

MIR

G3 OPERATIONS / PLANS  
RULES OF ENGAGEMENT

6 OCT 1994 - 4 MAR 1995

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EL/WG JUNE 2009

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BOX 138

FILE 3

ACC. 1998/0283

**UNITED NATIONS**


ASSISTANCE MISSION IN RWANDA



UNAMIR-MINUAR

**NATIONS UNIES**

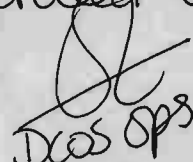
MISSION POUR L'ASSISTANCE AU RWANDA

**File: 5000.8(Plans)****To:** DCOS OPS**From:** G3 PLANS **Date:** 4 Mar 95**Subject:** ROE AMENDMENTS

1. Please find attached the amended draft ROE that you requested from SO2 Legal, AUSMED. It incorporates the changes that you wanted and is therefore now ready to be forwarded to the FC for his comments.
2. There are still a couple of issues that need to be resolved by UN NY.
  - a. After studying Resolution 965 dated 30 Nov 95, it is unclear how far UNAMIR can go in protecting the interests of the Rwandan Government now that their legitimacy has been recognised by the UN and other States.
  - b. Resolution 965 does not talk about impartiality and consequently, we need policy guidelines from UN NY as to how 'impartial' UNAMIR is to be with the RPA/Rwandan Government.
3. Regards.

② G3 Plans

1. Pls prep final version for FC's signature.
2. Note minor SD requirements/changes.
3. Pls discuss title/format/FC's block.
4. Prep transmittal sheet from you to me, COS, DFC and FC for sign off and explanation of the changes (in overview).
5. Lets discuss how to proceed WRT para 2.
6. Pls "proof" again.

  
DCOS OPS  
8.3

Legal implication of Milob's carrying arms

+ Answer from NY.

+ Canadian shot out tyre.

DRAFT

March 1995

## SECTION 9:

### OPERATIONAL DIRECTIVE NO. 02

#### RULES OF ENGAGEMENT

##### PART I

##### INTRODUCTION

Actions of individuals is also governed by national laws.  
Applicable

1. The conduct of military operations is controlled and regulated by the provision of international ~~and national~~ law, conventions and precedence. In the case of a United Nations (UN) conducted operation, it is the responsibility of the UN to set the parameters within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of Force by UN personnel. ROE are drafted by the Force Commander, but are approved by the UN and may only be changed with UN authority.

2. These UNAMIR ROE are provided for UN Forces operating under the auspices of UN Security Council Resolution 965 dated 30 November 1994. That Resolution states that UNAMIR will:

2 "(a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;

(b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and

(c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

3. (The Security Council) Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:

(a) Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;"

3. Under the terms of the Arusha Peace Agreement and the UN Security Council Resolution mandates, UNAMIR has a commitment to all parties to assist them to achieve peace. Impartiality is the key and all UNAMIR's actions must be aimed at ensuring the furtherance of this objective.



- X However, circumstances could arise where the use of force by UNAMIR personnel would be necessary and justified.

## **PART II**

### **AIM**

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

## **PART III**

### **DEFINITIONS**

5. The following key definitions must be clearly understood by all personnel in UNAMIR:
- a. **Force.** The use of, or the threat to use, physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.
  - b. **Minimum Force.** The minimum degree of authorised force which is necessary, reasonable and lawful in the circumstances.
  - c. **Self-Defence.** The use of force to protect:
    - (1) oneself 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, or
    - (5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.

**NOTE:** The right to self-defence is related to, but separate from, ROE and applies no matter what other factors are present. Therefore, notwithstanding any ROE that may be authorised, when an attack occurs, or is anticipated, the right exists to use proportionate force in self-defence to deter, neutralise or destroy the threat.

- d. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph <sup>5</sup> c. above. X
- e. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph <sup>5</sup> c. above. X
- f. Collateral Damage. Damage to persons or property adjacent to, but not part of an authorised target.
- g. Non-deadly force. Any physical means of forcing compliance that does not pose a risk of death or serious bodily harm to the individual against whom the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.
- h. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

#### **PART IV**

#### **INSTRUCTIONS ON THE USE OF FORCE**

#### **APPLICABILITY**

6. All information contained in this part shall be construed as orders. These orders do not restrict a soldier's inherent right to self-defence.

#### **COMMANDERS' RESPONSIBILITY**

7. UNAMIR Commanders at all levels are required:
- a. to have this directive translated and disseminated to every subordinate under their command; and
  - b. to ensure that every subordinate under their command:
    - (1) is briefed and refreshed on the meaning and application of these ROE as they relate to assigned missions;
    - (2) understands and complies with the contents of this document; and
    - (3) has the opportunity to seek additional clarification, guidance or direction if these ROE are considered insufficient.

*Force Commander.*

8. UNAMIR Commanders shall issue orders on the readiness of personal weapons to be maintained appropriate to the situation.

### USE OF FORCE AND ENGAGEMENT PRINCIPLES

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

- a. Reasonable Belief. Mere speculation does not constitute reasonable belief. The use of force must be predicated upon a tangible threat;
- b. Minimum Force. UNAMIR personnel will never use more force than the minimum necessary to enable them to carry out their duties and accomplish assigned objectives or the mission;
- c. Proportionality. Only a response proportionate to the perception of the level of threat is justified. Any force used must be limited to the degree, intensity, and duration necessary to achieve the objective for which the force is used, and no more;
- d. Duration of Force and Disengagement. The application of force, at whatever level, is to cease when the hostile act stops, or whenever the commander considers there is no imminent threat or attack.
- e. Negotiation and Warnings. If possible, negotiation and warnings must be exhausted before any use of force is initiated;
- f. Deadly Force. Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;
- g. Escalation. Escalation of the level of violence is to be minimised;
- h. Collateral Damage. Collateral damage is to be minimised;
- i. Retaliation and Reprisal. The use of force in retaliation and reprisal is prohibited; and
- j. Application of Force. The use of force shall be controlled, where possible, by the on-scene commander and is to cease once the aim has been achieved.
- k. Cross-Border Fire. UNAMIR personnel are authorised to fire across the border of Rwanda into neighbouring countries only when acting in self-defence (and defence of others *as per para 5.c*)

## **AUTHORITY TO USE FORCE**

10. Force may be used as follows:

a. Non-Deadly Force. UNAMIR personnel are authorised to use non-deadly force in the following circumstances:

- (1) in self-defence;
- (2) against attempts at infiltration or envelopment of UNAMIR units, compounds or locales;
- (3) when UNAMIR premises are violated in attempts to steal UNAMIR property or property under the protection of the UN;
- (4) when attempts are made to abduct or detain UNAMIR civilian or military personnel; and
- (5) when attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.

b. Deadly Force. UNAMIR personnel are authorised to use deadly force in the following circumstances:

(1) in self-defence (as defined in paragraph 5.c.) against persons committing a hostile act or exhibiting hostile intent;

(2) to protect from damage or destruction, property or installations belonging to or under the protection of UNAMIR, including protected sites and the means for the distribution and delivery of humanitarian relief:

(a) which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission,

(b) which justify protection through the use of deadly force, and

(c) where there is no way to prevent the damage or destruction;

(3) to overcome armed attempts to prevent UNAMIR Force from discharging its duties, when authorised by the Force Commander;

(4) to resist armed attempts to disarm, abduct or detain UNAMIR military or civilian personnel;

(5) to resist armed attempts to compel UNAMIR personnel to withdraw from protection areas they were ordered to occupy by the Force Commander or his delegate; and

(6) to resist armed attempts to cut off a UNAMIR force.

#### **AUTHORITY TO SEARCH AND DETAIN**

11. Authority to Stop and Search. UNAMIR personnel are authorised to stop all individuals attempting to enter or who are discovered inside any facilities under UNAMIR protection and to request that the individual submit to a consensual search of himself / herself and his/her vehicle where applicable. Any individual not willing to be searched shall be denied access, escorted from the premises or detained as appropriate. Searches of persons and their property are also authorised for the purpose of security. Such searches ~~may~~ must be conducted with the minimal use of force necessary.

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

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

14. Any individual detained shall be turned over as soon as possible to appropriate authorities as designated by the Force Commander. Any weapons or items seized from detainees shall be confiscated and handed over to the appropriate authorities or, if required, rendered militarily ineffective.

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

#### **CHALLENGE AND ESCALATION PROCEDURES**

16. Except where a response is required to open fire without warning, the following procedures are to be adhered to:

a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the sequence below:

(1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;

(2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;

- b. Charge Weapons. Make use of the visual effect of such action to convince the aggressor that failure to stop the aggressive activity may result in the use of deadly force;
- c. Non-Deadly Force. If warnings are ignored, where possible, employ minimal non-deadly force;
- d. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;
- e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed. If a soldier is acting in self-defence he does not have to wait for a superior to order or control his fire.

### **PROCEDURES DURING FIRING**

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

### **PROCEDURE AFTER FIRING**

18. After firing, commanders should ensure the following actions are taken.

- a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.
- b. Recording. Details of the incident will be recorded, including:
  - (1) date, time and place of firing;
  - (2) unit and personnel involved;
  - (3) the events leading up to the firing;
  - (4) why UNAMIR personnel opened fire;
  - (5) who or what was fired on;
  - (6) the weapons fired; and
  - (7) the apparent results of the firing.



- c. Reporting. The above information and the current situation will be reported through the chain of command to Force HQ ATTN Force Commander and Deputy Chief of Staff Operations.

UNAMIR

## **PART V**

### **RULES OF ENGAGEMENT**

19. The ROE stated in this directive apply to all personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 965. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission. The use of force by UNAMIR personnel is prohibited unless specifically authorised by the ROE.

20. Rule No. One:            Authority to Carry Arms

- a. State A: No authority; and
- b. State B: Authority granted to carry weapons.

21. Rule No. Two:            Status of Weapons

- a. State A: Weapons will be carried with loaded magazines.
- b. State B: Weapons will be carried, charged and made safe.

22. Rule No. Three:            Response to Hostile Intent or Hostile Act without the Use of Fire

- a. State A: Observe and report but will withdraw in order to preserve own force.
- b. State B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
- c. State C: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.
- d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorised.

23. Rule No. Four:      Disarmament of Paramilitary Personnel or Civilians

- a. State A: No authorisation granted.
- b. State B: Authorisation is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at the earliest opportunity.

24. Rule No. Five:      Intervention and Warning Shots

- a. State A: Intervention between warring factions is prohibited.
- b. State B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

25. Rule No. Six:      Control of Weapons Systems

- a. State A: Manning, preparation, movement and firing of weapons in the presence of the forces in conflict is prohibited.
- b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:
  - (1) Man (type of system);
  - (2) Prepare (type of system);
  - (3) Move (type of system); and
  - (4) Fire (type of system).

26. There are three ROE states that may apply in any given sector in Rwanda. These states are GREEN, YELLOW and RED and are described on UNAMIR Levels of Readiness/Alert pages in Annex A. In normal circumstances, the ROE status shall be GREEN.

Note: Changes in the normal status of the ROE for UNAMIR Forces as a whole will be ordered by the Force Commander or his delegate. Sector Commanders may order changes in normal status of the ROE for their sectors, if authorised by the Force Commander or his delegate. Contingent Commanders will inform or, if necessary, seek approval from national authority for the change in status.

## **PART VI**

### **CONCLUSION**

27. Amendments to this Directive will be issued as required and as approved by the UN.



28. This Directive will be classified UN RESTRICTED.

**Annexes :**

Annex A Instructions for all Members of the UNAMIR Military Component Regarding Opening Fire in Rwanda.

Annex B UNAMIR levels of Readiness / Alert

ANNEX A TO  
RULES OF ENGAGEMENT  
DATED

MARCH 1995

## INSTRUCTIONS FOR ALL MEMBERS OF THE UNAMIR MILITARY COMPONENT REGARDING OPENING FIRE IN RWANDA

1. You are to avoid the use of force, if it is possible to do so, and your conduct must cause the least possible concern, fear or danger to the local population.
2. Your immediate commander will order any change in the states of weapon readiness. While your commander will normally issue the order to open fire, you have the right to use appropriate force in self-defence to protect yourself and those it is your duty to protect. Whenever possible a warning should be given before opening fire (see over).
3. If you have to use force, you must only use the **MINIMUM FORCE** necessary. **MINIMUM FORCE** normally involves the following sequential actions:
  - a. open display of weapons,
  - b. verbal warning,
  - c. barring access to the point being protected,
  - d. physical restraint,
  - e. warning shots,
  - f. pointing weapons, and
  - g. firing weapons at a person.

### WARNINGS

4. **WARNING BEFORE FIRING.** Whenever possible a warning should be given before firing. The warning should be given in a loud clear voice in ENGLISH/FRENCH or KINYARWANDA:

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

**(PAUSE)**

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

5. **FIRE AFTER WARNING.** After warning you may fire on a person in order to avoid death or grievous (se injury?).
- a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND
  - b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND
  - c. the person refuses to stop when called upon to do so; AND
  - d. you believe there is no other way of stopping the person.
6. **FIRE WITHOUT WARNING.** You may fire without warning on a person in order to avoid death or grievous bodily harm only if that person:
- a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR
  - b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.
7. If you have to fire, you must account for all rounds expended in an after action report submitted in writing to your immediate commander.

ANNEX B TO  
RULES OF ENGAGEMENT.  
DATED MARCH 1995

## UNAMIR LEVELS OF READINESS/ALERT

SER	STATUS	UNITS/HQ	ACTION
1	GREEN	ALL	1. Normal activities 2. ROE: Rule 1-Status B, Rule 2- Status A, Rule 3-Status B, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
2	YELLOW	HQ	1. Planning for next higher status commences. 2. Liaison increased. 3. VIP visits postponed. 4. No leave granted except on compassionate grounds.
		UNITS	1. Precautionary stage. 2. Double sentries. 3. Night movement restricted. 4. Test shelters. 5. Stand To/Local alarm practice. 6. No leave granted except on compassionate grounds. 7. Backup comms/units/wpns. 8. Reserves put on 3 hrs notice to move.
		ALL	ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status C, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
3	RED	HQ	1. General Alert. 2. VIP visits cancelled. 3. No leave granted. 4. Emergency movement only. 5. Special SITREPS to UNHQ. 6. Civilian evacuation if the situation warrants
		UNITS	
		ALL	1. Troops in defensive positions. 2. Troops in Stand To positions. 3. Reserves put on one hour notice to move. 4. No leave granted. 5. Troops on duty outside to wear flak jackets. ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.

			3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.
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APPENDIX ONE TO  
ANNEX B TO  
RULES OF ENGAGEMENT  
DATED 10 MARCH 1995

**AIDE MEMOIRE - RULES OF ENGAGEMENT**

NOTE: GREEN status indicated in boxes

**RULE ONE:            AUTHORITY TO CARRY ARMS**

STATE A:    No authority granted.

STATE B:    Authority granted to carry weapons.
---

**RULE TWO:           STATUS OF WEAPONS**

STATE A:    Weapons will be carried with loaded magazines.
--

STATE B:    Weapons will be carried, charged and made safe.

**RULE THREE:        RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT  
THE USE OF FIRE**

STATE A:    Observe and report but will withdraw in order to preserve own forces.

STATE B:    Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
---

STATE C:    Observe and report. Stay in place. Warn aggressor of intent to use force  
and demonstrate resolve by appropriate means without opening fire.

STATE D:    Observe and report. Stay in place. Warn aggressor of intent to use force  
and demonstrate resolve by appropriate means. Demonstrative use of fire  
is authorized.

**RULE FOUR:        DISARMAMENT   OF   PARAMILITARY   PERSONNEL   OR  
CIVILIANS**

STATE A:    No authorization granted.
---------------------------------------

APPENDIX ONE TO  
ANNEX B TO  
R O E  
DATED

### AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

#### **RULE ONE: AUTHORITY TO CARRY ARMS**

STATE A: No authority granted.

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#### **RULE THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE**

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---

STATE C: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.

STATE D: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

#### **RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS**

STATE A: No authorization granted.
------------------------------------

STATE B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at earliest opportunity.

**RULE FIVE: INTERVENTION AND WARNING SHOTS**

<b>STATE A:</b> Intervention between warring factions is prohibited.
--

**STATE B:** Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

**RULE SIX: CONTROL OF WEAPON SYSTEMS**

<b>STATE A:</b> Manning, preparation, movement and firing of weapons in the presence of forces in conflict is prohibited.
---

**STATE B:** Designated activity in the presence of the forces in conflict permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).

5000.8(Plan)

2 versions.

6 Oct 94

(i) Like this  
(ii) final version.

File on  
ROE

## SECTION 9:

### OPERATIONAL DIRECTIVE NO. 02

#### RULES OF ENGAGEMENT

##### PART I

##### INTRODUCTION

1. The conduct of military operations is controlled and regulated by the provision of international law and ~~national law~~, conventions and precedence. In the case of a United Nations (UN) conducted operation, it is the responsibility of the UN to set the parameters within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of Force by UN personnel. ROE are drafted by the Force Commander, but are approved by the UN and may only be changed with UN authority.

reword in a  
separate sentence  
in para 1 re "individual actions are subj to nat'l law."

COMMENT: I disagree with the removal of the words "national law". The AS Contingent, for example, remains subject to national laws like the Defence Force Discipline Act. The UN recognises this fact in the SOFA and SOMA. ✓

2. These UNAMIR ROE are provided for UN Forces operating under the auspices of UN Security Council Resolution 925 dated 8 June 1994, 965 dated 30 November 1994 which states in paragraphs 4 2 and 3 that:

"... the consolidated mandate of UNAMIR includes the following:

- (a) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;
- (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and
- (c) To act as an intermediary between the parties in an attempt to secure their agreement to a ceasefire;...
- (c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

3. Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:



- (a) *Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;*

✓ *COMMENT: This additional role does not affect this directive as the personnel mentioned above are already protected.*

Paragraph 5 of the resolution particularly recognises that:

~~"UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief." Therefore circumstances could arise where the use of force by UNAMIR personnel could be necessary and justified.~~

✓ *COMMENT: The concept of self-defence and use of force does not depend on the existence of the above paragraph and consequently its deletion does not affect the ROE. Furthermore, the UN in Resolution 965 reaffirmed Resolution 925 and therefore it may be argued that the above concepts were adopted by Resolution 965.*

3. *UNAMIR is a peacekeeping force without commitment to either party in the Rwandanese civil war. Under the terms of the Arusha Peace Agreement and the UN Security Council Resolution mandates, UNAMIR has a commitment to all parties to assist them to achieve peace. Impartiality is the key and all UNAMIR's actions must be aimed at ensuring the furtherance of this objective. However, circumstances could arise where the use of force by UNAMIR personnel would be necessary and justified.*

*COMMENT: Resolution 965, unlike Resolution 925, makes no reference to not taking sides in the conflict. It may now be strongly argued that UNAMIR is here to support the current Rwandan Government. further guidance will need to be sought on this point. If we are in fact now 'partial' to the Rwandan Government then ROE 3 and 5 may need to be amended.*

*Study!*

## **PART II**

### **DEFINITIONS**

3. The following key definitions must be clearly understood by all personnel in UNAMIR:
- a. Force. The use of, *or the threat to use*, physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.
- ✓ *COMMENT: This addition is consistent with the concept of 'force' used throughout this Directive.*
- b. Minimum Force. The minimum degree of authorised force which is necessary, reasonable and lawful in the circumstances.

✓ COMMENT: This is the logical place for 'minimum force' in this section. The Canadian ROE suggests that the word 'lawful' be deleted from the definition. No reason for this deletion is given. It is my opinion that the word lawful should remain as it makes it clear that the exercise of minimum force must remain lawful even if it is necessary and reasonable.

- c. Necessary Force. The minimum degree of authorised force which is essential and reasonable to meet the threat of the immediate circumstances. This includes the full range of force available, up to and including deadly force.

✓ COMMENT: It is not clear why this amendment has been suggested. In my view the concept of 'necessary force' is covered by the 'minimum force' definition. To make this addition will only confuse soldiers. Furthermore, the concept is never referred to again in the Canadian draft.

- d. Self-Defence. The use of force to protect:

- (1) oneself and the personnel in one's unit,
- (2) other UNAMIR military or civilian personnel,

against a hostile act or hostile intent, where there is no other choice or time for deliberation.

reword!  
It indicates that  
def of others is incl  
in self-def, and  
yet actions are identical

✓ COMMENT: I disagree with breaking up the concept of self-defence into 'self-defence' and the 'defence of others'. Soldiers should be clear that they are required to protect, for example, refugees, in the same manner as they would protect themselves. This is in fact a requirement under the Security Council Resolution. I believe that this amendment will only confuse soldiers.

✓ I also disagree with the addition of the words "where there is no other choice or time for deliberation" as these words suggest that self-defence cannot occur in circumstances where a person has a choice or time to deliberate.

- ~~(3) non-UNAMIR humanitarian aid personnel,~~
- ~~(4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or~~
- ~~(5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.~~

- e. Defence of Others. The use of force to protect:

- ~~(3) non-UNAMIR humanitarian aid personnel,~~
- ~~(4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or~~

(5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.

against a hostile act or hostile intent, where there is no other choice or time for deliberation.

X COMMENT: See my comments under the heading of self-defence above.

**NOTE:** The right to self-defence is related to, but separate from, ROE and applies no matter what other factors are present. Therefore, notwithstanding any ROE that may be authorised, when an attack occurs, or is anticipated, the right exists to use proportionate force in self-defence to deter, neutralise or destroy the threat.

✓ COMMENT: This paragraph is placed as a separate paragraph in the Canadian Draft ROE (paragraph 10). I have placed it in the definition section for clarity purposes so that the concept of self-defence is dealt with under the one heading.

f. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 3.b. 4 d and e (note that the draft Canadian ROE refers to paras 4 b and c. This appears to be a typo) above.

✓ COMMENT: This amendment will have to be made if the definition to self-defence is changed to reflect the suggestion in the Canadian draft.

g. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 3.b. 4 d and e (note that the draft Canadian ROE refers to paras 4 b and c. This appears to be a typo) above.

✓ COMMENT: This amendment will have to be made if the definition to self-defence is changed to reflect the suggestion in the Canadian draft.

e. Minimum Force. ~~The minimum degree of authorised authorized force which is necessary, reasonable and lawful in the circumstances.~~

h. Collateral Damage. Damage to persons or property adjacent to, but not part of an authorized target.

i. Non-deadly force. Any physical means of forcing compliance that does not pose a risk of death or ~~serious~~ grievous bodily harm to the individual against whom the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.

✓ COMMENT: 'Serious' is an easier concept for soldiers to understand. However, legally speaking, the correct term is 'grievous'.

j. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or ~~serious~~ grievous bodily

harm regardless of whether death or ~~serious~~ grievous bodily harm actually results.

✓ COMMENT: 'Serious' is an easier concept for soldiers to understand. However, legally speaking, the correct term is 'grievous'.

### PART III

## INSTRUCTIONS ON THE USE OF FORCE

### APPLICABILITY

5. All information contained in this part shall be construed as orders. These orders do not restrict a soldier's inherent right to self-defence.

✓ COMMENT: The first sentence should be adopted. I have added the second sentence to make it clear at the outset that the right to self-defence overrides these orders.

6. The ROE stated in this directive apply to all personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 925 dated 8 June 1994. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission. *The use of force by UNAMIR personnel is prohibited unless specifically authorised by the ROE.*

### COMMANDERS' RESPONSIBILITY

7. UNAMIR Commanders at all levels are required:

a. to have this directive translated and disseminated to every subordinate under their command; and

b. to ensure that every subordinate under their command: ~~understands the contents of this document.~~

(1) is briefed and refreshed on the meaning and application of these ROE as they relate to assigned missions;

(2) understands and complies with the contents of this document; and

(3) has the opportunity to seek additional clarification, guidance or direction if these ROE are considered insufficient.

✓ COMMENT: I agree with this amendment as the points raised are, arguably, required under the Geneva Conventions and Protocols.

★ *The Force*  
8. UNAMIR Commander<sup>^</sup> shall issue orders on the readiness of personal weapons to be maintained appropriate to the situation.

✓ COMMENT: I agree with this amendment as it increases the options available to commanders allowing them to decide what is the appropriate degree of weapon readiness in a particular situation.

9. The UNAMIR Force Commander may not restrict the inherent right of self-defence.

✓ COMMENT: This amendment has been put under paragraph 5 above.

#### **AUTHORIZATION LEVELS FOR THE USE OF FORCE**

6. The use of deadly force for the different types of weapons will be authorized as follows:

a. Force Commander or His Delegate:

(1) ~~heavy support weapons (i.e. rocket launchers, artillery pieces, light mortars, etc.); and~~

(2) ~~heavy machine guns or cannons (.50 cal, 20mm, etc.);~~

b. ~~In situations which are life threatening to UNAMIR troops, members of their unit or those they are ordered to protect, soldiers may use the following weapons:~~

(1) ~~medium machine guns (i.e. FN MAG, M60, etc.)~~

(2) ~~light machine guns; and~~

(3) ~~all personal weapons on automatic or single shot fire.~~

c. ~~In situations which are not life threatening to soldiers, members of their unit or those they are ordered to protect, the use of deadly force for different types of weapons will be authorized as follows:~~

(1) Sector Commanders:

(a) ~~medium machine guns (i.e. FN MAG, M60, etc.);~~

(b) ~~light machine guns; and~~

(c) ~~all personal weapons on automatic fire.~~

(2) Battalion Commander Down to NCO Level at the Scene of a Threat

(a) ~~Personal weapons for single shot fire.~~

NOTE: ~~Commanders should be aware when using weapons of the principles of military necessity and proportionality.~~

✓ COMMENT: I agree with this amendment as the issue of weapon authorisation has always been a contentious subject. The use of weapon systems is ultimately a Commanders responsibility and if he complies with the concepts of

proportionality and minimum force there is, arguably, no reason to have different levels of Command authorise different weapon systems.

### **SELF-DEFENCE**

10. The right to self-defence is related to, but separate from, ROE and applies no matter what other factors are present. Therefore, notwithstanding any ROE that may be authorised, when an attack occurs, or is anticipated, the right exists to use proportionate force in self-defence to deter, neutralise or destroy the threat.

✓

COMMENT: I have placed the above paragraph under the definition of 'self-defence' above.

11. The use of force must be limited in intensity, duration and magnitude to that which is reasonably required to counter attack or threat of imminent attack (sic). Furthermore, force must never be used with a view to inflicting punishment for acts already committed and may not be extended to include reprisals or punitive actions.

✓

COMMENT: The concepts raised in the above paragraph are all dealt with under the 'Use of Force and Engagement Principles'. it is therefore, my recommendation that paragraph 10 and 11 be deleted.

### **PRINCIPLES FOR USE OF FORCE    USE OF FORCE AND ENGAGEMENT PRINCIPLES**

7. When an incident occurs that requires the use of force, the following principles shall guide the use of force and engagements: ~~will be adhered to:~~

✓

COMMENT: The word 'guide' seems inconsistent with paragraph 5 which states that these principles are supposed to be read as orders.

a. Reasonable Belief. Mere speculation does not constitute reasonable belief. The use of force must be predicated upon a tangible threat;

✓

COMMENT: This amendment should be adopted as it clarifies an important concept.

b. Minimum Force. UNAMIR personnel will never use more force than the minimum necessary to enable them to carry out their duties and accomplish assigned objectives or the mission;

✓

COMMENT: This amendment should be adopted.

c. Proportionality. Only a response proportionate to the perception of the level of threat is justified. Any force used must be limited to the degree, intensity, and duration necessary to achieve the objective for which the force is used, and no more;

✓

COMMENT: This amendment should be adopted.



- d. Duration of Force and Disengagement. The application of force, at whatever level, is to cease when the hostile act stops, or whenever the commander considers there is no imminent threat or attack.

✓ COMMENT: This amendment should be adopted.

- e. Negotiation and Warnings. If possible, negotiation and warnings must be exhausted before any use of force is initiated;

✓ COMMENT: This amendment should be adopted.

- f. Procedures. Except when an attack comes so unexpectedly that even a moments delay could lead to death or grievous (serious?) injury to oneself, other UNAMIR personnel, others under UNAMIR protection, protected areas or equipment, the challenge and escalation procedures contained herein must be exhausted before the use of any deadly force is initiated.;

✓ COMMENT: I would not include this paragraph in this section. I believe the procedures are covered adequately in the aide-memoire attached to this Directive.

- g. Deadly Force. Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;

✓ COMMENT: This amendment should be adopted.

- h. Escalation. Escalation of the level of violence is to be minimised;

✓ COMMENT: This amendment should be adopted.

- i. Collateral Damage. Collateral damage is to be minimised;

✓ COMMENT: This amendment should be adopted.

- j. Retaliation and Reprisal. The use of force in retaliation and reprisal is prohibited; and

✓ COMMENT: This amendment should be adopted.

- k. Application of Force. The use of force shall be controlled by the on-scene commander and is to cease once the aim has been achieved.

✓ COMMENT: This amendment should be adopted.

- l. Cross-Border Fire. UNAMIR personnel are authorised to fire across the border of Rwanda into neighbouring countries only when acting in self-defence and (defence of others).

✓ COMMENT: I recommend this amendment as it allows soldiers an effective response, in self-defence, if they are fired upon by people across an international

self-defence across borders?

border. Considering the amount of bandit activity in Sector 4 this amendment is a sensible one.

- a. ~~if possible, negotiation and warnings must be exhausted before any use of force is initiated;~~
- b. ~~only the minimum non-deadly and deadly force consistent with achieving the immediate aim shall be employed;~~
- c. ~~except where authorized under paragraph 11, the escalation of force procedures pursuant to paragraph 14 must be exhausted before the use of any deadly force is initiated;~~
- d. ~~deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;~~
- e. ~~escalation of the level of violence is to be minimised~~minimized;
- f. ~~collateral damage is to be minimized;~~
- g. ~~the use of force in retaliation is prohibited; and~~
- h. ~~use of force shall be controlled by the on-scene commander and is to cease once the aim has been achieved.~~

✓ *COMMENT: The above sub paragraphs should be deleted if the draft Canadian amendments in paragraph 12 above are adopted.*

#### **AUTHORITY TO USE FORCE**

13. Force may be used as follows:

- a. Non-Deadly Force. UNAMIR personnel are authorized to use non-deadly force in the following circumstances:

(1) ~~in self-defence (as defined in paragraph 3.b.) against unarmed aggression;~~

✓ *COMMENT: This amendment removes any ambiguity since an armed action could also be responded to with non-deadly force in keeping with the principle of Proportionality. Furthermore, a soldier may have no option but to use deadly force even in a situation of unarmed aggression (eg if there is hand to hand fighting).*

(2) against ~~unarmed~~ attempts at infiltration or envelopment of UNAMIR units, compounds or locales;

✓ *COMMENT: This amendment removes any ambiguity since an armed action could also be responded to with non-deadly force in keeping with the principle of Proportionality.*



(3) when UNAMIR premises are violated in ~~unarmed~~ attempts to steal UNAMIR property or property under the protection of the UN;

✓ *COMMENT: This amendment removes any ambiguity since an armed action could also be responded to with non-deadly force in keeping with the principle of Proportionality.*

(4) when ~~unarmed~~ attempts are made to abduct or detain UNAMIR civilian or military personnel; and

✓ *COMMENT: This amendment removes any ambiguity since an armed action could also be responded to with non-deadly force in keeping with the principle of Proportionality.*

(5) when ~~unarmed~~ attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.

✓ *COMMENT: This amendment removes any ambiguity since an armed action could also be responded to with non-deadly force in keeping with the principle of Proportionality.*

b. Deadly Force. UNAMIR personnel are authorized to use deadly force in the following circumstances:

(1) in self- defence or defence of others (as defined in paragraphs 4 . d. and e.) ~~(as defined in paragraph 3.b.)~~ against persons committing a hostile act or exhibiting hostile intent;

✓ *COMMENT: This sub paragraph may have to be amended depending on which definition of self-defence is chosen.*

(2) to protect from damage or destruction, property or installations belonging to or under the protection of UNAMIR, including protected sites and the means for the distribution and delivery of humanitarian relief; *which justify protection through the use of deadly force and which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission and for which there is no other way to prevent the damage or destruction.*

✓ ~~(a) which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission,~~

~~(b) which justify protection through the use of deadly force, and~~

~~(c) where there is no way to prevent the damage or destruction;~~

✓ *COMMENT: These amendments are a question of style and there is no substantive legal issue involved.*

(3) to overcome ~~armed~~ ~~fore~~ible attempts to prevent UNAMIR Force from discharging its duties, when authorized by the Force Commander;

✓ COMMENT: This amendment is recommended as it is consistent with sub paragraphs (4) and (5) below.

~~(4) to resist armed attempts to disarm, abduct or detain UNAMIR military or civilian personnel;~~

COMMENT: The Canadian draft states that the above situations would be considered to be covered by the concept of self-defence. In my opinion the above sub-paragraph clarifies 'actions on' and should not be deleted ✓

(5) to resist armed attempts to compel UNAMIR personnel to withdraw from protection areas they were ordered to occupy by the Force Commander or his delegate; and ✓

(6) to resist armed attempts to cut off a UNAMIR force.

c. Cross-Border Fire. UNAMIR personnel are authorised to fire across the border of Rwanda into neighbouring countries only when acting in self-defence and defence of others.

✓ COMMENT: This amendment is more appropriately placed under paragraph 12 above.

#### **AUTHORITY TO SEARCH AND DETAIN**

X 14. Authority to Stop and Search. Persons wishing entry into UNAMIR premises can be requested to submit to a consensual search of their persons and property. Refusal of this search or a refusal to surrender weapons constitutes grounds for refusal of entry. Persons found attempting to enter UNAMIR premises or found having entered UNAMIR premises in any potentially threatening manner may be searched for security purposes using necessary minimal non-deadly force. Weapons seized in such instances shall be handed over to appropriate UNAMIR or Rwandan military or civilian authorities as soon as possible.

✓ COMMENT: I prefer the original version below as it is more detailed in the guidance it offers soldiers. Furthermore, the original version complies with the 'FC Directive on the Legal Jurisdiction Applicable to UNAMIR and Rwandan Authorities - Version II'.

9. Authority to Stop and Search. UNAMIR personnel are authorized to stop all individuals attempting to enter or who are discovered inside any facilities under UNAMIR protection and to request that the individual submit to a consensual search of himself / herself and his/her vehicle where applicable. Any individual not willing to be searched shall be denied access, escorted from the premises or detained as appropriate. Searches of persons and their property are also authorized for the purpose of security. Such searches ~~may~~ must be conducted with the minimal use of force necessary.

- x 15. Authority to Detain. Persons shall only be detained if they commit a hostile act, display hostile intent or carry out an activity which would require that force be used against them. They shall be turned over to appropriate UNAMIR or host military or civilian authorities as soon as possible. Any weapons seized in the course of detainment shall be turned over to the appropriate UNAMIR or host country military or civilian authorities.

✓ COMMENT: I prefer the original version below as it is more detailed in the guidance it offers soldiers. Furthermore, the original version complies with the 'FC Directive on the Legal Jurisdiction Applicable to UNAMIR and Rwandan Authorities - Version II'.

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

✓ COMMENT: I have made this amendment as the words 'under paragraph 8' do not add anything to the meaning of the paragraph.

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

✓ COMMENT: I prefer the original version below as it is more detailed in the guidance it offers soldiers. Furthermore, the original version complies with the 'FC Directive on the Legal Jurisdiction Applicable to UNAMIR and Rwandan Authorities - Version II'.

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

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

✓ COMMENTS: I have deleted these words to comply with the 'FC Directive on the Legal Jurisdiction Applicable to UNAMIR and Rwandan Authorities - Version II'. I have added these words for the sake of completeness.

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

## **CHALLENGE AND ESCALATION PROCEDURES**

18. Except where a response is required in accordance with paragraph 19, the following procedures is to be followed when warning an individual that a hostile act or display of hostile intent may result in response in self-defence (sic):

✓ COMMENT: I prefer the original version as it is less wordy and therefore less prone to causing confusion.

14. Except where a response is required to open fire without warning (see paragraph 19 below) ~~in accordance with paragraph 15~~, the following procedures are to be adhered to ~~followed~~:

✓ COMMENT: I have made the above amendments for the sake of clarity.

a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the following sequence:

(1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;

(2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;

b. Charge Weapons. Make use of the visual effect of such action to convince the aggressor that failure to stop the aggressive activity may result in the use of deadly force; ~~If authorized under State B of ROE No.2 (paragraph 15 refers);~~

✓ COMMENT: This amendment clarifies the purpose of 'charging weapons' and should be adopted.

c. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;

① non-deadly F  
② wng shots  
③ deadly F  
X COMMENT: The question is should 'warning shots' come before the use of 'non deadly force'? It is arguable that the firing of warning shots must come before the use of 'physical means of forcing compliance that does not pose a risk of death or grievous bodily harm' (see the definition of 'non deadly force' above). The reason for this is that in most circumstances warning shots will be fired before the aggressor(s) are close enough for any non deadly physical force can be used. If soldiers are already in the process of hand to hand fighting it is probably too late to firing warning shots. It is therefore my recommendation that this amendment be adopted.

X d. Non-Deadly Force. If warnings are ignored, where possible, employ minimal non-deadly force;

X d. Warning Shots. ~~If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;~~

- e. Deadly Force. Except in the case of a lone individual acting in self-defence, if the aggressor commits a hostile act or displays a hostile intent, on order and under control of the on-scene commander, employ minimal deadly force, such as single aimed shots, until the threat is removed.

✓ COMMENT: I prefer the version below.

- e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed;— If a soldier is acting in self-defence he does not have to wait for a superior to order or control his fire.

COMMENT: I believe the above is clearer in meaning than the Canadian preference.

- f. Escalation of Deadly Force. ~~Escalatory weapons fire with other weapons systems shall only be on the order of the appropriate commander in accordance with paragraph 6.~~

✓ COMMENT: I have deleted this paragraph as it is redundant considering the removal of 'The Authorisation Levels for the Use of Force' above.

#### OPENING FIRE WITHOUT WARNING OR ESCALATION

~~15. The only circumstance under which it is permissible to open fire without warning or escalation is if an attack by an aggressor comes so unexpectedly that even a moments delay could:~~

- a. ~~lead to death or serious injury to UNAMIR personnel or to other UN authorized military or civilian personnel;~~
- b. ~~lead to death or serious injury to persons who are under the protection of UNAMIR; and~~
- e. ~~lead to the immediate damage or destruction of UNAMIR property in the circumstances described in paragraph 8.b.(2).~~

✓ COMMENT: The Canadian draft has removed reference to the above paragraph. I agree with its removal as the issues covered in it are dealt with elsewhere in this document.

#### PROCEDURES DURING FIRING

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

*COMMENT: I agree that this amendment states the required principles clearly. The words in brackets will need to be deleted if we stick with the one definition for self-defence.*

#### PROCEDURE DURING FIRING

~~16. Any use of firearms as a means of applying deadly force, shall be aimed fire, ie, fired at the centre of the visible mass of the target. Fire must be controlled and will not be indiscriminate. Automatic fire and firing of support weapons will only be used as a last resort and only as authorized under paragraph 6. Fire for effect will only continue as long as it is necessary to achieve the immediate aim. Through fire control orders, the commander on the scene will indicate and control the fire, preferably directed at the leaders or instigators of the threat. Regular situation report will be forwarded through the chain of command.~~

~~17. Whenever possible, each escalation in the use of force should be authorized by the chain of command of UNAMIR. A request in clear by radio for authorization to fire can have a calming effect on its own. Permission to use higher level of force must be obtained from the appropriate commander in accordance with paragraph 6. The on-scene commander is responsible for assessing the situation and taking action appropriate to the situation.~~

#### PROCEDURE AFTER FIRING

18. After firing, commanders should ensure the following actions are taken.

- a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.
- b. Recording. Details of the incident will be recorded, including:
  - (1) date, time and place of firing;
  - (2) unit and personnel involved;
  - (3) the events leading up to the firing;
  - (4) why UNAMIR personnel opened fire;
  - (5) who or what was fired on;
  - (6) the weapons fired; and
  - (7) the apparent results of the firing.
- c. Reporting. The above information and the current situation will be reported through the chain of command to Force HQ ATTN Force Commander and Deputy Chief of Staff Operations.

#### PART IV



## **RULES OF ENGAGEMENT**

22. The numbered Rules of Engagement for UNAMIR are contained in Annex A. The numbered ROE are written in the form permissions. Issued as permissions they are direction to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission.

✓ COMMENT: If the ROE are changed then this paragraph will need to be included.

## **SUMMARY RULES OF ENGAGEMENT**

- |            |  |
|------------|--|
| Rule No 1. | Use of force, up to and including deadly force, is authorised to defend other UNAMIR military or civilian personnel against a hostile act or hostile intent.   |
| Rule No.2  | Use of force, up to and including deadly force, is authorised to defend non-UNAMIR humanitarian aid personnel against a hostile act or hostile intent.   |
| Rule No. 3 | Use of force, up to and including deadly force, is authorised to defend displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces against a hostile act or hostile intent.                                     |
| Rule No. 4 | Use of force, up to and including deadly force, is authorised to protect from damage or destruction UNAMIR property or property under the protection of the UN which has been designated by the force Commander as essential to the success of the UNAMIR mission. |
| Rule No. 5 | Cross-border fire into adjacent country in self-defence, or to enforce Rules 2 and 3, is authorised.   |
| Rule No. 6 | Search and detainment of paramilitary or non-paramilitary personnel is authorised when acting in self-defence, or to enforce Rules 2 to 4 inclusive.   |
| Rule No. 7 | Disarmament of para-military or non-military personnel is authorised when acting in self-defence or to enforce Rules 2 to 4 inclusive.   |
| Rule No. 8 | Intervention to protect displaced persons, refugees and civilians at from death or grievous bodily harm at the hands of a military, para-military or civilian group is authorised.   |

✓ COMMENT: I do not recommend that the above ROE be adopted for at least three reasons. Firstly, I believe soldiers are comfortable and familiar with the current ROE and consequently to change them now would lead to confusion. Secondly, the issues covered in the above ROE are dealt with elsewhere in the

*Directive in sufficient detail. Thirdly, and most importantly, the current ROE are not unlawful and therefore there is no reason to change them.*

## **RULES OF ENGAGEMENT**

19. Rule No. one:      Authority to Carry Arms

- a. State A: No authority; and
- b. State B: Authority granted to carry weapons.

20. Rule No. Two:      Status of Weapons

- a. State A: Weapons will be carried with loaded magazines.
- b. State B: Weapons will be carried, charged and made safe.

21. Rule No. Three:      Response to Hostile Intent or Hostile Act without the Use of Fire

- a. State A: Observe and report but will withdraw in order to preserve own force.
- b. State B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
- c. State C: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.
- d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

*Discuss*

*COMMENT: May need to amend this ROE if we are now supporting the Rwandan Government.*

22. Rule No. Four:      Disarmament of Paramilitary Personnel or Civilians

- a. State A: No authorization granted.
- b. State B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at the earliest opportunity.



23. Rule No. Five: Intervention and Warning Shots

- a. State A: Intervention between warring factions is prohibited.
- b. State B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

Discuss

*COMMENT: May have to amend this ROE if UNAMIR is now expected to support the Rwandan Government*

24. Rule No. Six: Control of Weapons Systems

- a. State A: Manning, preparation, movement and firing of weapons in the presence of the forces in conflict is prohibited.
- b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).

25. There are three ROE states that may apply in any given sector in Rwanda. These states are GREEN, YELLOW and RED and are described on UNAMIR Levels of Readiness/Alert pages in Annex A. In normal circumstances, the ROE status shall be GREEN.

Note: Changes in the normal status of the ROE for UNAMIR Forces as a whole will be ordered by the Force Commander or his delegate. Sector Commanders may order changes in normal status of the ROE for their sectors, if authorized by the Force Commander or his delegate. Contingent Commanders will inform or, if necessary, seek approval from national authority for the change in status.

**PART V**

**CONCLUSION**

23. *Amendments to this Directive will be issued as required and as approved by the UN.*

X

*COMMENT: The Canadian draft opts for the above paragraph over paragraph 26 below on the basis that the information contained in paragraph 26 is "self evident".*

✓ 26. The aim of this directive is to provide guidance to commanders and soldiers at all levels in the use of force. However, no definitive directive can be created that can detail every possible course of action for every possible situation. It is critical and mandatory that all members of

UNAMIR understand these ROE and apply them to any and all situations that develop requiring the use of force.

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

✓ 24. *This Directive will be classified UN RESTRICTED.*

Annex:

Annex A Aide-Memoire for Members of UNAMIR.

## INSTRUCTIONS FOR ALL MEMBERS OF THE UNAMIR MILITARY COMPONENT REGARDING OPENING FIRE IN RWANDA

1. You are to avoid the use of force, if it is possible to do so, and your conduct must cause the least possible concern, fear or danger to the local population.

2. Your immediate commander will order any change in the states of weapon readiness. While your commander will normally issue the order to open fire, you have the right to use appropriate force in self-defence to protect yourself and those it is your duty to protect. Whenever possible a warning should be given before opening fire (see over).

3. If you have to use force, you must only use the **MINIMUM FORCE** necessary. **MINIMUM FORCE** normally involves the following sequential actions:

- a. open display of weapons.
- b. verbal warning.
- c. barring access to the point being protected.
- d. physical restraint.
- e. warning shots.

X  
*COMMENT: It is my opinion that warning shots should come before physical restraint. There are two reasons for this. The first is that from a practical viewpoint one is more likely to want to fire a warning shot before a person gets close enough to apply physical restraint. Secondly, physical restraint may involve the use of deadly force (as defined) and consequently to have warning shots after deadly force is inconsistent with the main body of this Directive.*

- check →
- f. pointing weapons, and
  - g. firing weapons at a person.

✓  
*COMMENT: I have added these words to distinguish this act from the firing of warning shots.*

## WARNINGS

4. **WARNING BEFORE FIRING.** Whenever possible a warning should be given before firing. The warning should be given in a loud clear voice in ENGLISH/FRENCH or KINYARWANDA:

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

**(PAUSE)**

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

5. **FIRE AFTER WARNING.** After warning you may fire on a person in order to avoid death or grievous (*se*

- a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND
- b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND
- c. the person refuses to stop when called upon to do so; AND
- d. you believe there is no other way of stopping the person.

6. **FIRE WITHOUT WARNING.** You may fire without warning on a person in order to avoid death or grievous bodily harm only if that person:

- a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR
- b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.

7. If you have to fire, you must account for all rounds expended in an after action report submitted in writing to your immediate commander.

## UNAMIR LEVELS OF READINESS/ALERT

SER	STATUS	UNITS/HQ	ACTION
1	GREEN	ALL	1. Normal activities <b>2. ROE: Rule 1-Status B, Rule 2- Status A, Rule 3-Status B, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.</b>
2	YELLOW	HQ	1. Planning for next higher status commences. 2. Liaison increased. 3. VIP visits postponed. 4. No leave granted except on compassionate grounds.  1. Precautionary stage. 2. Double sentries. 3. Night movement restricted. 4. Test shelters. 5. Stand To/Local alarm practice. 6. No leave granted except on compassionate grounds. 7. Backup comms/units/wpns. 8. Reserves put on 3 hrs notice to move.  <b>ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status C, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.</b>
		UNITS	
		ALL	
3	RED	HQ	1. General Alert. 2. VIP visits cancelled. 3. No leave granted. 4. Emergency movement only. 5. Special SITREPS to UNHQ. 6. Civilian evacuation if the situation warrants  1. Troops in defensive positions. 2. Troops in Stand To positions. 3. Reserves put on one hour notice to move. 4. No leave granted. 5. Troops on duty outside to wear flak jackets.  <b>ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.</b>
		UNITS	
		ALL	

**AIDE MEMOIRE - RULES OF ENGAGEMENT**

NOTE: GREEN status indicated in boxes

**RULE ONE: AUTHORITY TO CARRY ARMS**

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.
--

**RULE TWO: STATUS OF WEAPONS**

STATE A: Weapons will be carried with loaded magazines.
---

STATE B: Weapons will be carried, charged and made safe.

**RULE THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE**

STATE A: Observe and report but will withdraw in order to preserve own forces.

STATE B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
---

STATE C: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.

STATE D: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

**RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS**

STATE A: No authorization granted.
------------------------------------

STATE B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at earliest opportunity.

**RULE FIVE: INTERVENTION AND WARNING SHOTS**

STATE A:	Intervention between warring factions is prohibited.
----------	--

STATE B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

**RULE SIX: CONTROL OF WEAPON SYSTEMS**

STATE A:	Manning, preparation, movement and firing of weapons in the presence of forces in conflict is prohibited.
----------	---

STATE B: Designated activity in the presence of the forces in conflict permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).





OUTGOING FAX NO. \_\_\_\_\_

PAGE 1 OF 1

DATE: November 3, 1994

File No. 5000.8 (PLANS)

TO: BARIL, UNITED NATIONS NEW YORK FAX # (212) 963-9070 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN:	PHONE: 1 212 963 3092
INFO:	FAX NO: 1 212 963 3090
INTERNAL DISTR: DFC/COS, DCOS OPS, DCOS SP, G3 PLANS	DRAFTED BY: LEGAL OFFICER (AUSMED)
SUBJECT: ARMING OF UNMOs	
REFERENCE:	

1. PLEASE PROVIDE INFORMATION AS TO WHY UNMOs ARE UNARMED.  
ARE THERE LEGAL REASONS FOR THIS OR IS IT POLICY?
2. DOES ARMING UNMOs JEOPARDISE THEIR STATUS AS "EXPERTS ON  
MISSION"?
3. IF IT IS A POLICY THAT HAS DETERMINED THAT UNMOs ARE  
UNARMED WHO HAS THE AUTHORITY TO AMEND THAT POLICY?



UNAMIR - MINUAR

File No 5000.8 (PLANS)

To: C SUP O

From: *[Signature]* G3 PLANS *Capt*

Date: 9 Jan 95

Subject: RULES OF ENGAGEMENT CARDS

1. Due to changes to the rules of engagement (ROE) and troop rotations UNAMIR has a requirement for the production of new ROE cards.
2. Enclosed are 8 A4 sheets, 4 english/4 french, that must be reduced to 10 cm wide x 13 cm long and colour coded for the associated level of alert. The ROE card for GREEN alert level must be green, etc. Each card face must have the ROE for the alert states GREEN/VERTE, YELLOW/JAUNE and RED/ROUGE. On the reverse side must be the "Challenge and Escalation Procedures" for the English cards and "Procedures de Defi et D'escalade" for the french cards. All cards must be plasticized for protection and delivered in bundles of 100. Examples of a french and english card are enclosed.
3. UNAMIR's current requirement calls for the production of 18,000 ROE cards, broken down as follows:
  - a. 4,500 x GREEN, YELLOW and RED english alert cards;
  - b. 1,500 x VERTE, JAUNE and ROUGE french alert cards;
4. Your assistance with this requirement is appreciated.

Enclosures: 11

WITNESSED BY SUPPLY WAREHOUSE MGR.	
NAME, SIGNATURE AND DATE	

## **CHALLENGE AND ESCALATION PROCEDURES**

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

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

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

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

**B. CHARGE WEAPONS. IF AUTHORIZED UNDER STATE B;**

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

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

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

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

ROUTINE 31 1230 B JAN 95

FROM: 4A/ZAMBATT

TO : HQ UNAMIR/G3 PLANS ✓

UNCLAS. OPS: 142.....

SUBJECT: LECTURE TOUR

1. IN REF TO SUBJECT MATTER AS EARLIER DISCUSSED BETWEEN YOURSELF AND ZAMBATT CONTINGENT COMMANDER CMM WOULD YOU KINDLY CONFIRM YOUR AVAILABILITY.
2. WE PROPOSE TWO DATES FOR THE SAME CMM THESE ARE: 7 AND 10 FEB 95.
3. LOOKING FORWARD TO HAVING YOU WITH US.

SIGNATURE: A.....

RANK/APPT: Col. ops. off...

G3 PLANS 4

1. His respond to ZAMBATT AS FOL

SUBJ: ROE PRESENTATION.

1. Regret G3 PLANS unavailable on dates proposed at the reference.
2. Propose 13 or 14 Feb as alternatives
3. Presentation plus practical demonstration expected to take approx 70 mins.

JB  
2/2

G3 PLANS -

2 -

3 -

4 -

002  
mk  
R  
R

FROM: SECTOR 4A/ZAMBATT HQ

OPS 12

TO : UNAMIR HQ/G 3 PLANS

DATE: 8 FEBRUARY 1995

SUBJECT: ROE PRESENTATION

Reference:

- A. Your Signal Plans 043 of 071500 Z Feb 95.
1. 14th February 1995 confirmed and accepted.
  2. Regards.



M D SIKUFELE  
Captain  
for Contingent Commander

UNCLASSIFIED

PLANS 5000.8 (PLANS)

01 01 031200Z FEB 95 RR UUUU

PLANS 040

HQ UNAMIR//G3 PLANS//

SECTOR 4A//ZAMBATT//

UNCLAS PLANS 040

SUBJ: ROE PRESENTATION

REF: YOUR OPS 168 OF 022000B FEB 95

1. SUBJECT PRESENTATION TO OCCUR ON 13 FEB
2. ETA BY HELO AT GIKONGORO IS 0930 HRS
3. PARTY TO CONSIST OF G3 PLANS, G3 PLANS DESIGNATE, LEGAL OFFR, 5  
MAN DEMO SQUAD

G3 PLANS

LT COL A. BRIMELOW, G3 PLANS, 11148

LT COL A. BRIMELOW, G3 PLANS, 11148

UNCLASSIFIED



UNCLASSIFIED

PLANS 5000.8 (PLANS)

01 01 071500Z FEB 95 RR UUUU

PLANS 043

HQ UNAMIR//G3 PLANS//

SECTOR 4A//ZAMBATT//

UNCLAS PLANS 043

SUBJ: ROE PRESENTATION

REF: A. HQ UNAMIR PLANS 040 OF 031200Z FEB 94

B. YOUR OPS 168 OF 022000B FEB 95

1. REF A INDICATED THAT SUBJ PRESENTATION WOULD OCCUR 13 FEB 94

2. REGRET THAT SUBJ TRAINING MUST NOW OCCUR 14 FEB

3. ETA BY HELO AT GIKONGORO STILL 0930 HRS, DEPARTURE NLT 1100 HRS

4. PARTY TO CONSIST OF G3 PLANS, G3 PLANS DESIGNATE, LEGAL OFFR, 5  
MAN DEMO SQUAD

5. ACK

G3 PLANS

CAPT I. DENNY, G3 PLANS 4, 11162

LT COL A. BRIMELOW, G3 PLANS, 11148

UNCLASSIFIED

UNCLASSIFIED

PLANS 5000.8 (PLANS)

01 01 021200Z FEB 95 RR UUUU

PLANS 039

HQ UNAMIR//G3 PLANS//

SECTOR 4A//ZAMBATT//

UNCLAS PLANS 039

SUBJ: ROE PRESENTATION

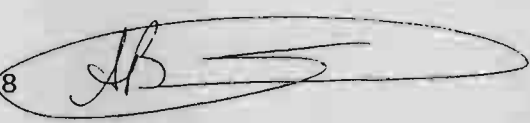
REF: OPS 142 OF 311230B JAN 95

1. REGRET G3 PLANS UNAVAILABLE ON DATES PROPOSED AT THE REF
2. PROPOSE 13 OR 14 FEB AS ALTERNATIVES
3. PRESENTATION PLUS PRACTICAL DEMONSTRATION EXPECTED TO TAKE APPROX 70 MINS

G3 PLANS

CAPT I. DENNY, G3 PLANS 4, 11162

LT COL A. BRIMELOW, G3 PLANS, 11148

  
UNCLASSIFIED

G3 PLANS  
2-  
3-  
4-

ROUTINE 02 2000 B FEB 95

FROM: SECTOR 4A/ZAMBATT

TO : HQ UNAMIR/G 3 PLANS

UNCLAS. OPS:..168.....

SUBJECT: ROE PRESENTATION

## REFERENCE:

- A. YOUR SIGNAL PLANS 039 OF 021200 Z FEB 95.
1. PROPOSED DATED ACCEPTABLE.
  2. CONFIRM ONE OF THEM INCLUDE ETA.

SIGNATURE:.....A.....

RANK/APPT:....Cpt. ops. offr.....

G3 PLANS4

Re respond as fol

A. Your 05168 of 02000 FEB 95

1. SUBJECT PRESENTATION TO OCCUR ON 13 FEB
2. ETA BY HELO AT GIKONGORO IS 0930 HRS
3. PARTY TO CONSIST OF G3 PLANS, G3 PLANS DESIGNATE, LEGAL OFFR,  
5 MAN DEMO SQUAD.

5000.45 (Plans)

7 Nov 94

## Distribution List

**FORCE COMMANDER'S DIRECTIVE NO 01/94**  
**ON**  
**UNAMIR CONDUCT, DRESS AND WEAPON CARRIAGE POLICY**

## References:

- A. Force Routine Order No 12 - Commander's Policy on Alcohol
- B. Status of Mission Agreement
- C. UNAMIR Driving Regulations
- D. UNAMIR Standard Operating Procedures

**GENERAL.**

1. This document states the current UNAMIR policy on conduct, dress and the carriage of personal weapons. It will be updated from time to time, and must be read in conjunction with current ROE.
2. All members of UNAMIR are required to be aware of this policy. Contingent/Unit Commanders/Branch Heads are to ensure that their personnel are fully briefed on the contents of this document, are kept current on any reviews which might take place, and that personnel rotating into Rwanda are briefed on arrival. It should be noted that this Directive sets a minimum standard. As such, it is intended to augment, not replace Nationally imposed contingent regulations. Any reduction in standards to conform with this Directive is not required.

**CONDUCT**

3. Image. All personnel in Rwanda represent their units, their countries and the UN. Considerable effort must be expended to ensure that the best possible image is conveyed to the local population and civilian agencies with which they may come in contact. Personnel are particularly reminded that they should:
  - a. Adhere to all local laws which have been enacted by the legitimate government.
  - b. Deal courteously and politely with those with whom they come in contact.
  - c. Avoid any source of conflict in which a dispute might develop.

d. If employing Rwandan personnel, provide fair and honest terms of service.

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

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

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

(1). No drinking and driving.

(2). No driving for eight hours after consuming alcohol.

(3). No drinking in unit messes when in the possession of ammunition/weapons (depending on unit policy, patrons of unit messes may be required to secure weapons or ammunition).

(4). No drinking in other areas when in the possession of weapons.

(5). No drinking to excess.

5. Other Countries. The conduct of UNAMIR personnel in Other Countries, such as Burundi, Kenya, Tanzania, Uganda and Zaire, must be impeccable. UNAMIR personnel represent the Mission abroad in Africa and only the highest standards will be accepted. UNAMIR has no special legal relationship with Other Countries in the region. Any alleged offence committed by UNAMIR personnel abroad will be dealt with under the civil law of that country and may lead to prosecution by the civil authority. Individuals from UNAMIR who find themselves in such a position should contact their national consulate, embassy or High Commission immediately. They should also contact the UN representative in that country. It is anticipated that Memoranda of Understanding (MOU) can be signed with the governments of Other Countries in the region, to cover the contingency of legal proceedings being conducted against UNAMIR individuals. DCOS (Ops) is to ensure that appropriate MOU are drafted in consultation with Other Countries' governments.

## **DRESS & BEARING**

6. **Deportment.** All personnel are to ensure that their deportment meets the highest possible standards. A smart, well-groomed alert appearance and a helpful and positive demeanour are essential elements of this.

7. **National Uniform.** National uniform is to worn in accordance with Part 8, Section 6, of Reference D.

8. **UN Accoutrements.** UN accoutrements are to be worn in accordance with part 8, Section 6, of Reference D.

9. **Ballistic Helmet/Body Armour.** When ballistic helmets and body armour are ordered to be worn, UN blue covers are also to be worn.

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

11. **Wearing of Uniform on Duty.** All UNAMIR personnel are on operations and are considered to be on duty at all times in Rwanda. Under the Status of Mission Agreement (SOMA), Reference B, UNAMIR personnel who are not wearing uniform carry minimal authority and may not be fully protected under the terms of the Agreement. For the purposes of participating in organised sport or PT, the sporting clothing authorised by Contingent/Unit Commanders/Branch Heads is deemed to be uniform. UNAMIR military personnel are only permitted to wear civilian clothes in the following circumstances:

- a. Within the confines of a unit or mess location which is guarded by armed guard(s); and
- b. At the discretion of Contingent/Unit Commanders/Branch Heads.

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

## **CARRIAGE OF WEAPONS**

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



14. Principle. As UNAMIR military personnel are on duty at all times, and as they are entitled to carry weapons for their own protection, or the protection of those whom they have a duty to protect, the principle to be applied is that UNAMIR military personnel will carry weapons when so issued. Current ROE further dictate the readiness of UNAMIR personnel. This policy does not apply to medical and religious personnel. The protection of those personnel will be as directed by the Contingent/Unit Commanders.

15. Exceptions. The occasions on which military UNAMIR personnel are prohibited from carrying weapons are as follows:

- a. When consuming alcohol; and
- b. When leaving Rwanda.

16. Consumption of Alcohol & Carriage of Weapons. UNAMIR personnel are not to consume alcohol when carrying weapons. Alcohol may only be consumed in the following circumstances:

- a. In a unit location or mess which is guarded by armed guard(s); or
- b. At the discretion of Contingent/Unit Commanders/Branch Heads.

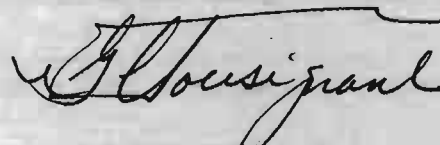
17. Carriage of Weapons. UNAMIR personnel are not permitted to carry weapons abroad. Personnel who are going abroad must be afforded Personal Protection, consistent with the provisions of paragraphs 16 and 17 above, to their point of departure, and on return to Rwanda, from their point of return. Should it become necessary to authorise the carriage of weapons to Other Countries, HQ UNAMIR will issue appropriate instructions. Personnel departing Rwanda on duty, CTO or leave will ensure the security of their personal weapon through their respective Contingent/Unit Commander.

18. Personal Protection. Contingent/Unit Commanders/Branch Heads are to ensure that adequate protection is provided for themselves and their subordinates during social and recreational activities.

19. Level of Personal Protection. Contingent/Unit Commanders/Branch Heads are to determine the level of personal protection afforded. The minimum alert/readiness requirements are detailed at Annex A to UNAMIR Rules of Engagement. Additional requirements are detailed at Annex A.



20. Restrictions. The establishment **Kigali Night** is out of bounds to all UNAMIR personnel. Contingent/Unit/Sector Commanders who identify other local establishments which constitute a similar security risk may recommend to the FC the imposition of a commensurate restriction.



GC TOUSIGNANT  
MGen  
FC

Distribution:

External:

Action:

List D

Internal:

Action:

List A

List B

**ROE STATE**

**RESPONSE**

**GREEN**

All movement between 2300 hrs and 0600 hrs to be restricted to essential duty or, when specifically authorized by Contingent/Unit Commanders/Branch Heads. Personnel on essential duties are to be armed and in uniform. Continuous (radio) communications with Sector Net Control Station is to be maintained. PT and sporting activities outside unit perimeter to be restricted to daylight hours.

**YELLOW**

All movement between 1800 hrs and 0600 hrs to be restricted to essential duty. All UNAMIR military personnel are to be continuously armed and in uniform. Alcohol consumption is permitted in unit messes only. PT and sporting activities restricted to unit perimeter.

**RED**

All movement is restricted to essential duty only. All UNAMIR military personnel are to be continuously armed and in uniform. Alcohol consumption is prohibited. PT and sporting activities restricted to unit perimeter.

G3 (PLANS)

File

5000.8 (PLANS)

HQ UNAMIR  
OPS BRANCH

3/ Oct 1994

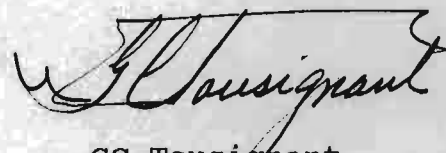
Distribution List

SUBJECT: PROTECTION OF DISPLACED PERSONS CAMPS - ROE

Ref: A. FRAGO No. 02 to OPORD 20 dated 22 oct 94  
B. UN Security Council Resolution 925 dated 8 June 94  
C. OPDIR No. 2 - ROE dated 6 Oct 94

1. Reference A directs all commanders to increase UN presence in refugee camps within RWANDA. Contingency plans have been developed to reinforce certain sectors in the event that displaced persons (DPs) are forcibly removed from their camps.
2. Clearly, if this situation arises, the potential for confrontation will emerge. Under these circumstances, a sound understanding of the applicable Rules of Engagement is fundamental.
3. Reference B mandates UNAMIR to "contribute to the security and protection of displaced persons, refugees and civilians at risk in RWANDA" and "Recognizes that UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief".
4. Reference C provides clear guidance for the application of Resolution 925. The following provisions should be specifically noted:
  - a. Authority to use force. The use of force is authorized to protect the above designated individuals against forcible removal from the camps which they occupy (Ref C, para 8).
  - b. The principles for the use of force must be adhered to (Ref C, para 7).
  - c. Challenge and escalation procedures are to be followed (Ref C, paras 14 and 15).

- d. Units involved in the protection of DP camps are to remain on State GREEN (Annex A to Ref C) until ordered otherwise.



GC Tousignant  
MGen  
FC

Distribution List:

Action:

List C

Info:

List A

List B

**UNITED NATIONS**

ASSISTANCE MISSION IN RWANDA



UNAMIR-MINUAR

**NATIONS UNIES**

MISSION POUR L'ASSISTANCE AU RWANDA

**File: 5000.8(Plans)**

**To:** DCOS OPS

**From:** G3 PLANS

A handwritten signature in dark ink, appearing to be a stylized 'D' followed by a horizontal line.

**Date:** 4 Mar 95

**Subject: ROE AMENDMENTS**

1. Please find attached the amended draft ROE that you requested from SO2 Legal, AUSMED. It incorporates the changes that you wanted and is therefore now ready to be forwarded to the FC for his comments.
2. There are still a couple of issues that need to be resolved by UN NY.
  - a. After studying Resolution 965 dated 30 Nov 95, it is unclear how far UNAMIR can go in protecting the interests of the Rwandan Government now that their legitimacy has been recognised by the UN and other States.
  - b. Resolution 965 does not talk about impartiality and consequently, we need policy guidelines from UN NY as to how 'impartial' UNAMIR is to be with the RPA/Rwandan Government.
3. Regards.

**SECTION 9:****OPERATIONAL DIRECTIVE NO. 02****RULES OF ENGAGEMENT****PART I****INTRODUCTION**

1. The conduct of military operations is controlled and regulated by the provision of international and national law, conventions and precedence. In the case of a United Nations (UN) conducted operation, it is the responsibility of the UN to set the parameters within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of Force by UN personnel. ROE are drafted by the Force Commander, but are approved by the UN and may only be changed with UN authority.

2. These UNAMIR ROE are provided for UN Forces operating under the auspices of UN Security Council Resolution 965 dated 30 November 1994. That Resolution states that UNAMIR will:

"(a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;

(b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and

(c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;

3. (The Security Council) Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:

(a) Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;"

3. Under the terms of the Arusha Peace Agreement and the UN Security Council Resolution mandates, UNAMIR has a commitment to all parties to assist them to achieve peace. Impartiality is the key and all UNAMIR's actions must be aimed at ensuring the furtherance of this objective.



However, circumstances could arise where the use of force by UNAMIR personnel would be necessary and justified.

## **PART II**

### **AIM**

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

## **PART III**

### **DEFINITIONS**

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

- a. **Force.** The use of, or the threat to use, physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.
- b. **Minimum Force.** The minimum degree of authorised force which is necessary, reasonable and lawful in the circumstances.
- c. **Self-Defence.** The use of force to protect:
  - (1) oneself 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, or
  - (5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.

**NOTE:** The right to self-defence is related to, but separate from, ROE and applies no matter what other factors are present. Therefore, notwithstanding any ROE that may be authorised, when an attack occurs, or is anticipated, the right exists to use proportionate force in self-defence to deter, neutralise or destroy the threat.



- d. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 3.c. above.
- e. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 3.c. above.
- f. Collateral Damage. Damage to persons or property adjacent to, but not part of an authorised target.
- g. Non-deadly force. Any physical means of forcing compliance that does not pose a risk of death or serious bodily harm to the individual against whom the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.
- h. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

#### **PART IV**

#### **INSTRUCTIONS ON THE USE OF FORCE**

##### **APPLICABILITY**

- 6. All information contained in this part shall be construed as orders. These orders do not restrict a soldier's inherent right to self-defence.

##### **COMMANDERS' RESPONSIBILITY**

- 7. UNAMIR Commanders at all levels are required:
  - a. to have this directive translated and disseminated to every subordinate under their command; and
  - b. to ensure that every subordinate under their command:
    - (1) is briefed and refreshed on the meaning and application of these ROE as they relate to assigned missions;
    - (2) understands and complies with the contents of this document; and
    - (3) has the opportunity to seek additional clarification, guidance or direction if these ROE are considered insufficient.

8. UNAMIR Commanders shall issue orders on the readiness of personal weapons to be maintained appropriate to the situation.

#### **USE OF FORCE AND ENGAGEMENT PRINCIPLES**

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

- a. Reasonable Belief. Mere speculation does not constitute reasonable belief. The use of force must be predicated upon a tangible threat;
- b. Minimum Force. UNAMIR personnel will never use more force than the minimum necessary to enable them to carry out their duties and accomplish assigned objectives or the mission;
- c. Proportionality. Only a response proportionate to the perception of the level of threat is justified. Any force used must be limited to the degree, intensity, and duration necessary to achieve the objective for which the force is used, and no more;
- d. Duration of Force and Disengagement. The application of force, at whatever level, is to cease when the hostile act stops, or whenever the commander considers there is no imminent threat or attack.
- e. Negotiation and Warnings. If possible, negotiation and warnings must be exhausted before any use of force is initiated;
- f. Deadly Force. Deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;
- g. Escalation. Escalation of the level of violence is to be minimised;
- h. Collateral Damage. Collateral damage is to be minimised;
- i. Retaliation and Reprisal. The use of force in retaliation and reprisal is prohibited; and
- j. Application of Force. The use of force shall be controlled, where possible, by the on-scene commander and is to cease once the aim has been achieved.
- k. Cross-Border Fire. UNAMIR personnel are authorised to fire across the border of Rwanda into neighbouring countries only when acting in self-defence and (defence of others).

## **AUTHORITY TO USE FORCE**

10. Force may be used as follows:

- a. Non-Deadly Force. UNAMIR personnel are authorised to use non-deadly force in the following circumstances:
  - (1) in self-defence;
  - (2) against attempts at infiltration or envelopment of UNAMIR units, compounds or locales;
  - (3) when UNAMIR premises are violated in attempts to steal UNAMIR property or property under the protection of the UN;
  - (4) when attempts are made to abduct or detain UNAMIR civilian or military personnel; and
  - (5) when attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.
- b. Deadly Force. UNAMIR personnel are authorised to use deadly force in the following circumstances:
  - (1) in self- defence (as defined in paragraph 3.c.) against persons committing a hostile act or exhibiting hostile intent;
  - (2) to protect from damage or destruction, property or installations belonging to or under the protection of UNAMIR, including protected sites and the means for the distribution and delivery of humanitarian relief:
    - (a) which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission,
    - (b) which justify protection through the use of deadly force, and
    - (c) where there is no way to prevent the damage or destruction;
  - (3) to overcome armed attempts to prevent UNAMIR Force from discharging its duties, when authorised by the Force Commander;
  - (4) to resist armed attempts to disarm, abduct or detain UNAMIR military or civilian personnel;

(5) to resist armed attempts to compel UNAMIR personnel to withdraw from protection areas they were ordered to occupy by the Force Commander or his delegate; and

(6) to resist armed attempts to cut off a UNAMIR force.

#### **AUTHORITY TO SEARCH AND DETAIN**

11. Authority to Stop and Search. UNAMIR personnel are authorised to stop all individuals attempting to enter or who are discovered inside any facilities under UNAMIR protection and to request that the individual submit to a consensual search of himself / herself and his/her vehicle where applicable. Any individual not willing to be searched shall be denied access, escorted from the premises or detained as appropriate. Searches of persons and their property are also authorised for the purpose of security. Such searches may must be conducted with the minimal use of force necessary.

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

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

14. Any individual detained shall be turned over as soon as possible to appropriate authorities as designated by the Force Commander. Any weapons or items seized from detainees shall be confiscated and handed over to the appropriate authorities or, if required, rendered militarily ineffective.

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

#### **CHALLENGE AND ESCALATION PROCEDURES**

16. Except where a response is required to open fire without warning, the following procedures are to be adhered to:

- a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the sequence below:

- (1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;

- (2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;

- b. Charge Weapons. Make use of the visual effect of such action to convince the aggressor that failure to stop the aggressive activity may result in the use of deadly force;
- c. Non-Deadly Force. If warnings are ignored, where possible, employ minimal non-deadly force;
- d. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;
- e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed; . If a soldier is acting in self-defence he does not have to wait for a superior to order or control his fire.

### **PROCEDURES DURING FIRING**

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

### **PROCEDURE AFTER FIRING**

18. After firing, commanders should ensure the following actions are taken.

- a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.
- b. Recording. Details of the incident will be recorded, including:
  - (1) date, time and place of firing;
  - (2) unit and personnel involved;
  - (3) the events leading up to the firing;
  - (4) why UNAMIR personnel opened fire;
  - (5) who or what was fired on;
  - (6) the weapons fired; and
  - (7) the apparent results of the firing.

- c. Reporting. The above information and the current situation will be reported through the chain of command to Force HQ ATTN Force Commander and Deputy Chief of Staff Operations.

## **PART V**

### **RULES OF ENGAGEMENT**

19. The ROE stated in this directive apply to all personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 965. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission. The use of force by UNAMIR personnel is prohibited unless specifically authorised by the ROE.

20. Rule No. one:            Authority to Carry Arms

- a. State A: No authority; and
- b. State B: Authority granted to carry weapons.

21. Rule No. Two:            Status of Weapons

- a. State A: Weapons will be carried with loaded magazines.
- b. State B: Weapons will be carried, charged and made safe.

22. Rule No. Three:            Response to Hostile Intent or Hostile Act without the Use of Fire

- a. State A: Observe and report but will withdraw in order to preserve own force.
- b. State B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
- c. State C: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.
- d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorised.

23. Rule No. Four: Disarmament of Paramilitary Personnel or Civilians

- a. State A: No authorisation granted.
- b. State B: Authorisation is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at the earliest opportunity.

24. Rule No. Five: Intervention and Warning Shots

- a. State A: Intervention between warring factions is prohibited.
- b. State B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

25. Rule No. Six: Control of Weapons Systems

- a. State A: Manning, preparation, movement and firing of weapons in the presence of the forces in conflict is prohibited.
- b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:
  - (1) Man (type of system);
  - (2) Prepare (type of system);
  - (3) Move (type of system); and
  - (4) Fire (type of system).

26. There are three ROE states that may apply in any given sector in Rwanda. These states are GREEN, YELLOW and RED and are described on UNAMIR Levels of Readiness/Alert pages in Annex A. In normal circumstances, the ROE status shall be GREEN.

Note: Changes in the normal status of the ROE for UNAMIR Forces as a whole will be ordered by the Force Commander or his delegate. Sector Commanders may order changes in normal status of the ROE for their sectors, if authorised by the Force Commander or his delegate. Contingent Commanders will inform or, if necessary, seek approval from national authority for the change in status.

## PART VI

### CONCLUSION

27. Amendments to this Directive will be issued as required and as approved by the UN.



28. This Directive will be classified UN RESTRICTED.

**Annex:**

Annex A Instructions for all Members of the UNAMIR Military Component Regarding Opening Fire in Rwanda.

ANNEX A TO  
RULES OF ENGAGEMENT  
DATED

**INSTRUCTIONS FOR ALL MEMBERS OF  
THE UNAMIR MILITARY COMPONENT  
REGARDING OPENING FIRE IN RWANDA**

1. You are to avoid the use of force, if it is possible to do so, and your conduct must cause the least possible concern, fear or danger to the local population.
2. Your immediate commander will order any change in the states of weapon readiness. While your commander will normally issue the order to open fire, you have the right to use appropriate force in self-defence to protect yourself and those it is your duty to protect. Whenever possible a warning should be given before opening fire (see over).
3. If you have to use force, you must only use the **MINIMUM FORCE** necessary. **MINIMUM FORCE** normally involves the following sequential actions:
  - a. open display of weapons.
  - b. verbal warning.
  - c. barring access to the point being protected.
  - d. physical restraint.
  - e. warning shots.
  - f. pointing weapons, and
  - g. firing weapons at a person.

**WARNINGS**

4. **WARNING BEFORE FIRING.** Whenever possible a warning should be given before firing. The warning should be given in a loud clear voice in ENGLISH/FRENCH or KINYARWANDA:

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

**(PAUSE)**

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

5. **FIRE AFTER WARNING.** After warning you may fire on a person in order to avoid death or grievous (se
- a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND
  - b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND
  - c. the person refuses to stop when called upon to do so; AND
  - d. you believe there is no other way of stopping the person.
6. **FIRE WITHOUT WARNING.** You may fire without warning on a person in order to avoid death or grievous bodily harm only if that person:
- a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR
  - b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.
7. If you have to fire, you must account for all rounds expended in an after action report submitted in writing to your immediate commander.

## UNAMIR LEVELS OF READINESS/ALERT

SER	STATUS	UNITS/HQ	ACTION
1	GREEN	ALL	1. Normal activities 2. ROE: Rule 1-Status B, Rule 2- Status A, Rule 3-Status B, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
2	YELLOW	HQ	1. Planning for next higher status commences. 2. Liaison increased. 3. VIP visits postponed. 4. No leave granted except on compassionate grounds.
		UNITS	1. Precautionary stage. 2. Double sentries. 3. Night movement restricted. 4. Test shelters. 5. Stand To/Local alarm practice. 6. No leave granted except on compassionate grounds. 7. Backup comms/units/wpns. 8. Reserves put on 3 hrs notice to move.
		ALL	ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status C, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
3	RED	HQ	1. General Alert. 2. VIP visits cancelled. 3. No leave granted. 4. Emergency movement only.
		UNITS	5. Special SITREPS to UNHQ. 6. Civilian evacuation if the situation warrants
		ALL	1. Troops in defensive positions. 2. Troops in Stand To positions. 3. Reserves put on one hour notice to move. 4. No leave granted. 5. Troops on duty outside to wear flak jackets.  ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.

**AIDE MEMOIRE - RULES OF ENGAGEMENT**

NOTE: GREEN status indicated in boxes

**RULE ONE: AUTHORITY TO CARRY ARMS**

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.
--

**RULE TWO: STATUS OF WEAPONS**

STATE A: Weapons will be carried with loaded magazines.
---

STATE B: Weapons will be carried, charged and made safe.

**RULE THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE**

STATE A: Observe and report but will withdraw in order to preserve own forces.

STATE B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
---

STATE C: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.

STATE D: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

**RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS**

STATE A: No authorization granted.
------------------------------------

STATE B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at earliest opportunity.

**RULE FIVE: INTERVENTION AND WARNING SHOTS**

STATE A: Intervention between warring factions is prohibited.
---

**STATE B:** Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

**RULE SIX: CONTROL OF WEAPON SYSTEMS**

STATE A: Manning, preparation, movement and firing of weapons in the presence of forces in conflict is prohibited.
--

**STATE B:** Designated activity in the presence of the forces in conflict permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).



095/Ops/A

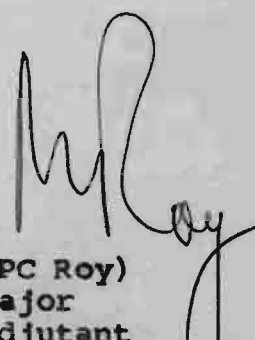
22 December 94

From : INDBATT

To : G3 PLANS  
HQ UNAMIR

Subject :- RULES OF ENGAGEMENT CARDS

1. Reference your letter No 5000.8 (PLANS) dated Nil.
2. Acknowledged.

  
(PC Roy)  
Major  
Adjutant  
for CO INDBATT

FROM : G 3 PLANS

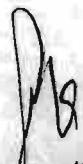
5000.46 (Plans)

TO : HQ MIL OB GP

DATED : 08 Jan 95

SUBJECT : RULES OF ENGAGEMENT

1. Reference your conversation with G 3 Plans.
2. The copy of "Rules of engagement" is forwarded for your further action please.



P K Malik  
Maj  
G 3 Plans 3  
For G 3 Plans

SECTION 9:OPERATIONAL DIRECTIVE NO. 02RULES OF ENGAGEMENTPART I

1. The conduct of military operations is controlled and regulated by the provision of international and national law, conventions and precedence. In the case of a United Nations (UN) conducted operation, it is the responsibility of the UN to set the parameters within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of Force by UN personnel. ROE are drafted by the Force Commander, but are approved by the UN and may only be changed with UN authority.

2. These UNAMIR ROE are provided for UN Forces operating under the auspices of UN Security Council Resolution 925 dated 8 June 1994, which states in paragraph 4 that:

"... the consolidated mandate of UNAMIR includes the following:

- (a) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;
- (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and
- (c) To act as an intermediary between the parties in an attempt to secure their agreement to a ceasefire;..."

Paragraph 5 of the resolution particularly recognizes that:

"UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief." Therefore circumstances could arise where the use of force by UNAMIR personnel could be necessary and justified.

PART IIDEFINITIONS

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

- a. Force. The use of physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.
- b. Self-Defence. The use of force to protect:
  - (1) oneself 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, or
  - (5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.
- c. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 3.b. above.
- d. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 3.b. above.
- e. Minimum Force. The minimum degree of authorized force which is necessary, reasonable and lawful in the circumstances.
- f. Collateral Damage. Damage to persons or property adjacent to, but not part of an authorized target.
- g. Non-deadly force. Any physical means of forcing compliance that does not pose a risk of death or serious bodily harm to the individual against whom the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.
- h. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

### PART III

#### INSTRUCTIONS ON THE USE OF FORCE

##### APPLICABILITY

4. The ROE stated in this directive apply to all personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 925 dated 8 June 1994. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission.

##### COMMANDERS' RESPONSIBILITY

5. Commanders at all levels are required:
- a. to have this directive translated and disseminated to every subordinate under their command; and
  - b. to ensure that every subordinate under their command understands the contents of this document.

##### AUTHORIZATION LEVELS FOR THE USE OF FORCE

6. The use of deadly force for the different types of weapons will be authorized as follows:
- a. Force Commander or His Delegate:
    - (1) heavy support weapons (ie. rocket launchers, artillery pieces, light mortars, etc.); and
    - (2) heavy machine guns or cannons ( .50 cal, 20mm, etc.);
  - b. In situations which are life threatening to UNAMIR troops, members of their unit or those they are ordered to protect, soldiers may use the following weapons:
    - (1) medium machine guns (i.e. FN MAG, M60, etc.)
    - (2) light machine guns; and
    - (3) all personal weapons on automatic or single shot fire.
  - c. In situations which are not life threatening to soldiers, members of their unit or those they are ordered to protect, the use of deadly force for different types of weapons will be authorized as follows:
    - (1) Sector Commanders:
      - (a) medium machine guns (i.e. FN MAG, M60, etc.),

- (b) light machine guns; and
  - (c) all personal weapons on automatic fire.
- (2) Battalion Commander Down to NCO Level at the Scene of a Threat.
- (a) Personal weapons for single shot fire.

NOTE: Commanders should be aware when using weapons of the principles of military necessity and proportionality.

#### PRINCIPLES FOR USE OF FORCE

7. When an incident occurs that requires the use of force, the following principles will be adhered to:
- a. if possible, negotiation and warnings must be exhausted before any use of force is initiated;
  - b. only the minimum non-deadly and deadly force consistent with achieving the immediate aim shall be employed;
  - c. except where authorized under paragraph 11, the escalation of force procedures pursuant to paragraph 14 must be exhausted before the use of any deadly force is initiated;
  - d. deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;
  - e. escalation of the level of violence is to be minimized;
  - f. collateral damage is to be minimized;
  - g. the use of force in retaliation is prohibited; and
  - h. use of force shall be controlled by the on-scene commander and is to cease once the aim has been achieved.

#### AUTHORITY TO USE FORCE

8. Force may be used as follows:
- a. Non-Deadly Force. UNAMIR personnel are authorized to use non-deadly force in the following circumstances:
    - (1) in self-defence ( as defined in paragraph 3.b.) against unarmed aggression;
    - (2) against unarmed attempts at infiltration or envelopment of UNAMIR units, compounds or locales;
    - (3) when UNAMIR premises are violated in unarmed attempts to steal UNAMIR property or property under the protection of the UN;



(4) when unarmed attempts are made to abduct or detain UNAMIR civilian or military personnel; and

(5) when unarmed attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.

b. Deadly Force. UNAMIR personnel are authorized to use deadly force in the following circumstances:

(1) in self- defence (as defined in paragraph 3.b.) against persons committing a hostile act or exhibiting hostile intent;

(2) to protect from damage or destruction, property or installations belonging to or under the protection of UNAMIR, including protected sites and the means for the distribution and delivery of humanitarian relief:

(a) which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission,

(b) which justify protection through the use of deadly force, and

(c) where there is no way to prevent the damage or destruction;

(3) to overcome forcible attempts to prevent UNAMIR Force discharging its duties, when authorized by the Force Commander;

(4) to resist armed attempts to disarm, abduct or detain UNAMIR military or civilian personnel;

(5) to resist armed attempts to compel UNAMIR personnel to withdraw from protection areas they were ordered to occupy by the Force Commander or his delegate; and

(6) to resist armed attempts to cut off a UNAMIR force.

#### AUTHORITY TO SEARCH AND DETAIN

9. Authority to stop and Search. UNAMIR personnel are authorized to stop all individuals attempting to enter or who are discovered inside any facilities under UNAMIR protection and to request that the individual submit to a consensual search of himself / herself and his/her vehicle where applicable. Any individual not willing to be searched shall be denied access, escorted from the premises or detained as appropriate. Searches of persons and their property are also authorized for the purpose of security. Such searches may be conducted with the minimal use of force necessary.

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

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

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

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

#### CHALLENGE AND ESCALATION PROCEDURES

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

- a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the following sequence:

- (1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;

- (2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;

- b. Charge Weapons. If authorized under State B of ROE No.2 (paragraph 15 refers);
- c. Non-Deadly Force. If warnings are ignored, employ minimal non-deadly force;
- d. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;
- e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed;
- f. Escalation of Deadly Force. Escalatory weapons fire with other weapons systems shall only be on the order of the appropriate commander in accordance with paragraph 6.

#### OPENING FIRE WITHOUT WARNING OR ESCALATION

15. The only circumstance under which it is permissible to open fire without warning or escalation is if an attack by an aggressor comes so unexpectedly that even a moments delay could:

- a. lead to death or serious injury to UNAMIR personnel or to other UN-authorized military or civilian personnel;
- b. lead to death or serious injury to persons who are under the protection of UNAMIR; and
- c. lead to the immediate damage or destruction of UNAMIR property in the circumstances described in paragraph 8.b.(2).

#### PROCEDURE DURING FIRING

16. Any use of firearms as a means of applying deadly force, shall be aimed fire, ie, fired at the centre of the visible mass of the target. Fire must be controlled and will not be indiscriminate. Automatic fire and firing of support weapons will only be used as a last resort and only as authorized under paragraph 6. Fire for effect will only continue as long as it is necessary to achieve the immediate aim. Through fire control orders, the commander on the scene will indicate and control the fire, preferably directed at the leaders or instigators of the threat. Regular situation report will be forwarded through the chain of command.

17. Whenever possible, each escalation in the use of force should be authorized by the chain of command of UNAMIR. A request in clear by radio for authorization to fire can have a calming effect on its own. Permission to use higher level of force must be obtained from the appropriate commander in accordance with paragraph 6. The on-scene commander is responsible for assessing the situation and taking action appropriate to the situation.

#### PROCEDURE AFTER FIRING

18. After firing, commanders should ensure the following actions are taken.

- a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.
- b. Recording. Details of the incident will be recorded, including:
  - (1) date, time and place of firing;
  - (2) unit and personnel involved;
  - (3) the events leading up to the firing;

- (4) why UNAMIR personnel opened fire;
- (5) who or what was fired on;
- (6) the weapons fired; and
- (7) the apparent results of the firing.

- c. Reporting. The above information and the current situation will be reported through the chain of command to Force HQ ATTN Force Commander and Deputy Chief of Staff Operations.

#### PART IV

##### RULES OF ENGAGEMENT

19. Rule No. one:            Authority to Carry Arms

- a. State A: No authority; and
- b. State B: Authority granted to carry weapons.

20. Rule No. Two:            Status of Weapons

- a. State A: Weapons will be carried with loaded magazines.
- b. State B: Weapons will be carried, charged and made safe.

21. Rule No. Three:            Response to Hostile Intent or Hostile Act without the Use of Fire

- a. State A: Observe and report but will withdraw in order to preserve own force.
- b. State B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.
- c. State C: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.
- d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.



22. Rule No. Four:      Disarmament of Paramilitary Personnel or Civilians

- a. State A: No authorization granted.
- b. State B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at the earliest opportunity.

23. Rule No. Five:      Intervention and Warning Shots

- a. State A: Intervention between warring factions is prohibited.
- b. State B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

24. Rule No. Six:      Control of Weapons Systems

- a. State A: Manning, preparation, movement and firing of weapons in the presence of the forces in conflict is prohibited.
- b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:
  - (1) Man (type of system);
  - (2) Prepare (type of system);
  - (3) Move (type of system); and
  - (4) Fire (type of system).

25. There are three ROE states that may apply in any given sector in Rwanda. These states are GREEN, YELLOW and RED and are described on UNAMIR Levels of Readiness/Alert pages in Annex A. In normal circumstances, the ROE status shall be GREEN.

Note: Changes in the normal status of the ROE for UNAMIR Forces as a whole will be ordered by the Force Commander or his delegate. Sector Commanders may order changes in normal status of the ROE for their sectors, if authorized by the Force Commander or his delegate. Contingent Commanders will inform or, if necessary, seek approval from national authority for the change in status.

PART V

CONCLUSION

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

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

Annex:

Annex A Aide-Memoire for Members of UNAMIR.



**INSTRUCTIONS FOR ALL MEMBERS OF  
THE UNAMIR MILITARY COMPONENT  
REGARDING OPENING FIRE IN RWANDA**

1. You are to avoid the use of force, if it is possible to do so, and your conduct must cause the least possible concern, fear or danger to the local population.
2. Your immediate commander will order any change in the states of weapon readiness. While your commander will normally issue the order to open fire, you have the right to use appropriate force in self-defence to protect yourself and those it is your duty to protect. Whenever possible a warning should be given before opening fire (see over).
3. If you have to use force, you must only use the **MINIMUM FORCE** necessary. **MINIMUM FORCE** normally involves the following sequential actions:
  - a. open display of weapons.
  - b. verbal warning.
  - c. barring access to the point being protected.
  - d. physical restraint.
  - e. warning shots.
  - f. pointing weapons, and
  - g. firing weapons.

**WARNINGS**

4. **WARNING BEFORE FIRING.** Whenever possible a warning should be given before firing. The warning should be given in a loud clear voice in ENGLISH/FRENCH or KINYARWANDA:

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

**(PAUSE)**

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

5. **FIRE AFTER WARNING.** After warning you may fire on a person in order to avoid death or grievous bodily harm only if:

- a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND
- b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND
- c. the person refuses to stop when called upon to do so; AND
- d. you believe there is no other way of stopping the person.

6. **FIRE WITHOUT WARNING.** You may fire without warning on a person in order to avoid death or grievous bodily harm only if that person:

- a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR
- b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.

7. If you have to fire, you must account for all rounds expended in an after action report submitted in writing to your immediate commander.

**UNAMIR LEVELS OF READINESS/ALERT**

SER	STATUS	UNITS/HQ	ACTION
1	GREEN	ALL	1. Normal activities 2. ROE: Rule 1-Status B, Rule 2-Status A, Rule 3-Status B, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
2	YELLOW	HQ	1. Planning for next higher status commences. 2. Liaison increased. 3. VIP visits postponed. 4. No leave granted except on compassionate grounds.
		UNITS	1. Precautionary stage. 2. Double sentries. 3. Night movement restricted. 4. Test shelters. 5. Stand To/Local alarm practice. 6. No leave granted except on compassionate grounds. 7. Backup comms/units/wpns. 8. Reserves put on 3 hrs notice to move.
		ALL	ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status C, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
3	RED	HQ	1. General Alert. 2. VIP visits cancelled. 3. No leave granted.
		UNITS	4. Emergency movement only. 5. Special SITREPS to UNHQ. 6. Civilian evacuation if the situation warrants
		ALL	1. Troops in defensive positions. 2. Troops in Stand To positions. 3. Reserves put on one hour notice to move. 4. No leave granted. 5. Troops on duty outside to wear flak jackets.  ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

**RULE ONE: AUTHORITY TO CARRY ARMS**

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

**RULE TWO: STATUS OF WEAPONS**

STATE A: Weapons will be carried with loaded magazines.

STATE B: Weapons will be carried, charged and made safe.

**RULE THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE**

STATE A: Observe and report but will withdraw in order to preserve own forces.

STATE B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.

STATE C: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.

STATE D: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

**RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS**

STATE A: No authorization granted.

STATE B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at earliest opportunity.

**RULE FIVE: INTERVENTION AND WARNING SHOTS**

**STATE A:** Intervention between warring factions is prohibited.

**STATE B:** Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

**RULE SIX: CONTROL OF WEAPON SYSTEMS**

**STATE A:** Manning, preparation, movement and firing of weapons in the presence of forces in conflict is prohibited.

**STATE B:** Designated activity in the presence of the forces in conflict permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).



63 PLANS

UNITED NATIONS

ASSISTANCE MISSION IN RWANDA



NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.8 (PLANS)

To: DISTRIBUTION LIST

From: FC

Date: 6 Oct 94

Subject: RULES OF ENGAGEMENT

Reference: A. HQUNAMIR OPDIR NO. 2 ROE dated 22 Jul 94

B. HQUNAMIR Amendment 1 to OPDIR NO. 2 dated 10 Sep 94

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1. Please find enclosed, for your review and action, the revised Rules of Engagement (ROE) which incorporates the amendments of Reference B into Reference A and adds minor grammar changes to the french version.
2. Commander's at all levels are required:
  - a. to have this directive translated and disseminated to every subordinate under their command; and
  - b. to ensure that every subordinate under their command understands the contents of this document.
3. References A and B are cancelled.

G.C. Tousignant  
Major-General  
Force Commander

Enclosures: 2

Distribution List

Action

MA/FC  
MA/DFC & COS  
DCOS Ops  
DCOS Sp  
HAC  
Tac HQ  
List B  
List D

SECTION 9:OPERATIONAL DIRECTIVE NO. 02RULES OF ENGAGEMENTPART I

1. The conduct of military operations is controlled and regulated by the provision of international and national law, conventions and precedence. In the case of a United Nations (UN) conducted operation, it is the responsibility of the UN to set the parameters within which UN Forces will operate. Rules of Engagement (ROE) are the means by which the UN can provide to commanders at all levels the political and legal direction and guidance on the use of Force by UN personnel. ROE are drafted by the Force Commander, but are approved by the UN and may only be changed with UN authority.

2. These UNAMIR ROE are provided for UN Forces operating under the auspices of UN Security Council Resolution 925 dated 8 June 1994, which states in paragraph 4 that:

"... the consolidated mandate of UNAMIR includes the following:

- (a) To contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;
- (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and
- (c) To act as an intermediary between the parties in an attempt to secure their agreement to a ceasefire;..."

Paragraph 5 of the resolution particularly recognizes that:

"UNAMIR may be required to take action in self-defence against persons or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief." Therefore circumstances could arise where the use of force by UNAMIR personnel could be necessary and justified.

PART IIDEFINITIONS

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



- a. Force. The use of physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.
- b. Self-Defence. The use of force to protect:
  - (1) oneself 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, or
  - (5) other UN-authorized military or civilian personnel, against a hostile act or hostile intent, where there is no other choice or time for deliberation.
- c. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 3.b. above.
- d. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 3.b. above.
- e. Minimum Force. The minimum degree of authorized force which is necessary, reasonable and lawful in the circumstances.
- f. Collateral Damage. Damage to persons or property adjacent to, but not part of an authorized target.
- g. Non-deadly force. Any physical means of forcing compliance that does not pose a risk of death or serious bodily harm to the individual against whom the force is directed. This is usually through the use of physical force short of the use of firearms or other deadly weapons. Examples include: pushing and lesser forms of striking or hitting, and physically or mechanically restraining persons. Warning shots are non-deadly force, even though they involve the use of firearms.
- h. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

### PART III

#### INSTRUCTIONS ON THE USE OF FORCE

##### APPLICABILITY

4. The ROE stated in this directive apply to all personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 925 dated 8 June 1994. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission.

##### COMMANDERS' RESPONSIBILITY

5. Commanders at all levels are required:
- a. to have this directive translated and disseminated to every subordinate under their command; and
  - b. to ensure that every subordinate under their command understands the contents of this document.

##### AUTHORIZATION LEVELS FOR THE USE OF FORCE

6. The use of deadly force for the different types of weapons will be authorized as follows:

- a. Force Commander or His Delegate:
  - (1) heavy support weapons (ie. rocket launchers, artillery pieces, light mortars, etc.); and
  - (2) heavy machine guns or cannons ( .50 cal, 20mm, etc.);
- b. In situations which are life threatening to UNAMIR troops, members of their unit or those they are ordered to protect, soldiers may use the following weapons:
  - (1) medium machine guns (i.e. FN MAG, M60, etc.)
  - (2) light machine guns; and
  - (3) all personal weapons on automatic or single shot fire.
- c. In situations which are not life threatening to soldiers, members of their unit or those they are ordered to protect, the use of deadly force for different types of weapons will be authorized as follows:
  - (1) Sector Commanders:
    - (a) medium machine guns (i.e. FN MAG, M60, etc.)

(b) light machine guns; and

(c) all personal weapons on automatic fire.

(2) Battalion Commander Down to NCO Level at the Scene of a Threat.

(a) Personal weapons for single shot fire.

NOTE: Commanders should be aware when using weapons of the principles of military necessity and proportionality.

PRINCIPLES FOR USE OF FORCE

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

- a. if possible, negotiation and warnings must be exhausted before any use of force is initiated;
- b. only the minimum non-deadly and deadly force consistent with achieving the immediate aim shall be employed;
- c. except where authorized under paragraph 11, the escalation of force procedures pursuant to paragraph 14 must be exhausted before the use of any deadly force is initiated;
- d. deadly force is justified only under conditions of extreme necessity and as a last resort when all lesser means have failed or cannot reasonably be employed;
- e. escalation of the level of violence is to be minimized;
- f. collateral damage is to be minimized;
- g. the use of force in retaliation is prohibited; and
- h. use of force shall be controlled by the on-scene commander and is to cease once the aim has been achieved.

AUTHORITY TO USE FORCE

8. Force may be used as follows:

- a. Non-Deadly Force. UNAMIR personnel are authorized to use non-deadly force in the following circumstances:
  - (1) in self-defence ( as defined in paragraph 3.b.) against unarmed aggression;
  - (2) against unarmed attempts at infiltration or envelopment of UNAMIR units, compounds or locales;
  - (3) when UNAMIR premises are violated in unarmed attempts to steal UNAMIR property or property under the protection of the UN;

(4) when unarmed attempts are made to abduct or detain UNAMIR civilian or military personnel; and

(5) when unarmed attempts are made to prevent UNAMIR personnel from carrying out their responsibilities as ordered by their commanders.

b. Deadly Force. UNAMIR personnel are authorized to use deadly force in the following circumstances:

(1) in self- defence (as defined in paragraph 3.b.) against persons committing a hostile act or exhibiting hostile intent;

(2) to protect from damage or destruction, property or installations belonging to or under the protection of UNAMIR, including protected sites and the means for the distribution and delivery of humanitarian relief:

(a) which have been designated by the unit Commanding Officer, in consultation with the Force Commander, as essential to the success of the UNAMIR mission,

(b) which justify protection through the use of deadly force, and

(c) where there is no way to prevent the damage or destruction;

(3) to overcome forcible attempts to prevent UNAMIR Force discharging its duties, when authorized by the Force Commander;

(4) to resist armed attempts to disarm, abduct or detain UNAMIR military or civilian personnel;

(5) to resist armed attempts to compel UNAMIR personnel to withdraw from protection areas they were ordered to occupy by the Force Commander or his delegate; and

(6) to resist armed attempts to cut off a UNAMIR force.

#### AUTHORITY TO SEARCH AND DETAIN

9. Authority to stop and Search. UNAMIR personnel are authorized to stop all individuals attempting to enter or who are discovered inside any facilities under UNAMIR protection and to request that the individual submit to a consensual search of himself / herself and his/her vehicle where applicable. Any individual not willing to be searched shall be denied access, escorted from the premises or detained as appropriate. Searches of persons and their property are also authorized for the purpose of security. Such searches may be conducted with the minimal use of force necessary.



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

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

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

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

#### CHALLENGE AND ESCALATION PROCEDURES

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

- a. Verbal or Visual Warning. Warn the aggressor to stop the activity, which in normal circumstances, should follow the following sequence:
  - (1) depending on the circumstances, a warning may be given orally, by a sign or by illumination (ie, hand-held red flares, search-lights, etc.). The issuance of a warning should also be passed up the chain of command with continuous Situation Reports;
  - (2) repeat the verbal or visual warning as many times as is necessary to ensure understanding or compliance;
- b. Charge Weapons. If authorized under State B of ROE No.2 (paragraph 15 refers);
- c. Warning Shots. If the threat continues, employ aimed warning shots in a safe direction so that there is no danger of personal injury or collateral damage;
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16. Any use of firearms as a means of applying deadly force, shall be aimed fire, ie, fired at the centre of the visible mass of the target. Fire must be controlled and will not be indiscriminate. Automatic fire and firing of support weapons will only be used as a last resort and only as authorized under paragraph 6. Fire for effect will only continue as long as it is necessary to achieve the immediate aim. Through fire control orders, the commander on the scene will indicate and control the fire, preferably directed at the leaders or instigators of the threat. Regular situation report will be forwarded through the chain of command.

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## PART V

### CONCLUSION

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THE UNAMIR MILITARY COMPONENT  
REGARDING OPENING FIRE IN RWANDA**

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2. Your immediate commander will order any change in the states of weapon readiness. While your commander will normally issue the order to open fire, you have the right to use appropriate force in self-defence to protect yourself and those it is your duty to protect. Whenever possible a warning should be given before opening fire (see over).
3. If you have to use force, you must only use the **MINIMUM FORCE** necessary. **MINIMUM FORCE** normally involves the following sequential actions:
  - a. open display of weapons.
  - b. verbal warning.
  - c. barring access to the point being protected.
  - d. physical restraint.
  - e. warning shots.
  - f. pointing weapons, and
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HAGARARA, AMABOKO HEJURU

(PAUSE)

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

5. **FIRE AFTER WARNING.** After warning you may fire on a person in order to avoid death or grievous bodily harm only if:

- a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND
- b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND
- c. the person refuses to stop when called upon to do so; AND
- d. you believe there is no other way of stopping the person.

6. **FIRE WITHOUT WARNING.** You may fire without warning on a person in order to avoid death or grievous bodily harm only if that person:

- a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR
- b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.

7. If you have to fire, you must account for all rounds expended in an after action report submitted in writing to your immediate commander.

**UNAMIR LEVELS OF READINESS/ALERT**

SER	STATUS	UNITS/HQ	ACTION
1	GREEN	ALL	1. Normal activities 2. ROE: Rule 1-Status B, Rule 2-Status A, Rule 3-Status B, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
2	YELLOW	HQ	1. Planning for next higher status commences. 2. Liaison increased. 3. VIP visits postponed. 4. No leave granted except on compassionate grounds.
		UNITS	1. Precautionary stage. 2. Double sentries. 3. Night movement restricted. 4. Test shelters. 5. Stand To/Local alarm practice. 6. No leave granted except on compassionate grounds. 7. Backup comms/units/wpns. 8. Reserves put on 3 hrs notice to move.
		ALL	ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status C, Rule 4-Status A, Rule 5-Status A, Rule 6-Status A.
3	RED	HQ	1. General Alert. 2. VIP visits cancelled. 3. No leave granted.
		UNITS	4. Emergency movement only. 5. Special SITREPS to UNHQ. 6. Civilian evacuation if the situation warrants
		ALL	1. Troops in defensive positions. 2. Troops in Stand To positions. 3. Reserves put on one hour notice to move. 4. No leave granted. 5. Troops on duty outside to wear flak jackets.  ROE: Rule 1-Status B, Rule 2-Status B, Rule 3-Status D, Rule 4-Status B, Rule 5-Status B, Rule 6-Status B.



AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

**RULE ONE: AUTHORITY TO CARRY ARMS**

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

**RULE TWO: STATUS OF WEAPONS**

STATE A: Weapons will be carried with loaded magazines.

STATE B: Weapons will be carried, charged and made safe.

**RULE THREE: RESPONSE TO HOSTILE INTENT OR HOSTILE ACT WITHOUT THE USE OF FIRE**

STATE A: Observe and report but will withdraw in order to preserve own forces.

STATE B: Stay in place. Make contact and establish liaison with opposing force(s) and/or local authorities concerned.

STATE C: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means without opening fire.

STATE D: Observe and report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorized.

**RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS**

STATE A: No authorization granted.

STATE B: Authorization is granted. In doing so, use minimum force and escalate to include use of deadly force if hostile intent is exhibited or a hostile act is committed. Hand over to appropriate authority at earliest opportunity.

**RULE FIVE: INTERVENTION AND WARNING SHOTS**

STATE A: Intervention between warring factions is prohibited.

STATE B: Intervention with deadly force against positively identified and designated targets only after warning shots have been fired as part of the warning process.

**RULE SIX: CONTROL OF WEAPON SYSTEMS**

STATE A: Manning, preparation, movement and firing of weapons in the presence of forces in conflict is prohibited.

STATE B: Designated activity in the presence of the forces in conflict permitted but will be specified by the following notes:

- (1) Man (type of system);
- (2) Prepare (type of system);
- (3) Move (type of system); and
- (4) Fire (type of system).



**SECTION 9 :****DIRECTIVE OPERATIONNELLE NO. 02****REGLEMENT D'ENGAGEMENT****1 ère PARTIE**

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

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

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

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

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

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

Le paragraphe 5 de la résolution reconnaît particulièrement que:

"La MINUAR peut être obligé de prendre une action d'auto défense contre des personnes ou même des groupes s'attaquant soit à des sites ou des populations protégés, soit au personnel humanitaire ou des Nations Unies ou soit aux autres équipements de livraison et de distribution de l'aide humanitaire." Par conséquent, des circonstances peuvent surgir où l'usage de la force par le personnel de la MINUAR pourrait être nécessaire et justifié.

## DEUXIEME PARTIE

### DEFINITIONS

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

- a. La force. L'usage des moyens physiques pour imposer sa volonté. La force militaire est l'usage des moyens physiques fournis par des corps de troupes formés, armés et disciplinés sous un commandement unifié pour atteindre une même fin, ceci impliquant généralement la possibilité de l'usage de la violence à des niveaux importants.
- b. Auto-défense. L'usage de la force pour protéger:
  - (1) soi-même et le personnel de son unité,
  - (2) autre personnel militaire ou civil de la MINUAR,
  - (3) le personnel d'assistance humanitaire n'appartenant pas à la MINUAR,
  - (4) des personnes déplacées, réfugiées ou civiles se trouvant dans des sites ou parmi des populations sous la protection des forces de la MINUAR, ou
  - (5) autre personnel militaire ou civil autorisé par les Nations Unies, contre une intention ou un acte hostile où l'on n'a pas d'autre choix ni le temps de délibérer.
- c. Acte hostile. Un acte hostile est une attaque ou autre emploi de la force contre les entités énumérées au paragraphe 3.b. ci-dessus.
- d. Intention hostile. Une intention hostile est une menace d'usage imminent de la force contre les entités énumérées au paragraphe 3.b. ci-dessus.
- e. Force minimale. Le degré minimum de force autorisée qui est nécessaire, raisonnable et légale dans les circonstances.
- f. Domage collatéral. Domage causé aux personnes ou aux biens adjacents mais ne faisant pas partie de la cible autorisée.

- g. Force non-mortelle. Tout moyen physique pour contraindre à accepter qui ne comporte pas de risque de mort ou de dommage physique grave contre l'individu sur lequel la force est exercée. Il s'agit généralement de l'usage de la force moins l'emploi des armes à feu ou d'autres armes mortelles. Les exemples comprennent le fait de pousser et donner des formes de coups légers, contraindre des personnes par des moyens physiques ou mécaniques. Des tirs d'avertissement relèvent de la force non-mortelle même si ça comporte l'usage des armes à feu.
- h. Force mortelle. C'est le dernier degré dans l'usage de la force. Il s'agit de ce niveau où la force exercée vise à causer ou peut causer la mort ou un dommage corporel grave indépendamment de l'effet réel qui en résulte.

### TROISIEME PARTIE

#### INSTRUCTIONS SUR L'USAGE DE LA FORCE

##### DOMAINE D'APPLICATION

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

##### LA RESPONSABILITE DES COMMANDANTS

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

##### NIVEAUX D'AUTORISATION POUR FAIRE USAGE DE LA FORCE

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

a. Le commandant de la Force ou son Représentant

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

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

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

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

(2) mitrailleuses légères; et

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

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

(1) Commandants de Secteurs :

(a) mitrailleuses moyennes (càd. FN MAG, M60, etc.);

(b) mitrailleuses légères; et

(c) toute arme personnelle automatique.

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

(a) Armes personnelles non-automatiques.

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

PRINCIPES REGISSANT L'USAGE DE LA FORCE

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

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

- b. Il faudra employer seulement le minimum de la force mortelle ou non-mortelle requis pour atteindre l'objectif immédiat;
- c. Excepté là où c'est autorisé sous le paragraphe 11, l'échelle des procédures de force selon le paragraphe 14 doit être épuisée avant de faire appel à l'usage de la force mortelle;
- d. La force mortelle est justifiée seulement dans des conditions d'extrême nécessité et en dernier ressort quand tous les moyens plus simples ont échoué ou ne peuvent pas être pratiquement employés;
- e. La violence utilisée doit être réduite au minimum;
- f. Les dommages secondaires doivent être réduits au minimum;
- g. L'usage de la force en représailles est interdit; et
- h. L'usage de la force est contrôlé par le commandant présent sur la scène et il doit cesser une fois que l'objectif a été atteint.

#### PERMISSION DE FAIRE USAGE DE LA FORCE

8. La force peut être employée comme suit:

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



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

(1) en cas d'auto-défense (telle que définie au paragraphe 3.b.) contre des personnes qui posent un acte hostile ou montrent une intention hostile;

(2) pour protéger, contre dommage ou destruction, des biens ou installations appartenant à ou placés sous la protection de la MINUAR, y compris des sites protégés ainsi que les moyens de livraison et de distribution de l'aide humanitaire:

(a) qui ont été jugés essentiels pour le succès de la mission de la MINUAR par l'officier chargé du commandement de l'unité en consultation avec le Commandant de la Force,

(b) qui justifient la protection moyennant l'usage d'une force mortelle, et

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

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

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

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

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

#### AUTORISATION DE FOUILLE ET DE DETENTION

9. Autorisation de stopper et de fouiller. Le personnel de la MINUAR est autorisé à arrêter tout individu qui tente d'entrer ou qui est découvert à l'intérieur des bâtiments sous la protection de la MINUAR et d'exiger de lui ou d'elle de se soumettre à une fouille unanime de soi-même et de son véhicule, le cas échéant. A toute personne qui n'accepte pas d'être fouillée on lui refusera l'accès et elle sera conduite hors du bâtiment sous escorte ou détenue selon les normes en vigueur. Des fouilles de personnes

ainsi que de leurs biens sont aussi autorisées pour les besoins de la sécurité. De telles fouilles peuvent être menées avec le minimum nécessaire d'usage de la force.

10. Autorisation de détention. Les personnes ne seront détenues que quand elles auront commis un acte hostile, affiché une intention hostile, mené toute activité qui requerrait l'usage de la force contre elles tel que stipulé par le paragraphe 8.

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

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

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

#### PROCEDURES DE DEFI ET D'ESCALADE

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

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

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

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



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

#### TIR SANS AVERTISSEMENT OU ESCALADE.

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

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

#### PROCEDURE DANS LE PROCESSUS D'OUVRIR LE FEU.

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

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

17. Chaque fois que possible, l'intensification de l'usage de force devrait être autorisée par la chaîne de commandement de la MINUAR. Un appel explicite par radio pour demander l'autorisation d'ouvrir le feu peut à lui seul provoquer un effet pacificateur. La permission de passer à un niveau supérieur de force doit être obtenue du commandant habilité en conformité avec le paragraphe 6. Le commandant sur place est responsable de l'évaluation de la situation et de la prise d'une action appropriée à la situation.

#### PROCEDURE APRES L'OUVERTURE DU FEU.

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

- a. Action médicale. Toute personne blessée, y compris celles sur lesquelles le personnel de la MINUAR a tiré, bénéficiera de l'assistance de première nécessité à condition qu'une telle action puisse se faire sans mettre davantage en danger les vies du personnel de la MINUAR.
- b. Enregistrement. Les détails sur l'incident seront enregistrés, y compris:
  - (1) la date, l'heure et le lieu où l'ouverture du feu a eu lieu;
  - (2) l'unité et le personnel impliqués;
  - (3) les événements qui ont conduit à l'ouverture du feu;
  - (4) pourquoi le personnel de la MINUAR a ouvert le feu;
  - (5) sur qui ou quoi est-ce qu'on a tiré;
  - (6) les armes utilisées; et
  - (7) le résultat apparent des coups tirés.
- c. Rapport. Les informations ci-haut ainsi que la situation qui prévaut doivent être transmises à travers la chaîne de commandement au Quartier Général de la Force à l'attention du Commandant de la Force et de l'Officier Chef des Opérations.

#### QUATRIEME PARTIE

##### REGLES D'ENGAGEMENT

19. Règle No. Un: Autorisation de porter des armes a feu
- a. Situation A : Pas d'autorisation; et
  - b. Situation B : Autorisation accordée de porter des armes a feu.
20. Règle No. Deux: Etat des armes
- a. Situation A: Les armes seront portées avec des chargeurs remplis.
  - b. Situation B: Les armes seront portées chargées mais sécurisées.
21. Règle No. Trois: Riposte à une intention ou un acte hostile sans faire usage des armes a feu
- a. Situation A : Observer et transmettre un rapport, mais se retirer en vue de préserver sa propre force.
  - b. Situation B : Rester sur place. Contacter et établir une liaison avec la(les) force(s) opposée(s) et/ou les autorités locaux concernées.
  - c. Situation C : Observer et faire un rapport. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre fermeté par des moyens appropriés sans ouvrir le feu.
  - d. Situation D : Observer et faire un rapport. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre fermeté par des moyens appropriés. L'usage de l'arme a feu à titre démonstratif est autorisé.

22. Règle No. Quatre : Désarmement du personnel paramilitaire ou des civils.

- a. Situation A : Aucune autorisation.
- b. Situation B : Autorisation accordée. Au cours du désarmement, faire usage de force minimum et monter jusqu'à l'usage de force mortelle si une intention hostile est démontrée ou un acte hostile est commis. Remettre l'affaire à l'autorité appropriée à la première occasion.

23. Règle No. Cinq : Intervention et tir d'avertissement

- a. Situation A : L'intervention entre les partis en guerre est interdite.
- b. Situation B : Intervenir avec une force mortelle contre des cibles bien identifiées et désignées après que des coups d'avertissement aient été tirés dans le cadre du processus d'avertissement.

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

- a. Situation A : Il est interdit d'obtenir, préparer, déplacer et de faire usage des armes à feu en présence des forces en conflit.
- b. Situation B : L'activité nommée ci-haut peut se dérouler en présence des forces en conflit mais elle sera spécifiée par les notes suivantes:

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

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

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

#### CINQUIEME PARTIE

#### CONCLUSION

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

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

#### Annexe:

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



**DIRECTIVES POUR TOUT LE PERSONNEL MILITAIRE DE LA MININUAR  
CONCERNANT L'OUVERTURE DU FEU AU RWANDA.**

1. Vous devez éviter l'usage de la force, si c'est possible de le faire, et votre comportement doit causer le moins d'inquiétude, de peur ou de danger possible à la population locale.
2. Votre commandant immédiat pourra ordonner des changements dans les niveaux de préparation d'armes. Alors que normalement votre commandant donnera l'ordre d'ouvrir le feu, vous avez le droit de faire usage de la force nécessaire en cas d'auto-défense pour vous protéger vous-même et ceux dont il est votre devoir de protéger. Chaque fois que possible, un avertissement devra être donné avant d'ouvrir le feu (voir verso).
3. Si vous devez absolument faire usage de la force, vous ne devez employer que le **MINIMUM DE FORCE** nécessaire. Normalement, le **MINIMUM DE FORCE** implique la succession des actions suivantes:
  - a. exhibition d'armes.
  - b. avertissement verbal.
  - c. refus d'accès à l'endroit sous protection.
  - d. restriction physique.
  - e. tirs d'avertissement.
  - f. pointer les armes, et
  - g. faire feu.

**AVERTISSEMENTS**

4. **AVERTISSEMENT AVANT D'OUVRIR LE FEU.** Chaque fois que c'est possible, un avertissement doit être donné avant de tirer. L'avertissement doit être clairement donné à haute voix en ANGLAIS/FRANCAIS ou en KINYARWANDA:

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

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



5. FAIRE FEU APRES AVERTISSEMENT. Après avertissement, vous pouvez tirer sur une personne afin d'éviter la mort ou un dommage corporel grave si et seulement si:

- a. la personne porte une arme dangereuse (ex. une arme à feu, un engin improvisé pour faire feu ou une machète); ET
- b. vous croyez que la personne est sur le point de vous attaquer vous-même, votre unité, ou toute personne dont il est votre devoir de protéger; ET
- c. la personne refuse de s'arrêter quand elle est appelée à le faire; ET
- d. vous estimez qu'il n'y a pas d'autre moyen d'arrêter la personne.

6. FAIRE FEU SANS AVERTISSEMENT. Vous pouvez tirer sur une personne sans avertissement en vue d'éviter la mort ou un dommage corporel grave si et seulement si la personne:

- a. a employé ou est entrain d'employer une arme à feu ou autre arme dangereuse contre vous, votre unité ou des personnes dont il est votre devoir de protéger; OU
- b. porte ce que vous estimez une arme dangereuse, ET elle est visiblement sur le point de l'employer, ET vous estimez qu'il n'y a pas d'autre moyen de vous protéger vous-même, votre unité, ou les personnes dont il est votre devoir de protéger.

7. Si vous devez absolument tirer, vous devez rendre compte de tous les coups tirés dans un rapport rédigé et soumis à votre commandant immédiat après l'action menée.

NIVEAUX DE PREPARATION/ALERTE DE LA MINUAR

No	SITUATION	UNITES/QG	ACTION
1	VERTE	TOUS	1. Activités normales 2. RDE: Règle 1-Situation B, Règle 2-Situation A, Règle 3- Situation B, Règle 4- Situation A, Règle 5-Situation A, Règle 6- Situation A.
2	JAUNE	QG	1. Début de préparation pour la situation qui suit. 2. Augmentation des liaisons. 3. Visites des personnalités importantes annulées. 4. Pas de congé excepté pour des raisons humanitaires.
		UNITES	1. Stade de précaution. 2. Double Sentinelle. 3. Restriction du mouvement nocturne. 4. Tester les abris. 5. Alerter les troupes. 6. Pas d'accord de congé sauf pour des raisons humanitaires. 7. Consolider les communications, les unités et les armes. 8. 3 heures de préparation accordées aux troupes en réserve pour se mettre en mouvement.
		TOUS	RDE: Règle 1-Situation B, Règle 2-Situation B, Règle 3-Situation C, Règle 4-Situation A, Règle 5-Situation A, Règle 6-situation A.

3	ROUGE	QG	1. Alerte générale. 2. Visites des personnalités importantes annulées. 3. Pas de congé. 4. Seuls les mouvements d'urgence sont permis. 5. Envoi des rapports spéciaux sur la situation au Quartier Général des Nations Unies. 6. Evacuation des civils si la situation le permet.
		UNITES	1. Les troupes en position défensive. 2. Les troupes en position d'alerte. 3. Une heure de préparation accordée aux troupes en réserve pour se mettre en mouvement. 4. Pas d'accord de congé. 5. Les troupes de garde à l'extérieur portent des flak jackets.
		TOUS	RDE: Règle 1-Situation B, Règle 2-Situation B, Règle 3-Situation D, Règle 4-Situation B, Règle 5-Situation B, Règle 6-Situation B.

AIDE MEMOIRE - REGLES D'ENGAGEMENT

NOTE: La situation VERTE est encadrée.

REGLE UNE:       AUTORISATION DE PORTER DES ARMES A FEU

SITUATION A:    Pas d'autorisation.

SITUATION B:    Autorisation accordée de porter des armes a feu.

REGLE DEUX:     ETAT DES ARMES

SITUATION A:    Les armes seront portées avec des chargeurs remplis.

SITUATION B:    Le armes seront chargées mais sécurisées.

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

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

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

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

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

**REGLE QUATRE: DESARMEMENT DU PERSONNEL PARAMILITAIRE OU DES CIVILS**

**SITUATION A:** Pas d'autorisation.

**SITUATION B:** Autorisation accordée. Au cours de cette activité, faire usage de force minimum et monter jusqu'à l'emploi de la force mortelle si une intention hostile est démontrée ou un acte hostile commis. Remettre l'affaire à l'autorité appropriée à la première occasion.

**REGLE CINQ: INTERVENTION ET TIR D'AVERTISSEMENT**

**SITUATION A:** Intervention interdite.

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

**REGLE SIX: CONTROLE DES SYSTEMES D'ARMES**

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

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

- (1) Obtenir (type de système);
- (2) Préparer (type de système);
- (3) Déplacer (type de système); et
- (4) Faire feu (type de système).