

UNAMDR

G3 OPERATIONS/PLANS - OPERATION ORDERS

4 JUNE - 21 OCT 1994

PLEASE RETAIN
ORIGINAL ORDER

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FILE 5000-45

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

From: Col K P O'Kelly
DCOS (Sp)
HQ UNAMIR

Extn: 11109

To: DCOS (Ops)

File Reference: 4000-1/LOG 2

Date: 21 Oct 94

Subject: UNAMIR CONDUCT, DRESS AND WEAPON CARRIAGE POLICY

References:

- A. 5000.45 (G3 Plans) dated 18 Oct 94.
- B. OSRSG/LA/001 dated 18 Oct 94.

1. Thank you for Reference A. I am confident that a document of this kind is necessary. I do have a few comments to make, mainly of an editorial nature.

2. Paragraph 8. This might helpfully be re-phrased along the lines of:

When ballistic helmets and body armour are ordered to be worn, the UN blue covers are also to be worn.

3. Paragraph 9. In the final line, delete 'the', insert 'their'.

4. Paragraph 10. In Reference B, which was copied to you, the Legal Adviser provided the full text of Article VI, paragraph 37, of the Status of Mission Agreement (SMA). While I recognize that you have consulted SO2 Legal, AUSMED, in the preparation of your draft, there is no indication in the text of SMA that protection is reduced by the wearing of plain clothes. I would go further, and suggest that as a fully transparent organization, UNAMIR does not and can not engage in undercover operations; it follows that anyone in plain clothes must be off duty. Hence, if we are on duty at all times, we must always wear uniform, at least when outside the confines of UNAMIR locations. P.?

5. Paragraph 15.

a. There is a practical problem here. The G4 staff, for example, use Channel 11 which, I believe, has no control station and one cannot assume that the net is manned. It is more unlikely to be manned during silent hours when social functions are more likely to take place. Their radios cannot join suitable nets which will guarantee communications.

Channel 7

reprogramme

1

② G3 Plans

For your consideration.

DCOS ops
21.10

b. I have to say that this whole approach seems rather heavy to me. Mil Obs and the civilian component do not need to have protection at all times and it seems to be unduly restrictive, as a blanket policy, that the remainder should. I recognise that it is necessary to have such a provision available for immediate implementation should the situation warrant it, when, no doubt, draconian limitations would be put on the movement of the other groups I mention; despite the few recent incidents, which did not involve the component covered by this policy, I question whether the situation is that bad. There is also the practical problem that, if I am invited to a plain clothes function, whether or not I intend to consume alcohol, I have no one, other than staff officers, to act as driver/escort - I cannot be alone in this situation.


6. Paragraph 16.

a. In line 2, to what does 'these activities' refer?

b. Sub-paragraphs b and c could be taken to imply that no one may drive alone, at any time. Is this the intention? If so, it should be explicit; if not the wording must be clarified.

7. Paragraph 17 et seq. Upper case is not necessary for *Miner SD!*
'other countries' nor 'high commission'.

8. Paragraph 21. In line 1, delete 'abroad', insert 'into other countries'.


K P O'KELLY
Col
DCOS (Sp)

FILE 5000.45

DFC+COS

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.45(G3 PLANS)

To: List A
List B

From: DCOS Ops

Info: SO2 Legal AUSMED

Date: 18 Oct 94

Subject: UNAMIR CONDUCT, DRESS AND WEAPON CARRIAGE POLICY

Reference: Draft 5000.45(G3 Plans) attached.

1. Please find enclosed the UNAMIR Conduct, Dress and Weapon Carriage Policy in Draft.
2. The legal content has been cleared by SO2 Legal AUSMED.
3. Addressees are asked to provide written comment on the document by Close Of Play Mon 24 Oct 94, after which a nil return will be assumed.

~~DCOS OPS~~
The contents are ok except
that I think we should add that
these instructions are in addition
to national regulations of the individual
contingents.

19/10
DFC/CO

G3 PLANS 3

1. Para 3 would seem to be
an appropriate section to include
a statement to this effect

J ARP
Col
DCOS Ops
G3 PLANS
20/10

9
17/10

5000.45(Plans) G3 PLANS

G3 PLANS - 17/10
2 - Mek 17/10
3 - 17/10
4 -

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

From: Colonel K P O'Kelly
Deputy Chief of Staff (Support)

UNAMIR Force Headquarters
Kigali
Rwanda

2000.1/CMPO/RPR

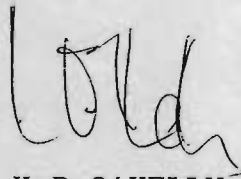
See Distribution

17 Oct 94

POLICY ON EXTENSION OF TOUR

1. The policy on extension of tours of duty for military personnel within UNAMIR has been reviewed and it has been decided that no personnel are to serve more than 12 months in the Mission. This applies equally to all status of individual: contingent member, staff officer or military observer.

2. Requests for extension beyond the 12 month point will no longer be accepted by CMPO's staff; those already with Force HQ for consideration should now be considered to have been rejected and the personnel concerned will return to their countries at the due date.


K P O'KELLY
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Distribution:

Action:

Lists A, B and D (less Serials 7 and 52)
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Information:

Office of SRSG
Oi/c Administration

DCOS (OPS)

UNITED NATIONS
ASSISTANCE MISSION FOR RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

①

UNAMIR Force HQ
Kigali

2000.1/CMPO/PG

See Distribution

18 Sep 94

FORCE ROUTINE ORDER NO 12

FORCE COMMANDER'S POLICY ON ALCOHOL

GENERAL

1. This Force Routine Order is published to promulgate the Force Commanders's Policy on Alcohol. Its contents are to be republished in Unit Orders so that all UNAMIR personnel are aware of the policy. The Force Commander wishes Commanding Officers to pay particular attention to the enforcement of his policy. For the purposes of this Force Routine Order, Chief Military Observer, Chief Humanitarian Assistance Cell and Chief Liaison Officer are to act as Commanding Officers for all military personnel under their command.

2. While this Force Routine Order lays down the minimum standards to be applied, Commanding Officers are permitted to institute permanent or temporary instructions, applicable only to their own contingents, which are more restrictive than the provisions contained herein.

STATEMENT OF POLICY

3. Alcohol is only to be consumed in designated areas (eg messes, dining rooms etc) on occasions authorized by Commanding Officers. Times when the consumption of alcohol is permitted are to be published by Commanding Officers in writing.

4. UNAMIR military personnel are not to consume alcohol in any public place while in uniform. Any member who is invited to a restaurant is to seek approval from his Commanding Officer, through the chain of command, before accepting the invitation. If permission is granted, civilian clothes are to be worn.

5. Members of UNAMIR may accept invitations to 'happy hours' or social occasions at HQ UNAMIR or other UNAMIR unit locations on Fridays, Saturdays or Sundays, regardless of the timings, if they

② G3Ops
G3 Plans 19/9
G2
FNA
DCOS ops
19.9

have been invited and are off duty. Attendance at functions on other days of the week must be approved by the Commanding Officer.

6. No member of UNAMIR is to be in possession of ammunition while consuming alcohol or while in a designated area at a time when consumption of alcohol is permitted. Commanding Officers are to make arrangements to ensure that this does not occur; for example, the following arrangements are offered for consideration:

a. All magazines are to be handed into the guard room prior to going to the designated area.

b. The guard commander must issue some form of receipt, perhaps a numbered disc, to act as a receipt and provide proof that the magazines have been secured.

7. On holidays, celebrations and during happy hours, adequate appropriate security arrangements are to continue to be observed. Guards must remain alert, with back up available from troops who are not drinking alcohol.

8. Any member of UNAMIR who is driving, or likely to drive a vehicle within 4 hours, is not permitted to consume alcohol.

9. Commanding Officers are permitted to delegate the authority vested in them in accordance with paragraphs 3, 4 and 5, if they consider this to be appropriate having due regard to organizational and geographical considerations. Such delegations are to be made in writing and sub-delegation is not permitted.

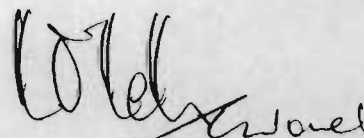
SUMMARY

8. All UNAMIR personnel are to be reminded, on arrival and at least one each subsequent month, that they are on operational service. Drunken behaviour would reflect badly on the Force and impair its readiness and efficiency - it will not be tolerated. Appropriate disciplinary action is to be taken against any member of the Force found to be drunk or with his or her efficiency impaired as a result of drinking.

9. These instructions will be incorporated in Force Standing Orders in due course.

----- or likely to drive within 4 hrs
before or after?

"UNAMIR members are ^{permitted} not to drive for a
period of 4 hours after consumption of alcohol"



K P O'KELLY
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Distribution:

Action:

Lists A, B and D

Information:

Office of SRSG
CAO

B.M. OSWALD

1

Agreement between the United Nations and the
Government of the Republic of Rwanda on the status of the
United Nations Assistance Mission for Rwanda

I. DEFINITIONS

1. For the purpose of the present Agreement the following definitions shall apply:

(a) "UNAMIR" means the United Nations Assistance Mission for Rwanda established pursuant to Security Council resolution 872 (1993) of 5 October 1993 with the mandate described in the above-mentioned resolution based on the recommendations contained in the Secretary-General's report on Rwanda dated 24 September 1993 (S/26488). For the purposes of this Agreement UNAMIR shall consist of:

- (i) the "Special Representative" appointed by the Secretary-General of the United Nations. Any reference to the Special Representative in this Agreement shall, except in paragraph 24, include any member of UNAMIR to whom he delegates a specific function or authority;
- (ii) a "civilian component" consisting of United Nations officials and of other persons assigned by the Secretary-General to assist the Special Representative or made available by participating States to serve as part of UNAMIR;
- (iii) a "military component" consisting of military and civilian personnel made available by participating States to serve as part of UNAMIR.

(b) a "member of UNAMIR" means any member of the civilian or military component but unless specifically stated otherwise does not include locally recruited personnel;

(c) "participating State" means a state contributing personnel to any of the above-mentioned component of UNAMIR;

(d) "The Government" means the Government of the Republic of Rwanda;

(e) "The territory" means the territory of the Republic of Rwanda;

(f) "The Convention" means the Convention on the Privileges and Immunities of the United Nations adopted by the General Assembly of the United Nations on 13 February 1946.

II. APPLICATION OF THE PRESENT AGREEMENT

2. Unless specifically provided otherwise, the provisions of the present Agreement and any obligation undertaken by the Government or any privilege, immunity, facility or concession granted to UNAMIR or any member thereof apply throughout the territory.

III. APPLICATION OF THE CONVENTION

3. UNAMIR, its members, property, funds and assets, shall enjoy the privileges and immunities specified in the present Agreement as well as those provided for in the Convention, to which Rwanda is a Party.

4. Article II of the Convention, which applies to UNAMIR, shall also apply to the property, funds and assets of participating States used in connection with UNAMIR.

IV. STATUS OF UNAMIR

5. UNAMIR and its members shall refrain from any action or activity incompatible with the impartial and international nature of their duties or inconsistent with the spirit of the present arrangements. UNAMIR and its members shall respect all local laws and regulations. The Special Representative shall take all appropriate measures to ensure the observance of those obligations.

6. The Government shall respect the exclusively international nature of UNAMIR and ensure that appropriate steps are taken to ensure the security and safety of UNAMIR and personnel engaged in the Mission.

7. Without prejudice to the mandate of UNAMIR and its international status:

(a) The United Nations shall ensure that UNAMIR shall conduct its operations in Rwanda with full respect for the principles and spirit of the general conventions applicable to the conduct of military personnel. These international conventions include the four Geneva Conventions of 12 August 1949 and their Additional Protocols of 8 June 1977 and the UNESCO Convention of 14 May 1954 on the Protection of Cultural Property in the event of armed conflict;

(b) The Government undertakes to treat at all times the military personnel of UNAMIR with full respect for the principles and spirit of the general international conventions applicable to the treatment of military personnel. These international conventions include the Four Geneva Conventions of 12 April 1949 and their Additional Protocols of 8 June 1977.

UNAMIR and the Government shall therefore ensure that members of their respective military personnel are fully acquainted with the principles and spirit of the above-mentioned international instruments.

United Nations flag and vehicle markings

8. The Government recognizes the right of UNAMIR to display within Rwanda the United Nations flag on its headquarters, camps or other premises, vehicles, vessels and otherwise as decided by the Special Representative. Other flags or pennants may be displayed only in exceptional cases. In these cases, UNAMIR shall give sympathetic consideration to observations or requests of the Government.

9. Vehicles, vessels and aircraft of UNAMIR shall carry a distinctive United Nations identification, which shall be notified to the Government.

Communications

10. UNAMIR shall enjoy the facilities in respect to communications provided in article III of the Convention and shall, in co-ordination with the Government, use such facilities as may be required for the performance of its task. Issues with respect to communications which may arise and which are not specifically provided for in the present Agreement shall be dealt with pursuant to the relevant provisions of the Convention.

11. Subject to the provisions of paragraph 10:

(a) UNAMIR shall have authority to install and operate radio sending and receiving stations as well as satellite systems to connect appropriate points within the territory with each other and with United Nations offices in other countries, and to exchange traffic with the United Nations global telecommunications network. The telecommunication services shall be operated in accordance with the International Telecommunication Convention and Regulations and the frequencies on which any such station may be operated shall be decided upon in co-operation with the Government and shall be communicated by the United Nations to the International Frequency Registration Board;

(b) UNAMIR shall enjoy, within the territory, the right to unrestricted communication by radio (including satellite, mobile and hand-held radio), telephone, telegraph, facsimile or any other means, and of establishing the necessary facilities for maintaining such communications within and between premises of UNAMIR, including the laying of cables and land lines and the establishment of fixed and mobile radio sending, receiving and repeater stations. The frequencies on which the radio will operate shall be decided upon in co-operation with the

*communications convention.
what comments*

Government. It is understood that connections with the local system of telegraphs, telex and telephones may be made only after consultation and in accordance with arrangements with the Government, it being further understood that the use of the local system of telegraphs, telex and telephones will be charged at the most favourable rate.

(c) UNAMIR may make arrangements through its own facilities for the processing and transport of private mail addressed to or emanating from members of UNAMIR. The Government shall be informed of the nature of such arrangements and shall not interfere with or apply censorship to the mail of UNAMIR or its members. In the event that postal arrangements applying to private mail of members of UNAMIR are extended to transfer of currency or the transport of packages and parcels, the conditions under which such operations are conducted shall be agreed with the Government.

Travel and transport

12. UNAMIR and its members shall enjoy, together with its vehicles, vessels, aircraft and equipment, freedom of movement throughout the territory. That freedom shall, with respect to large movements of personnel, stores or vehicles through airports or on railways or roads used for general traffic within Rwanda, be co-ordinated with the Government. The Government undertakes to supply UNAMIR, where necessary, with maps and other information, including locations of mine fields and other dangers and impediments, which may be useful in facilitating its movements.

13. Vehicles, including all military vehicles, vessels and aircraft of UNAMIR shall not be subject to registration or licensing by the Government provided that all such vehicles shall carry the third party insurance required by relevant legislation.

14. UNAMIR may use roads, bridges, canals and other waters, port facilities and airfields without the payment of dues, tolls or charges, including wharfage charges. However, UNAMIR will not claim exemption from charges which are in fact charges for services rendered.

Privileges and immunities of UNAMIR

15. UNAMIR, as a subsidiary organ of the United Nations, enjoys the status, privileges and immunities of the United Nations in accordance with the Convention. The provision of article II of the Convention which applies to UNAMIR shall also apply to the property, funds and assets of participating States used in Rwanda in connection with the national contingents serving in UNAMIR, as provided for in paragraph 4 of the present Agreement. The Government recognizes the right of UNAMIR in particular:

(a) To import, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNAMIR or for resale in the commissaries provided for hereinafter;

(b) To establish, maintain and operate commissaries at its headquarters, camps and posts for the benefit of the members of UNAMIR, but not of locally recruited personnel. Such commissaries may provide goods of a consumable nature and other articles to be specified in advance. The Special Representative shall take all necessary measures to prevent abuse of such commissaries and the sale or resale of such goods to persons other than members of UNAMIR, and he shall give sympathetic consideration to observations or requests of the Government concerning the operation of the commissaries;

(c) To clear ex customs and excise warehouse, free of duty or other restrictions, equipment, provisions, supplies and other goods which are for the exclusive and official use of UNAMIR or for resale in the commissaries provided for above;

(d) To re-export or otherwise dispose of such equipment, as far as it is still usable, all unconsumed provisions, supplies and other goods so imported or cleared ex customs and excise warehouse which are not transferred, or otherwise disposed of, on terms and conditions to be agreed upon, to the competent local authorities of Rwanda or to an entity nominated by them.

To the end that such importation, clearances, transfer or exportation may be effected with the least possible delay, a mutually satisfactory procedure, including documentation, shall be agreed between UNAMIR and the Government at the earliest possible date.

V. FACILITIES FOR UNAMIR

Premises required for conducting the operational and administrative activities of UNAMIR and for accommodating members of UNAMIR

16. The Government of Rwanda shall, to the extent possible, provide UNAMIR such areas for headquarters, camps or other premises as may be necessary for the conduct of the operational and administrative activities of UNAMIR and for the accommodation of the members of UNAMIR. Without prejudice to the fact that all such premises remain Rwandese territory, they shall be inviolable and subject to the exclusive control and authority of the United Nations. Where United Nations troops are co-located with military personnel of the host country, a permanent, direct and immediate access by UNAMIR to those premises shall be guaranteed.

17. The Government undertakes to assist UNAMIR as far as possible in obtaining water, electricity and other necessary facilities, and, in the case of interruption or threatened interruption of service, to give as far as is within its powers the same priority to the needs of UNAMIR as to essential government services. Payment shall be made by UNAMIR on terms to be agreed with the competent authority. UNAMIR shall be responsible for the maintenance and upkeep of facilities so provided.

18. UNAMIR shall have the right, where necessary, to generate, within its premises, electricity for its use and to transmit and distribute such electricity.

19. The United Nations alone may consent to the entry of any government officials or of any other person not member of UNAMIR to such premises.

Provisions, supplies and services, and sanitary arrangements

20. The Government undertakes to assist UNAMIR as far as possible in obtaining equipment, provisions, supplies and other goods and services from local sources required for its subsistence and operations. In making purchases on the local market, UNAMIR shall on the basis of observations made and information provided by the Government in that respect, avoid any adverse effect on the local economy. The Government shall exempt UNAMIR from general sales taxes in respect of all official local purchases.

21. UNAMIR and the Government shall co-operate with respect to sanitary services and shall extend to each other the fullest co-operation in matters concerning health, particularly with respect to the control of communicable diseases, in accordance with international conventions.

Recruitment of local personnel

22. UNAMIR may recruit locally such personnel as it requires. Upon the request of the Special Representative, the Government undertakes to facilitate the recruitment of qualified local staff by UNAMIR and to accelerate the process of such recruitment.

Currency

23. The Government undertakes to make available to UNAMIR, against reimbursement in mutually acceptable currency, Rwandese franc currency required for the use of UNAMIR, including the pay of its members, at the rate of exchange most favourable to UNAMIR.

VI. STATUS OF THE MEMBERS OF UNAMIR

Privileges and immunities

24. The Special Representative, the Force Commander of the military component of UNAMIR, the Police Commissioner of the United Nations civilian police, and such high-ranking members of the Special Representative's staff as may be agreed upon with the Government shall have the status specified in sections 19 and 27 of the Convention, provided that the privileges and immunities therein referred to shall be those accorded to diplomatic envoys by international law.

25. Other United Nations officials assigned to the civilian component to serve with UNAMIR remain officials of the United Nations entitled to the privileges and immunities of articles V and VII of the Convention.

- we are not answer
26. Military observers, civilian police personnel and civilian personnel other than United Nations officials whose names are for the purpose notified to the Government by the Special Representative shall be considered as experts on mission within the meaning of article VI of the Convention.

27. Military personnel of national contingents assigned to the military component of UNAMIR shall have the privileges and immunities specifically provided for in the present Agreement.

28. Unless otherwise specified in the present Agreement, locally recruited members of UNAMIR shall enjoy the immunities concerning official acts and exemption from taxation and national service obligations provided for in sections 18 (a), (b) and (c) of the Convention.

29. Members of UNAMIR shall be exempt from taxation on the pay and emoluments received from the United Nations or from a participating State and any income received from outside Rwanda. They shall also be exempt from all other direct taxes, except municipal rates for services enjoyed, and from all registration fees and charges.

30. Members of UNAMIR shall have the right to import free of duty their personal effects in connection with their arrival in Rwanda. They shall be subject to the laws and regulations of Rwanda governing customs and foreign exchange with respect to personal property not required by them by reason of their presence in Rwanda with UNAMIR. Special facilities will be granted by the Government for the speedy processing of entry and exit formalities for all members of UNAMIR, including the military component, upon prior written notification. On departure from Rwanda, members of UNAMIR may, notwithstanding the above-mentioned exchange regulations, take with them such funds

as the Special Representative certifies were received in pay and emoluments from the United Nations or from a participating State and are a reasonable residue thereof. Special arrangements shall be made for the implementation of the present provisions in the interests of the Government and the members of UNAMIR.

31. The Special Representative shall co-operate with the Government and shall render all assistance within his power in ensuring the observance of the customs and fiscal laws and regulations of Rwanda by the members of UNAMIR, in accordance with the present Agreement.

Entry, residence and departure

32. The Special Representative and members of UNAMIR shall, whenever so required by the Special Representative, have the right to enter into, reside in and depart from Rwanda.

33. The Government undertakes to facilitate the entry into and departure from Rwanda of the Special Representative and members of UNAMIR and shall be kept informed of such movement. For that purpose, the Special Representative and members of UNAMIR shall be exempt from passport and visa regulations and immigration inspection and restrictions on entering into or departing from Rwanda. They shall also be exempt from any regulations governing the residence of aliens in Rwanda, including registration, but shall not be considered as acquiring any right to permanent residence or domicile in Rwanda.

34. For the purpose of such entry or departure, members of UNAMIR shall only be required to have: (a) an individual or collective movement order issued by or under the authority of the Special Representative or any appropriate authority of a participating State; and (b) a personal identity card issued in accordance with paragraph 35 of the present Agreement, except in the case of first entry, when the personal identity card issued by the appropriate authorities of a participating State shall be accepted in lieu of the said identity card.

Identification

35. The Special Representative shall issue to each member of UNAMIR before or as soon as possible after such member's first entry into Rwanda, as well as to all locally recruited personnel, a numbered identity card, which shall show full name, date of birth, title or rank, service (if appropriate) and photograph. Except as provided for in paragraph 34 of the present Agreement, such identity card shall be the only document required of a member of UNAMIR.

36. Members of UNAMIR as well as locally recruited personnel shall be required to present, but not to surrender, their UNAMIR

identity cards upon demand of an appropriate official of the Government.

Uniform and arms

37. Military members and the United Nations civilian police of UNAMIR shall wear, while performing official duties, the national military or police uniform of their respective States with standard United Nations accoutrements. United Nations Security Officers and Field Service Officers may wear the United Nations uniform. The wearing of civilian dress by the above-mentioned members of UNAMIR may be authorized by the Special Representative at other times. Military members and civilian police of UNAMIR and United Nations Security Officers designated by the Special Representative may possess and carry arms while on duty in accordance with their orders.

Permits and licences

38. The Government agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative for the operation by any member of UNAMIR, including locally recruited personnel, of any UNAMIR transport or communication equipment and for the practice of any profession or occupation in connection with the functioning of UNAMIR provided that no licence to drive a vehicle or pilot an aircraft shall be issued to any person who is not already in possession of an appropriate and valid licence.

39. Without prejudice to the provisions of paragraph 37, the Government further agrees to accept as valid, without tax or fee, a permit or licence issued by the Special Representative to a member of UNAMIR for the carrying or use of firearms or ammunition in connection with the functioning of UNAMIR.

Military police, arrest and transfer of custody, and mutual assistance

40. The Special Representative shall take all appropriate measures to ensure the maintenance of discipline and good order among members of UNAMIR, as well as locally recruited personnel. To this end personnel designated by the Special Representative shall police the premises of UNAMIR and such areas where its members are deployed. Elsewhere such personnel shall be employed only subject to arrangements with the Government and in liaison with it in so far as such employment is necessary to maintain discipline and order among members of UNAMIR.

* 41. The military police of UNAMIR shall have the power of arrest over the military members of UNAMIR. Military personnel placed under arrest outside their own contingent areas shall be transferred to their contingent Commander for appropriate

disciplinary action. The personnel mentioned in paragraph 40 above may take into custody any other person on the premises of UNAMIR. Such other person shall be delivered immediately to the nearest appropriate official of the Government for the purpose of dealing with any offence or disturbance on such premises.

42. Subject to the provisions of paragraphs 24 and 25, officials of the Government may take into custody any member of UNAMIR:

(a) When so requested by the Special Representative; or

(b) When such a member of UNAMIR is apprehended in the commission or attempted commission of a criminal offence. Such person shall be delivered immediately, together with any weapons or other item seized, to the nearest appropriate representative of UNAMIR, whereafter the provisions of paragraph 47 shall apply *mutatis mutandis*.

43. When a person is taken into custody under paragraph 41 or paragraph 42 (b), UNAMIR or the Government, as the case may be, may make a preliminary interrogation but may not delay the transfer of custody. Following such transfer, the person concerned shall be made available upon request to the arresting authority for further interrogation.

44. UNAMIR and the Government shall assist each other in carrying out all necessary investigations into offenses in respect of which either or both have an interest, in the production of witnesses and in the collection and production of evidence, including the seizure of and, if appropriate, the handing over of items connected with an offence. The handing over of any such items may be made subject to their return within the terms specified by the authority delivering them. Each shall notify the other of the disposition of any case in the outcome of which the other may have an interest or in which there has been a transfer of custody under the provisions of paragraphs 41-43.

45. The Government shall ensure the prosecution of persons subject to its criminal jurisdiction who are accused of acts in relation to UNAMIR or its members which, if committed in relation to the forces of the Government, would have rendered such acts liable to prosecution.

Jurisdiction

46. All members of UNAMIR including locally recruited personnel shall be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity. Such immunity shall continue even after they cease to be members of or employed by UNAMIR and after the expiration of the other provisions of the present Agreement.

47. Should the Government consider that any member of UNAMIR has committed a criminal offence, it shall promptly inform the Special Representative and present to him any evidence available to it. Subject to the provisions of paragraph 24:

(a) If the accused person is a member of the civilian component or a civilian member of the military component, the Special Representative shall conduct any necessary supplementary inquiry and then agree with the Government whether or not criminal proceedings should be instituted. Failing such agreement, the question shall be resolved as provided in paragraph 52 of the present Agreement.

(b) Military members of the military component of UNAMIR shall be subject to the exclusive jurisdiction of their respective participating States in respect of any criminal offenses which may be committed by them in Rwanda.

48. If any civil proceeding is instituted against a member of UNAMIR before any court of Rwanda, the Special Representative shall be notified immediately, and he shall certify to the court whether or not the proceeding is related to the official duties of such member:

(a) If the Special Representative certifies that the proceeding is related to official duties, such proceeding shall be discontinued and the provisions of paragraph 50 of the present Agreement shall apply.

(b) If the Special Representative certifies that the proceeding is not related to official duties, the proceeding may continue. If the Special Representative certifies that a member of UNAMIR is unable because of official duties or authorized absence to protect his interests in the proceeding, the court shall at the defendant's request suspend the proceeding until the elimination of the disability, but for not more than ninety days. Property of a member of UNAMIR that is certified by the Special Representative to be needed by the defendant for the fulfilment of his official duties shall be free from seizure for the satisfaction of a judgement, decision or order. The personal liberty of a member of UNAMIR shall not be restricted in a civil proceeding, whether to enforce a judgement, decision or order, to compel an oath or for any other reason.

Deceased members

49. The Special Representative shall have the right to take charge of and dispose of the body of a member of UNAMIR who dies in Rwanda, as well as that member's personal property located within Rwanda, in accordance with United Nations procedures.

VII. SETTLEMENT OF DISPUTES

50. Except as provided in paragraph 52, any dispute or claim of a private law character to which UNAMIR or any member thereof is a party and over which the courts of Rwanda do not have jurisdiction because of any provision of the present Agreement, shall be settled by a standing claims commission to be established for that purpose. One member of the commission shall be appointed by the Secretary-General of the United Nations, one member by the Government and a chairman jointly by the Secretary-General and the Government. If no agreement as to the chairman is reached within thirty days of the appointment of the first member of the commission, the President of the International Court of Justice may, at the request of either the Secretary-General of the United Nations or the Government, appoint the chairman. Any vacancy on the commission shall be filled by the same method prescribed for the original appointment, provided that the thirty-day period there prescribed shall start as soon as there is a vacancy in the chairmanship. The commission shall determine its own procedures, provided that any two members shall constitute a quorum for all purposes (except for a period of thirty days after the creation of a vacancy) and all decisions shall require the approval of any two members. The awards of the commission shall be final and binding, unless the Secretary-General of the United Nations and the Government permit an appeal to a tribunal established in accordance with paragraph 52. The awards of the commission shall be notified to the parties and, against a member of UNAMIR, the Special Representative or the Secretary-General of the United Nations shall use his best endeavours to ensure compliance.

51. Disputes concerning the terms of employment and conditions of service of locally recruited personnel shall be settled by the administrative procedures to be established by the Special Representative.

52. Any other dispute between UNAMIR and the Government, and any appeal that both of them agree to allow from the award of the claims commission established pursuant to paragraph 50 shall, unless otherwise agreed by the parties, be submitted to a tribunal of three arbitrators. The provisions relating to the establishment and procedures of the claims commission shall apply, *mutatis mutandis*, to the establishment and procedures of the tribunal. The decisions of the tribunal shall be final and binding on both parties.

53. All differences between the United Nations and the Government arising out of the interpretation or application of the present arrangements which involve a question of principle concerning the Convention shall be dealt with in accordance with the procedure of section 30 of the Convention.

VIII. SUPPLEMENTAL ARRANGEMENTS

54. The Special Representative and the Government may conclude supplemental arrangements to the present Agreement.

IX. LIAISON

55. The Special Representative and the Government shall take appropriate measures to ensure close and reciprocal liaison at every appropriate level.

X. MISCELLANEOUS PROVISIONS

56. Wherever the present Agreement refers to the privileges, immunities and rights of UNAMIR and to the facilities provided to UNAMIR, the Government shall have the ultimate responsibility for the implementation and fulfilment of such privileges, immunities rights and facilities by the appropriate local Rwandese authorities.

57. The present Agreement shall remain in force until the departure of the final element of UNAMIR from Rwanda except that

(a) The provisions of paragraphs 46, 52 and 53 shall remain in force.

(b) The provisions of paragraph 50 shall remain in force until all claims have been settled that arose prior to the termination of the present Agreement and were submitted prior to or within three months of such termination.

See Distribution

DRAFT

FORCE ROUTINE ORDER NO XX

UNAMIR CONDUCT, DRESS AND WEAPON CARRIAGE POLICY

References:

- A. Force Routine Order No 12 - Commander's Policy on Alcohol.
- B. Status of Mission Agreement.
- C. UNAMIR Living Regulations.

GENERAL.

1. This document states the current UNAMIR policy on conduct, dress and the carriage of personal weapons. It will be updated from time to time, and must be read in conjunction with current ROE and Op NIKE Security Alert Measures (SAMS). *to be read.*

2. This document supersedes Reference A.

3. All members of UNAMIR are required to be aware of this policy. Contingent Commanders are to ensure that their personnel are fully briefed on the contents of this document, are kept current on any reviews which might take place, and that personnel rotating into Rwanda are briefed on arrival.

CONDUCT

4. Image. All personnel in Rwanda represent their units, their countries and the UN. Considerable effort must be expended to ensure that the best possible image is conveyed to the local population and civilian agencies with which they may come in contact. Personnel are particularly reminded that they should:

- a. Adhere to all local laws which have been enacted by the legitimate government.
- b. Deal courteously and politely with those with whom they come in contact.
- c. Avoid any source of conflict in which a dispute might develop.
- d. If employing Rwandan personnel, provide fair and honest terms of service.

5. Behaviour. UNAMIR personnel should be aware that their behaviour can affect the success of the UN mission. Many hours of patient work can be eroded by one thoughtless act; the efforts of many can be undone by the poor behaviour of a few. All personnel should be reminded to act maturely and professionally at all times, whether in or out of uniform. This should particularly apply to:

a. Driving. UNAMIR personnel must drive carefully and use the road with courtesy. They are to adhere to Reference C.

b. Alcohol. Personnel are reminded that their behaviour must not be impaired by alcohol. All personnel must be briefed on UNAMIR alcohol policy, which is described in more detail below and whose tenets are:

(1)X No drinking and driving.

(2)X No driving for four hours after consuming alcohol.

(3)X No drinking when in the possession of weapons.

(4)X No drinking to excess.

(5)X Nobody expects you to manage all this but we have to write it down anyway.

c. Deportment. All personnel are to ensure that their deportment meets the highest possible standards. A smart, ~~clear~~ appearance and a helpful and positive demeanour are ~~essential~~ elements of this. Remember - slick not slimey!

d. Relations with the Opposite Sex. It is assumed that all members of UNAMIR are heterosexual in outlook. Prostitutes are to be paid promptly and on a productivity basis. "Those Who Must" are reminded of the Force Commanders' policy on AIDS - use the Triple Condom method. G3 Plans has details on a Double Condom "hot & horny" method which he swears by: Rub "Algipan" on the first condom - if she squeals, the outer one has broken; if you squeal, the inner one has broken, and if you both squeal you've got AIDS. Personnel who do not wish to pay for it are to be reminded that there not enough available women to go around, and of the difference between a slut and bitch. A slut is someone who does it with anybody - a bitch is someone who does it with anybody, except you!

Assume your
fine meeting
please now!

DRESS & BEARING

6. National Uniform. All personnel are to adhere to their own national uniform regulations. Contingent Commanders are responsible for providing direction on national dress policy within their contingents. Personnel who are not supported by their contingents, or who are on the staff at HQ UNAMIR, are to conform to Force Dress norms which are:

a. For those in field locations - combat fatigues.

b. For those on the staff - combat fatigues or appropriate inner office uniform.

7. UN Accoutrements. All personnel are to wear the following UN accoutrements whilst in uniform:

a. UN beret with anodised UN badge. Officers may wear

cloth UN badges, at the discretion of their Commanding Officers.

OR

b. UN "baseball" type cap, with circular "United Nations/Nations Unies" cloth decal.

c. A brassard, to be worn on the right arm which displays the following:

(1). A small national flag, worn above. This is not a compulsory item.

(2). A "United Nations/Nations Unies" cloth decal, worn below.

OR

d. the same items sewn directly onto the right arm of the uniform jacket or shirt.

8. Ballistic Helmet/Body Armour. UN covers are to be worn on ballistic helmets and body armour, where ordered under Op NIKE SAMS.

9. Webbing. Policy on the wearing of webbing, or its equivalent, and rucksacks it to be ordered by Commanding Officers/Contingent Commanders. Personnel are to wear and carry personal equipment sufficient to fulfil the mission.

10. Wearing of Uniform on Duty. All UNAMIR personnel are on operations and considered to be on duty at all times in Rwanda. Under the Status of Mission Agreement (SOMA), Reference B, UNAMIR personnel who are not wearing uniform carry minimal authority and may not be fully protected under the terms of the Agreement. UNAMIR military personnel are only permitted to wear civilian clothes in the following circumstances:

a. Within the confines of a unit or Mess location which is guarded by armed guard(s).

b. When invited to the **private residence of a named individual**, for which permission to visit has been granted by an individual's Commanding Officer.

c. When carrying out organised sports or PT.

CARRIAGE OF WEAPONS

11. MILOBS. Under Article VI of the UN Convention, defined in Reference B, MILOBS are described as "experts". They do not carry weapons and further policy, described below, on the Carriage of Weapons, does not apply to them.

12. Principle. As UNAMIR military personnel are on duty at all times, and as they have been issued with weapons for their own protection, or the protection of those whom they have a duty to

protect, the principle to be applied is that UNAMIR military personnel will carry weapons at all times. Current ROE and Op NIKE SAMs will further dictate the readiness of UNAMIR personnel. Clearly this policy does not apply to those, such as certain medical and religious personnel, who do not normally carry weapons. However, these personnel must be protected to the same degree as those who are entitled and expected to carry weapons.

13. Exceptions. The occasions on which military UNAMIR personnel do not carry weapons are as follows:

- a. When consuming alcohol.
- b. When in civilian clothes.
- c. When leaving Rwanda - see Other Countries (below).

14. Consumption of Alcohol & Carriage of Weapons. UNAMIR personnel ~~will~~^{are} not to consume alcohol when carrying weapons. Alcohol may only be consumed in the following circumstances:

- a. In a unit location or Mess which is guarded by armed guard(s).
- b. In a private residence (at which civilian clothes may be worn).
- c. In a public place, at which personal protection must be provided - see Personal Protection (below).

15. Personal Protection. UNAMIR military personnel must receive Personal Protection whenever they attend a social function, at which they consume alcohol, or are dressed in civilian clothes. On other occasions, they will be armed and in uniform, and able to protect themselves. Personal Protection will be exercised as follows:

- a. In a unit location or Mess, where it will be provided by armed guard(s).
- b. En route to and from any private residence.
- c. En route to/from and in a public place, such as a bar, hotel or restaurant.
- d. When carrying out organised sports or PT outside an area which is under guard.

16. Level of Personal Protection. Commanding Officers/Contingent Commanders are to determine the level of Personal Protection afforded. Some examples of the minimum level of protection required are as follows:

- a. In a unit location or Mess, sufficient protection to provide adequate security.
- b. En route to/from a private residence, an armed driver.

Communications

Communications?

c. In a public place, an armed driver to/from the public place and an armed person who remains with the group/person throughout the duration of their stay. For simplicity, an armed driver could carry out both functions.

d. For organised sports or PT, a roving patrol, or armed driver following in a vehicle. *the pair* *Comms?*

OTHER COUNTRIES

17. Conduct. The conduct of UNAMIR personnel in Other Countries, such as Burundi, Kenya, Tanzania, Uganda and Zaire, must be impeccable. UNAMIR personnel represent the Mission abroad in Africa and only the highest standards will be accepted.

18. Legal Position. UNAMIR has no special legal relationship with Other Countries in the region. Any alleged offence committed by UNAMIR personnel abroad will be dealt with under the civil law of that country and may lead to prosecution by the civil authority. Individuals from UNAMIR who find themselves in such a position should contact their national consulate, embassy or High Commission immediately. *or UN delegate in that country.*

19. Memoranda of Understanding (MOU). It is hoped that MOU can be signed with the governments of Other Countries in the region, to cover the contingency of legal proceedings being conducted against UNAMIR individuals. COMASC is asked to make SO2 Legal available in order to draft MOU in consultation with Other Countries' governments.

20. Dress. Under certain circumstances, UNAMIR personnel are on duty in Other Countries. When on duty, UNAMIR personnel are to wear uniform in accordance with Paragraphs 6 and 7 above.

21. Carriage of Weapons. UNAMIR personnel are not permitted to carry weapons abroad. Personnel who are going abroad must be afforded Personal Protection to their point of departure, and on return to Rwanda, from their point of return.

SUMMARY OF CONDITIONS FOR SOCIAL ACTIVITY, WEARING OF UNIFORM AND CARRIAGE OF WEAPONS

22. To ensure clarity, a summary of the major restrictions on social activity will be of assistance.

a. Unit Location/Mess.

- (1). Civilian clothes may be worn.
- (2). Alcohol may be consumed in uniform.
- (3). No weapons to be carried by those consuming alcohol.
- (4). Armed guard(s) required.

b. Private Residence.

uniform may be worn - upns!
(1). Civilian clothes must be worn if alcohol is consumed. [If it is not intended to consume alcohol, individuals should wear uniform and be armed. Personal Protection would not be required in this case.]

(2). Commanding Officer's permission required.

(3). Personal Protection required en route to/from residence.

c. Public Place.

- may*
(1). Uniform must be worn. ✓ *Civilian clothes may be worn subject to contingent requirements*
(2). Those who consume alcohol must not be armed. ✓
(3). Personal Protection must be provided to/from the public place and for the duration of stay of the unarmed personnel. ✓

G C TOUSIGNANT
Maj Gen
FC

Distribution:

External:

Action:

List D
List E

Internal:

Action:

List A
List B

- Points
1. Are staff officers subject to contingent requirements?
2. What of a staff officer who has no co - staff chain of command?



UNAMIR - MINUAR

Office of the DFC/COS
UNAMIR Force HQ
KIGALI
Rwanda

1000.7(DFC)/A/1

17th September, 1994

See Distribution

UNAMIR'S WORKING ROUTINE

1. It has been observed with concern that all ranks in Kigali area especially tend to lower their guards just after lunch on Fridays in preparations for the Happy Hour and the weekend. Subsequently Saturdays are observed by some UNAMIR personnel as either non-working or half days.

2. It is a common sight to see UNAMIR vehicles parked in front of restaurants and bars during afternoon working hours on Fridays. This practice is unacceptable and will not be tolerated. One has to be mindful of the presence of various UN specialized agencies and NGOs operating in the same area who will view this attitude of UNAMIR personnel with distaste and accompanying negative comments. It is also morally wrong for us to start feeling too free too soon.

3. It is therefore to be brought to the notice of all under command that UNAMIR is still operating its 7 day working routine in a week since the situation in Rwanda is far from normal and that all must continue to maintain the same working momentum throughout the week. Time for 'O' Gp on Sunday mornings will however continue to be 0930 hrs instead of 0800 hrs. At the appropriate time, a review of these instructions will be carried out.

4. Accept for compliance.

HK ANYIDHO
Brig
DFC/COS

Distribution:

Action:

ALL UNITS/DEPARTMENTS
IN KIGALI

Info:

SRSG
MA TO FC
EXEC DIRECTOR
CAD

G3 PLANS - 18/9
2 - 18/09
3 - 19/09
4 - 19/09/94
G2 PLANS - 19/94



UNAMIR - MINUAR

Office of the DFC/COS
UNAMIR Force HQ
KIGALI
Rwanda

1000.7(DFC)/A/1

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ALL UNITS/DEPARTMENTS
IN KIGALI

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SRSG
MA TO FC
EXEC DIRECTOR
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G3 PLANS 2 - JPK 19/9
3 - A 19/9
4 - ID 19/9
CLK PLANS - M 19/9

② G3 Ops
G2
G3 Plans
19/9 FNA
DCOS ops
18.9

FILE OPS

5000.45 (Plans)

CAMP POST ORDERS - UNAMIR HQ

1. Personnel and vehicles must have proper ID to gain access or will be considered as a visitor.
2. All visitors will be escorted and must observe all rules and regulations applicable to the HQ if it is determined by the Officer in Charge or his delegate that the visitor has a legitimate reason to visit someone in this HQ.
3. Proper compliments will be paid to all national officers.
4. RPA soldiers requesting access to the HQ must be accompanied by an RPA Liaison Officer (RPA LO) and will be escorted throughout the HQ. RPA officials (ie. dignitaries, the President, the Vice-President, or the Ministers) do not require a RPA LO to accompany them, however, the entourage will be escorted.
5. All weapons will be unloaded and cleared at a clearing pit prior to entering the HQ.
6. Any significant incidents will be reported up the chain of command for further action and entered in a log book.
7. Perimeter will be checked at random timing at least every two hours.
8. Parking allocation has been identified, approved and labelled within the HQ. All non-listed vehicles will park in designated visitor parking area at risk of being towed away.

C3 PLANS - AB 15/9
2 - T/et 15/09.
3 - a 16/9
4 - TH 16/09
ELK PLANS - M 16/9

MEMORANDUM

5001-1 (CC)

15 Sep 94

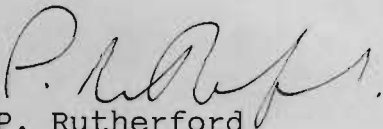
Distribution List

ACCESS TO UNAMIR HQ

Ref: FC policy on Access to UNAMIR HQ Dated 6 Sep 94.

1. As mentioned in Ref, procedures have been outlined for who may or may not be authorized access to UNAMIR HQ. It is paramount that all personnel become aware and assist with the implementation of the policy.

2. Find enclosed the Camp Post Orders which emphasise the guidelines to be complied by all and enforced by our Defence and Security Platoon.


P. Rutherford
Maj
Camp Commandant

Enclosure: 1

DISTRIBUTION LIST

Dist List A

C PLANS

45 Plans

B. 15/9

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5001-1 (CC)

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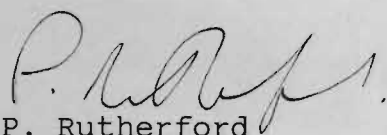
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Camp Commandant

Enclosure: 1

DISTRIBUTION LIST

Dist List A



G3 PLANS - 19/8
PLANS 2 - 19/8
3 - 19/8
4 - 19/8

1000.1/FC/RO
19 August 1994

See Distribution:

FORCE ROUTINE ORDER NO. 11

1. Force Routine Order No. 11 is hereby published for the information and compliance of all UNAMIR military personnel.

WORKING DAYS/HOURS

2. Until further notice, the normal working days for Force HQ and other military HQs are Monday to Sunday noon. Sunday afternoon is declared off-duty hours routine. Any amendment to this order will be communicated in a circular.

3. Working hours are from 0800-1700 hrs, with lunch break from 1200-1300 hrs.

4. All are to take note of the timings.

DRESS REGULATIONS AND TURN-OUT

5. All are reminded that all UNAMIR Force dress regulations are still in force and are equally applicable to all personnel travelling to Nairobi Kenya. Henceforth no UNAMIR personnel will travel to Kenya and back in mufti.

6. With the return of Rwanda to normalcy, it is expected that all UNAMIR military personnel will be smartly turned out at all times and with appropriate military haircut.

RECREATIONAL TRAINING

7. As a result of the security situation in Rwanda over the past months it has not been possible for personnel to exercise themselves in any meaningful way. Now that the security situation has improved and life is returning to normal, all personnel are reminded that there are a variety of sports and games facilities within the Amahoro Sports Complex which they can take advantage of. Apart from the sports and games facilities, there is also a gymnasium at the stadium.

8. All personnel are advised to make maximum use of these facilities to improve upon their physical fitness.

HAPPY HOUR

9. Happy hour will be observed at Force HQ on every Friday from 1700-2030 hrs. Maximum attendance is expected.

DRIVING

10. Reference para 3 of Routine Order No. 2 dated 10 January 1994, all personnel are once more reminded that it is an offence for UNAMIR drivers to drink alcohol eight (08) hours before and during the period of driving.

11. It is obligatory for drivers and passengers of UNAMIR vehicles to wear their seat belts before setting off on any journey in the mission area. And driving in the night should be restricted to the minimum and should be avoided as much as possible.

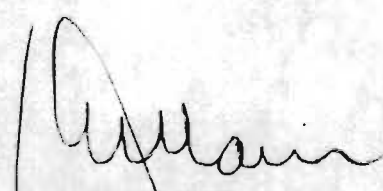
12. Drivers are also advised to avoid driving on dirt roads and alley ways since these are areas likely to harbour mines.

PARTIES IN FORCE HQ BUILDING

13. It has been observed that personnel at Force HQ hold very noisy parties at ungodly hours. Much as individuals and groups have the right to enjoy themselves, they must not do so at the expense of other occupants of the building. All are advised to minimise such parties and limit them to timings that will not disturb the peace of others.

SECURITY AT KIGALI NIGHT CLUB

14. Much as the security of UNAMIR personnel at the Kigali Night Club cannot be guaranteed, it is advised that personnel who wish to patronise the club should wear civilian clothes and avoid discussing subjects concerning the activities of UNAMIR.


R.A. DALLAIRE
Major-General
Force Commander

Distribution:

Standard UNAMIR Distribution List.



1000.1/FC/RO

4 June 1994

See Distribution

FORCE ROUTINE ORDER NO 9


1. Force Routine Order No.9 is published for the information of all UNAMIR personnel.

MESSAGE OF COMMENDATION

2. Published below is a message of commendation from Mr Iqbal Riza, the Deputy to the Under-Secretary-General for Peace Keeping Operations, who visited this Mission with Major-General Baril from 24 - 26 May 1994.

"Gen Baril and I send our most sincere thanks for the magnificent welcome we received from you and the personnel of UNAMIR. The warmth of your hospitality, the care with which our schedule was arranged, the patience demonstrated under the most trying and hazardous conditions, your concern for our safety, all are deeply appreciated.

We would like to convey our appreciation to all your colleagues, officers and soldiers, personally, but that is not practicable. We ask you to transmit this message on our behalf, along with our admiration for their dedication and bravery in the perilous and hard conditions in which they do their duty".


RA DALLAIRE
Major-General
Force Commander

Distribution:

Action:
External:Milob Gp HQ
Ghanbatt HQ
Tun Coy HQ

Internal:

DFC/COS
Ops Branch
Pers Branch
Log Branch
Hum Cell
Plans

Information:

SRSG's Office
CAO