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UNAMIR

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TO: KHAN, UNAMIR, KIGALI
FROM: ANNAN, UNATIONS, NEW YORK
DATE: 2 DECEMBER 1994
NUMBER: UNAMIR 4026
SUBJECT: A situation report on Human Rights Field Operation in Rwanda

Attached for your information is a situation report on Human Rights Field Operation, 20 to 26 November. Should you have any observations, please let us know.

Best regards.

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38. The current European Union mission to explore the possibilities for EU participation in association with the HRFOR visited two HRFO Teams at Gisenyi and Kibungo.

VIII. Non Governmental Organisations

39. HRFOR briefing meetings were held with the following international NGOs:

- (1) Lutheran World Federation, together with Rev. Reeta Leskinen, a consultant for the Steering Committee for Humanitarian Response
- (2) OXFAM on ways of support for and coordination with HRFOR. (N.B. Oxfam is delivering its second and third donated Landrovers this week). HRFOR explained current preoccupations including modalities for handling protection matters including ongoing interventions at ministerial level.
- (3) RESEAU des CITOYENS/CITIZENS NETWORK (CN) on ways of coordinating their outposted monitors with HRFOs. HRFOR is pledged to cooperate and coordinate closely on the ground, albeit on an informal basis.

40. As regards Rwandan human rights NGOs, the Chief, HRFOR met with Mr. Tito Rutaramana, Chairman of the RPF Human Rights Committee and Maître John Bosco of the CLADHO Commission of Inquiry.

VIII. Media

41. Chief, HRFOR was interviewed by correspondents of National Public Radio and Agence France Presse. HRFOR also continued to be represented at the UNAMIR weekly press briefings.

Kigali
26 November 1994

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Réf. N°: G/SO 214 (93 FIELD)
(à reporter dans la réponse)

9422005

28 November 1994

Dear Mr. Secretary-General,

9421885

In pursuance of my letter dated 23 November 1994, I should like to forward to you a further situation report from the Human Rights Field Operation in Rwanda covering the period 20-26 November 1994.

Despite a surface calm, an undercurrent of tension appears to characterize the present human rights situation. Human rights field officers are receiving an increasing number of reports of violations to the right to life, to security and liberty of persons and freedom from torture. In many cases the allegations indicate the RPA as perpetrators. The majority of incidents continue to occur in the South-West and North-West, where the majority of displaced persons are located.

Numerous killings have also continued to occur in the area east of the Kibeho displaced persons camp near Butare. The RPA and UNAMIR believe that these killings are caused by members of Interhamwe who live at the camp and kill recently settled refugees in an attempt to destabilize the area and discourage people from leaving the camp.

Teams of human rights officers continue to monitor and verify the situation in the areas surrounding Butare, Cyangugu, Gikongoro, Giseyi, Gitarama, Kibungo and Kigali. They have also interviewed groups of Hutus who sought protection in UNAMIR compounds and began a factual verification process in the villages of origin of these persons. This procedure was agreed upon with the Government and the findings are being brought to the attention of the Minister of the Interior.

I shall keep you informed of further developments.

Yours sincerely,

José Ayala Lasso

Please give
an assessment
rough E.D. I find
a report to be made.
See
4/2

Ladoan-
No longer
necessary as
per SRSO
8/12 LML

His Excellency
Mr. Boutros Boutros-Ghali
Secretary-General of the United Nations
New York

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UNITED NATIONS
HIGH COMMISSIONER FOR HUMAN RIGHTS
FIELD OPERATION IN RWANDA



NATIONS UNIES
HAUT COMMISSAIRE AUX DROITS DE L'HOMME
OPERATION SUR LE TERRAIN AU RWANDA

RESTRICTED**Situation Report 20 - 26 November 1994****1. Countrywide Human Rights Situation**

1. Despite a surface calm, there is an undercurrent of tension which characterizes the present period. HRFOR receives an increasing number of reports of violations to the rights to life, to security and liberty of person and freedom from torture. In many cases, the allegations indicate the RPA as perpetrators.

2. The majority of incidents continue to occur in the South West and North West regions of the country (Sectors 3a, 3b, 4a, 4b, 4c, and 5); areas where the majority of displaced persons camps are located and/or which are close to the borders of Zaire and Burundi.

3. Increasingly, the local population asks UNAMIR troops located in the western part of the country for protection. Last week, the HRFOR reported that 25 Hutu men had sought refuge at UNAMIR at NTONGWE (3B). This week, 40 local inhabitants of GISENYI (50) requested protection from Tunisian Battalion, and in Cyangugu (4C) the situation is becoming more unstable.

4. The twenty five displaced Hutu men who sought refuge, on 11 November 1994, at UNAMIR in NTONGWE (3B) were released to the Prefect of Gitarama on 21 November 1994, in the presence of ICRC and the HRFOR/ team Gitarama (3B). Before they were released, the HRFOR team of Butare conducted extensive interviews and began an initial factual verification process in the refuge seekers' villages of origin.

5. A preliminary conclusion of the team was that the allegations made (against the RPA) by the refuge seekers could as easily stem from rumours as from observed fact. However, the HRFOR/team believe that the soldiers, in the areas complained, of may be acting outside their orders. It was noted in one particular cellule that the relationship between the RPA and the local population (3B) was tense.

6. During the last five weeks, numerous killings have continued to occur in the area immediately East of the KIBEHO (4A) displaced persons camp, near BUTARE (3A). The RPA and UNAMIR believe that these killings are caused by members of Interhamwe who live at the camp, who come out by night to kill recently settled refugees in an attempt to both to destabilize the area and to discourage people from leaving the camp. The RPA and UNAMIR are presently designing a joint plan to redress this situation.

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where twenty five persons had taken refuge and been interviewed by HRFOs. The ICRC Delegate duly registered each refugee seeker saying that they would follow up cases through the Bourgmestres. The Prosecutor confirmed to the refugee seekers there were no charges against any of them and that in consequence, they could return home. They were then taken back to their communes of origin (Ntongwe and Mugina) in UNAMIR lorries. In Ntongwe they were questioned by RPA officers, but were not detained.

14. According to similar procedures, on Wednesday 23 November, the Prosecutor of Gitarama went to the MILOBS compound at Gitarama, where there were 22 refugee seekers. He assured them that they would be escorted home by MILOBS and HRFOs and himself confirmed that the RPA would not make any arrests without a warrant issued and signed by the Bourgmestre and himself.

15. The team located and visited sites of massacres and mass graves.

CYANGUGU (Sector 4 C)

16. The team visited IDP camps in the sector. It has been reported to HRFO that during October 1994 a total of 500 internal displaced persons have been transported from Nyagatare transit camp to Kigali.

17. The team has visited Kibuye (4B), where the situation is tense. RPA soldiers are reported to be acting violently. In Mugoba village it is reported that at least 500 internal displaced persons went into hiding after an RPA Lt. Col. and another local authority of Kibuye accused them of being criminals and members of Interahamwe.

18. Hôpital Sans Frontières reported that it has received a young patient, a small boy, severely injured by a machete on the mouth. The victim comes from the Burundi border.

GIKONGORO (SECTOR 4A)

19. The human rights situation is reported to be calm. HRFO team visited the newly appointed prefect to establish working relationships.

19. The team focused its activities on monitoring the human rights situation in the IDP camps. In Rucondo camp of the 500 persons willing to return home, 463 went back. The number of IDP willing to return is progressively increasing.

20. The security situation varies substantially from camp to camp. In some camps like Caduha the situation is calm. In others like Kibeho and Ndago insecurity is reported to be increasing. AICF decided not to stay any more in the camps at night.

21. The team has visited Karambo locality because there are rumors that there is a mass grave in the area. HRFO confirmed this and referred it to the SIU.

GISENYI (Sector 5)

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22. Relatively calm with no major incidents. However, cases of illegal arrests and forced disappearances, allegedly perpetrated by RPA soldiers in the commune of Murura, continue to be reported.

GITARAMA (SECTOR 3B)

(SEE BUTARE)

KIBUNGO (SECTOR 2B)

23. The team continued to build up its relations with the new prefect who expressed his support for the human rights activities and gave his authorization for free access of HRFO to any place within the prefecture. The Minister of Rehabilitation, who paid a visit to the prefect, stressed publicly the importance of human rights and human rights education.

24. This week is for the team a "Week of the Child". HRFOs worked closely with local authorities in charge of social affairs on children and orphans. The team intends to introduce the rights of child-soldiers.

HRFOs continue patrol with MILOBS.

HRFO visited the prison of Kibungo (see IV Prisons below)

KIGALI (SECTOR 6)

25. Numerous cases of illegal arrests, illegal detention and forced disappearances have been reported to HRFO.

Three mass graves have been identified in the sector 6. These information have been transmitted to the Special Investigation Unit.

IV. Prisons

26. The mission for assessment of needs for technical cooperation in the administration of justice visited prisons. In the prison of Kigali there is a total of 5224 detainees. 124 women, 5130 men, 114 minors and 34 children. 50 detainees are currently under medical care at the Roi Fayçal Hospital. An average of six detainees are reported to die daily.

27. There is only one meal a day (maize and beans). No medical doctor is available inside the prison; only one medical assistant for the 5224 detainees. With regard to minors and children detained with their mothers, no action is taken by the prison authorities.

28. The Technical Cooperation mission and the Desk Officer (Prisons) visited the prison of Ruma (Sector 2) at 45 km from Kigali. Total of detainees 202 men and only one woman. 3 detainees are under medical attention at the above mentioned hospital. All detainees are accused

of genocide.

29. 23 detainees released from the Kigali prison by the President of the Tribunal de Première Instance were "arbitrarily" re-arrested in sector 2 and visited by the team at the Rlima prison. The president who initially released them cannot be located.

30. The prison of Kibungo has a total of 700 detainees: 610 men, 50 women and 40 Minors. The conditions in the prison are poor: widespread disease, tuberculosis, AIDS and dysentery in the prison. During the period of review, three detainees died.

31. Nearly all detainees in Kigali, Kibungo and in Rlima are arrested without warrant and are illegally detained.

V. Security Situation

32. The security situation for NGOs and humanitarian agencies in the western region of the country remains unstable, particularly for local employees who continue to be arrested by members of the RPA alleging participation in genocide. The Government has met with the NGOs and is trying to improve the situation. UNAMIR, in conjunction with the NGOs, has developed an evacuation plan.

33. Two separate incidents, in which the RPA shot at UNAMIR soldiers occurred during this period. Marked UNAMIR vehicles transporting uniformed, UNAMIR soldiers at checkpoints near BUTARE (3A) and GIKONGORO (4A), were shot at by the RPA. The UNAMIR soldiers did not return fire.

VI. Relations with the Government

34. The Chief, HRFOR met the Minister of Interior on 23 November 1994 to discuss the findings of interviews of refuge seekers in the UNAMIR compound in Sector 3B (Gitarama), which had been conducted by HRFOs together with the results of the HRFOs subsequent visits to the villages from which the refuge seekers had fled.

VII. Interagency Cooperation

35. The Chief, HRFOR met the Special Representative of the Secretary General, Ambassador Shaharyar Khan, on two occasions: the first together with DHA, UNHCR and WFP representatives to discuss repatriation of IDPs and, secondly, alone. He also attended a meeting of the Task Force on IDPs, where HRFOR is represented on an ongoing basis.

36. Mr. D. McNamara, Director of International Protection in UNHCR, called on HRFOR on Tuesday, 22 November, to discuss cooperation, particularly as regards the sharing of information.

37. Contacts have also been maintained with UNDP, particularly as regards the UNV project.