

PLEASE RETAIN
ORIGINAL ORDER

[4 STRICTLY CONFIDENTIAL]

[1 CONFIDENTIAL]

EL/WG MAY 2009

UNARCHIVES

SERIES S-1062

BOX 8

FILE 4

ACC. 1998/0282

Pr
for your info please.

lla
mms

8 to 10



Office of the Force Commander
UNAMIR Force HQ
Kigali
Rwanda

Ref:FC/FL/02/OPS

5 August 1995

LIST D

INDISCIPLINE BEHAVIOUR OF UNAMIR TROOPS

1. The escalation in incidents between UNAMIR soldiers and the RPA is becoming a serious problem and an embarrassment. This indicates to me a lack of discipline among our troops and as the Force Commander, I am greatly disturbed that unless these incidents cease the image of UNAMIR will be seriously tarnished.
2. All Contingent Commanders are therefore instructed to instil discipline in their troops and all units must abide by the Force SOP Section 4: Conduct and Discipline - which states, among other things, that as visitors to Rwanda, we are to respect the laws and regulations of the host country, and are to treat the local inhabitants with utmost courtesy and respect.
3. Be also aware that I will not hesitate to repatriate any soldier who is found guilty of breaching these disciplinary orders.
4. Accept for your information and strict compliance.
5. Acknowledge.

G C Tousignant
Maj Gen
Acting Head of Mission
and Force Commander

/cc:

· Maj Gen Paul Kagame, Vice-President
and Minister of Defence
RPA LO

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

File: 5000. 1 (Plans)

To: See Distribution

From: FC

Date: 7 Aug 95

Subject: SECTOR COMMANDERS

References:

- A. FRAGO 18 to OPORDER 20 dated 29 Jun 95
- B. Annex A to UNAMIR SOPs Part 2 dated 24 Jul 95

1. Effective 3 Aug 95 the new UNAMIR sectors were adopted as per Reference A.
2. The five sectors are now commanded by the Commanding Officers of the four independent companies and the one battalion. All references to subsectors by MILOB GP HQ are for internal administration only. All sector MILOBs are under direct command and control of the formed troop Commanding Officer.
3. The command and control structure of UNAMIR may be referred to at Reference B.

Distribution List

List A (less spares)
List B (less spares)
List C (less spares)

A
08/08



FROM : G 3 PLANS *for* 5000.45 (Plans)
TO : DISTRIBUTION LIST
DATE : 24 Aug 95
SUBJECT : DIRECTIVE ON THE LEGAL JURISDICTION APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES

1. The updated directive on the legal jurisdiction applicable to UNAMIR and Rwandan authorities, is forwarded herewith. It will be effective from the date of receipt. It supersedes the version issued on 25 July 95.

2. Acknowledge.

Distribution :

Action :

LIST B, C AND D (less spares)
UNHFOR (UN Human Rights Field Operations in Rwanda)
CISS
CCPO
STO
CSO
MCC
CITMM
BMES
CCO

Information :

LIST A AND E (less spares)

25/8.



File No 2000-1 (FC)

14 August 1995

Distribution List

**FORCE COMMANDER'S DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES**

References: A. UNAMIR SOPs, Part 3, Section 17, Rules of Engagement dated 24 July 1995.
B. FC Directive on Conduct, Dress and Weapon Carriage Policy dated 26 April 1995.

INTRODUCTION

1. This updated Directive is effective on receipt and cancels the earlier version which was issued on 25 July 1995. It has the support of the SRSG's office, ICRC and UNHCRFOR.

GENERAL

2. In the conduct of their duties, UNAMIR personnel may be required to hand over individuals to the Government of Rwanda. This hand over may occur as a result of Rwandan authorities seeking legal jurisdiction over foreign or Rwandan nationals.

DEFINITIONS

3. The following definitions shall apply to this Directive:

- a. "Appropriate authority" at this stage, refers only to the Prosecutor's Office. Further changes to this definition will be notified in writing by the FC.
- b. "Civilian component" consists of UN officials and of other persons assigned by the Secretary-General to assist the SRSG or made available by participating States to serve as part of UNAMIR.

- c. "Detainee" is any person who is held for committing a hostile act or hostile intent against any of the categories of people referred to in paragraphs 7d and 7e below.
- d. "Legal Jurisdiction" includes but is not limited to those situations where Rwandan authorities seek to take a foreign or Rwandan national into custody.
- e. "Military personnel of national contingents" includes military staff at UNAMIR HQ.
- f. "Official capacity" for UNAMIR troops is any time soldiers are in uniform or in civilian clothes for official functions (see Reference B).
- g. "UNHRFOR" is the United Nations Human Rights Field Operations in Rwanda.
- h. "Visitors" includes, but is not limited to, journalists, tourists, dignitaries representing national governments and non-UNAMIR personnel permitted to enter UNAMIR premises.

AIM

4. The aim of this Directive is to outline the procedures for handing over individuals or groups of people to the Rwandan authorities.

FOREIGN NATIONALS AND RWANDAN JURISDICTION

5. Rwandan authorities may seek jurisdiction over the following categories of foreign nationals:

- a. SRSG, Force Commander and the Police Commissioner of CIVPOL;
- b. UN civilian officials assigned to the civilian component to serve with UNAMIR;
- c. United Nations Military Observers (UNMOs), Civilian Police (CIVPOL) and civilian personnel from overseas who are employed by the UN specifically for this mission but who are not UNAMIR staff (eg consultants) (hereinafter referred to as "experts on mission");
- d. military personnel of national contingents who are part of UNAMIR;
- e. personnel of UN specialised agencies;

- f. personnel of NGOs; and
- g. visitors.

6. The legal status of these categories of personnel and the hand over procedures for them are detailed at Annexes A and C respectively.

• RWANDAN NATIONALS AND RWANDAN JURISDICTION

7. Rwandan authorities may seek jurisdiction over the following categories of Rwandan nationals:

- a. Locally recruited personnel who are working for the UN.
- b. Rwandans who seek UNAMIR protection.
- c. Rwandans who are detained by UNAMIR personnel for committing or who are suspected of committing a hostile act or display hostile intent (as defined in Reference A) or a serious criminal offence against Rwandan or International Humanitarian law.
- d. Rwandans who are detained for stealing and/or damaging property, or are suspected of stealing and/or damaging property belonging to, or in the care of, UNAMIR, UN humanitarian organisations or UN protected sites (see Reference A).

8. The legal status and hand over for Rwandan nationals is at Annexes A and D respectively.

9. Witnesses. Rwandan nationals who request the protection of UNAMIR because they have witnessed and/or have been the subject of serious physical abuse may be provided with such protection if their circumstances fall within the mandate and/or it is considered that a moral obligation exists for the provision of such assistance. The decision to offer such assistance will only be provided by the express authorization of UNAMIR HQ. A request for such assistance should be made as soon as possible after the initial request is made.

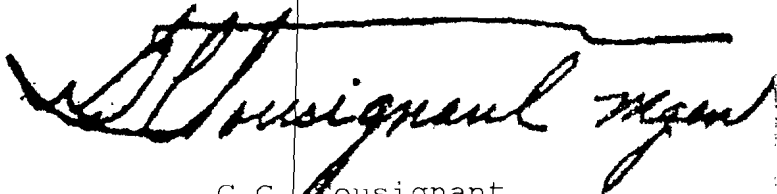
10. Any person in the care of UNAMIR troops are to be treated humanely, ensuring that they are provided with food, drinking water and that they are afforded safeguards in terms of health, hygiene and protection against the rigours of climate and the dangers of armed conflict.

MEMBERS OF THE RWANDAN PATRIOTIC ARMY (RPA)

11. It is not within the mandate of UNAMIR to provide protection to members of the RPA. Should a member of the RPA seek protection the member is to be advised that protection will not be given.

12. Should the person seeking protection request the assistance of UNAMIR to liaise with the appropriate RPA authority for his handover, he should be informed that UNAMIR is unable to provide protection and HQ UNAMIR is to be informed in order to coordinate all actions. HQ UNAMIR will ensure that the appropriate local and UNAMIR RPA liaison officer are informed.

13. The person seeking protection is not to be treated as a detainee and as such may have leave UNAMIR property at any time.



G.C. Gousignant
Major-General
Force Commander

Annexes:

- Annex A - Foreign Nationals and Rwandan Jurisdiction
- Annex B - Rwandan Nationals and Rwandan Jurisdiction
- Annex C - Procedures for Handing Over Foreign Nationals
- Annex D - Procedures for Handing Over Rwandan Nationals
- Annex E - Prosecutors Offices in Rwanda
- Annex F - ICRC Representatives In Rwanda
- Annex G - Hand Over Proforma

DISTRIBUTION LIST

Action:

Lists B, C and D (less spares)
HRL/UNHRFO
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Information:

Lists A and E (less spares)

ANNEX A TO
2000-1 (FC)
DATED 14 AUG 95

FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	SRSB, FC, Police Comm of CIVPOL	. Accorded Diplomatic immunity and privilege under International Law.	. Not to be handed over to Rwandan authorities under any circumstance.
2.	UN Civilian officials assigned to the Civilian Component to serve with UNAMIR	. Immune from legal process for all acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the SRSB.
3.	UNMO, CIVPOL and Consultants	. Immune from legal process for all acts performed by them in their official capacity. . Immune from personal arrest or detention and seizure of their personal baggage	. Only to be handed over with the concurrence of the FC and/or the SRSB.
4.	Military Pers of National Contingents who are a part of UNAMIR	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the FC and the Contingent Commander.
5.	Personnel of UN Specialist Agencies	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the head of the Agency.
6.	International Personnel of NGOs	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority with the concurrence of the head of the NGO.

7.	International Personnel of UNAMIR Contractors	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority.
8.	Visitors	. No immunity from legal process in respect of acts performed by them in their official capacity.	. To be handled over on demand of proper legal authority.

ANNEX B TO
2000-1 (FC)
DATED 14 AUG 95

RWANDAN NATIONAL AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	Locally recruited personnel	<p>. Immune from legal process in respect of all acts performed by them in their <u>official</u> capacity.</p> <p><u>Note:</u> This protection does not extend to acts committed before their employment with the UN.</p>	<p>. Only to be handed over with the concurrence of the SRSG.</p>
2.	Rwandan National detained by UNAMIR authorities	<p>. Treat humanely.</p>	<p>. Only to be handed over at an office of the prosecutor.</p>

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

UN CIVILIAN ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR

1. As soon as a Rwandan authority seeks legal jurisdiction over a UN civilian assigned to the civilian component to serve with UNAMIR, the SRSG, or his representative, HQ UNAMIR, and the International Committee of the Red Cross (ICRC) and UNHRCFOR must be notified. HQ UNAMIR is to dispatch Military Police (MP).

2. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of the UN civilian unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwandan authority(s) uses force to attempt to take custody of the UN civilian, UNAMIR troops are authorised to use force in accordance with Reference A.

4. If authority is given for the hand over, the UN civilian must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

5. A report detailing the following is to be submitted to UNAMIR HQ, Attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person was accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the handover and if not, why not.

UNMOs, CIVPOL AND EXPERTS ON MISSION

6. As soon as Rwandan authority seeks legal jurisdiction over an UNMO, CIVPOL or an Expert on Mission, the FC or his representative, the SRSG or his representative and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. The Rwandan authority is to be reminded that these members are, under Rwandan and international law, immune from arrest, detention or the seizure of their baggage.

7. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of an UNMO, CIVPOL or an Expert on Mission unless the FC and/or the SRSG has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).

8. If the Rwandan authority(s) uses force to attempt to take custody of the UNMO, CIVPOL or Expert on Mission, UNAMIR troops are authorised to use force in accordance with Reference A.

9. If authority is given for the hand over, the UNMO, CIVPOL or Expert on Mission must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the handover. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

10. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR

11. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authority should be reminded that 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 offences which may have been committed by them in Rwanda.

12. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of another UNAMIR soldier unless the FC and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

13. If the Rwandan authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with Reference A.

14. If authority is given for the hand over, the UNAMIR soldier must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF UN SPECIALISED AGENCIES

16. As soon as a Rwandan authority seeks legal jurisdiction over a member of a UN specialised agency, the SRSG or his representative, the appropriate head of agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

17. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of a UN specialised agency unless the SRSG and the appropriate head of the agency have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

18. If the Rwandan authority(s) uses force to attempt to take custody of a member of a UN specialised agency, UNAMIR troops are authorised to use force in accordance with Reference A.

19. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

20. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall and the UN agency concerned:

- a. name of person handed over and the agency they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

INTERNATIONAL PERSONNEL OF NGOS

21. As soon as a Rwandan authority seeks legal jurisdiction over an international member of an NGO, HQ UNAMIR, the appropriate head of the NGO agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

22. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a international member of an NGO if that person(s) is identified as having legal authority (ie., (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

23. Should handover take place, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

24. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the NGO they work for,

- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

INTERNATIONAL PERSONNEL OF UNAMIR CONTRACTORS

25. As soon as a Rwandan authority seeks legal jurisdiction over an international member of a UNAMIR contractor, HQ UNAMIR, the appropriate head of the UNAMIR contractor and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

26. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a international member of an UNAMIR contractor if that person(s) is identified as having legal authority (ie., Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

27. Should handover take place, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

28. A report detailing the following is to be submitted to UNAMIR HQ, Attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the UNAMIR contractor they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

VISITORS

29. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR, UNHRCFOR and the ICRC should be notified. HQ UNAMIR is to dispatch MP to the site.

30. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a visitor if that person(s) is identified as having legal authority (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

31. If possible the person should be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

32. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and their affiliation or nationality,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

LOCALLY RECRUITED PERSONNEL

1. As soon as a Rwandan authority seeks legal jurisdiction over any locally recruited personnel, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. UNHRCFOR is to be notified immediately.

2. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of locally recruited personnel unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwandan authority(s) uses force to attempt to take custody of locally recruited personnel, UNAMIR troops are authorised to use force in accordance with Reference A.

4. UNHRCFOR is to be permitted to speak to the locally recruited person.

5. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible are to be present during the hand over. UNHRCFOR is to be present during the hand over. (Note: No hand over is to be delayed more than 24 hours without UNAMIR HQ permission on the sole basis that the ICRC and/or UNHRCFO are not present.) The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

6. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and

- f. whether an ICRC and/or UNHRCFOR representative was present during the hand over and if not, why not.

RWANDANS SEEKING PROTECTION OF UNAMIR

7. It is not within the UNAMIR mandate to give Rwandan nationals protection. Circumstances may arise where protection to an individual or a group of individuals will be given under International Humanitarian Law because they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available to offer timely assistance. Such circumstances will be rare and in such cases UNAMIR HQ is to be notified immediately.

PERSONS DETAINED BY UNAMIR TROOPS

8. They are to be searched, disarmed and segregated. At all times they are to be treated in accordance with the principles of minimum force as detailed at Reference A. UNAMIR HQ is to be notified immediately of the circumstances surrounding the detention. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s).

9. The detainee(s) is to be told the reason for his detention.

10. They are to be identified and their personal details recorded. The reason for the detention is also to be recorded.

11. A safe and secure place is to be arranged as a temporary place of custody. Detainees are to be kept in custody by UNAMIR troops for the minimum time necessary. A detainee is to be kept in custody for no more than 24 hours unless they have the permission of UNAMIR HQ. Detainees are to be provided with food, water, shelter and medical attention as required. ICRC is to be informed immediately and is to be allowed to have access to these detainees.

12. Detainees and the property found in their possession are to be handed to the appropriate Prosecutor's Office (details of these offices are at Annex E). The detainee is to be allowed to keep all property essential for his/her comfort and survival (eg food and water).

13. The ICRC (if possible) and the UNHRCFOR are to be notified and present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

14. Detainees are not to be handed to any other RPA authorities. A Prosecutor's Office is the only authorised office for the processing and handing over of detainees in Rwanda.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of the detainee,

- b. location where the person was detained,
- c. crime person accused of,
- d. name of the UNAMIR person who detained the detainee,
- e. date, time and place the detainee was handed to the Office of the Prosecutor, and
- f. whether an ICRC and/or UNHRFOR representative was present during the hand over and if not, why not.

PROSECUTOR OFFICES IN RWANDA

TOWN	PROSECUTOR'S NAME	ADDRESS
KIBUNGO	MUSHUMBA, Jean Baptiste	
KIGALI	NSANZUWERA, Sylere	
RWANAGANA	GATAMBIYE, Cyprien	
KIBUYE	TUYISENGE, Celestin	
GITARAMA	KAYIBANDA, Simon	
NYANZA	HARELIMANA, Callixte	
BUTARE	HAVUGIYAREMYE, Aloys	
GIKONGORO	NYANDWI, Viateur	
CYANGUGU	HARERIMANA, Charles	
GISENYI	UWIYINGOMA, David	
RUHENGARI	MUSUHUKE, Francois	
BYUMBA		

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

ICRC REPRESENTATIVES IN RWANDA

TOWN	ICRC REPRESENTATIVE	ADDRESS
KIBUNGO	Francois SENECHAUB	
KIGALI	Laurent FELLAY	
RWANAGANA	Francois SENECHAUB	
KIBUYE	Cristophe LOSEY	
GITARAMA	Laurent FELLAY	
NYANZA	Fereydoun AALAU	
BUTARE	Aalame FEREYDOUN	
GIKONGORO	Franz RUSCHENSTEIN	
CYANGUGU	Iris WITTNER	
GISENYI	Johanna GROBASH	
RUHENGARI	Johanna GROBASH	
BYUMBA	Hugo GISLER	

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

HAND OVER PROFORMA

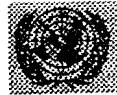
I, _____ (1), A MILITARY MEMBER OF
UNAMIR/MINUAR HAVE HANDED OVER _____ (2)
TO THE OFFICE OF THE PROSECUTOR OF _____ (3)
At _____ (4)

SIGNED THIS DAY _____ OF _____ 199 _____

UNAMIR

OFFICE OF THE PROSECUTOR

- (1) Insert here the name of the UNAMIR person conducting the hand over.
- (2) Insert here the name of the person being handed over.
- (3) Insert here the name of the Prosecutor's Office.
- (4) Insert here the time of hand over.



FROM : G 3 PLANS *for* 5000.45 (Plans)
TO : DISTRIBUTION LIST
DATE : 24 Aug 95
SUBJECT : DIRECTIVE ON THE LEGAL JURISDICTION APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES

1. The updated directive on the legal jurisdiction applicable to UNAMIR and Rwandan authorities, is forwarded herewith. It will be effective from the date of receipt. It superseeds the version issued on 25 July 95.
2. Acknowledge.

Distribution :

Action :

LIST B, C AND D (less spares)
UNHFOR (UN Human Rights Field Operations in Rwanda)
CISS
CCPO
STO
CSO
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BMES
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FC - TSOR

Information :

LIST A AND E (less spares)

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file
no/7c*



File No 2000-1 (FC)

14 August 1995

Distribution List

**FORCE COMMANDER'S DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES**

References: A. UNAMIR SOPs, Part 3, Section 17, Rules of Engagement dated 24 July 1995.
B. FC Directive on Conduct, Dress and Weapon Carriage Policy dated 26 April 1995.

INTRODUCTION

1. This updated Directive is effective on receipt and cancels the earlier version which was issued on 25 July 1995. It has the support of the SRSG's office, ICRC and UNHRCFOR.

GENERAL

2. In the conduct of their duties, UNAMIR personnel may be required to hand over individuals to the Government of Rwanda. This hand over may occur as a result of Rwandan authorities seeking legal jurisdiction over foreign or Rwandan nationals.

DEFINITIONS

3. The following definitions shall apply to this Directive:

- a. "Appropriate authority" at this stage, refers only to the Prosecutor's Office. Further changes to this definition will be notified in writing by the FC.
- b. "Civilian component" consists of UN officials and of other persons assigned by the Secretary-General to assist the SRSG or made available by participating States to serve as part of UNAMIR.

- c. "Detainee" is any person who is held for committing a hostile act or hostile intent against any of the categories of people referred to in paragraphs 7d and 7e below.
- d. "Legal Jurisdiction" includes but is not limited to those situations where Rwandan authorities seek to take a foreign or Rwandan national into custody.
- e. "Military personnel of national contingents" includes military staff at UNAMIR HQ.
- f. "Official capacity" for UNAMIR troops is any time soldiers are in uniform or in civilian clothes for official functions (see Reference B).
- g. "UNHRCFOR" is the United Nations Human Rights Field Operations in Rwanda.
- h. "Visitors" includes, but is not limited to, journalists, tourists, dignitaries representing national governments and non-UNAMIR personnel permitted to enter UNAMIR premises.

AIM

4. The aim of this Directive is to outline the procedures for handing over individuals or groups of people to the Rwandan authorities.

FOREIGN NATIONALS AND RWANDAN JURISDICTION

5. Rwandan authorities may seek jurisdiction over the following categories of foreign nationals:

- a. SRSG, Force Commander and the Police Commissioner of CIVPOL;
- b. UN civilian officials assigned to the civilian component to serve with UNAMIR;
- c. United Nations Military Observers (UNMOs), Civilian Police (CIVPOL) and civilian personnel from overseas who are employed by the UN specifically for this mission but who are not UNAMIR staff (eg consultants) (hereinafter referred to as "experts on mission");
- d. military personnel of national contingents who are part of UNAMIR;
- e. personnel of UN specialised agencies;

- f. personnel of NGOs; and
- g. visitors.

6. The legal status of these categories of personnel and the hand over procedures for them are detailed at Annexes A and C respectively.

RWANDAN NATIONALS AND RWANDAN JURISDICTION

7. Rwandan authorities may seek jurisdiction over the following categories of Rwandan nationals:

- a. Locally recruited personnel who are working for the UN.
- b. Rwandans who seek UNAMIR protection.
- c. Rwandans who are detained by UNAMIR personnel for committing or who are suspected of committing a hostile act or display hostile intent (as defined in Reference A) or a serious criminal offence against Rwandan or International Humanitarian law.
- d. Rwandans who are detained for stealing and/or damaging property, or are suspected of stealing and/or damaging property belonging to, or in the care of, UNAMIR, UN humanitarian organisations or UN protected sites (see Reference A).

8. The legal status and hand over for Rwandan nationals is at Annexes A and D respectively.

9. Witnesses. Rwandan nationals who request the protection of UNAMIR because they have witnessed and/or have been the subject of serious physical abuse may be provided with such protection if their circumstances fall within the mandate and/or it is considered that a moral obligation exists for the provision of such assistance. The decision to offer such assistance will only be provided by the express authorization of UNAMIR HQ. A request for such assistance should be made as soon as possible after the initial request is made.

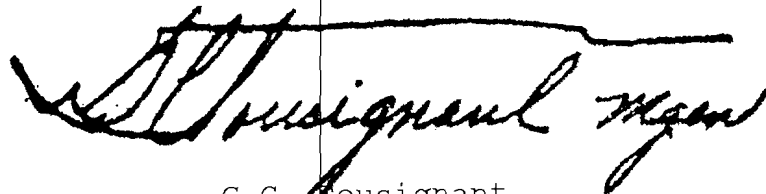
10. Any person in the care of UNAMIR troops are to be treated humanely, ensuring that they are provided with food, drinking water and that they are afforded safeguards in terms of health, hygiene and protection against the rigours of climate and the dangers of armed conflict.

MEMBERS OF THE RWANDAN PATRIOTIC ARMY (RPA)

11. It is not within the mandate of UNAMIR to provide protection to members of the RPA. Should a member of the RPA seek protection the member is to be advised that protection will not be given.

12. Should the person seeking protection request the assistance of UNAMIR to liaise with the appropriate RPA authority for his handover, he should be informed that UNAMIR is unable to provide protection and HQ UNAMIR is to be informed in order to coordinate all actions. HQ UNAMIR will ensure that the appropriate local and UNAMIR RPA Liaison officer are informed.

13. The person seeking protection is not to be treated as a detainee and as such may have leave UNAMIR property at any time.



G.C. Gousignant
Major-General
Force Commander

Annexes:

- Annex A - Foreign Nationals and Rwandan Jurisdiction
- Annex B - Rwandan Nationals and Rwandan Jurisdiction
- Annex C - Procedures for Handing Over Foreign Nationals
- Annex D - Procedures for Handing Over Rwandan Nationals
- Annex E - Prosecutors Offices in Rwanda
- Annex F - ICRC Representatives In Rwanda
- Annex G - Hand Over Proforma

DISTRIBUTION LIST

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Information:

Lists A and E (less spares)

ANNEX A TO
2000-1 (FC)
DATED 14 AUG 95

FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	SRSG, FC, Police Comm of CIVPOL	. Accorded Diplomatic immunity and privilege under International Law.	. Not to be handed over to Rwandan authorities under any circumstance.
2.	UN Civilian officials assigned to the Civilian Component to serve with UNAMIR	. Immune from legal process for all acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the SRSG.
3.	UNMO, CIVPOL and Consultants	. Immune from legal process for all acts performed by them in their official capacity. . Immune from personal arrest or detention and seizure of their personal baggage	. Only to be handed over with the concurrence of the FC and/or the SRSG.
4.	Military Pers of National Contingents who are a part of UNAMIR	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the FC and the Contingent Commander.
5.	Personnel of UN Specialist Agencies	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the head of the Agency.
6.	International Personnel of NGOs	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority with the concurrence of the head of the NGO.

7.	International Personnel of UNAMIR Contractors	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority.
8.	Visitors	. No immunity from legal process in respect of acts performed by them in their official capacity.	. To be handled over on demand of proper legal authority.

ANNEX B TO
2000-1 (FC)
DATED 14 AUG 95

RWANDAN NATIONAL AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	Locally recruited personnel	<p>. Immune from legal process in respect of all acts performed by them in their <u>official</u> capacity.</p> <p><u>Note:</u> This protection does not extend to acts committed before their employment with the UN.</p>	<p>. Only to be handed over with the concurrence of the SRSG.</p>
2.	Rwandan National detained by UNAMIR authorities	<p>. Treat humanely.</p>	<p>. Only to be handed over at an office of the prosecutor.</p>

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

UN CIVILIAN ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR

1. As soon as a Rwandan authority seeks legal jurisdiction over a UN civilian assigned to the civilian component to serve with UNAMIR, the SRSG, or his representative, HQ UNAMIR, and the International Committee of the Red Cross (ICRC) and UNHRCFOR must be notified. HQ UNAMIR is to dispatch Military Police (MP).

2. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of the UN civilian unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwandan authority(s) uses force to attempt to take custody of the UN civilian, UNAMIR troops are authorised to use force in accordance with Reference A.

4. If authority is given for the hand over, the UN civilian must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

5. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person was accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the handover and if not, why not.

UNMOs, CIVPOL AND EXPERTS ON MISSION

6. As soon as Rwandan authority seeks legal jurisdiction over an UNMO, CIVPOL or an Expert on Mission, the FC or his representative, the SRSG or his representative and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. The Rwandan authority is to be reminded that these members are, under Rwandan and international law, immune from arrest, detention or the seizure of their baggage.

7. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of an UNMO, CIVPOL or an Expert on Mission unless the FC and/or the SRSG has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).

8. If the Rwandan authority(s) uses force to attempt to take custody of the UNMO, CIVPOL or Expert on Mission, UNAMIR troops are authorised to use force in accordance with Reference A.

9. If authority is given for the hand over, the UNMO, CIVPOL or Expert on Mission must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the handover. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

10. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR

11. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authority should be reminded that 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 offences which may have been committed by them in Rwanda.

12. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of another UNAMIR soldier unless the FC and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

13. If the Rwandan authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with Reference A.

14. If authority is given for the hand over, the UNAMIR soldier must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF UN SPECIALISED AGENCIES

16. As soon as a Rwandan authority seeks legal jurisdiction over a member of a UN specialised agency, the SRSG or his representative, the appropriate head of agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

17. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of a UN specialised agency unless the SRSG and the appropriate head of the agency have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

18. If the Rwandan authority(s) uses force to attempt to take custody of a member of a UN specialised agency, UNAMIR troops are authorised to use force in accordance with Reference A.

19. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

20. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall and the UN agency concerned:

- a. name of person handed over and the agency they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

INTERNATIONAL PERSONNEL OF NGOS

21. As soon as a Rwandan authority seeks legal jurisdiction over an international member of an NGO, HQ UNAMIR, the appropriate head of the NGO agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

22. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a international member of an NGO if that person(s) is identified as having legal authority (ie., (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

23. Should handover take place, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

24. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the NGO they work for,

- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

INTERNATIONAL PERSONNEL OF UNAMIR CONTRACTORS

25. As soon as a Rwandan authority seeks legal jurisdiction over an international member of a UNAMIR contractor, HQ UNAMIR, the appropriate head of the UNAMIR contractor and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

26. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a international member of an UNAMIR contractor if that person(s) is identified as having legal authority (ie., Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

27. Should handover take place, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

28. A report detailing the following is to be submitted to UNAMIR HQ, Attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the UNAMIR contractor they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

VISITORS

29. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR, UNHRFOR and the ICRC should be notified. HQ UNAMIR is to dispatch MP to the site.

30. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a visitor if that person(s) is identified as having legal authority (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

31. If possible the person should be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

32. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and their affiliation or nationality,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRFOR representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

LOCALLY RECRUITED PERSONNEL

1. As soon as a Rwandan authority seeks legal jurisdiction over any locally recruited personnel, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. UNHRFOR is to be notified immediately.

2. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of locally recruited personnel unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwandan authority(s) uses force to attempt to take custody of locally recruited personnel, UNAMIR troops are authorised to use force in accordance with Reference A.

4. UNHRFOR is to be permitted to speak to the locally recruited person.

5. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible are to be present during the hand over. UNHRFOR is to be present during the hand over. (Note: No hand over is to be delayed more than 24 hours with out UNAMIR HQ permission on the sole basis that the ICRC and/or UNHRFO are not present.) The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

6. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and

- f. whether an ICRC and/or UNHCRFOR representative was present during the hand over and if not, why not.

RWANDANS SEEKING PROTECTION OF UNAMIR

7. It is not within the UNAMIR mandate to give Rwandan nationals protection. Circumstances may arise where protection to an individual or a group of individuals will be given under International Humanitarian Law because they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available to offer timely assistance. Such circumstances will be rare and in such cases UNAMIR HQ is to be notified immediately.

PERSONS DETAINED BY UNAMIR TROOPS

8. They are to be searched, disarmed and segregated. At all times they are to be treated in accordance with the principals of minimum force as detailed at Reference A. UNAMIR HQ is to be notified immediately of the circumstances surrounding the detention. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s).

9. The detainee(s) is to be told the reason for his detention.

10. They are to be identified and their personal details recorded. The reason for the detention is also to be recorded.

11. A safe and secure place is to be arranged as a temporary place of custody. Detainees are to be kept in custody by UNAMIR troops for the minimum time necessary. A detainee is to be kept in custody for no more than 24 hours unless they have the permission of UNAMIR HQ. Detainees are to be provided with food, water, shelter and medical attention as required. ICRC is to be informed immediately and is to be allowed to have access to these detainees.

12. Detainees and the property found in their possession are to be handed to the appropriate Prosecutor's Office (details of these offices are at Annex E). The detainee is to be allowed to keep all property essential for his/her comfort and survival (eg food and water).

13. The ICRC (if possible) and the UNHCRFOR are to be notified and present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

14. Detainees are not to be handed to any other RPA authorities. A Prosecutor's Office is the only authorised office for the processing and handing over of detainees in Rwanda.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of the detainee,

- b. location where the person was detained,
- c. crime person accused of,
- d. name of the UNAMIR person who detained the detainee,
- e. date, time and place the detainee was handed to the Office of the Prosecutor, and
- f. whether an ICRC and/or UNHRCFOR representative was present during the hand over and if not, why not.

PROSECUTOR OFFICES IN RWANDA

TOWN	PROSECUTOR'S NAME	ADDRESS
KIBUNGO	MUSHUMBA, Jean Baptiste	
KIGALI	NSANZUWERA, Sylere	
RWANAGANA	GATAMBIYE, Cyprien	
KIBUYE	TUYISENGE, Celestin	
GITARAMA	KAYIBANDA, Simon	
NYANZA	HARELIMANA, Callixte	
BUTARE	HAVUGIYAREMYE, Aloys	
GIKONGORO	NYANDWI, Viateur	
CYANGUGU	HARERIMANA, Charles	
GISENYI	UWIYINGOMA, David	
RUHENGERI	MUSUHUKE, Francois	
BYUMBA		

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

ICRC REPRESENTATIVES IN RWANDA

TOWN	ICRC REPRESENTATIVE	ADDRESS
KIBUNGO	Francois SENECHAUB	
KIGALI	Laurent FELLAY	
RWANAGANA	Francois SENECHAUB	
KIBUYE	Cristophe LOSEY	
GITARAMA	Laurent FELLAY	
NYANZA	Fereydoun AALAU	
BUTARE	Aalame FEREYDOUN	
GIKONGORO	Franz RUSCHENSTEIN	
CYANGUGU	Iris WITTNER	
GISENYI	Johanna GROBASH	
RUHENGERI	Johanna GROBASH	
BYUMBA	Hugo GISLER	

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

HAND OVER PROFORMA

I, _____ (1), A MILITARY MEMBER OF
UNAMIR/MINUAR HAVE HANDED OVER _____ (2)
TO THE OFFICE OF THE PROSECUTOR OF _____ (3)
AT _____ (4)

SIGNED THIS DAY _____ OF _____ 199 _____

UNAMIR **OFFICE OF THE PROSECUTOR**

- (1) Insert here the name of the UNAMIR person conducting the hand over.
- (2) Insert here the name of the person being handed over.
- (3) Insert here the name of the Prosecutor's Office.
- (4) Insert here the time of hand over.



FROM : DCOS OPS

[Signature]
26/8

5000.1 (Plans)

TO : DISTRIBUTION LIST

DATE : 26 Aug 95

SUBJECT : OPORD 22

1. Please find copy of OPORD 22 forwarded herewith. It supersedes OPORD 20 and FRAG ORD 16.

2. Acknowledge.

Distribution :

EXTERNAL :

Action :

ML OB GP HQ
INDBATT
GHANCOY 1
GHANCOY 2
MALICOY
MALAWICOY
NICOY
FORCE ENGR COY
FORCE SIG COY
NORMED
95 CMSG
FORCE MP COY
UNCIVPOL

For Information :

UNDPKO (Mission Planning Service)

INTERNAL :

Action :

MA TO FC
DFC
COS
DCOS OPS

[Signature]
not FC

DCOS SP
G 1(CMPO)
G 2
G 3 OPS
G 3 Plans
G 4
G 6 (FSO)
MOVCON
HAC
Camp Comdt
FMO

For Information :

Office of SRSG
CAO
File
Spare

HQ UNAMIR
Kigali

5000.1 (Plans)

14 August 95

OPERATION ORDER No 22

References:

- A. HQ UNAMIR OPORD 20 dated 4 Oct 94
- B. HQ UNAMIR SOP 17 -Rules of Engagement- dated 24 Jul 95
- C. FRAG ORDERS 16 and 18
- D. Amendment dated 14 July 95 to HQ UNAMIR FRAG ORD No 18
- E. Force Commanders Directive on Application of Legal Jurisdiction dated 24 Jul 95

Appendices:

- A. Map Showing Sector Boundaries
- B. ADMIN ORD
- C. Command and Control Network

Situation

1. **General.** The situation in Rwanda has continued to improve and is now relatively stable, although incidents of banditry, cross border raids, human rights abuses and isolated killings continue. Ethnic animosity has continued as the new and old refugees return and compete for land and scarce resources, amidst accusations of genocide participation.
2. **Political.** The Government of Rwanda has attained a reasonable stability and is working towards the rebuilding. The delay in financial support pledged to Rwanda has been a cause of great friction between the government and UNAMIR, although that friction has abated somewhat after the adoption of the new mandate. The situation in Burundi and around the camps in Zaire has continued to deteriorate and remains very tense. Zaire, Burundi and Tanzania have expressed their impatience with the Rwandan refugees who remain on their soil and want them to return to Rwanda as soon as possible.
3. **UNAMIR.** On 7 Jun 95 the Security Council extended the UNAMIR mandate until 8 Dec 95. The revised mandate has shifted the focus from peace-keeping to a role of assisting in the normalization and stabilization of Rwanda. Therefore, UNAMIR will only undertake tasks specifically required to sustain a UN peace-keeping presence in Rwanda, mainly in Kigali and tasks aimed at assisting the government of Rwanda in promoting reconciliation and reconstruction and in the promotion of a climate conducive to stability and the return of the refugees.

4. **UNAMIR Forces.** Currently, one battalion, five independent company groups and support elements are deployed in five sectors. MILOB teams are deployed in all sectors. Troop dispositions are shown at Appendix A.

5. **UN CIVPOL.** CIVPOL operates under direction of the SRSG through the Commissioner for UN Civil Police. CIVPOL teams are deployed in all sectors to assist in the establishment of Communal Police Training Centers, provide liaison with and assist Rwandan law enforcement agencies and to assist in the establishment and training of a new, integrated national police force.

6. **FRGF.** It has been assessed that the strength of the FRGF is 40 - 50,00 personnel under the command of Maj Gen Bizimungu and based around Goma, Bukavu, Chimanga and Ijwi in Zaire and Chabalisa in Tanzania. There have been confirmed reports that they have received arms and ammunition and are conducting platoon, company and battalion level training. There has been some evidence that FRGF personnel have been involved in banditry activities launched from Ijwi Island in Lake Kivu into sectors 4 and 5. These raids have occurred at night and have been aimed at the acquisition of food, money and personal belongings. There have been two instances of sabotage reported in the Ruhengeri area however, direct involvement of FRGF personnel could not be confirmed. It is anticipated that the FRGF will continue to conduct these types of operations until such time as they have obtained sufficient equipment, have a relatively high state of training and have the command and control in place to commence a planned insurgency campaign.

7. **Militia.** In Sep 94 the strength of the militia was estimated at approximately 4,000 personnel located in Zaire, Burundi and Tanzania (Goma 1,000; Bukavu 1,500 & 1,000 in Tanzania). It is anticipated that this number may have increased to 5,000 with the closure of the IDP camps in Rwanda in Apr 95. There have been reports that the militia and FRGF have been attempting to coordinate their activities. The militia have been very active in all refugee camps intimidating refugee and preventing them from returning to Rwanda. A great many robberies and murders in the south west of Rwanda have been attributed to the militia.

8. **RPA.** The RPA have conducted an intensive recruiting campaign over the past ten months and now have a force equal in size to the FRGF but lacking in equipment, however is likely to be equalled due to the suspension of arms embargo. 1,000 FRGF personnel were inducted into the ranks of the RPA on 25 Jan 95 after a four months of training. RPA deployments remain fairly static although there has been significant reinforcement in sectors 4 and 5.

9. **Humanitarian.** The humanitarian situation in Rwanda has continued to improve to such an extent that UNREO is closing down soon. UNDP will be responsible in future to coordinate all requests for humanitarian assistance, whereas the HAC will coordinate UNAMIR's contribution and assistance.

Mission

10. UNAMIR is to assist the government of Rwanda in promoting reconciliation and reconstruction and in the promotion of a climate conducive to stability and the return of refugees.

Execution

11. **General Outline.** UNAMIR operation will concentrate on facilitating the delivery of humanitarian assistance and the return of refugees to their home communes. UNAMIR will have a formed troops presence in each sector to provide, where possible and within capability, security and assistance to UN agencies, Milobs and Civpol.

12. **MILOB GP.**

a. **Grouping.**

- i. In loc. Support elements as required.
- ii. Det to under OPCON Sector Comd, MILOBS in all sectors.

b. **Tasks.**

- i. Continue deployment in all the 10 redefined Milob sectors /sub sectors.
- ii. Provide escorts as required.
- iii. Assist in the coordination of humanitarian agencies in their operations.
- iv. Assist in the coordination of NGOs in their operations.
- v. Be prepared to coordinate transport for the repatriation of refugees.
- vi. Assist in motivating the persons to return to their homes.
- vii. Monitor refugee movement.
- viii. Monitor conditions in communes.

13. **NICOY.**

a. **Grouping.**

- i. As per FRAG ORD 16 (135 personnel).
- ii. OPCON. MILOB.
- iii. In loc. CIVPOL.

b. **Tasks.** Tasks are as follows:

- i. Occupy and conduct ops in Sector 5.

- ii. Be prepared to provide transport for the movement of refugees as required.
- iii. Assist, where possible, the humanitarian agencies in their operations.
- iv. Provide a focal point for the coordination and provision of humanitarian aid.
- v. Provide security for UNAMIR personnel and property.
- vi. Contribute to the security of personnel and premises of UN agencies.
- vii. Be prepared to provide humanitarian medical assistance within your capacity.
- viii. Contribute to the security of Human Rights offices.
- ix. Contribute to the security of the humanitarian agencies, in case of need.

14. **GHANCOY 1.**

- a. Grouping.
 - i. As per FRAG ORD 16 (135 personnel).
 - ii. OPCON. MILOB
 - iii. In loc. CIVPOL.
- b. **Tasks.**
 - i. Occupy and conduct ops in Sector 2.
 - ii. Be prepared to provide transport for the movement of refugees as required.
 - iii. Assist, where possible, the humanitarian agencies in their operations.
 - iv. Provide a focal point for the coordination and provision of humanitarian aid.
 - v. Provide security for UNAMIR personnel and property.
 - vi. Contribute to the security of personnel and premises of UN agencies.
 - vii. Contribute to the security of Human Rights offices.
 - viii. Contribute to the security of the humanitarian agencies, in case of need.

- ix. Be prepared to provide humanitarian medical assistance with in spare capacity.

15. **GHANCOY 2 (TRIBUNAL)**

- a. **Grouping**. As per the FRAG ORD 16 (135 personnel).
- b. **Tasks**.
 - i. Contribute to the security of International Tribunal and provide full time protection to the office of the Prosecutor. Be prepared to provide security to the Tribunal members with in Rwanda when moving out of Kigali.
 - ii. Till the complete establishment of Tribunal and OTP, undertake protection duties of UN installations and assets as directed by Force HQ.

16. **MALAWICOY**

- a. **Grouping**
 - i. As per the FRAG ORD 16 (135 personnel).
 - ii. OPCON. MILOBS.
 - iii. In loc. CIVPOL.
- b. **Tasks**.
 - i. Occupy and conduct ops in Sector 4.
 - ii. Be prepared to provide transport for the movement of refugees as required.
 - iii. Assist, where possible, the humanitarian agencies in their operations.
 - iv. Provide a focal point for the coordination and provision of humanitarian aid.
 - v. Provide security for UNAMIR personnel and property.
 - vi. Contribute to the security of personnel and premises of UN agencies.
 - vii. Contribute to the security of Human Rights offices.
 - viii. Contribute to the security of the humanitarian agencies, in case of need.
 - ix. Be prepared to provide humanitarian medical assistance with in spare capacity.

17. **MALICOY.**

c. **Grouping.**

- i. As per the FRAG ORD 16 (135 personnel).
- ii. OPCON. MILOB.
- iii. In loc. CIVPOL.

d. **Tasks.**

- i. Occupy and conduct ops in Sector 3.
- ii. Be prepared to provide transport for the movement of refugees as required.
- iii. Assist, where possible, the humanitarian agencies in their operations.
- iv. Provide a focal point for the coordination and provision of humanitarian aid.
- v. Provide security for UNAMIR personnel and property.
- vi. Contribute to the security of personnel and premises of UN agencies.
- vii. Contribute to the security of Human Rights offices.
- viii. Contribute to the security of the humanitarian agencies, in case of need.
- ix. Be prepared to provide humanitarian medical assistance with in spare capacity.

17. **INDBATT.**

a. **Grouping.**

- i. As per the FRAG ORD 16 (660 personnel).
- ii. OPCON. MILOB
- iii. In loc. CIVPOL, CMSG, NORMED, Force Engr Coy and Force Sig Coy and MOVCON Det.

b. **Tasks.**

- i. Occupy and conduct ops in Sector 1.

- ii. Be prepared to provide transport for the movement of refugees as required.
- iii. Assist, where possible, the humanitarian agencies in their operations.
- iv. Provide a focal point for the coordination and provision of humanitarian aid.
- v. Provide security for UNAMIR personnel and property
- vi. Contribute to the security of personnel and premises of UN agencies.
- vii. Contribute to the security of Human Rights offices.
- viii. Contribute to the security of the humanitarian agencies, in case of need.
- ix. Be prepared to provide humanitarian medical assistance within spare capacity.

18. **Force Engineer Company.**

- a. **Grouping.** As per the FRAG ORD 16 (165 personnel).
- b. **Tasks.**
 - i. Provide engr support to UNAMIR principally through maintenance of routes, provision of water points and minor construction works.
 - ii. Be prepared to carry out EOD tasks as required and provide assistance within capability for limited demining tasks.
 - iii. Assist in the restoration of essential services as directed by the UNAMIR HQ.
 - iv. Be prepared to provide expertise to the Govt of Rwanda on engr matters.

19. **Force Sig Coy.**

- a. **Grouping.** Mobile detachments allocated to each sector HQ and Kibuye and Gitarama Sector HQs. Total of 125 personnel.
- b. **Tasks.**
 - i. Provide Force communication to the sectors.
 - ii. Provide sig communication support to HQ UNAMIR.

- iii. Provide sig communication to the Milob Group HQ.
- iv. Assist UN agencies in sig matters as required.
- v. Be prepared to provide assistance to the Govt of Rwanda in signal matters, when requested and cleared from this HQ.

20. **NORMED.**

- a. **Grouping.** Medical Group.
- b. **Tasks.**
 - i. Provide medical support to UNAMIR forces in accordance with the Force Medical Support Plan.
 - ii. Maintain a level three medical facility with:
 - (1) initial wound surgical capability;
 - (2) Enable specialist support beyond initial wound surgical capability.
 - (3) at least 10 beds.
 - iii. Provide health advice to the FMO.

21. **Force MP Coy.**

- a. **Grouping.** 58 personnel from ZAMBIA, GHANA, NIGERIA and TUNISIA organised into a coy HQ and two detachments (at Kigali and Butare).
- b. **Tasks.**
 - i. Establish liaison with local commanders.
 - ii. Provide patrols to maintain good order and military discipline within UNAMIR, in accordance with UNAMIR SOPs, especially regarding:
 - (1) Traffic control;
 - (2) Crime and vice;
 - (3) Security issues (although not to the extent that MPs are normally employed on static security duties).
 - iii. Conduct, in liaison with Rwandan Gendarmes and contingent MPs, investigations into serious incidents in which members of UNAMIR are

reported to be involved (including those in which death or serious injury results and in which firearms are discharged) to collect evidence and provide reports as necessary;

- iv. Assist other UN Agencies, NGO and other members of the international community in any dealings that they have with Rwandan authorities in connection with discipline, as requested and approved by HQ UNAMIR.

22. **95 CMSG (Canadian Mission Support Group).**

a. **Grouping.** 95 CMSG.

b. **Tasks.**

- i. Provide military line component of the "Integrated Logistic System".
- ii. Provide Force level operational logistics information to the Force HQ.
- iii. Provide second line transport support to UNAMIR.
- iv. Provide supply support to UNAMIR to include combat supplies, general and technical stores, repair parts, defence stores and commodity management.
- v. Provide quality assurance inspectors to the CITMM and Brown and Root organizations to assist in the maintenance of the vehicle fleet of UNAMIR.
- vi. Provide a workshop manager for the Brown and Root workshop.
- vii. Provide first, second and limited third line inspection, repair and recovery support to UNAMIR.
- viii. Augment medical/general health care support of UNAMIR, in case of need.
- ix. Be prepared to contribute to the first line transport effort on orders of the Force HQ.

23. **HAC.**

a. **Tasks.**

- i. Brief the FC on humanitarian assistance operations and problems as reported by deployed troops.
- ii. Provide advice the UNAMIR Plans Cell concerning UNAMIR operations in support of humanitarian assistance.

- iii. Arrange for the security aspects of humanitarian organisations conducting relief operations in RWANDA in close liaison with UNAMIR Ops Branch.
- iv. Assist UNDP in coordinating the activities of UN and NGO agencies operating in RWANDA.
- v. Conduct humanitarian recce in all sectors as directed.
- vi. Collate data from sector humanitarian representatives and produce humanitarian reports as directed.
- vii. Maintain current data on displaced persons and refugees by coordinating with UN Agencies, NGO and deployed UNAMIR troops and MILOBS.
- viii. Disseminate information concerning human rights abuses to UN human rights reporters.
- ix. Arrange, as directed, for the necessary administration for the handover of detainees to the Rwandan authorities to include the presence of ICRC officials.
- x. Effect close liaison with UN and NGO agencies.
- xi. Effect close liaison, as required, with humanitarian representative of the Rwandan Government.
- xii. Assist where possible in locating missing Rwandans and foreign nationals.

24. **Coordinating Instructions**

- a. Boundaries - Appendix A - troop deployment with sector boundaries.
- b. ROE - Ref B. Weapon Readiness Status - State Green all sectors.
- c. Information Collection Requirements. The Force Commander's Primary Information Requirements (PIR) will be distributed weekly or more frequently if required.

Administration and Logistics

25. ADMIN ORD attached at Appendix B.

Command and Signals

26. **Command Structure**. See Appendix C. MILOB HQ and CIVPOL HQ are to effect liaison, coordination and administrative control through discrete channels. Sector HQ are to report to the Force HQ.

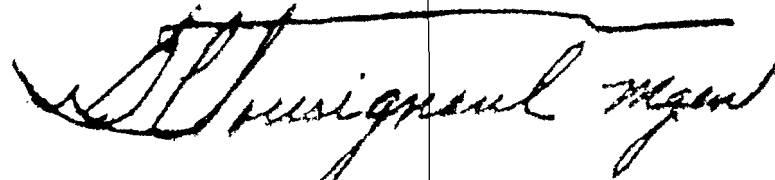
27. Location of Headquarters.

- a. UNAMIR Force HQ. KIGALI.
- b. Sector 1. KIGALI.
- c. Sector 2. KIBUNGO.
- d. Sector 3. GIKONGORO.
- e. Sector 4. SHAGASHA.
- f. Sector 5. NYUNDO.

28. Frequencies and Callsigns. As issued earlier.

29. Reference A is cancelled.

30. Acknowledge.



G.C. Tousignant
Major General
Force Commander
UNAMIR
Kigali, Rwanda

Distribution:

External:
Action:

MILOB Gp HQ
NICOY
MALICOY
MALAWICOY
GHANCOY 1
GHANCOY 2
INDBATT
FORCE ENGR COY
FORCE SIG COY
NORMED
CMSG
FORCE MP COY
UNCIVPOL

For Information:

UNDPKO (Mission Planning Service)

Internal:

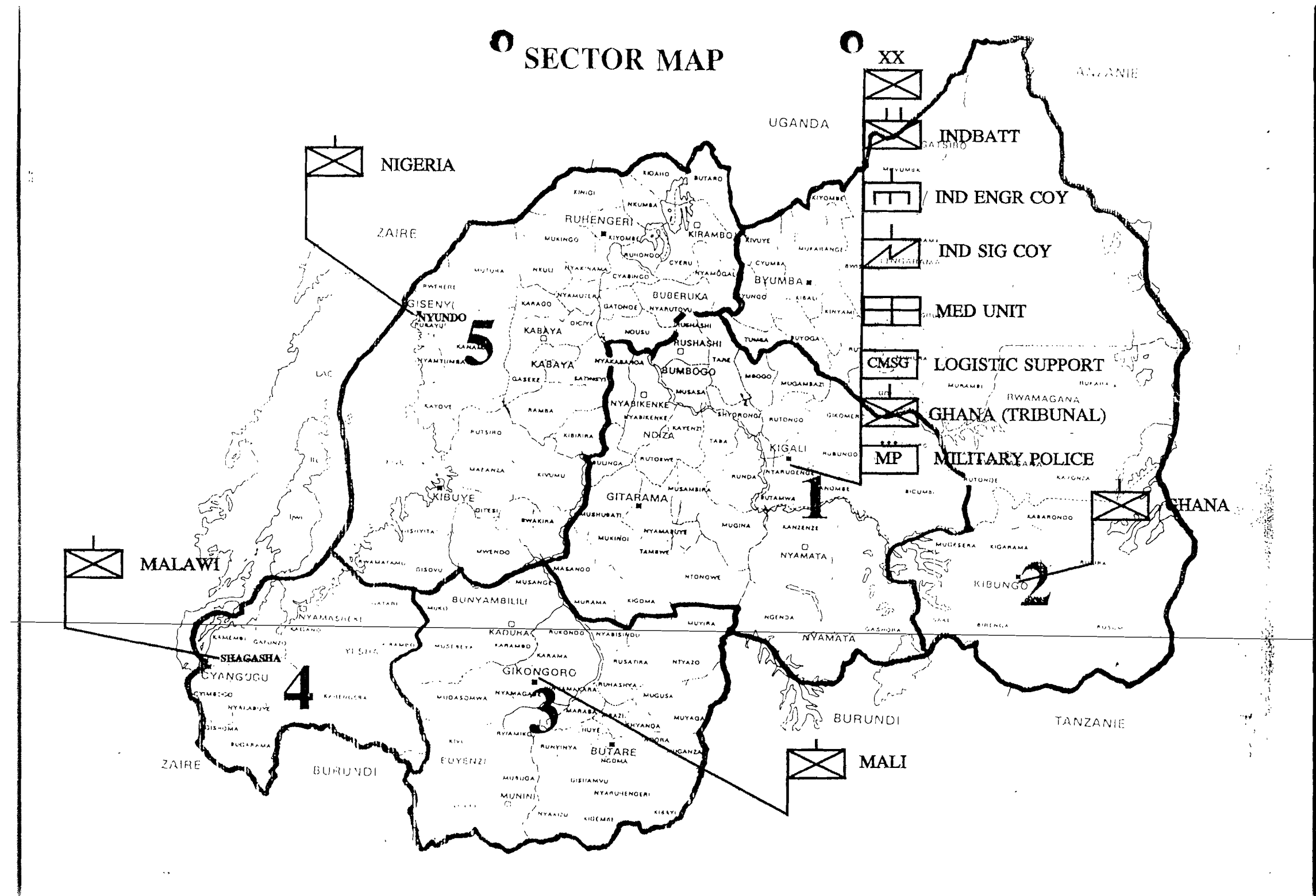
Action:

- MA to FC
- DFC
- COS
- DCOS OPS
- DCOS SP
- G1/CMPO
- G2
- G3 OPS
- G3 Plans
- G4
- G6/FSO
- MOVCON
- HAC
- Camp Comdt
- FMO

For Information:

- Office of SRSG
- CAO
- File
- Spare

SECTOR MAP



ADMINISTRATION ORDER

SITUATION

1. General. As detailed in OPORD 22.

● MISSION

2. To administratively support UNAMIR forces providing security assistance and humanitarian support to participating countries/organisations facilitating the rapid and effective end to the crisis in Rwanda.

EXECUTION

3. General Outline. Administrative support to UNAMIR is to be effected by a combination of Integrated Civilian and Military resources. At HQ UNAMIR level, the planning and staff support is to be provided by the staff from the offices of DCOS SP, CISS and FMO.
4. 1st Line Administrative Support. 1st line administrative support is to be provided from within contingent resources commensurate with the size of each contingent and their role within UNAMIR.
- 5. 2nd Line Administrative Support. 2nd line logistic support is to be effected by 95th Composite Mission Support Group (95 CMSG) and the Brown and Root Services Contractor (BRSC). Medical support is to be provided by a Norwegian medical company (NORMED) who, in conjunction with the Unit Medical Station of 95 CMSG will establish a limited Level Two/Three treatment facility at Trafipro.
6. 3rd and 4th Line Administrative Support. 3rd and 4th Line support, when required, is to be provided on a contract basis through the offices of the CISS, CCMC and CPO.
7. Support to Government and Humanitarian Agencies. Ref A requires that where possible logistic support should be provided to assist humanitarian relief agencies. As UNAMIR logistic resources are extremely limited the provision of this support will be coordinated and approved at the highest level. All requests for support of this nature are to be directed to the HAC who will vet and submit requests to the UHAAG. After UHAAG approval support requests are to be directed to the appropriate 2nd line agency for tasking.

8. **Support to CIVPOL.** The CIVPOL element of UNAMIR is a self supporting organisation that does not normally draw on UNAMIR Second Line support. Should such support be required, CIVPOL is to direct all such requests to G4 LOG HQ UNAMIR.
9. **Support to MILOBS.** UNAMIR is responsible for providing limited 2nd Line support to MILOBS within Sector locations. For the purpose of this ADMINORD MILOB GP HQ is considered to be a contingent and all Sectors as sub unit locs of that contingent.
10. **Materiel and Services.**
 - a. **Supply.**
 - i. **Class I (Subsistence).** The consumption of Fresh Rations delivered on a weekly basis is to be the norm for all contingents.
 - (1) **Combat Rations.** Contingents are to be issued a 10 day reserve of combat rations. Consumption of this reserve is only to occur on order from HQ UNAMIR. 95 CMSG is to monitor consumption of this reserve and is to effect auto replen to maintain the 10 days reserve. Contingents requiring Combat Rations for patrol or routine consumption in accordance with their mission are to request del of combat rations through SO FOOD HQ UNAMIR in accordance with current SOP.
 - (2) **Fresh Rations.** Fresh rations will be delivered on a weekly basis by the Civilian Contractor, ESKO direct to company locations. Contingents should then hold fresh, dry and canned goods at sub-unit level. Contingents will be provided with sufficient reefer and domestic refrigeration/freezer units to maintain seven days rations at Coy level and two days at sub-unit level.
 - (3) **Bulk Potable Water.** Bulk potable water will be delivered weekly on the basis of 15 litres per man per day to those contingents that do not have the capacity to collect potable water within the AOR. Each contingent outside of Kigali will be allocated 1 x 10, 000 litre water bladder for potable water. Those contingents within Kigali will be issued sufficient water storage containers to ensure that sufficient water at the above rate is maintained between deliveries.
 - (4) **Bottled Water.** 10 days reserve of bottled water at the rate of 3 litre per man per day is to be provided to each contingent. Consumption of this reserve is only to occur on order from HQ UNAMIR. 95 CMSG is to

monitor consumption of this reserve and is to effect auto replen to maintain the 10 days reserve.

(5) **Bulk Non-Potable Water.** UNAMIR has limited resources to provide non potable water outside of Kigali. The provision of non potable water is a contingent responsibility. Contingents having difficulty securing non potable water within their AOR are to request Engineer Support.

ii. **Class II (General Stores, Clothing).** The provision of clothing and personal issue items is a contingent responsibility. UN accoutrements will be provided by 95 CMSG. All other Class II items are to be demanded through 95 CMSG utilising the Q1 system. The procurement of shortfalls of Class II items is to be effected by 95 CMSG and then subsequently through HQ UNAMIR Supply Control Section and the Procurement Cell. Req for Class II items can only be made by Unit Log Sup Staff who have their signatures registered with 95 CMSG

iii. **Class III. (Petrols, Oils and Lubricants)**

(1) **Diesel.**

(a) **1st Line Stocks.** Contingent stocks are to be maintained at 10 days. 95 CMSG will monitor 1st line usage and maintain stocks at this level. Contingents less those located in Kigali have been issued with 10,000 ltr steel tanks at Bn HQ/Log Spt Coy locs. This will enable contingents to conduct gravity feed refuelling of jerry cans and vehicles.

(b) **2nd Line Stocks.** 95 CMSG is to maintain force reserves of 21 days stocks utilising the following facilities:

(ia) **Log Base.** Main holding facility. Capacity 160,00 litres in tanks and 200,000 litres in the bladder.

(ib) SS Kigali Service Station, secondary holding facility and main light vehicle refuelling point. Capacity 200,000 litres.

(ic) **Trafipro.** Secondary light vehicle refuelling point. Capacity 90,000 litres.

(id) **Iveco.** Auxiliary capacity of 30,000 ltrs.

(c) **Distribution.** Distribution will continue to be conducted by 95 CMSG utilising their own and BRSC assets.

(2) **Gasoline.**

(a) **1st Line Stocks.** Contingent stocks are to be maintained at 10 days. 95 CMSG will monitor 1st line usage and maintain stocks at this level. contingents less those at Kigali have been issued with 10,000 ltrs steel tanks at coy HQs. This will enable contingents to conduct gravity feed refuelling of jerry cans and vehicles

(b) **2nd Line Stocks.** Force reserve stocks of 21 days will be maintained by 95 CMSG. Stocks are to be held at the SS Kigali Service Station with a Capacity of 70,000 litres.

(3) **Jet A-1.** Force reserves of at least 28 days stocks and the main issue point are to be collocated at the airhead (Presidential Hanger). Jet A-1 capacity is 2 x 200,000 litre bladder (although bladders are only filled to 75% capacity to age of bladders).

(4) **Kerosene.** 95 CMSG is to maintain one x 10,000 litre bulk storage tank and some 200 litre drummed stock. Demands are to be made direct to 95 CMSG.

(5) **LPG Gas (Propane).** LPG Gas is used as cooking fuel. 95 CMSG is to monitor usage and maintain stock levels as required. Demands are to be made to 95 CMSG.

(6) **Oils and Greases.** 95 CMSG is to monitor usage and maintain stock levels as required. Demands are to be made to 95 CMSG.

iv. **Class IV (Construction and Defence Stores).**

(1) **Construction Stores.** CBMS is responsible for the procurement and issue of construction items. All demands for these items be forwarded to the BMS Office in accordance with current SOP.

(2)) **Defence Stores.** G3 Engr/FEO is the releasing authority for all Defence Stores. Demands (Q1) are to be forwarded to FEO for endorsement prior to presentation at 95 CMSG. 95 CMSG is to procure and maintain defence stores as per Class II items. Issues to be made in accordance with FEO directions.

v. **Class V (Ammunition).**

(1) **Contingent Stocks.** Contingents are responsible for the procurement and maintenance of their own national ammunition requirements. Expenditures are to be recorded in accordance with the form "Ammunition Expended for Operational Reasons" as detailed in UNAMIR SOP.

(2) **Explosives for EOD Tasks.** G3 Engr/FEO is the releasing authority for all explosives for use on EOD tasks. G3 Engr is to liaise with SUMMO for the procurement of replenishment stocks. 95 CMSG is to receive and store these items in accordance with G3 Engr direction.

vi. **Class VI (Personal Demand [Canteen] Items)** Class VI items are a contingent responsibility to procure and issue utilising Regimental Funds and national arrangements. Limited items may be purchased by the Force Welfare Officer for resale to the contingents. Such purchases and procurement arrangements are at the discretion of the Force welfare Officer. UNAMIR has established a PX for use by all UNAMIR personnel at Trafipro.

vii. **Class VII (Major End Items).** Limited quantities of Class VII items are held by 95 CMSG and the CITMM. All demands for Class VII items are to be forwarded to the appropriate HQ UNAMIR staff for action. The following lists the staff section responsible for most items. All other demands for Class VII items are to be passed to the G4 Log Office at HQ UNAMIR.

(1) Vehicles - CITMM and SO TPT

(2) Generators - OC UNAMIR Generator Section

(3) Communications Equipment - OC UNAMIR Comms Section

(4) Major Office Equipment (Fax, Copiers) - OC UNAMIR Comms Section.

(5) EDP Equipment - CMIS and CLOGO.

viii. **Class VIII.** Contingents are to hold 30 days Class VIII stocks. Force Class VIII stocks are maintained by 95 CMSG at TRAFIPRO. All demands for Class VIII items are to be submitted on a 'Request for Supplies' and forwarded to the Class Manager G4 Med (Medical Br HQ UNAMIR Ph 11116 callsign M94 Channel 4).

Monthly demands will be available for collection by contingents within seven days, urgent demands immediately. Demands for Humanitarian Class VIII are to be clearly identified as such and follow the same procedure.

ix. **Class IX (Repair Parts).** Class IX items are supplied through two avenues: Letters of Assist (LOA) and the UNAMIR procurement system.

(1) **Letters of Assist.** Where an LOA exists between a contingent and its home nation, repair parts are to be demanded direct to the home nation's supply system. A copy of the repair parts demand is to be provided to PCIU and the Procurement Section. Upon receipt of the items, arrangements are to be made for PCIU to conduct an R&I of the repair parts to allow payment to be made to the home nation.

(2) **UNAMIR Procurement System.** Repair parts for UNAMIR owned equipment and common user items not covered under LOA are to be submitted to 95 CMSG marked 'For Attention: Repair Parts Commodity Manager'. 95 CMSG is to then staff the request through the UN procurement system.

b. **Miscellaneous.**

i. **Garbage Collection.** Within Kigali garbage collection is to be effected by BRSC. Contingents outside of Kigali are to arrange with their FSA Coordinator to establish a local contract for collection.

ii. **Infectious Waste** Infectious waste from NORMED will be collected by BRSC and transported to Central Hospital Kigali (CHK) for final disposal by incineration. Contingents outside of Kigali are to incinerate contaminated dressings and arrange backloading of syringes through BRSC for final disposal by incineration at CHK.

iii. **Laundry.** CMC in conjunction with BRSC is to establish a laundry service available to all contingents. Details will be provided once the contract is established.

c. **Transport and Movement.**

i. **Transport.**

(1) 1st line transport is provided utilising a combination of COE and UN owned equipment in accordance with DCOS OPS directives. 2nd line support

is provided from both 95 CMSG, COE and UN owned equipment using 95 CMSG and BRSC personnel. 3rd and 4th Line transport is provided as required through CISS, CCMC and CPO resources.

(2) CITMM in conjunction with SO TPT and SO MAINT is responsible for the receipt, issue and maint of all UN owned transport assets. Req for issues are to be made through the office of the CITMM.

(3) Requests for 1st line transport assistance should be directed to OPS Br HQ UNAMIR.

(4) Requests for 2nd line transport support is to be directed to 95 CMSG less those requests req for contingent rotations.

(5) Requests for 3rd and 4th Line support are to be directed to SO TPT HQ UNAMIR.

ii. **Movements.** DCOS OPS through G3 PLANS is responsible for planning and executing contingent withdrawals and rotations. The movement requirements for both is the responsibility of MCC. Movement Orders for both will be issued by MCC who will coordinate the provision at all lines of support through 95 CMSG for the duration of the task. Requests for movement/transport spt affecting contingent rotations or withdrawals are to be directed to MCC and SO MOV.

d. **Maintenance.**

i. **Repair.**

(1) The priority of repair is as follows:

- (a) Priority One - Second line task transport vehicles;
- (b) Priority Two - Patrol vehicles;
- (c) Priority Three - First line transport vehicles;
- (d) Priority Four - Other equipment.

(2) **First Line Repair.** First line repair is the responsibility of contingents. Repairs beyond the capacity of the first line repair agency are to be referred to

95 CMSG. 95 CMSG is to coordinate the recovery of the damaged equipment to Kigali where it will be repaired at a second line workshop facility.

(3) **Second Line Repair.** Second line repair is coordinated by 95 CMSG and is carried out by either the CTO Workshop (light vehicles) or the Iveco Workshop (medium/heavy vehicles).

ii. **Recovery.** Recovery is to be coordinated by 95 CMSG using all available recovery assets.

(1) **First Line Recovery.** First line recovery is the responsibility of the contingent using integral unit resources. Where recovery is beyond the capacity of the contingent a Recovery Request is to be forwarded to 95 CMSG.

(2) **Second Line Recovery.** Second line recovery is the responsibility of 95 CMSG and all recovery assets, with the exception of contingent owned equipment (COE) are to be brigaded with Brown & Root. Request for recovery support will be coordinated by 95 CMSG using either 95 CMSG or BRSC resources.

11. **Health Support**

a. **Medical Treatment.** Level One, Two and Three medical support is to be provided as follows:

i. **Level One.** The independent companies are to deploy with organic level one support to ensure a conventional Regimental Aid Post (RAP) capability. As a minimum this is to include a medical officer, nursing officer, environmental health assistant and three medical assistants. INDBATT is to continue to maintain its RAP and provide support to UNAMIR headquarter staff at the SOALTEE location, while 95 CMSG is to establish a UMS at the TRAFIPRO complex.

ii. **Level Two.** 95 CMSG in conjunction with NORMED is to establish a level two/level three facility capable of receiving and holding up to ten patients for five days.

iii. **Level Three.** NORMED is to establish a limited level three facility capable of initial wound surgery at the TRAFIPRO location. Level three surgical support beyond the scope of this facility will be provided by civilian hospitals in NAIROBI following air evacuation from KIGALI. Emergency level three support is currently also available at NGO sponsored hospitals at CYANGUGU, KIBUYE, GISENYI and RUHENGERI.

Patients treated at these centres are to be evacuated to KIGALI as soon as their condition permits further movement.

b. **Evacuation.** CASEVAC is to be conducted using road and AME assets. National contingents are responsible for all evacuation within their area of responsibility, from point of injury to level one medical facility, with road ambulance being the normal means. Independent companies are to maintain a minimum of two ambulance vehicles for this purpose. AME is to be utilised for daytime evacuation back to NORMED at KIGALI for all Priority One (immediate) and Priority Two (urgent) casualties. Road evacuation remains the norm for Priority Three (routine) casualties and night CASEVAC. Evacuation from level one facilities is to be:

i. **Road.** 95 CSMG/NORMED are to maintain a minimum of two road ambulances and crews at the facility location in KIGALI. These ambulances are to be augmented by the three vehicles held by INDBATT as required and on order of the FMO. CASEVAC requests are to be transmitted as per HQ UNAMIR SOP and will be coordinated by Medical Branch.

ii. **Air.** Forward AME is to be provided by utilising the current RW aircraft supplied by Canadian International and crewed by a medical team from 95 CSMG. Tactical AME to NAIROBI and strategic AME out of Rwanda, will be managed by Medical Branch in conjunction with Air Ops staff with all casualty regulation remaining the responsibility of the FMO. Air assets available for evacuation out of KIGALI include the UN aircraft (L 100 and Beechcraft 200C), Augmented by the NAIROBI Flying Doctor Service and the African Air Ambulance, all based in NAIROBI.

c. **Preventive Medicine.** All national contingents are responsible for field sanitation and hygiene within their own area of responsibility and are to maintain sufficient health stores for this purpose. Unit commanders are reminded that this is a command responsibility with technical advice from their medical representative. Medical branch will provide advice on appropriate health measures as required and develop the Force health surveillance plan. 95 CMSG is to provide a preventive medicine officer for appointment as the Force Health Officer.

d. **Dental.** NORMED is to establish a dental section in the facility at TRAFIPRO. Casualties requiring dental treatment are to be evacuated to this dental post. INDBATT are to be prepared to augment this level two facility on order of the FMO and are to nominate a dental officer to provide Force dental advice as required.

e. **Medical Resupply.** Contingents within the mission area are to maintain 30 days stocks of Class VIII supplies. Force stocks are then to be held and maintained through

TRAFIPRO and issued on a demand basis. Requests for resupply are to be staffed through the Class manager in Medical Branch (G4 Med Log).

f. **Blood.** 95 CMSG is to maintain a safe supply of blood for transfusion, under the control of the FMO, with resupply to continue from the Netherlands Red Cross Blood Transfusion Service.

g. **Command and Control.** SMO 95 CMSG is appointed as the Force Medical Officer for the mission in addition to normal duties within the unit. Medical Branch is to be staffed to include G3 Med Ops, G4 Med Log, FHO and clerical support. The FCT in NAIROBI are to continue to act as medical liaison officers for the reception and hospitalisation of patients.

h. **Holding Policy.** The following policy is to apply:

- i. Level one - 24 hrs;
- ii. Level two - 72 hrs;
- iii. Level three (KIGALI) - 5 days;
- iv. Level three (NAIROBI) - 28 days; and
- v. Out of the mission area - As determined by the FMO or as coordinated by national command elements.

i. **Health Reports and Returns.** Reports, returns and medical SITREP are to be provided to Medical Branch in accordance with HQ UNAMIR SOP.

j. **CASEVAC Requests.** All CASEVAC requests are to be submitted to UNAMIR HQ Ops room (C/S zero on channel 4) using the proforma detailed in UNAMIR SOP.

k. Location of Medical Facilities.

i. **Sector 1.**

- (1) INDBATT Level One facility - KIGALI
- (2) 95 CMSG / NORMED Level Three facility from - KIGALI (TRAFIPRO)
- (3) GHANCOY (Tribunal) limited Level One facility - KIGALI (Transit camp)

- ii. Sector 2 - GHANBATT COY level One facility - KIBUNGO.
- iii. Sector 3 - MALICOY Level One facility - GIKONGORO.
- iv. Sector 4 - MALAWICOY Level One facility - SHAGASHA
- v. Sector 5 - NIBATT COY Level One facility - NYUNDO.

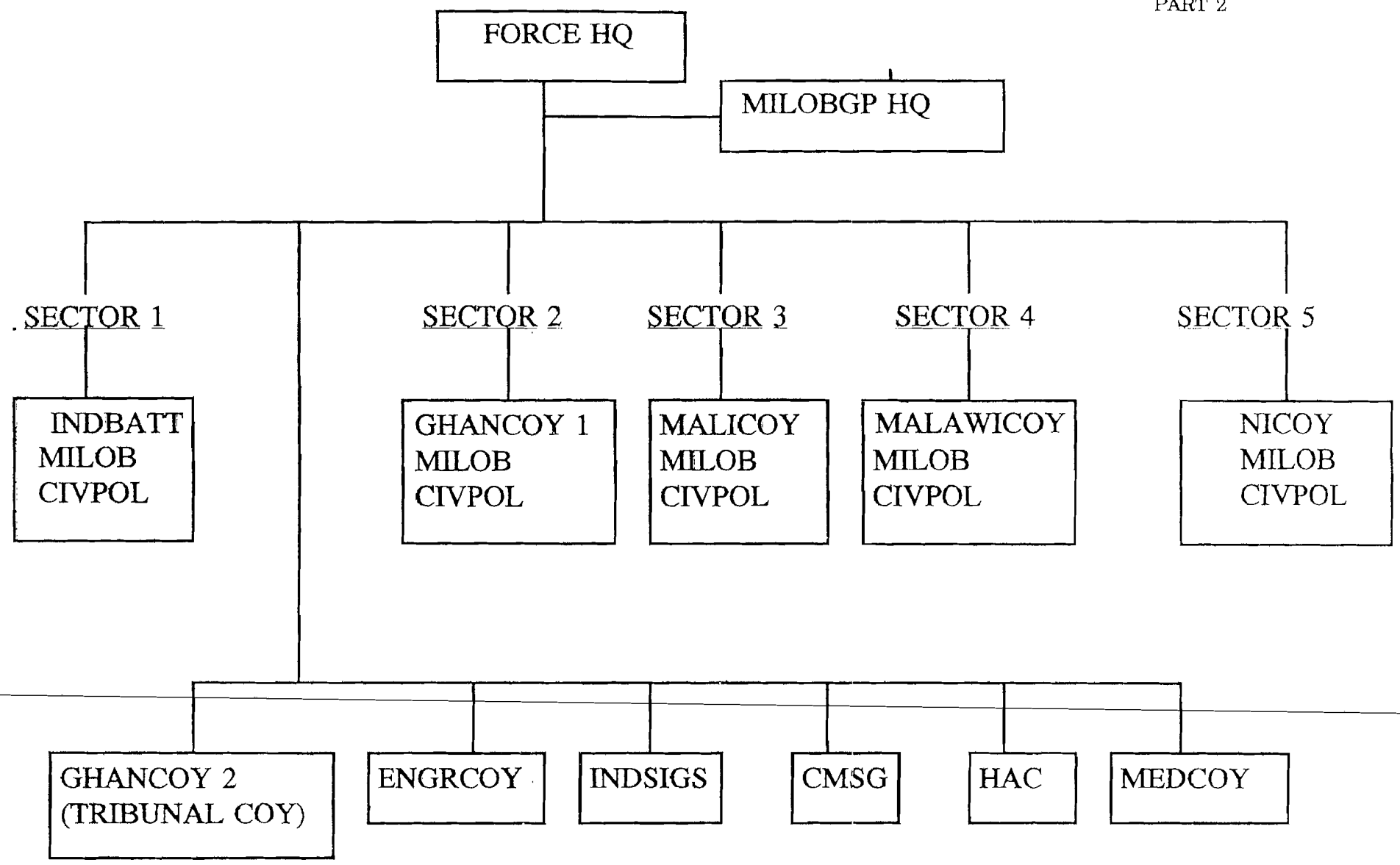
12. **Personnel Services.**

- a. **Daily Strength Returns.** Daily strength returns are to be submitted daily as per UNAMIR SOPs.
- b. **Personnel Allowances.** Daily allowances are cross-referenced to Contingent nominal rolls. Contingents are to ensure that G1 is apprised of changes to nominal rolls and the authority for change has been recorded through G1/CMPO.
- c. **Repatriation of Personnel.** Prior to the repatriation of personnel other than during contingent rotations, the Repatriation Form as per Annex A to UNAMIR SOP Part 8 Section 5 must be completed by the individual's commander.
- d. **Welfare.** The Force Welfare Officer (FWO) is responsible for the allocation of amenities, welfare funds and the purchase of sports and leisure equipment and facilities for Contingents, and HQ Military Staff (incl MILOBS). Requests for equipment are to be directed to the FWO. Contingents rotating or repatriating must return all loan equipment as advised by FWO and PCIU through the FSA prior to final clearance from the mission.
- e. **Messes and Institutes.** Messes and Institutes may be established by Contingents upon approval of the Force Commander. Strict guidelines on the consumption of alcoholic beverages as per UNAMIR Policy are to be implemented by Contingent Commanders.
- f. **Out of Bounds/UNAMIR Curfew.** Out of Bounds areas and daily curfew as appropriate will be notified as determined by the Force Commander.
- g. **Finance.** Payment of UN pay and allowances is authorised to be effected in unit locs. Queries on financial matters and requests for advances are to be directed to the Chief Financial officer, HQ UNAMIR.
- h. **Medals.** Requests for medals shall be directed to the G1/CMPO

i. **Postal**. Postal services for military personnel are available through the Force Base Post Office (FBPO). Contingents may make arrangements to use their own national system. Mail to Sector HQ locs will be delivered weekly by helicopter. Contingent mail will be delivered on routine supply runs. Outgoing mail may be forwarded to FBPO on returning supply convoys.

UNAMIR COMMAND AND CONTROL

ANNEX A TO
UNAMIR SOPs
PART 2





Handwritten: ~~Security System~~
FCIS Directive

INTER-OFFICE MEMORANDUM

TO: Colonel Jan Arp
DCOS - OPS

FROM: Wilfrid de Souza
Executive Director

DATE: 10 August 1995

SUBJECT: FC's Directive on the Legal Jurisdiction Applicable
to UNAMIR and Rwandan Authorities

1. It has come to my attention that the Force Commander's directive on the above-mentioned subject dated 24 July 1995 omits any reference to procedures governing the handover of UNAMIR contractor personnel to the Rwandan authorities. Despite UNAMIR's revised mandate, and in light of the various difficulties we are encountering with the Rwandan Government regarding the status of such personnel, I would like to propose that some measure of protection be afforded by UNAMIR's military component to the international (not local) staff members of UNAMIR contractors.

2. I understand that this matter has already been brought to your attention by our Political/Legal Officer who has also raised the issue with the Military Legal Officer, Major Craig McConaghy. Our proposal is to include such personnel under category 5 (f) of the directive pertaining to personnel of non-governmental organizations so that they may be accorded the same degree of protection as NGO personnel working in Rwanda.

3. Thank you for your attention to this matter.

cc: SRSG
FC
P/LO

Handwritten: Jan
AR

MA to FC

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.45 (PLANS)

To: Distribution List

From: DCOS OPS

Date: 25 May 95

Subject: FC's DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES

Reference: A. 2000-1 (FC) dated 16 May 95
B. 2000-1 (FC) dated 24 July 95 (enclosed)

1. The Force Commander's directive on the legal jurisdiction applicable to UNAMIR and Rwandan authorities, Reference A, has been revised in order to conform to UNAMIR's new mandate.

2. Overview of changes. All references to protection of displaced persons, refugees and civilians have been deleted. In Annex D the section on the procedure of handing over of Rwandan nationals has been deleted for displaced persons, refugees and civilians. The assistance rendered to Rwandans seeking the protection of UNAMIR has been narrowed to situations covered by International Humanitarian Law in cases where they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available.

3. You are requested to disseminate this document to all personnel.

Enclosures: (1)

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Information:

Lists A and E (less spares)

① for filing

[Signature]

7 Aug 95



File No 2000-1 (FC)

24 July 1995

Distribution List

**FORCE COMMANDER'S DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES**

References: A. UNAMIR SOPs, Part 3, Section 17, Rules of Engagement dated 24 July 1995.
B. FC Directive on Conduct, Dress and Weapon Carriage Policy dated 26 April 1995.

INTRODUCTION

1. This updated Directive is effective on receipt and cancels the earlier version which was issued on 16 May 1995. It has the support of the SRSG's office, ICRC and UNHCRFOR.

GENERAL

2. In the conduct of their duties, UNAMIR personnel may be required to hand over individuals to the Government of Rwanda. This hand over may occur as a result of Rwandan authorities seeking legal jurisdiction over foreign or Rwandan nationals.

DEFINITIONS

3. The following definitions shall apply to this Directive:

- a. "Appropriate authority" at this stage, refers only to the Prosecutor's Office. Further changes to this definition will be notified in writing by the FC.
- b. "Civilian component" consists of UN officials and of other persons assigned by the Secretary-General to assist the SRSG or made available by participating States to serve as part of UNAMIR.
- c. "Detainee" is any person who is held for committing a hostile act or hostile intent against any of the categories of people referred to in paragraphs 7d and 7e below.

- d. "Legal Jurisdiction" includes but is not limited to those situations where Rwandan authorities seek to take a foreign or Rwandan national into custody.
- e. "Military personnel of national contingents" includes military staff at UNAMIR HQ.
- f. "Official capacity" for UNAMIR troops is any time soldiers are in uniform or in civilian clothes for official functions (see Reference B).
- g. "UNHREFOR" is the United Nations Human Rights Field Operations in Rwanda.
- h. "Visitors" includes, but is not limited to, journalists, tourists, dignitaries representing national governments and non-UNAMIR personnel permitted to enter UNAMIR premises.

AIM

4. The aim of this Directive is to outline the procedures for handing over individuals or groups of people to the Rwandan authorities.

FOREIGN NATIONALS AND RWANDAN JURISDICTION

5. Rwandan authorities may seek jurisdiction over the following categories of foreign nationals:

- a. SRSG, Force Commander and the Police Commissioner of CIVPOL;
- b. UN civilian officials assigned to the civilian component to serve with UNAMIR;
- c. United Nations Military Observers (UNMOs), Civilian Police (CIVPOL) and civilian personnel from overseas who are employed by the UN specifically for this mission but who are not UNAMIR staff (eg consultants) (hereinafter referred to as "experts on mission");
- d. military personnel of national contingents who are part of UNAMIR;
- e. personnel of UN specialised agencies;
- f. personnel of NGOs; and
- g. visitors.

6. The legal status of these categories of personnel and the hand over procedures for them are detailed at Annexes A and C respectively.

RWANDAN NATIONALS AND RWANDAN JURISDICTION

7. Rwandan authorities may seek jurisdiction over the following categories of Rwandan nationals:

- a. Locally recruited personnel who are working for the UN.
- b. Rwandans who seek UNAMIR protection.
- c. Rwandans who are detained by UNAMIR personnel for committing or who are suspected of committing a hostile act or display hostile intent (as defined in Reference A) or a serious criminal offence against Rwandan or International Humanitarian law.
- d. Rwandans who are detained for stealing and/or damaging property, or are suspected of stealing and/or damaging property belonging to, or in the care of, UNAMIR, UN humanitarian organisations or UN protected sites (see Reference A).

8. The legal status and hand over for Rwandan nationals is at Annexes A and D respectively.

9. Witnesses. Rwandan nationals who request the protection of UNAMIR because they have witnessed and/or have been the subject of serious physical abuse may be provided with such protection if their circumstances fall within the mandate and/or it is considered that a moral obligation exists for the provision of such assistance. The decision to offer such assistance will only be provided by the express authorization of UNAMIR HQ. A request for such assistance should be made as soon as possible after the initial request is made.

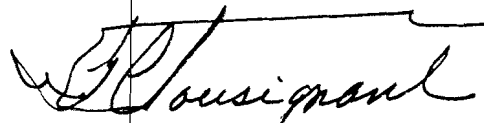
10. Any person in the care of UNAMIR troops are to be treated humanely, ensuring that they are provided with food, drinking water and that they are afforded safeguards in terms of health, hygiene and protection against the rigours of climate and the dangers of armed conflict.

MEMBERS OF THE RWANDAN PATRIOTIC ARMY (RPA)

11. It is not within the mandate of UNAMIR to provide protection to members of the RPA. Should a member of the RPA seek protection the member is to be advised that protection will not be given.

12. Should the person seeking protection request the assistance of UNAMIR to liaise with the appropriate RPA authority for his handover, he should be informed that UNAMIR is unable to provide protection and HQ UNAMIR is to be informed in order to coordinate all actions. HQ UNAMIR will ensure that the appropriate local and UNAMIR RPA Liaison officer are informed.

13. The person seeking protection is not to be treated as a detainee and as such may have leave UNAMIR property at any time.



G.C. Tousignant
Major-General
Force Commander

Annexes:

Annex A - Foreign Nationals and Rwandan Jurisdiction
Annex B - Rwandan Nationals and Rwandan Jurisdiction
Annex C - Procedures for Handing Over Foreign Nationals
Annex D - Procedures for Handing Over Rwandan Nationals
Annex E - Prosecutors Offices in Rwanda
Annex F - ICRC Representatives In Rwanda
Annex G - Hand Over Proforma

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Lists A and E (less spares)

ANNEX A TO
2000-1 (FC)
DATED 24 JUL 95

FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	SRSG, FC, Police Comm of CIVPOL	. Accorded Diplomatic immunity and privilege under International Law.	. Not to be handed over to Rwandan authorities under any circumstance.
2.	UN Civilian officials assigned to the Civilian Component to serve with UNAMIR	. Immune from legal process for all acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the SRSG.
3.	UNMO, CIVPOL and Consultants	. Immune from legal process for all acts performed by them in their official capacity. . Immune from personal arrest or detention and seizure of their personal baggage	. Only to be handed over with the concurrence of the FC and/or the SRSG.
4.	Military Pers of National Contingents who are a part of UNAMIR	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the FC and the Contingent Commander.
5.	Personnel of UN Specialist Agencies	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the head of the Agency.
6.	Personnel of NGOs	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority with the concurrence of the head of the NGO.
7.	Visitors	. No immunity from legal process in respect of acts performed by them in their official capacity.	. To be handled over on demand of proper legal authority.

ANNEX B TO
2000-1 (FC)
DATED 24 JUL 95

RWANDAN NATIONAL AND THEIR LEGAL STATUS¹ IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	Locally recruited personnel	<p>. Immune from legal process in respect of all acts performed by them in their <u>official</u> capacity.</p> <p>Note: This protection does not extend to acts committed before their employment with the UN.</p>	<p>. Only to be handed over with the concurrence of the SRSG.</p>
2.	Rwandan National detained by UNAMIR authorities	<p>. Treat humanely.</p>	<p>. Only to be handed over at an office of the prosecutor.</p>

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

UN CIVILIAN ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR

1. As soon as a Rwandan authority seeks legal jurisdiction over a UN civilian assigned to the civilian component to serve with UNAMIR, the SRSG, or his representative, HQ UNAMIR, and the International Committee of the Red Cross (ICRC) and UNHRCFOR must be notified. HQ UNAMIR is to dispatch Military Police (MP).
2. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of the UN civilian unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).
3. If the Rwandan authority(s) uses force to attempt to take custody of the UN civilian, UNAMIR troops are authorised to use force in accordance with Reference A.
4. If authority is given for the hand over, the UN civilian must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
5. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
 - a. name of person handed over,
 - b. location where the Rwandan Government sought jurisdiction,
 - c. crime person was accused of,
 - d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - e. date, time and place the person was handed to the Prosecutor's Office, and
 - f. whether an ICRC and UNHRCFOR representative was present during the handover and if not, why not.

UNMOs, CIVPOL AND EXPERTS ON MISSION

6. As soon as Rwandan authority seeks legal jurisdiction over an UNMO, CIVPOL or an Expert on Mission, the FC or his representative, the SRSG or his representative and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. The Rwandan authority is to be reminded that these members are, under Rwandan and international law, immune from arrest, detention or the seizure of their baggage.

7. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of an UNMO, CIVPOL or an Expert on Mission unless the FC and/or the SRSG has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).

8. If the Rwandan authority(s) uses force to attempt to take custody of the UNMO, CIVPOL or Expert on Mission, UNAMIR troops are authorised to use force in accordance with Reference A.

9. If authority is given for the hand over, the UNMO, CIVPOL or Expert on Mission must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the handover. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

10. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR

11. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authority should be reminded that 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 offences which may have been committed by them in Rwanda.

12. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of another UNAMIR soldier unless the FC and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

13. If the Rwandan authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with Reference A.

14. If authority is given for the hand over, the UNAMIR soldier must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF UN SPECIALISED AGENCIES

16. As soon as a Rwandan authority seeks legal jurisdiction over a member of a UN specialised agency, the SRSG or his representative, the appropriate head of agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

17. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of a UN specialised agency unless the SRSG and the appropriate head of the agency have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

18. If the Rwandan authority(s) uses force to attempt to take custody of a member of a UN specialised agency, UNAMIR troops are authorised to use force in accordance with Reference A.

19. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

20. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall and the UN agency concerned:

- a. name of person handed over and the agency they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF NGOS

21. As soon as a Rwandan authority seeks legal jurisdiction over a member of an NGO, HQ UNAMIR, the appropriate head of the NGO agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

22. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of an NGO unless the appropriate head of the NGO has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

23. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

24. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the NGO they work for,
- b. location where the Rwandan Government sought jurisdiction,

- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

VISITORS

25. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR, UNHRCFOR and the ICRC should be notified. HQ UNAMIR is to dispatch MP to the site.

26. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a visitor providing the proper legal authority is identified as having legal authority (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

27. If possible the person should be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

28. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and their affiliation or nationality,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

LOCALLY RECRUITED PERSONNEL

1. As soon as a Rwandan authority seeks legal jurisdiction over any locally recruited personnel, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. UNHRFOR is to be notified immediately.
2. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of locally recruited personnel unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).
3. If the Rwandan authority(s) uses force to attempt to take custody of locally recruited personnel, UNAMIR troops are authorised to use force in accordance with Reference A.
4. UNHRFOR is to be permitted to speak to the locally recruited person.
5. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible are to be present during the hand over. UNHRFOR is to be present during the hand over. (Note: No hand over is to be delayed more than 24 hours without UNAMIR HQ permission on the sole basis that the ICRC and/or UNHRFO are not present.) The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
6. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall:
 - a. name of person handed over,
 - b. location where the Rwandan Government sought jurisdiction,
 - c. crime person accused of,
 - d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - e. date, time and place the person was handed to the Prosecutor's Office, and
 - f. whether an ICRC and/or UNHRFOR representative was present during the hand over and if not, why not.

RWANDANS SEEKING PROTECTION OF UNAMIR

7. It is not within the UNAMIR mandate to give Rwandan nationals protection. Circumstances may arise where protection to an individual or a group of individuals will be given under International Humanitarian Law because they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available to offer timely assistance. Such circumstances will be rare and in such cases UNAMIR HQ is to be notified immediately.

PERSONS DETAINED BY UNAMIR TROOPS

8. They are to be searched, disarmed and segregated. At all times they are to be treated in accordance with the principals of minimum force as detailed at Reference A. UNAMIR HQ is to be notified immediately of the circumstances surrounding the detention. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s).

9. The detainee(s) is to be told the reason for his detention.

10. They are to be identified and their personal details recorded. The reason for the detention is also to be recorded.

11. A safe and secure place is to be arranged as a temporary place of custody. Detainees are to be kept in custody by UNAMIR troops for the minimum time necessary. A detainee is to be kept in custody for no more than 24 hours unless they have the permission of UNAMIR HQ. Detainees are to be provided with food, water, shelter and medical attention as required. ICRC is to be informed immediately and is to be allowed to have access to these detainees.

12. Detainees and the property found in their possession are to be handed to the appropriate Prosecutor's Office (details of these offices are at Annex E). The detainee is to be allowed to keep all property essential for his/her comfort and survival (eg food and water).

13. The ICRC (if possible) and the UNHRCFOR are to be notified and present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

14. Detainees are not to be handed to any other RPA authorities. A Prosecutor's Office is the only authorised office for the processing and handing over of detainees in Rwanda.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of the detainee,
- b. location where the person was detained,

- c. crime person accused of,
- d. name of the UNAMIR person who detained the detainee,
- e. date, time and place the detainee was handed to the Office of the Prosecutor, and
- f. whether an ICRC and/or UNHRCFOR representative was present during the hand over and if not, why not.

PROSECUTOR OFFICES IN RWANDA

TOWN	PROSECUTOR'S NAME	ADDRESS
KIBUNGO	MUSHUMBA, Jean Baptiste	
KIGALI	NSANZUWERA, Sylere	
RWANAGANA	GATAMBIYE, Cyprien	
KIBUYE	TUYISENGE, Celestin	
GITARAMA	KAYIBANDA, Simon	
NYANZA	HARELIMANA, Callixte	
BUTARE	HAVUGIYAREMYE, Aloys	
GIKONGORO	NYANDWI, Viateur	
CYANGUGU	HARERIMANA, Charles	
GISENYI	UWIYINGOMA, David	
RUHENGERI	MUSUHUKE, Francois	
BYUMBA		

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

ANNEX F TO
2000-1 (FC)
DATED 24 JUL 95

ICRC REPRESENTATIVES IN RWANDA

TOWN	ICRC REPRESENTATIVE	ADDRESS
KIBUNGO	Francois SENECHAUB	
KIGALI	Laurent FELLAY	
RWANAGANA	Francois SENECHAUB	
KIBUYE	Cristophe LOSEY	
GITARAMA	Laurent FELLAY	
NYANZA	Fereydoun AALAU	
BUTARE	Aalame FEREYDOUN	
GIKONGORO	Franz RUSCHENSTEIN	
CYANGUGU	Iris WITTNER	
GISENYI	Johanna GROBASH	
RUHENGARI	Johanna GROBASH	
BYUMBA	Hugo GISLER	

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

HAND OVER PROFORMA

I, _____ (1), A MILITARY MEMBER OF
UNAMIR/MINUAR HAVE HANDED OVER _____ (2)
TO THE OFFICE OF THE PROSECUTOR OF _____ (3)
AT _____ (4)

SIGNED THIS DAY _____ OF _____ 199__

UNAMIR

OFFICE OF THE PROSECUTOR

- (1) Insert here the name of the UNAMIR person conducting the hand over.
- (2) Insert here the name of the person being handed over.
- (3) Insert here the name of the Prosecutor's Office.
- (4) Insert here the time of hand over.



TO: Mr. A.H. Golo
OIC/Administration

DATE: 22 May 1995
REF: OSRSG/LA/011

FROM: I. Minta *MS*
Legal Adviser, OSRSG

SUBJECT: FC's Directive on the Legal Jurisdiction Applicable to UNAMIR and Rwanda Authorities

.....
The attached, Annex A and B, are copies of my comments on an earlier draft of the above document, which you routed to Mr. Neube and myself for comments.

Annex A is a copy of the original draft with my comments scribbled in. I had discussed these with Maj. Oswald (the author) at that time, and had also passed them on to you for your response. The draft and the new document are substantially the same, except for para. 9 (witnesses), and paras 11-13 (on the RPA).

As regards para 9, I see no problem. But a conflict can arise in connection with paras 11-13, if an RPA member seeks protection as a witness on a matter that falls within the mandate. In such case, there may be valid reasons for treating the person as a witness under para 9; but paras. 11-13 may dictate otherwise. Any such conflict may have to be evaluated on a case-by-case basis.

Annex B are my comments on certain additions that had been proposed by Human Rights. Those additions have been modified appropriately.

cc: SRSG
FC
Chief, Board of Inquiry Unit &
Administrative/Legal Officer



File

File No 5000.45 (PLANS)

To: Distribution List

From: A/DCOS OPS

Date: 22 May 95

Subject: FC's DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES

Reference: A. 5000.45 (PLANS) dated 17 May 95

1. Page 2 to Reference A outlines the changes made to the previous version of the directive.
2. Page 2, paragraph 2, seventh sentence should read, "*The person is not to be treated as a detainee and be allowed to leave the premises at any time*". No changes are required to the text of the Directive.
3. Please amend your copy to reflect this change.

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UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.45 (PLANS)

To: Distribution List

From: DCOS OPS

Date: 25 May 95

Subject: FC's DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES

Reference: A. 2000-1 (FC) dated 16 May 95
B. 2000-1 (FC) dated 24 July 95 (enclosed)

1. The Force Commander's directive on the legal jurisdiction applicable to UNAMIR and Rwandan authorities, Reference A, has been revised in order to conform to UNAMIR's new mandate.

2. Overview of changes. All references to protection of displaced persons, refugees and civilians have been deleted. In Annex D the section on the procedure of handing over of Rwandan nationals has been deleted for displaced persons, refugees and civilians. The assistance rendered to Rwandans seeking the protection of UNAMIR has been narrowed to situations covered by International Humanitarian Law in cases where they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available.

3. You are requested to disseminate this document to all personnel.

Enclosures: (1)

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[Handwritten signature]
27/7



File No 2000-1 (FC)

24 July 1995

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**FORCE COMMANDER'S DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES**

References: A. UNAMIR SOPs, Part 3, Section 17, Rules of Engagement dated 24 July 1995.
B. FC Directive on Conduct, Dress and Weapon Carriage Policy dated 26 April 1995.

INTRODUCTION

1. This updated Directive is effective on receipt and cancels the earlier version which was issued on 16 May 1995. It has the support of the SRSG's office, ICRC and UNHCRFOR.

GENERAL

2. In the conduct of their duties, UNAMIR personnel may be required to hand over individuals to the Government of Rwanda. This hand over may occur as a result of Rwandan authorities seeking legal jurisdiction over foreign or Rwandan nationals.

DEFINITIONS

3. The following definitions shall apply to this Directive:

- a. "Appropriate authority" at this stage, refers only to the Prosecutor's Office. Further changes to this definition will be notified in writing by the FC.
- b. "Civilian component" consists of UN officials and of other persons assigned by the Secretary-General to assist the SRSG or made available by participating States to serve as part of UNAMIR.
- c. "Detainee" is any person who is held for committing a hostile act or hostile intent against any of the categories of people referred to in paragraphs 7d and 7e below.

- d. "Legal Jurisdiction" includes but is not limited to those situations where Rwandan authorities seek to take a foreign or Rwandan national into custody.
- e. "Military personnel of national contingents" includes military staff at UNAMIR HQ.
- f. "Official capacity" for UNAMIR troops is any time soldiers are in uniform or in civilian clothes for official functions (see Reference B).
- g. "UNHREFOR" is the United Nations Human Rights Field Operations in Rwanda.
- h. "Visitors" includes, but is not limited to, journalists, tourists, dignitaries representing national governments and non-UNAMIR personnel permitted to enter UNAMIR premises.

AIM

4. The aim of this Directive is to outline the procedures for handing over individuals or groups of people to the Rwandan authorities.

FOREIGN NATIONALS AND RWANDAN JURISDICTION

5. Rwandan authorities may seek jurisdiction over the following categories of foreign nationals:

- a. SRSG, Force Commander and the Police Commissioner of CIVPOL;
- b. UN civilian officials assigned to the civilian component to serve with UNAMIR;
- c. United Nations Military Observers (UNMOs), Civilian Police (CIVPOL) and civilian personnel from overseas who are employed by the UN specifically for this mission but who are not UNAMIR staff (eg consultants) (hereinafter referred to as "experts on mission");
- d. military personnel of national contingents who are part of UNAMIR;
- e. personnel of UN specialised agencies;
- f. personnel of NGOs; and
- g. visitors.

6. The legal status of these categories of personnel and the hand over procedures for them are detailed at Annexes A and C respectively.

RWANDAN NATIONALS AND RWANDAN JURISDICTION

7. Rwandan authorities may seek jurisdiction over the following categories of Rwandan nationals:

- a. Locally recruited personnel who are working for the UN.
- b. Rwandans who seek UNAMIR protection.
- c. Rwandans who are detained by UNAMIR personnel for committing or who are suspected of committing a hostile act or display hostile intent (as defined in Reference A) or a serious criminal offence against Rwandan or International Humanitarian law.
- d. Rwandans who are detained for stealing and/or damaging property, or are suspected of stealing and/or damaging property belonging to, or in the care of, UNAMIR, UN humanitarian organisations or UN protected sites (see Reference A).

8. The legal status and hand over for Rwandan nationals is at Annexes A and D respectively.

9. Witnesses. Rwandan nationals who request the protection of UNAMIR because they have witnessed and/or have been the subject of serious physical abuse may be provided with such protection if their circumstances fall within the mandate and/or it is considered that a moral obligation exists for the provision of such assistance. The decision to offer such assistance will only be provided by the express authorization of UNAMIR HQ. A request for such assistance should be made as soon as possible after the initial request is made.

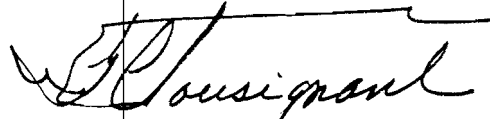
10. Any person in the care of UNAMIR troops are to be treated humanely, ensuring that they are provided with food, drinking water and that they are afforded safeguards in terms of health, hygiene and protection against the rigours of climate and the dangers of armed conflict.

MEMBERS OF THE RWANDAN PATRIOTIC ARMY (RPA)

11. It is not within the mandate of UNAMIR to provide protection to members of the RPA. Should a member of the RPA seek protection the member is to be advised that protection will not be given.

12. Should the person seeking protection request the assistance of UNAMIR to liaise with the appropriate RPA authority for his handover, he should be informed that UNAMIR is unable to provide protection and HQ UNAMIR is to be informed in order to coordinate all actions. HQ UNAMIR will ensure that the appropriate local and UNAMIR RPA Liaison officer are informed.

13. The person seeking protection is not to be treated as a detainee and as such may have leave UNAMIR property at any time.



G.C. Tousignant
Major-General
Force Commander

Annexes:

Annex A - Foreign Nationals and Rwandan Jurisdiction
Annex B - Rwandan Nationals and Rwandan Jurisdiction
Annex C - Procedures for Handing Over Foreign Nationals
Annex D - Procedures for Handing Over Rwandan Nationals
Annex E - Prosecutors Offices in Rwanda
Annex F - ICRC Representatives In Rwanda
Annex G - Hand Over Proforma

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ANNEX A TO
2000-1 (FC)
DATED 24 JUL 95

FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	SRSB, FC, Police Comm of CIVPOL	. Accorded Diplomatic immunity and privilege under International Law.	. Not to be handed over to Rwandan authorities under any circumstance.
2.	UN Civilian officials assigned to the Civilian Component to serve with UNAMIR	. Immune from legal process for all acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the SRSB.
3.	UNMO, CIVPOL and Consultants	. Immune from legal process for all acts performed by them in their official capacity. . Immune from personal arrest or detention and seizure of their personal baggage	. Only to be handed over with the concurrence of the FC and/or the SRSB.
4.	Military Pers of National Contingents who are a part of UNAMIR	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the FC and the Contingent Commander.
5.	Personnel of UN Specialist Agencies	. Immunity from legal process in respect of acts performed by them in their official capacity.	. Only to be handed over with the concurrence of the head of the Agency.
6.	Personnel of NGOs	. No immunity unless they have entered in to a bilateral arrangement with the Rwandan Government.	. To be handed over on demand of proper legal authority with the concurrence of the head of the NGO.
7.	Visitors	. No immunity from legal process in respect of acts performed by them in their official capacity.	. To be handled over on demand of proper legal authority.

ANNEX B TO
2000-1 (FC)
DATED 24 JUL 95

RWANDAN NATIONAL AND THEIR LEGAL STATUS¹ IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	Locally recruited personnel	<p>. Immune from legal process in respect of all acts performed by them in their <u>official</u> capacity.</p> <p>Note: This protection does not extend to acts committed before their employment with the UN.</p>	<p>. Only to be handed over with the concurrence of the SRSG.</p>
2.	Rwandan National detained by UNAMIR authorities	<p>. Treat humanely.</p>	<p>. Only to be handed over at an office of the prosecutor.</p>

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

UN CIVILIAN ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR

1. As soon as a Rwandan authority seeks legal jurisdiction over a UN civilian assigned to the civilian component to serve with UNAMIR, the SRSG, or his representative, HQ UNAMIR, and the International Committee of the Red Cross (ICRC) and UNHRCFOR must be notified. HQ UNAMIR is to dispatch Military Police (MP).
2. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of the UN civilian unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).
3. If the Rwandan authority(s) uses force to attempt to take custody of the UN civilian, UNAMIR troops are authorised to use force in accordance with Reference A.
4. If authority is given for the hand over, the UN civilian must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
5. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
 - a. name of person handed over,
 - b. location where the Rwandan Government sought jurisdiction,
 - c. crime person was accused of,
 - d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - e. date, time and place the person was handed to the Prosecutor's Office, and
 - f. whether an ICRC and UNHRCFOR representative was present during the handover and if not, why not.

UNMOs, CIVPOL AND EXPERTS ON MISSION

6. As soon as Rwandan authority seeks legal jurisdiction over an UNMO, CIVPOL or an Expert on Mission, the FC or his representative, the SRSG or his representative and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. The Rwandan authority is to be reminded that these members are, under Rwandan and international law, immune from arrest, detention or the seizure of their baggage.

7. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of an UNMO, CIVPOL or an Expert on Mission unless the FC and/or the SRSG has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).

8. If the Rwandan authority(s) uses force to attempt to take custody of the UNMO, CIVPOL or Expert on Mission, UNAMIR troops are authorised to use force in accordance with Reference A.

9. If authority is given for the hand over, the UNMO, CIVPOL or Expert on Mission must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the handover. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

10. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR

11. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authority should be reminded that 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 offences which may have been committed by them in Rwanda.

12. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of another UNAMIR soldier unless the FC and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

13. If the Rwandan authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with Reference A.

14. If authority is given for the hand over, the UNAMIR soldier must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF UN SPECIALISED AGENCIES

16. As soon as a Rwandan authority seeks legal jurisdiction over a member of a UN specialised agency, the SRSG or his representative, the appropriate head of agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

17. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of a UN specialised agency unless the SRSG and the appropriate head of the agency have given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

18. If the Rwandan authority(s) uses force to attempt to take custody of a member of a UN specialised agency, UNAMIR troops are authorised to use force in accordance with Reference A.

19. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

20. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall and the UN agency concerned:

- a. name of person handed over and the agency they work for,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PERSONNEL OF NGOS

21. As soon as a Rwandan authority seeks legal jurisdiction over a member of an NGO, HQ UNAMIR, the appropriate head of the NGO agency and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

22. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of an NGO unless the appropriate head of the NGO has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

23. If authority is given for the handover, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

24. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and the NGO they work for,
- b. location where the Rwandan Government sought jurisdiction,

- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

VISITORS

25. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR, UNHRCFOR and the ICRC should be notified. HQ UNAMIR is to dispatch MP to the site.

26. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a visitor providing the proper legal authority is identified as having legal authority (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

27. If possible the person should be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

28. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over and their affiliation or nationality,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

LOCALLY RECRUITED PERSONNEL

1. As soon as a Rwandan authority seeks legal jurisdiction over any locally recruited personnel, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. UNHRCFOR is to be notified immediately.

2. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of locally recruited personnel unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

3. If the Rwandan authority(s) uses force to attempt to take custody of locally recruited personnel, UNAMIR troops are authorised to use force in accordance with Reference A.

4. UNHRCFOR is to be permitted to speak to the locally recruited person.

5. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible are to be present during the hand over. UNHRCFOR is to be present during the hand over. (Note: No hand over is to be delayed more than 24 hours with out UNAMIR HQ permission on the sole basis that the ICRC and/or UNHRCFO are not present.) The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

6. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall:

- a. name of person handed over,
- b. location where the Rwandan Government sought jurisdiction,
- c. crime person accused of,
- d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- e. date, time and place the person was handed to the Prosecutor's Office, and
- f. whether an ICRC and/or UNHRCFOR representative was present during the hand over and if not, why not.

RWANDANS SEEKING PROTECTION OF UNAMIR

7. It is not within the UNAMIR mandate to give Rwandan nationals protection. Circumstances may arise where protection to an individual or a group of individuals will be given under International Humanitarian Law because they are about to suffer death or serious bodily injury and there are no appropriate Rwandan authorities available to offer timely assistance. Such circumstances will be rare and in such cases UNAMIR HQ is to be notified immediately.

PERSONS DETAINED BY UNAMIR TROOPS

8. They are to be searched, disarmed and segregated. At all times they are to be treated in accordance with the principals of minimum force as detailed at Reference A. UNAMIR HQ is to be notified immediately of the circumstances surrounding the detention. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s).

9. The detainee(s) is to be told the reason for his detention.

10. They are to be identified and their personal details recorded. The reason for the detention is also to be recorded.

11. A safe and secure place is to be arranged as a temporary place of custody. Detainees are to be kept in custody by UNAMIR troops for the minimum time necessary. A detainee is to be kept in custody for no more than 24 hours unless they have the permission of UNAMIR HQ. Detainees are to be provided with food, water, shelter and medical attention as required. ICRC is to be informed immediately and is to be allowed to have access to these detainees.

12. Detainees and the property found in their possession are to be handed to the appropriate Prosecutor's Office (details of these offices are at Annex E). The detainee is to be allowed to keep all property essential for his/her comfort and survival (eg food and water).

13. The ICRC (if possible) and the UNHRCFOR are to be notified and present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.

14. Detainees are not to be handed to any other RPA authorities. A Prosecutor's Office is the only authorised office for the processing and handing over of detainees in Rwanda.

15. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

- a. name of the detainee,
- b. location where the person was detained,

- c. crime person accused of,
- d. name of the UNAMIR person who detained the detainee,
- e. date, time and place the detainee was handed to the Office of the Prosecutor, and
- f. whether an ICRC and/or UNHRCFOR representative was present during the hand over and if not, why not.

ANNEX E TO
2000-1 (FC)
DATED 24 JUL 95

PROSECUTOR OFFICES IN RWANDA

TOWN	PROSECUTOR'S NAME	ADDRESS
KIBUNGO	MUSHUMBA, Jean Baptiste	
KIGALI	NSANZUWERA, Sylere	
RWANAGANA	GATAMBIYE, Cyprien	
KIBUYE	TUYISENGE, Celestin	
GITARAMA	KAYIBANDA, Simon	
NYANZA	HARELIMANA, Callixte	
BUTARE	HAVUGIYAREMYE, Aloys	
GIKONGORO	NYANDWI, Viateur	
CYANGUGU	HARERIMANA, Charles	
GISENYI	UWIYINGOMA, David	
RUHENGERI	MUSUHUKE, Francois	
BYUMBA		

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

ICRC REPRESENTATIVES IN RWANDA

TOWN	ICRC REPRESENTATIVE	ADDRESS
KIBUNGO	Francois SENECHAUB	
KIGALI	Laurent FELLAY	
RWANAGANA	Francois SENECHAUB	
KIBUYE	Cristophe LOSEY	
GITARAMA	Laurent FELLAY	
NYANZA	Fereydoun AALAU	
BUTARE	Aalame FEREYDOUN	
GIKONGORO	Franz RUSCHENSTEIN	
CYANGUGU	Iris WITTNER	
GISENYI	Johanna GROBASH	
RUHENGARI	Johanna GROBASH	
BYUMBA	Hugo GISLER	

NOTE: It is the duty of all Sector Commanders to know exactly where the above offices are located.

HAND OVER PROFORMA

I, _____ (1), A MILITARY MEMBER OF
UNAMIR/MINUAR HAVE HANDED OVER _____ (2)
TO THE OFFICE OF THE PROSECUTOR OF _____ (3)
AT _____ (4)

SIGNED THIS DAY _____ OF _____ 199____

UNAMIR

OFFICE OF THE PROSECUTOR

- (1) Insert here the name of the UNAMIR person conducting the hand over.
- (2) Insert here the name of the person being handed over.
- (3) Insert here the name of the Prosecutor's Office.
- (4) Insert here the time of hand over.

File

2000-1

Distribution List

31 January 1995

FC DIRECTIVE ON THE LEGAL JURISDICTION APPLICABLE TO UNAMIR AND
RWANDAN AUTHORITIES - VERSION II

References:

- A. Section 9: Op Directive No 2 Rules of Engagement
- B. ~~FC Directive for the Handling of Detainees dated 28 Sep 94~~
- C. FC Directive on Conduct, Dress and Weapon Carriage Policy dated 7 Nov 94

Introduction

- 1. *This updated Directive is effective on receipt and cancels the earlier version which was issued on 3 November 1994. The primary reason for issuing Version II is to direct what UNAMIR troops are to do if a Rwandan national seeks protection from UNAMIR. Note that all amendments are in italics and deletions have been overstruck.*
- 2. *This Directive has the support of the SRSG's office, ICRC and UNHCR/OR.*

General

- 3. In the conduct of their duties, UNAMIR personnel may be required to hand over individuals to the Government of Rwanda. This hand over may occur as a result of Rwandan authorities seeking legal jurisdiction over foreign or Rwandan nationals.

Definitions.

- 4. The following definitions shall apply to this Directive:
 - a. "appropriate authority" at this stage, refers only to the Prosecutor's Office. Further changes to this definition will be notified in writing by the FC.
 - b. "Civilian component" consists of UN officials and of other persons assigned by the Secretary-General to assist the SRSG or made available by participating States to serve as apart of UNAMIR.

- c. "Detainee" is any person who is held for committing a hostile act or hostile intent against any of the categories of people referred to in paragraphs 8d or 8e below.
- c. "Hand over" is the formal procedure detailed in Annexes C and D.
- d. "Legal Jurisdiction" includes but is not limited to those situations where Rwandan authorities seek to take a foreign or Rwandan national into custody.
- e. "Military personnel of national contingents" includes military staff at UNAMIR HQ.
- f. "Official capacity" for UNAMIR troops is any time soldiers are in uniform or, by exception, in civilian clothes (see Reference C).
- g. "UNHRCOR" is the United Nations Human Rights Field Operations in Rwanda.
- h. "Visitors" includes, but is not limited to, journalists, tourists, dignitaries representing national governments, non-UNAMIR personnel permitted to enter UNAMIR premises and contractors and sub-contractors employed by the UN.

Aim

5. The aim of this Directive is to outline the procedures for handing over individuals or groups of people to the Rwandan authorities.

Foreign Nationals and Rwandan Jurisdiction.

6. Rwandan authorities may seek jurisdiction over the following categories of foreign nationals:
- a. SRSG, Force Commander and the Police Commissioner of CIVPOL;
 - b. UN civilian officials assigned to the civilian component to serve with UNAMIR;
 - c. United Nations Military Observers (UNMOs), Civilian Police (CIVPOL) and civilian personnel from overseas who are employed by the UN specifically for this mission but who are not UNAMIR staff (eg consultants) (hereinafter referred to as "experts on mission");
 - d. military personnel of national contingents who are a part of UNAMIR;
 - e. personnel of UN specialised agencies;
 - f. personnel of NGOs; and
 - g. visitors.

7. The legal status of these categories of personnel and the hand over procedures for them are detailed at Annexes A and C respectively.

Rwandan Nationals and Rwandan Jurisdiction

8. Rwandan authorities may seek jurisdiction over the following categories of Rwandan nationals:

- a. Locally recruited personnel who are working for the UN;
- b. Displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces.
- c. *Rwandans who seek UNAMIR protection because they are, or they believe that they are, at risk.*
- d. Rwandans who are detained by UNAMIR personnel for committing or who are suspected of committing a hostile act or a hostile intent (as defined in Reference A) against:
 - (1) One's self and the personnel in one's unit,
 - (2) other UNAMIR military or civilian personnel,
 - (3) non-UNAMIR humanitarian aid personnel,
 - (4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces,
 - (5) other UN-authorized military or civilian personnel, and
- e. Rwandans who are detained for stealing and/or damaging property, or are suspected of stealing and/or damaging property belonging to, or in the care of, UNAMIR, UN humanitarian organisations or UN protected sites (see Reference A paragraphs 3.b and 8).

9. The legal status and hand over procedures for Rwandan nationals is at Annexes B and D respectively.

10. Any person in the care of UNAMIR troops are to be treated humanely, ensuring that they are provided with food, drinking water and that they are afforded safeguards in terms of health, hygiene and protection against the rigours of climate and the dangers of armed conflict.

11. Reference B is now cancelled. Annexes E and F will be issued when details are known.



G. C. Tousignant
Major-General
Force Commander

Annexes:

Annex A - Foreign Nationals and Rwandan Jurisdiction

Annex B - Rwandan Nationals and Rwandan Jurisdiction

Annex C - Procedures for Handing Over Foreign Nationals

Annex D - Procedures for Handing Over Rwandan Nationals

Annex E - Prosecutors Offices in Rwanda

Annex F - ICRC Representatives in Rwanda

Annex G - Hand Over Proforma

DISTRIBUTION LIST

Action

Lists B, C and D

HRL/UNHRFO

CSS

CCPO

STO

CSO

MCC

CTO

BMES

CCO

Information

Lists A and E

ANNEX A TO LEGAL
JURISDICTION
APPLICABLE TO UNAMIR
AND RWANDAN
AUTHORITIES
DATED 1995

FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER	
SRSG, FC, POLICE COMM OF CIV POL	ACCORDED DIPLOMATIC IMMUNITY AND PRIVILEGE UNDER INTERNATIONAL LAW	NOT TO BE HANDED OVER TO RWANDAN AUTHORITIES UNDER ANY CIRCUMSTANCES	
UN CIVILIAN OFFICIALS ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR	IMMUNE FROM LEGAL PROCESS FOR ALL ACTS PERFORMED BY THEM IN THEIR OFFICIAL CAPACITY	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE SRSG	
UNMO, CIVPOL AND CONSULTANTS	* IMMUNE FROM LEGAL PROCESS FOR ALL ACTS PERFORMED BY THEM IN THEIR OFFICIAL CAPACITY * IMMUNE FROM PERSONAL ARREST OR DETENTION AND SEIZURE OF THEIR PERSONNEL BAGGAGE	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE FC AND/OR THE SRSG	
MILITARY PERS OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR	IMMUNITY FROM LEGAL PROCESS IN RESPECT OF ACTS PERFORMED BY THEM IN THEIR OFFICIAL CAPACITY	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE FC AND THE CONTINGENT COMMANDER	
PERSONNEL OF UN SPECIALIST AGENCIES	IMMUNITY FROM LEGAL PROCESS IN RESPECT OF ACTS PERFORMED BY THEM IN THEIR OFFICIAL CAPACITY	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE HEAD OF THE AGENCY	
PERSONNEL OF NGOs	NO IMMUNITY UNLESS THEY HAVE ENTERED INTO A BILATERAL ARRANGEMENT WITH THE RWANDAN GOVERNMENT	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE HEAD OF THE NGO	

VISITOR	NO IMMUNITY UNLESS THEY HAVE ENTERED INTO A BILATERAL ARRANGEMENT WITH THE RWANDAN GOVERNMENT	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE FC AND/OR SRSG
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RWANDAN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
LOCALLY RECRUITED PERS	IMMUNE FROM LEGAL PROCESS IN RESPECT OF ALL ACTS PERFORMED BY THEM IN THEIR OFFICIAL CAPACITY NOTE: THIS PROTECTION DOES NOT EXTEND TO ACTS COMMITTED BEFORE THEIR EMPLOYMENT WITH THE UN	ONLY TO BE HANDED OVER WITH THE CONCURRENCE OF THE SRSG
REFUGEES, DISPLACED PERSONS AND CIVILIANS IN SITES OR AMONG POPULATIONS UNDER THE PROTECTION OF UNAMIR	UNDER PROTECTION AS STATED IN ROE IN REFERENCE A	ONLY TO BE HANDED OVER AT AN OFFICE OF THE PROSECUTOR
RWANDAN NATIONAL SEEKING PROTECTION BECAUSE AT RISK	UNDER PROTECTION AS STATED IN ROE IN REFERENCE A	ONLY TO BE HANDED OVER AT THE OFFICE OF THE PROSECUTOR
RWANDAN NATIONAL DETAINED BY UNAMIR AUTHORITIES	TREAT HUMANELY	ONLY TO BE HANDED OVER AT AN OFFICE OF THE PROSECUTOR

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

1. UN Civilian Assigned to the Civilian Component to Serve with UNAMIR.
 - a. As soon as a Rwandan authority seeks legal jurisdiction over a UN civilian assigned to the civilian component to serve with UNAMIR, the SRSG, or his representative, HQ UNAMIR and the International Committee of the Red Cross (ICRC) must be notified. HQ UNAMIR is to dispatch Military Police (MP) ~~or CIVPOL to the site.~~
 - b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of the UN civilian unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
 - c. If the Rwandan authority(s) uses force to attempt to take custody of the UN civilian, UNAMIR troops are authorised to use force in accordance with Reference A.
 - d. If authority is given for the hand over, the UN civilian must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
 - e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
 - (1) name of person handed over,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person was accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and

- (6) whether an ICRC representative was present during the hand over and if not, why not.

2. UNMOs, CIVPOL and Experts on Mission.

- a. As soon as a Rwandan authority seeks legal jurisdiction over an UNMO, CIVPOL or an expert on mission, the FC or his representative, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. The Rwandan authority is to be reminded that these members are, under Rwandan and international law, immune from arrest, detention or the seizure of their baggage.
- b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of an UNMO, CIVPOL or an expert on mission unless the FC and/or the SRSG has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of the UNMO, CIVPOL or expert on mission, UNAMIR troops are authorised to use force in accordance with Reference A.
- d. If authority is given for the hand over, the UNMO, CIVPOL or consultant must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall:
- (1) name of person handed over,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and
 - (6) whether an ICRC representative was present during the hand over and if not, why not.

3. Military Personnel of National Contingents Who are a Part of UNAMIR.

- a. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are a part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP ~~or CIVPOL~~ to the site. The Rwandan authority should be reminded that 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 offences which may have been committed by them in Rwanda.
- b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of another UNAMIR soldier unless the FC and the appropriate contingent commander have given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of the UNAMIR soldier, UNAMIR troops are authorised to use force in accordance with Reference A.
- d. If authority is given for the hand over, the UNAMIR soldier must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and the Force Provost Marshall.
 - (1) name of person handed over,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and
 - (6) whether an ICRC representative was present during the hand over and if not, why not.

4. Personnel of UN Specialised Agencies.

- a. As soon as a Rwandan authority seeks legal jurisdiction over a member of a UN specialised agency, the SRSG or his representative, the appropriate head of the agency and the ICRC must be notified. HQ UNAMIR is to dispatch MP ~~or CIVPOL~~ to the site.
- b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of a UN specialised agency unless the SRSG and the appropriate head of the agency have given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of a member of a UN specialised agency UNAMIR troops are authorised to use force in accordance with Reference A.
- d. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far in possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, the Force Provost Marshall and the UN agency concerned:
 - (1) name of person handed over and the agency they work for,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and
 - (6) whether an ICRC representative was present during the hand over and if not, why not.

5. Personnel of NGOs.

- a. As soon as a Rwandan authority seeks legal jurisdiction over a member of an NGO, HQ UNAMIR, the appropriate head of the NGO agency and the ICRC must be notified. HQ UNAMIR is to dispatch MP ~~or CIVPOL~~ to the site.

- b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a member of an NGO unless the appropriate head of the NGO has given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of a member of an NGO, UNAMIR troops are authorised to use force in accordance with Reference A.
- d. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's office to whom the hand over is made.
- e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
 - (1) name of person handed over and the NGO they work for,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan the Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and
 - (6) whether an ICRC representative was present during the hand over and if not, why not

6. Visitors

- a. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR and the ICRC must be notified. HQ UNAMIR is to dispatch MP ~~or CIVPOL~~ to the site.
- b. UNAMIR soldiers are not to allow the Rwandan authority(s) to take custody of a visitor unless the FC or his representative and/or the SRSG or his representative has given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of a visitor UNAMIR troops are authorised to use force in accordance with Reference A.

- d. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's office to whom the hand over is made.
- e. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
- (1) name of person handed over and their affiliation or nationality,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person(s) who was present when the Rwandan the Government sought jurisdiction,
 - (5) date, time and place the person was handed to the Prosecutor's office, and
 - (6) whether an ICRC representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

I. Locally Recruited Personnel.

- a. As soon as a Rwandan authority seeks legal jurisdiction over any locally recruited personnel, the SRSG or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP ~~or CIVPOL~~ to the site. *UNHCR/FOR is to be notified immediately.*
- b. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of locally recruited personnel unless the SRSG has given permission for this to occur. UNAMIR troops are to allow MP ~~or CIVPOL~~ to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of locally recruited personnel, UNAMIR troops are authorised to use force in accordance with Reference A.
- d. *UNHCR/FOR is to be permitted to speak to the locally recruited person.*
- e. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. *UNHCR/FOR is to be present during the hand over. NOTE: NO HAND OVER SHOULD BE DELAYED MORE THAN 24 HOURS WITHOUT UNAMIR HQ PERMISSION ON THE SOLE BASIS THAT THE ICRC AND OR UNHCR/FOR ARE NOT PRESENT.* The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- f. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops, and Force Provost Marshall:
 - (1) name of person handed over,
 - (2) location where the Rwandan Government sought jurisdiction,
 - (3) crime person accused of,

- (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- (5) date, time and place the person was handed to the Prosecutor's office, and
- (6) whether an ICRC *and or* UNHRCFOR representative was present during the hand over and if not, why not.

2. Refugees, Displaced Persons and Civilians in sites or among populations under the protection of UNAMIR.

- a. As soon as a Rwandan authority seeks legal jurisdiction over refugees, displaced persons, and/or civilians in sites or among populations under the protection of UNAMIR, the FC or his representative and the ICRC must be notified. HQ UNAMIR is to dispatch MP or CIVPOL to the site. *UNHRCFOR is also to be notified immediately.*
- b. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of refugees, displaced persons and/or civilians in sites or amongst populations under the protection of UNAMIR unless the FC has given permission for this to occur. UNAMIR troops are to allow MP or CIVPOL to liaise with the Rwandan authority(s).
- c. If the Rwandan authority(s) uses force to attempt to take custody of refugees, displaced persons and/or civilians in sites and or among populations under the protection of UNAMIR, UNAMIR troops are authorised to use force in accordance with Reference A.
- d. *UNHRCFOR is to be permitted to speak to the refugee, displaced person and or civilian.*
- e. If authority is given for the hand over, the person must be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC are to be notified as far as possible in advance and, if possible, are to be present during the hand over. *UNHRCFOR is to be present during the hand over. NOTE: NO HAND OVER SHOULD BE DELAYED MORE THAN 24 HOURS WITHOUT UNAMIR HQ PERMISSION ON THE SOLE BASIS THAT THE ICRC AND OR UNHRCFOR ARE NOT PRESENT.* The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- f. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
 - (1) name of person handed over,
 - (2) location where the Rwandan Government sought jurisdiction,

- (3) crime person accused of,
- (4) name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
- (5) date, time and place the person was handed to the Prosecutor's office, and
- (6) whether an ICRC *and or* UNHRCFOR representative was present during the hand over and if not, why not.

3. Rwandans Seeking Protection From UNAMIR

- a. *Any person who seeks protection from UNAMIR troops is to be afforded that protection. UNAMIR HQ is to be notified immediately of the circumstances surrounding the protection. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s). UNHRCFOR is also to be notified immediately.*
- b. *UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of the Rwandan seeking protection unless the FC has given permission for this to occur.*
- c. *If the Rwandan authority(s) use force to attempt to take custody of the Rwandan, UNAMIR troops are authorised to use force in accordance with Reference A.*
- d. *The Rwandan who has sought protection should be notified as soon as possible that he can only be protected by UNAMIR on a temporary basis. No UNAMIR member should undertake to protect the person indefinitely. UNAMIR may give protection for 24 hours. This period may only be extended with the permission of UNAMIR HQ. It must also be explained to the Rwandan that one condition of affording protection is that he is handed over to the nearest Office of the Prosecutor. The national is to be informed that he should explain his case to the Prosecutor.*
- e. *UNHRCFOR is to be permitted to speak to the individual seeking protection.*
- f. *If the person decides that he wants to be handed over to the nearest Office of the Prosecutor (details of these offices are Annex E). The ICRC are to be notified as far in advance as possible and, if possible, are to be present during the hand over. UNHRCFOR is to be present during the hand over. NOTE: NO HAND OVER SHOULD BE DELAYED MORE THAN 24 HOURS WITHOUT UNAMIR HQ PERMISSION ON THE SOLE BASIS THAT THE ICRC AND/OR UNHRCFOR ARE NOT PRESENT. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.*
- g. *If the person seeking protection does not want to be handed over to the Office of the Prosecutor, UNAMIR is to allow the individual to leave the site that he has sought*

protection in. If the person refuses to leave he should be told that UNAMIR has no option but to take him to the Office of the Prosecutor.

h. If there is a Rwandan authority(s) seeking custody of the national, that authority should be notified that the person will be handed over as soon as possible to the nearest Office of the Prosecutor.

i. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:

(1) name of the seeking protection,

(2) location where person sought protection,

(3) crime person accused of,

(4) name of the UNAMIR person who provided the protection,

(5) circumstances/reason why person sought protection,

(6) date, time and place the person seeking protection was handed to the Office of the Prosecutor, and

(7) whether an ICRC and/or UNHCR representative was present during the hand over and if not, why not.

4. Persons detained by UNAMIR troops

a. They are to be searched, disarmed and segregated. At all times they are to be treated in accordance with the principles of minimum force as detailed at Reference A. UNAMIR HQ is to be notified immediately of the circumstances surrounding the detention. HQ UNAMIR is to dispatch MP or CIVPOL to the site. UNAMIR troops are to allow the MP or CIVPOL to liaise with the Rwandan authority(s).

b. The detainee(s) is to be told the reason for his detention.

c. They are to be identified and their personal details recorded. The reason for the detention is also to be recorded.

d. A safe and secure place is to be arranged as a temporary place of custody. Detainees are to be kept in custody by UNAMIR troops for the minimum time necessary. A detainee is to be kept in custody for no more than 24 hours unless they have the permission of UNAMIR HQ. Detainees are to be provided with food, water, shelter and medical attention as required. ICRC is to be informed immediately and is to be allowed to have access to these detainees.

- f. Detainees and the property found in their possession are to be handed to the appropriate Prosecutor's Office (details of these offices are at Annex E). The detainee is to be allowed to keep all property essential for his/her comfort and survival (eg food and water).
- g. The ICRC *and the UNHRCOR* are to be notified and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- h. Detainees are not to be handed to any other RPA authorities. A Prosecutor's Office is the only authorised Office for the processing and handing over of detainees in Rwanda.
- i. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G2, G3 Ops and the Force Provost Marshall:
- (1) name of the detainee,
 - (2) location where person was detained,
 - (3) crime person accused of,
 - (4) name of the UNAMIR person who detained the detainee,
 - (5) date, time and place the detainee was handed to the Office of the Prosecutor, and
 - (6) whether an ICRC *and or UNHRCOR* representative was present during the hand over and if not, why not.

PROSECUTOR OFFICES IN RWANDA

<u>TOWN</u>	<u>PROSECUTOR'S NAME</u>	<u>ADDRESS</u>
KIBUNGO	MUSHUMBA, Jean Baptiste	
KIGALI	NSANZUWERA, Francois	
RWANAGANA	GATAMBIYE, Sylere	
KIBUYE	TUYISENGE, Cyprien	
GITARAMA	KAYIBANDA P. Celestin	
NYANZA	HARELIMANA, Simon	
BUTARE	GATSIMBANYI, Callixte	
GIKONGORO	HAVUGIYAREMYE, Aloys	
CYANGUGU	NYANDWI, Viateur	
GISENYI	HARERIMANA, Charles	
RUHENGERI	UWIYINGOMA, David	
BYUMBA	MUSUHUKE, Francois	

NOTE: IT IS THE DUTY OF ALL SECTOR COMMANDERS TO KNOW EXACTLY
WHERE THE ABOVE OFFICES ARE LOCATED.

ICRC REPRESENTATIVES IN RWANDA

TOWN	ICRC REPRESENTATIVE'S NAME	ADDRESS
KIBUNGO	FRANCOIS SENECHAUB	
KIGALI	LAURENT FELLAY	
RWANAGANA	FRANCOIS SENECHAUB	
KIBUYE	CHRISTOPHE LOSEY	
GITARAMA	LAURENT FELLAY	
NYANZA	FEREYDOUN AALAU	
BUTARE	AALAME FEREYDOUN	
GIKONGORO	FRANZ RAUSCHEN STEIN	
CYANGUGU	IRIS WITTNER	
GISENYI	JOHANNA GROMBASH	
RUHENGERI	JOHANNA GROMBASH	
BYUMBA	HUGO GISLER	

NOTE: IT IS THE DUTY OF ALL SECTOR COMMANDERS TO KNOW EXACTLY WHERE THE ABOVE OFFICES ARE LOCATED.

HAND OVER PROFORMA

I, (1), A MILITARY MEMBER OF
UNAMIR/MINUAR HAVE HANDED OVER (2)
TO THE OFFICE OF THE PROSECUTOR OF (3)
AT (4)

SIGNED THIS DAY OF 19

.....
UNAMIR **OFFICE OF THE PROSECUTOR**

- (1) Insert here the name of the UNAMIR person conducting the hand over.
- (2) Insert here the name of the person being handed over
- (3) Insert here the name of the Prosecutor's Office.
- (4) Insert here the time of hand over.

MA To Fe ops

OPS BRANCH ROSTER

SRL	RANK	N A M E	APPOINTMENT	ROOM NO	PHONE OFFICE	NUMBER RES	STAYING	NATIONALITY
(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
1.	COL	DCK KATTAH	DCOS OPS	1029	11186	11028	BBC	GHANAIAI
2.		<u>OPS CELL</u>						
	LT COL	BS NDIAYE	G3 OPS	1024	11185	11029	BBC	SENEGALESE
	MAJ	JK CHUMBU	SO2 OPS1	1023	11156	82601	ZAM/HOUSE	ZAMBIAN
	MAJ	TM PITRE	SO2 OPS2	1023	11133	11281	BBC	INDIAN
	WOII	EDET	CHIEF CLK	1030	11101	-	M/HOTEL	NIGERIAN
	CPL	APPIAH	CLERK	1030	11101	-	BBC	GHANAIAI
	MAJ	RM LIENDA	SDO	1036	11150	-	ZAM/HOUSE	ZAMBIAN
	MAJ	PS ABARA	SDO	1036	84265	11029	BBC	NIGERIAN
	CAPT	D MTACHI	DUTY OFFR	1036	"	11029	BBC	MALAWIAN
	CAPT	K PARDEEP	DUTY OFFR	1036	11150	-	BBC	INDIAN
	CAPT	USMAN	DUTY OFFR	1036	11150	-	NIG/HOUSE	NIGERIAN
	CAPT	MAULU	DUTY OFFR	1036	11150	-	ZAM/HOUSE	ZAMBIAN
3.		<u>PLANS CELL</u>						
	LT COL	DADWALL	G3 PLANS	1017	11148	-	MILOB	INDIAN
	MAJ	PK MALIK	SO2 PLANS 1	1012	11162	11281	BBC	INDIAN
	LT(GN)	S GIGUERE	SO2 PLANS 2	1012	11162	-	MILOB	CANADIAN
	SGT	DWAMENA OTI	CLERK	1030	11101	-	BBC	GHANAIAI
4.		<u>ENGR CELL</u>						
	MAJ	AGRAWAL	FEO	1011	11252	11281	BBC	INDIAN

(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)
5.		<u>AIR OPS</u>						
	SONLDR MAJ	O OGUNJOBI B SUNDMAN <u>G2 CELL</u>	G3 AIR SO2 G3 AIR	1035 1035	11161 11161	- 11193	MERIDIEN BBC	NIGERIAN CANADIAN
	LT COL CAPT	FBENCHEIKH EAST <u>SIG CELL</u>	G2 INFO S03 G2		11009 11254	- 11027	MERIDIEN BBC	TUNISIAN CANADIAN
	MAJ	MALHOTRA <u>LIAISON</u>	FSO	1047	11152	11157	-	INDIAN
	LT COL MAL	M MOUSSA MOUDALBAYE	CLO LO	1057 1057	11140 11140	- -	MERIDIEN MERIDIEN	CHADIAN CHADIAN