourcade.
2. In a telephone discussion late yesterday afternoon, he denied the statements by his subordinate and re-emphasized his true mandate of total transparency to all sides in the conflict. His aim is to protect those people in danger and to assist in stabilizing the situation in order to bring back justice and to make possible the provision of humanitarian support to those in need.
3. The General published the attached press release explaining the fact that all armed forces are to be restrained in the proposed Humanitarian Protection Zone and that efforts to avoid at all costs any confrontation between any of the forces in play is still of prime importance to him.

Major-General Paul Kagame  
Chairman High Command  
Rwandese Patriotic Army



4. It is hoped that these personal interventions by the most senior commanders, and the rebuke by General Lafourcade of his subordinate commander, will reassure you of the true humanitarian protection orientation of the French-led coalition.

5. It is hoped also that even today, any comments and/or suggestions you may have in the implementation modalities of the Humanitarian Protection Zone as proposed by General Lafourcade in his note passed to you on 3 July 94, would be most appreciated by all concerned parties. UNAMIR, is most keen, with its limited resources, to participate in assisting the implementation of this humanitarian initiative in the south-west area of Rwanda and hopes that the declared intentions of all parties to avoid any altercation will be maintained and implemented down to the lowest levels on all sides.

Yours sincerely,



Roméo A. Dallaire  
Major-General  
Force Commander

From : UNAMIR GOMA ZAI

PHONE No. : 683 135 141

Jul.02 1994 5:03PM P01

TO: 40

From: Liaison Team GOMA

UNAMIR  
19 JUL -4 15 1041

**OPÉRATION TURQUOISE**  
**COMMUNIQUÉ DU GÉNÉRAL LAFOURCADE**

AFIN D'ÉVITER TOUT MALENTENDU SUR LE RÔLE DE LA MISSION QUE JE DIRIGE, JE TIENS À PRÉCISER CECI : DANS LE CADRE DE NOTRE MISSION HUMANITAIRE EN FAVEUR DES PERSONNES DÉPLACÉES, NOUS INTERDIRONS TOUTE EXACTION DANS LA ZONE PLACÉE SOUS NOTRE RESPONSABILITÉ ET Y REFUSERONS L'INTRUSION D'ÉLÉMENTS ARMÉS.

NOTRE NEUTRALITÉ VIS À VIS DES PARTIS EN PRÉSENCE EST LA RÈGLE APPLIQUÉE DEPUIS LE DÉBUT DE NOTRE INTERVENTION ET NOUS NOUS Y TIENDRONS.

LES NOMBREUSES PERSONNES À QUI NOUS APPORTONS PROTECTION ET ASSISTANCE PEUVENT EN TÉMOIGNER.

NOTRE RÔLE EST D'ASSURER LA SURVIE DE TOUS CEUX QUI ONT DÉJÀ BEAUCOUP ET SUFFISAMMENT SOUFFERT.

A GOMA, LE 4 JUILLET 1994.





LE SECRÉTAIRE GÉNÉRAL

Le 2 juillet 1994

Monsieur le Président,

Je vous prie de trouver ci-joint la lettre par laquelle le gouvernement français me fait part de son intention de créer dans le sud-ouest du Rwanda une zone de protection humanitaire conformément à la Résolution 929 du Conseil de sécurité.

Je vous serais obligé de bien vouloir porter cette lettre à la connaissance des membres du Conseil de sécurité.

Veuillez agréer, Monsieur le Président, les assurances de ma très haute considération.

A handwritten signature in dark ink, reading "Boutros Boutros-Ghali".

Boutros Boutros-Ghali

Son Excellence  
Monsieur Jamsheed K. A. Marker  
Président du Conseil de sécurité  
New York

*Mission Permanente de la France  
auprès des Nations Unies  
L'Ambassadeur Représentant Permanent*

*One Dag Hammarskjöld Plaza  
245 East 47th Street, 8th Floor  
New York, N.Y. 10017*

le 1er Juillet 1994

Monsieur le Secrétaire Général,

J'ai reçu instruction ce matin de vous faire part de la très vive préoccupation des autorités françaises devant la dégradation de la situation au Rwanda et les risques d'un nouveau drame humanitaire dans ce pays.

Au cours des derniers jours, les combats se sont intensifiés au-delà de la capitale et sont en train de s'étendre au sud dans la région de Butare, non loin de la frontière du Burundi, ainsi qu'à l'ouest semble-t-il, en direction de Kibuye. D'ores et déjà nos éléments, en place dans la région en application de la résolution 929 du Conseil de sécurité, ont effectué des reconnaissances à Butare. Ils ont constaté l'afflux de dizaines de milliers d'habitants fuyant les combats, qui s'ajoutent à plusieurs centaines de milliers de personnes déplacées dans cette partie du pays. La poursuite des combats est en passe de créer dans le sud-ouest du Rwanda une situation qui sera à très brève échéance totalement insupportable sur le plan humanitaire. Si aucune mesure n'est prise pour y remédier, toute cette partie du pays va être le théâtre de désordres considérables, avec des mouvements de centaines de milliers de personnes fuyant dans le plus grand désespoir, et des risques d'élimination physique des minorités sur place qui se sont déjà matérialisés au cours des mois d'avril et mai. Il est à craindre que toutes ces personnes cherchent à trouver refuge dans les pays avoisinants, notamment au Burundi, aggravant une situation dont la fragilité vous est bien connue.

La France considère qu'il est de sa responsabilité d'alerter la communauté internationale à travers vous-même, afin de l'informer de la situation qui exige, comme cela avait été demandé par les Nations Unies et l'OUA, un cessez-le-feu immédiat. L'arrêt des combats est en effet le seul moyen véritablement efficace pour stabiliser la situation humanitaire et ouvrir la voie à une reprise des discussions avec l'aide des pays de la région en vue d'un règlement politique, à partir des accords d'Arusha dont bien entendu doivent être exclus les responsables des massacres et notamment des actes de génocide.

Son Excellence  
Monsieur Boutros BOUTROS-GHALI  
Secrétaire Général de l'Organisation  
des Nations Unies  
Bureau S-3800

Si le cessez-le-feu ne pouvait être obtenu immédiatement, la France se trouverait confrontée au choix suivant :

- soit se retirer en dehors du territoire rwandais, en s'efforçant, ce qui serait extrêmement difficile et limité, de sauver par des actions ponctuelles, des vies humaines.
- soit en s'appuyant sur les résolutions 925 et 929, organiser une zone humanitaire sûre où les populations seraient à l'abri des combats et des conséquences dramatiques qui en découlent dans ce pays. Les forces franco-sénégalaises veilleraient, dans le cadre du mandat qui est le leur, à ce que ne s'exerce dans cette zone ou à partir de cette zone, aucune activité de nature à porter atteinte à la sécurité de ces populations. Cette zone devrait être centrée sur la région où les problèmes humanitaires sont les plus aigus, suffisamment vaste compte-tenu du nombre de personnes concernées et d'un seul tenant pour stabiliser les populations sur place et faciliter l'acheminement des secours humanitaires.

Sur la base des informations en notre possession, cette zone devrait comprendre les districts de Cyangugu, Gikongoro et la moitié sud de celui de Kibuye, incluant l'axe Kibuye-Gitarama jusqu'au col de N'Daba compris.

La France estime que, sur la base des résolutions 925 et 929, elle est autorisée à organiser cette zone humanitaire sûre. Elle souhaiterait néanmoins que, par votre intermédiaire, l'Organisation des Nations Unies exprime son appui à la création d'une telle zone.

Je me permets d'attirer à nouveau votre attention sur l'urgence de la situation et de souligner qu'à défaut de pouvoir organiser une zone humanitaire sûre avec le soutien de la communauté internationale, la France n'aurait d'autre choix que celui de se retirer très rapidement du territoire rwandais.

Je ne verrais que des avantages à ce que cette lettre soit diffusée aux membres du Conseil de sécurité.

Je vous prie de croire, Monsieur le Secrétaire Général, en l'expression de ma haute considération.

Jean-Bernard MERINÉE

Ax

**OPERATION TURQUOISE  
COMFORCE**GOMA, le 2 juillet 1994  
N° 42 /PCIAT/COMFORCE**OBJET** : Propositions pour améliorer la situation au RWANDA Ouest

Mandatées par l'ONU, dans le cadre de la résolution 929, les autorités françaises vont faire des propositions à l'ONU pour améliorer la situation. Ces propositions pourraient être les suivantes :

**1 - Création d'une zone de protection humanitaire :**

Les limites de la zone proposée sont en annexe. Il s'agit de régions où sont réfugiées de nombreuses populations, notamment dans la zone de GIKONGORO.

**2 - Concernant le jugement des coupables d'exaction et de massacre subsistant dans la zone :**

Nous pouvons demander que les dispositions soient prises par l'ONU pour que les coupables soient jugés.

**3 - Concernant l'activité des FAR :**

Nous n'avons pour l'instant aucun mandat ONU contre les FAR. Nous sommes d'accord sur le principe qu'ils ne devraient pas agir dans la zone qui est une zone humanitaire. Nous pouvons demander à l'ONU de prendre en compte cette question.

**4 - Concernant la mise au point de propositions raisonnables :**

Nous pourrions coordonner notre travail par l'intermédiaire de la MINUAR (Général DALLAIRE).

**5 - Concernant l'exécution sur le terrain des nouvelles dispositions :**

Pour éviter les confrontations ou les agressions, il faudrait mettre en place des détachements de liaison et de coordination qui pourraient être fournis par la MINUAR.

Nous confirmons que notre objectif s'inscrit bien dans le cadre du mandat humanitaire que nous a donné l'ONU. Il a pour but d'assurer la protection des populations en attendant de pouvoir transmettre, le plus tôt possible, la responsabilité de cette mission à la MINUAR, puis de quitter la zone dès que la MINUAR sera en place.

Général LAFOURCADE

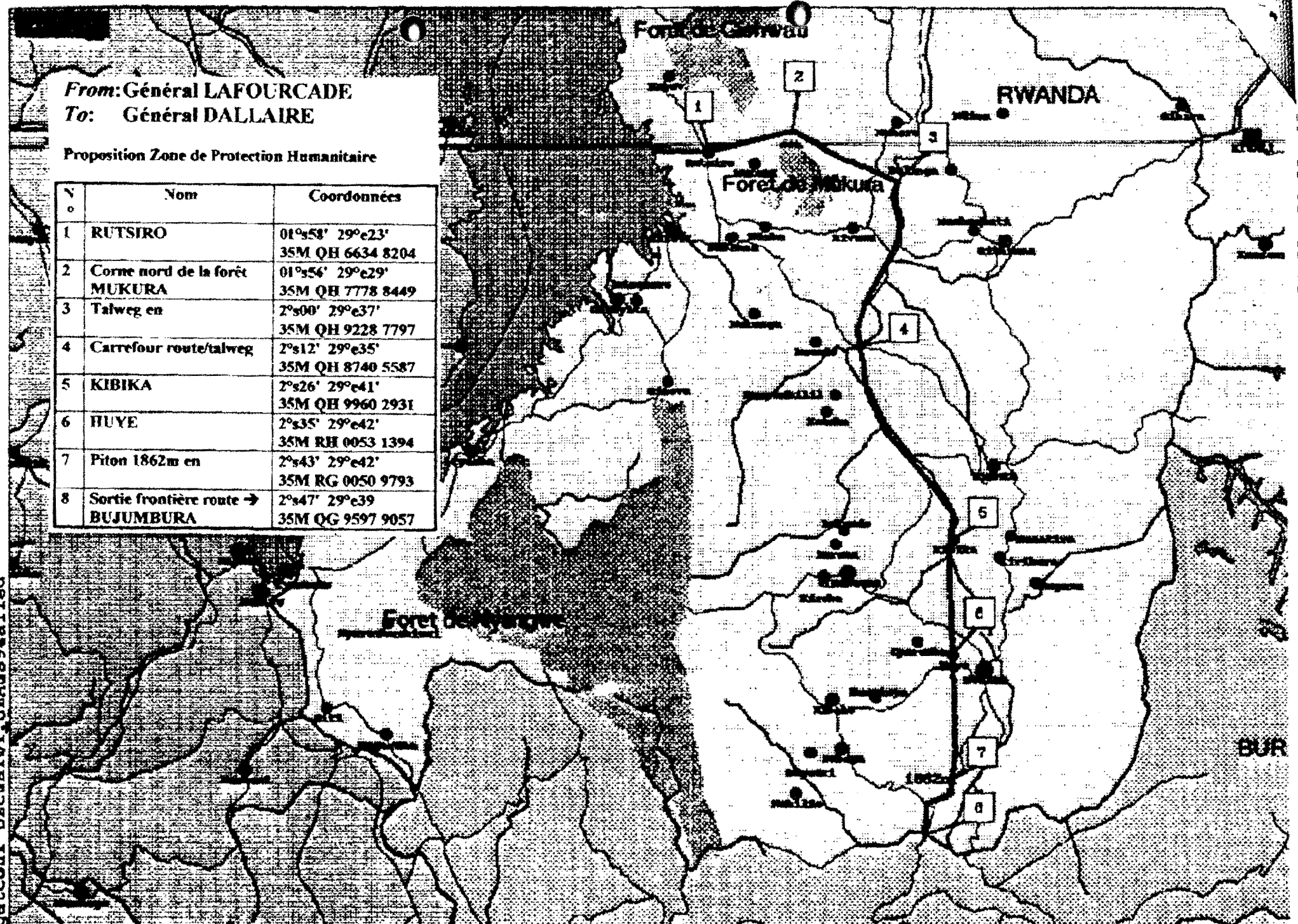
194 JUL -2 17 57  
UNAMIR

From: Général LAFOURCADE  
To: Général DALLAIRE

Proposition Zone de Protection Humanitaire

N°	Nom	Coordonnées
1	RUTSIRO	01°s58' 29°e23' 35M QH 6634 8204
2	Corne nord de la forêt MUKURA	01°s54' 29°e29' 35M QH 7778 8449
3	Talweg en	2°s00' 29°e37' 35M QH 9228 7797
4	Carrefour route/talweg	2°s12' 29°e35' 35M QH 8740 5587
5	KIBIKA	2°s26' 29°e41' 35M QH 9960 2931
6	HUYE	2°s35' 29°e42' 35M RH 0053 1394
7	Piton 1862m en	2°s43' 29°e42' 35M RG 0050 9793
8	Sortie frontière route → BUJUMBURA	2°s47' 29°e39' 35M QG 9597 9057

setcon SECURITEY:02A38994ailed



*Not official translation*

KIGALI, 10 JULY 1994

TO THE ATTENTION OF GENERAL LAFOURCADE  
COMMANDER OF OPERATION TURQUOISE  
GOMA, REPUBLIC OF ZAIRE

WE HAVE TAKEN NOTE OF YOUR MESSAGE DATED 9 JULY.

LIKE YOU, WE ARE GLAD THAT THERE HAVE BEEN NO INCIDENTS  
BETWEEN OUR FORCES AND HOPE THAT THE INSTALLATION OF A LIAISON  
OFFICER EQUIPPED WITH COMMUNICATIONS MEANS WILL REINFORCE THIS  
CLIMATE.

WITH REGARD TO THE CONTENTS OF YOUR MESSAGE, WE THINK  
THEY JUSTIFY OUR POSITIONS, EXPRESSED ON NUMEROUS OCCASIONS,  
TO THE EFFECT THAT OPERATION TURQUOISE HAD A POLITICAL AIM  
UNDER THE COVER OF A HUMANITARIAN OPERATION.

INDEED, DURING OUR PRESS CONFERENCE IN KIGALI ON 5 JULY,  
THE RPF ANNOUNCED ITS INTENTION TO DECLARE A UNILATERAL CEASE-  
FIRE WHICH WOULD NOT ESTABLISH THE IMPUNITY OF THE AUTHORS OF  
THE GENOCIDE AND OTHER ABOMINABLE CRIMES AGAINST HUMANITY.  
THE AIM OF THIS CEASE-FIRE WOULD NOT BE EITHER TO OFFER THOSE  
CRIMINALS A SPRINGBOARD TO POWER, AS SEEM TO SUGGEST ALL THOSE  
WHO STRIVE FOR THE NEED FOR A POLITICAL AGREEMENT WITH THEM.

THE FIGHTING WOULD CONTINUE ONLY IF THE FORMER  
GOVERNMENTAL FORCES OR ANY ONE ELSE REJECTED THE OFFER OF A  
CEASE-FIRE AND, IN ANY CASE, THE FIGHTING WOULD NOT AIM AT  
UNARMED CIVILIANS. IF THE LATTER, MISLEAD BY THE PROPAGANDA  
FROM EXTREMISTS CIRCLES, WOULD YIELD TO PANIC AND HAVE TO TAKE  
REFUGE, THEY WOULD GO TO THE PROPOSED HUMANITARIAN PROTECTION  
ZONE OR TO SOME NEIGHBOURING COUNTRY. IN EITHER CASE AND  
BEARING IN MIND WHAT HAS BEEN STATED ABOVE, WE DO NOT SEE WHY  
THE RPF SHOULD BE MADE TO BEAR THE RESPONSIBILITY FOR THE  
INFLOW OF REFUGEES WHICH IT DID NOT BRING ABOUT.



KIGALI, LE 10 JUILLET 1994

A L'ATTENTION DU GENERAL LAFOURCADE  
COMMANDANT DE L'OPERATION TURQUOISE  
GOMA, REPUBLIQUE DU ZAIRE

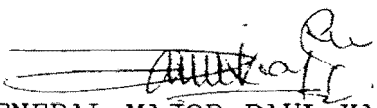
VOTRE MESSAGE DU 9 COURANT A RETENU TOUTE MON ATTENTION.

COMME VOUS, JE CONTINUE A ME REJOUIR QU'IL N'Y AIT PAS EU D'INCIDENTS ENTRE NOS FORCES ET J'ESPERE QUE L'INSTALLATION D'UN OFFICIER DE LIAISON EQUIPE DE MOYENS DE COMMUNICATION NE POURRA QUE RENFORCER CE CLIMAT.

S'AGISSANT DU CONTENU PROPREMENT DIT DE VOTRE MESSAGE, IL JUSTIFIE, A NOS YEUX, LES POSITIONS QUE NOUS AVIONS EXPRIMEES A MAINTES REPRISES SELON LESQUELLES L'OPERATION TURQUOISE AVAIT DES VISEES POLITIQUES SOUS LE COUVERT D'UNE OPERATION HUMANITAIRE.

EN EFFET, LORS DE NOTRE CONFERENCE DE PRESSE TENUE A KIGALI LE 5 COURANT, LE FPR A EXPRIME SON INTENTION DE DECLARER UN CESSEZ-LE-FEU UNILATERAL QUI NE CONSACRE PAS L'IMPUNITE DES AUTEURS DU GENOCIDE ET AUTRES ABOMINABLES CRIMES CONTRE L'HUMANITE. L'OBJECTIF DE CE CESSEZ-LE-FEU NE SERAIT PAS NON PLUS D'OFFRIR A CES CRIMINELS UN TREMLIN POUR LE POUVOIR, COMME SEMBLANT LE PROPOSER TOUS CEUX QUI PRONENT LA NECESSITE D'UN ACCORD POLITIQUE AVEC EUX.

LES COMBATS NE CONTINUERAIENT QUE SI LES ANCIENNES FORCES GOUVERNEMENTALES OU N'IMPORTE QUI D'AUTRE REJETTAIENT L'OFFRE DE CESSEZ-LE-FEU ET, EN TOUT ETAT DE CAUSE, CEUX-CI NE VISERAIENT PAS LES CIVILS NON ARMES. SI CES DERNIERS, ABUSES PAR LA PROPAGANDE DES MILIEUX EXTREMISTES, CEDAIENT A LA PANIQUE ET DEVAIENT SE REFUGIER, ILS IRAIENT DANS LA ZONE HUMANITAIRE DE SECURITE PROPOSEE OU DANS L'UN OU L'AUTRE DES PAYS VOISINS. DANS L'UN OU L'AUTRE CAS ET COMPTE TENU DE QUI VIENT D'ETRE EXPLIQUE, NOUS NE VOYONS PAS POURQUOI ON DEVRAIT FAIRE PORTER AU FPR LA RESPONSABILITE DE CE FLUX DE REFUGIES DONT IL N'EST PAS LA CAUSE.

  
SIGNE GENERAL MAJOR PAUL KAGAME

*Not official translation*

9 JULY 1994

TO THE PERSONAL ATTENTION OF GENERAL KAGAME

TEXT OF THE MESSAGE

SITUATION REPORT OF THE COMMANDER OF OPERATION TURQUOISE

I CONFIRM THE NEUTRALITY OF OPERATION TURQUOISE AND APPRECIATE THE CO-OPERATION THAT HAS BEEN INSTALLED IN KIGALI TO AVOID MISUNDERSTANDINGS AND CONFRONTATIONS AT THE BOUNDARIES OF THE HUMANITARIAN PROTECTION ZONE.

I SHOULD LIKE TO SHARE WITH YOU MY WORRIES CONCERNING THE NORTH-WEST ZONE. IF A CEASE-FIRE IS NOT ESTABLISHED SOON AND IF RPF CONTINUES ITS PROGRESSION WEST TOWARDS GISENYI, THERE IS A RISK FOR A VERY SERIOUS DESTABILISATION IN THE REGION DUE TO THE IMPORTANT INFLOW OF REFUGEES. THOSE REFUGEES COULD GO TO ZAIRE AND THE RPF COULD HAVE DIFFICULTIES WITH THAT COUNTRY.

BESIDES, IT WOULD THEN BE DIFFICULT TO REACH A POLITICAL AGREEMENT BETWEEN THE TWO PARTIES AND THE FUTURE OF RWANDA WOULD BE COMPROMISED WITH THE UNFORESEEABLE REACTIONS OF THE POPULATION IN THE HUMANITARIAN PROTECTION ZONE.

IF WE WANT TO MOVE THE DISPLACED POPULATION SOON TO THE EASTERN ZONE, IN LIAISON WITH UNAMIR, A CEASE-FIRE SHOULD BE PUT IN PLACE AS SOON AS POSSIBLE.

SIGNED GENERAL LAFOURCADE.

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\* Action operateur : Impression du message REC.5 \*  
\* Date : 09/07/94 Heure : 10:31:29 \*  
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Le 09/07/1994 10h00 TU

A L'ATTENTION PERSONNELLE DU GENERAL KAGAME

TEXTE DU MESSAGE

POINT DE SITUATION DU GENERAL COMMANDANT L'OPERATION TURQUOISE

JE CONFIRME LA NEUTRALITE DE L'OPERATION TURQUOISE ET J'APPRECIE LA COORDINATION MISE EN PLACE AVEC KIGALI POUR EVITER LES MEPRISES ET AFFRONTEMENTS AUX LIMITES DE LA ZONE DE SECURITE HUMANITAIRE SURE.

JE VOUDRAIS FAIRE PART DE MES INQUIETUDES DANS LA ZONE NORD OUEST. SI UN CESSEZ LE FEU N'EST PAS INSTAURE RAPIDEMENT ET SI LE FPR POURSUIT SA PROGRESSION VERS L OUEST, EN DIRECTION DE GISENYI. UNE DESTABILISATION TRES GRAVE DE LA REGION, COMPTE TENU DU FLUX IMPORTANT DE REFUGIES, RISQUE DE SE PRODUIRE. CES REFUGIES POURRAIENT PASSER AU ZAIRE, ET LE FPR RENCONTRER DES DIFFICULTES AVEC CE PAYS.

PAR AILLEURS, IL SERA ALORS DIFFICILE DE TROUVER UN ACCORD POLITIQUE ENTRE LES DEUX PARTIS ET L'AVENIR DU RWANDA POURRAIT ETRE COMPROMIS AVEC DES REACTION IMPREVISIBLES DE LA POPULATION QUI SE TROUVE DANS LA ZONE HUMANITAIRE SURE.

SI NOUS VOULONS RAPIDEMENT RAMENER LES POPULATIONS DEPLACEES DANS LA ZONE EST, EN LIAISON AVEC LA MINUAR, IL FAUT INSTAURER UN CESSEZ-LE-FEU LE PLUS VITE POSSIBLE.

SIGNE GENERAL LAFOURCADE.

*File: Operation Turquoise*  
*COPY → Mr. Buro*  
**UNITED NATIONS**  
ASSISTANCE MISSION FOR RWANDA



**NATIONS UNIES**  
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

Kigali, 4 July 1994

Dear General,

Please find attached a copy of a letter from General Lafourcade, Force Commander of Operation Turquoise, describing a clash that took place between your forces on 3 July 1994 in the region of BUTARE. While there are several possible explanations for this action I would like to point out that the French-led coalition had RPF approval and that the operation's pertinent details had been communicated to you in advance. Such clashes could have catastrophic consequences for Rwanda. I am sure you realize how close this action came to unleashing those consequences.

In the interests of peace, I must ask you to ensure that assurances of cooperation given in the future are communicated to the lowest level so that such risky encounters are avoided. It would be a great pity if an uninformed subordinate were allowed to bring about a major clash that his superiors had struggled to avoid.

I trust that I may, as always, count on your good sense to find a means to continue our efforts to bring peace to the people of Rwanda.

Yours sincerely,

Roméo A. Dallaire  
Major-General  
Force Commander

Major-General Paul Kagame  
Chairman High Command  
Rwandese Patriotic Army

copy: Brigadier-General Lafourcade  
Commander "Operation Turquoise"

FC

From : UNAMIR GOMA ZAI

PHONE No. : 683 135 141

Jul.02 1994 10:47AM P01

From : COMFONCE TUNQVOISE

To : 6<sup>e</sup> DALLATRE /

UNAMIR

194 JUL -4

08:46

Le 4 Juillet 1994

Objet : Accrochage avec le FPA du 3 Juillet.

Au cours de l'évacuation des réfugiés de BUTANE, un accrochage a eu lieu avec le FPA sur l'axe BUTANE GITHORONGE à 5 km à l'est de BUTANE.

A cet endroit, un élément d'un contingent d'hommes du FPA contrôlait la route. Ils ont laissé passer le convoi, mais 150 mètres plus loin, la colonne a été prise à partie par des tireurs embusqués dans les collines à une distance de 200 m de la route. (Tirs d'armes légères et de mitrailleuses). Il y a eu plusieurs impacts sur les véhicules, mais causant pas de blessés.

Le détachement TUNQVOISE, en légitime défense, a riposté et poursuivi rapidement sa route.

Général LAFORNACROE

II

File: Military  
2) ~~1st~~ Operation Turquoise

UNITED NATIONS  
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES  
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

28.6.94PM

**VISIT OF MGEN DALLAIRE TO GOMA, NAIROBI AND KABALE**

DATE OF VISIT: TUES 28 JUN - FRI 1 JUL 94

RESPONSIBLE: A/MA

**PROGRAMME**

DATE	TIME (LOCAL)	ACTIVITY	REMARKS
28 JUN	1330	FC DEPARTS KIGALI FOR MIRAMA BY ROAD.	MR BUO, AM/ , ADC AND 4 MEMBERS OF THE PRESS TO ACCOMPANY, WITH ESCORT.
28 JUN	1630	FC DEPARTS MIRAMA BY HELICOPTER TO ENTEBBE AND C-130 TO NAIROBI.	COO TO COORD HELICOPTER REQUEST TO ENTEBBE. OIC TO MEET. GROUND TPT REQUIRED TO SAFARI CLUB FOR FC AND PARTY OF 8. PRESS TO BOOK THEIR OWN RESERVATIONS.
29 JUN	0600	MILOBS LIAISON PARTY DEPARTS KIGALI FOR ENTEBBE BY ROAD.	4 X MILOBS WITH 2 X VEH, 1 INMARSAT(M), RATS, WATER FOR 1 WEEK. (1) (4)
29 JUN	0800	FC MEET WITH UNAMIR AND UNREO STAFF, PRESENT UNAMIR MEDALS TO MILOBS.	OIC TO COORD AGENDA, CMO TO ARRANGE PARADE DETAILS. OIC REQUESTED TO PROVIDE GROUND TRANSPORTATION FOR FC AND PARTY OF 8.
30 JUN	0800	FC, DIR UNREO, MR BUO, MR PETRIE, MS LEMIEUX, AMA, ADC AND PRESS TEAM OF 4, DEPART NAIROBI FOR GOMA VIA ENTEBBE.	PICK UP LIAISON PARTY AT 0900 IN ENTEBBE; INCLUDES 2 X TOTOTA 4 X 4S AND FOUR PAX.
30 JUN	1000	ARRIVE GOMA, LIAISE WITH COMD OP TURQUOISE	

30 JUN	1500	DEPARTURE FOR ENTEBBE.	LIAISON PARTY TO REMAIN IN GOMA. FC, UNAMIR STAFF AND PRESS TO DEPLANE IN ENTEBBE. DIR UNREO TO CONTINUE ON TO NAIROBI.
30 JUN	1700	ARRIVE ENTEBBE, INSPECT MOVCON AND LN FACILITIES	ACCOMODATION BOOKED AT SHERATON, GROUND TPT PROVIDED BY MOVCON.
1 JUL	0900	DEPART ENTEBBE FOR KABALE.	COO TO ARRANGE HELICOPTER TPT FOR FC AND 8 PAX.
1 JUL	1100	UNOMUR MEDALS PARADE. VISIT UNOMUR.	COL ASRAR TO COORD.
1 JUL	1400	DEPART KABALE BY HELICOPTER TO MIRAMA HILLS.	COO TO COORD HEL REQUEST. FC ESCORT TO BE STANDING BY AT MIRAMA FROM 1400 HRS. COO TO COORD CLEARANCE AND BORDER CROSSING.

**NOTES:**

1. MILOBS LIAISON TEAM IS TO REMAIN WITH FRENCH FORCES.
2. TIMINGS SUBJECT TO CONFIRMATION WITH COMD OF FRENCH FORCES.
3. VISAS NOT REQUIRED FOR ZAIRE.
4. INSURANCE FOR LIAISON GROUP TO BE ARRANGED BY OIC FOR BOTH UGANDA AND ZAIRE.

**DISTRIBUTION:**

FC, DFC, EX DIR, MR BUO, COO, CMO, CPLANS, CMPO, MIL SPOKESMAN, DCMO UNOMUR (KABALE), OIC (NAIROBI), OIC (KIGALI), MOVCON (KIGALI), MOVCON (ENTEBBE), AIROPS, AMA, ADC, ALCE DET NAIROBI, CAMP COMDT.



OPERATION  
RONDAVAL