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A handwritten signature in dark ink, appearing to be "Dum".

Date: 9 Aug 95

Subject: UNAMIR FORCE SOPs

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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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AMENDMENT RECORD SHEET

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;

- 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.

PART V**RULES 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.
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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);
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- (4) Fire (type of system).



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24 July 1995

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- (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;

- 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.

PART V**RULES 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.
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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.
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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).



*I have already sorted
it out with FHQ. NFA*

KMS/1014/OPS

18 OCT 94

18/10

From: Kigali Milob Sector HQ
(Sector-6)

G-60399

To: Milob Gp HQ

TASKING UNMO TEAMS AT NIGHT

1. Quite a number of times now UNMO Teams of this HQ have been tasked to carry out a mission at night. Some of these missions have been to negotiate with RPA soldiers who block convoys carrying displaced persons into Kigali city. It is assumed that the movement of displaced persons are organized and coordinated by organizations like UNHCR or the Humanitarian Assistance Cell (HAC) from the beginning till the end. However if at some point the convoy is stopped by RPA soldiers, then this HQ feels that the problem should be solved by the representatives of RPA and HAC or UNHCR etc. UNMO Teams may be despatched to observe and report from the location. But it is not understood how the UNMO Teams, who are usually not even aware of the exercise of movement of the displaced persons in the first place, can assist if the convoy is stopped by RPA soldiers enroute.

2. It has been reported that some of the RPA soldiers manning the roadblocks at night are not in the best of their mood and discipline. Under these circumstances, this HQ feels, sending unarmed UNMOs to negotiate with them without the presence of any responsible RPA representative like the RPA liaison officer or an armed contingent etc is not a prudent decision and may be endangering the lives of the UNMOs and UN properties. It must be considered that the country has just recovered from an armed conflict and guntotting soldiers are found everywhere.

3. You are requested to kindly consider the matter. However the UNMOs of this Sector will comply with any and all orders as expected of them even at the peril of their lives as they have done before.

[Signature]
MUSTAFIZUR RAHMAN
Lt Col
Sector Commander

UN RESTRICTED

[Signature]