

MIR

G3 OPERATIONS/PLANS
RULES OF ENGAGEMENT

13 MAY - 26 SEPT 1994

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The Permanent Mission of Canada
to the United Nations, New York

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auprès des Nations Unies, New York

File No:>21-14-6 UNAMIR

Destruction Date:>6 JUN 96

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SECURITY/SÉCURITÉ:>UNCLASSIFIED

DATE:>6 JUN 94

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FOLLOWING PAGES/PAGES SUIVANTES:>2

ADDRESSEES/DESTINAIRES:>EXTOTT/IDS/LCOL BENTLEY
FAX NO/BÉLINO:>

INFO:>NDHQOTT/DIPOL/LCOL CLARK

DIST:>

SUBJ:>UNAMIR RULES OF ENGAGEMENT

REMARKS/REMARQUES:>FURTHER TO OUR DISCUSSIONS OF THIS MORNING, ATTACHED
FOR YOUR INFORMATION ARE THE TALKING POINTS ON THE UNAMIR RULES OF
ENGAGEMENT WHICH WERE PREPARED FOR THE PERMREP'S MEETING WITH USG ANNAN
THIS PM, 6 JUN. COPY WILL BE LEFT WITH USG ANNAN.

S. JEFFREY MAJ DMILAD
DRAFTER/RÉDACTEUR

L.T.B. MINTZ COL MVLAD
APPROVED/APPROUVÉ

CIRC TO/À: 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 DIARY JOURNAL

UNAMIR RULES OF ENGAGEMENT

RESLN ESTABLISHING UNAMIR AND THE RULES OF ENGAGEMENT

- THE CURRENT UNAMIR RULES OF ENGAGEMENT WERE ISSUED 19 NOV 93
- THE TASKS WHICH THEY UNDERPIN ARE THOSE LAID OUT IN UNSC RESLN 872(1993) OF 5 OCT 93

RESLN 918 AND ADDITIONAL TASKS ASSIGNED TO UNAMIR

- THE MOST RECENT UNSC RESLN ON UNAMIR IS UNSC RESLN 918(1994) OF 17 MAY 94. THIS RESLN ASSIGNS ADDITIONAL TASKS UNDER UNAMIR'S MANDATE. THESE ADDITIONAL TASKS WERE ALSO DESCRIBED IN THE SG'S RECENT REPORT S/1994/640 OF 31 MAY 94

- THESE ADDITIONAL TASKS ARE;

A) 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; AND

B) TO PROVIDE SECURITY AND SUPPORT FOR THE DISTRIBUTION OF RELIEF SUPPLIES AND HUMANITARIAN RELIEF OPERATIONS.

- UNSC RESLN 918 ALSO RECOGNIZED THAT UNAMIR MAY BE REQUIRED TO TAKE ACTION IN SELF DEFENCE AGAINST PERSONS OR GROUPS WHO THREATEN PROTECTED SITES AND POPULATIONS, UN AND OTHER HUMANITARIAN PERSONNEL OR THE MEANS OF DELIVERY AND DISTRIBUTION OF HUMANITARIAN RELIEF

CANADA'S CONCERN

- THAT INCIDENTS AS OCCURRED FOLLOWING THE EXPLOSION OF ETHNICALLY MOTIVATED KILLINGS WHERE DISPLACED PERSONS, REFUGEES AND OTHER CIVILIANS SEEKING UN PROTECTION WERE DRAGGED FROM UN ESCORTED CONVOYS AND KILLED IN FULL VIEW OF PEACEKEEPERS ARE NOT ALLOWED TO HAPPEN AGAIN

- IT MUST BE CLEAR TO THE FORCE WHAT ACTION WILL BE TAKEN IN SELF DEFENCE, IF REQUIRED, IN CARRYING OUT ITS TASKS, IN PARTICULAR, THOSE ADDITIONAL TASKS MANDATED UNDER RESLN 918

AIM OF CANADIAN SUGGESTIONS

-THAT THERE BE NO AMBIGUITY ON THE USE OF FORCE UNDER UNAMIR'S MANDATE

-THAT CLEAR AND UNEQUIVOCAL GUIDANCE BE SENT TO THE FORCE AND ITS PERSONNEL ON THE USE OF FORCE THROUGH THE RULES OF ENGAGEMENT

SUGGESTION

-THE PREAMBULAR PARAGRAPH TWO IN THE CURRENT ROE BE UPDATED TO TAKE INTO ACCOUNT THE EXPANSION OF UNAMIR'S MANDATE UNDER RESLN 918

-SUCH AN UPDATE OF THE ROE WOULD REFER TO UNSC RESLN 918 AS IT IS THE UNDERPINNING FOR THE ROE AND WOULD INCORPORATE THE WORDING OF OPERATIVE PARAGRAPHS 3 AND 4 OF 918.

-THERE IS SIMILAR WORDING IN THE SG'S REPORT OF 31 MAY WHICH ALSO DESCRIBES THE ADDITIONAL TASKS ASSIGNED UNAMIR BY 918 WHICH MAY BE USEFUL IN UPDATING THE PREAMBULAR PARAGRAPH TWO

CONCLUSION

- THE SG'S REPORT OF 31 MAY CLEARLY INDICATES IN PARAGRAPH 22 THAT THE RWANDIAN AUTHORITIES CONCERNED (THAT IS PRESUMABLY OF EITHER PARTY) ARE RESPONSIBLE FOR THE SAFETY OF CIVILIAN GROUPS UNDER MONITORING BY UNAMIR. HOWEVER, UNAMIR WOULD BE PREPARED TO TAKE THE NECESSARY MEASURES SHOULD THIS RESPONSIBILITY BE VIOLATED.

-AN UPDATE OF THE ROE AS SUGGESTED WOULD CLARIFY FOR UNAMIR PERSONNEL MORE PRECISELY WHAT THIS MAY MEAN IN TERMS OF USE OF FORCE. WE BELIEVE SUCH AN UPDATE WILL PROVIDE THE CLEAR GUIDANCE ESSENTIAL FOR THE SUCCESSFUL EXECUTION OF UNAMIR'S MANDATE AND FOR THE MAINTENANCE OF THE FORCE'S IMPARTIALITY BY CLEAR AND UNAMBIGUOUS APPLICATION OF FORCE IN SELF DEFENCE SHOULD THIS BE REQUIRED.

Pearson Building

UNCLASSIFIED

May 26, 1994

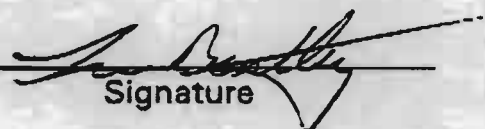
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From/De: LCol L.W. Bentley
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Number of pages including this page/Nombre de pages avec cette feuille: ~~4~~ ⁵ including
UNDOF paper and PKO presentation Paper.

COMMENTS/COMMENTAIRES:

Re: UNAMIR - SECGEN'S REPORT AND RULES OF ENGAGEMENT

Ref: PRMNY FAXES WKGR 1601 02 JUNE, UNNUMBERED FAX 03 JUNE,
OURTEL 1073 18MAY

1. We have reviewed the documents at ref, and have the following initial reaction which we wish to convey to you for consideration pending the return of DM/DND and DCDS from the Mission to Rwanda.

2. The concerns expressed in our reftel regarding the terms of the modified mandate for UNAMIR have not been adequately addressed in the Secgen's Report. In particular, the relationship between the tasks assigned to UNAMIR under the new mandate and the authority of the Force Commander to effect their

implementation remain to be clarified. In addition, we have found a potential for ambiguity in the wording of the first sentence of para 23 of the Report which refers to the "immediate" initiation of phase 2 of the deployment. We will require an indication of the time-frame envisaged by the Secretariat in the use of this formulation.

3. With respect to the ROE's, and with reference to the above concerns, we have the following observations regarding the question of mandate clarity and the related assignment of appropriate authority and responsibility to the Force Commander to effect the tasks assigned UNAMIR. Given the unlikelihood of any follow-up Security Council Resolution to resolve this question, and assuming Security Council endorsement of the Report, the most likely way in which our concerns in this regard would be met would be through modification of the ROE's to bring them into alignment with the modified UNAMIR mandate. An essential amendment to the ROE's is the following:

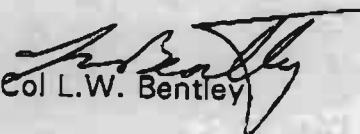
- a) preambular para 02 must identify S.C. Resolution 918 as the underpinning to the ROE's, and incorporate those parts of the text of paras 03 and 04 of the Resolution which identify the mandate for UNAMIR, and the circumstances in which action in self-defence may be required. A suggested wording *is to be added to the existing reference to, and quotation from, the October SC resolution, IS:*
- Security Council Resolution 918 of 16 May, 1994, ~~defined~~ *expanded* the mandate to enable UNAMIR to contribute to the protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance, where feasible, of secure humanitarian areas, and to provide security and support for the distribution of relief supplies and humanitarian relief operations. The mandate also recognized "that UNAMIR ~~may~~ be required to take action in self-defence against persons or groups who threaten protected areas and populations, U.N. and other humanitarian personnel or the means of delivery and distribution of humanitarian relief."

Further improvements which we see as desirable would be:

- b) the definition of self-defence, as this appears at para 07,b) should be made consistent with that of a revised para 02;
- c) sub para (8) of para 13,b) (Armed Force), should be re-numbered as sub-para(02)

4. In our view, it would be useful to hold a further TCN meeting to consider the consequences arising from the deployment of an enlarged UNAMIR in the near future, in view of the altered sequence for this envisaged in the Secgen's Report.

5. Do you have any further comments?


LCol L.W. Bentley

C O S I C S - F O R M A L M E S S A G E

Date posted: 07-Jun-1994 12:34 DST
 From: Major Stuart Jeffrey PRMNY - JEFFRSC
 Dept: PRMNY WKGR
 Tel No: 1-212-751-5600

Action: EXTOTT IDS (EXTOTT_IDS AT A1 AT COTTOB)

Number: C-PRMNY-WKGR-0720

Subject: UNAMIR RULES OF ENGAGEMENT
 Reference: WKGR 6012 6 JUN 94/WKGR 6007 3 JUN 94

1. UN MILAD, MGEN BARIL, SPOKE WITH DMILAD PRMNY THIS MORNING TO ADVISE THAT UNHQ DPKO HAD CONSIDERED CDN POSITION ON UNAMIR RULES OF ENGAGEMENT (ROE) CONVEYED TO USG ANNAN BY PERMREP IN MEETING ON 6 JUN, PRMNY WKGR 6012 6 JUN REFERS.

2 UN MILAD STATED THAT UN DID NOT FORESEE ANY DIFFICULTIES IN MEETING CDN CONCERNS AND ADVISED THAT PREAMBULAR PARA 2 OF CURRENT ROE (FAXED TO IDS AND DIPOL UNDER WKGR 6007 3 JUN 94) WOULD BE UPDATED TO REFLECT UNSC 918. ROE FOR EXPANDED UNAMIR WILL BE ANCHORED IN UNSC RESLN 918 AND UPDATED UNAMIR TO REFER TO RESLN 918 AND THE ADDITIONAL TASKS MANDATED BY THAT RESLN. UN WOULD ALSO TAKE ACCOUNT OF ANY FURTHER DEVELOPMENTS WITH REGARD TO UNSC ACTION ON LATEST SG REPORT ON UNAMIR, S/1994/640 31 MAY 94.

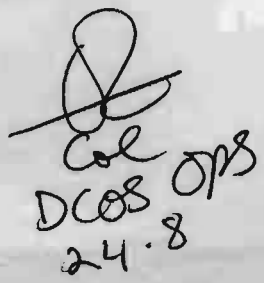
3. BARIL ADVISED THAT UNAMIR HAD BEEN ISSUING SUPPLEMENTS TO THE ROE FIRST ISSUED IN NOV 93. SUPPLEMENT ON PROTECTION OF UN INSTALLATIONS WAS INCLUDED WITH WKGR 6007. THERE WAS ALSO A SUPPLEMENT ISSUED ON CONVOY PROTECTION FOR CONVOYS CONDUCTED ON EXCHANGE OF DISPLACED PERSONS. UN MILAD UNDERTOOK TO PROVIDE COPY OF THIS SUPPLEMENT.

4. UN MILAD ADVISED THAT THERE WOULD BE A COMPLETE REVIEW OF UNAMIR ROE FOR THE EXPANDED UNAMIR WHICH WOULD TAKE INTO ACCOUNT SUPPLEMENTS ISSUED TO CURRENT ROE AND THE TASKS ADDED TO UNAMIR'S MANDATE SINCE UNSC RESLN 872 OF 5 OCT 93.

Info:	Remote Adr/Dest. d'un autre sys.	(NDHQOTT/DIPOL AT C
Info:	EXTOTT IDD	(EXTOTT IDD AT A1 A
Info:	Louise Fréchette Amb PRMNY - WKGR	(FRECHLC)
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Info:	Major Stuart Jeffrey PRMNY - WKGR	(JEFFRSC)

Program code: DR (Defence Relations)

Approvals: JEFFREY FOR MALONE
 Consultations:

2G3 Plans
 1. Att: ROE Discussions
 2. SG Report
 3. Cdn ROE card.

 Col DCOS OPS
 24.8

The Permanent Mission of Canada
to the United Nations, New York

La Mission Permanente du Canada
auprès des Nations Unies, New York

File No:>21-14-6 UNAMIR

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SECURITY/SÉCURITÉ:>UNCLASSIFIED

DATE:>3 JUN 94

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NDHQOTT/DIPOL/LCOL CLARK

FAX NO/BÉLINO:>

INFO:>

REFERENCE:>A. WKGR 5741 1 DEC 93 (NOTAL)

B. UN PKO TRAINING GUIDELINES SECOND DRAFT

SUBJ:>UNAMIR RULES OF ENGAGEMENT

REMARKS/REMARQUES:>1. REF A FORWARDED TO DIPOL 3 IS COPY OF UNIFIL SOPS ON USE OF FORCE AND OPERATIONAL ACTIVITIES. THIS STANDARD SOP ON USE OF FORCE USED BY UN TO ASSIST FORCE COMES IN DEVELOPING RULES OF ENGAGEMENT (ROE) FOR EACH SPECIFIC PKO FORCE. REF B (COPIES HELD BY NDHQ J3 OPS (PK)) ARE UN TRAINING GUIDELINES. PART FIVE, SECTION 7 DISCUSSIONS GENERAL INFORMATION ON USE OF FORCE.

2. ATTACHED ARE THE UNAMIR ROE, OPERATIONAL DIRECTIVE NO.02. ALSO ATTACHED IS COMPLIMENTARY ATTACHMENT ON UNAMIR INSTALLATIONS-ROE.

3. CURRENT UN POLICY IS NOT TO PUBLICLY CIRCULATE SPECIFIC PKO ROE. IN LIGHT OF MANY REQUESTS BY CURRENT AND POTENTIAL TROOP CONTRIBUTORS TO BE MADE AWARE OF ROE WHEN CONSIDERING PARTICIPATION IN PKOS UN DPKO CONTACT ADVISED THAT UNHQ IS GOING TO REVIEW THIS POLICY. IN MEANTIME CONTACT REQUESTED THAT WE NOT PASS ON COPIES OF ATTACHED AS OTHER MEMBER STATES WHO ASKED FOR SAME WERE NOT GIVEN COPY. WE BELIEVE THE CURRENT UN POLICY IS IN FACT A HINDRANCE TO UN EFFORTS TO SIGN UP TROOP CONTRIBUTORS AND ENCOURAGED A CHANGE.

S. JEFFREY MAJ DMILAD
DRAFTER/RÉDACTEUR

S. Jeffrey Maj.
L.T.B. MINTZ COL MILAD
APPROVED/APPROUVÉ

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UNAMIR

File No. 4003.1

19 November 1993

To: See Distribution List
From: Force Commander
Subject: OPERATIONAL DIRECTIVE NO. 02: RULES OF ENGAGEMENT
(INTERIM)

GENERAL:

1. The conduct of military operations is controlled and regulated by the provision of international and national law, conventions and precedence. Within this legal framework, it is for the United Nations (UN) to set the parameter within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide political and legal direction and guidance to commanders at all levels governing the use of force. The ROE are drafted by the Force, but are approved by the UN and may only be changed with UN authority.

2. Security Council Resolution, dated October stated:

"UNAMIR is equipped with defensive weapons. The use of weapons is normally authorized for self-defence only. The use of force for deterrence or retaliation is forbidden. Self defence includes resistance to attempts by forceful means to prevent the Force from discharging its duties under the mandate of UNAMIR. In applying these rules, the over-riding rule will be the use of minimum force (see Definitions) which will be strictly adhered to by all members of UNAMIR."

3. UNAMIR is a peace-keeping force, without commitment to either party in the Rwandese civil war. Under the terms of the Arusha Peace Agreement and the UN Mandate, UNAMIR has a commitment to all parties in assisting them to achieve peace. Impartiality is the key in this regard and all UNAMIR's actions must be aimed at ensuring the furtherance of this objective. However, circumstances could arise where the use of force by UNAMIR personnel would be justified. When this occurs, the nature of peace-keeping will demand that such actions by UNAMIR will be applied with restraint: use of minimum force.

4. The ROE stated in this directive apply to all personnel from all nations providing personnel to UNAMIR. The ROE are written in the form of prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as

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permissions, they will be guidance to commanders that certain specific actions may be taken if they are judged necessary to achieving the aim of the mission. Commanders at all levels are required to translate this directive and they are to ensure its dissemination to every soldier under their command. In addition, they are to ensure every soldier in their command understands this directive.

5. Amendments to this directive will be issued as required and as approved by the UN.;

6. This directive will be classified UN RESTRICTED.

DEFINITIONS

7. The following key definitions must be clearly understood by all personnel in UNAMIR.

- a. Force. The use of physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to the same end and generally implies the use of significant levels of violence. However, the whole raison d'être of peace-keeping is that peace should be achieved without the use of military force. Peace-keeping is substantially different from peace enforcement under Chapter VII of the UN Charter. UN peace-keeping operations, including UNAMIR, will be carried out by unarmed military and police observers and armed forces only equipped for self-defence.
- b. Self Defence. Action to protect oneself or one's unit, when faced with an instant and overwhelming need, leaving no choice of means and no time for deliberation;
- c. Hostile Intent. Hostile intent is an action(s) which appears to be preparatory to an aggressive action against personnel or equipment of Peace-keeping Forces and/or property under their responsibility;
- d. Hostile Act. A hostile act is any aggressive action against personnel or equipment of Peace-keeping Forces and/or property under their responsibility;
- e. Minimum Force. The minimum authorized degree of force which is necessary, reasonable and lawful in the circumstances;

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his discretion, following this guideline

CONCEPT

11. UNAMIR personnel may use their weapons:

- a. to defend themselves, other UN lives, or persons under their protection against direct attack, acting always under the order of the senior at the threatening incident;
- b. to defend possession of property of installations belonging to or under the protection of the UN from damage, theft or destruction;
- c. to resist attempts by forceful means to prevent this Force from discharging its duties, acting under the personal authority of the Force Commander or his authorized replacement only; and
- d. to resist deliberate military or para-military incursions into United Nations protected areas (ie the RPF compound).

PRINCIPLES

11. When an incident occurs, that requires the use of force, the following principles will be adhered to:

- a. only minimum force consistent with achieving the immediate aim will be employed;
- b. if possible, prevention by negotiation must be exhausted before any use of force is initiated;
- c. if possible, warning and an escalation of unarmed force must be exhausted before any use of armed force is initiated;
- d. if possible, warning shots should precede "fire for effect" (fire for effect is firing at the center of mass of the target);
- e. if a threatening situation develops where firing for effect seem the only option, it will be initiated only after all the warning procedures above have been exhausted, except if there is an immediate threat as per para 11 where a delay would cause casualties or destruction of property in which case fire for effect may be initiated under the order

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of the senior commander present without delay;

- f. in firing for effect, the guiding principle must be minimum force. Care must be taken to ensure that collateral damage is minimized (ie action which will cause collateral damage is prohibited) and that no escalation of the level of violence is initiated by UNAMIR. Retaliation is prohibited. Each action should be met with a like action from UNAMIR;
- g. fire must be controlled by the senior commander present and is to cease once the aim has been achieved; and
- h. after the firing incident, the senior commander present must transmit a full report at the earliest opportunity.

12. When possible, each escalation in the use of force should be authorized by the chain of command of UNAMIR. A request in clear by radio for authorization to fire can have a calming effect on its own. Permission to use higher level of force must be obtained from the appropriate commander as per para 9. The senior commander on the spot is responsible for assessing the situation and taking the action appropriate to the situation.

TYPES OF FORCE

13. There are two types of force: unarmed force and armed force:

- a. Unarmed Force. Unarmed force involves the use of all means, short of the use of fire arms or other weapons, to discharge the duties mandated to UNAMIR. Examples are use of physical means like wrestling, use of vehicles to block, etc. UNAMIR personnel are authorized to use unarmed force:

- (1) when the safety of UN personnel is threatened with unarmed threats;
- (2) when infiltrations or envelopments are attempted without firing;
- (3) when UN premises are violated;
- (4) in self-defence from unarmed attack;

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- (5) when unarmed attempts are made to abduct or arrest UN civilians or military personnel;
- (6) when unarmed attempts are made to steal UN property or property under charge of the UN; and
- (7) when unarmed attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.

b. Armed Force. Armed force is the use of any weapon of fire-arm. Examples are the use of CS gas to deny entry into a UN premises, the use of bayonet to disperse a crowd, the use of aimed shots to defend a convoy from armed attack. UNAMIR personnel are authorized to use armed force against armed persons:

- (1) in self defence;
- (2) against attempt to disarm UNAMIR personnel;
- (3) when other UN personnel are in mortal danger;
- (4) when other lives are in mortal danger;
- (5) in defence of UNAMIR premises or vehicles under armed attack;
- (6) when attempts are made to compel UNAMIR personnel by armed force to withdraw from a position they were ordered to occupy by their superiors;
- (7) when attempts are made with the use of armed force to penetrate a UN premises or cut off a UN force;
- (8) when attempts by force are made to prevent UNAMIR personnel from carrying out missions assigned by their commanders; and
- (9) when attempts are made to abduct

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or arrest UN civilians or military personnel using force.

CRIMINAL ACTS

14. The recent history of Rwanda is burdened with civil war, dislocation of large elements of the population, terrorism, ethnic and political violence, armed banditry and virtual economic collapse. The potential for a dramatic rise in armed banditry during the UNAMIR mandate, due to the rapid demobilization of approximately 35,000 military personnel, high unemployment, over-population and mass desertion from the army, is very high.

15. For the most part, the maintenance of law and order, and therefore responding to control criminal activity, is the responsibility of the local police, monitored by the UNAMIR UN Civilian Police (UNCIVPOL) monitors. However, during the period of demobilization, the ability of the local police may be severely taxed. As a very real possibility, UNAMIR military personnel may be required to assist UNCIVPOL and local authorities, in maintaining law and order. In these circumstances, these rules of engagement would be used in support of local authorities and UNCIVPOL. In these circumstances, military personnel or units would be placed in support of UNCIVPOL, who would act to support local police in the maintenance of law and order.

CRIMES AGAINST HUMANITY

17. There may also be ethnically or politically motivated criminal acts committed during this mandate which will morally and legally require UNAMIR to use all available means to halt them. Examples are executions, attacks of displaced persons or refugees, ethnic riots, attacks on demobilized soldiers, etc. During such occasions, UNAMIR military personnel will follow the ROD outlined in this directive, in support of UNCIVPOL and local authorities or in their absence, UNAMIR will take the necessary action to prevent any crime against humanity.

RULES OF ENGAGEMENT

17. RULE NUMBER ONE: AUTHORITY TO CARRY ARMS.

- a. STATE A: NO AUTHORITY.
- b. STATE B: AUTHORITY GRANTED TO CARRY WEAPONS.

18. RULE NUMBER TWO: STATUS OF WEAPONS.

- a. STATE A: WEAPONS WILL BE CARRIED WITH LOADED MAGAZINES

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- b. STATE B: WEAPONS WILL BE CARRIED AND CHARGED AND MADE SAFE.

19. RULE NUMBER THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE.

- a. STATE A: OBSERVE AND REPORT BUT WILL WITHDRAW IN ORDER TO PRESERVE OWN FORCE.
- b. STATE B: STAY IN PLACE. MAKE CONTACT AND ESTABLISH LIAISON WITH OPPOSING FORCE(S) AND/OR LOCAL AUTHORITIES CONCERNED.
- c. STATE C: OBSERVE AND REPORT. STAY IN PLACE. WARN AGGRESSOR OF INTENT TO USE FORCE AND DEMONSTRATE RESOLVE BY APPROPRIATE MEANS WITHOUT OPENING FIRE.
- d. STATE D: OBSERVE AND REPORT. STAY IN PLACE. WARN AGGRESSOR OF INTENT TO USE FORCE AND DEMONSTRATE RESOLVE BY APPROPRIATE MEANS. DEMONSTRATIVE USE OF FIRE IS AUTHORIZED.

20. RULE NUMBER FOUR: DISARMAMENT OF PARAMILITARY OF CIVILIANS.

- a. STATE A: NO AUTHORIZATION GRANTED.
- b. STATE B: AUTHORIZATION IS GRANTED. IN DOING SO, USE MINIMUM FORCE AND ESCALATE TO INCLUDE USE OF FIRE IF HOSTILE INTENT OF ACT IS COMMITTED. HAND OVER TO APPROPRIATE AUTHORITY AT THE EARLIEST OPPORTUNITY.

22. RULE NUMBER FIVE: INTERVENTION AND WARNING SHOTS.

- a. STATE A: INTERVENTION IS PROHIBITED.
- b. STATE B: INTERVENTION BY FIRE FOR EFFECT AGAINST POSITIVELY IDENTIFIED AND DESIGNATED TARGETS ONLY AFTER WARNING SHOTS HAVE BEEN FIRED AS PART OF THE WARNING PROCESS.

23. RULE NUMBER SIX: CONTROL OF WEAPONS SYSTEMS.

- a. STATE A: MANNING, PREPARATION, MOVEMENT AND FIRING OF WEAPONS IN THE PRESENCE OF THE FORCES IN CONFLICT IS PROHIBITED.
- b. STATE B: DESIGNATED ACTIVITY IN THE PRESENCE OF THE FORCES IN CONFLICT IS PERMITTED BUT WILL BE SPECIFIED BY THE FOLLOWING NOTES:

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- (1) MAN (TYPE OF SYSTEM)
- (2) PREPARE (TYPE OF SYSTEM)
- (3) MOVE (TYPE OF SYSTEM)
- (4) FIRE (TYPE OF SYSTEM)

24. Normal Rules and States. In the normal, daily situation the following ROE status applies:

- a. Rule Nos One, State B (AUTHORITY GRANTED TO CARRY WEAPONS);
- b. Rule Nos Two, State A (WEAPONS WILL BE CARRIED AND CHARGED AND MADE SAFE);
- c. Rule Nos Three, State B (STAY IN PLACE. MAKE CONTACT AND ESTABLISH LIAISON WITH OPPOSING FORCE(S) AND/OR LOCAL AUTHORITIES CONCERNED);
- d. Rule Nos Four, State B (AUTHORIZATION IS GRANTED. IN DOING SO, USE MINIMUM FORCE AND ESCALATE TO INCLUDE USE OF FIRE IF HOSTILE INTENT OF ACT IS COMMITTED. HAND OVER TO APPROPRIATE AUTHORITY AT THE EARLIEST OPPORTUNITY);
- e. Rule Nos Five, State A (INTERVENTION IS PROHIBITED); and
- f. Rule Nos Six, State A (MANNING, PREPARATION, MOVEMENT AND FIRING OF WEAPONS IN THE PRESENCE OF THE FORCES IN CONFLICT IS PROHIBITED).

25. Thus to recap normal status:

26. Changes in normal status of ROE as described in para 21 for the Force as a whole will be ordered by the Force Commander or in his absence by his designated replacement. Sector Commanders may request changes in normal status which will be authorized by the Force Commander or his designate. Sector Commanders may order changes in normal status for units or sub-units under their command if authorized by the Force Commander or his designate.

CHALLENGING PROCEDURE

27. The following challenging procedure is to be followed in all cases except where the immediate threat to self-defence dictates immediate firing:

- a. warn the aggressor to stop;
- b. repeat the warning as many times as necessary

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- to ensure understanding;
- c. charge weapons if authorized;
 - d. fire warning shots into the safe ground ensuring ricochet is impossible; and
 - e. if warning shots are ignored, open fire, on order and under the control of a superior with single aimed fire for effect until the protection task is complete. escalate fire for effect with other weapons systems on order only of the appropriate commander.

OPENING FIRE WITHOUT CHALLENGING

28. The only circumstances under which it is permissible to open fire without challenging are if an attack by an aggressor comes so unexpectedly that even a moments delay could:

- a. lead to death or serious injury to UN personnel
- b. lead to death or serious injury to persons who are under the protection of UNAMIR; and
- c. lead to the theft, damage or destruction of UNAMIR property or property UNAMIR has been mandated to protect.

ACTION BEFORE OPENING FIRE

29. On all occasions before opening fire, UNAMIR personnel will be guided by the principle of minimum force. Commanders will always give a warning before commencing to fire and warning shots should be fired before resorting to fire for effect, except in the circumstances outlined in para 27, where fire for effect will be opened immediately. In normal circumstances, the following sequence should be applied:

- a. Warning. Depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie hand-held red flares, search-lights, etc). Warning should also be passed up the chain of command with continuous Situation Reports;
- b. Warning Shots. If the threat continues, warning shots should be fired into a safe area where there is no danger of ricochet or collateral damage; and
- c. Fire for Effect. If the above measures have had no effect on the situation, UNAMIR

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personnel may, under orders and control,
fire for effect.

ACTION DURING FIRING

30. Aimed fire will be fired for effect, i.e. fired at the center of visible mass of the target. Fire must be controlled and will not be indiscriminate. Automatic fire and fire of support weapons will only be used as a last resort and only on the order of the appropriate commander in the chain of command. Fire for effect will only continue as long as it is necessary to achieve the immediate aim. Through fire control orders, the commander on the scene will indicate and control the fire, preferably directed at the leaders or instigators of the threat. Continual situation reports will be forwarded through the chain of command.

ACTION AFTER FIRING

31. After firing for effect, commanders should ensure the following actions are taken:

- a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UN personnel;
- b. Recording. The incident will be recorded including:
 - (1) time of firing;
 - (2) the weapons fired;
- c. Reporting. The above information will be reported through the chain of command to Force HQ ATTN Force Commander and Chief Operations Officer:
 - (1) Who or what was fired on;
 - (2) Why UN personnel opened fire;
 - (3) Where the incident occurred;
 - (4) When the incident and all activities including firing occurred;
 - (5) What is the current situation;
and
 - (6) How the situation developed.

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CONCLUSION

32. No definitive directive can be created that can detail every possible action for every possible situation. The aim of the directive was to issue direction that would serve to guide commanders and soldiers at all levels in the use of force. It is critical and mandatory that all members of unamir understand this directive and apply it to any situations that may develop that will require the use of force.

33. In conclusion, all commanders to ensure this directive is translated into their national language and that all soldiers under their command are completely familiar with its contents and intent.

ANNEX

Annex A: Aide Memoire for Members of UNAMIR ~~was~~ (included) ~~to~~
be issued ~~to~~

DISTRIBUTION LISTAction

MILOH Group CMO (1)
DM2 Sector Comd (3)
UNOMUR Sector Comd (1)
Kigali Sector Comd (5)
COS (2)
CLNO (2)
CLOGO (1)
CMPO (1)

Information

CAO (1)

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Kigali
22 November 1993

RULES OF ENGAGEMENT

FOR ISSUE TO ALL PERSONNEL AUTHORIZED TO CARRY ARMS AND AMMUNITION IN RWANDA

GENERAL RULES

1. You have the right to use force in self defence.
2. In all situations, you are to use the minimum force necessary. **FIRE ARMS MUST ONLY BE USED AS A LAST RESORT.**

CHALLENGING

3. A challenge must be given before opening fire, unless:
 - a. To do so would increase the risk of death or grave injury to you or any other person.
 - b. You or others in the immediate vicinity are under armed attack.
4. You are to challenge in English by shouting, "UN, STOP OR I FIRE." or in Kiryarwanda by shouting "ONU IGUSABYE GUHAGARARA WAKWANGA UKARASWA".

OPENING FIRE

5. You may only open fire against a person if he/she is committing or about to commit an act **LIKELY TO ENDANGER LIFE, AND THERE IS NO OTHER WAY TO STOP THE HOSTILE ACT.** Dependent always on the circumstances, the following are some examples of such acts.
 - (1) Firing or being about to fire a weapon.
 - (2) Planting, detonating or throwing an explosive device (including a petrol bomb);

-
- (3) Deliberately driving a vehicle at a person where there is no other way of stopping him/her.
 - (4) **THERE IS NO OTHER WAY TO STOP THE HOSTILE ACT.**
6. You may open fire against a person even though the conditions of para five are not met if:
- a. He/she attempts to take possession of property or installations you are guarding, or to damage or destroy it. **AND**
 - b. **THERE IS NO OTHER WAY TO STOP THE HOSTILE ACT.**
7. If you have to open fire, you should:
- a. Fire only aimed shots. **AND**
 - b. Fire no more rounds than necessary. **AND**
 - c. Take all reasonable precautions not to injure anyone other than your target.

DEFINITIONS

8. The following definitions are used:
- a. **SELF DEFENCE**
Action to protect oneself or ones Unit, when faced with an instant and overwhelming need, leaving no choice of means and no time for deliberation.
 - b. **HOSTILE ACT**
A hostile act is any aggressive action against personnel or equipment of Peacekeeping Forces and/or property under their responsibility. When deciding on appropriate reaction by Peacekeeping Forces, it has to be kept in mind that the use of armed forces is only permitted in the presence of an attack or imminent attack.
 - c. **MINIMUM FORCE**
The minimum authorized degree of force which is necessary, reasonable and lawful in the circumstances.
-

TO : DISTRIBUTION LIST

FROM : FORCE HQ/OPS BRANCH

SUBJECT : UNAMIR INSTALLATIONS - RULES OF ENGAGEMENT (ROE)

Reference : Ops Directive No 2 / 19 Nov 93.

1. UNAMIR Installations are

a. Whether compounds surrounded by fences or walls, containing UN personnel or UN equipment.

b. Vital grounds defended by UN troops, i. e. grounds to which UN troops will not allow any access unless to persons presenting themselves at the normal access(es) and after identity controls.

2. UNAMIR troops will adhere to following specific guidelines whilst guarding or defending the installations:

a. Hostile Intent. It is an action which appears to be preparatory to an aggressive action against :

- (1) The UN - installation or
- (2) The UN personnel guarding/defending it or
- (3) Any person who has access to it or
- (4) Equipment contained in it.

b. Hostile Act. Any aggressive action against as under paragraph 2, a. above.

c. Authority. The commander of the guard/defence unit is authorized to use all available weapons or means needed to respond to the threat to which the installation, the own troops, the persons authorized to accede or the stored equipments are exposed. Still, the principles of Minimum Force and collateral damage to be avoided (ref 7. e. and f) will be adhered to.

d. Threats.

(1) Any installation of weapon directed to the installation has to be considered as a hostile intent and will lead to preparedness to respond fire by the guarding unit.

(2) Any firing at the defending/guarding troops, authorized persons or stored equipments has to be considered as a hostile act and will lead to immediate reaction by fire and even to offensive actions in order to dislodge the threat.

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(3) Hostile attitude by persons will only be reacted at, if those persons proceed towards the installation, although warning by voice have been given. Warning shots will precede fire for effect. If the installation is surrounded by fence or wall, there will be no firing for effect unless the persons actually attempt to cross or to force the barrier.

3. Rules of Engagement:

<u>Rule No</u>	<u>State</u>
1	B
2	B
3	D
4	A
5	B
6	B

R. A. DALLAIRE
Maj Gen
Force Copmmander

Distribution :

Action :

Internal :

Kigali Sector
DMZ Sector

Info :

SRSQ
MILOB HQ
DFC/COS

SG's Reports

UNSC Resolutions

See 918 (1992) This
affects / drives ROE
Revision



Security Council

Distr.
GENERALS/1994/565
13 May 1994

ORIGINAL: ENGLISH

REPORT OF THE SECRETARY-GENERAL ON THE SITUATION IN RWANDA

I. INTRODUCTION

1. The present report is submitted in response to the letter of the President of the Security Council of 6 May 1994 (S/1994/546), requesting me to provide indicative contingency planning with regard to the delivery of humanitarian assistance as well as support to displaced persons in Rwanda.

2. It will be recalled that the resumption of the civil conflict following the tragic events of 6 April 1994, and the ensuing violence and massacres, created a situation that called into question the ability of the United Nations Assistance Mission for Rwanda (UNAMIR) to carry out its mandate under Security Council resolution 872 (1993) of 5 October 1993. Hence, with Council resolution 912 (1994), adopted on 21 April 1994, the Security Council authorized the adjustment of UNAMIR's mandate (a) to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire; (b) to assist in the resumption of humanitarian relief operations to the extent feasible; and (c) to monitor and report on developments in Rwanda, including the safety and security of the civilians who sought refuge with UNAMIR. In compliance with resolution 912 (1994), the force was sharply reduced, and now stands at 444, all ranks, in Rwanda, and 179 military observers at Nairobi pending repatriation or redeployment to the Mission. Reductions to the authorized level have been suspended pending the outcome of the ongoing consideration by the Council.

3. The situation in Rwanda remains highly unstable and insecure, with widespread violence. Combat between the Rwandese government forces and the Rwandese Patriotic Front (RPF) continues, even though both the Rwandese government forces and RPF have separately expressed their readiness to enter into a cease-fire. The Rwandese government forces controls the west and south-western parts of Rwanda, while RPF is in control of the northern and eastern parts of the country, as well as areas in the south-east. The capital, Kigali, is divided between the Rwandese government forces and RPF, but the front line is fluid and changing as military actions continue. The Rwandese government forces continue to control the airport but hostilities in its vicinity interrupt its operations from time to time. Armed militia and other unruly elements continue to operate, although less frequently than at the beginning of the conflict, killing and terrorizing innocent civilians. It is estimated that nearly 2 million persons have been displaced, seeking safer places within Kigali, in

various regions of the country and in border areas in neighbouring countries, principally the United Republic of Tanzania. Under these conditions, a major humanitarian crisis has developed.

II. POLITICAL ASPECTS

4. In accordance with resolution 912 (1994), and in support of the efforts of the Organization of African Unity (OAU), the United Republic of Tanzania, in its capacity as the facilitator of the Arusha peace process, and other interested parties, my Special Representative, Mr. Jacques-Roger Booh-Booh, and the UNAMIR Force Commander, Major-General Romeo Dallaire, have undertaken, both inside Rwanda and at Arusha, all possible efforts since the resumption of the conflict to bring about a cease-fire agreement between the parties. Unfortunately, their efforts have been of no avail, but they are determined to persevere. Obviously, a cease-fire agreement is the first step in establishing a stable and secure environment in the country, thus allowing the organized, coordinated and secure delivery of humanitarian assistance and the reactivation of the Arusha peace process. In the prevailing conditions, however, it is essential that the United Nations consider what measures it can take even before a cease-fire is achieved.

III. HUMANITARIAN ASPECTS

5. Given the pace of developments and the security situation, it has not been possible to assess accurately the humanitarian situation in Rwanda. However, early reports indicate that there are 250,000 displaced persons in the north, 65,000 in the east, and 1,200,000 in the south and south-west. Although there are some concentrations, the internally displaced appear to be widely scattered. At Kigali itself, some 30,000 displaced persons have taken refuge in public places and religious sanctuaries, where they are running out of food, water and basic medical supplies. The Office of the United Nations High Commissioner for Refugees (UNHCR) estimates that 80,000 of the original 272,000 refugees from Burundi have remained in Rwanda. This situation is complicated by the fact that, prior to the war, some 1.2 million drought-affected people in the south who required emergency food assistance had been identified. In neighbouring countries, the Rwandese refugee population is estimated at more than 300,000, and UNHCR reports that as many as 1,500 refugees continue to arrive daily in the United Republic of Tanzania. It is most important that the basic humanitarian needs of these populations are met as soon as possible.

6. The Department of Humanitarian Affairs of the Secretariat has established the United Nations Rwanda Emergency Office (UNREO), in collaboration with the United Nations Development Programme (UNDP), the United Nations Children's Fund (UNICEF), UNHCR, the World Food Programme (WFP), the World Health Organization (WHO) and the Food and Agriculture Organization of the United Nations (FAO). The office, temporarily located at Nairobi, has overall responsibility for coordinating humanitarian relief activities, including the prepositioning of relief supplies. Close coordination with the non-governmental organizations (NGOs), other international organizations and bilateral donors concerned is an essential part of the work of the office. An advance humanitarian assistance team has been positioned at Kigali to work with UNAMIR in carrying out

humanitarian operations and to advise in the expansion of activities where the situation permits. Other sub-offices in Rwanda or neighbouring countries are envisaged. A "flash" appeal covering immediate emergency assistance needs totalling about \$16 million was issued on 25 April 1994.

7. In spite of the difficulties, limited emergency operations have been initiated. For example, medical and nutritional supplies from UNICEF have been distributed in Kigali. WFP has been able to deliver more than 500 tons of food in the north and 840 tons in the south. Currently, three NGOs are active in Rwanda. Médecins sans Frontières is active in the north and Médecins du Monde is active in the south. The International Committee of the Red Cross (ICRC) has remained without interruption in Rwanda, focusing on emergency medical care and carrying out food deliveries in the north and south and in Kigali. UNAMIR has assisted in the delivery of food and other relief supplies to displaced persons in the Kigali area and has provided security for the activities of the advance team and NGOs. UNHCR is responding to the needs of refugees in neighbouring countries.

8. The United Nations humanitarian organizations, in consultation with UNAMIR and ICRC, have agreed on the following principles, which should serve as the basis for humanitarian operations in Rwanda:

(a) Ensuring the security of relief staff (both national and international), the beneficiaries of relief assistance and of the relief materials themselves;

(b) Joint identification by the responsible authorities and the respective United Nations humanitarian organizations of distribution sites;

(c) Clear identification of interlocutors from the side of the authorities for the humanitarian aid organizations to liaise with regarding humanitarian operations, both at a central level as well as at the field level;

(d) Acceptance by the responsible authorities of the monitoring and reporting responsibilities of the United Nations organizations regarding the distribution and use of relief materials;

(e) An understanding that aid should be provided based on need, regardless of race, ethnic group, religion or political affiliation.

9. These principles have been submitted to the Rwandese government forces and RPF authorities for approval. The Rwandese government forces have formally notified the Humanitarian Coordinator of its agreement. RPF has also agreed to these principles.

10. While it is too early to present fully developed operational plans for the distribution of humanitarian assistance in Rwanda, the basic effort will be to respond to the urgent needs of all affected persons in all parts of the country whenever conditions so permit. With the consent of appropriate authorities in neighbouring countries, it is envisaged that extensive cross-border operations will be utilized to transport relief supplies. The detailed operational plans will take into account the need to avoid, as far as possible, further

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displacement of the population. The objective will be to deliver assistance to the distressed in their existing locations, provided that these sites can be made secure.

IV. CONCEPT OF OPERATIONS

11. In his letter of 6 May 1994 (S/1994/546), the President of the Security Council informed me that, in view of the unabated hostilities and killings taking place in Rwanda, urgent and effective means of action must be considered. This would require that the Council decide upon an expanded mandate under which UNAMIR would support and provide safe conditions for displaced persons and other groups in Rwanda who have been affected by the hostilities or are otherwise in need, and assist in the provision of assistance by humanitarian organizations.

The efforts of UNAMIR in this regard would be coordinated with those of the humanitarian organizations operating in Rwanda and/or engaged in assisting Rwandese refugees in neighbouring countries. The mission, as it would function under this amended mandate, is referred to herein as UNAMIR II.

12. UNAMIR II would provide security assistance to humanitarian organizations in their programmes for distribution of relief supplies. UNAMIR II would establish access to sites where displaced and other affected persons are concentrated and could assure their protection. Such protected sites would include areas inside Rwanda along the border with neighbouring States where refugees and displaced persons are concentrated. All protected sites would be patrolled and monitored by UNAMIR II, in cooperation with the local authorities wherever possible. At the same time, UNAMIR II would devote equal attention to the needs of displaced persons in the interior of the country and would provide escorts to relief convoys and security to United Nations installations there.

13. UNAMIR II would monitor border crossing points as operationally required, as well as the deployment of the parties in conflict, in order to assure the effective conduct of UNAMIR II operations.

14. Kigali airport is the most practical point of entry into the country and is therefore important for the induction of personnel, equipment and humanitarian relief goods. The parties would be expected to establish the airport as a "neutral zone" under the exclusive control of the United Nations before commencement of the deployment of the expanded force. However, if continued fighting prevents this, UNAMIR II would use other points of entry and resupply, such as secondary airstrips within the country. In addition, UNAMIR II would establish lines of communication, deployment and supply routes by land through neighbouring countries, particularly for the resupply of those protected sites located on Rwanda's borders.

A. Mission Statement

UNAMIR II - *Support & provide safe conditions
- Assist in provision of humanitarian aid by humanitarian organizations*

B. Tasks: *1) provide security assistance to humanitarian orgs
2) establish access where affected could concentrate and ensure their protection
3) patrol & monitor protected sites
4) escort relief convoys 5) security for UN installations*

A. Rules of engagement

15. UNAMIR II's rules of engagement do not envisage enforcement action. The Mission would depend primarily on deterrence to carry out its tasks. However, UNAMIR II may be required to take action in self-defence against persons or groups who threaten protected sites and populations and the means of delivery and distribution of humanitarian relief.

B. Force structure

16. In order to execute its mandate, UNAMIR II must be composed of a credible, well-armed and highly mobile force. The size of the force is determined also by the size and terrain of the area of operation, which is land-locked, difficult and mountainous with very limited infrastructure. With these criteria, it is estimated that a minimum viable force of approximately 5,500 troops, including 5 infantry battalions, will be required to carry out the tasks described above. Readjustment of the size of the force may be necessary as the situation evolves.

17. The composition of the force would therefore include:

(a) A force headquarters of approximately 219 personnel, built around the nucleus of the present headquarters, would include a supporting military signals/communication squadron. The force headquarters would continue to operate at Kigali;

(b) Five battalions (approximately 4,000 personnel) comprising two mechanized battalions and three motorized battalions, each of which would have a mechanized company;

(c) A force support battalion of approximately 721 personnel, which would provide logistical, maintenance, and medical service, and would include an engineer company capable of undertaking tasks such as mining clearance, bomb disposal and the rehabilitation of essential roads, bridges and the other infrastructure, as required by UNAMIR II to carry out its mandate;

(d) A helicopter squadron of approximately 110 personnel and 16 helicopters;

(e) A military police force of approximately 50 personnel would provide internal force security;

(f) A military observer group of 320 officers would conduct the humanitarian security monitoring, liaison and escort-duty tasks throughout the area of operation, including at the border areas if necessary;

(g) A force of 90 United Nations civilian police would be deployed in a similar fashion to the military observers, but would be dedicated to maintaining liaison with the local civilian authorities on matters relating to public security.

Tasks (cont'd)

- 6) monitor border crossing points + deployment of parties*
7) control Kigali airport
8) establish LOC, land supply routes for resupply of protected sites

C. Deployment schedule

18. The deployment of UNAMIR II would be conducted in three phases, subject to the timely availability of the necessary troops, equipment and airlift. "D-Day" is the date on which the Security Council resolution would be adopted authorizing the expanded mandate of UNAMIR II.

19. Phase 1 (D-Day + 7). The Ghanaian battalion would be brought to its full strength of 800 personnel and equipped with armoured personnel carriers. This unit would ensure the protection of Kigali International Airport, as well as other sites in the city, where thousands of displaced persons have sought refuge under UNAMIR protection. This battalion would also subsequently act as the force reserve.

20. Phase 2 (D-Day + 14). Deployment of two battalions (one mechanized and one motorized), some advance elements of the support battalion and all of the force headquarters and signal squadron. These troops would be deployed where the security situation is of greatest concern and where there is the highest concentration of displaced persons, including at border areas if necessary.

21. Phase 3 (D-Day + 31). Induction of the rest of the force support battalion and two other infantry battalions. The rest of the support battalion would establish logistic and engineer advance bases in the Ruhengeri, Byumba and Butare prefectures in order better to serve the field force. The two infantry battalions would be deployed to certain specific areas of the country in order to provide the necessary support and assistance to people in need in these areas and provide security arrangements to humanitarian assistance programmes.

D. Logistics

22. The deployment and logistical support of a force of 5,500 under the schedule described above is a difficult undertaking. In addition, Rwanda is a land-locked country with only one major airport (Kigali) and three secondary airports. Land movement between regional seaports (Mombasa, Dar es Salaam) and Rwanda requires several days in the best of conditions. It is therefore essential to deploy self-sufficient military contingents capable of operating independently, while logistical support is put in place by the United Nations. The concept of operations calls for the first three units to be moved by air, requiring military and commercial strategic airlift, that is, up to 10 passenger flights and 40 cargo flights (C-5A aircraft). The remainder of the force and its material would be transported by sea and air as soon as technically possible.

23. Because of the need to stabilize the security situation in Rwanda as quickly as possible, deployment of UNAMIR II will have to be carried out rapidly. The longer the delay in the deployment of the force from the time of a Security Council decision, the greater the prospect of the mission not achieving its purpose in operational terms.

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24. The most rapid deployment would be achieved with two formed infantry brigades with their integral logistical support. If formed brigades cannot be made available, it would be necessary to draw on the recent United Nations stand-by arrangements, but specific contributions for this Mission must still be negotiated. It is estimated that this process would require one to two months. Simultaneously with stand-by arrangements, the traditional method of requesting Governments for military forces would be used. Experience shows that it would take at least two to three months to achieve full deployment of forces. If forces are accepted without adequate equipment, experience shows that a further delay of several months would be incurred in providing the necessary equipment for those forces. It is therefore essential that Member States agree to make arrangements on a bilateral basis to provide the troops, equipment and airlift required for UNAMIR II.

E. Command and control

25. UNAMIR II would be headed by the Special Representative of the Secretary-General, who would have overall authority for all the activities of the Mission. The military component of the Mission would be commanded by the Force Commander. The present UNAMIR force headquarters would be expanded as indicated in paragraph 17 (a) above and would remain located at Kigali. Battalions would be deployed to designated regions or sectors in accordance with the modus operandi described in paragraphs 19 to 21 above. Battalion commanders would act as sector commanders within their assigned regions, under the direction of the Force Commander. The military signal unit would establish communications between the force headquarters, battalion headquarters and other designated units as necessary.

V. FINANCIAL ASPECTS

26. The cost associated with the deployment of the force described above would be approximately \$115 million for a six-month period (see annex). It would be my recommendation to the General Assembly that the costs would be considered an expense of the Organization in accordance with Article 17, paragraph 2, of the Charter of the United Nations and the assessments would be levied on Member States and be credited to the UNAMIR special account.

VI. OBSERVATIONS

27. The solution to the crisis in Rwanda must, in my judgement, be found through implementation of the Arusha agreement, which both sides say that they accept. For this to be achieved, it is clearly necessary that a cease-fire be agreed and put into effect at the earliest possible date. I have instructed my Special Representative and the Force Commander to continue to give the highest priority to the pursuit of both objectives. The Security Council may wish to issue another urgent call for the parties to agree to a cease-fire and, even before it comes into effect, to accept the designation of Kigali airport as a neutral zone under the exclusive control of the United Nations.

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28. Meanwhile, there is an urgent requirement for the United Nations to increase its efforts to address the desperate humanitarian crisis created by the conflict. I welcome the idea that protected sites should be established close to Rwanda's borders with Burundi and the United Republic of Tanzania in order to facilitate the provision of relief to displaced persons who are already present in those areas. But I believe that it is essential that any such initiative should be matched by action to assist persons in need in the interior of Rwanda. These outnumber, by a factor of five, the displaced persons who are in the border areas or have already crossed into neighbouring countries. To concentrate the international community's efforts on the latter would be to address only a small part of the problem. Moreover, there would be a risk that protected sites in the border areas would act as a magnet to people in need in the interior of the country and would therefore increase even further the number of displaced persons.

- Deploy Force even if ceasefire is not in place

29. Expanded humanitarian operations, both in the border areas and in the interior, would also clearly be facilitated by a cease-fire, which would contribute immeasurably to the effective and secure distribution of relief supplies. However, if a cease-fire is not in place by the time the expanded force is deployed, my Special Representative and the Force Commander will continue to pursue this objective as the force is being put in place. I met with my Special Representative in Paris today and encouraged him to continue his efforts with a view to achieving a cease-fire agreement as soon as possible.

30. As noted above, should UNAMIR II need to initiate deployment and resupply through neighbouring States, the Mission would require the active support of those States. UNAMIR II would also require the cooperation and support of the Rwandese parties. In this connection, I should like to note that my Special Representative and the Force Commander have presented the concept outlined herein to both the Rwandese government forces and RPF. I am encouraged by their initial positive responses. I have asked my Special Representative and the Force Commander to obtain confirmation from both parties of their support to this operation without preconditions.

31. The world community has witnessed with horror and disbelief the slaughter and suffering of innocent civilians in Rwanda. While the chances for a lasting peace are fundamentally in the hands of the political and military leaders of the country, the international community cannot ignore the atrocious effects of this conflict on innocent civilians. I therefore recommend to the Security Council that it approve the phased expansion of UNAMIR, as described above, to enable the Mission immediately to help alleviate the humanitarian crisis in Rwanda. The mandate for UNAMIR II should be for a period of six months from the date of initial deployment, on the understanding that it would be reviewed by the Council as necessary and, in particular, following an agreement on a cease-fire.

32. In concluding, I must again emphasize that in order for UNAMIR II to attain its objective, there can be no delay in its deployment.

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33. I would like to express my deep gratitude to my Special Representative, the UNAMIR Force Commander, and all UNAMIR personnel, for their outstanding performance in the pursuance of UNAMIR's mandate under the extremely dangerous conditions in Rwanda.

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Annex

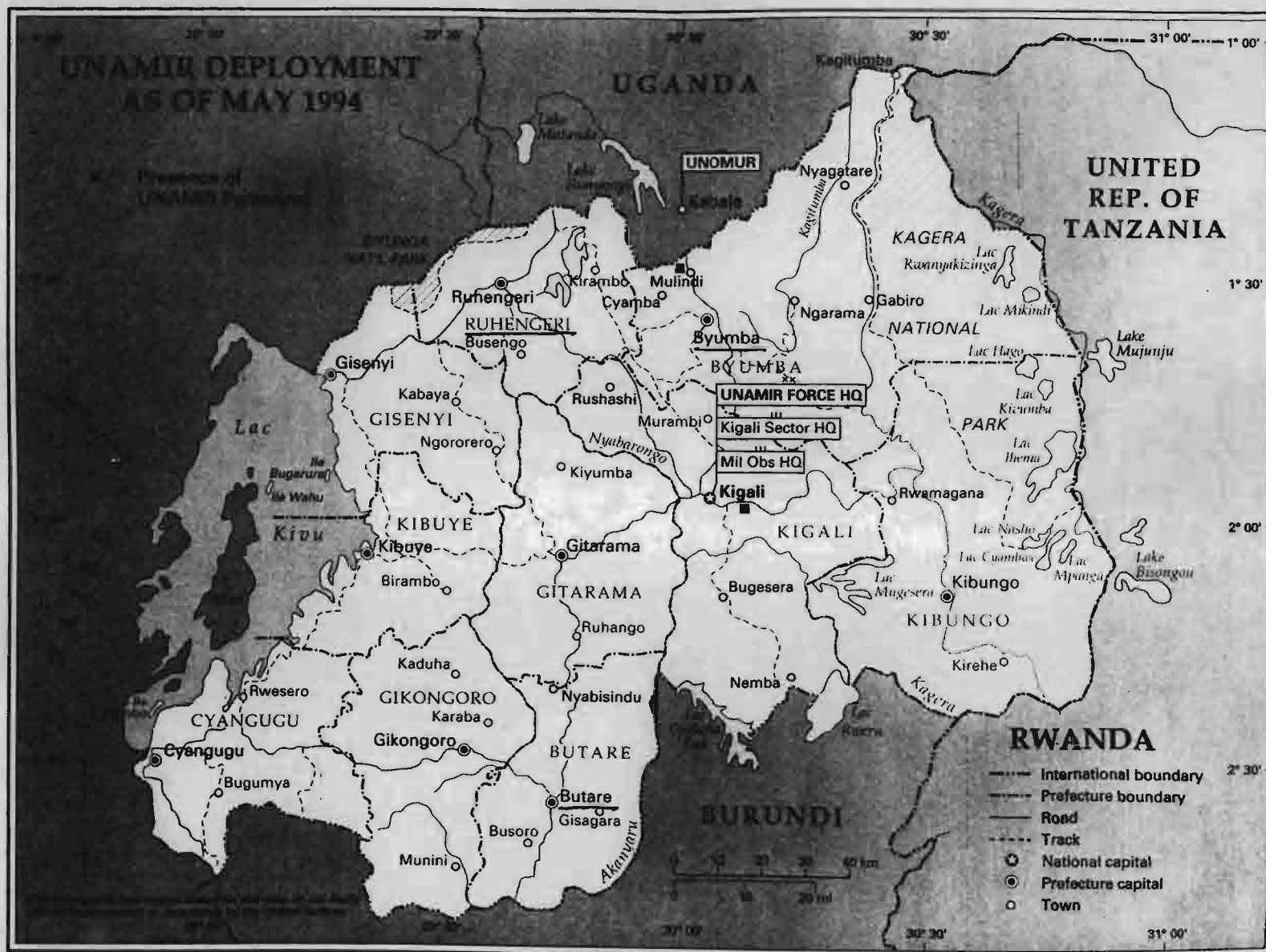
United Nations Assistance Mission for Rwanda

Summary cost estimate for the deployment of approximately
5,500 troops for a six-month period

(In thousands of United States dollars)

	<u>Amount</u>
1. Military personnel costs	60 100
2. Civilian personnel costs	11 100
3. Premises/accommodation	1 300
4. Infrastructure repairs	700
5. Transport operations	6 000
6. Air operations	8 600
7. Naval operations	-
8. Communications	3 100
9. Other equipment	4 500
10. Supplies and services	4 500
11. Election-related supplies and services	-
12. Public information programmes	300
13. Training programmes	-
14. Mine-clearing programmes	500
15. Assistance for disarmament and demobilization	-
16. Air and surface freight	12 000
17. Integrated Management Information System	-
18. Support account for peace-keeping operations	800
19. Staff assessment	<u>1 500</u>
Total	<u>115 000</u>

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MAP NO. 3807.1 Rev. 2 UNITED NATIONS
MAY 1994

SECTION 9:
DIRECTIVE OPERATIONNELLE NO. 02
REGLEMENT D'ENGAGEMENT

1 ère PARTIE

1. Le commandement des opérations militaires doit être contrôlé et réglementé par la clause de loi, de convention et de jurisprudence nationale et internationale. En ce qui concerne l'opération sous le commandement de l'Organisation des Nations Unies (ONU), il est du ressort de l'ONU de déterminer les paramètres dans lesquels doivent opérer les Forces de l'ONU. Les Règles d'Engagement (RDE) est le moyen employé par l'ONU pour fournir, aux commandants de tous les niveaux, des conseils et des instructions politiques et légales concernant l'usage de la Force par le personnel de l'ONU. Les RDE sont préparées par le Commandant des Forces; de plus elles doivent être approuvées par l'ONU et ne peuvent être modifiées sous l'autorisation des Nations unies.

2. Ces Règles d'Engagement de la MINUAR sont prévues pour les Forces de l'ONU opérant sous les auspices de la Résolution no.925 du Conseil de Sécurité de l'ONU, Résolution datant du 8 Juin 1994, qui stipule dans son paragraphe 4 ce qui suit:

"... le mandat consolidé de la MINUAR comprend les clauses suivantes:

(a) contribuer à la sécurité et à la protection des personnes déplacées, des réfugiés et de personnes menacées au Rwanda, y compris, dans la mesure du possible, l'établissement et le maintien de zones humanitaires sûres;

(b) garantir la sécurité et l'assistance pour la distribution de l'aide ainsi que pour les opérations d'aide humanitaire; et

(c) agir comme intermédiaire entre les parties en essayant de garantir leur accord de cesser-le-feu;..."

Le paragraphe 5 de la résolution reconnaît particulièrement que:

"La MINUAR peut être obligé de prendre une action d'auto défense contre des personnes ou même des groupes s'attaquant soit à des sites ou des populations protégés, soit au personnel humanitaire ou des Nations Unies ou soit aux autres équipements de livraison et de distribution de l'aide humanitaire.

3. La MINUAR est une force de maintien de la paix sans engagement à l'une ou l'autre partie en conflit dans la guerre civile rwandaise. Selon les dispositions de l'Accord de Paix d'Arusha et le mandat du Conseil de Sécurité des Nations Unies, la MINUAR a l'engagement d'aider toutes les parties en conflit à atteindre la paix. L'impartialité est la clé et toutes les actions de la MINUAR doivent viser à assurer l'accomplissement de cet objectif. Cependant, des circonstances peuvent surgir où l'usage de la force par le personnel de la MINUAR serait nécessaire et justifiée.

DEUXIEME PARTIE

DEFINITIONS

4. Les définitions clés suivantes doivent être bien comprises par tout le personnel de la MINUAR:

a. La force. L'usage des moyens physiques pour imposer sa volonté. La force militaire est l'usage des moyens physiques fournis par des corps de troupes formés, armés et disciplinés sous un commandement unifié pour atteindre une même fin, ceci impliquant généralement la possibilité de l'usage de la violence à des niveaux importants.

b. Auto-défense. L'usage de la force pour protéger:

- (1) soi-même et le personnel de son unité,
- (2) autre personnel militaire ou civil de la MINUAR,
- (3) le personnel d'assistance humanitaire n'appartenant pas à la MINUAR,
- (4) des personnes déplacées, réfugiées ou civiles se trouvant dans des sites ou parmi des populations sous la protection des forces de la MINUAR,
ou
- (5) autre personnel militaire ou civil autorisé par les Nations Unies,

contre une intention ou un acte hostile où l'on n'a pas d'autre choix ou le temps de délibérer.

c. Acte hostile. Un acte hostile est une attaque ou autre emploi de la force contre les entités énumérées au paragraphe 4.b.ci-dessus.

d. Intention hostile. Une intention hostile est une menace d'usage imminent de la force contre les entités énumérées au paragraphe 4.b.ci-dessus.

e. Force minimale. Le degré minimum de force autorisée qui est nécessaire, raisonnable et légale dans les circonstances.

f. Dommages additionnels. Dommages causés aux personnes ou aux biens jouxtant mais ne faisant pas partie de la cible autorisée.

g. Force non-mortelle. Tout moyen physique pour contraindre à accepter qui ne comporte pas de risque de mort ou de dommage physique grave contre l'individu sur lequel la force est exercée. Il s'agit généralement de l'usage de la force moins l'emploi des armes à feu ou d'autres armes mortelles. Les exemples comprennent le fait de pousser et donner des formes de coups légers, contraindre des personnes par des moyens physiques ou mécaniques. Des tirs d'avertissement relèvent de la force non-mortelle même si ça comporte l'usage des armes à feu.

h. Force mortelle. C'est le dernier degré dans l'usage de la force. Il s'agit de ce niveau où la force exercée vise à causer ou peut causer la mort ou un dommage corporel grave indépendamment de l'effet réel de cette force.

TROISIEME PARTIE

INSTRUCTIONS SUR L'USAGE DE LA FORCE

DOMAINE D'APPLICATION

5. Les Règles d'engagement citées dans cette circulaire s'appliquent à tout le personnel fourni par toutes les nations participant à la MINUAR selon les dispositions de la Résolution 925 du Conseil de Sécurité des Nations Unies du 8 Juin 1994. Ces Règles apparaissent sous forme d'interdiction ou de permission. Sous forme d'interdiction, elles sont des ordres de ne pas mener des actions spécifiques. Sous forme de permission, elles servent de guide aux commandants sur certaines actions qui peuvent être menées si elles sont jugées nécessaires pour atteindre les objectifs de la mission.

LA RESPONSABILITE DES COMMANDANTS

6. Les commandants à tous les niveaux sont chargés de:

a. faire traduire cette circulaire et la diffuser à chacune des personnes sous leurs ordres; et

b. s'assurer que toute personne sous leurs ordres comprend le contenu du présent document.

NIVEAUX D'AUTORISATION POUR FAIRE USAGE DE LA FORCE

7. L'usage de force dangereuse pour tous les différents types d'armes sera autorisée comme suit:

a. Le commandant de la Force ou son représentant :

- (1) armes de support lourdes (càd lance-roquettes, pièces d'artillerie, mortiers légers, etc.);
- (2) mitrailleuses lourdes ou canons (.50 cal, 20mm, etc.); et
- (3) mitrailleuses moyennes (càd FN MAG, M60, etc.)

b. Commandants de Secteurs :

- (1) mitrailleuses légères; et
- (2) toute arme automatique personnelle

c. Du commandant de bataillon jusqu'au soldat simple sur la scène de menace. Armes personnelles non-automatiques.

PRINCIPES REGISSANT L'USAGE DE LA FORCE

8. Quand un incident survient où l'usage de la force est nécessaire, l'on devra s'en tenir aux principes suivants:

- a. Si possible, les moyens de négociation et d'avertissement doivent être exploités à fond avant de commencer tout usage de la force;
- b. Il faudra employer seulement le minimum de la force dangereuse ou non-dangereuse requis pour l'objectif immédiat;
- c. Excepté là où c'est autorisé sous le paragraphe 11, l'échelle des procédures de force conformes au paragraphe 16 doivent être épuisées avant de faire appel à l'usage de la force dangereuse;
- d. La force dangereuse est justifiée seulement dans des conditions d'extrême nécessité et en dernier ressort quand tous les moyens plus simples ont échoué ou ne peuvent pas être pratiquement employés;
- e. La violence utilisée doit être réduite au minimum;
- f. Les dommages secondaires doivent être réduits au minimum;
- g. l'usage de la force en représailles est interdit; et

h. L'usage de la force est contrôlé par le commandant présent sur la scène et il doit cesser une fois que l'objectif a été atteint.

PERMISSION DE FAIRE USAGE DE LA FORCE

9. La force peut être comme suit:

a. La force non-dangereuse. Le personnel de la MINUAR est autorisé à faire usage de la force dans les circonstances suivantes:

- (1) en cas d'auto-défense (telle que définie au paragraphe 4.b.) contre un groupe non-armé;
- (2) contre des tentatives non-armées pour infiltrer ou encercler des unités, compound ou locaux de la MINUAR;
- (3) quand les bâtiments de la MINUAR sont violés dans des tentatives non-armées pour voler les biens de la MINUAR ou des biens placés sous la protection des Nations Unies.
- (4) contre des tentatives non-armées pour enlever ou détenir le personnel militaire ou civil de la MINUAR; et
- (5) quand des tentatives non-armées sont faites pour empêcher le personnel de la MINUAR d'exécuter les ordres de leurs commandants.

b. Force mortelle. Le personnel de la MINUAR est autorisé à faire usage d'une force mortelle dans les circonstances suivantes:

- (1) en cas d'auto-défense (telle que définie au paragraphe 4.b.) contre des personnes qui posent un acte hostile ou montrent une intention hostile;
- (2) pour protéger, contre dommage ou destruction, des biens ou installations appartenant à ou placés sous la protection de la MINUAR, y compris des sites protégés ainsi que les moyens de livraison et de distribution de l'aide humanitaire:
 - (a) qui ont été jugés essentiels pour le succès de la MINUAR par l'officier chargé du commandement de l'unité en consultation avec le Commandant de la Force,
 - (b) qui justifient la protection moyennant l'usage d'une force mortelle, et

(c) là où il n'y a pas d'autre moyen d'empêcher le dommage ou la destruction;

(3) pour maîtriser des tentatives armées voulant empêcher les Forces de la MINUAR de remplir leurs devoirs, quand ils sont autorisés par le commandant de la Force;

(4) pour résister à des tentatives armées voulant désarmer, enlever ou détenir le personnel militaire ou civil de la MINUAR;

(5) pour résister à des tentatives armées voulant contraindre le personnel de la MINUAR à se retirer des régions sous sa protection occupées sur ordre du Commandant de la Force ou de son représentant; et

(6) pour résister à des tentatives armées voulant couper la Force de la MINUAR.

AUTORISATION DE FOUILLE ET DE DETENTION

10. Autorisation de stopper et de fouiller. Le personnel de la MINUAR est autorisé à arrêter tout individu qui tente d'entrer ou qui est découvert à l'intérieur des bâtiments sous la protection de la MINUAR et d'exiger de lui ou d'elle de se soumettre à une fouille unanime de soi-même et de son véhicule, le cas échéant. A toute personne qui n'accepte pas d'être fouillée on lui refusera l'accès et elle sera conduite hors du bâtiment sous escorte ou détenue selon les normes en vigueur. Des fouilles de personnes ainsi que de leurs biens sont aussi autorisées pour les besoins de la sécurité. De telles fouilles peuvent être menées avec le minimum nécessaire d'usage de la force.

11. Autorisation de détention. Les personnes ne seront détenues que quand elles auront commis un acte hostile, affiché une intention hostile, mené toute activité qui requerrait l'usage de la force contre elles tel que stipulé par le paragraphe 9.

12. Une fois que quelqu'un est détenu, seule une force minimale non-mortelle est autorisée pour prévenir son évasion, à moins qu'il y ait une nécessité d'agir en auto-défense, dans lequel cas une force minimale est autorisée, y compris la force mortelle. Cependant, si des gens parviennent à s'enfuir et que par conséquent la menace de leur usage de la force est éloignée, aucune force de quelque nature que ce soit ne peut plus être exercée pour les appréhender.

13. Tout détenu sera remis aussitôt que possible aux autorités de police habilitées désignées par le Commandant de la Force. Toutes les armes saisies sur des détenus seront confisquées ou rendues militairement inefficaces.

14. Traitement des détenus. Toute personne détenue n'est pas un prisonnier de guerre régi par la Convention de Genève de 1949. Cependant, à toute personne détenue il sera accordé, comme niveau minimum, le même traitement que celui d'un prisonnier de guerre. Dans presque tous les cas, sauf là où des exigences opérationnelles extrêmes l'exigent, un standing de vie plus élevée sera accordée. Comme la détention devra être aussi courte que possible, beaucoup de procédures accordées aux prisonniers de guerre par la Convention de Genève seront sans objet.

Note: Les détenus ne doivent pas être soumis à l'intimidation, la privation ou l'humiliation. Les soins médicaux ainsi que l'attention du personnel médical seront accordés chaque fois que de besoin. Les détenus auront droit aux mêmes rations et abris que ceux du personnel de la MINUAR.

PROCEDURES DE DEFI ET D'ESCALADE

15. Sauf dans le cas où une riposte s'avère nécessaire en conformité avec le paragraphe 16, autrement les procédures suivantes doivent être suivies:

- (a) Avertissement verbal ou visuel. Avertir l'agresseur d'arrêter son activité, ce qui, dans des circonstances normales, devrait suivre la séquence suivante:
 - (1) selon les circonstances, un avertissement peut être oral, un signe ou une illumination (càd des feux signalisateurs tenus en mains, des lampes-torches, etc.). Le fait de donner un avertissement devrait être communiqué aux niveaux supérieurs de commandement accompagné de rapports continus sur la situation;
 - (2) répéter l'avertissement verbal ou visuel autant de fois que nécessaire pour s'assurer qu'il est compris ou accepté;
- b. Charger les armes. Sur autorisation dans la situation B du Règlement d'Engagement N°.2 (référence au paragraphe 16);
- c. Tirs d'avertissement. Si la menace persiste, utiliser des tirs d'avertissement ciblés dans une direction sûre afin de ne pas se faire mal ou de causer des dégâts secondaires.;
- d. Force non-mortelle. Si les tirs d'avertissement sont ignorés, employer le minimum de force non-mortelle;

e. force non-mortelle. Si un minimum de force non-mortelle n'est pas applicable ou n'a pas d'effet, sur ordre et sous le contrôle d'un supérieur, on peut recourir à une force minimale mortelle, notamment des tirs non-automatiques ciblés, jusqu'à ce que la menace soit écartée;

f. Escalade de la force mortelle. La montée des armes à feu avec d'autres systèmes d'armes sera placée sous les ordres du seul commandant habilité en conformité avec le paragraphe 7.

TIR SANS AVERTISSEMENT OU ESCALADE.

16. Le seul moment où il est permis de faire usage de force mortelle sans avertissement ou escalade est quand une attaque armée par un agresseur vient de façon si inattendue que même un petit retard pourrait:

a. causer la mort ou un dommage grave au personnel de la MINUAR ou à tout autre personnel militaire ou civil autorisé par les Nations unies;

b. causer la mort ou un dommage grave à des personnes placées sous la protection de la MINUAR; ou

c. conduire à un dommage ou destruction immédiate des biens de la MINUAR dans les circonstances décrites au paragraphe 9.b(2).

PROCEDURE DANS LE PROCESSUS D'OUVRIR LE FEU.

17. Tout usage d'armes à feu comme moyen d'exercer une force mortelle consistera en des tirs ciblés, c'est-à-dire viser au milieu de la masse visible de la cible. Les tirs doivent être contrôlés pour ne pas tirer aveuglément. Les tirs automatiques ainsi que l'emploi des armes de support ne seront utilisés qu'en dernier ressort et seulement sur autorisation tel que mentionné au paragraphe 7. Les tirs ciblés continueront aussi longtemps qu'il sera nécessaire pour atteindre le but immédiat.

A travers des ordres pour contrôler les tirs, le commandant sur place indiquera et contrôlera les tirs dirigés de préférence sur les meneurs ou sur les instigateurs de la menace. Un rapport régulier sur la situation sera transmis à travers la chaîne de commandement.

18. Chaque fois que possible, l'intensification de l'usage de force devrait être autorisée par la chaîne de commandement de la MINUAR. Un appel explicite par radio pour demander l'autorisation d'ouvrir le feu peut à lui seul provoquer un effet pacificateur. La permission de passer à un niveau supérieur de force doit être obtenue du commandant habilité en conformité avec le paragraphe 7. Le commandant sur place est responsable de l'évaluation de la situation et de la prise d'une action appropriée à la situation.

PROCEDURE APRES L'OUVERTURE DU FEU.

19. Après l'ouverture du feu, les commandants devraient s'assurer que les actions suivantes sont menées.

a. Action médicale. Toute personne blessée, y compris celles sur lesquelles le personnel de la MINUAR a tiré, bénéficiera de l'assistance de première nécessité à condition qu'une telle action puisse se faire sans mettre davantage en danger les vies du personnel de la MINUAR.

b. Enregistrement. Les détails sur l'incident seront enregistrés, y compris:

- (1) la date, l'heure et le lieu où l'ouverture du feu a eu lieu;
- (2) l'unité et le personnel impliqués;
- (3) les événements qui ont conduit à l'ouverture du feu;
- (4) pourquoi le personnel de la MINUAR a ouvert le feu;
- (5) sur qui ou quoi est-ce qu'on a tiré;
- (6) les armes utilisées; et
- (7) le résultat apparent des coups tirés.

c. Rapport. Les informations ci-haut ainsi que la situation qui prévaut doivent être transmises à travers la chaîne de commandement au Siège de la Force à l'attention du Commandant de la Force et de l'Officier Chef des Opérations.

QUATRIEME PARTIE

REGLES D'ENGAGEMENT

20. Règle No. Un: Autorisation de porter des armes

- a. Situation A : Pas d'autorisation; et
 - b. Situation B : Autorisation accordée de porter des armes.
21. Règle No. Deux: Etat des armes
- a. Situation A : les armes seront portées avec des chargeurs remplis.
 - b. Situation B : Les armes portées seront chargées mais sécurisées.
22. Règle No. Trois: Riposte à une intention ou un acte hostile sans faire usage du feu.
- a. Situation A : observer et transmettre un rapport, mais se retirer en vue de préserver sa propre force.
 - b. Situation B : Rester sur place. Contacter et établir une liaison avec la(les) force(s) opposée(s) et/ou les autorités locales concernées.
 - c. Situation C : Observer et faire un rapport. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre fermeté par des moyens appropriés sans ouvrir le feu.
 - d. Situation D : Observer et faire un rapport. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre fermeté par des moyens appropriés. L'usage du feu à titre démonstratif est autorisé.
23. Règle No. Quatre : Désarmement du personnel paramilitaire ou des civils.
- a. Situation A : Pas d'autorisation.
 - b. Situation B : Autorisation accordée. Au cours du désarmement, faire usage minimum de force et monter jusqu'à l'usage de force mortelle si une intention hostile est affichée ou un acte hostile est commis. Se remettre à l'autorité appropriée à la première occasion.
24. Règle No. Cinq : Intervention et tirs d'avertissement
- a. Situation A : Intervention interdite.
 - b. Situation B : Intervenir en utilisant la force mortelle contre des cibles bien identifiées et désignées seulement après avoir tiré des coups d'avertissement dans le cadre du processus d'avertissement.

25. Règle No. Six : Contrôle des systèmes d'armes

a. Situation A : Il est interdit d'entretenir, préparer, déplacer et de faire usage des armes en présence des forces en conflit.

b. Situation B : L'activité nommée ci-haut peut se dérouler en présence des forces en conflit mais elle sera spécifiée par les notes suivantes:

- (1) Entretenir (type de système);
- (2) Préparer (type de système);
- (3) Déplacer (type de système);
- (4) Ouvrir le feu (type de système).

26. Règles applicables dans des situations normales. Dans les situations normales quotidiennes, le statut des règles d'engagement à appliquer est le suivant:

- a. Règle No. Un, Situation B (Autorisation de porter des armes.);
- b. Règle No. Deux, Situation A (les armes seront portées chargées.);
- c. Règle No.Trois, Situation B (Rester sur place. Contacter et établir une liaison avec la(les) force(s) opposée(s) et/ou les autorités locales concernées.);
- d. Règle No.Quatre, Situation A (Pas d'autorisation accordée.);
- e. Règle No.Cinq, Situation A (Intervention interdite.); et
- f. Règle No. Six, Situation A (Entretenir, préparer, déplacer et faire usage des armes en présence des forces en conflit est interdit).

NOTE: Les modifications du statut normal des Règles d'Engagement pour les Forces de la MINUAR, telles que libellées dans ce paragraphe, seront faites sur ordre du Commandant de la Force ou de son Représentant. Les Commandants de Secteur peuvent ordonner des modifications du statut normal des Règles d'Engagement pour leurs secteurs, avec autorisation du Commandant de la Force ou de son Représentant.

CINQUIEME PARTIE

CONCLUSION

27. L'objectif de cette circulaire est de fournir un guide aux commandants et soldats de tous les niveaux en cas d'usage de force. Cependant, il n'est pas possible de faire une circulaire définitive qui puisse détailler toute action possible pour toute situation possible. Il est important et obligatoire que tous le personnel de la MINUAR comprenne ces Règles d'Engagement et les applique à toute situation qui se produit nécessitant l'usage de la force.

28. Les amendements à cette circulaire seront faits tels que requis et approuvés par les Nations unies.

29. Cette circulaire sera classée avec mention DISTRIBUTION RESTREINTE ONU.

Annexe:

Annexe A Aide-Mémoire pour le personnel de la MINUAR.

NIVEAUX DE PREPARATION/ALERTE DE LA MINUAR

No	SITUATION	UNITES/QG	ACTION
1	VERTE	TOUS	1.Activités normales 2.RDE: Règle 1-Situation B, Règle 2- Situation A, Règle 3- Situation B, Règle 4- Situation A, Règle 5-^Situation A, Règle 6-Situation A.

2	JAUNE	QG	<ul style="list-style-type: none"> 1. Début de préparation pour la situation qui suit. 2. Augmentation des liaisons. 3. Visites des personnalités importantes annulées. 4. Pas de congé excepté pour des raisons humanitaires.
		UNITES	<ul style="list-style-type: none"> 1. Stade de précaution. 2. Double Sentinelle. 3. Restriction du mouvement nocturne. 4. Tester les abris. 5. Alerter les troupes. 6. Pas d'accord de congé sauf pour des raisons humanitaires. 7. Consolider les communications, les unités et les armes. 8. 3 heures de préparation accordées aux troupes en réserve pour se mettre en mouvement.
		TOUS	<p>RDE: Règle 1-Situation B, Règle 2-Situation B, Règle 3-Situation C, Règle 4-Situation A, Règle 5-Situation A, Règle 6-situation A.</p>
3	ROUGE	QG	<ul style="list-style-type: none"> 1. Alerte général. 2. Visites des personnalités importantes annulées. 3. Pas de congé. 4. Seuls les mouvements d'urgence sont permis. 5. Envoi des rapports spéciaux sur la situation au Quartier Général des Nations Unies. 6. Evacuation des civils si la situation le permet.
		UNITES	<ul style="list-style-type: none"> 1. Les troupes en position défensive. 2. Les troupes en position d'alerte. 3. Une heure de préparation accordée aux troupes en réserve pour se mettre en mouvement. 4. Pas d'accord de congé. 5. Les troupes de garde à l'extérieur portent des flak jackets.
		TOUS	<p>RDE: Règle 1-Situation B, Règle 2-Situation B, Règle 3-Situation D, Règle 4-Situation B, Règle 5-Situation B, Règle 6-Situation B.</p>

AIDE MEMOIRE - REGLES D'ENGAGEMENT

REGLE UNE: AUTORISATION DE PORTER DES ARMES

SITUATION A: Pas d'autorisation.

SITUATION B: Autorisation accordée.

REGLE DEUX: CONDITION DES ARMES

SITUATION A: les armes seront portées chargées.

SITUATION B: le armes seront chargées mais sécurisées.

REGLE TROIS: RIPOSTE A UNE INTENTION OU ACTE HOSTILE SANS FAIRE USAGE DU FEU

SITUATION A: Observer et transmettre un rapport mais se retirer pour ses propres forces.

SITUATION B: rester sur place. Contacter et établir une liaison avec la(les) force(s) opposée(s) et/ou les autorités locales concernées.

SITUATION C: observer et faire un rapport. Rester sur place. Avertir l'agresseur de votre intention de faire usage de la force et se montrer ferme par des moyens appropriés sans ouvrir le feu.

SITUATION D: observer et faire un rapport. Rester sur place. Avertir l'agresseur de votre intention de faire usage de la force et se montrer ferme par des moyens appropriés. L'usage du feu à titre démonstratif est autorisé.

REGLE QUATRE: DESARMEMENT DU PERSONNEL PARAMILITAIRE OU DES CIVILS

SITUATION A: Pas d'autorisation.

SITUATION B: Autorisation accordée. Au cours de cette activité, faire usage minimum de la force et monter jusqu'à l'emploi de la force mortelle si une intention hostile est affichée ou un acte hostile commis. Se remettre à l'autorité appropriée le plutôt possible.

REGLE CINQ: INTERVENTION ET TIRS D' AVERTISSEMENT

SITUATION A: Intervention interdite.

SITUATION B: Intervention avec usage de la force mortelle contre des cibles bien identifiées et nommées après que des coups d'avertissement aient été tirés dans le cadre d'un processus de d'avertissement.

REGLE SIX: CONTROLE DES SYSTEMES D'ARMES

SITUATION A: Il est interdit d'entretenir, préparer, déplacer, et de faire usage des armes en présence des forces en conflit.

SITUATION B: l'activité ci-haut décrite est permise en présence des forces en conflit mais elle sera explicitée par les remarques suivantes:

- (1) Entretenir(type de système)
- (2) Préparer(type de système)
- (3) Déplacer(type de système)
- (4) Faire feu(type de système)

FILE

ONU DISTRIBUTION RESTREINTE.

SECTION 9:
DIRECTIVE OPERATIONNELLE NO. 02
REGLEMENT D'ENGAGEMENT DE COMBAT

1 ère PARTIE

1. Le commandement des opérations militaires doit être contrôlé et réglementé par la clause de loi, de convention et de jurisprudence nationale et internationale. En ce qui concerne l'opération sous le commandement de l'Organisation des Nations Unies (ONU), il est du ressort de l'ONU de déterminer les paramètres dans lesquels doivent opérer les Forces de l'ONU. Le Commandement des Opérations (CDO) est le moyen employé par l'ONU pour fournir, aux commandants de tous les niveaux, des conseils et des instructions politiques et légales concernant l'usage de la Force par le personnel de l'ONU. Le CDO est préparé par le Commandant des Forces; de plus cela doit être approuvé par l'ONU et ne peut être modifié que par une autorité de l'ONU.

2. Ces règlements de commandement des Opérations de la MINUAR sont prévus pour les Forces de l'ONU opérant sous les auspices de la Résolution no.925 du Conseil de Sécurité de l'ONU, Résolution datant du 8 Juin 1994, qui stipule dans son paragraphe 4 ce qui suit:

"... le mandat consolidé de la MINUAR inclut les clauses suivantes: 3w'12 septembre 1994 32 "

(a) contribuer à la sécurité et à la protection des personnes déplacées, des réfugiés et de personnes menacées au Rwanda, comprenant, dans la mesure du possible, l'établissement et le maintien de régions humanitaires sécurisées;

(b) garantir la sécurité et l'assistance pour la distribution de l'aide ainsi que pour les opérations d'aide humanitaire; et

agir en tant qu'intermédiaire entre les parties en essayant de garantir leur accord de cesser-le-feu;..."

Le paragraphe 5 de la résolution reconnaît particulièrement que:

"La MINUAR peut être obligé de prendre une action d'auto défense contre des personnes ou même des groupes s'attaquant soit à des sites ou des populations protégées, soit au personnel humanitaire ou des Nations Unies ou soit aux autres équipements de livraison et de distribution de l'aide humanitaire.

3. La MINUAR est une force de maintien de la paix sans engagement

à l'une ou l'autre partie en conflit dans la guerre civile rwandaise. Selon les dispositions de l'Accord de Paix d' Arusha et le mandat du Conseil de Sécurité des Nations Unies, la MINUAR a l'engagement d'aider toutes les parties en conflit à atteindre la paix. L'impartialité est la clé et toutes les actions de la MINUAR doivent viser à assurer l'atteinte de cet objectif. Cependant, des circonstances peuvent surgir où l'usage de la force par le personnel de la MINUAR serait nécessaire et justifiée.

DEUXIEME PARTIE

DEFINITIONS

4. Les définitions clés suivantes doivent être bien comprises par tout le personnel de la MINUAR:

a. La force. L'usage des moyens physiques pour imposer sa volonté. La force militaire est l'usage des moyens physiques fournis par des corps de troupes formés, armés et disciplinés sous un commandement unifié pour atteindre une même fin, ceci impliquant généralement la possibilité de l'usage de la violence à des niveaux importants.

b. Auto- défense. L'usage de la force pour protéger:

- (1) soi-même et le personnel de son unité,
- (2) autre personnel militaire ou civil de la MINUAR,
- (3) le personnel d'assistance humanitaire n'appartenant pas à la MINUAR,
- (4) des personnes déplacées, réfugiées ou civiles se trouvant dans des sites ou parmi des populations sous la protection des forces de la MINUAR,
ou
- (5) autre personnel militaire ou civil autorisé des Nations Unies,

contre une intention ou un acte hostile où l'on n'a pas d'autre choix ou le temps de délibérer.

c. Acte hostile. Un acte hostile est une attaque ou autre emploi de la force contre les entités énumérées au paragraphe 4.b.ci-dessus.

d. Intention hostile. Une intention hostile est une menace d'usage imminent de la force contre les entités énumérées au paragraphe 4.b.ci-dessus.

e. Force minimale. Le degré minimum de force autorisée qui est nécessaire, raisonnable et légale dans les circonstances.

f. Domages additionnels. Domages causés aux personnes ou

aux biens jouxtant mais ne faisant pas partie de la cible autorisée.

g. Force non-dangereuse. Tout moyen physique pour contraindre à accepter qui ne comporte pas de risque de mort ou de dommage physique grave contre l'individu sur lequel la force est exercée. Il s'agit généralement de l'usage de la force moins l'emploi des armes à feu ou d'autres armes dangereuses. Les exemples comprennent le fait de pousser et des formes de coups légers, contraindre des personnes par des moyens physiques ou mécaniques. Des tirs d'avertissement relèvent de la force non-dangereuse même si ça comporte l'usage des armes à feu.

h. Force dangereuse. C'est le dernier degré dans l'usage de la force. Il s'agit de ce niveau où la force exercée vise à causer ou peut causer la mort ou un dommage corporel grave indépendamment de l'effet réel de cette force.

TROISIEME PARTIE

INSTRUCTIONS SUR L'USAGE DE LA FORCE

DOMAINE D'APPLICATION

5. Les Règles d'engagement citées dans cette circulaire s'appliquent à tout le personnel fourni par toutes les nations participant à la MINUAR selon les dispositions de la Résolution 925 du Conseil de Sécurité des Nations Unies du 8 Juin 1994. Ces Règles apparaissent sous forme d'interdiction ou de permission. Sous forme d'interdiction, elles sont des ordres de ne pas mener des actions spécifiques. Sous forme de permission, elles servent de guide aux commandants sur certaines actions qui peuvent être menées si elles sont jugées nécessaires pour atteindre les objectifs de la mission.

LA RESPONSABILITE DES COMMANDANTS

6. Les commandants à tous les niveaux sont chargés de:
- a. faire traduire cette circulaire et la diffuser à chacune des personnes sous leurs ordres; et
 - b. s'assurer que toute personne sous leurs ordres comprend le contenu du présent document.

NIVEAUX D'AUTORISATION POUR FAIRE USAGE DE LA FORCE

7. L'usage de force dangereuse pour tous les différents types d'armes sera autorisée comme suit:

- a. Le commandant de la Force ou son représentant :
 - (1) armes de support lourdes (càd lance-roquettes, pièces d'artillerie, mortiers légers, etc.);

(2) mitrailleuses lourdes ou canons (.50 cal, 20mm, etc.); et

(3) mitrailleuses moyennes (càd FN MAG, M60, etc.)

b. Commandants de Secteurs :

(1) mitrailleuses légères; et

(2) toute arme automatique personnelle

c. Du commandant de bataillon jusqu'au soldat simple sur la scène de menace. Armes personnelles non-automatiques.

PRINCIPES REGISSANT L'USAGE DE LA FORCE

8. Quand un incident survient où l'usage de la force est nécessaire, l'on devra s'en tenir aux principes suivants:

a. Si possible, les moyens de négociation et d'avertissement doivent être exploités à fond avant de commencer tout usage de la force;

b. Il faudra employer seulement le minimum de la force dangereuse ou non-dangereuse requis pour l'objectif immédiat;

c. Excepté là où c'est autorisé sous le paragraphe 11, l'échelle des procédures de force conformes au paragraphe 16 doivent être épuisées avant de faire appel à l'usage de la force dangereuse;

d. La force dangereuse est justifiée seulement dans des conditions d'extrême nécessité et en dernier ressort quand tous les moyens plus simples ont échoué ou ne peuvent pas être pratiquement employés;

e. La violence utilisée doit être réduite au minimum;

f. Les dommages secondaires doivent être réduits au minimum;

g. l'usage de la force en représailles est interdit; et

h. L'usage de la force est contrôlé par le commandant présent sur la scène et il doit cesser une fois que l'objectif a été atteint.

PERMISSION DE FAIRE USAGE DE LA FORCE

9. La force peut être comme suit:

a. La force non-dangereuse. Le personnel de la MINUAR est autorisé à faire usage de la force dans les circonstances suivantes:

- (1) en cas d'auto-défense (telle que définie au paragraphe 4.b.) contre un groupe non-armé;
- (2) contre des tentatives non-armées pour infiltrer ou encercler des unités, compound ou locaux de la MINUAR;
- (3) quand les bâtiments de la MINUAR sont violés dans des tentatives non-armées pour voler les biens de la MINUAR ou des biens placés sous la protection des Nations Unies.
- (4) contre des tentatives non-armées pour enlever ou détenir le personnel militaire ou civil de la MINUAR; et
- (5) quand des tentatives non-armées sont faites pour empêcher le personnel de la MINUAR d'exécuter les ordres de leurs commandants.

b. Force mortelle. Le personnel de la MINUAR est autorisé à faire usage d'une force mortelle dans les circonstances suivantes:

- (1) en cas d'auto-défense (telle que définie au paragraphe 4.b.) contre des personnes qui posent un acte hostile ou montrent une intention hostile;
- (2) pour protéger, contre dommage ou destruction, des biens ou installations appartenant à ou placés sous la protection de la MINUAR, y compris des sites protégés ainsi que les moyens de livraison et de distribution de l'aide humanitaire:
 - (a) qui ont été jugés essentiels pour le succès de la MINUAR par l'officier chargé du commandement de l'unité en consultation avec le Commandant de la Force,
 - (b) qui justifient la protection moyennant l'usage d'une force mortelle, et
 - (c) là où il n'y a pas d'autre moyen d'empêcher le dommage ou la destruction;
- (3) pour subjuguier des tentatives armées voulant empêcher les Forces de la MINUAR de remplir leurs devoirs, quand ils sont autorisés par le commandant de la Force;
- (4) pour résister à des tentatives armées voulant désarmer, enlever ou détenir le personnel militaire ou civil de la MINUAR;
- (5) pour résister à des tentatives armées voulant contraindre le personnel de la MINUAR à se retirer des régions sous sa protection occupées sur ordre du Commandant de la Force ou de son représentant; et

(6) pour résister à des tentatives armées voulant couper la Force de la MINUAR.

AUTORISATION DE FOUILLE ET DE DETENTION

10. Autorisation de stopper et de fouiller. Le personnel de la MINUAR est autorisé à arrêter tout individu qui tente d'entrer ou qui est découvert à l'intérieur des bâtiments sous la protection de la MINUAR et d'exiger de lui ou d'elle de se soumettre à une fouille consensuelle de soi-même et de son véhicule, le cas échéant. A toute personne qui n'accepte pas d'être fouillée on lui refusera l'accès et elle sera conduite hors du bâtiment sous escorte ou détenue selon les normes en vigueur. Des fouilles de personnes ainsi que de leurs biens sont aussi autorisées pour les besoins de la sécurité. De telles fouilles peuvent être menées avec le minimum nécessaire d'usage de force.

11. Autorisation de détention. Les personnes ne seront détenues que quand elles auront commis un acte hostile, affiché une intention hostile, mené toute activité qui requerrait l'usage de la force contre elles tel que stipulé par le paragraphe 9.

12. Une fois que quelqu'un est détenu, seule une force minimale non-mortelle est autorisée pour prévenir son évasion, à moins qu'il y ait une nécessité d'agir en auto-défense, dans lequel cas une force minimale est autorisée, y compris la force mortelle. Cependant, si des gens parviennent à s'enfuir et que par conséquent la menace de leur usage de force est éloignée, aucune force de quelque nature que ce soit ne peut plus être exercée pour les appréhender.

13. Tout détenu sera remis aussitôt que possible aux autorités de police habilitées désignées par le Commandant de la Force. Toutes les armes saisies sur des détenus seront confisquées ou rendues militairement inefficaces.

14. Traitement des détenus. Toute personne détenue n'est pas un prisonnier de guerre régi par la Convention de Genève de 1949. Cependant, à toute personne détenue il sera accordé, comme niveau minimum, le même traitement que celui d'un prisonnier de guerre. Dans presque tous les cas, sauf là où des exigences opérationnelles extrêmes l'exigent, un standing de vie plus élevée sera accordée. Comme la détention devra aussi courte que possible, beaucoup de procédures accordées aux prisonniers de guerre par la Convention de Genève seront sans objet.

Note: Les détenus ne doivent pas être soumis à l'intimidation, la privation ou l'humiliation. Les soins médicaux ainsi que l'attention du personnel médical seront accordées chaque fois que de besoin. Les détenus auront droit aux mêmes rations et abris que eux du personnel de la MINUAR.

PROCEDURES DE DEFI ET D'ESCALADE

15. Sauf dans le cas où une riposte s'avère nécessaire en conformité avec le paragraphe 16, autrement les procédures suivantes doivent être suivies:

(a) Avertissement verbal ou visuel. Avertis l'agresseur d'arrêter son activité, ce qui, dans des circonstances normales, devrait suivre la séquence suivante:

(1) selon les circonstances, un avertissement peut être oral, un signe ou une illumination (càd des feux signalisateurs tenus en mains, des lampes-torches, etc.). Le fait de donner un avertissement devrait être communiqué aux niveaux supérieurs de commandement accompagné de rapports continus sur la situation;

(2) répéter l'avertissement verbal ou visuel autant de fois que nécessaire pour s'assurer qu'il est compris ou accepté;

b. Charger les armes. Sur autorisation dans la situation B du Règlement d'Engagement N°.2 (référence au paragraphe 16);

c. Tirs d'avertissement. Si la menace persiste, utiliser des tirs d'avertissement ciblés dans une direction sûre afin de ne pas se faire mal ou de causer des dégâts secondaires.;

d. Force non-mortelle. Si les tirs d'avertissement sont ignorés, employer le minimum de force non-mortelle;

e. force non-mortelle. Si un minimum de force non-mortelle n'est pas applicable ou n'a pas d'effet, sur ordre et sous le contrôle d'un supérieur, on peut recourir à une force minimale mortelle, notamment des tirs non-automatiques ciblés, jusqu'à ce que la menace soit écartée;

f. Escalade de la force mortelle. La montée des armes à feu avec d'autres systèmes d'armes seront placés sous les ordres du seul commandant habilité en conformité avec le paragraphe 7.

TIR SANS AVERTISSEMENT OU ESCALADE.

16. Le seul moment où il est permis de faire usage de force mortelle sans avertissement ou escalade est quand une attaque armée par un agresseur vient de façon si inattendue que même un petit retard pourrait:

a. causer la mort ou un dommage grave au personnel de la MINUAR ou à tout autre personnel militaire ou civil autorisé par les Nations unies;

b. causer la mort ou un dommage grave à des personnes placées sous la protection de la MINUAR; ou

- c. conduire à un dommage ou destruction immédiate des biens de la MINUAR dans les circonstances décrites au paragraphe 9.b(2).

PROCEDURE DANS LE PROCESSUS D'OUVRIRE LE FEU.

17. Tout usage d'armes à feu comme moyen d'exercer une force mortelle consistera en des tirs ciblés, c'est-à-dire viser au milieu de la masse visible de la cible. Les tirs doivent être contrôlés pour ne pas tirer aveuglément. Les tirs automatiques ainsi que l'emploi des armes de support ne seront utilisés qu'en dernier ressort et seulement sur autorisation tel que mentionné au paragraphe 7. Les tirs ciblés continueront aussi longtemps qu'il sera nécessaire pour atteindre le but immédiat.

A travers des ordres pour contrôler les tirs, le commandant sur place indiquera et contrôlera les tirs dirigés de préférence sur les meneurs ou sur les instigateurs de la menace. Un rapport régulier sur la situation sera transmis à travers la chaîne de commandement.

18. Chaque fois que possible, l'intensification de l'usage de force devrait être autorisée par la chaîne de commandement de la MINUAR. Un appel explicite par radio pour demander l'autorisation d'ouvrir le feu peut à lui seul provoquer un effet pacificateur. La permission de passer à un niveau supérieur de force doit être obtenue du commandant habilité en conformité avec le paragraphe 7. Le commandant sur place est responsable de l'évaluation de la situation et de la prise d'une action appropriée à la situation.

PROCEDURE APRES L'OUVERTURE DU FEU.

19. Après l'ouverture du feu, les commandants devraient s'assurer que les actions suivantes sont menées.

- a. Action médicale. Toute personne blessée, y compris celles sur lesquelles le personnel de la MINUAR a tiré, bénéficiera de l'assistance de première nécessité à condition qu'une telle action puisse se faire sans mettre davantage en danger les vies du personnel de la MINUAR.

- b. Enregistrement. Les détails sur l'incident seront enregistrés, y compris:

- (1) la date, l'heure et le lieu où l'ouverture du feu a eu lieu;
- (2) l'unité et le personnel impliqués;
- (3) les événements qui ont conduit à l'ouverture du feu;
- (4) pourquoi le personnel de la MINUAR a ouvert le feu;
- (5) sur qui ou quoi est-ce qu'on a tiré;

(6) les armes utilisées; et

(7) le résultat apparent des coups tirés.

c. Rapport. Les informations ci-haut ainsi que la situation qui prévaut doivent être transmises à travers la chaîne de commandement au Siège de la Force à l'attention du Commandant de la Force et de l'Officier Chef des Opérations.

QUATRIEME PARTIE

REGLES D'ENGAGEMENT

20. Règle No. Un: Autorisation de porter des armes

a.

UNCLASSIFIED

5000.8 (G3 PLANS)

01 01 161000Z SEP 94 PP UUUU

PLANS 009

UNAMIR HQ

SECTOR 3 HQ GITARAMA

UNCLAS PLANS 009

SUBJ: RULES OF ENGAGEMENT TRG PACKAGE

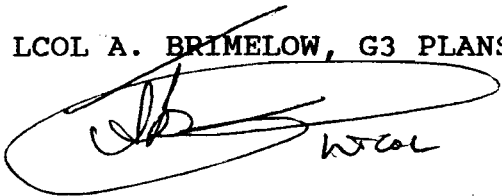
REF: YOUR CIP303 001 OF 160616Z SEP 94

1. THE SUBJ TRG PACKAGE CONSISTS OF A SERIES OF FLIP CHARTS (APPROX 2 X 3 FEET IN SIZE) EXPLAINING THE RULES OF ENGAGEMENT (ROE)
2. THIS HQ WAS DELIVERED A COPY OF THE ROE NOT THE TRAINING AID
3. REQUEST YOU DELIVER THE TRAINING AID NLT 17 SEP 94 FOR OUR BRIEFING OF NEW MILOBS ON 18 SEP 94
4. ACK

G3 PLANS

CAPT I. DENNY, G3 PLANS 4, 11148

LCOL A. BRIMELOW, G3 PLANS, 11148

A handwritten signature in black ink, appearing to read 'A. Brimelow', is written over a large, loopy circular scribble. The signature is positioned to the left of the word 'UNCLASSIFIED'.

UNCLASSIFIED



OUTGOING FAX NO. 1997

PAGE 1 OF 16

DATE: September 26, 1994

File No. 5000.8 (PLANS)

TO: UNDPKO, UNITED NATIONS NEW YORK FAX # (212) 963-1356 PHONE # (212) 963-3310	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN:	PHONE: 1 212 963 3092
INFO:	FAX NO: 1 212 963 3090
INTERNAL DISTR: G3 PLANS (LESS ENCLOSURE)	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT	
REFERENCE:	

1. ENCLOSED, FOR YOUR APPROVAL, IS A DRAFT COPY OF THE UPDATED RULES OF ENGAGEMENT.
2. MINOR EDITORIAL CHANGES HAVE BEEN MADE TO REFLECT THE CURRENT SITUATION AND PROVIDE CLARITY.

8 (Plans)

DISTRIBUTION RESTREINTE ONU

MINUAR
QG de la Force
Branche Ops

A: Voir distribution
De: Commandant de la Force
Date: 10 Septembre 1994
Objet: CIRCULAIRE DU COMMANDANT DE LA FORCE
SUR LES AMENDEMENTS DE LA SECTION 9: INSTRUCTION
OPERATIONNELLE NO. 02

Référence: Instruction Opérationnelle No. 2 du 22 Juillet 1994

1. En vue de simplifier et clarifier les Règles d'Engagement de la MINUAR, les paragraphes 7, 24 et 26 doivent être amendés avec effet immédiat comme suit:

A. AMENDER LE PARAGRAPHE 7 POUR LIRE:

"NIVEAUX D'AUTORISATION CONCERNANT L'USAGE DE LA FORCE

7. L'usage de la force mortelle avec les différents types de systèmes d'armes sera autorisé comme suit:

a. Le Commandant de la Force ou Son Représentant

(1) Armes de couverture lourdes (càd lance-roquettes, pièces d'artillerie, mortiers légers, etc.); et

(2) mitrailleuses lourdes ou canons (.50 cal, 20mm etc.).

b. Dans des situations où leurs vies, celles des membres de leurs unités ou de ceux qu'ils sont chargés de protéger sont menacées, les soldats peuvent utiliser les armes suivantes:

(1) mitrailleuses moyennes (càd. FN MAG, M60, etc.)

(2) mitrailleuses légères; et

(3) toute arme personnelle automatique ou non-automatique.

c. Dans des situations où leurs vies, celles des membres de leurs unités ou de ceux qu'ils sont chargés de protéger ne sont pas menacées, l'usage de la force mortelle avec les différents types d'armes sera autorisé comme suit:

(1) Commandants de Secteurs:

(a) mitrailleuses moyennes (càd. FN MAG, M 60.etc.),

(b) mitrailleuses légères; et

(c) toute personnel automatique.

(2) Du Commandant de bataillon au Sous-Officier se trouvant sur la scène de menace:

(a) armes personnelles non-automatiques.

NOTE: Au moment de l'utilisation des armes, les commandants doivent se souvenir de la nécessité et la proportionnalité militaires."

B. AMENDER LE PARAGRAPHE 24 COMME SUIVIT:

"Règle No. 5 Intervention et tirs d'avertissement

(a) Situation A: L'intervention entre les factions en guerre est interdite.

(b) Situation B: L'intervention avec une force mortelle contre des cibles bien identifiées et désignées après que des coups d'avertissement aient été tirés dans le cadre du processus d'avertissement."

C. AMENDER LE PARAGRAPHE 26 COMME SUIVIT:

"26. Il existe 3 situations de Règles d'Engagement qui peuvent s'appliquer dans n'importe quel secteur du Rwanda. Ces situations sont dénommées VERTE, JAUNE et ROUGE et elles sont décrites sur la rubrique "Niveaux de préparation/Alerte de la MINUAR" qui suit l'Annexe A dans la Circulaire du 22 Juillet 1994. Dans les conditions normales, la situation des Règles d'Engagement sera VERTE.

NOTE: Les modifications de la situation normale des Règles d'Engagement pour les Forces de la MINUAR en général seront faites sur ordre du Commandant de la Force ou de son Représentant. Les Commandants des Contingents aviseront ou, si nécessaire, requerront l'approbation des autorités de leurs pays pour changer de situation."

2. Les Commandants des Contingents de tous les pays participant à la Mission sont aussi invités à obtenir l'accord et l'autorisation nationaux appropriés pour ces amendements afin d'atteindre l'uniformité parmi tout le personnel de la MINUAR.

3. De plus, les Commandants des Contingents sont tenus à s'assurer que tout le personnel sous leurs ordres est convenablement informé et que les aide-mémoires des Règles d'Engagement sont amendés en conséquence.

Guy C. Tousignant
Général-Major
Commandant de la Force

DISTRIBUTION

Action

Information

Externe

CAO

Secteur (Tous)
Bataillon (Tous)
Commandant de Contingent (Tous)
CAH
QG MILOB

Interne

DFC
DCOS OPS
DCOS SP
TAC HQ
G3 OPS
G3 PLANS
G1 CMPO
G3 ENGR
G3 AIR OPS

UNITED NATIONS

ASSISTANCE MISSION FOR RWANDA



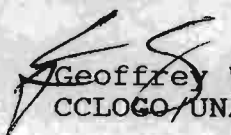
NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

TO: Mr. DUCAM Quoc-Sung
OIC, PROCUREMENT SECTION
UNAMIR/NAIROBI

DATE: 5 October 1994

FROM:  Geoffrey WORDLEY
CCLOGO/UNAMIR

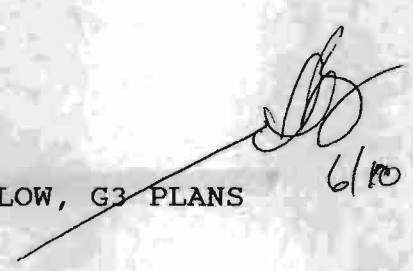
REF: REQ 02/004
MRF

SUBJECT: REQUISITION

Please find enclosed the requisition UNAMIR-LOG-20094 for G3 PLANS attached with the UNAMIR RULES OF ENGAGEMENT (ROE) CARDS given all explanations and specimen of six (6) different cards to be produced, three (3) English and three (3) French. One for each alert level; GREEN, YELLOW and RED. Each card must be printed on its associated colour of paper and be readable.

Thank you for your cooperation.

CC: Karim MASRI, CPO
L.Col. A. BRIMELOW, G3 PLANS

A handwritten signature and the date "6/10" are written over the CC line.

RAAUZYUW UCCVVDD0001 2590843-UUUU--UCCVVDA.

ZNR UUUUU

R 160616Z SEP 94

FM SECTOR 3 HQ GITARAMA

TO UN HQ KIGALI

BT

UNCLAS CIP303 001

SUBJ: CONFIRM G3 PLANS

THE RULES OF ENGAGEMENT TRAINING PACKAGE SHALL BE RETURNED TO
YOU THIS MORNING BY CAPT DE LOS SANTOS FROM THIS HQ.

BT

#0001

Received 09-16-1994 08:41:46



UNAMIR - MINUAR

File No 5000.8 (PLANS)

To: DISTRIBUTION LIST

From: DFC/COS *H. H. H.*

Date: 6 Oct 94

Subject: OFFICER TRAINING - RULES OF ENGAGEMENT(ROE)

Reference: A. HQUNAMIR SOP, SECTION 9, OPDIR NO. 2 ROE
dated 6 Oct 94

1. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of force by UN personnel. It follows that the staff must also have a clear understanding of ROE. To this end, a one hour period of training for all UNAMIR staff officers will be conducted on Sunday 16 Oct 94.
2. Addressees are requested to ensure maximum attendance. Training will commence at 1130 hours in HQ UNAMIR TV room.
3. Attendees are encouraged to read the Reference prior to the training session.

Distribution List

Action

DCOS OPS
DCOS SP
FMO
MA/FC
FSO

Info

FC

② G3 Ops *Q*

~~██████████~~

G2

G3 Engr

G3 Air

CLO

PLANS 2 *7/10*
3 *7/10*
4 *7/10*

NB DCOS OPS COMMENT

[Signature]

G3 PLANS

I expect all offrs unless
on lte to attend.

[Signature]
Col
DCOS OPS
7.10



UNAMIR - MINUAR

File No 5000.8 (PLANS)

To: UNAMIR LEGAL OFFICER

From: *for* G3 Plans *Paul Denny Capt*

Date: 4 Oct 94

Subject: RULES OF ENGAGEMENT

Reference: A. HQUNAMIR OPDIR NO. 2 ROE dated 22 Jul 94
B. HQUNAMIR Amendment 1 to OPDIR NO. 2 dated 10 Sep 94

1. Please find enclosed, for your review and comment, the revised Rules of Engagement (ROE) which incorporates the amendments of Ref B into Ref A and adds minor grammar changes to the french version.

2. Any questions can be addressed to Capt Ian Denny, G3 Plans 4, 11148.

Enclosures: 2

①

MEMORANDUM

1600-1 (Legal O)

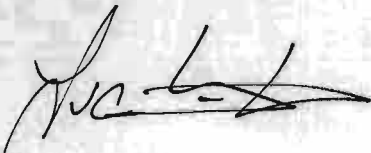
12 Oct. 94

Distribution List

RULES OF ENGAGEMENT

Ref: HQUNAMIR OPDIR NO.2 ROE dated 6 Oct 94

1. While performing a review of the reference an irregularity was brought to my attention.
2. Paragraph 14 of the Order deals with challenge and escalation procedures. The sequence of actions that is provided in this paragraph is not consistent with the sequence provides at paragraph 3 of the Annex A to the ROE. While at Para. 14 the charging of weapons and the warning shots precedes the use of non-deadly force, at the Annex A, physical restraint comes before warning shots.
3. Since the members of the contingent have been instructed from the outset to follow the sequence provided at Annex A (which make more sense in my point of view), I recommend that we continue to applying the same escalation procedures and that Para. 14 be the object of a futur amendment.



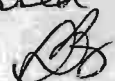
L. Boutin
Maj
Legal Adviser

Distribution List

<u>Action</u>	<u>Information</u>
Cmdt CCIR	CO 1 CDHSR

G3 PLANS 4


pls produce amend-
as discussed



② G3 Plans

As discussed; pls
issue amendment ASAP.


Col
DCOS ops
13.10

④ G3 PLANS
Done, as req -


HQ UNAMIR
G3 PLANS
ND

HQ BRITCON
KIGALI
RWANDA

1390/15

See Distr

8 Oct 94

RULES OF ENGAGEMENT: BRITCON

Reference:

- A. 5000.8(Plans) dated 6 Oct 94.
B. BRITCON ROE dated 7 Sep 94.


1. Reference A is the UNAMIR ROE. Unfortunately the UK MOD are not able to accept them, and have issued Reference B which are the ROE under which BRITCON are now operating. A copy is attached.

2. The new BRITCON ROE differ only slightly from the UNAMIR ROE and are less restrictive than the interim ROE that we have used until now.

3. The differences are in the paragraphs listed below:

Ser	UK ROE Para	UN ROE Para	Remarks
a	b	c	d
1	3	-	UK ROE has an extra para.
2	4b	3b	Definitions of self defence.
3	4c	3c	UK ROE covers property immediately essential to preservation of life.
4	4i	-	UK ROE defines sites under UN protection.
5	7	6b	UK ROE do not permit us to use automatic fire without the Sector Commander's authority.
6	9b	8b	UN ROE covers more scenarios than the UK, and deals with property.
7	10	9	The UK ROE includes an extra sentence, restricting us to non deadly force for stop and search.
8	14	13	UK refers to the Geneva Convention.
9	16	15c	UK ROE do not include property in this paragraph.

10	23b	22b	UK ROE require MOD UK approval for Rule 4 state B to be implemented by BRITCON.
11	24b	23b	UK ROE require MOD UK approval for Rule 5 state B to be implemented by BRITCON.
12	26	25	UK ROE details the ROE for State Green.


S GOVAN
Maj
for COMBRITCON

Enclosure:

1. BRITCON ROE.

Distr:

HQ UNAMIR - MA to FC
G3 Plans



UNAMIR - MINUAR

File No 5000.8 (G3 PLANS)

To: C SUP 0

From: G3 PLANS

Date: 14 Oct 94

Subject: PROCUREMENT OF RULES OF ENGAGEMENT (ROE) CARDS

Reference: A. HQUNAMIR OP DIR No. 2 dated 6 Oct 94

-
1. A recent change to Reference A in order to rationalize the escalation procedures and the use of minimum force now requires that a change be made to the request for supplies of 30,000 ROE cards.
 2. Enclosed are the revised back pages of the cards, one english and one french.
 3. If the cards have not been produced or only some have been produced, stop work on the order and replace the pages with the enclosed revisions. If the order is complete hand revisions will be made by UNAMIR personnel.
 4. If you have any questions please contact, Capt Ian Denny, G3 Plans 4, 11148.

CHALLENGE AND ESCALATION PROCEDURES

1. EXCEPT WHERE A RESPONSE IS REQUIRED IN ACCORDANCE WITH OPENING FIRE WITHOUT WARNING OR ESCALATION, THE FOLLOWING PROCEDURES ARE TO BE FOLLOWED:

A. VERBAL OR VISUAL WARNING. WARN THE AGGRESSOR TO STOP THE ACTIVITY, WHICH IN NORMAL CIRCUMSTANCES, SHOULD FOLLOW THE FOLLOWING SEQUENCE:

(1) DEPENDING ON THE CIRCUMSTANCES, A WARNING MAY BE GIVEN ORALLY, BY A SIGN OR BY ILLUMINATION (IE, HAND HELD RED FLARES, SEARCH LIGHTS, ETC.). THE ISSUANCE OF A WARNING SHOULD ALSO BE PASSED UP THE CHAIN OF COMMAND WITH CONTINUOUS SITUATION REPORTS;

(2) REPEAT THE VERBAL OR VISUAL WARNING AS MANY TIMES AS IS NECESSARY TO ENSURE UNDERSTANDING OR COMPLIANCE;

B. CHARGE WEAPONS. IF AUTHORIZED UNDER STATE B;

C. NON-DEADLY FORCE. IF WARNINGS ARE IGNORED, EMPLOY MINIMAL NON-DEADLY FORCE.

D. WARNING SHOTS. IF THE THREAT CONTINUES, EMPLOY AIMED WARNING SHOTS IN A SAFE DIRECTION SO THAT THERE IS NO DANGER OF PERSONAL INJURY OR COLLATERAL DAMAGE;

E. DEADLY FORCE. IF MINIMAL NON-DEADLY FORCE IS EITHER NOT FEASIBLE OR FAILS, ON ORDER AND UNDER THE CONTROL OF A SUPERIOR, MINIMAL DEADLY FORCE, SUCH AS SINGLE AIMED SHOTS, MAY BE USED UNTIL THE THREAT IS REMOVED;

F. ESCALATION OF DEADLY FORCE. ESCALATORY WEAPONS FIRE WITH OTHER WEAPONS SYSTEMS SHALL ONLY BE ON THE ORDER OF THE APPROPRIATE COMMANDER.

PROCEDURES DE DEFI ET D'ESCALADE

SAUF DANS LE CAS OU UNE RIPOSTE S'AVERE NECESSAIRE EN CONFORMANT AVEC TIR SANS AVERTISSEMENT OU ESCALADE, LES PROCEDURES SUIVANTES DOIVENT ETRE SUIVIES:

A. AVERTISSEMENT VERBAL OU VISUEL. AVERTIR L'AGRESSEUR D'ARRETER SON ACTIVITE, CE QUI, DANS DES CIRCONSTANCES NORMALES, DEVRAIT SUIVRE LA SEQUENCE SUIVANTE:

(1) SELON LES CIRCONSTANCES, UN AVERTISSEMENT PEUT ETRE ORAL, UN SIGNE OU UNE ILLUMINATION (CAD DES FEUX SIGNALISATEURS TENUS EN MAINS, DES LAMPES-TORCHES, ETC.) LE FAIT DE DONNER UN AVERTISSEMENT DEVRAIT ETRE COMMUNIQUE AU NIVEAU SUPERIEUR DE COMMANDEMENT ACCOMPAGNE DE RAPPORT CONTINUEL SUR LA SITUATION;

(2) REPETER L'AVERTISSEMENT VERBAL OU VISUEL AUTANT DE FOIS QUE NECESSAIRE POUR S'ASSURER QU'IL EST COMPRIS OU ACCEPTE;

B. CHARGER LES ARMES. SUR AUTORISATION DANS LA SITUATION B DU REGLEMENT D'ENGAGEMENT NO. 2.

C. FORCE NON-MORTELLE. SI LES AVERTISSEMENTS SONT IGNORES, EMPLOYER LE MINIMUM DE FORCE NON-MORTELLE.

D. TIRS D'AVERTISSEMENT. SI LA MENACE PERSISTE, UTILISER DES TIRS D'AVERTISSEMENT DIRIGER DANS UNE DIRECTION CERTAINE AFIN DE NE PAS SE FAIRE MAL OU DE CAUSER DES DEGATS SECONDAIRES.

E. FORCE MORTELLE. SI UN MINIMUM DE FORCE NON-MORTELLE N'EST PAS APPLICABLE OU N'A PAS D'EFFET, SUR ORDRE ET SOUS LE CONTROL D'UN SUPERIEUR, ON PEUT RECOURIR A UNE FORCE MINIMALE MORTELLE, NOTAMMENT DES TIRS NON-AUTOMATIQUE DIRIGER, JUSQU'A CE QUE LA MENACE SOIT ECARTEE;

F. ESCALADE DE LA FORCE MORTELLE. LA MONTEE DES ARMES A FEU AVEC D'AUTRE SYSTEMES D'ARMES SERA PLACEE SOUS LES ORDRES DU SEUL COMMANDANT.



G-3 PLANS / FILE
[REO]

File No 5000.8 (PLANS)

To: DISTRIBUTION LIST

From: FC

Date: 14 Oct 94

Subject: AMENDMENT TO RULES OF ENGAGEMENT

Reference: A. HQUNAMIR OPDIR NO. 2 ROE dated 6 Oct 94

1. Please find enclosed, for your review and action, an amendment to the Rules of Engagement (ROE) which rationalizes the escalation of force procedures with the concept of minimum force. You are directed to remove the appropriate page and insert the amended page into the Reference. The affected change pertains to the proper sequencing of Sub-paragraphs 14c and 14d.

2. Commanders at all levels are required to:

- a. Have this directive translated and disseminated to every subordinate under their command if other than English/French; and
- b. Ensure that every subordinate under their commands understands the changes to this document.

G.C. Tousignant
Major-General
Force Commander

Enclosures: 2

Distribution List

Action

MA/FC
MA/DFC & COS
DCOS Ops
DCOS Sp
BAC
TAC HQ
List B
List D

10. Authority to Detain. Individuals shall only be detained if they commit a hostile act, display hostile intent or carry out any activity which would require that force be used against them under paragraph 8.

11. Once detained, only minimal non-deadly force is authorized to prevent the escape of a detainee, unless there is a necessity to act in self-defence, in which case minimum force, up to and including deadly force, is authorized. However, if the individuals flee and the threat of their use of force has thus been removed, further force of any kind shall not be employed to apprehend them.

12. Any individual detained shall be turned over as soon as possible to appropriate civilian police authorities as designated by the Force Commander. Any weapons seized from detainees shall be confiscated or rendered militarily ineffective.

13. Detainees shall not be subject to intimidation, deprivation or humiliation. Medical care and the attention of medical personnel will be provided when required. Detainees will be given rations and shelter equivalent to that of UNAMIR personnel.

CHALLENGE AND ESCALATION PROCEDURES

14. Except where a response is required in accordance with paragraph 15, the following procedures are to be followed:

- a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the following sequence:
 - (1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;
 - (2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;
- b. Charge Weapons. If authorized under State B of ROE No.2 (paragraph 15 refers);
- c. Non-Deadly Force. If warnings are ignored, employ minimal non-deadly force;
- d. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;
- e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed;
- f. Escalation of Deadly Force. Escalatory weapons fire with other weapons systems shall only be on the order of the appropriate commander in accordance with paragraph 6.

- b. Charger les armes. Sur autorisation dans la situation B du Règlement d'Engagement N°.2(référence au paragraphe 15);
- c. Force non-mortelle. Si les avertissements sont ignorés, employer le minimum de force non-mortelle;
- d. Tirs d'avertissement. Si la menace persiste, utiliser des tirs d'avertissement diriger dans une direction certaine afin de ne pas se faire mal ou de causer des dégâts secondaires.;
- e. Force mortelle. Si un minimum de force non-mortelle n'est pas applicable ou n'a pas d'effet, sur ordre et sous le contrôle d'un supérieur, on peut recourir à une force minimale mortelle, notamment des tirs non-automatiques diriger, jusqu'à ce que la menace soit écartée;
- f. Escalade de la force mortelle. L'escalade des armes à feu avec d'autres systèmes d'armes sera placée sous les ordres du seul commandant habilité en conformité avec le paragraphe 6.

TIR SANS AVERTISSEMENT OU ESCALADE.

15. Le seul moment où il est permis de faire usage de force mortelle sans avertissement ou escalade est quand une attaque par un agresseur vient de façon si inattendue que même un petit retard pourrait:

- a. causer la mort ou un dommage grave au personnel de la MINUAR ou à tout autre personnel militaire ou civil autorisé par les Nations unies;
- b. causer la mort ou un dommage grave à des personnes placées sous la protection de la MINUAR; ou
- c. conduire à un dommage ou destruction immédiate des biens de la MINUAR dans les circonstances décrites au paragraphe 8.b(2).

PROCEDURE DANS LE PROCESSUS D'OUVRIR LE FEU.

16. Tout usage d'armes à feu comme moyen d'exercer une force mortelle consistera en des tirs ciblés, c'est-à-dire viser au milieu de la masse visible de la cible. Les tirs doivent être contrôlés pour ne pas tirer aveuglément. Les tirs automatiques ainsi que l'emploi des armes de support ne seront utilisés qu'en dernier ressort et seulement sur autorisation tel que mentionné au paragraphe 6. Les tirs ciblés continueront aussi longtemps qu'il sera nécessaire pour atteindre le but immédiat. A travers des ordres pour contrôler les

CANADIAN OP PASSAGE INTERIM RULES OF ENGAGEMENT

July 1994

Reference: DCDS 893 272125Z Jul 94 (DCDS TASKING ORDER)

PART I

GENERAL

1. Op PASSAGE is a Canadian Forces Humanitarian Relief Operation in Rwanda which has been authorized by the Canadian Government in support of the UN High Commission for Refugees (UNHCR). These Op PASSAGE Rules of Engagement (ROE) are provided for members of the CF as directed at the reference.

2. The Op PASSAGE Contingent is a humanitarian relief force without commitment to either party in the Rwandanese civil war. Impartiality is critically important in all dealings with the people of Rwanda and all activities must be aimed at ensuring the furtherance of this objective.

3. These Op PASSAGE ROE are the means by which Op PASSAGE personnel at all levels are provided the political, operational and legal direction and guidance on the use of force during Humanitarian Relief operations in Rwanda, should circumstances arise where the use of force by Op PASSAGE personnel would be necessary and justifiable to prevent death or grievous bodily harm. These ROE have been approved for use by the CDS.

Note: Areas of these ROE still under development are bracketed [] to indicate that they do not apply to Op PASSAGE personnel until such time as details with respect to the location and mandate of the Op PASSAGE contingent have been resolved. Direction on action to be taken with respect to the bracketed sections will be provided on completion of the recce and confirmation of the location and mandate.

PART II**DEFINITIONS**

4. The following key definitions must be clearly understood by all Op PASSAGE personnel:

- a. **Force**. The use of physical means to impose one's will.
- b. **Self-Defence**. For Op PASSAGE self-defence is the use of force to protect:
 - (1) oneself and other Canadian Op PASSAGE personnel
 - (2) [other Canadian military and civilian personnel in-theatre,]
 - (3) [other military or civilian personnel working in company with OP PASSAGE personnel in the provision of humanitarian relief in Rwanda, or]
 - (4) [displaced persons, refugees or civilians under the direct medical care of OP PASSAGE personnel.]against a hostile act or hostile intent, where there is no other choice or time for deliberation.
- c. **Hostile Act**. A hostile act is an attack or other use of force against those entities listed in paragraph 4.b. above.
- d. **Hostile Intent**. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 4.b. above.
- e. **Minimum Force**. The minimum degree of authorized force which is necessary, reasonable and lawful in the circumstances.
- f. **Collateral Damage**. Damage to persons or property adjacent to, but not part of, an entity exhibiting hostile intent or committing a hostile act.
- g. **Non-deadly Force**. Any physical means of forcing compliance that does not pose a risk of death or serious bodily harm to the individual against whom

the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.

- h. **Deadly Force.** This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

PART II

GUIDANCE ON THE USE OF FORCE

APPLICABILITY

5. The ROE stated in this directive apply to all CF personnel in Op PASSAGE. Except in self defence, the use of force is prohibited unless authorized by these ROE. The numbered ROE are written in the form of permissions. Issued as permissions they are direction to commanders that certain specific actions may be taken if they are judged necessary.

COMMANDERS' RESPONSIBILITY

- 6. Op PASSAGE commanders at all levels are required:
 - a. to have this directive disseminated to every subordinate under their command; and
 - b. to ensure that every subordinate under their command understands and complies with the contents of this document.

PRINCIPLES FOR USE OF FORCE

- 7. When an incident occurs that may require the use of force, the following principles will be adhered to:
 - a. if possible, negotiation and warnings must be exhausted before any use of force is initiated;

- b. only the minimum force necessary shall be employed;
- c. deadly force is to be employed in self-defence only and is justified only under conditions of extreme necessity and as a last resort when all lesser means of self-defence have failed or cannot reasonably be employed;
- d. escalation of the level of violence is to be minimized and if possible, avoided;
- e. collateral damage that may arise from the use of force is to be minimized and if possible, avoided;
- f. the use of force in retaliation is prohibited;
- g. except in the case of a lone individual acting in self-defence, the use of force shall be controlled by the on-scene commander as described in paragraph 12; and
- h. the use of force is to cease once the aim of self-defence has been achieved.

PART IV

DIRECTION TO OP PASSAGE PERSONNEL

AUTHORITY TO USE FORCE

8. Force may be used as follows:

- a. Non-Deadly Force. Op PASSAGE personnel are authorized to use non-deadly force in the following circumstances:
 - (1) in self-defence (as defined in paragraph 4.b.) against aggression;
 - (2) against unarmed attempts at infiltration or envelopment of Op PASSAGE units, compounds or locales;
 - (3) against unarmed attempts to steal OP PASSAGE property or property required for humanitarian relief;
 - (4) when unarmed attempts are made to abduct or detain Op PASSAGE personnel [or other

humanitarian relief workers, or persons under the direct medical care of Op PASSAGE personnel;] and

- (5) [when unarmed attempts are made to prevent Op PASSAGE personnel from carrying out their responsibilities as ordered by their commanders.]

- b. **Deadly Force.** Op PASSAGE personnel are authorized to use deadly force only in self-defence (as defined in paragraph 4.b.) against persons committing a hostile act or exhibiting hostile intent;

AUTHORITY TO SEARCH AND DETAIN

9. **Authority to Stop and Search.** [Persons wishing entry into Op PASSAGE premises can be requested to submit to a consensual search of their persons and property. Refusal of this search or a refusal to surrender weapons constitutes grounds for refusal of entry.] Persons found attempting to enter Op PASSAGE premises or found having entered Op PASSAGE premises in any potentially threatening manner may be searched for security purposes using necessary minimal non-deadly force. Weapons may be seized in such instances and shall be turned over to appropriate UN or host country military or civilian authorities as soon as possible.

10. **Authority to Detain.** Persons shall only be detained if they commit a hostile act, display hostile intent or carry out any activity which would require that force be used against them under paragraph 9. They shall be turned over to appropriate UN or host country military or civilian authorities as soon as possible. Any weapons seized in the course of detainment shall be turned over to appropriate UN or host country military or civilian authorities.

11. If it is necessary to detain an individual pending turn-over to appropriate military or civilian authorities, only minimal non-deadly force is authorized to prevent the escape of a detainee, unless there is a necessity to act in self-defence, in which case minimum force, up to and including deadly force, is authorized.

WARNING PROCEDURES

12. Except where a response is required in accordance with paragraph 13, the following procedure is to be followed when

warning an individual that a hostile act or a display of hostile intent may result in a response in self-defence:

- a. Verbal or Visual Warning. Warn the aggressor to stop the aggressive activity, which in normal circumstances, should follow the following sequence:
 - (1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports, and
 - (2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;
- b. Charge Weapons. Make use of the visual effect of such action to convince the aggressor that failure to stop the aggressive activity may result in the use of deadly force;
- c. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage; and
- d. Non-Deadly Force. If warning shots are ignored, where possible, employ minimal non-deadly force;
- e. Deadly Force. Except in the case of a lone individual acting in self-defence, if the aggressor commits a hostile act or displays hostile intent, on order and under the control of the on-scene commander, employ minimal deadly force, such as single aimed shots, until the threat is removed.

OPENING FIRE WITHOUT WARNING

13. The only circumstance under which it is permissible to use deadly force without attempting to follow the warning sequence in paragraph 12 would be if an armed attack by an aggressor comes so unexpectedly that even a moments delay could lead to death or serious injury to those personnel as defined in para 4.b.

PROCEDURES DURING FIRING

14. Any use of firearms as a means of applying deadly force, shall be aimed fire. Fire must be controlled and will not be indiscriminate. Automatic fire will only be used as a last resort and fire for effect will only continue as long as it is necessary to achieve the immediate aim of self-defence.

PROCEDURES AFTER FIRING

15. After any weapons firing, the following actions are to be taken:

- a. **Medical**. Wounded shall be given first aid as soon as possible once such aid can be given without endangering lives;
- b. **Recording**. Details of the incident will be recorded, including:
 - (1) date, time and place of firing,
 - (2) unit and personnel involved,
 - (3) the events leading up to the firing,
 - (4) why OP PASSAGE personnel opened fire,
 - (5) who or what was fired on,
 - (6) the weapons fired,
 - (7) the apparent results of the firing; and
- c. **Reporting**. The above information and the current situation will be reported through the chain of command to NDHQ/NDOC as soon as possible.

PART V

RULES OF ENGAGEMENT AUTHORIZATIONS

16. **Rule No. One:**

Authorization is granted to carry weapons for self-defence.

17. Rule No. Two:

Authorization is granted for weapons to be carried with loaded magazines.

18. Rule No. Three:

Authorization is granted for the use of deadly force in self-defence of oneself and other Canadian Op PASSAGE personnel [and displaced persons, refugees or civilians in under the direct medical care of Op PASSAGE personnel].

19. Rule No. Four:

Authorization is granted to disarm and detain persons who exhibit hostile intent or commit a hostile act.

20. Rule No. Five:

The use of non deadly force is authorized for the security of Op PASSAGE compounds and property.

NORMAL RULES AND STATES

21. Changes in the ROE for Op PASSAGE personnel, as described in the above paragraphs, will be ordered by the Op PASSAGE Contingent Commander.

PART VI

CONCLUSION

22. The aim of this directive is to provide guidance to Op PASSAGE personnel at all levels in the use of force. However, no definitive directive can be created that can detail every possible course of action for every possible situation. It is critical and mandatory that all Op PASSAGE personnel understand these ROE and apply them to any and all situations that develop requiring the use of force.

23. Amendments to this directive will be issued as required and as approved by the CDS,

24. The security classification of this document is UNCLASSIFIED.

Annex:

Annex A Op PASSAGE Aide-Memoire

Annex A

OP PASSAGE AIDE-MEMOIRE

PRINCIPLES

1. The following principles regarding the use of force apply:
 - a. negotiate and warning before using force;
 - b. use only the minimum force necessary;
 - c. deadly force is for self-defence only, under conditions of extreme necessity and as a last resort when all lesser means of self-defence have failed or cannot reasonably be employed;
 - d. minimize the escalation of the level of violence;
 - e. minimize collateral damage;
 - f. the use of force in retaliation is prohibited;
 - g. where possible, the use of force shall be controlled by the on-scene commander; and
 - h. cease the use of force once the threat to life has been removed.

WARNING PROCEDURES

2. Except where authorized to open fire without warning, the following procedure is to be followed as closely as possible when facing a hostile act or hostile intent:
 - a. Warn. Verbally or visually warn the aggressor to stop;
 - b. Repeat warnings. Repeat the warnings as many times as necessary or possible;
 - c. Charge Weapons. Place a round in the breach in order to deter further aggression and in order to signal the will and intent to use force;
 - d. Warning Shots. Use aimed warning shots;

- e. Non-Deadly Force. If warning shots are ignored, where possible, use minimal non-deadly force;
- f. Deadly Force. If non-deadly force is ignored, use minimal deadly force.

OPENING FIRE WITHOUT WARNING

3. Use deadly force without following the warning sequence only when an armed attack comes so unexpectedly that even a moments delay could lead to death or serious injury to yourself or those of your unit [or those under your protection].

4. The following ROE shall apply:

Rule No. One: Authorization is granted to carry weapons for self-defence.

Rule No. Two: Authorization is granted for weapons to be carried with loaded magazines.

Rule No. Three: Authorization is granted for the use of deadly force in self-defence of oneself and other Canadian Op PASSAGE personnel [and displaced persons, refugees or civilians in under the direct medical care of Op PASSAGE personnel].

Rule No. Four: Authorization is granted to disarm and detain persons who exhibit hostile intent or commit a hostile act.

Rule No. Five: The use of non deadly force is authorized for the security of Op Passage compounds and property.



5000.8 (PLANS)

KIGALI

16 August 1994

TO: FAFBATT HQ

FROM: C PLANS
UNAMIR HQ

SUBJECT: INSTRUCTIONS FOR OPENING FIRE IN RWANDA

1. Enclosed is fifty (50 copies) of French version of instructions for all members of the UNAMIR Military component regarding opening fire in RWANDA.
2. You are please requested to produce more copies for your troops under command.
3. Submitted for your necessary action.

A handwritten signature, likely of A. Brimelow, enclosed in an oval.

A BRIMELOW
Lt Col
Chief of Plans

INSTRUCTIONS A TOUS LES MEMBRES DES COMPOSANTS MILITAIRES DE LA MINUAR CONCERNANT L'OUVERTURE DE FEU AU RWANDA

1. Vous êtes priés d'éviter l'usage de force, quand il est possible de le faire, et votre comportement doit, le moins possible causer de problème, soit de la peur ou de danger au population locale.

2. Votre chef immédiat vous ordonnera tout changement concernant le fait d'être prêt pour l'usage d'armes. Lorsque votre chef doit normalement donner l'ordre de tirer, vous avez le droit d'user de la force appropriée pour votre défense propre ou pour ceux qui sont placés sous votre protection. Toutes les fois qu'il est possible, un avertissement devra se faire avant de tirer avec le fusil (voir au verso).

3. Si vous êtes obligé d'user de la force, vous devez user seulement le **MINIMUM DE LA FORCE** Nécessaire. Le **MINIMUM DE LA FORCE** normalement implique les actions successives ci-dessous:

- a. démonstration d'armes.
- b. avertissement verbal.
- c. barrer l'accès de l'endroit devant être protégé.
- d. restriction physique.
- e. coups de feu d'avertissement.
- f. position de tir , et
- g. mise à feu d'armes.

AVERTISSEMENT

4. **AVERTISSEMENT AVANT DE TIRER.** Chaque fois que c'est possible un avertissement doit être donné avant de tirer. Cet avertissement doit se faire à voix claire et haute en ANGLAIS/FRANÇAIS ou en KINYARWANDA:

STOP-HANDS UP/ ARRETEZ LEVEZ LES MAINS/
HAGARARA, AMABOKO HEJURU

(PAUSE)

STOP OR I WILL SHOOT/ ARRETEZ OU JE TIRE/
HAGARARA, CYANGWA BAKURASE

5. **TIRE APRES AVERTISSEMENT.** Après avertissement vous pourrez tirer sur une personne mais pour éviter la mort ou blesser grièvement uniquement dans les cas suivants:

- a. si l'individu est en possession d'une arme dangereuse (exemple: arme à feu, un engin d'explosion improvisé ou une machette) ET
- b. si vous jugez que la personne se prépare à vous attaquer, attaquer votre unité ou une personne sous votre protection, ET
- c. si l'individu refuse de s'arrêter alors qu'on le lui demande; ET
- d. si vous jugez qu'il n'y a aucun autre moyen de stopper l'individu.

6. **TIRE SANS AVERTISSEMENT.** Vous pourrez tirer sans avertissement sur une personne mais pour éviter la mort ou blesser grièvement dans des cas suivants:

- a. si l'individu a employé ou veut utiliser une arme à feu ou tout autre arme dangereux contre vous-même, contre votre unité ou contre une personne sous votre protection; OU
- c. si l'individu est en possession de ce que vous jugez être une arme dangereuse, ET s'il s'apprête à l'employer, ET si vous jugez qu'il n'y a aucun autre moyen de vous protéger, protéger votre unité ou les personnes sous votre protection.

7. Si vous êtes obligé de tirer, vous devrez rapporter tous les étapes vous avez suivis et les consigner dans le rapport à soumettre par écrit à votre chef direct.

A-2

UNAMIR RESTRICTED

UNAMIR INSTALLATIONS - RULES OF ENGAGEMENT (ROE)

Reference : Ops Directive No 2 / 19 Nov 93.

1. UNAMIR Installations

a. UNAMIR installations are described as all UNAMIR military and civilian camps and equipment, deployed on Rwandese territory, belonging to the mission and necessary to fulfill its mandate. The UN Installations will be guarded by UNAMIR assigned elements. Access to these areas is restricted. Access may be granted only on the prior permission of the Force Commander of UNAMIR.

2. UNAMIR troops will adhere to following specific guidelines whilst guarding or defending the installations:

a. **Hostile Intent.** It is an action which appears to be preparatory to an aggressive action against :

- (1) The UN - installation or
- (2) The UN personnel guarding/defending it or
- (3) Any person who has access to it or
- (4) Equipment contained in it.

b. **Hostile Act.** Any aggressive action against as under paragraph 2,a. above.

c. **Authority.** The commander of the guard/defence unit is authorized to use all available weapons or means needed to respond to the threat to which the installation, the own troops, the persons authorized to accede or the stored equipments are exposed. Still, the principles of Minimum Force and collateral damage to be avoided (ref 7. e. and f) will be adhered to.

d. **Threats.**

- (1) Any installation of weapon directed to the installation has to be considered as a hostile intent and will lead to preparedness to respond fire by the guarding unit.
- (2) Any firing at the defending/guarding troops, authorized persons or stored equipments has to be

considered as a hostile act and will lead to immediate reaction by fire and even to offensive actions in order to dislodge the threat.

(3) Hostile attitude by persons will only be reacted at, if those persons proceed towards the installation, although warning by voice have been given. Warning shots will precede fire for effect. If the installation is surrounded by fence or wall, there will be no firing for effect unless the persons actually attempt to cross or to force the barrier.