

[3 STRICTLY CONFIDENTIAL]

UN ARCHIVES

SERIES S-1062

BOX 126

FILE 1

ACC. 1998/0283

FROM MILOB SECTOR 4C CYANGUGU

TO MILOB GP HQ KIGALI//OPS//
UNAMIR HQ KIGALI//G2/G3//

INFO 1CDHSR//G2//
AUSMED//G2//

REPORT ON ARREST/KILLING OF MSF STAFF AT MURURU GR 7723 31 DEC 94

REPORT DATE: 04 JAN 95.

1. AT APPROX 2000 HRS 31 DEC, TWO LOCAL EMPLOYEES OF MEDCINS SANS FRONTIERS (MSF) AT MURURU DISPENSAIRE, MR. NARCISSE NGENDAHIMANA AND PASCAL NYAMISHABA, DEPARTED THE CAMP VIA ITS NORTHERN EXIT TO GO PURCHASE SOME BEER.

2. AT THE MOMENT OF THEIR DEPARTURE FROM THE CAMP GATE, THEY WERE ARRESTED BY TWO RPA SOLDIERS ON PATROL. THEY WERE ACCUSED OF VIOLATING THE CURFEW AND TAKEN TO A NEARBY HOUSE EVIDENTLY BELONGING TO AN RPA OFFICER. (THIS IS EVIDENCE FROM THE SURVIVING PRISONER, NO OFFICER HOME IS KNOWN TO BE ANYWHERE NEAR MURURU) ONLY MANY SOLDIERS AT THE HOME WERE PRESENT. BOTH MEN WERE TIED UP AND BEATEN WITH GUN BUTTS AND STONES AND KICKED OVER A PERIOD LASTING FOR APPROX 30 MINUTES. EVIDENCE OF ROPE MARKS AND WOUNDS WERE EVIDENT ON PASCAL NYAMISHABA (THE SURVIVOR).

3. AFTER THE BEATING BOTH MEN WERE TAKEN TOWARD A NEARBY RPA ENCAMPMENT. AFTER ONLY WALKING A FEW METRES, NGENDAHIMANA REPEATEDLY FELL TO THE GROUND, POSSIBLY AS A RESULT OF THE BEATING. NYAMISHABA WAS DRAGGED FORWARD AND A FEW MINUTES LATER HE HEARD THE FIRING OF FOUR SHOTS. HE SPENT THE NIGHT IN A SMALL ROOM IN THE RPA CAMP APPROX 500 METRES FROM THE DISPENSAIRE. HE WAS LEFT TIED UP THROUGHOUT. AT APPROX 1300 HRS HE WAS VISITED BY AN RPA COMMANDER (NO RANK/NAME KNOWN) AND SUBSEQUENTLY UNTIED. THIS SAME RPA COMD RETURNED ABOUT 1600 HRS AND ON HIS ORDERS WAS SET FREE. MR NYAMISHABA OVERHEARD THIS COMD ASKING WHY THE SOLDIERS HAD KILLED THE OTHER PRISONER. THE SOLDIERS ANSWERED THAT NGENDAHIMANA HAD RESISTED ARREST AND THAT HE WAS ARMED.

4. NYAMISHABA RETURNED TO MURURU DISPENSAIRE APPROX 1700 HRS 01 JAN 95 AND RESUMED WORK AS KITCHEN HELP. PARENTS OF NGENDAHIMANA WERE INFORMED BY RPA THAT THEIR SON HAD RESISTED ARREST AND HAD BEEN KILLED. HE HAD BEEN EMPLOYED AS A NIGHT GUARD OF MSF DISPENSAIRE. RPA HAVE SINCE ADMITTED THAT THE SOLDIERS HAD ACTED IN AN INAPPROPRIATE MANNER, HOWEVER, ASIDE FROM THE LOC COMD BEING VISIBLY ANNOYED WHILE SPEAKING WITH THE SOLDIERS, NO DISCIPLINARY ACTION OR FURTHER INVESTIGATION IS KNOWN.

1 Cc
Pse send a copy
to RPA HQ for the
investigation and
disciplinary action
to be taken against the
mentioned soldiers
✱

TOTAL P.05

TO : FORCE HQ (OPS)

FILE: OPS/INVESTIGATION

FROM : MILOB GP HQ (OPS)

DATE: 06 JAN 95

SUBJECT : INVESTIGATION REPORT ON INCIDENT ON 02 JAN 95
IN SEC 4A

REF : MILOB GP HQ Sitrep Dated 02 Jan 95, Para 3(e) (4).

1. Enclosed please find the initial investigation report on incident that took place on 02 Jan 95 at GIHETA 4898. The investigation was carried out by a MILOBS Team of Sector 4A.
2. Further details if any, will be forwarded in due course.
3. Best regards.

MAFL
S Iliya
Colonel
S00

cc (2)

Pse fwd a copy of
this report to RPA
RU for the rec RPA
investigation and action

[Signature]
6/1

(2)
Treated
to 6/1

INVESTIGATION REPORT

FROM: RM-2.

DATE: 02 JAN 95

1. LOCATION/PLACE OF

- a. Incident: GIHETA 4898.
- b. Report: GIHETA.

2. DATE OF

- a. Incident: 02 Jan 95.
- b. Report: 02 Jan 95.

3. TYPE OF INCIDENT: Murder and Arrest by RPA.4. PERSONS INVOLVED

- a. Who is reporting: Father of victim - Mr Nbabarniz.
- b. Who caused the incident: Allegedly RPA.
- c. Witnesses: Villagers of GIHETA.
- d. Who are the Victims:
 - (1) Habimana Anatol.
 - (2) Ndereyimana.
 - (3) Harerimana.
 - (4) Semana.

5. DESCRIPTION OF INCIDENT:

(Refer to report attached)

- 6. PROBABLE CAUSE: Allegedly revenge by RPA against former RGF soldiers and family members.
- 7. COMMENTS: The case should be investigated as vital clues are available which could help to identify the culprits.

DESCRIPTION OF INCIDENT

1. On 02 Jan 95, at about 0600 hrs approximately 21 RPA soldiers arrived at GIHETA 4898 village. They entered the house of Mr Nbabarinz, the details of the family are as follows:

<u>Sl.No.</u>	<u>Name</u>	<u>Relation</u>	<u>Age</u>	<u>Remarks</u>
a.	Mr. Nbabarinz	Father	70 yrs	Staying with his son Ndereyimana.
b.	Ndereyimana	Son	NK(not Known)	Married and former RGF soldier.
c.	Habimana Anatol	Son	NK	Same as above and staying in nearby house.
d.	Harerimana	Son	NK	Married and staying in another house.
e.	Semana	-	NK	Family cook, married and staying with Habimana Anatol.

2. The soldiers inquired from Ndereyimana about the whereabouts of his weapon as he was a RGF soldier. He stated that the weapon had been returned to the state and they could search his house. The soldiers refused to search his house and took his military boots. He was beaten and tied, the father too was beaten up.

3. On hearing the shouting, Habimana Anatol came out from the other house. Seeing the RPA soldiers fled towards the maize field where he was shot (four shots were heard) by the soldiers. Later on the soldiers butchered him with knife and he died (The team witnessed the spot of the shooting and found blood stains in the field).

cc

Rse fwd

a copy of this
report is the
RPA HQ for the
necessary investigation
and action

1


6/1

4. The RPA soldiers then went to the house of Harerimana, who too was beaten and his hands were tied behind the back. Three civilians had assisted the RPA soldiers to identify this house. These civilians had left this village after the war and ever since have been staying with the soldiers at NYAKIZU 5796 commune. They visited this house on 29 Dec 94. These civilians were identified as follows:

- a. Mr Ndayisaba.
- b. Miss Mukandangira.
- c. Mr Kamiri.

5. The family cook, came out from the house of Habimana Anatol after being called by the soldiers. One of the civilians assisting the RPA, indicated that he also belonged to the family. He too was beaten up thoroughly and was also tied up.

6. During this time the villagers had gathered in large numbers. The soldiers assured them that these apprehended persons with six others, who were apprehended previously, would be returned the next night after investigation. The dead body and the apprehended personnel were taken in a camouflaged car which was parked on the road MUNINI - KAMANA about 800 - 1000 meters away from the site of incident.

7. The car was driven towards KAMANA with the body and 03 arrested persons. Few RPA soldiers had to walk as there was lack of space in the car. While passing through KAMANA DP camp they fired few warning shots in the air to keep the crowd away. A vehicle of GHANBATT which was on it's way from RUNYONBYI tried to chase the RPA car, but failed as the car headed for NYAKIZU and was very fast.

8. Most of the DPs of KAMANA stated that they recognized the driver of the RPA car as Umutoni Richard, son of Headmaster of NYAKIZU commune.

9. Some civilians at GIHETA stated that they had seen the dead bodies of the four above mentioned victims in the river AKAVAGUTE, at south of KAMANA. The bodies were lying on the banks and civilians were being collected to retrieve the four bodies.

3000-42

TO: MILOB GP HQ//CMO/DCMO//

FROM: MILOB SECTOR 2, KIBUNGO

DATE: 12 Dec 1994

SUBJECT: INCIDENT - DETAINMENT OF UN PERSONNEL

- 1) On 11 Dec 1994, UNAMIR, HR and UNREO personnel were blocked by a crowd of drunken civilians and a few suspected RPA soldiers in Kigarama (6170) and threatened. UNCHR and MILOB team were investigating a reported killing of 12 people in this community on 25 Nov 1994. Sector 2 reported this in the Sitrep of 25 Nov 1994 and in a separate message to C0 on the same date. The witness, who informed UNAMIR about this incident, is still under protection in the former NICOY compound and the crowd wanted to know where the witness was and what he told UNCHR about the killings.
- 2) The sequence of events was:
 - a. UNREO and UN HR were stopped at approximately 1730 hours when their vehicles were surrounded by a few civilian people. They radioed for assistance from MILOBs and a team enroute from Kigali was dispatched;
 - b. the MILOB team arrived within minutes and after negotiation all UN vehicles were allowed to pass. The group then went further down the road to check upon an NGO in Gasetza (5672).
 - c. at 1830 hours the group returned through Kigarama where they were again stopped by a larger crowd of civilians. The mood of the crowd became progressively more aggressive despite the efforts of the MILOB to negotiate passage and an impromptu roadblock was constructed by the crowd ahead of the UN vehicles. The crowd was demanding information concerning the witness being protected by UNAMIR. Another radio call was placed by the MILOB team requesting additional assistance.
 - d. assistance was organized but hampered by the fact that:
 - (1) there were no MILOB vehicles available due to detachment on current operation/maintenance problems;
 - (2) there were no armed troops since the withdrawal of NICOY on 11 Dec 94. (Note: this withdrawal occurred despite the protest of the Sector Commander to UNAMIR HQ that there would be a gap in protection.)
 - (3) the lack of radio communications between Sector HQ, Can Sigs Det and GHANBATT HQ advance party.
 - e. Maj Ryshkowski with an officer and a section of soldiers from GHANBATT HQ advance party, proceeded to where the UN group was being detained. Enroute, Maj Ryshkowski brought 3 RPA soldiers manning a checkpoint.
 - f. the RPA soldiers talked with crowd and while the crowd was distracted, the 2 UN vehicles were moved around the roadblock and left. The last remaining UN vehicle with the GHANBATT

soldiers and Maj Ryshkowski was blocked by the crowd and a truck load of drunken RPA soldiers (with weapons) who had just arrived. The RPA soldiers physically hit the GHANBATT soldiers and their vehicle with their hands and fists. The vehicle withdrew in contact with the crowd, leaving the 3 RPA soldiers (from checkpoint) behind at their insistence.

h. there was no violence and no use of force on the part of the UN.

3) **Conclusions:**

a. **Communication:**

The communication system within the sector is not satisfactory. This Milob HQ is at the same time Sector HQ and has no means of radio communication with either CAN SIG DET nor the formed armed troops. The explanation given, is that there are no suitable radiosets available at this time. As well, there is no compatible system of radio communication among the UN agencies and UNAMIR. This is considered of paramount importance for security reasons.

b. **Vehicles:**

This sector has had 5 vehicles in the workshop waiting parts and labor for too long. This was reported every day in the sitrep and personally by the Sector Commander and the Sector Logistics officer to MILOB GP HQ operations staff. Despite of these circumstances, 3 Milob teams were ordered to support the operation in sector 4A. This effectively means that there is 1 vehicle in Rilima and 1 vehicle in Kibungo. Requests for additional vehicles have gone unanswered/unheeded. This is an unacceptable situation both from the viewpoint of operations and security.

c. **Armed UNAMIR troops**

On 11 Dec 94, NICOY left Kibungo without proper replacement by GHANBATT. This point was brought to the attention of UNAMIR HQ and we were assured that no withdrawal would be effected until a proper relief in place could be made. Presently there is no significant armed UNAMIR presence in Sector 2B.

d. **Local attitudes**

The inability of MILOB to effectively patrol our area of responsibility is loosing the respect of the local authority. Furthermore, the local authority has undertaken to create their own armed security force (communal police/militia) using untrained local people as the local authority lacks confidence in the ability of the RPA and UNAMIR to provide security for the population. Consequently there is a difference in the attitudes between that of the national and local governments towards UNAMIR; as shown by the physical abuse shown to the second UNAMIR team to respond to the above incident.

e. Protection under UNAMIR

For 2 weeks, a Rwandan citizen who reported killings at Kigarama has been under the protection of armed troops in Kibungo. This fact was reported to MILOB GP HQ and we have yet to receive any direction on the matter of his continued protection at a UN facility. This creates a dangerous situation for UNAMIR personnel in the Sector and was the direct cause of the above mentioned incident.

4) The Sector Commander:

- a. has protested to the Prefecture and the local RPA Commander concerning the detainment and treatment of UN personnel;
- b. will officially thank GHANBATT for their assistance in resolving the situation with their limited resources; and
- c. requests direction on the disposal of the Rwandan presently provided protection in the former NICOY camp.

R. Gorg

R. Gorg
Lieutenant Colonel
Commander
Sector 2, Kibungo

- CivPol
- PM to coord
- turn over to Prosecutor.

Actioned
Thrust
G3 OPS2