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63 OPERATIONS/PLANS - STANDARD
OPERATING PROCEDURES

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UNAMIR FORCE SOPS

PART ONE - INTRODUCTION

SOP AUTHORIZATION
AMENDMENT RECORD SHEET
TABLE OF CONTENTS
DISTRIBUTION LIST
DEFINITIONS
ABBREVIATIONS

SECTION ONE	- BACKGROUND OF PEACEKEEPING
SECTION TWO	- HISTORICAL BACKGROUND
SECTION THREE	- UNAMIR MANDATE
SECTION FOUR	- OPERATIONAL DIRECTIVES
SECTION FIVE	- SECURITY AND PROMULGATION
ANNEX A	- GEOGRAPHICAL DEPLOYMENT
ANNEX B	- UNAMIR MANDATE UN RESOLUTION

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SECTION 1 - BACKGROUND OF PEACEKEEPING

1. Each United Nations peacekeeping operation has its Standard Operating Procedures (SOPS), which contain a set of instructions for all aspects of its operations and administration. The SOPS are prepared by the Commander and his staff and are revised as necessary to keep them relevant.

2. Each mission's SOPS vary according to the specific requirements of the particular mandate, the concept of operations, and the political and military context within which the mission operates. Given the diversity of peacekeeping missions undertaken by the United Nations, it would be impossible to design one set of SOPS adequate to the needs of them all.

3. However, there are many procedures which have been found to be common to most peacekeeping operations conducted over the past four decades. For the sake of efficiency, and to maintain some sort of consistency among missions, it is important to try to keep to a common core of procedures. To this end, these SOPS draw on the lessons learned in other missions as much as possible.

4. These SOPS will be reviewed once a year and revised as necessary by the DFC and Chiefs of Branches.

1-1-1

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SECTION 2 - HISTORICAL BACKGROUND

Geographical Description

1. The landlocked Republic of Rwanda, in East Central Africa, is bounded on the North by Uganda, on the East by Tanzania, on the South by Burundi and on the West by Zaire. Rwanda lies on the great East African plateau. It is a small country with an area of 26,338 square kms. Prior to the crisis in the spring of 1994 it had an estimated population of 8 million.

History and Government

2. Rwanda developed into a highly centralized Kingdom ruled by the pastoral Tutsi minority, which arrived in the 14th to 16th centuries. The agricultural Hutu majority, which reached the area in the 7th to 10th centuries, served the Tutsi in exchange for protection and the use of cattle. The area was a German protectorate from 1899 to 1916 and subsequently was part of Belgian-administered Rwanda-Urundi.

3. Many Tutsi were driven from Rwanda by the Belgians in the 1940s for advocating independence; even more fled to escape ethnic strife in 1959. In 1961, Rwanda abolished the monarchy and declared itself a Republic; its independence was not internationally recognized until July 1, 1962. Since independence, Rwanda's history has been marked by ethnic conflicts. Maj Gen Juvenal Habyarimaja took power in a bloodless coup in 1973 and continued to serve as president until killed in April of 1994. Prior to his death a new constitution had been worked out in an attempt to resolve the tensions between Hutu and Tutsi elements. It provided for a multiparty system headed by a premier but with executive power in the hands of a president, who was limited to two consecutive 5 year terms. On the 16th of March 1993 the Government of Rwanda and the Rwandese Patriotic Front agreed to hold talks to achieve a comprehensive peace agreement. The talks were supported by the Organization of African Unity and facilitated by the United Republic of Tanzania. A United Nations good will mission was launched to lend the support of the international community to the peace process.

1-2-1

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SECTION 3 - UNAMIR MANDATE

Creation of UNAMIR

1. In its resolution 812 (1993) of 12 March 1993, the Security Council invited the Secretary-General to examine, in consultation with the OAU, the contribution that the United Nations, could make to strengthen the peace process in Rwanda. The possibility of an international force under the aegis of OAU and the United Nations was also examined.

2. The Security Council, in its resolution 846 (1993) of 22 June 1993, established the United Nations Observer Mission Uganda-Rwanda (UNOMUR).

3. In the same resolution, the Security Council urged both the Government of Rwanda and the RPF to conclude a comprehensive peace agreement and also requested the Secretary-General to monitor the progress of peace talks which were being held at Arusha, United Republic of Tanzania. The Council further requested the Secretary-General to report on the contribution the United Nations could make to assist the OAU in the implementation of a comprehensive peace agreement and to begin contingency planning to meet the anticipated need.

4. In his report dated 24 August 1993, the Secretary-General informed the Council that a peace agreement between the Government of Rwanda and RPF had been signed in Arusha on 4 August 1993. The two parties agreed that the war between them had come to an end and declared that they would spare no effort to promote national unity and reconciliation. They also agreed that all the six protocols of agreement which they had concluded and signed during the Arusha talks would be attached to the peace agreement.

5. The Secretary-General submitted a reconnaissance report to the Council on 24 September 1993. The reconnaissance report outlined the functions that a neutral international force might carry out to facilitate the implementation of the Arusha peace agreement. The report also assessed the human and financial resources that would be needed.

6. The reconnaissance mission carried out a detailed survey of the armed forces belonging to each of the parties, including their respective structures and equipment, troop dispositions and relative strategic importance of the positions occupied. The reconnaissance team also received detailed briefings from the Commander of the Neutral Military

1-3-1

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Observer Group (NMOG II) on its present status and role in Rwanda. NMOG II had replaced a previous NMOG I force in August 1993 and was currently made up of personnel from OAU member countries. Both NMOG I and NMOG II had a mandate to monitor and supervise the implementation of a cease-fire between the two parties in a de-militarized zone.

7. The reconnaissance mission assessed the essential requirements of a monitoring mission in Rwanda. This included an assessment of the following areas: cease-fire compliance in the demilitarized zone (DMZ), establishment of cantonment and assembly areas for weapons and personnel, mine clearance, security of humanitarian aid efforts, return of refugees and displaced persons, disarming and demobilization of armed personnel and restructuring of the Rwandese Defence Forces and the Gendarmerie. The mission also considered arrangements that could enhance various humanitarian activities.

8. In the light of the signing of the Arusha peace agreement and, on the basis of the findings of the reconnaissance mission, the Secretary-General recommended, in his third report, that the Security Council authorize the establishment of a United Nations Assistance Mission in Rwanda, to be known as UNAMIR, with a mandate to contribute to the establishment and maintenance of a climate conducive to the installation and functioning of a transitional government.

9. The Security Council, having considered the report of the Secretary-General, adopted resolution 872 (1993) of 5 October 1993 by which the Council decided to establish under its authority the United Nations Assistance Mission in Rwanda (UNAMIR) for a period of six months. The Council decided to establish UNAMIR subject to the proviso that it would be extended beyond the initial period only if a review by the Council indicated substantive progress had been made towards the implementation of the Arusha peace agreement.

10. In the same resolution, the Security Council approved the proposal that the United Nations Mission Uganda-Rwanda (UNOMUR), which had been established by resolution 846 (1993), should be integrated into (UNAMIR). In addition, the Council welcomed the efforts of the OAU in helping to implement the Arusha peace agreement, in particular the integration of NMOG II within UNAMIR.

11. The Security Council further approved the proposal that the deployment and withdrawal of UNAMIR should be carried out in stages and noted in this connection that UNAMIR's mandate, if extended, was expected to terminate following national elections and the installation of a new government in Rwanda; events scheduled to occur by October 1995, but no later than December 1995.

1-3-2

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12. The initial tasks of Resolution 872, gave to UNAMIR the mandate:

- a. To contribute to the security of the city of Kigali within a weapons secure area established by the parties in and around the city of Kigali;
- b. To monitor observance of the cease-fire agreement, which called for the establishment of cantonment and assembly points and the demarcation of the new demilitarized zone and assembly zones;
- c. To monitor the security situation during the final period of the transitional government's mandate leading up to the elections;
- d. To assist with mine clearance, primarily through training programs;
- e. To investigate instances of alleged non-compliance with the provisions of Arusha Peace Agreement;
- f. To monitor the process of repatriation of Rwandese refugees and resettlement of displaced persons;
- g. To assist in the coordination of humanitarian assistance activities; and
- h. To investigate and report on incidents regarding the activities of the Gendarmerie and police.

RESOLUTION 918 (1994)

13. Subsequent to the assassination of President Habyarmana and the terrible events that unfolded in the days immediately following his death, the Security Council agreed to the evacuation of most of UNAMIR. In the chaos that swept Rwanda in the months of April and May, there seemed no other course open. However, it soon became apparent that UNAMIR would have a role to play in the event that hostilities came to an end. The Security Council, at the urging of the Force Commander, MGen Dallaire, adopted the following resolution:

- a. REAFFIRMING all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission in Rwanda (UNAMIR),

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- b. Strongly condemning the ongoing violence in Rwanda and particularly condemning the very numerous killings of civilians which have taken place in Rwanda and the impunity with which armed individuals have been able to operate and continue operating therein,
- c. Stressing the importance of the Arusha Peace Agreement to the peaceful resolution of the conflict in Rwanda and the necessity for all parties to recommit themselves to its full implementation,
- d. Commending the efforts of the Organization of African Unity (OAU) and its organs, as well as the efforts of the Tanzanian Facilitator, in providing diplomatic, political, and humanitarian support for the implementation of the relevant resolutions of the Council,
- e. Deeply concerned that the situation in Rwanda, which has resulted in the death of many thousands of innocent civilians, including women and children internal displacement of a significant percentage of the Rwandan population, and the massive exodus of refugees to neighbouring countries, constitutes a humanitarian crisis of enormous proportions,
- f. Expressing once again its alarm at continuing reports of systematic, widespread and flagrant violations of international humanitarian law in Rwanda, as well as other violations of the rights to life and property,
- g. Recalling in this context that the killing of members of an ethnic group with the intention of destroying such a group, in whole or in part, constitutes a crime punishable under international law,
- h. Strongly urging all parties to cease forthwith any incitement, especially through the mass media, to violence or ethnic hatred,
- j. Recalling also its request to the Secretary-General to collect information on the responsibility for the tragic incident that resulted in the death of the Presidents of Rwanda and Burundi,

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- k. Recalling further that it had requested the Secretary-General to make proposals for the investigation or reports of serious violations of international humanitarian law during the conflict,
 - l. Underlining the urgent need for coordinated international action to alleviate the suffering of the Rwandan people and to help restore peace in Rwanda, and in this connection welcoming cooperation between the United Nations and the OAU as well as with countries of the region, especially the facilitator of the Arusha peace process,
 - m. Desiring in this context to expand the mandate of UNAMIR of humanitarian purposes, and stressing the importance it attaches to the support and cooperation of the parties for the successful implementation of all aspects of that mandate,
 - n. Reaffirming its commitment to the unity and territorial integrity of Rwanda,
 - o. Recognizing that the people of Rwanda bear ultimate responsibility for national reconciliation and reconstruction of their country.
 - p. Deeply disturbed by the magnitude of the human suffering caused by the conflict and concerned that the continuation of the situation in Rwanda constitutes a threat to peace and security in the region,
14. Due to an unsubstantive progress:
- a. Demands that all parties to the conflict immediately cease hostilities, agree to a cease-fire, and bring an end to the mindless violence and carnage engulfing Rwanda,
 - b. Welcomes the report of the Secretary-General dated 22 May 1994 (S/1994/565),
 - c. Decides to expand UNAMIR's mandate under resolution 912 (1994) to include the following additional responsibilities within the limits of the resources available to it:

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- 1) 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,
 - 2) To provide security and support for the distribution of relief supplies and humanitarian relief operations,
- d. Recognizes that UNAMIR may be required to take action in self-defence against person or groups who threaten protected sites and populations, United Nations and other humanitarian personnel or the means of delivery and distribution of humanitarian relief;
 - e. Authorizes in this context an expansion of the UNAMIR force level up to 5,000 troops;
 - f. Requests the Secretary-General, as recommended in his report, and as a first phase, immediately to redeploy to Rwanda the UNAMIR military observers currently in Nairobi and to bring up to full strength the elements of the mechanized infantry battalion currently in Rwanda.
 - g. Further requests the Secretary-General to report as soon as possible on the next phase of UNAMIR's deployment including, inter alia, on the cooperation of the parties, progress towards a cease-fire, availability of resources and the proposed duration of the mandate for further review and action, as required, by the Council;
 - h. Encourages the Secretary-General to accelerate his efforts, in conjunction with the Secretary-General of the OAU, to obtain from Member States the necessary personnel to enable deployment of the expanded UNAMIR to proceed urgently;
 - j. Invites Member States to respond promptly to the Secretary-General's request for the resources required including logistical support capability for rapid deployment of the UNAMIR expanded force level and its support in the fields;

1-3-6

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- k. Strongly urges all parties in Rwanda to cooperate fully with UNAMIR in the implementation of its mandate and in particular in ensuring its freedom of movement and the unimpeded delivery of humanitarian assistance, and further calls upon them to treat Kigali airport as a neutral zone under the control of UNAMIR;
- l. Demands that all parties in Rwanda strictly respect the persons and premises of the United Nations and other organizations serving in Rwanda, and refrain from any acts of intimidation or violence against personnel engaged in humanitarian and peace-keeping work;

14. Many member nations agreed to take contribute troops with the general idea being that the infantry battalions ought to come from the region while nations further afield would provide communications, logistics and materiel support. For a number of reasons, troops did not actually begin to arrive to beef up UNAMIR to carry out its new mandate until after the fall of Kigali. The slow response and the repeated press coverage of atrocities led to the French initiative, Operation Turquoise, which saw the deployment of approx 2500 French soldiers in the western area of Rwanda. They created a so called Humanitarian Protected Zone (HPZ) within which militias were disarmed, roadblocks taken down and army units were cantoned. The RPA succeeded in pushing up to the edges of the HPZ but restrained their troops there until the withdrawal of the French led coalition forces in late August 94. The RPA declared a unilateral cease fire and indicated a willingness to work with UNAMIR in the interests of national unity. The French operation gave UNAMIR time to build up its forces sufficient to be able to meet its mandate. At the time of writing, UNAMIR had reached a total military strength of approx 5500.

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SECTION 4 - OPERATIONAL DIRECTIVES

1. Periodically, the Force Commander will issue operational directives under his authority to deal with specific matters. These directives will carry the authority of SOPs and must have the widest possible distribution and adherence.

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SECTION 5 - SECURITY AND PROMULGATION

1. The UNAMIR SOPs are accorded with the minimum security classification of UN RESTRICTED. They will be issued to all and read by UN personnel only. The purpose of these SOPs is to underline responsibilities and procedures to be followed by all UN personnel in UNAMIR. Unauthorized disclosure of any form is strictly prohibited. However, if it is necessary to quote from the SOPs to non-UN personnel, this should be done by releasing an authorized extract rather than by giving out complete SOPs.

2. Copies of these SOPs are restricted to the necessary required number. Each copy of the SOPs will be numbered in serial out of the total numbers issued (eg copy number 20 of 180 copies). Subsequently the distribution will be made by the numbered copy only. All recipients are responsible for the care, custody and amendment of their copies.

3. All contingents/units/elements in UNAMIR are required to produce their own SOPs, and to ensure they are distributed and adhered to by all individuals under their command. Whenever necessary, the SOPs, or extracts of them may be translated into the unit's mother tongue.

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UNITED NATIONS

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ASSISTANCE MISSION FOR RWANDA

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

TO : ALL SECTORS/BRANCHES

FILE NO : MILOB/ADM/6401.32

FROM : MILOBS GP HQ

DATE : 25 July 1995

SUBJECT : AMENDMENT TO UNAMIR SOPs

Reference:

A. UNAMIR SOPs issued December 1994

1. Please are copies of amendments to Reference A. You are requested to amend your copies and ensure all MILOBS under command are informed of the changes.

2. Please accept for action.

A handwritten signature in dark ink, consisting of stylized, overlapping loops and strokes, is positioned above the typed name.

K OPONG - KYEKYEKU
Lt/Col
for CMO



File No 5000.7 (PLANS)

To: DISTRIBUTION LIST

From: G3 PLANS

Date: 24 Jul 95

Subject: UNAMIR FORCE SOPs

1. Please find enclosed amendments to the UNAMIR Force SOP.
2. Please ensure that the amendments are made to your copy(ies) of the UNAMIR SOP and that all personnel are informed of the changes.

Enclosures: (1) Page changes to UNAMIR SOP

Distribution List: Page 2

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MILITARY PERSONNEL BRANCH	15-17
LOGISTICS BRANCH	18-21
PLANS BRANCH	22-27
CAMP COMMANDANT	28
MILITARY OBSERVER GROUP HEADQUARTERS	29-45
NICOY	46-49
GHANCOY 1 & 2	50-53
MALICOY	54-57
MALAWICOY	58-61
ZAMBATT	62-65
SENBATT	66-69
DELETED	70-77
INDBATT	78-81
FORCE ENGINEER COMPANY	82
COMPOSITE MISSION SUPPORT GROUP (CMSG)	83
MEDICAL COMPANY	84-85
G3 AIR	86
HUMANITARIAN ASSISTANCE CELL (HAC)	87-88
FORCE PROVOST MARSHALL	89
MILITARY POLICE COMPANY	90
HUMAN RIGHTS LIAISON OFFICER	91
SPARES	92-98
EXTERNAL	
CAO (DIV. OF ADMIN. AND MANAGEMENT)	99-100
SRSG OFFICE	101
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ANNEX A TO
UNAMIR SOPs
PART 1



*Office of the Spokesman***SECURITY COUNCIL EXTENDS AND ADJUSTS MANDATE OF
UNAMIR UNTIL 8 DECEMBER 1995****Resolution 997 (1995) adopted unanimously
9 June 1995****Text of the Resolution****The Security Council,**

Recalling all its previous resolutions on the situation in Rwanda, in particular its resolution 872 (1993) of 5 October 1993 by which it established the United Nations Assistance Mission for Rwanda (UNAMIR), and its resolutions 912 (1994) of 21 April 1994, 918 (1994) of 17 May 1994, 925 (1994) of 8 June 1994, and 965 (1994) of 30 November 1994, which set out the mandate of UNAMIR,

Having considered the report of the Secretary-General on UNAMIR dated 4 June 1995 (S/1995/457),

Recalling also its resolution 955 (1994) of 8 November 1994 establishing the International Tribunal for Rwanda, and its resolution 978 (1995) of 27 February 1995, concerning the necessity for the arrest of persons suspected of certain offences in Rwanda,

Stressing the importance of achieving genuine reconciliation among all members of Rwandan society within the frame of reference of the Arusha Peace Agreement,

Noting with great concern reports of military preparations and increasing incursions into Rwanda by elements of the former regime and underlining the need for effective measures to ensure that Rwandan nationals currently in neighbouring countries, including those in camps, do not undertake military activities aimed at destabilizing Rwanda or receive arms supplies, in view of the great likelihood that such arms are intended for use within Rwanda,

Underlining the need for increased efforts to assist the Government of Rwanda in the promotion of a climate of stability and trust in order to facilitate the return of Rwandan refugees in neighbouring countries,

Emphasizing the necessity for the accelerated disbursement of international assistance for the rehabilitation and reconstruction of Rwanda,

Calling again upon all States to act in accordance with recommendations adopted by the Regional Conference on Assistance to Refugees, Returnees and Displaced Persons in the Great Lakes Region, held in Bujumbura in February 1995,

Recognizing the valuable contribution that the human rights officers deployed by the High Commissioner for Human Rights to Rwanda have made towards the improvement of the overall situation,

Acknowledging the responsibility of the Government of Rwanda for the safety and security of all UNAMIR personnel and other international staff serving in the country,

Reaffirming the need for a long-term solution to the refugee and related problems in the Great Lakes States, and welcoming, therefore, the intention of the Secretary-General to appoint a special envoy to carry out consultations on the preparation and convening, at the earliest possible time, of the regional Conference on Security, Stability and Development,

1. Decides to extend the mandate of UNAMIR until 8 December 1995 and authorizes a reduction of the force level to 2,330 troops within three months of the adoption of this resolution and to 1,800 troops within four months;

2. Decides to maintain the current level of military observers and civilian police personnel;

3. Decides, in the light of the current situation in Rwanda, to adjust the mandate of UNAMIR so that UNAMIR will:

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

(b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and their reintegration in their home communities, and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country with military and police observers;

(c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining;

(d) Assist in the training of a national police force;

(e) Contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Tribunal for Rwanda, including full-time protection for

the Prosecutor's Office, as well as those of human rights officers, and to contribute also to the security of humanitarian agencies in case of need;

4. Affirms that the restrictions imposed under Chapter VII of the Charter of the United Nations by resolution 918 (1994) apply to the sale or supply of arms and matériel specified therein to persons in the States neighbouring Rwanda, if that sale or supply is for the purpose of the use of such arms or matériel within Rwanda;

5. Calls upon the States neighbouring Rwanda to take steps, with the aim of putting an end to factors contributing to the destabilization of Rwanda, to ensure that such arms and matériel are not transferred to Rwandan camps within their territories;

6. Requests the Secretary-General to consult the Governments of neighbouring countries on the possibility of the deployment of United Nations military observers, and to consult, as a matter of priority, the Government of Zaïre on the deployment of observers including in the airfields located in Eastern Zaïre, in order to monitor the sale or supply of arms and matériel referred to above; and further requests the Secretary-General to report to the Council on the matter within one month of the adoption of this resolution;

7. Takes note of the cooperation existing between the Government of Rwanda and UNAMIR in the implementation of its mandate and urges the Government of Rwanda and UNAMIR to continue to implement the agreements made between them, in particular the Status of Mission Agreement of 5 November 1993 and any subsequent agreement concluded to replace that Agreement in order to facilitate the implementation of the new mandate;

8. Commends the efforts of States, United Nations agencies and non-governmental organisations which have provided humanitarian assistance to refugees and displaced persons in need, encourages them to continue such assistance, and calls upon the Government of Rwanda to continue to facilitate their delivery and distribution;

9. Calls upon States and donor agencies to fulfil their earlier commitments to give assistance for Rwanda's rehabilitation efforts, to increase such assistance, and in particular to support the early and effective functioning of the International Tribunal and the rehabilitation of the Rwandan judicial system;

10. Encourages the Secretary-General and his Special Representative to continue to coordinate the activities of the United Nations in Rwanda including those of the organizations and agencies active in the humanitarian and developmental field, and of the human rights officers;

11. Requests the Secretary-General to report to the Council by 9 August 1995 and 9 October 1995 on the discharge by UNAMIR of its mandate, the humanitarian situation and progress towards repatriation of refugees;

12. Decides to remain actively seized of the matter.

NB

The UNAMIR had originally been established by resolution 872 (1993) of 5 October 1993. Resolution 918 (1994) had expanded the mandate of the Mission to include responsibility for the security of civilians and of humanitarian operation, had increased its strength up to 5,500 troops and imposed an arms embargo on Rwanda.

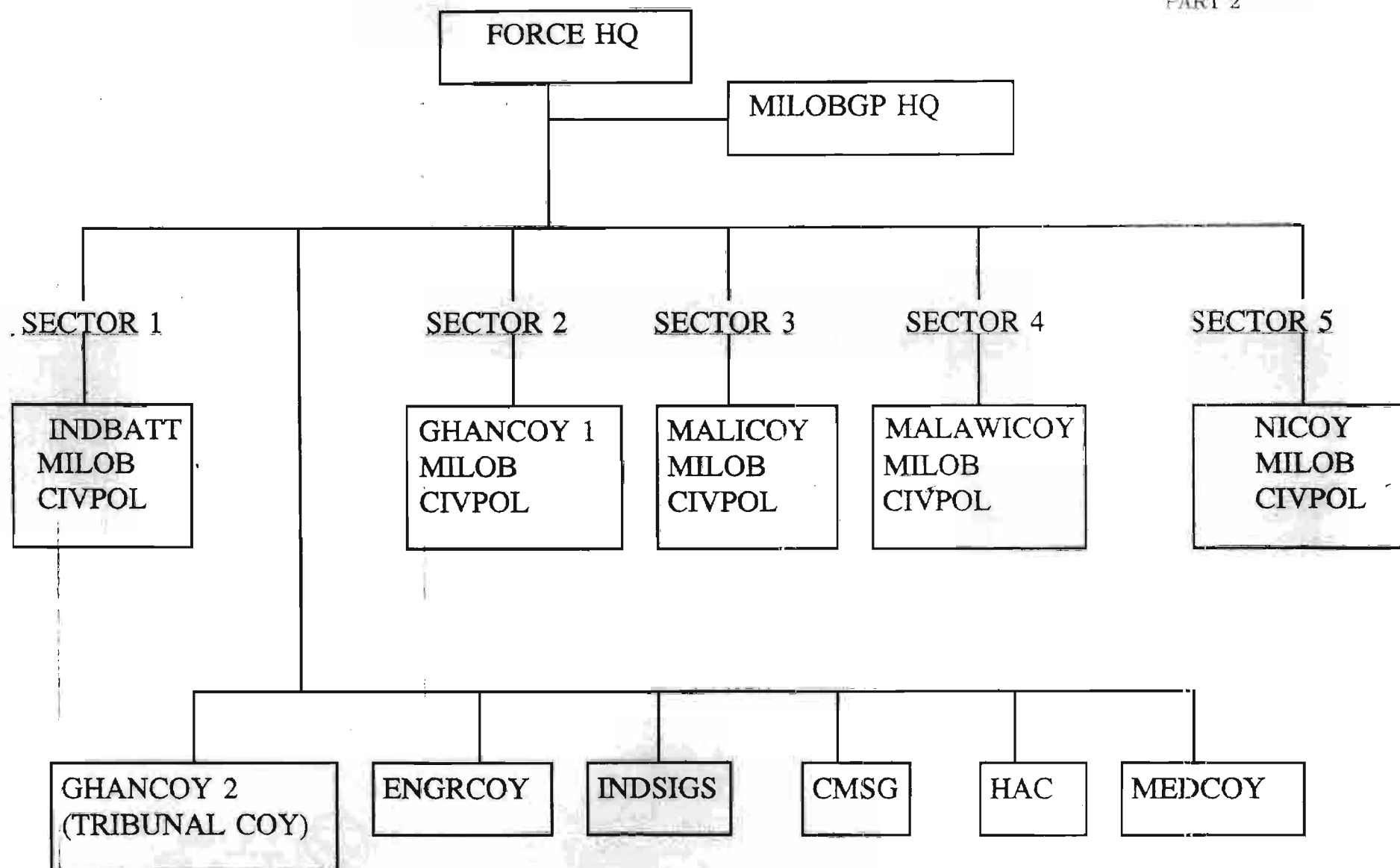
By its action today, the Council affirmed that the Chapter VII restrictions imposed by resolution 918 (1994) apply to the sale or supply of arms and matériel to persons in the States neighbouring Rwanda, if such arms or matériel are for use within Rwanda. It called upon the States neighbouring Rwanda to take steps to ensure that such arms and matériel are not transferred to Rwanda camps within their territories.

In a statement to the Council, the representative of Zaire called for an independent investigation to refute the claims that his country had been involved with the sale or supply of arms for use in Rwanda. He said it was up to the Government in Rwanda to create a favourable climate for the return of the refugees.

The representative of Rwanda, speaking after the vote, called for an end to the arms embargo against his Government and for an international commission to study the problem of the refugee camps. He added that the change in the UNAMIR mandate reflected the changed situation in his country.

UNAMIR COMMAND AND CONTROL

ANNEX A TO
UNAMIR SOPs
PART 2



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AMENDMENT RECORD SHEET

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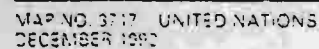
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8. The UNAMIR Force Commander shall issue orders on the readiness of personal weapons to be maintained appropriate to the situation.

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;
- 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; and





Security Council

Distr.
GENERAL

S/RES/925 (1994)
8 June 1994

RESOLUTION 925 (1994)

Adopted by the Security Council at its 3388th meeting,
on 8 June 1994

The Security Council,

Reaffirming all its previous resolutions on the situation in Rwanda, in particular its resolutions 912 (1994) of 21 April 1994 and 918 (1994) of 17 May 1994, which set out the mandate of the United Nations Assistance Mission for Rwanda (UNAMIR),

Having considered the report of the Secretary-General dated 31 May 1994 (S/1994/640),

Bearing in mind the statement made by the President of the Council on 3 May 1994 (S/PRST/1994/22),

Reaffirming its resolution 868 (1993) of 29 September 1993 on the security of United Nations operations,

Noting with concern that, to date, the parties have not ceased hostilities, agreed to a cease-fire, or brought an end to the violence and carnage affecting civilians,

Noting with the gravest concern the reports indicating that acts of genocide have occurred in Rwanda and recalling in this context that genocide constitutes a crime punishable under international law,

Reiterating its strong condemnation of the ongoing violence in Rwanda and, in particular, the systematic killing of thousands of civilians,

Expressing its outrage that the perpetrators of these killings have been able to operate and continue operating within Rwanda with impunity,

Noting that UNAMIR is not to have the role of a buffer force between the two parties,

Noting also that UNAMIR's expanded military component will continue only as long as and to the extent that it is needed to contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda and to provide security, as required, to humanitarian relief operations,

Underscoring that the internal displacement of some 1.5 million Rwandans facing starvation and disease and the massive exodus of refugees to neighbouring countries constitute a humanitarian crisis of enormous proportions,

Reiterating the importance of the Arusha Peace Agreement as the basis for the peaceful resolution of the conflict in Rwanda,

Commending the countries which have provided humanitarian assistance to Rwandan refugees, as well as emergency aid to alleviate the sufferings of the Rwandan people, and those countries which have contributed troops and logistical support to UNAMIR, and reiterating the urgent need for coordinated international action in this respect,

Welcoming the cooperation between the United Nations and the Organization of African Unity (OAU) and the contributions of the countries of the region, especially that of the facilitator of the Arusha peace process, and encouraging them to continue their efforts,

Welcoming the visit to Rwanda and to the region by the United Nations High Commissioner for Human Rights,

Noting the appointment, pursuant to resolution S-3/1 of 25 May 1994 adopted by the United Nations Commission on Human Rights, of a Special Rapporteur for Rwanda,

Reaffirming its commitment to the unity and territorial integrity of Rwanda,

1. Welcomes the Secretary-General's report of 31 May 1994 (S/1994/640);
2. Endorses the Secretary-General's proposals contained therein for the deployment of the expanded UNAMIR, in particular:
 - (a) The immediate initiation of the deployment of the two additional battalions in phase 2 in close synchronization with phase 1;
 - (b) The continuation of urgent preparations for the deployment of the two battalions envisaged for phase 3; and
 - (c) Flexible implementation of all three phases to ensure effective use of available resources to accomplish the tasks listed in paragraphs 4 (a) and (b) below;
3. Decides to extend the mandate of UNAMIR, expiring on 29 July 1994, until 9 December 1994;

/...

4. Reaffirms that UNAMIR, in addition to continuing to act as an intermediary between the parties in an attempt to secure their agreement to a cease-fire, 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; and

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

5. 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;

6. Demands that all parties to the conflict cease hostilities, agree to a cease-fire and immediately take steps to bring an end to systematic killings in areas under their control;

7. Welcomes the assurances of both parties to cooperate with UNAMIR in carrying out its mandate, recognizes that such cooperation will be essential to the effective implementation of the mandate, and demands that both parties adhere to those assurances;

8. Demands further that all parties cease forthwith any incitement, especially through the mass media, to violence or ethnic hatred;

9. Urges Member States to respond promptly to the Secretary-General's request for resources, including logistical support capability for rapid deployment of additional UNAMIR forces;

10. Requests the Secretary-General to ensure that UNAMIR extend the close cooperation it has with the Department of Humanitarian Affairs and the United Nations Rwanda Emergency Office also to the Special Rapporteur for Rwanda appointed by the United Nations Commission on Human Rights;

11. Demands that all parties in Rwanda strictly respect the persons and premises of the United Nations and other organizations serving in Rwanda, and refrain from any acts of intimidation or violence against personnel engaged in humanitarian and peace-keeping work;

12. Emphasizes the necessity that, inter alia:

(a) All appropriate steps be taken to ensure the security and safety of the operation and personnel engaged in the operation; and

(b) The security and safety arrangements undertaken extend to all persons engaged in the operation;

13. Commends the efforts of States, United Nations agencies, international organizations and non-governmental organizations which have provided

/...

humanitarian and other assistance, encourages them to continue and increase such assistance, and urges others to provide such assistance;

14. Welcomes the intention of the Secretary-General to establish a special trust fund for Rwanda and invites the international community to contribute generously to it;

15. Commends the tireless efforts of the UNAMIR Force Commander to prevent more innocent lives from being lost, and to bring about a cease-fire between the parties;

16. Commends also the efforts of the Secretary-General and his Special Representative to achieve a political settlement in Rwanda within the framework of the Arusha Peace Agreement, invites them, in coordination with the OAU and countries in the region, to continue their efforts, and demands that the parties undertake serious efforts to bring about political reconciliation;

17. Decides to keep the situation in Rwanda and the role played by UNAMIR under constant review and, to that end, requests the Secretary-General to report to the Council as appropriate, and in any case no later than 9 August 1994 and 9 October 1994, on progress made by UNAMIR in the discharge of its mandate, the safety of populations at risk, the humanitarian situation and progress towards a cease-fire and political reconciliation;

18. Decides to remain actively seized of the matter.

UN RESTRICTED

UNAMIR FORCE SOPs

PART TWO

HEADQUARTERS

- SECTION 1 - CONCEPT
- SECTION 2 - COMMAND AND CONTROL
- SECTION 3 - ORGANIZATION
- SECTION 4 - STAFF DUTIES AND RESPONSIBILITIES
- ANNEX A - UNAMIR COMMAND AND CONTROL
- ANNEX B - ORGANIZATION OF FORCE HEADQUARTERS

UN RESTRICTED

UN RESTRICTED

SECTION 1 - CONCEPT

1. This part of the SOPs lays down the command and control of UNAMIR and the detailed organizational structure of the Military Component HQ down to the Sector level. It also gives the various duties and responsibilities of the main staff at the Force HQ.

2. It comprises four section as follows:

- a. Section 1 - Concept
- b. Section 2 - Command and Control
- c. Section 3 - Organization
- d. Section 4 - Staff Responsibilities and Duties.

UN RESTRICTED

SECTION 2 - COMMAND AND CONTROL

1. The command and control of UNAMIR is vested in the Secretary-General, under the authority of the Security Council. The Secretary-General, with the consent of the Security Council, has appointed the Special Representative of the Secretary-General (SRSG) as head of UNAMIR and is responsible for the implementation of the UNAMIR mandate.

2. The Secretary-General has also appointed the Force Commander who is charged with the responsibility of the implementation of the military component and control of all military and civilian personnel assigned to the Military Component of UNAMIR and they are directly answerable to him for their conduct and performance of their duties.

3. The Force Commander reports to the SRSG on all matters concerning the functioning of the Military Component of UNAMIR. He will keep the SRSG fully informed of developments and accomplishments of the Military Component's performance.

4. The Chief Administrative Officer (CAO) is responsible for the provision of administrative support to all components of UNAMIR. He will be under the direct authority of the SRSG. He will report directly to the Director of Field Operations Division on matters of purely administrative nature.

5. The command of the Civilian Police of UNAMIR will be under the SRSG through the Police Commissioner. However, when they are employed in a supporting role on a specific military mission they may be put under the command of the Force Commander. In all other instances, close liaison between the Military and Police Components will be maintained at all levels by working arrangements appropriate to the circumstances.

2-2-1

UN RESTRICTED

MIL085 HQ

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.45 (PLANS)

To: Distribution List

From: A/DCOS OPS

Date: 17 May 95

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and file (S.O.P)
please a copy of Annex E and F
for JCRD*

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

Reference: A. 5000.45 (PLANS) dated 8 May 95 (enclosed)

1. The Force Commander's directive on the legal jurisdiction applicable to UNAMIR and Rwandan authorities has been revised in order to clarify UNAMIR's legal jurisdiction with respect to witnesses, members of the Rwandan Patriotic Army, Rwandan nationals, NGOs and visitors.
2. Reference A outlines the changes made to the previous version of the directive.
3. You are requested to disseminate this document to all personnel.

Enclosures: 2

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UNAMIR - MINUAR

File No 5000.45 (PLANS)

To: FC Approved/~~Not Approved~~ *[Signature]* 16.5.95
From: G3 PLANS *[Signature]*
Through: DCOS OPS Recommended/~~Not Recommended~~ *[Signature]* 8.5.95
COS Recommended/~~Not Recommended~~ *[Signature]* 08.5
DFC Recommended/~~Not Recommended~~ *[Signature]* 09 May 95
Date: 8 May 95

Subject: **REWRITE OF FC'S DIRECTIVE ON THE LEGAL JURISDICTION
APPLICABLE TO UNAMIR AND RWANDAN AUTHORITIES**

1. This Directive has been revised in order to clarify UNAMIR's legal jurisdiction with respect to witnesses, members of the Rwandan Patriotic Army (RPA), Rwandan nationals, NGOs and visitors.

2. Overview of the proposed changes. A paragraph concerning witnesses has been added (para 9). Protection is to be extended to witnesses if their circumstances fall within the mandate and/or it is considered that a moral obligation exists. A new section has been added that deals directly with Rwandan Patriotic Army (RPA) soldiers (paras 9, 10 and 11). Protection is not to be extended to RPA soldiers.* UNAMIR is authorised to liaise with appropriate authorities should the person seeking protection request UNAMIR assistance. The person is to be treated as a detainee and be allowed to leave the premises at any time. In Annex C, the blanket authority for UNAMIR personnel to automatically use force should Rwandan authorities attempt to use force to take custody of personnel of NGOs or visitors has been removed.

3. It is requested that you accept the revised Directive and provide your approval.

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

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

1. Page 2 to Reference A outlines the changes made to the previous version of the directive.

2. Page 2, paragraph 2, seventh sentence should read, "The person is not to be treated as a detainee and be allowed to leave the premises at any time". No changes are required to the text of the Directive.

3. Please amend your copy to reflect this change.



File No 2000-1 (FC)

16 May 1995

Distribution List

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

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

INTRODUCTION

1. This updated Directive is effective on receipt and cancels the earlier version which was issued on 31 January 1995. It has the support of the SRSG's office, ICRC and UNHCRFOR.

GENERAL

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

DEFINITIONS

3. The following definitions shall apply to this Directive:

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

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

AIM

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

FOREIGN NATIONALS AND RWANDAN JURISDICTION

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

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

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

RWANDAN NATIONALS AND RWANDAN JURISDICTION

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

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

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

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

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

MEMBERS OF THE RWANDAN PATRIOTIC ARMY (RPA)

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

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

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



G.C. Tousignant
Major-General
Force Commander

Annexes:

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

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FOREIGN NATIONALS AND THEIR LEGAL STATUS IN RWANDA

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

RWANDAN NATIONAL AND THEIR LEGAL STATUS IN RWANDA

SER	CATEGORY	LEGAL IMMUNITY	AUTHORITY FOR HAND OVER
1.	Locally recruited personnel	<p>. Immune from legal process in respect of all acts performed by them in their <u>official</u> capacity.</p> <p><u>Note:</u> This protection does not extend to acts committed before their employment with the UN.</p>	. Only to be handed over with the concurrence of the SRSG.
2.	Refugees, Displaced Persons and Civilians in sites or among populations under the protection of UNAMIR	. Under Protection as stated in ROE in Reference A.	. Only to be handed over at an office of the prosecutor.
3.	Rwandan National seeking protection because at risk	. Under the protection as stated in ROE in Reference A.	. Only to be handed over on the concurrence of the FC and the person seeking protection (unless the person refuses to leave UN premises) at an office of the prosecutor.
4.	Rwandan National detained by UNAMIR authorities	. Treat humanely.	. Only to be handed over at an office of the prosecutor.

PROCEDURES FOR HANDING OVER FOREIGN NATIONALS

UN CIVILIAN ASSIGNED TO THE CIVILIAN COMPONENT TO SERVE WITH UNAMIR

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

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

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

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

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

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

UNMOS, CIVPOL AND EXPERTS ON MISSION

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

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

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

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

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

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

MILITARY PERSONNEL OF NATIONAL CONTINGENTS WHO ARE A PART OF UNAMIR

11. As soon as a Rwandan authority seeks legal jurisdiction over military personnel of national contingents who are part of UNAMIR, the FC or his representative, the appropriate contingent commander and the ICRC must be notified. HQ UNAMIR is to dispatch MP to the site. The Rwandan authority should be reminded that military members of the military component of UNAMIR shall be subject to the exclusive jurisdiction of their respective participating states in respect of any criminal offenses which may have been committed by them in Rwanda.

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

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

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

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

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

PERSONNEL OF UN SPECIALISED AGENCIES

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

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

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

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

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

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

PERSONNEL OF NGOS

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

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

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

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

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

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

VISITORS

- 25. As soon as a Rwandan authority seeks legal jurisdiction over a visitor, HQ UNAMIR, UNHRCFOR and the ICRC should be notified. HQ UNAMIR is to dispatch MP to the site.
- 26. UNAMIR soldiers are to allow the Rwandan authority(s) to take custody of a visitor providing the proper legal authority is identified as having legal authority (ie Gendarme, Prosecutors). UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).
- 27. If possible the person should be taken to the appropriate Prosecutor's Office (details of these offices are at Annex E). The ICRC and UNHRCFOR are to be notified as far as possible in advance and, if possible, are to be present during the hand over. The proforma at Annex G is to be completed and signed by the UNAMIR person conducting the hand over and the person in the Prosecutor's Office to whom the hand over is made.
- 28. A report detailing the following is to be submitted to UNAMIR HQ, attention G1 Pers, G3 Ops, and the Force Provost Marshall:
 - a. name of person handed over and their affiliation or nationality,
 - b. location where the Rwandan Government sought jurisdiction,
 - c. crime person accused of,
 - d. name of the UNAMIR person(s) who was present when the Rwandan Government sought jurisdiction,
 - e. date, time and place the person was handed to the Prosecutor's Office, and
 - f. whether an ICRC and UNHRCFOR representative was present during the hand over and if not, why not.

PROCEDURES FOR HANDING OVER RWANDAN NATIONALS

LOCALLY RECRUITED PERSONNEL

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

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

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

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

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

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

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

REFUGEES, DISPLACED PERSONS AND CIVILIANS
IN SITES OR AMONG POPULATIONS UNDER THE PROTECTION OF UNAMIR.

7. As soon as a Rwandan authority seeks legal jurisdiction over refugees, displaced persons, and/or civilians in sites or among populations under the protection of UNAMIR, the FC or his representative and the ICRC and UNHRCFOR must be notified. HQ UNAMIR is to dispatch MP to the site.

8. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of refugees, displaced persons, and/or civilians in sites or among populations under the protection of UNAMIR unless the FC has given permission for this to occur. UNAMIR troops are to allow MP to liaise with the Rwandan authority(s).

9. If the Rwandan authority(s) uses force to attempt to take custody of refugees, displaced persons, and/or civilians in sites or among populations under the protection of UNAMIR, UNAMIR troops are authorised to use force in accordance with Reference A.

10. UNHRCFOR is to be permitted to speak to the refugee, displaced persons, and/or civilian.

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

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

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

RWANDANS SEEKING PROTECTION OF UNAMIR

13. Any Rwandan Civilian who seeks protection of UNAMIR troops is to be afforded that protection. UNAMIR HQ is to be notified immediately to the circumstances surrounding the protection. HQ UNAMIR is to dispatch MP to the site. UNAMIR troops are to allow the MP to liaise with the Rwandan authority(s). UNHRFOR is also to be notified immediately.

14. UNAMIR soldiers are not to allow any Rwandan authority(s) to take custody of the Rwandan seeking protection unless the FC has given permission for this to occur.

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

16. The Rwandan who has sought protection should be notified as soon as possible that he can only be protected by UNAMIR on a temporary basis. No UNAMIR member should undertake to protect the person indefinitely. UNAMIR may give protection for 24 hours. This period may only be extended with the permission of UNAMIR HQ. It must be explained to the Rwandan authority(s) that one condition of affording protection is that he is handed over to the nearest Office of the Prosecutor. The national is to be informed that he should explain his case to the Prosecutor.

17. UNHRFOR is to be permitted to speak to the individual seeking protection.

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

19. If the person seeking protection does not want to be handed over to the Office of the Prosecutor, UNAMIR is to allow the individual to leave the site that he has sought protection in. If the person refuses to leave he should be told that UNAMIR has no option but to take him to the Office of the Prosecutor.

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

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

- a. name of the person seeking protection,
- b. location where the person sought protection,

- c. crime person accused of,
- d. name of the UNAMIR person who provided the protection,
- e. circumstance/reason why person sought protection,
- f. date, time and place the person seeking protection was handed to the Office of the Prosecutor, and
- g. whether an ICRC and/or UNHRFOR representative was present during the hand over and if not, why not.

PERSONS DETAINED BY UNAMIR TROOPS

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

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

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

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

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

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

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

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

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

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

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ANNEX E TO
2000-1 (FC)
DATED 16 MAY 95

PROSECUTOR OFFICES IN RWANDA

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

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

ICRC REPRESENTATIVES IN RWANDA

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

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

HAND OVER PROFORMA

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

SIGNED THIS DAY _____ OF _____ 199 _____

UNAMIR
OFFICE OF THE PROSECUTOR

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

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INTERNAL	COPY NUMBER
FORCE COMMANDER	1
MILITARY ASSISTANT TO FC	2-4
DEPUTY FORCE COMMANDER	5
MILITARY ASSISTANT TO DFC	6-7
COS	8-9
OPERATIONS BRANCH	10-14
MILITARY PERSONNEL BRANCH	15-17
LOGISTICS BRANCH	18-21
PLANS BRANCH	22-27
CAMP COMMANDANT	28
MILITARY OBSERVER GROUP HEADQUARTERS	29-45
SECTOR 1	46-49
SECTOR 2	50-53
SECTOR 3A	54-57
SECTOR 3B	58-61
SECTOR 4A	62-65
SECTOR 4B	66-69
SECTOR 4C	70-73
SECTOR 5	74-77
SECTOR 6	78-81
ENGINEER COMPANY	82
FORCE SUPPORT GROUP	83
MEDICAL COMPANY	84-85
HELICOPTER SQUADRON <i>G/3 AIR</i>	86
HUMANITARIAN ASSISTANCE BRANCH	87-88
FORCE PROVOST MARSHALL	89
MILITARY POLICE COMPANY	90
<i>FORWARD 24 HOURS 24 HOURS 24 HOURS</i> SPARES	91 92-98
EXTERNAL	
CAO (DIV. OF ADMIN. AND MANAGEMENT)	99-100
SRSG OFFICE	101
UNITED NATIONS HQ NEW YORK (DPKO)	102

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UNITED NATIONS ASSISTANCE MISSION IN RWANDA

(UNAMIR)

STANDARD OPERATING PROCEDURES

(SOPS)

ISSUED DEC 1994

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UNITED NATIONS
ASSISTANCE MISSION IN RWANDA



NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

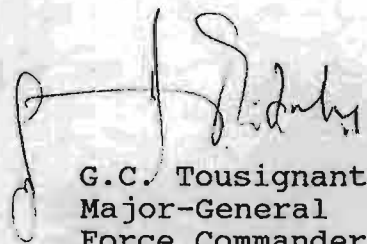
1000 (FC)

KIGALI, 19 December 1994

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SOP AUTHORIZATION

1. Standing Operating Procedures stipulate the way in which the Military Division of UNAMIR will carry out various functions to fulfil its mandate in Rwanda.
2. These SOPs are intended to be concise and clear directions appropriate to the execution of standard tasks and functions in UNAMIR. They are not intended to be a substitute for good judgement and common sense. In addition, these SOPs are a living document and thus, from time to time, they will be changed or developed as required.
3. All commanders and staff officers are expected to be familiar with this document and to employ it in their daily tasks.


G.C. Tousignant
Major-General
Force Commander
UNAMIR

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AMENDMENT RECORD SHEET

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TABLE OF CONTENTS

PART	SECTION	TOPIC	OPI
INITIAL REFERENCE SHEETS		SOP AUTHORIZATION AMENDMENT RECORD SHEET TABLE OF CONTENTS DISTRIBUTION LIST ABBREVIATIONS TOWN INDEX WITH GRIDS	DFC/COS
1 - INTRODUCTION	1 - 2 - 3 - 4 - 5 - ANNEX A ANNEX B	BACKGROUND TO PEACEKEEPING HISTORICAL BACKGROUND UNAMIR MANDATE OPERATIONAL DIRECTIVES SECURITY AND PROMULGATION GEOGRAPHICAL DEPLOYMENT UNAMIR MANDATE UN RESOLUTION 925	MA TO FC
2 - HEADQUARTERS	1 - 2 - 3 - 4 - ANNEX A ANNEX B	CONCEPT COMMAND AND CONTROL ORGANIZATION STAFF DUTIES AND RESPONSIBILITIES UNAMIR COMMAND & CONTROL ORGANIZATION OF FORCE HEADQUARTERS	DFC/COS

UN RESTRICTED

UN RESTRICTED

3 - OPERATIONS	1 - 2 - 3 - 4 - 5 - 6 - 7 - 8 - 9 - 10 - 11 - 12 - 13 - 14 - 15 - 16 - 17 - 18 - 19 - 20 - ANNEX A ANNEX B ANNEX C ANNEX D ANNEX E ANNEX F ANNEX G ANNEX H ANNEX I ANNEX J ANNEX K	DUTIES AND RESPONSIBILITIES UN INSTALLATIONS SAFE HAVENS DISPLACED PERSONS CAMPS POSITION AND OBSERVATION POSTS OPERATION OF UNAMIR CHECKPOINTS PATROLLING SOP FOR UNAMIR CONVOY ESCORT ARMS, AMMUNITION AND EXPLOSIVES MINES, BATTLEFIELD DEBRIS, EOR, EOD SEARCH OPS PROCEDURES FOR DEALING WITH RPA GROUND OPS AND INCURSIONS COMPLAINTS VOLUNTARY DISARMING OF MILITARY, PARAMILITARY SECTOR OP GUIDANCE SECURITY OF TROOPS ROE OP INSPECTIONS AND INVESTIGATIONS REPORTING RAPID REACTION FORCE ORG CHART CHECK POINT LAYOUT BEHAVIOUR AT CHECK POINTS PATROL FORM ESCORT TASK FORM CONFISCATION FORM WPNS WEEKLY SUMMARY COMPLAINTS CONFISCATION FORM RECIEPT FOR WEAPON DETAINEE LIST SPECIAL REPORT FORM INSTALLATIONS	G3 OPS
4 - AIR OPERATIONS	1 - ANNEX A ANNEX B ANNEX C ANNEX D ANNEX E	CONDUCT OF UNAMIR AIR OPERATIONS AIR TASK REQUEST FORMAT AIR TASK MESSAGE MISSION REPORT OPSUM RELEASE FORM	G3 AIR

UN RESTRICTED

UN RESTRICTED

5 - ENGINEERING OPERATIONS	1 - 2 - 3 - 4 - 5 - ANNEX A ANNEX B ANNEX C ANNEX D ANNEX E ANNEX F ANNEX G ANNEX H ANNEX I ANNEX J ANNEX K ANNEX L	ORGANIZATION MINE AWARENESS MINE RESPONSIBILITY PROCEDURES FOR CONTRACT ENGINEER SUPPORT REQUESTS AND REPORTS ENGINEER REQUEST ENGINEER TERRAIN REPORT ENGINEER ROAD REPORT LOCAL RESOURCES REPORT ENGINEER BRIDGE REPORT ENGINEER DEMOLITIONS REPORT ROUTINE MINE/UXO INCIDENT REPORT UNAMIR MINEFIELD/MUNITIONS DUMP RECCE REPORT UNAMIR MINEFIELD/MUNITIONS DUMP CLEARANCE REPORT ENGINEER CASUALTY REPORT EOD TASKING FORM ENGINEERING SITREP	G3 ENGR
6 - COMMUNICATIONS	1 - 2 - 3 - 4 - 5 - 6 - ANNEX A ANNEX B ANNEX C ANNEX D ANNEX E ANNEX F	ORGANIZATION RADIO COMMS TEL COMMS HARDCOPY MESSAGE COMMUNICATION SECURITY MISCELLANEOUS UNAMIR COMM LINKS FORCE COMMAND NET VOICE PROCEDURE UNAMIR TELEPHONE SYSTEM MESSAGE FORM MESSAGE HANDLING PROCEDURES	G6/FSO
7 - MEDICAL	1 - 2 - 3 - 4 - 5 - 6 -	COMMAND AND CONTROL RESPONSIBILITIES OF KEY PERS REPORTS AND RETURNS FUNCTIONING OF THE MED BR OP ROOM EVACUATION AND REPATRIATION HEALTH LOGISTICS	FMO

UN RESTRICTED

UN RESTRICTED

8 - PERSONNEL	1 -	INTRODUCTION	G1/CMPO
	2 -	PRIVILEGES AND IMMUNITIES, OBLIGATIONS AND RESPONSIBILITIES	
	3 -	ORGANIZATION, DUTIES AND RESPONSIBILITIES	
	4 -	CONDUCT AND DISCIPLINE	
	5 -	UNAMIR ROTATION/ REPATRIATION/ EXTENSION POLICY	
	6 -	FLAGS, UN ID CARDS AND DRESS	
	7 -	PAY AND ALLOWANCES	
	8 -	LEAVE, CTO, UN HOLIDAYS, NATIONAL HOLIDAYS	
	9 -	CASUALTIES AND MEDICAL	
	10 -	REPORTS, INVESTIGATIONS AND BOARDS OF INQUIRY, ACCIDENTS, LOSSES AND CLAIMS INCIDENTS AND DISCIPLINARY CASES	
	11 -	UN MEDAL AND CEREMONIES	
	12 -	DRIVING	
	13 -	PHOTOGRAPHY	
	14 -	REPORTS AND RETURNS	
	15 -	UN CONFIDENTIAL REPORTS	
	16 -	MILITARY POLICE	
	17 -	POSTAL SERVICES	
	18 -	UNAMIR FILE INDEX	
	19 -	SPARE	
9 - LOGISTICS	1 -	INTRODUCTION	G4
	2 -	CONCEPT	
	3 -	ORGANIZATION AND RESPONSIBILITIES	
	4 -	SUPPLY (TBI)	
	5 -	TRANSPORT	
	6 -	MAINTENANCE	
	7 -	MOVEMENT CONTROL (TBI)	

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DISTRIBUTION LIST

INTERNAL	COPY NUMBER
FORCE COMMANDER MILITARY ASSISTANT TO FC	1 2-4
DEPUTY FORCE COMMANDER MILITARY ASSISTANT TO DFC	5 6-7
COS	8-9
OPERATIONS BRANCH	10-14
MILITARY PERSONNEL BRANCH	15-17
LOGISTICS BRANCH	18-21
PLANS BRANCH	22-27
CAMP COMMANDANT	28
MILITARY OBSERVER GROUP HEADQUARTERS	31-45
SECTOR 1	46-49
SECTOR 2	50-53
SECTOR 3A	54-57
SECTOR 3B	58-61
SECTOR 4A	62-65
SECTOR 4B	66-69
SECTOR 4C	70-73
SECTOR 5	74-77
SECTOR 6	78-81
ENGINEER COMPANY	-
FORCE SUPPORT GROUP	83
MEDICAL COMPANY	84-85
HELICOPTER SQUADRON	86
HUMANITARIAN ASSISTANCE BRANCH	87-88
SPARES	89-94
EXTERNAL	95-98
CAO (DIV. OF ADMIN. AND MANAGEMENT)	99-100
SRSG OFFICE	101
UNITED NATIONS HQ NEW YORK (DPKO)	102

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ABBREVIATIONS USUALLY USED IN UNAMIR

1. **A** **ALPHA**
AA ANTI-AIRCRAFT
ACCN ACCOMMODATION/ACKNOWLEDGE
A&P ADMINISTRATION AND PERSONNEL
AC AIRCRAFT
ACOS ASSISTANT CHIEF OF STAFF
ACOS A&P ASSISTANT CHIEF OF STAFF ADMINISTRATION
 AND PERSONNEL
ACOS LIAISON ASSISTANT CHIEF OF STAFF LIAISON
ACOS LOG ASSISTANT CHIEF OF STAFF LIAISON
ACOS LOG ASSISTANT CHIEF OF STAFF LOGISTICS
ACOS OPS ASSISTANT CHIEF OF STAFF OPERATIONS
ADC AIDE-DE-CAMP
ADL ARMISTICE DEMARCATION LINE
ADMIN ADMINISTRATION
ADO ADMINISTRATIVE DUTY OFFICER
ADS ADVANCED DRESSING STATION/AIR
 DISPATCH SERVICE
AE ARMED ELEMENTS
AFC ACTING FORCE COMMANDER
AHCC ARMY HIGH COMMAND COUNCIL
AK AUTOMATIC KALASHNIKOV
ALTN ALTERNATE
ALO AIR LIAISON OFFICER
AMB AMBULANCE
AMDT AMENDMENT
AMMO AMMUNITION
AMR APPROX MAP REFERENCE
AO AREA OF OPERATIONS
AOS AREA OF SEPARATION
APC ARMOURED PERSONNEL CARRIER
APERS ANTI-PERSONNEL
APPROX APPROXIMATELY
ARTY ARTILLERY
ASAP AS SOON AS POSSIBLE
ASOSD ASSISTANT SENIOR OFFICER STAFF
 DUTIES
ATK ANTI-TANK
ATTN ATTENTION
AVG AUGAS AVIATION GASOLINE
AVN AVIATION
2. **B.** **BRAVO**
BATT BATTALION
BBTG BROAD-BASED TRANSITIONAL GOVERNMENT
BDRY BOUNDARY
BMR BATTALION MOBILE RESERVE
BOI BOARD OF INQUIRY
BR BRIDGE
BRIG BRIGADIER

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	BTY	BATTERY
	BZs	BUFFER ZONE
3.	C.	CHARLIE
	CAL	CALIBRE
	CAO	CHIEF OF ADMINISTRATIVE OFFICER
	CAPT	CAPTAIN
	CAS	CASUALTY
	CASO	CHIEF AIR STAFF OFFICER
	CC	CAMP COMMANDANT
	CCNG	COMMAND COUNCIL OF THE NATIONAL GENDARMERIE
	CCO	CHIEF COMMUNICATIONS OFFICER
	CCPO	CHIEF CIVILIAN PERSONNEL OFFICER
	CEO	CHIEF ENGINEER OFFICER
	CEOSO	COMBAT ENGINEER & OPERATIONAL SECURITY
	CF	CEASE - FIRE
	CFL	CEASED - FIRE LINES
	CFV	FIRE VIOLATION
	CFO	CHIEF FINANCE OFFICER
	CGS	CHIEF GENERAL SERVICES
	CICO	CHIEF INFORMATION COORDINATING OFFICER
	CLO	CHIEF LOGISTICS OFFICER/CHIEF LIAISON OFFICER
	C MAINT O	CHIEF MAINTENANCE OFFICER
	CMO	CHIEF MAINTENANCE OFFICER
	CMPIO	CHIEF MILITARY AND PRESS INFORMATION OFFICER
	CMPO	CHIEF MILITARY PERSONNEL OFFICER
	CO	COMMANDING OFFICER
	COL	COLONEL
	COMM	COMMUNICATION
	CONTICO	CONTINGENT COMMANDER
	COS	CHIEF OF STAFF
	COMDR	COMMANDER
	COO	CHIEF OPERATIONS OFFICER
	COY	COMPANY
	CHO	CHIEF HUMANITARIAN OFFICER
	CHP	CHECKPOINT
	CMTO	CHIEF MILITARY TRANSPORT OFFICER
	CP	COMMAND POST
	CPIO	CHIEF PRESS INFORMATION OFFICER
	CPO	CHIEF PROCUREMENT OFFICER
	CSO	CHIEF SIGNALS OFFICER
	C SUP O	CHIEF SUPPLY OFFICER
	CTO	CHIEF TRANSPORT OFFICER
	CTO	COMPENSATORY TIME OFF
	CUNMO	CHIEF UN MILITARY OBSERVER (OGL)

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4. **D. DELTA**
DCLO DEPUTY CHIEF LOGISTICS OFFICER
DCOO DEPUTY CHIEF OPERATIONS OFFICER
DCUNMO DEPUTY CHIEF UN MILITARY OBSERVER (OGL)
DDM DATE OF DEPARTURE FROM THE MISSION
DFF DET DEFENCE DETACHMENT
DFC DEPUTY FORCE COMMANDER
DIR DIRECTION
DML DEMOLITION
DMZ DEMILITARIZED ZONE
DO DUTY OFFICER
DS DIRECT SUPPORT
DSOO DEPUTY SENIOR OPERATIONS OFFICER
DSPO DEPUTY SENIOR PLANS OFFICER
DTG DATE-TIME-GROUP
DVR DRIVER
5. **E. ECHO**
EDP ELECTRONIC DATA PROCESSING
ENGR ENGINEER
EOD EXPLOSIVE ORDNANCE DISPOSAL
EQPT EQUIPMENT
EOR EXPLOSIVE ORDNANCE RECONNAISSANCE
ETA ESTIMATED TIME OF ARRIVAL
ETC ESTIMATED TIME OF COMPLETION
ETD ESTIMATED TIME OF DEPARTURE
ETR ESTIMATED TIME OF RETURN
EXPL EXPLOSIVE
6. **F. FOX-TROT**
FC FORCE COMMANDER
FD FIELD
FDLs FORWARD DEFENDED LOCATIONS
FDO FORCE DUTY OFFICER
FFM FORCE FIRE MARSHALL
FHO FORCE HYGIENE OFFICER
FLT FLIGHT
FM FREQUENCY MODULATED
FMN FORMATION
FMSO FORCE MEDICAL SUPPLY OFFICER
FMR FORCE MOBILE RESERVE
FOD FIELD OPERATIONS DIVISION
FPM FORCE PROVOST MARSHALL
FSC FIRE SUPPORT COORDINATOR
FSO FIELD SERVICE OFFICER
FTIU FORCE TRANSPORT INVENTORY UNIT
FWO FORCE WELFARE OFFICER

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7.	G. GHANBATT GMT GP GS GSS	GOLF GHANAIAAN BATTALION GREENWICH MEAN TIME (TIME ZONE ZULU) GROUP GENERAL SERVICE GENERAL SECURITY SERVICE
8.	H. HE HF HMG HOW HR HQ	HOTEL HIGH EXPLOSIVE HIGH FREQUENCY HEAVY MACHINE-GUN HOWITZER HOUR HEADQUARTERS
9.	I. ICRC ID IMREP IO	INDIA INTERNATIONAL COMMITTEE OF THE RED CROSS IDENTITY CARD IMMEDIATE REPORT INFORMATION OFFICER
10.	J. JSPU	JULIET JOINT SERVICES PORT UNIT
11.	K. KM (S) KPH KIA	KILO KILOMETRE (S) KILOMETRES PER HOUR KIGALI INTERNATIONAL AIRPORT
12.	L. LA LAW LOA LN LO LOGBATT LOG LOG OPS LP LT Lt LZ	LIMA LEGAL ADVISER LIGHT ANTI-TANK WEAPON LETTER OF ASSIST LIAISON LIAISON OFFICER LOGISTICS BATTALION LOGISTICS LOGISTICS OPERATIONS LISTENING POST LOCAL TIME LIEUTENANT LANDING ZONE
13.	M. MAINT MAR MA TO FC MDR MEDEVAC MEO MG MIO	MIKE MAINTENANCE MARABITOUN MILITARY ASSISTANT TO THE FORCE COMMANDER MINE DETECTOR MEDICAL EVACUATION MILITARY ENGINEER OFFICER MACHINE GUN MG MILITARY INFORMATION OFFICER

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	MO	MILITARY OFFICER
	MOR	MORTAR
	MOVCON	MOVEMENT CONTROL
	MP	MILITARY POLICE
	MPV	MILITARY PATTERN VEHICLE
	MSG	MESSAGE
	MTO	MILITARY TRANSPORT OFFICER
14.	N.	NOVEMBER
	NET	NOT EARLIER THAN
	NLT	NOT LATER THAN
	NLP	NATIONAL LIBERAL PARTY
	NTR	NOTHING TO REPORT
15.	O.	OSCAR
	OFFR	OFFICER
	OC	OFFICER COMMANDING
	OIC	OFFICER-IN-CHARGE
	OPS O	OPERATIONS OFFICER
	OP	OPERATIONAL CONTROL
	OPI	OFFICER OF PRIME INTEREST
	OPORD	OPERATIONS ORDER
	OPS	OPERATIONS
16.	P.	PAPA
	PAX	PASSENGERS
	PB	PATROL BASE
	PCIU	PROPERTY CONTROL AND INVENTORY UNIT
	PERS	PERSONNEL
	PFLR-GC	POPULAR FRONT FOR LIBERATION OF RWANDA-GENERAL COMMAND
	PIO	PRESS INFORMATION OFFICER
	PKO	PEACE-KEEPING OPERATION
	PL	PLATOON
	PM	PROVOST MARSHALL
	POL	PETROL, OIL, LUBRICANTS
	POSN	POSITION
	PSO	PERSONAL STAFF OFFICER
	PSP	PROGRESSIVE SOCIALIST PARTY
	PTL	PATROL
	PZ	PICK-UP ZONE (HELICOPTERS)
17.	Q.	QUEBEC
	QM	QUARTERMASTER
18.	R.	ROMEO
	RDR	RADAR
	RB	ROADBLOCK
	RD	ROUND (S)
	RECCE	RECONNAISSANCE
	RPA	RWANDAN PATRIOTIC ARMY
	RPF	RWANDAN PATRIOTIC FORCE
	RPG	(ROCKET PROPELLED GRENADE)

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	RR	RECOILLESS RIFLE
	REP	REPORT
	RV	RENDEZVOUS
19.	S.	SIERRA
	SA	SENIOR ADVISER
	SAO	SENIOR ADMINISTRATIVE OFFICER
	SM	SMALL ARMS
	SBF	STAY BEHIND FORCE
	SDO	SENIOR DUTY OFFICER
	SDS	SIGNAL DISPATCH OFFICER
	SGT	SERGEANT
	SHOOTREP	SHOOTING REPORT
	SITREP	SITUATION REPORT
	SLO	SENIOR LIAISON OFFICER
	SMIO	SENIOR MILITARY INFORMATION OFFICER
	SOA	STAFF OFFICER ADMINISTRATION
	SOO	SENIOR OPERATIONS OFFICER
	SOSD	STAFF OFFICER STAFF DUTIES
	SOI	SUMMARY OF INCIDENTS
	SP	SELF-PROPELLED (GUN) SUPPLY POINT
	SPO	SENIOR PLANS OFFICER/SENIOR POSTAL OFFICER
	SQN	SQUADRON
	SRSG	SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL
	SSO FOOD	SENIOR STAFF OFFICER FOOD
	SSO MAINT	SENIOR STAFF OFFICER MAINTENANCE
	SSO	SENIOR SECURITY OFFICER
	SSO SUP	SENIOR STAFF OFFICER SUPPLY
	SUP COY	SUPPLY COMPANY
20.	T.	TANGO
	TAC	TACTICAL
	TGT (S)	TARGET (S)
	TK	TANK
	TN	TRANSPORTATION
	TOW	TUBE LAUNCHED OPTICALLY TRACKED WIRE- GUIDED MISSILE (ANTI-TANK MISSILE)
	TP	TROOP
	TRG	TRAINING
	TTY	(RADIO) TELE-TYPE
	TPT COY	TRANSPORT COMPANY
21.	U.	UNIFORM
	UHF	ULTRA -HIGH FREQUENCY
	UNAVEM	UNITED NATIONS ANGOLAN VERIFICATION MISSION
	UNDP	UNITED NATIONS DEVELOPMENT PROGRAMME
	UNID	UNIDENTIFIED
	UNK	UNKNOWN
	UNMO	UNITED NATIONS MILITARY OBSERVER
	UNMOGIP	UNITED NATIONS MILITARY OBSERVER GROUP

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	UNTSO	UNITED NATIONS TRUCE SUPERVISION ORGANIZATION
	UNRWA	UNITED NATIONS RELIEF AND WORKS AGENCY
	UXO	UNEXPLORED ORDNANCE
22.	V.	VICTOR
	VEH	VEHICLE
	VHF	VERY HIGH FREQUENCY
	VIC	VICINITY
	VIREP	VIOLATION REPORT
23.	W.	WHISKEY
	WFZ	WEAPONS FREE ZONE
	WG	WORKING GROUP
	WGAL	WORKING GROUP ON ADMINISTRATION AND LOGISTICS
	WGO	WORKING GROUP ON OPERATIONS
	WGP	WORKING GROUP PROGRAMS
	WGT	WORKING GROUP ON TRAINING
	WO	WARRANT OFFICER
	WPFU	WORKING PEOPLE FORCES UNION
	WPN	WEAPON
	WSS	WEEKLY SITUATION SUMMARY
	WX	WEATHER
24.	X.	X-RAY
25.	Y.	YANKEE
26.	Z.	ZULU
	ZT	ZULU TIME (GREENWICH MEAN TIME)

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UNAMIR INDEX OF TOWNS AND VILLAGES IN RWANDA WITH GRIDS

A:

AGASHARU	D 0795
AKANKUBA	F 7199
AYABARAYA	D 2476

B:

BAYIGABULIRE	B 3240
BIBUNGO	C 8968
BICACA	D 2693
BICOMBI	D 3876
BIDUDU	B 4610
BIGAGA	U 2437
BIGOGWE	A 3421
BIJUNDE	B 1904
BILYOGO	D 0682
BINAGA	A 9704 - A 9703
BIRENGA	D 5958
BISATE	A 4639
BITARE	C 6428
BUDANA	A 8909
BUGAMBA	A 7748
BUGANJI	A 7127
BUGARAMA	E 9002
BUGARURA	B 3808
BUGOBA	C 9088
BUGULI	C 9083
BUHAMBE	B 0426
BUHANGA	B 2124
BUHAYO	A 7225
BUHENDA	B 0228
BUKURE	B 2301
BULINGA	C 6779
BUMBA	A 4616 - A 8804
BUNGWE	B 1433 - B 1531 - A 9634 - A 9734
BUNIGO	A 9434
BUREGO	A 7421
BUREMA	D 0874
BUREMBO	A 7128
BUREMELI	A 9202
BURENGE	D 1533
BUSANANE	A 8413
BUSANZA	D 1779
BUSENGO	A 6621
BUSHINGA	A 9630
BUSHOKA	A 7123
BUSOGO	A 4828
BUTAMWA	D 0276
BUTARE	C 7111
BUTARO	A 8144

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BUTERA	B 3032
BUYOGA	B 0113
BWENDA	C 8897
BWEYEYE	C 1111
BWISIGE	B 1727
BWUZULI	A 6063
BYUMBA	B 0725 - A 8130

C:

CHABAHINGA (KYABAHINGA)	U 2659 (A 9259)
CYABAKAMYI	C 6144
CYABINGO	A 6525
CYAMABUYE	A 4319
CYANGUGU	E 7725
CYANIKA	A 7150
CYERU	A 8035
CYINZUZI	B 0003
CYMATABURA	B 0730
CYONDO	B 1341
CYUGA	D 0294
CYUMBA	B 0133
CYUNGO	A 9321
CYURU	B 1418

D:

E:

F:

G:

GABIRO	B 4530
GACACA	A 6533 - B 0222
GAFUNZO	D 4353
GAHANGA	D 1074
GAHARA	D 5642 - D 5442
GAHONGA	A 6440
GALARARA	A 3921
GAKENDE	B 3238
GAKO	D 2050 - A 9919
GAKOMA	A 9503 - B 2236
GA KOROKOMBE	D 1778
GASABO	B 1601
GASHARA	A 4721
GASHENYI	B 2547
GASHINGA	A 6046
GASHINGE	B 0024
GASHOBA	C 7030
GASHORA	D 2655
GASOGI	D 3183
GATAGARA	C 7046

UN RESTRICTED

UN RESTRICTED

GATARE	B 0815 - A 8413 - B 2704
GATIZO	C 8777
GATSILIMA	B 1643
GATUNA(KATUNA)	U (34 OF 66) 42 OF B 0142
GATUNDA	B 2044
GICACA	D 2786
GIHARA	C 9686
GIHENGELI	B 2133
GIHIRA	A 4519
GIHOGWE	D 0489
GIHUKE	B 1629
GIKOMA	B 4210
GIKOMERO	D 1694 - D 2392
GIKONDO	D 0882
GIKONGORO	C 5227
GIKORO	A 5232 - A 8722
GAKUBO	A 9932
GISENYI	A 1712
GISHA	A 9507
GISHAKA	D 1695
GISHAMBASHAYO	A 9835
GISHORORO	B 2442
GISHYESHYE	C 8787
GISOZI	A 4221 - D 0687
GITANDA	C 9199
GITARAMA	C 7371
GITARE	A 7345
GITATSA	B 0318
GITEGA	C 5634
GITI	B 2302
GITONDOREO	C 4643
GITONYA	A 7128
GITOVU	A 7938 - A 8621
GITUBA	A 8616
GITUZA	B 3223
GITWE	B 2337
GOMBANIRO	G 9298
GULIRO	A 4615

H:

HAMBURA	A 4614
HESHA	A 4321

J:

JABA	A 4421
JABANA	D 0794
JANJA	A 6413
JENDA	A 4222
JURU	D 2568
JURWE	D 2189

UN RESTRICTED

UN RESTRICTED

K:

KABACUZI	B 2403
KABALE	U 3261 - B 0124
KABAYA	A 4907
KABERE	B 0124
KABINGO	B 0226 - A 8130
KABONGOYA	B 1736
KABUGA	A 6436
KABUGOMBA	A 8315
KABUYE	D 0592
KABUMBA	A 3026
KABUYE	D 0592
KABYAZA	A 8443 - A 7424
KACYIRU	D 0986
KADAHO	C 5749
KADUHA	C 4643
KAGANDU	B 0320
KAGARAMA	D 1180
KAGASA	D 1277
KAGEJE	B 0225
KAGOGO	A 7448
KAGUGU	D 0988
KALINGORERA	A 7525
KALINZI	A 6037
KALUBA	A 4422
KAMONYI	C 8979
KAMUSATE	B 1023
KAMUSHENYI	B 0523
KAMWERU	C 6433
KANAGA	F 8797
KANAZI	D 0963
KANOMBE	D 1981 - D 1382
KANYAMPERELI	A 4322
KANYINYA	B 0186 - D 0089
KANYONI	B 0404
KAMZEMZE	D 1162 - D 0868
KARABA	C 5431
KARAGALI	D 2399
KARAGO	A 4517
KARAMA	B 1747 - F 7195 - C 5631 - D 1790 - B 2332
KARAGBU	B 1133
KARAMBO	A 8220 - A 9908 - A 6929 - C 4634
KARANDARYI	A 4620
KARANGARA	C 8790
KAREHE	B 2422
KARENTERA	E 9321
KARENTERE	A 4716
KARUGANDA	A 7611
KARWANIRA	B 0021
KARWAZA	A 6435
KARWOGA	B 1237
KASHKYE	U 8861

UN RESTRICTED

UN RESTRICTED

KATUNA(GATUNA)	B 0142	- U (34 OF 66)42
KAVUMU	A 7126	
KAYANGA	D 2196	
KAYANGE	A 8045	
KAYENZI	C 8489	
KIBALI	B 0525	
KIBANDA	A 6731	
KIBAYI	F 8498	
KIBUNGO	D 5961	- D 0369
KIBUYE	C 2772	
KIBWA	A 5135	
KICUKIRO	D 1281	
KIDAHO	A 7148	
KIDOMO	A 7925	
KIFUKA	U 2458	(A 8959)
KIGALI	D 0784	
KIGARAMA	D 6070	
KIGASKA	B 3030	
KIGEMBE	F 7093	
KIGESE	C 9677	
KIGOMA	C 7749	
KIGOMBE	A 6032	
KIGUFI	A 2006	
KIMIHURURA	D 1083	
KIMISAGARA	D 0584	
KIMISANGE	D 0680	
KINIGI	A 5440	
KINIHIRA	A 8231	- A 9917
KINONI	A 6942	
KINYABASA	A 7948	
KINYAMAKARA	C 6026	
KINYAMI	B 1418	- C 9177
KINYANJA	A 4420	
KINYINYA	D 1289	
KIRAMBI	C 6433	
KIRAMBO	A 8335	
KIRAMURUZI	B 4400	
KIRULI	C 7049	
KIRWA	B 0702	
KITWA	B 0118	
KIVUNJA	A 4521	- A 4619
KIVUYE	A 9531	- A 9235
KIYANZA	B 0705	
KIYOMBE	B 0940	- B 0946
KIYUMBA	B 2259	
KIZIGURO	B 4204	
KIZINGA	B 0844	
KORA	A 3821	
KYABAHINGA(CHABAHINGA)	U 2659	(A 9259)

UN RESTRICTED

UN RESTRICTED

L:

LYARUNGANZY B 1232

M:

MABARE	B 1025
MANYAGIRO	B 0232
MARA	C 7124
MASAKA	D 2179
MASHAKA	B 3062
MASORO	D 0698
MATA	A 6435
MATABA	B 0521
MBATI	C 9467
MBOGO	A 9604 - A 9405 - A 9302
MESHERO	B 1291
MIMULI	B 2840
MIYOVE	A 9622
MUBOMBO	G 9199
MUBONA	A 5933
MUBUGA	A 5836
MUGAMBA	A 7325
MUGANBAZI	B 0400 - B 0502 - B 0403
MUGANZA	C 8507 - C 4930
MUGERA	C 9399
MUGINA	B 0936 - C 9367 - C 9767
MUHANGA	C 6431
MUHINGO	A 4733
MUHONDO	A 8700 - A 8623
MUHORORO	D 0496
MUHONDO	B 0919
MUHURA	B 2908
MUKAMA	B 2041
MUKAMIRA	A 4421 - A 4521
MUKARANGE	B 0831 - B 0722 - B 0533
MUKENKE	B 1017
MUKINGA	C 9065
MUKINGO	A 5029
MUKU	D 0192
MUKUYU	B 2403
MULINDI	B 0437
MURAMA	C 6649 - D 1564 - B 0221
MURAMBI	B 4601 - B 3703 - A 8414 - A 9214 - B 0400 - B 1301
MURAMBO	A 7115 - B 0729
MUREHE	C 9287
MUREMURE	A 4318
MURENZI	A 5135
MUSAGA	A 8050
MUSAGARA	C 8696
MUSANGE	C 5247
MUSANJU	A 6542

UN RESTRICTED

UN RESTRICTED

MUSANZE	A 5535
MUSEKE	D 0198 - B 0020
MUSEKERA	A 7223
MUSENYI	C 9291
MUSOVU	D 2068
MUTOVU	A 2829 - A 4621
MUTURA	B 3223 - A 3223
MUTUTU	C 9341
MUVUMBA	B 2647
MUVMO	A 8719
MUYAGA	C 9026
MUYENJE	B 2444
MUYIRA	C 8639
MWENDO	D 0181 - B 0122 - B 0622
MWIRONGI	A 6336
MWIYANIKE	A 4518 - A 4617
MWOGO	D 1671

N:

NDAGO	A 7938
NDERA	D 1884
NDORWA	A 4817
NDUBA	D 1294
NEMBA	D 2541
NGAMBA	C 8892
NGARAMA	B 2629
NGARU	A 6309
NGENDA	D 0644
NGIRYI	D 0896
NGOMA	C 9999 - C 9371
NGONDORE	B 0529
NGORORERO	C 6095
NKAMBA	B 1039
NKANA	B 1345
NKANGA	D 3046
NKUMBA	A 6938
NSILI	F 3996
NTABANGIRA	B 0186
NTARABANA	B 1002 - A 9104
NTARAMA	A 7127 - D 0566
NTARUKA	A 7137
NTEKO	C 9769
NTYABA	B 0201
NTYAZO	C 8631
NUNGA	D 0974
NYABIHU	A 4516
NYABIKENKE	A 7292
NYABIREHE	A 4629
NYABISHAMBI	B 0928
NYABISINDU	C 7140
NYABUKINGI	B 2625
NYABUKO	C 9699

UN RESTRICTED

UN RESTRICTED

NYABURARO	A 4618
NYABYAMBU	B 1233
NYACYONGA	D 0994
NYAGAHANDAGAZA	B 2136 - D 6095
NYAGAHANGA	B 2320
NYAGAHONDO	A 7126
NYAGAHURU	B 0921 - C 8914
NYAGASIGATI	B 2760
NYAGASOZI	C 8982
NYAGATARE	B 3556 - B 4169 - B 3657
NYAGATUGUNDA	B 1901
NYAGURAGURA	A 4616
NYAKABANDA	C 6496 - D 0582 - D 1282
NYAKABUNGO	B 0429 - D 2590
NYAKAYGA	B 4016
NYAKENKE	B 0122
NYAKIBINGO	B 1822
NYAKINAMA	A 5927
NYAKIZA	C 4737
NYAKIZU	F 5796
NYAMAGABE	C 5427
NYAMIRAMBO	D 0581
NYAMIREMBE	B 2448
NYAMIYAGA	C 8872 - A 9821
NYAMUGALI	A 8622
NYAMUTERA	A 5819
NYAMUTUKURA	A 4220
NYANKENKE	B 0122
NYANAWIMANA	B 1614
NYANZA	C 7140 - D 1079 - B 1903
NYARUBANDE	D 9873 - D 0272
NYARUGENGE	D 0145 - D 0885
NYARUGUNGA	D 1782
NYARURAMA	B 1822 - D 0877
NYARURAMBE	B 0020
NYARUTOVU	A 7517
NYUNDO	A 5911 - A 4515
NZOVE	D 0186

O:

OPYRWA	A 5933
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P:Q:

UN RESTRICTED

UN RESTRICTED

R:

RAMBURA	A 4614
RAYEBE	A 4717
REMER	A 6929 - A 4716 - A 9906 - B 0006 - D 1383
RUBARE	A 4319
RUBAYA	A 9938 - A 4622
RUBILIZI	B 2560
RUBINGO	D 0195 - 9993
RUBANO	B 0520
RUBUNGO	D 1885 - D 1887
RUGALIKA	C 9574
RUGAMBI	A 4315 - A 4314
RUGANDA	A 8801
RUGARAGARA	A 4722
RUGARAMA	B 0529 - D 0478
RUGAZI	B 0314
RUGENDABARE	A 7648
RUGESHI	A 6334
RUGOGWE	A 4417 - C 6924 - C 9282
RUHANGA	A 8239 - A 6732
RUHANGO	C 8775
RUHASHYA	C 7026
RUHEHU	F 4196
RUHENDA	B 0228
RUHENGERR	A 5834
RUHONDO	A 6829
RUHURURA	B 0228
RUKOMA	A 4822
RUKOMO	B 2546 - B 1021 - B 2951
RUKONDO	C 5538
RULINDO	A 9109
RUMBA	C 4994
RUMULI	B 0019
RUNDA	A 9383 - C 9882
RUNDA	C 9882
RUNYANJA	A 4222
RUREMBO	B 1505
RURENGE	B 3152 - A 9405
RUSAGARA	A 9908
RUSASA	B 1200
RUSHAKI	B 1138
RUSHAKI	A 830
RUSHESHE	D 2175
RUSHOBI	D 2167
RUSIGA	A 9301 - C 9598
RUSORORO	D 2482
RUTARABANA	B 1320
RUTARE	B 0224
RUTOBWE	C 7780
RUTONDE	D 0639 - C 9690
RUTONGO	D 0494 - D 0393
RUTUNGA	D 1999

UN RESTRICTED

UN RESTRICTED

RUVUNE	B 1621
RUYANGE	A 7835
RUYENZI	C 9783
RWABUTENGE	D 1276
RWAHI	C 9095
RWAMAGANA	D 4884
RWAMAHORO	A 4836
RWAMIKO	B 2104
RWANIRO	C 6729
RWANKERI	A 4724
RWAZA	A 6529
RWEMPASHA	B 3366
RWERERE	A 2723 - A 8534 - A 8532
RWERU	A 9734
RWESERO	D 0179
RWINKINGI	A 4516

S:

SAGA	D 8603
SAKE	D 4454
SHA	D 1297
SHANGASHA	B 0731

80
28/10

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UNITED NATIONS



NATIONS UNIES

ASSISTANCE MISSION IN RWANDA

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

DATE: 10 March 1995

Ref: AHG/MMN

ADMINISTRATIVE INSTRUCTION NO. 005/94/REV. 1

TO: All UNAMIR Military, Civilian Police, and Civilian Personnel

FROM: Ally H. Golo
Officer-in-Charge
Administration

SUBJECT: Standing Operating Procedures on Reporting, Investigations, and Boards of Inquiry

I. REPORTING

1. All accidents/incidents resulting in injury/death to UNAMIR personnel or third parties, or resulting in damage/loss to UNAMIR, contingent, or third party owned property, shall be reported immediately. Where military personnel are involved, a report shall be made forthwith to the unit commander who shall inform the nearest Military Police, the Sector Commander, the Chief of Staff (COS), the Chief Military Personnel Officer (CMPO) and the office of the Director of Administration (DOA)/Chief Administrative Officer (CAO). Where only UNAMIR civilian staff are involved in accidents/incidents resulting in injury/death to UNAMIR personnel or third parties a report shall be made immediately to the Military Police, the Civilian Police (CivPol), the Chief Civilian Security Officer (CCSO) and the DOA/CAO.

2. Failure to report any incident including the loss of UN property, shall constitute gross negligence. Failure to report any incident within twenty four hours without valid grounds for such failure shall constitute negligence.

3. A detailed description of the incident, including the names and addresses of those involved, the date and time of the incident, the circumstances surrounding the accident/incident, the make and serial numbers of vehicles involved, the nature and extent of damage or loss to property, including vehicles and other items, shall be recorded.

3/21

II. INVESTIGATIONS

4. Upon receiving a report of any incident referred to in paragraphs 1, 6 and 7 herein, the Force Provost Marshall (FPM)/CMPPO or CCSO at mission headquarters shall immediately carry out a complete investigation in order to obtain and record all factual evidence before it becomes obliterated. Commanding officers or civilian section chiefs, as appropriate, shall ensure that the scene of any serious accident/incident within their area of responsibility is protected until the arrival of the appropriate authorities and that objects that might be useful as evidence are not disturbed.

5. In all cases the investigating officers must, to the extent possible, commence investigations promptly and complete them before the individuals involved and any witnesses leave the mission area due to rotation or repatriation. Priority shall be given to reports on incidents/accidents involving death, serious injury, or major property damage or loss. Completed investigation reports shall have the following documents attached:

- (a) Statements from all personnel involved and witnesses to the accident/incident, as well as English translations of the same;
- (b) Medical reports on all injured parties (and, in the case of a fatality, the death certificate and any autopsy report);
- (c) Results of any tests taken to determine whether the U.N. driver was physically impaired at the time of the accident/incident;
- (d) Damage/Discrepancy reports on all damaged vehicles;
- (e) Technical inspection reports on any U.N. or contingent-owned weapons involved in the accident/incident; and
- (f) Sketches, maps and photographs relating to the accident/incident.

6. In accordance with the Field Administration Manual, the following, and similar others, are considered serious incidents/accidents:

- (a) those in which a member of a mission dies or is seriously injured as a result of an incident, suspected misconduct on his/her part, or wilful act(s) or gross negligence on the part of another member of the mission or any other person;
- (b) those in which serious injury or death is caused to a third party in a case involving a mission member;

4/21

- (c) those in which a third party incurs serious loss or damage in an incident involving a member of the mission;
- (d) cases involving major property loss or damage to UNAMIR and contingent-owned property, including that resulting from suspected negligence, unsatisfactory control or accounting procedures, fire, explosion or similar occurrence other than in the course of operational activities, or that occurring in any other circumstances where responsibility for the loss or damage is unclear;
- (e) members from different contingents are involved;
- (f) the Head of Mission/SRSG considers the incident serious enough to warrant investigation by a Board of Inquiry.

7. Incidents/accidents in which

- (a) a civilian or military member of the mission suffers minor injuries;
- (b) a third party suffers minor injuries or incurs damage or loss to property involving civilian or military members of the mission;
- (c) there is minor loss or damage to UNAMIR or contingent-owned property.

shall constitute minor incidents/accidents within the meaning of sub-paragraph 1.2 of paragraph 1.0 of Part IV of Chapter 16 of the Field Administration Manual.

8. In view of the need to avoid wasting MP/CivPol/CCSO resources investigating minor accidents and petty thefts of vehicle mirrors, wipers, etc., driver accident/theft reports (DARs), after scrutiny by the Chief Transport Officer (CTO), shall suffice. However, such reports shall be distributed as if they were MP/CivPol/CCSO reports, and shall be the basis for the issuance by the Military Police of Final Traffic Accident Reports containing: a copy of the Damage Discrepancy Report; a Minor Theft Report; a copy of the Driver's Accident Report; and a memorandum from the Military Police. The Military, Civilian Police, and Civilian components shall prepare Summary Disposal Reports only for those cases in which the amount of damage or loss is \$1500 or less. And since all cases in which the amount of damage or loss is \$400 or less are dealt with by summary disposal irrespective of liability, such cases shall therefore be sent by the Legal Officer directly to the Local Property Survey Board for its action subject to a record of such cases being kept by the Boards of Inquiry Unit.

III. BOARDS OF INQUIRY

9. The DOA/CAO shall initiate board of inquiry action immediately upon receipt of an investigation report, in all cases whether involving members of formed military units, non-formed military units, Civilian Police, or civilian members of the Mission.

10. All serious incidents/accidents referred to in paragraphs 1, 6 and 7 above involving civilian staff, members of the Civilian Police (Civpol), members of formed and non-formed military units, shall be investigated by Headquarters Boards of Inquiry constituted in accordance with the knowledge and expertise required by each case. The appointed chairpersons for such boards shall be senior civilian/military officials. Therefore the requirement for Contingent Boards of Inquiry within the meaning of paragraph 1.0, sub-paragraph 1.1 (serious cases) of Part IV of Chapter 16 of the Field Administration Manual is hereby waived.

11. Headquarters Boards of Inquiry referred to in paragraph 10 shall be convened by the SRSG in all cases referred to in paragraph 6 above.

12. Boards of Inquiry (Standing or not) shall be convened upon the order of the DOA/CAO in all cases referred to in paragraph 7 above, and shall be constituted in accordance with the particular knowledge and expertise required for each case.

IV. CONVENING ORDERS FOR BOARDS OF INQUIRY, AND THE COMPOSITION OF THE MEMBERSHIP THEREOF

13. A Board of Inquiry shall commence upon the Convening Order of the Head of the Mission (or his delegate) who also appoints three responsible individuals from among the mission staff as members of the board, and specifies the board's terms of reference. The following model convening orders for the different boards of inquiry are provided in Annexes A, B, C and D hereto:

- (a) Model Convening Order for a Headquarters Board of Inquiry in respect of serious accidents/incidents;
- (b) Model Convening Order for a Standing Headquarters Board of Inquiry in respect of serious accidents/incidents; and
- (c) Model Convening Order for a Board of Inquiry in respect of paragraph 6 cases.
- (d) Model Convening Order for a Standing Board of Inquiry in respect of paragraph 6 cases.

6/21

14. The DOA/CAO and the Chief Finance Officer (CFO) are considered permanent members of all Constituted Boards of Inquiry and may attend meetings as they desire and consider necessary. They are to be given notice of all meetings. The Chief Civilian Personnel Officer (CCPO) shall appoint a civilian secretary to each such board.

15. Any appointed member who is unable to serve due to unforeseen circumstances must immediately inform the DOA/CAO/CMPO as appropriate. In view of the requirements in paragraphs 3 and 4 hereto for speedy investigations in order to guard against the destruction of evidence and the departure of witnesses from the mission area before investigations are concluded, the chairpersons, members and advisers of a Board of Inquiry shall not proceed on other missions or on leave until the Board's report has been completed and submitted.

16. Once a Board has been convened the chairperson, upon receipt of the convening order, shall immediately contact the Legal Officer/the DOA/CAO who shall provide an initial briefing. The Legal Officer/the DOA/CAO shall review the final draft of the report prior to its submission to the Head of Mission for consideration and comment. The chairperson shall regularly advise the Legal Officer/the DOA/CAO of the Board's progress and submit the final draft report for his/her review one week prior to the designated deadline.

17. United Nations staff members may be ordered to appear and testify as witnesses before a Board of Inquiry, as may members of national military or civilian contingents. Any other persons, including local citizens and local police or military officers, may be requested to make statements before a Board or answer its questions but are under no obligation to do so.

18. Witnesses shall be questioned individually by the Board and in the absence of other witnesses, so that information received from one may be compared with that received from others. If necessary, witnesses who have provided information may be questioned again by the Board to clarify any ambiguities in their statements and to indicate to what extent, if any, they have knowledge of relevant facts not mentioned in their initial statements.

19. If a witness refuses to make a statement to the Board, the Board shall record that fact, and shall be obliged to explain any omissions in questioning identified witnesses.

20. If feasible and deemed useful, the chairperson and members of the Board shall visit the scene of the accident/incident and note any important observations that could have a bearing on the determination of the case.

21. A Board of Inquiry does not consider questions of compensation or legal liability.

7/21

22. Administrative procedures for a headquarters Board of Inquiry are set out in Annex G to this instruction.

V. FINDINGS OF A HEADQUARTERS BOARD OF INQUIRY

23. A Board shall reach its findings only after it has considered all the evidence, and such findings shall be based on and supported by the evidence contained in the report. If there is conflicting evidence as to a matter on which a finding is required, the Board shall, if it prefers one version, explain the preference.

24. A Board shall make at least the following findings relating to the incident under investigation:

- a. Findings required concerning death or injury (cases other than motor vehicle accidents)
 - i. full name of deceased or injured person;
 - ii. time, date and place death or injury occurred;
 - iii. cause of death or injury;
 - iv. whether any person was responsible for the death or injury;
 - v. if so, identification of person(s) responsible;
 - vi. whether any court action (prosecution or law suit) has been initiated;
 - vii. whether deceased or injured person was on United Nations duty at the time of the incident;
 - viii. whether and when hospitalized, if appropriate;
 - ix. identification of Military Police (MP) who investigated the incident (attach copy of the MP report);
 - x. whether any United Nations regulations, rules, orders or instructions were contravened
- b. Findings required concerning motor vehicle accidents
 - i. time, date and place of accident;
 - ii. identification of vehicle(s) involved;
 - iii. identification of persons involved (drivers, passengers and pedestrians)
 - iv. identification of person(s) injured;
 - v. weather, lighting and road conditions;

SP1

- vi. cause of the accident;
 - vii. identification of person(s) responsible;
 - viii. identification of damage to vehicles and other property
 - ix. identification of MP who investigated (attach copy of the MP report);
 - x. actual or estimated cost of repairs to vehicle(s) involved
 - xi. names and addresses of insurers of vehicle(s) involved, if any;
 - xii. whether or not the United Nations driver was on duty at the time of the accident (if applicable);
 - xiii. if possible to ascertain if the driver was sober.
- c. Findings required concerning damage to or loss of equipment
- i. time and date that damage or loss was discovered;
 - ii. to whom, by whom, and when the loss was reported;
 - iii. who was responsible for custody of the equipment;
 - iv. the value of missing article(s) or cost of repairing equipment;
 - v. name and address of insurer, if any;
 - vi. whether theft is suspected and whether security authorities were notified (if so, identify security officer).

VI. THE REPORT AND RECOMMENDATIONS OF A HEADQUARTERS BOARD OF INQUIRY

25. The format for the report of a Headquarters Board of Inquiry is shown in Annex F.

26. The recommendations of a Board shall deal with any action that in the opinion of the Board should be taken by United Nations authorities, for example action to avoid the recurrence of an incident, such as specific additional safety precautions, or legislative or administrative action such as amending regulations, rules or instructions.

9/21

27. The chairperson shall submit a typed draft report, together with all necessary documents and attachments, for review by the Legal Officer for the DOA/CAO.

28. After review the report shall be finalized. The Legal Officer shall prepare for the DOA/CAO, in consultation with the chairperson of the Board, a memorandum to the Head of Mission presenting the Board's report and any comments thereon.

VII. REVIEW OF REPORT BY HEAD OF MISSION AND CLOSURE OF FILE

29. The Head of Mission shall review the report in consultation with the appropriate technical personnel on his staff (e.g. Legal Officer, Medical Officer). When transmitting the report to United Nations Headquarters (Office for Special Political Affairs and the FOD) he/she shall indicate whether he/she has accepted the recommendations of the Board and what measures have been taken to implement them, along with his/her own comments on them and, if necessary, on the report in general.

30. Any recommendations submitted for the Head of Mission's decision, together with his/her comments thereon, shall be communicated to the DOA/CAO who shall request appropriate action from the staff concerned in the DOA/CAO's Office or from the Commanding Officer concerned.

31. The Board of Inquiry file shall be closed after the Head of Mission has forwarded copies of the Board's report to United Nations Headquarters. However, the file and all relevant documentation shall be retained in the mission archives indefinitely.

VIII. REPORTS OF NON-HEADQUARTERS BOARDS OF INQUIRY (WHETHER STANDING OR NOT)

32. Reports of ordinary boards of inquiry in respect of matter referred to in paragraph 6 of these SOPs shall conform in all respects, in terms of findings and the presentation thereof, to those for Headquarters Boards of Inquiry. However, the recommendations of ordinary boards of inquiry shall be dealt with by the DOA/CAO who shall take the necessary action, which may require referring the matter to the Local Property Survey Board, the Claims Unit, or the Chief Civilian Personnel Officer. The DOA/CAO may then close the file.

IX. SUMMARY DISPOSAL OF REPORTS ON INCIDENTS WITHOUT CONVENING A BOARD OF INQUIRY

33. Pursuant to the provisions of paragraph 8, summary disposal actions shall be taken in cases in which (1) there is no death or serious injury; (2) the loss or damage to U.N. or contingent-owned property implicated is not more than US\$1500, and the item involved is not an "attractive item" (e.g. camera, computer, calculator, facsimile machine, television, video cassette player,

10/21

telephone, etc.); (3) there is no indication of gross negligence or fraud on the part of any U.N. personnel; and (4) no serious disciplinary action can be foreseen. Summary disposals shall be dealt with by the Formed Unit Commander (in cases involving military personnel of formed units), the Force Commander (in cases involving military personnel not part of a formed unit) or the Commissioner of Police (in cases involving CIVPOL monitors) in conjunction with the DOA/CAO.

(a) Incidents not involving death or injury, and in which loss is not more than \$1500

- (i) Incidents not involving death or injury and in which the loss suffered by the UNAMIR or members thereof is not more than US \$1500 per occurrence, and where no serious disciplinary action can be foreseen, may be dealt with by the DOA/CAO where civilian staff are involved, and by the DOA/CAO in conjunction with the contingent commander where military personnel are concerned, without convening a Board of Inquiry.
- (ii) The incidents referred to in paragraph 33 above shall nevertheless be properly documented, with identification of the individuals and any items of property involved; detailed findings and recommendations regarding responsibility for the loss and disposition of the property in question; and an indication of any resulting disciplinary and/or corrective action. The report shall be forwarded in triplicate to the CMPO in cases involving only military personnel and no financial loss to the United Nations; and to the DOA/CAO in cases involving civilian personnel and no financial loss to the United Nations.

(b) Driver's Accident/Theft Reports as Basis for Summary Disposal Action

- (i) In cases in which drivers of U.N. vehicles report accidents resulting in minor damage, or report petty theft, whereby the nature of the incident attracts no disciplinary action, the Military, Civilian Police, and Civilian components shall prepare Summary Disposal Reports if the amount of damage or loss is \$400 or below. And since cases in which the amount of damage or loss is \$400 or below are dealt with by summary disposal irrespective of liability, such cases shall be sent by the Legal Officer directly to the Property Survey Board for its action subject to a record of the same being kept by the Boards of Inquiry Unit.
- (ii) Investigating agencies shall not dispose of any files relating to summary disposals until a proper release has been given by the office of the DOA/CAO.

11/27

34. The format for summary disposal actions with respect to accidents/incidents referred to in paragraph 33 (a) and (b) above is provided in Annex E of these SOPs.

X. CONVENING ORDERS FOR BOARDS OF INQUIRY

35. Models for Convening Orders for the four types of boards applicable under these SOPs are given in Annexes A, B, C and D.

12/21

ANNEX A

MODEL CONVENING ORDER FOR A HEADQUARTERS BOARD OF INQUIRY
IN RESPECT OF SERIOUS ACCIDENTS/INCIDENTS

(Name of Mission)

DATE:

TO: see Distribution

FROM: SRSG

SUBJECT: CONVENING ORDER: HEADQUARTERS BOARD OF INQUIRY
NO.....UNAMIR

1. In accordance with established procedures, Headquarters Board of Inquiry No..... is hereby convened to investigate and report on an incident/accident which occurred on ...(date) at...(location).

2. The Board is to submit the final report and 6 copies by:

.....

3. Composition:

- (a) Chairperson
- (b) Member
- (c) Member
- (d) Member/Secretary

4. The Chairperson shall advise the Legal Officer/DOA/CAO of the Board's progress and shall submit a draft report, with annexes to him/her for advice on substance and form, one week prior to the designated deadline.

5. After receiving the comments of the DOA/CAO/Legal Officer, the Chairperson shall have the report prepared in its final form. It will be signed by all members and submitted to the Legal Officer for transmission to the DOA/CAO for consideration and comment. The DOA/CAO in turn will submit it to the SRSG with a copy to the Force Commander (in cases involving military personnel).

6. The terms of reference are attached.

13/21

ANNEX B

MODEL CONVENING ORDER FOR A STANDING HEADQUARTERS BOARD OF
INQUIRY IN RESPECT OF SERIOUS ACCIDENTS/INCIDENTS

(Name of Mission)

DATE:

TO: see Distribution

FROM: SRSG

SUBJECT: CONVENING ORDER: STANDING HEADQUARTERS BOARD OF
INQUIRY NO.....UNAMIR

1. In accordance with UNAMIR Standing Operating Procedures (SOPs) (forwarded under Administrative Instruction No. _____ dated _____ September 1994, Standing Headquarters Board of Inquiry No. _____ is hereby convened to investigate and report on a number of accidents/incidents involving UNAMIR personnel and resulting in serious injury and/or major property damage.

2. The initial group of cases to be submitted to the Standing Board is as follows (with reference to the last name of the UNAMIR driver/member involved and the date of the accident/incident):

Case No. _____ : _____
Case No. _____ : _____
Case No. _____ : _____
Case No. _____ : _____

Additional cases may be submitted to the Board for investigation and reporting pursuant to a directive issued by the SRSG.

3. The Chairperson shall keep the Legal Officer informed of the Board's progress and shall submit the Board's reports in conformity with paragraph 21 of these SOPs and paragraph 5 of Annex A or C hereto to the Legal Officer in accordance with the following schedule:

(Cases and dates when to be submitted)

4. Composition: Chairperson:
Member:
Member:
Secretary:

14/21

ANNEX C

MODEL CONVENING ORDER FOR BOARD OF INQUIRY
IN RESPECT OF MINOR ACCIDENTS/INCIDENTS

(Name of Mission)

DATE:

TO: see Distribution

FROM: SRSG

SUBJECT: CONVENING ORDER: BOARD OF INQUIRY NO.....UNAMIR

1. In accordance with established procedures, Board of Inquiry No..... is hereby convened to investigate and report on an incident/accident which occurred on ...(date) at...(location).
2. The Board is to submit the final report and 4 copies by:
.....
3. Composition:
 - a. Chairperson
 - b. Member
 - c. Member
 - d. Member/Secretary
4. The Chairperson must advise the Legal Officer of the Board's progress and shall submit a draft report, with annexes to him/her for advice on substance and form, one week prior to the designated deadline.
5. After receiving the comments of the Legal Officer/CAO, the Chairperson shall have the report prepared in its final form. It will be signed by all members and submitted to the DOA/CAO for consideration and comment. The DOA/CAO in turn will submit it to the SRSG with a copy to the Force Commander (in cases involving military personnel).
6. The terms of reference are attached.

15/21

ANNEX D

MODEL CONVENING ORDER FOR A STANDING BOARD OF
INQUIRY IN RESPECT OF MINOR ACCIDENTS/INCIDENTS

(Name of Mission)

DATE:

TO: see Distribution

FROM: SRSG

SUBJECT: CONVENING ORDER: STANDING BOARD OF INQUIRY
NO.....UNAMIR

1. In accordance with UNAMIR Standing Operating Procedures (SOPs) (forwarded under Administrative Instruction No. _____ dated _____ September 1994, Standing Board of Inquiry No. _____ is hereby convened to investigate and report on a number of accidents/incidents involving UNAMIR personnel and resulting in minor injury and/or minor property damage.

2. The initial group of cases to be submitted to the Standing Board is as follows (with reference to the last name of the UNAMIR driver/member involved and the date of the accident/incident):

3. The Chairperson shall keep the Legal Officer informed of the Board's progress and shall submit the Board's reports in conformity with paragraph 21 of these SOPs and paragraph 5 of Annex A or C hereto to the Legal Officer in accordance with the following schedule:

Case No. _____: _____
Case No. _____: _____
Case No. _____: _____
Case No. _____: _____

Additional cases may be submitted to the Board for investigation and reporting pursuant to a directive issued by the SRSG.

(Cases and dates when to be submitted)

4. Composition: Chairperson:
Member:
Member:
Secretary:

16/21

Annex E

SUMMARY DISPOSAL OF INCIDENTS WITHOUT CONVENING A BOARD OF INQUIRY

- 1. REFERENCE.....
.....
.....
.....
- 2 Since the incident is within the conditions specified in appropriate United Nations Regulations, I recommend that no Board of Inquiry should be held.
- 3. The following is a description of how the accident/incident occurred:
.....
.....
.....
.....
- 4. The accident/incident was immediately reported to.....
and.....
.....
- 5. There were no injuries/There were minor injuries to civilian or military personnel.
- 6. There was no damage/There was minor damage to mission vehicle No:..... (See damage/discrepancy report at annex.....)
- 7. There was no damage to any civilian vehicle or property/There was minor damage to a civilian vehicle or property in the value
- 8. I recommend that the cost.....(state the amount if known) be written off against
.....
.....
.....
- 9. UNAMIR Military Police/Civilian Security Investigation Report is attached as Annex....

SIGNATURE.....RANK.....
(military only)

NAME.....

DATE.....

17/21

Annex E

10. I agree with the above report.

SIGNATURE.....RANK.....
(military only)
NAME.....
APPOINTMENT/TITLE.....
DATE.....

FORMAT FOR HEADQUARTERS BOARD OF INQUIRY REPORT

A Headquarters Board of Inquiry report should be structured along the following lines:

- a. Constitution: cite the convening order; the time, date and place of the incident; and the period during which the Board conducted its proceedings;
- b. Description of the incident: present the objective facts of the incident obtained from the available evidence, with full reference to the sources used, including details of duty being performed at the time;
- c. Deliberations: present the main issues to be addressed when assessing the incident and reaching substantiated conclusions;
- d. Findings and conclusions: address the issues raised by presenting the Board's findings and conclusions based on the available evidence and relevant mission headquarters/unit orders, directives, regulations or SOPs.
- e. Recommendations: recommend any remedial or preventive measure to avoid a similar incident;
- f. Signatures: affix the signatures of the chairperson and members of the Board.
- g. Annexes: attach as annexes
 - i. convening order;
 - ii. UNAMIR MP/Civilian security report, with original photographs;
 - iii. list of persons present at or involved in the incident, giving name, rank, unit and ID number for UNAMIR personnel and distinguishing them from other persons, whose full names, occupation and address must be listed;
 - iv. statements and reports of witnesses;
 - v. any additional relevant documents or statements, including all medical reports and technical inspection reports (e.g. weapon inspection reports, vehicle inspection reports);

19/21

Annex F

- vi. any maps or sketches of the scene of the incident;
- vii. any claims, local police reports (if any), pending proceedings or actual decisions of local courts;
- viii. detail description of property destroyed or damaged, attaching any available damage/discrepancy reports;
- ix. relevant copies of mission headquarters/unit orders directives, regulations, SOPs, etc.

20/21

Annex G

ADMINISTRATIVE PROCEDURES FOR A HEADQUARTERS BOARD OF INQUIRY

1. Boards of Inquiry are within the authority of the Head of Mission. Unless otherwise directed by the Head of Mission, the Legal Officer shall guide and administer Boards on behalf of the Head of Mission, and shall act through and with the approval of the DOA/CAO.
2. The Legal Officer's/the CAO's secretary shall maintain a record of Boards noting the number of each, the incident being investigated, the date of the incident, the personnel involved, the contingent involved, the date on which the Board's deliberations commenced and the date the report is sent to United Nations Headquarters.
3. There is only one file for reports of Boards of Inquiry, which shall be kept in the office of the Head of Mission.
4. Because the CMPO is aware of tasking and rotation dates of military personnel, he/she may be asked by the Head of Mission or his/her delegate to assign military members to Boards of Inquiry, but this is the limit of his/her role in such a Board.

5. **Issue of convening order**

The Legal Officer's/the CAO's secretary shall type out one form, mark it with the Board of Inquiry number and:

- send it to the Head of Mission (or his/her delegate) for appointment of the chairperson and members and for signature;
- photocopy it and send one copy each to the Board chairperson, members and secretary;
- provide photocopies to the DOA/CAO, the CMPO, FPM and the Claims Officer;
- file the original, with note of issue and distribution, in the Head of Mission's file.

6. **Completion of findings**

The Board's secretary types the draft report and submits it with all annexes to the Legal Officer for review by the DOA/CAO;

The Legal Officer returns it to chairperson for final typing (with three copies) by the Board secretary and for signature by the chairperson and members. All photocopies must be legible;

21/27

Annex G

The Chairperson returns report to Legal Officer for onward transmission to the DOA/CAO for submission to the Head of Mission.

7. Closure of the file

Distribution may be otherwise as directed by the Head of Mission but normally it is as follows:

- cover letter from the Head of Mission plus 2 copies of the report each to the Director, FOD, and the Office for Special Political Affairs (OSPA);
- original and one copy to the Head of Mission's file;
- secretary to make a note of distribution and the dates of such distribution on the Head of Mission's file copies of letters to FOD and OSPA.

UNITED NATIONS

ASSISTANCE MISSION IN RWANDA



NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 5000.7 (PLANS)

To: DISTRIBUTION LIST

From: G3 PLANS *[Signature]*

Date: 9 Aug 95

Subject: REGLES D'ENGAGEMENT

1. Enclosed are the amended UNAMIR Rules of Engagement.
2. Overview of the changes. The list of tasks of para 2 have been changed to those of the new mandate. In para 3 the sentence on impartiality has been deleted. In the definitions section on self-defence (para 5.c.(4)) all reference to displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces have been removed. A definition of serious criminal offence (para 5.i.) has been introduced. All reference to cross-border fire in the section on the use of force and engagement principles (para 9.k.) has been deleted. The sub section on authority to detain (para 12) has been rewritten to include serious criminal offence.
3. Please ensure that all personnel are informed of the changes.

Enclosures: 1. Section 17 to Part 3 Rules of Engagement

Distribution List

FC
DFC
G3 Ops
CLO
MALICOY
95 CMSG
~~MILOB GP HQ~~
MP PL
CIVPOL

24 juillet 95

PROCEDURES OPERATIONNELLES PERMANENTES DE LA MINUAR**SECTION 17: REGLES D'ENGAGEMENT****PREMIERE PARTIE****INTRODUCTION**

1. La conduite des opérations militaires est contrôlée et réglementée par la disposition de lois nationales et internationales, de conventions et de jurisprudence. Les actes posés par des individus sont aussi régis par des lois nationales en application. Dans le cas d'une opération placée sous le commandement des Nations Unies (NU), il est du ressort des NU d'établir les paramètres selon lesquelles les forces des Nations Unies vont opérer. Les RDE constituent le moyen par lequel les Nations Unies fournissent, aux commandants à tous les niveaux, des instructions politiques et légales concernant l'usage de la force par le personnel de l'ONU. Les RDE sont préparées par le Commandant de la Force; mais elles doivent être approuvées par les NU et ne peuvent être modifiées que sous l'autorisation des Nations Unies.

2. Les RDE de la MINUAR sont prévues pour les forces onusiennes opérant sous les auspices de la Résolution 997(1995) vote en date du 9 juin 1995 par le Conseil de Sécurité des Nations Unies. Cette Résolution stipule que la MINUAR:

"(a) User de ses bons offices pour faciliter la réconciliation nationale dans le cadre de l'Accord de Paix d'Arusha;

(b) Aider le Gouvernement rwandais à faciliter le retour librement consenti des réfugiés, en toute sécurité, ainsi que leur réinsertion dans leur milieu d'origine, et, à cette fin, appuyer les efforts faits par le Gouvernement rwandais pour instaurer un climat de stabilité et de confiance, grâce à des activités de surveillance menées dans l'ensemble du pays par des observateurs militaires et des observateurs de police;

(c) Faciliter l'aide humanitaire, ainsi que la fourniture d'une assistance et de services spécialisés en matière de génie civil, de logistique, de santé publique et de déminage;

(d) Aider à l'instruction d'une force de police nationale;

(e) Contribuer à assurer la sécurité, au Rwanda, du personnel et de locaux des organismes des Nations Unies, du Tribunal international pour le Rwanda, notamment en assurant en performance la protection du Bureau du Procureur, ainsi que des spécialistes des droits de l'homme, et contribuer également, si besoin est, à assurer la sécurité des organismes humanitaires;"

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3. Selon les termes de l'Accord de Paix d'Arusha et des mandats de la Résolution du Conseil de Sécurité des Nations Unies, la MINUAR a un engagement d'aider toutes les parties en conflit à atteindre la national reconciliation. L'impartialité en constitue la clé et toute action de la MINUAR doit viser à l'avancement vers cet objectif. Cependant, des circonstances peuvent surgir où l'usage de la force serait nécessaire et justifié.

DEUXIEME PARTIE

BUT

4. L'objectif de cette circulaire est de fournir un guide aux commandants et soldats de tous niveaux en cas d'usage de la force. Cependant, aucune circulaire définitive ne peut être établie qui puisse détailler toute action possible pour toute situation possible. Il est important et obligatoire que tous les membres de la MINUAR comprennent et appliquent ces RDE à toutes les situations qui se présentent exigeant l'usage de la force.

TROISIEME PARTIE

DEFINITIONS

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

- a. Force. C'est l'utilisation (ou menace d'usage) des moyens physiques pour imposer sa volonté. La force militaire est l'usage des moyens physiques fournis par des corps de troupes formés et disciplinés placés sous un commandement unifié pour atteindre le même but et en général ceci implique la possibilité d'user de la violence à des niveaux importants.
- b. Force minimale. Le degré minimum de force autorisée qui est nécessaire, raisonnable et légitime dans les circonstances.
- c. Auto-défense. L'emploi de la force pour protéger:
 - (1) soi-même et le personnel de son unité;
 - (2) autre personnel civil ou militaire de la MINUAR,
 - (3) le personnel chargé de l'aide humanitaire n'appartenant pas à la MINUAR,
 - (4) Les civiles ayant besoin d'une assistance immédiate en vue d'être protégés contre la mort ou bien de sérieuses blessures corporeelles, en sachant qu'il n'y a pas d'autorités rwandais pouvant assurer cette assistance pour le moment,

RESTREINT NU

(5) autre personnel civil ou militaire autorisé des Nations Unies, contre un acte ou une intention hostile, là où il n'y a pas d'autre choix ou de temps de délibérer.

Note: Le droit à l'auto-défense est allié mais séparé des RDE et il s'applique quels que soient les autres facteurs en présence. Par conséquent, malgré toute RDE qui puisse être autorisée, quand une attaque a eu lieu, ou est anticipée, le droit d'employer une force proportionnée en cas d'auto-défense existe pour décourager, neutraliser ou détruire la menace.

- d. Acte hostile. Un acte hostile consiste en une attaque ou autre usage de la force contre toutes les entités énumérées au para 5.c. ci-dessus.
- e. Intention hostile. C'est une menace d'usage imminent de la force contre les entités énumérées au para 5.c. ci-dessus.
- f. Domage collatéral. Domage causé aux personnes ou aux biens adjacents mais ne faisant pas partie d'une cible autorisée.
- g. Force non-mortelle. Tout moyen physique pour forcer à accepter qui ne présente pas de risque de mort ou de domage corporel grave contre l'individu sur lequel la force est exercée. C'est généralement à travers l'usage de la force physique sans l'emploi d'armes à feu ou d'autres armes mortelles. Par exemple, le fait de pousser et d'autres formes légères de frapper ou cogner, ainsi que le fait de contraindre des personnes physiquement ou mécaniquement. Les tirs d'avertissement relèvent de la force non-mortelle, même si cela implique l'usage d'armes à feu.
- h. Force mortelle. C'est le dernier degré d'usage de la force. La force mortelle constitue ce niveau où la force exercée vise à ou est susceptible de causer la mort ou un domage corporel grave quel que soit l'effet réellement produit par cette force.
- i. Crimes graves. Il peut s'agir de n'importe quel crime pouvant occasionner la mort ou blessure corporelle grave ou bien même des dégâts matériels. C'est par exemple le meurtre, viol, vol ou cambriolage.

PARTIE VI

INSTRUCTIONS SUR L'UTILISATION DE LA FORCE

APPLICABILITE

6. Toutes les informations contenues dans cette partie seront prises pour des ordres. Cependant, ces ordres ne limitent en rien le droit inhérent d'un soldat à l'auto-défense.

LA RESPONSABILITE DES COMMANDANTS

7. Les commandants de la MINUAR à tous les niveaux doivent:
 - a. faire traduire et parvenir cette circulaire à tous les hommes placés sous leur commandement; et
 - b. s'assurer que chaque personne sous leur commandement:
 - (1) est documentée à nouveau sur le sens et l'application de ces RDE dans la mesure où elles sont en relation avec les missions assignées;
 - (2) comprend et se conforme au contenu de ce document; et
 - (3) à l'occasion de demander des clarifications, conseils, ordres supplémentaires lorsque ces RDE lui paraissent insuffisantes.
8. Le Commandant de la Force de la MINUAR émettra des ordres sur la mise en alerte des armes personnelles à maintenir selon la situation.

L'USAGE DE LA FORCE ET LES PRINCIPES D'ENGAGEMENT

9. Quand un incident qui exige l'utilisation de la force se produit, il faut suivre les principes suivants:
 - a. Croyance raisonnable. La simple spéculation ne constitue pas une croyance raisonnable. L'usage de la force doit se baser sur une menace tangible;
 - b. Force minimale. Le personnel de la MINUAR n'emploiera jamais plus de force que le minimum requis pour pouvoir exercer les fonctions et accomplir sa mission ou les objectifs qui lui sont assignés;
 - c. Proportionnalité. Seule est justifiée une riposte proportionnelle au degré de menace perçu. Toute force employée doit être limitée au degré, intensité, et durée nécessaires pour atteindre l'objectif pour lequel la force est utilisée, et pas plus;
 - d. Durée de la Force et Désengagement. L'application de la force, à n'importe quel niveau, doit cesser quand l'acte hostile n'est plus ou chaque fois que le commandant considère qu'il n'y a plus d'attaque ou de menace imminente;
 - e. Négociation et Avertissements. Si possible, les possibilités de négociation et d'avertissements doivent être épuisées avant de commencer n'importe quel usage de force;

RESTREINT NU

- f. Force mortelle. La force mortelle est justifiée seulement dans des conditions d'extrême nécessité et comme dernier recours quand toutes les autres mesures légères ont échoué ou ne peuvent vraiment pas être employées;
- g. Escalade. L'escalade du degré de violence doit être réduite au minimum;
- h. Dommage secondaire. Les dommages secondaires doivent être réduits au minimum;
- i. Revanche et Représailles. Il est interdit d'user de la force pour faire des représailles ou chercher la revanche; et
- j. Application de la force. L'usage de la force sera contrôlé, là où c'est possible, par le commandant présent sur scène et la force doit cesser une fois que l'objectif est atteint.

AUTORISATION DE FAIRE USAGE DE LA FORCE

10. La force peut être employée comme suit:

- a. Force non-mortelle. Le personnel de la MINUAR est autorisé à utiliser la force non-mortelle dans les circonstances suivantes:
 - (1) en cas d'auto-défense;
 - (2) contre des tentatives d'infiltrer ou d'encercler les unités, les enclos ou locaux appartenant à la MINUAR;
 - (3) quand les bâtiments de la MINUAR sont violés dans des tentatives de voler les biens de la MINUAR ou ceux placés sous la protection des Nations Unies;
 - (4) en cas de tentatives d'enlever ou de détenir le personnel civil ou militaire de la MINUAR; et
 - (5) quand des tentatives sont faites pour empêcher le personnel de la MINUAR d'accomplir ses fonctions telles qu'ordonnées par ses commandants.
- b. Force Mortelle. Le personnel de la MINUAR est autorisé à faire usage de la force mortelle dans les circonstances suivantes:
 - (1) en cas d'auto-défense (tel que défini au para 5.c.) contre des personnes commettant un acte hostile ou affichant une intention hostile;

RESTREINT NU

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

(a) qui ont été désignés par le Commandant de l'unité, en consultation avec le Commandant de la Force, comme étant essentiels pour le succès de la mission de la MINUAR,

(b) qui justifient la protection au moyen de l'usage de la force mortelle, et

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

(3) pour parer à des tentatives armées visant à empêcher la Force de la MINUAR de remplir ses fonctions, alors qu'elles sont autorisées par le Commandant de la Force;

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

(5) pour résister à des tentatives armées visant à contraindre le personnel de la MINUAR de se retirer des zones de protection occupées sur ordre du Commandant de la Force ou de son adjoint; et

(6) pour résister à des tentatives armées visant à couper la force de la MINUAR.

AUTORISATION DE FOUILLER ET DETENIR

11. Autorisation d'arrêter et de fouiller. Le personnel de la MINUAR est autorisé à arrêter tout individu qui essaie de pénétrer ou qui est découvert à l'intérieur des bâtiments sous la protection de la MINUAR et à demander à l'intéressé de se soumettre à la fouille sa personne ou de son véhicule, le cas échéant. L'accès sera refusé à toute personne n'acceptant pas la fouille et elle sera conduite hors du bâtiment sous escorte ou détenue selon les règles appropriées. Des fouilles de personnes et de leurs biens sont aussi autorisées par mesure de sécurité. De telles fouilles peuvent être menées avec le minimum nécessaire d'usage de la force.

12. Autorisation de détenir. Les individus peuvent être emprisonnés seulement s'ils ont commis un acte hostile, s'ils ont manifestés une intention d'hostilité, s'ils ont commis un crime grave ou une autre mauvaise action nécessitant une punition d'usage de force et cela en accord avec la RDE. Loi Humanitaire Internationale ou bien alors la Législation Rwandaise.

RESTREINT NU

13. 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 jusqu'à et y compris la force mortelle. Cependant, si les personnes parviennent à s'enfuir et que par conséquent elles ne constituent plus une menace, aucune force de quelque nature que ce soit ne peut plus être exercée pour les appréhender.

14. Tout détenu sera remis aussitôt que possible aux autorités habilitées désignées par le Commandant de la Force. Toutes les armes ou objets saisis sur les détenus seront confisqués et remis aux autorités compétentes ou, si nécessaire, rendus militairement inefficaces.

15. Traitement des détenus. 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 au besoin. Les détenus auront droit aux mêmes rations et abris que ceux du personnel de la MINUAR.

PROCEDURES DE DEFI ET D'ESCALADE

16. Sauf dans le cas où une riposte nécessitant l'ouverture du feu sans avertissement est nécessaire, les procédures suivantes doivent être respectées:

- a. Avertissement verbal ou visuel. Avertir l'agresseur d'arrêter son activité, ce qui, dans les circonstances normales, devrait suivre la séquence suivante:
 - (1) selon les circonstances, un avertissement peut être oral, un signe ou une lumière (i.e. des feux rouges tenus en mains, des lampes-torches, etc.). Le fait de donner un avertissement devrait être communiqué aux niveaux de commandement supérieurs accompagné de rapports continus sur la situation;
 - (2) répéter l'avertissement verbal ou visuel autant de fois que possible pour s'assurer qu'il est compris ou accepté;
- b. Charger les armes. Exploiter l'effet visuel d'une telle action pour convaincre l'agresseur que son refus d'arrêter l'acte agressif peut provoquer l'usage de la force mortelle;
- c. Force non-mortelle. Si les avertissements sont ignorés, utiliser la force minimale là où c'est possible;
- d. Tirs d'avertissement. Si la menace persiste, utiliser des tirs d'avertissements ciblés dans une direction sûre afin qu'il n'y ait pas de danger d'atteindre quelqu'un ou de causer des dommages secondaires;

RESTREINT NU

- e. Force mortelle. Si une force minimale non-mortelle n'est pas adaptée ou n'a pas d'effet, sur ordre et sous le contrôle d'un supérieur, on peut recourir à une force minimale mortelle comme des tirs non-automatiques ciblés, jusqu'à ce que la menace soit écartée. Si un soldat se trouve devant un cas d'auto-défense, il ne doit pas attendre qu'un supérieur lui donne l'ordre de tirer ou réglemente ses tirs.

PROCEDURES AU COURS DE L'OUVERTURE DU FEU

17. Tout usage d'armes à feu comme moyen d'exercer une force mortelle consistera en des tirs ciblés pour ne pas tirer aveuglément. Les tirs automatiques ne seront utilisés qu'en dernier recours et les tirs ciblés continueront aussi longtemps qu'il sera nécessaire pour atteindre le but immédiat d'auto-défense (ou de la défense d'autres personnes).

PROCEDURES 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. Toutes les personnes blessées, y compris celles sur lesquelles le personnel de la MINUAR a tiré bénéficieront des premiers soins si toutefois cette action peut se faire sans mettre davantage en danger les vies du personnel de la MINUAR.
- b. Enregistrement. Les détails sur l'incident seront enregistrés. Ils comprendront:
 - (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) ce pourquoi le personnel de la MINUAR a ouvert le feu;
 - (5) sur qui ou quoi on a tiré;
 - (6) les armes utilisées; et
 - (7) les résultats apparents des coups tirés;
- c. Rapport. Les informations ci-dessus ainsi que la situation qui prévaut seront transmises à travers la chaîne de commandement au QG de la MINUAR à l'attention du Commandant de la Force et du Chef d'Etat-Major Adjoint pour les Opérations.

PARTIE V**REGLES D'ENGAGEMENT**

19. Les RDE citées dans cette circulaire s'appliquent à tout le personnel fourni par les pays participant à la MINUAR selon les dispositions de la Résolution 977(1995) votée en date du 9 juin 1995 par le Conseil de Sécurité des Nations Unies. Ces RDE sont libellées sous forme d'interdictions ou de permissions. Sous forme d'interdictions, elles constituent des ordres de ne pas mener des actions spécifiques. Sous forme de permissions, 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. L'usage de la force par le personnel de la MINUAR est interdit à moins d'être spécifiquement autorisé par le RDE.

20. Règle No. Un: Autorisation de porter des armes
- a. Scénario A: Pas d'autorisation; et
 - b. Scénario B: Autorisation accordée de porter des armes.
21. Règle No. Deux: Etat des armes
- a. Scénario A: Les armes seront portées avec des chargeurs remplis.
 - b. Scénario B: Les armes seront portées chargées mais sécurisées.
22. Règle No. Trois: Riposte à une intention ou action hostile sans tirer
- a. Scénario A: Observer et transmettre les rapports, mais se retirer pour préserver sa propre force.
 - b. Scénario B: Rester sur place. Contacter et établir une liaison avec la(les) force (s) opposée(s) et/ou les autorités locales concernées.
 - c. Scénario C: Observer et faire des rapports. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre détermination par des moyens appropriés sans ouvrir le feu.
 - d. Scénario D: Observer et faire des rapports. Rester sur place. Prévenir l'agresseur de votre intention de faire usage de la force et montrer votre détermination par des moyens appropriés. L'ouverture du feu à titre démonstratif est autorisée.

RESTREINT NU

23. Règle No. Quatre: Désarmement du Personnel Paramilitaire ou des civils
- a. Scénario A: Pas d'autorisation.
 - b. Scénario B: Autorisation accordée. Au cours du désarmement, utiliser la force minimale et monter jusqu'à l'usage de la force mortelle si une intention hostile est affichée ou un acte hostile commis. Remettre l'affaire à l'autorité compétente dès que possible.
24. Règle No. Cinq: Intervention et tirs d'avertissement
- a. Scénario A: L'intervention entre les factions en guerre est interdite.
 - b. Scénario B: Intervenir avec une force mortelle contre des cibles bien identifiées et désignées seulement après que des coups d'avertissement aient été tirés dans le cadre du processus d'avertissement.
25. Règle No. Six: Contrôle des systèmes d'armes
- a. Scénario A: Il est interdit d'armer, préparer, déplacer des armes et d'en faire usage en présence des forces en conflit.
 - b. Scénario B: L'activité ci-haut nommée est autorisée en présence des forces en conflit, mais elle sera spécifiée par les notes suivantes:
 - (1) Armer (type de système);
 - (2) Préparer (type de système);
 - (3) Déplacer (type de système); et
 - (4) Ouvrir le feu (type de système).

26. Il existe trois situations de RDE qui peuvent s'appliquer dans n'importe quel secteur du RWANDA. Ces situations sont dénommées VERTE, JAUNE, ROUGE et décrites dans la rubrique "Niveaux de Préparation/Alerte" en Annexe A. Dans les conditions normales, la situation des RDE sera VERTE.

27. Les modifications dans la situation normale des RDE pour les Forces de la MINUAR en général seront ordonnées par le Commandant de la Force ou son représentant. Les Commandants des Secteurs peuvent ordonner des changements dans la situation normale des RDE pour leurs secteurs, sur autorisation du Commandant de la Force ou son représentant. Les Commandants des Contingents informeront ou, si nécessaire, requerront l'approbation des autorités nationales pour modifier une situation.

PARTIE VI

CONCLUSION

27. Les amendements à cette circulaire seront faits tel que requis et approuvés par les Nations Unies.
28. Cette circulaire sera classée avec mention DISTRIBUTION RESTREINT NU.

Annexes :

- | | |
|----------|---|
| Annexe A | Directives pour tout le Personnel Militaire de la MINUAR concernant l'Ouverture du Feu au Rwanda. |
| Annexe B | Niveaux de Préparation/Alerte de la MINUAR |

ANNEXE A
AUX REGLES D'ENGAGEMENT
DATE: 24 JUILLET 1995

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

1. Vous devez éviter l'usage de la force autant que faire se peut, et votre comportement doit susciter le moins d'inquiétude, de peur ou de danger possible à la population locale.

2. Votre commandant immédiat décidera n'importe quelle modification 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'autodéfense pour vous protéger vous-même et ceux dont il est votre devoir de protéger. Chaque fois que possible, un avertissement devrait être donné avant d'ouvrir le feu.

3. S'il faut absolument faire usage de la force, vous ne devez employer que le **FORCE MINIMALE** nécessaire. Normalement, le **FORCE MINIMALE** nécessaire implique la succession des actions suivantes:

- a. exhibition d'armes,
- b. avertissement verbal,
- c. refus d'accès à l'endroit protégé,
- d. restriction physique,
- e. tirs d'avertissement,
- f. pointer les armes, et
- g. faire feu sur une personne.

AVERTISSEMENTS

4. **AVERTISSEMENT AVANT D'OUVRIR LE FEU.** Chaque fois que possible, un avertissement doit être donné avant de tirer. L'avertissement doit être clairement lancé 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 système improvisé pour faire feu ou une machette);
- b. vous pensez que ET 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'autres moyens d'arrêter la personne.

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

- a. a utilisé ou est entrain d'utiliser une arme à feu ou une autre arme dangereuse contre vous, votre unité ou des personnes dont il est votre devoir de protéger; OU
- b. porte ce que vous estimez être une arme dangereuse, ET elle est visiblement sur le point de l'utiliser, 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.

RESTREINT NU

ANNEXE B AUX
REGLES D'ENGAGEMENT
DATE: 24 JUILLET 1995

NIVEAUX DE PREPARATION/ALERTE DE LA MINUAR

NO	SITUATION	UNITES/QG	ACTION
1	VERTE	TOUS	1.Activités normales 2.RDE: Règle 1-Scénario B, Règle 2-Scénario A, Règle 3-Scénario B, Règle 4-Scénario A, Règle 5-Scénario A, Règle 6-Scénario A.
2	JAUNE	QG	1.Préparation de la situation suivante commence. 2.Intensification des liaisons. 3.Visites des VIP reportées. 4.Pas de congé sauf pour des raisons humanitaires.
		UNITES	1.Stade de précaution. 2.Double sentinelle. 3.Mouvement nocturne restreint. 4.Tester les abris. 5.Alerter les troupes. 6.Pas 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-Scénario B, Règle 2-Scénario B, Règle 3-Scénario C, Règle 4-Scénario A, Règle 5-Scénario A, Règle 6-Scénario A.

RESTREINT NU

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 QG des NU. 6. Evacuation des civils si la situation le permet.
		UNITES	1. Troupes en position défensive. 2. Troupes en position d'alerte. 3. Une heure de préparation aux troupes en réserve pour se mettre en mouvement. 4. Pas de congé. 5. Les troupes de garde à l'extérieur portent des gilets pare-balles.
		TOUS	RDE: Règle 1-Scénario B, Règle 2-Scénario B, Règle 3-Scénario D, Règle 4-Scénario B, Règle 5-Scénario B, Règle 6-Scénario B.

RESTREINT NU

APPENDICE 1
A L'ANNEXE B
AUX REGLES D'ENGAGEMENT
DATE: 17 MARS 1995

AIDE MEMOIRE - REGLES D'ENGAGEMENT

NOTE: Le situation VERTE est encadrée.

REGLE UNE: AUTORISATION DE PORTER LES ARMES

SCENARIO A: Pas d'autorisation.

SCENARIO B: Autorisation accordée.
--

REGLE DEUX: ETAT DES ARMES

SCENARIO A: Les armes seront portées chargées.
--

SCENARIO B: Les armes seront chargées mais sécurisées.

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

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

SCENARIO B: Rester sur place. Constater et établir une liaison avec la (les) force (s) opposées et/ou les autorités locales concernées.
--

SCENARIO 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.

SCENARIO 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. Le
tir à titre démonstratif est autorisé.

RESTREINT NU

REGLE QUATRE: DESARMEMENT DU PERSONNEL PARAMILITAIRE OU DES CIVILS

SCENARIO A: Pas d'autorisation.

SCENARIO B: L'autorisation est accordée. Au cours de cette activité, l'usage de la force minimum jusqu'à l'emploi de la force mortelle si une intention hostile est affichée ou un acte hostile commis. Remettre l'affaire à l'autorité appropriée aussi tôt que possible.

REGLE CINQ: INTERVENTION ET TIRS D'AVERTISSEMENT

SCENARIO A: L'intervention entre les factions en guerre est interdite.
--

SCENARIO B: Intervention avec usage de la force mortelle contre des cibles bien identifiées et désignées seulement après que des coups d'avertissements aient été tirés dans le cadre du processus d'avertissement.

REGLE SIX: CONTROLE DES SYSTEMES D'ARMES

SCENARIO A: Il est interdit d'armer, préparer, déplacer et de faire usage des armes à feu en présence des forces en conflit.
--

SCENARIO B: L'activité ci-haut décrite est permise en présence des forces en conflit mais elle sera spécifiée par les notes suivantes:

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



File No 5000.7 (PLANS)

To: DISTRIBUTION LIST

From: G3 PLANS

Date: 9 Aug 95

Subject: UNAMIR FORCE SOPs

1. Enclosed is an amendment to the UNAMIR Force SOP Part 3, Section 17 Rules of Engagement.
2. Overview of the changes. The list of tasks of para 2 have been changed to those of the new mandate. In para 3 the sentence on impartiality has been deleted. In the definitions section on self-defence (para 5.c.(4)) all reference to displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces have been removed. A definition of serious criminal offence (para 5.i.) has been introduced. All reference to cross-border fire in the section on the use of force and engagement principles (para 9.k.) has been deleted. The sub section on authority to detain (para 12) has been rewritten to include serious criminal offence.
3. Please ensure that the amendments are made to your copy(ies) of the UNAMIR SOP and that all personnel are informed of the changes.

Enclosures: 1. Amendment Record Sheet
2. Distribution List
3. Section 17 to Part 3 Rules of Engagement

Distribution List: Page 2

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COS	8-9
OPERATIONS BRANCH	10-14
MILITARY PERSONNEL BRANCH	15-17
LOGISTICS BRANCH	18-21
PLANS BRANCH	22-27
CAMP COMMANDANT	28
MILITARY OBSERVER GROUP HEADQUARTERS	29-45
NICOY	46-49
GHANCOY 1 & 2	50-53
MALICOY	54-57
MALAWICOY	58-61
DELETED	62-77
INDBATT	78-81
FORCE ENGINEER COMPANY	82
COMPOSITE MISSION SUPPORT GROUP (CMSG)	83
MEDICAL COMPANY	84-85
G3 AIR	86
HUMANITARIAN ASSISTANCE CELL (HAC)	87-88
FORCE PROVOST MARSHAL	89
MILITARY POLICE COMPANY	90
HUMAN RIGHTS LIAISON OFFICE	91
SPARES	
EXTERNAL	
CAO (DIV. OF ADMIN. AND MANAGEMENT)	
SRSG OFFICE	
UNITED NATIONS (HQ NEW YORK (DPKO)	

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AMENDMENT RECORD SHEET

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UN RESTRICTED

24 July 1995

UNAMIR STANDING OPERATING PROCEDURES

SECTION 17: 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. Actions of individuals is also governed by applicable national laws. 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 997 (1995) of 9 June 1995. That Resolution states that UNAMIR will:

- " (a) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;
- (b) Assist the Government of Rwanda in facilitating the voluntary and safe return of refugees and their reintegration in their home communes, and, to that end, to support the Government of Rwanda in its ongoing efforts to promote a climate of confidence and trust through the performance of monitoring tasks throughout the country with military and police observers;
- (c) Support the provision of humanitarian aid, and of assistance and expertise in engineering, logistics, medical care and demining.
- (d) Assist in the training of a national police force,
- (e) Contribute to the security in Rwanda of personnel and premises of United Nations agencies, of the International Tribunal for Rwanda, including full - time protection for the Prosecutor's Office, as well as those of human rights officers, and to contribute also to the security of humanitarian agencies in case of need,"

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 national reconciliation. 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 in Rwanda 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) civilians who require immediate assistance in order to prevent them suffering death or serious bodily injury, and there are no Rwandan authorities who are able to render such assistance in time, 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 5.c. above.
- e. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 5.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.
- i. Serious Criminal Offence. Any offence which may result in death or serious bodily injury or significant damage to property. Such offences include, but are not limited to: murder, rape, robbery and burglary.

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. The UNAMIR Force Commander 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.

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 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 or display hostile intent, or commit a serious criminal offence or carry out any activity which would require that force be used against them in accordance with the ROE, International Humanitarian Law or Rwandan law.

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;

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- 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; and
- 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 UNAMIR Force HQ Attn Force Commander and Deputy Chief of Staff Operations.

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PART VRULES OF ENGAGEMENT

19. The ROE stated in this directive apply to all military personnel provided by troop contributing States and operating in accordance with the United Nations Security Council Resolution 997 (1995) of 9 June 1995. 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.
- 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.

27. 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

- 28. Amendments to this Directive will be issued as required and as approved by the UN.
- 29. 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

**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.
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 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

SERIAL	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	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
		ALL	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 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).

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ASSISTANCE MISSION IN RWANDA



UNAMIR-MINUAR

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To: See Distribution

From: FC

Date: 7 Aug 95

Subject: SECTOR COMMANDERS

References:

A. FRAGO 18 to OPORDER 20 dated 29 Jun 95

B. Annex A to UNAMIR SOPs Part 2 dated 24 Jul 95

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

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UNAMIR - MINUAR

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2. Please ensure that the amendments are made to your copy(ies) of the UNAMIR SOP and that all personnel are informed of the changes.

Enclosures: (1) Page changes to UNAMIR SOP

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PLANS BRANCH	0	22-27
CAMP COMMANDANT	1	28
MILITARY OBSERVER GROUP HEADQUARTERS	17	29-45
SECTOR 1	4	46-49
SECTOR 2	4	50-53
SECTOR 3A	4	54-57
SECTOR 3B	4	58-61
SECTOR 4A	4	62-65
SECTOR 4B	4	66-69
SECTOR 4C	4	70-73
SECTOR 5	4	74-77
SECTOR 6	4	78-81
ENGINEER COMPANY	1	82
FORCE SUPPORT GROUP	1	83
MEDICAL COMPANY	2	84-85
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