MIR

G3 OPERATIONS / PLANS

RULES OF ENGAGEMENT

1 APR – 2 SEPT 1995

CONFIDENTIAL

EL/WG JUNE 2009

PLEASE RETAIN
ORIGINAL ORDER

UN ARCHIVES
SERIES S-1062
BOX 138
FILE 1
ACC. 1998/0283

08

UNITED NATIONS | **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA | MISSION POUR L'ASSISTANCE AU RWANDA

TO: COS

FROM: G3 PLANS

DATE: 02 Sep 95

SUB: AMMENDMENTS TO RULES OF ENGAGEMENT

1. Reference UNNY FAX No 225/DPKO/MPS/AD dated 23 Aug 95 and remarks of the COS thereon.

2. Comments are attached at Appendix.

SO

7/A'

put up with UN FAX in question.

04/9

7/A' may kindly be seen.

For approval pl 04/09/95

04/9

DFC

04.09.95

Approved

FC (TSOR)

FC

10 Sep 95

F/A

UNAMIR RULES OF ENGAGEMENT

1 REFERENCES

A United Nations (New York)Fax No225/DPKO/MPS/AD dated 23 August 95

B UNAMIR Revised Rules of Engagement dated 25 July 95

2. The letter at Reference A has been analysed . Necessary amendments will be issued separately on receipt of further clarification/comments which are given in the succeeding paragraphs.

Communes

2. Communes are administrative zones within the PREFECTURES and are akin to small townships. These zones therefore reflect the area of residence of all tribes ,may that be a Hutu, Tutsis or the Twa. The word " communities" is likely to be interpreted incorrectly and perceived as a deliberate attempt to differentiate the two major communities.. Moreover, our intention is to reintegrate the refugees back in the same society and not specifically directed towards the community which he /she belongs to.

Impartiality

3.While impartiality would continue to remain the fundamental principle governing the activities of the UNAMIR as it is in all other missions , it may not be appropriate to apply the same when reference is made of the Arusha Peace Agreement .It should be clearly understood that most of the terms of the agreement have unfortunately become defunct due to the fact that one of the warring faction does not exists in Rwanda after the events of Apr 94. Impartiality when related to the two factions terminated along with UNAMIR-1. Presently there is neither any interaction nor any contact with the RGF to affect the Arusha Agreement .The role of the UNAMIR therefore is to ensure stability in Rwanda which can only happen if the RPF Government continues.

Self Defense/Authority to use Force

4 We concur with your views regarding amendment to para 5(c)of the revised Rules of Engagement. Extending the same analogy, your suggestion in paragraph 6 and 8 would again be breach of UNAMIR mandate contained in para 3 (e) of Resolution 997(1995) which has in unambiguous tone listed the categories whose security UNAMIR could contribute . However, UNAMIR could be authorized/ directed as a matter of moral obligation to speedily report on whatever it observes to the appropriate Rwandan authorities for its action without any loss of time.The above position is without prejudice to the fact that UNAMIR can arrest any individual that commits any offense (including serious criminal offense)against it or the people /premises listed in paragraph 3(e) of Resolution 997(1995). Suffice it to state that the basic principle of law which empowers an individual to arrest any offender who commits an offense in his / her presence has been rendered unoperational by the provision of paragraph in question of Resolution 997(1995). However, a separate para on the 'Authority of UN forces' is being included.

5. Necessary amendments will be made on confirmation from your HQ.

UNAMIR RULES OF ENGAGEMENT

1 REFERENCES

A UNNY Fax No 225/DPKO/MPS/AD dated 23 August 95

B UNAMIR Revised Rules of Engagement dated 25 July 95

2. The letter at Reference A has been analysed . Necessary amendments will be issued separately on receipt of further clarification/comments which are given in the succeeding paragraphs.

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Impartiality

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08

Plans 2

3

UNAMIR

KIGALI RWANDA

TO:MGEN VAN KAPPEN UNATIONS, NEW YORK FAX#(212)963-1356 PHONE#(212)963-2402	FROM:MGEN GC TOUSIGNANT for FORCE COMMANDER UNAMIR, KIGALI, RWANDA
OUTGOING FAX NO:	DATE:22 SEP 95
ATTN:LT CDR SEYDOU KEBE,UNNY	PHONE:12129630851
FAX NO.:(212)963-1356	FAX NO:
INFO:	DRAFTER:LCOL VS DADHWAL G3 PLANS FILE REF:5000.8(PLANS)
Internal Dist.: COS,DCOS(OPS)&G3 PLANS	
SUBJECT:UNAMIR RULES OF ENGAGEMENT(ROE)	
REFERENCE:	

UNAMIR RULES OF ENGAGEMENT

References

A United Nations (New York)Fax No225/DPKO/MPS/AD dated 23 August 95

B UNAMIR Revised Rules of Engagement dated 25 July 95

1. The letter at Reference A has been analysed . Necessary amendments will be issued separately on receipt of further clarification/comments which are given in the succeeding paragraphs.

Communes

2. Communes are administrative zones within the PREFECTURES and are akin to small townships. These zones therefore reflect the area of residence of all tribes ,may that be a Hutu, Tutsis or the Twa. The word " communities" is likely to be interpreted

incorrectly and perceived as a deliberate attempt to differentiate the two major communities.. Moreover, our intention is to reintegrate the refugees back in the same society and not specifically directed towards the community which he /she belongs to.

Impartiality

3.While impartiality would continue to remain the fundamental principle governing the activities of the UNAMIR as it is in all other missions , it may not be appropriate to apply the same when reference is made of the Arusha Peace Agreement .It should be clearly understood that most of the terms of the agreement have unfortunately become defunct due to the fact that one of the warring faction does not exists in Rwanda after the events of Apr 94. Impartiality when related to the two factions terminated along with UNAMIR-1. Presently there is neither any interaction nor any contact with the RGF to affect the Arusha Agreement .The role of the UNAMIR therefore is to ensure stability in Rwanda which can only happen if the RPF Government continues.

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the fact that UNAMIR can arrest any individual that commits any offense (including serious criminal offense)against it or the people /premises listed in paragraph 3(e) of Resolution 997(1995). Suffice it to state that the basic principle of law which empowers an individual to arrest any offender who commits an offense in his / her presence has been rendered unoperational by the provision of paragraph in question of Resolution 997(1995).

UNITED NATIONS

ASSISTANCE MISSION IN RWANDA

NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

Office Code

TO: COS

FROM: G3 PLANS

DATE: 02 Sep 95

SUB: AMMENDMENTS TO RULES OF ENGAGEMENT

1. Reference UNNY FAX No 225/DPKO/MPS/AD dated 23 Aug 95 and remarks of the COS thereon.

2. Comments are attached at Appendix.

08

UNITED NATIONS NATIONS UNIES

DEPARTMENT OF PEACE-KEEPING OPERATIONS
MISSION PLANNING SERVICE

OUTGOING FAX

TO: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI	**FROM**: MGEN VAN KAPPEN for UNITED NATIONS NEW-YORK
FAX NO: 1 212 963 3090	**FAX NO**:(212) 963-1356 **TEL. NO**:(212) 963-0851
ATTN: CAO, DCOS OPS & G3 PLANS	
DATE: 23 AUGUST 1995	No 225/DPKO/MPS/AD
SUBJECT: UNAMIR-RULES OF ENGAGEMENT	
TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 3	

1. REFERENCE YOUR OUTGOING FAX 4991 OF 25 JULY 1995 REGARDING THE RULES OF ENGAGEMENT WHICH HAVE BEEN REVISED AS A RESULT OF THE REDRAFTED OF UNAMIR MANDATE, PLEASE, FIND ENCLOSED THE COMMENTS MADE BY THE LEGAL AFFAIRS OFFICE.

2. YOUR COMMENTS ON THIS MATTER WILL BE HIGHLY APPRECIATED.

BEST REGARDS.

FC - TSOR

Shall analyse the comments with legal offr and G3 plans and discuss

25/8

Copies to
DFC
G3 plans.

mb0823e.fax

United Nations Nations Unies

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO: Major General Van Kappen
A: Military Adviser

DATE: 18 August 1995

REFERENCE:

THROUGH:
S/C DE:

FROM: Hans Corell
DE: Under-Secretary-General
for Legal Affairs
The Legal Counsel

SUBJECT:
OBJET: UNAMIR: Rules of Engagement

1. This is with reference to your facsimile of 8 August 1995 forwarding for legal review a revised version of the Rules of Engagement of UNAMIR.

2. We concur with your position on the changes to paragraph 2 but wish to point out that the word "communes" in sub-paragraph (b) should read, "communities." We also note with appreciation that all references to "cross-border fire" have been deleted.

3. With respect to the changes to paragraphs 3, 5(c), 5(i) and 12 of the Rules of Engagement, on which you specifically sought our views, our comments are as follows:

4. With respect to the changes to paragraph 3, it is not clear why the sentence concerning the impartiality of UNAMIR's actions was deleted. In our view, the sentence reflects a fundamental principle of United Nations activities and must therefore be retained.

5. Paragraph 5(c) should explicitly cover the personnel of United Nations agencies, the International Tribunal for Rwanda, including the Prosecutor's Office, human rights officers and humanitarian agencies as specified in paragraph 3(e) of Security Council resolution 997 (1995) of 9 June 1995.

6. The proposed inclusion of "civilians who require immediate assistance in order to prevent them suffering, death or serious bodily injury..." in the definition of "self-defense" contained in paragraph 5(c)(4) is not in accordance with UNAMIR's new mandate. This mandate as adjusted by Security Council resolution 997 (1995) no longer includes the "security and protection of civilians at risk in Rwanda" which was provided for under Security Council resolution 965 (1994) of 30 November 1994. We are, however, of the

view that UNAMIR should be authorized to use force, as appropriate, to protect persons from suffering, death, or serious bodily injury when there are no Rwandan authorities available to render immediate assistance. Accordingly, we would have no objection if such a provision were to be included in paragraph 10 entitled "Authority to Use Force."

7. The proposed definition of "serious criminal offense" contained in paragraph 5(i) is acceptable.

8. The mandate of UNAMIR, pursuant to Security Council resolution 997 (1995), does not include police functions. As such, the authority to detain individuals who commit a serious criminal offense pursuant to the revised paragraph 12 is legally questionable. It goes without saying, however, that UNAMIR personnel should intervene if they observe a serious criminal offense and there are no Rwandan authorities available to act in time. In such instances, the individual responsible for the offense should then be handed over to the custody of the competent Rwandan authorities. Accordingly, we would have no objection to the addition of a separate paragraph on UNAMIR's authority to stop, search and/or detain individuals who commit a serious criminal offense. Such a paragraph would read as follows, "UNAMIR personnel may stop, search and, if necessary detain, individuals who commit a serious criminal offense when there are no Rwandan authorities available to act in time. If detained, such individuals shall immediately be handed over to the custody of the competent Rwandan authorities."

UNITED NATIONS

ASSISTANCE MISSION IN RWANDA

NATIONS UNIES

MISSION POUR L'ASSISTANCE AU RWANDA

TO: COS

FROM: G3 PLANS

DATE: 02 Sep 95

SUB: AMMENDMENTS TO RULES OF ENGAGEMENT

1. Reference UNNY FAX No 225/DPKO/MPS/AD dated 23 Aug 95 and remarks of the COS thereon.

2. Comments are attached at Appendix.

UNAMIR RULES OF ENGAGEMENT

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2. The letter at Reference A has been analysed . Necessary amendments will be issued separately on receipt of further clarification/comments which are given in the succeeding paragraphs.

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Impartiality

3.While impartiality would continue to remain the fundamental principle governing the activities of the UNAMIR as it is in all other missions , it may not be appropriate to apply the same when reference is made of the Arusha Peace Agreement .It should be clearly understood that most of the terms of the agreement have unfortunately become defunct due to the fact that one of the warring faction does not exists in Rwanda after the events of Apr 94. Impartiality when related to the two factions terminated along with UNAMIR-1. Presently there is neither any interaction nor any contact with the RGF to affect the Arusha Agreement .The role of the UNAMIR therefore is to ensure stability in Rwanda which can only happen if the RPF Government continues.

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08

Plans 2

UNITED NATIONS NATIONS UNIES

DEPARTMENT OF PEACE-KEEPING OPERATIONS
MISSION PLANNING SERVICE

OUTGOING FAX

TO: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI	**FROM**: MGEN VAN KAPPEN for UNITED NATIONS NEW-YORK
FAX NO: 1 212 963 3090	**FAX NO**:(212) 963-1356 **TEL. NO**:(212) 963-0851
ATTN: CAO, DCOS OPS & G3 PLANS	
DATE: 23 AUGUST 1995	No 225/DPKO/MPS/AD
SUBJECT: UNAMIR-RULES OF ENGAGEMENT	
TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 3	

1. REFERENCE YOUR OUTGOING FAX 4991 OF 25 JULY 1995 REGARDING THE RULES OF ENGAGEMENT WHICH HAVE BEEN REVISED AS A RESULT OF THE REDRAFTED OF UNAMIR MANDATE, PLEASE, FIND ENCLOSED THE COMMENTS MADE BY THE LEGAL AFFAIRS OFFICE.

2. YOUR COMMENTS ON THIS MATTER WILL BE HIGHLY APPRECIATED.

BEST REGARDS.

25/9.

Comments have been forwarded to COS. on 25/9.

UNAMIR - REGISTRY
Action to: G3 Plans
25 AUG 1995

United Nations Nations Unies

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO: Major General Van Kappen
A Military Adviser

DATE: 18 August 1995

REFERENCE

THROUGH:
S/C DE:

FROM: Hans Corell
DE: Under-Secretary-General
for Legal Affairs
The Legal Counsel

SUBJECT:
OBJET: UNAMIR: Rules of Engagement

1. This is with reference to your facsimile of 8 August 1995 forwarding for legal review a revised version of the Rules of Engagement of UNAMIR.

2. We concur with your position on the changes to paragraph 2 but wish to point out that the word "communes" in sub-paragraph (b) should read, "communities." We also note with appreciation that all references to "cross-border fire" have been deleted.

3. With respect to the changes to paragraphs 3, 5(c), 5(i) and 12 of the Rules of Engagement, on which you specifically sought our views, our comments are as follows:

4. With respect to the changes to paragraph 3, it is not clear why the sentence concerning the impartiality of UNAMIR's actions was deleted. In our view, the sentence reflects a fundamental principle of United Nations activities and must therefore be retained.

5. Paragraph 5(c) should explicitly cover the personnel of United Nations agencies, the International Tribunal for Rwanda, including the Prosecutor's Office, human rights officers and humanitarian agencies as specified in paragraph 3(e) of Security Council resolution 997 (1995) of 9 June 1995.

6. The proposed inclusion of "civilians who require immediate assistance in order to prevent them suffering, death or serious bodily injury..." in the definition of "self-defense" contained in paragraph 5(c)(4) is not in accordance with UNAMIR's new mandate. This mandate as adjusted by Security Council resolution 997 (1995) no longer includes the "security and protection of civilians at risk in Rwanda" which was provided for under Security Council resolution 965 (1994) of 30 November 1994. We are, however, of the

view that UNAMIR should be authorized to use force, as appropriate, to protect persons from suffering, death, or serious bodily injury when there are no Rwandan authorities available to render immediate assistance. Accordingly, we would have no objection if such a provision were to be included in paragraph 10 entitled "Authority to Use Force."

7. The proposed definition of "serious criminal offense" contained in paragraph 5(i) is acceptable.

8. The mandate of UNAMIR, pursuant to Security Council resolution 997 (1995), does not include police functions. As such, the authority to detain individuals who commit a serious criminal offense pursuant to the revised paragraph 12 is legally questionable. It goes without saying, however, that UNAMIR personnel should intervene if they observe a serious criminal offense and there are no Rwandan authorities available to act in time. In such instances, the individual responsible for the offense should then be handed over to the custody of the competent Rwandan authorities. Accordingly, we would have no objection to the addition of a separate paragraph on UNAMIR's authority to stop, search and/or detain individuals who commit a serious criminal offense. Such a paragraph would read as follows, "UNAMIR personnel may stop, search and, if necessary detain, individuals who commit a serious criminal offense when there are no Rwandan authorities available to act in time. If detained, such individuals shall immediately be handed over to the custody of the competent Rwandan authorities."

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UNITED NATIONS NATIONS UNIES

UNAMIR 95 JUN -9 02 34

(1)

DEPARTMENT OF PEACE-KEEPING OPERATIONS
MISSION PLANNING SERVICE

File

OUTGOING FAX

M Baril

TO: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI	FROM: MGEN M. BARIL UNITED NATIONS NEW-YORK
FAX NO: 1 212 963 3090	FAX NO:(212) 963-9070 TEL. NO:(212) 963-2400
ATTN: COL STEPHEN DUNN G3 PLANS	
DATE: 08 JUNE 1995	No 200/DPKO/MPS/AD
SUBJECT: RULES OF ENGAGEMENT	
TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 04	

1. WITH REFERENCE TO YOUR FAX No 3899 DATED 3 JUNE 1995 RELATING TO THE APPROVAL OF THE REVISED RULES OF ENGAGEMENT OF UNAMIR.

2. PLEASE FIND ATTACHED A COPY OF THE MEMO RECEIVED FROM THE LEGAL AFFAIRS OFFICE WHICH REFLECTS WHAT WE MENTIONED IN OUR FAX No 190/DPKO/MPS/AD DATED 25 MAY 1995.

3. ANY CHANGE TO THE APPROVED RULES OF ENGAGEMENT MUST BE REVIEWED BY THE OFFICE FOR LEGAL AFFAIRS BEFORE THE SUBMISSION TO THE UNDER-SECRETARY GENERAL FOR PEACE-KEEPING OPERATIONS.

4. IT WOULD BE THEREFORE APPRECIATED IF THE CORRECTIONS GIVEN BY

(2) G3 Plans
Could you plse fwd a copy of the referenced doc (including the suggested ROEs) in order to brief the FC.

Nfm0/60 &.Lex

FC

G3 PLANS

LtCol
MA/FC
9.6.95

(page 2 of the Fax 200/dpko/mps/ad dated 8 JUNE 1995)

THE OFFICE FOR LEGAL AFFAIRS COULD BE MADE AND THE NEW DRAFT MADE AVAILABLE AS SOON AS POSSIBLE.

5. BEST REGARDS.

United Nations Nations Unies #1437

INTEROFFICE MEMORANDUM MEMORANDUM INTERIEUR

TO: Major General Maurice Baril
A: Military Adviser
Department of Peace-keeping Operations

DATE: 19 May 1995

REFERENCE:

THROUGH:
S/C DE:

FROM: Hans Corell, Under-Secretary-General
DE: for Legal Affairs
The Legal Counsel

SUBJECT:
OBJET: **UNAMIR - Rules of Engagement**

1. This is with reference to your memorandum dated 15 May 1995 addressed to Mr. R. Zacklin who is presently away from Headquarters, forwarding for legal review a revised version of the Rules of Engagement (ROE) of UNAMIR. In this respect, you specifically sought our views on the provisions concerning the "cross-border-fire" authorizing UNAMIR personnel to use force in self defence across the border of Rwanda.

2. As you know, the ROE for each peace-keeping operation are to be based on the mandate provided by the Security Council. The mandate of UNAMIR as expanded by the Security Council pursuant to resolution 965 (1994) dated 30 November 1994, includes, inter alia, 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." [emphasis added]. Under these provisions, it is clear that the geographical scope of the contribution by UNAMIR to the security and protection of displaced persons, refugees and civilians at risk is limited to the territory of Rwanda. However, the provisions of cross border fire referred to in the ROE would extend the use of force in self defence beyond the geographical scope defined in the above-mentioned resolution. Therefore, such provisions should be deleted from the ROE.

3. In order to ensure a clear understanding of the geographical scope of the use of force in self defence by the military personnel of UNAMIR, I recommend that the term "Rwanda" be added in paragraph 5. c. as follows: "Self defence. The use of force in Rwanda to protect:". This is all the more important since the category of persons identified under paragraph 5. c. (4) concerns displaced persons, refugees and civilians personnel under the protection of UNAMIR.

4. Finally, I suggest that the beginning of paragraph 19 be revised to read: "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 965 (1994) of 30 November 1994."

5000.8 (PLANS

File

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

OUTGOING FAX NO. 3899
MIR 1974

PAGE 1 OF 2

DATE: 3 JUNE 1995

File No. 5000.8 (PLANS)

TO: BARIL, UNITED NATIONS NEW YORK FAX # (212) 963-1356 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN: LT CDR SEYDOU KEBE, UNNY FAX# (212) 963-1356	PHONE: 1 212 963 0851
INFO:	FAX NO: 1 212 963 1356
INTERNAL DISTR: COS, DCOS OPS, G3 PLANS, SO2 LEGAL (AUSMED)	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT (ROE)	
REFERENCE: A. YOUR FAX 190/DPKO/MPS/AD DATED 25 MAY 1995 B. REVISED UNAMIR ROE DATED 17 MARCH 1995	

1. THE CONCERNS RAISED IN REFERENCE A ARE NOTED. THOSE CONCERNS SHOULD HOWEVER BE BALANCED AGAINST THE ROE DOCUMENT AS A WHOLE, AND INTERNATIONAL HUMANITARIAN LAW.

2. IN PARA 2(a) OF REFERENCE B (UNAMIR ROE) THE GEOGRAPHICAL LIMIT OF THE MANDATE IS CLEARLY EXPRESSED. NOTHING WITHIN THE ROE AUTHORISES THE USE OF FORCE, OTHER THAN ACTING IN SELF DEFENCE, OUTSIDE OF RWANDA. IN SO FAR AS PARA 9k. IS CONCERNED, CROSS BORDER FIRE IS ONLY AUTHORISED WHEN ACTING IN SELF DEFENCE, OR IN THE DEFENCE OF OTHERS WHOM IT IS THE MEMBERS DUTY TO PROTECT. MY LEGAL ADVICE IS THAT THIS PARA IS A CODIFICATION OF WHAT RIGHTS ARE GIVEN TO, AND OBLIGATIONS IMPOSED ON, UNAMIR PERSONNEL UNDER INTERNATIONAL HUMANITARIAN LAW.

3. THE INHERENT RIGHT OF AN INDIVIDUAL TO ACT IN SELF DEFENCE OR IN DEFENCE OF OTHERS CANNOT BE RESTRICTED BY THE ROE. IT MAY BE CONSIDERED THAT THE INCLUSION OF PARA 9k. IN THE ROE IS SUPERFLUOUS, HOWEVER, MY VIEW IS THAT IT GIVES CLEAR DIRECTION THAT THE RIGHT TO ACT IN SELF DEFENCE IS NOT RESTRICTED BY GEOGRAPHICAL BOUNDARIES. TO REMOVE PARA 9k. WOULD CREATE CONFUSION AND COULD LEAD TO A

FC COS DCOS OPS G3 PLANS SO2 LEGAL (AUSMED)

SRSG 03-1

P2/2
M/R1574

SITUATION WHERE UNAMIR PERSONNEL FAIL TO ENSURE THEIR OWN SAFETY AND THE SAFETY OF THOSE IT IS THEIR DUTY TO PROTECT BY FAILING TO RESPOND APPROPRIATELY TO AN IMMEDIATE THREAT OF DEATH OR SERIOUS BODILY INJURY.

4. THE 'NOTE' IN PARA 5c. OF THE ROE GIVES CLEAR DIRECTION ON THE USE OF PROPORTIONATE FORCE IN EFFECTING SELF DEFENCE. THE USE OF CROSS BORDER FIRE IN ACTING IN SELF DEFENCE WOULD ONLY BE PERMISSIBLE IF IT WAS THE PROPORTIONATE RESPONSE NECESSARY TO MEET THE THREAT. AN ATTEMPT TO RESTRICT THE INHERENT RIGHT OF SELF DEFENCE MAY IN ITSELF BE A BREACH OF INTERNATIONAL HUMANITARIAN LAW.

5. FOR THE ABOVE REASONS I DO NOT AGREE WITH THE ACTIONS PROPOSED IN PARAS 3 & 4A., OF REFERENCE A. IN RESPECT TO THE MATTER RAISED IN PARA 4B., AS THE ROE FORMS PART OF UNAMIR SOPs THEY ARE THEREFORE RESTRICTED TO THE MILITARY COMPONENT OF UNAMIR. FURTHERMORE, PARA 2 OF THE ROE REFERS TO UN FORCES OPERATING UNDER THE AUSPICES OF UN SECURITY COUNCIL RESOLUTION 965 DATED 30 NOVEMBER 1994.

6. YOUR EARLY RESPONSE TO THE ABOVE POINTS WOULD BE APPRECIATED.

5000.8

G3 Plans 5/6

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

OUTGOING FAX NO. _____

PAGE 1 OF 2

DATE: 3 JUNE 1995

File No. 5000.8 (PLANS)

TO: BARIL, UNITED NATIONS NEW YORK FAX # (212) 963-1356 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN: LT CDR SEYDOU KEBE, UNNY FAX# (212) 963-1356	PHONE: 1 212 963 0851
INFO:	FAX NO: 1 212 963 1356
INTERNAL DISTR: COS, DCOS OPS, G3 PLANS, SO2 LEGAL (AUSMED)	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT (ROE)	
REFERENCE: A. YOUR FAX 190/DPKO/MPS/AD DATED 25 MAY 1995 B. REVISED UNAMIR ROE DATED 17 MARCH 1995	

1. THE CONCERNS RAISED IN REFERENCE A ARE NOTED. THOSE CONCERNS SHOULD HOWEVER BE BALANCED AGAINST THE ROE DOCUMENT AS A WHOLE, AND INTERNATIONAL HUMANITARIAN LAW.

2. IN PARA 2(a) OF REFERENCE B (UNAMIR ROE) THE GEOGRAPHICAL LIMIT OF THE MANDATE IS CLEARLY EXPRESSED. NOTHING WITHIN THE ROE AUTHORISES THE USE OF FORCE, OTHER THAN ACTING IN SELF DEFENCE, OUTSIDE OF RWANDA. IN SO FAR AS PARA 9k. IS CONCERNED, CROSS BORDER FIRE IS ONLY AUTHORISED WHEN ACTING IN SELF DEFENCE, OR IN THE DEFENCE OF OTHERS WHOM IT IS THE MEMBERS DUTY TO PROTECT. MY LEGAL ADVICE IS THAT THIS PARA IS A CODIFICATION OF WHAT RIGHTS ARE GIVEN TO, AND OBLIGATIONS IMPOSED ON, UNAMIR PERSONNEL UNDER INTERNATIONAL HUMANITARIAN LAW.

3. THE INHERENT RIGHT OF AN INDIVIDUAL TO ACT IN SELF DEFENCE OR IN DEFENCE OF OTHERS CANNOT BE RESTRICTED BY THE ROE. IT MAY BE CONSIDERED THAT THE INCLUSION OF PARA 9k. IN THE ROE IS SUPERFLUOUS, HOWEVER, MY VIEW IS THAT IT GIVES CLEAR DIRECTION THAT THE RIGHT TO ACT IN SELF DEFENCE IS NOT RESTRICTED BY GEOGRAPHICAL BOUNDARIES. TO REMOVE PARA 9k. WOULD CREATE CONFUSION AND COULD LEAD TO A

SITUATION WHERE UNAMIR PERSONNEL FAIL TO ENSURE THEIR OWN SAFETY AND THE SAFETY OF THOSE IT IS THEIR DUTY TO PROTECT BY FAILING TO RESPOND APPROPRIATELY TO AN IMMEDIATE THREAT OF DEATH OR SERIOUS BODILY INJURY.

4. THE 'NOTE' IN PARA 5c. OF THE ROE GIVES CLEAR DIRECTION ON THE USE OF PROPORTIONATE FORCE IN EFFECTING SELF DEFENCE. THE USE OF CROSS BORDER FIRE IN ACTING IN SELF DEFENCE WOULD ONLY BE PERMISSIBLE IF IT WAS THE PROPORTIONATE RESPONSE NECESSARY TO MEET THE THREAT. AN ATTEMPT TO RESTRICT THE INHERENT RIGHT OF SELF DEFENCE MAY IN ITSELF BE A BREACH OF INTERNATIONAL HUMANITARIAN LAW.

5. FOR THE ABOVE REASONS I DO NOT AGREE WITH THE ACTIONS PROPOSED IN PARAS 3 & 4A., OF REFERENCE A. IN RESPECT TO THE MATTER RAISED IN PARA 4B., AS THE ROE FORMS PART OF UNAMIR SOPs THEY ARE THEREFORE RESTRICTED TO THE MILITARY COMPONENT OF UNAMIR. FURTHERMORE, PARA 2 OF THE ROE REFERS TO UN FORCES OPERATING UNDER THE AUSPICES OF UN SECURITY COUNCIL RESOLUTION 965 DATED 30 NOVEMBER 1994.

6. YOUR EARLY RESPONSE TO THE ABOVE POINTS WOULD BE APPRECIATED.

C05

UNITED NATIONS NATIONS UNIES

1765

95 MAY 25 20 04

DEPARTMENT OF PEACE-KEEPING OPERATIONS
MISSION PLANNING SERVICE

OUTGOING FAX

TO: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI	FROM: MGEN M. BARIL for UNITED NATIONS NEW-YORK
FAX NO: 1 212 963 3092	FAX NO:(212) 963-9070 TEL. NO:(212) 963-2400
ATTN: COL STEPHEN DUNN G3 PLANS	
DATE: 25 MAY 1995	No 190/DPKO/MPS/AD
SUBJECT: RULES OF ENGAGEMENT	
TOTAL NUMBER OF PAGES, INCLUDING THIS PAGE: 02	

1. THIS IS REFERENCE TO YOUR OUTGOING FAX NO. 0009 DATED 1 APRIL 1995, FORWARDING FOR THE APPROVAL OF THE REVISED RULES OF ENGAGEMENT OF UNAMIR.

2. AS YOU ARE AWARE, THE MANDATE OF UNAMIR AS EXPANDED BY THE SECURITY COUNCIL PURSUANT TO RESOLUTION 965 DATED 30 NOVEMBER 1994, INCLUDES, INTER ALIA, TO "CONTRIBUTE TO THE SECURITY AND PROTECTION OF DISPLACED PERSONS, REFUGEES AND CIVILIANS AT RISK **IN RWANDA** INCLUDING TROUGH THE ESTABLISHMENT AND MAINTENANCE, WHERE FEASIBLE OF SECURE HUMANITARIAN AREAS ".

3. UNDER THESE PROVISIONS, IT IS CLEAR THAT THE GEOGRAPHICAL SCOPE OF

(3) G3 Plans
For your recds
406

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FC

G3 plans

(2) DCOS(ops) / G3 plans - Shown
E/DIR 1. Ref above
2. Amend as desired & put up pl.
2615

(Page 2 of OGF 190/DPKO/MPS/AD DATED 25MAY 1995)

CONTRIBUTION BY UNAMIR TO THE ABOVE- MENTIONED TASK IS LIMITED TO THE TERRITORY OF RWANDA, AND THEREFORE, THE PROVISIONS OF CROSS BORDER FIRE WHICH WOULD EXTEND THE USE OF FORCE IN SELF DEFENSE BEYOND THE GEOGRAPHICAL SCOPE DEFINED IN THE RESOLUTION, SHOULD BE DELETED FROM THE ROE.

4. IN ORDER TO ENSURE A CLEAR UNDERSTANDING OF THE GEOGRAPHICAL SCOPE OF USE OF FORCE IN SELF DEFENSE BY THE MILITARY PERSONNEL OF UNAMIR, I RECOMMEND THAT:

A. THE TERM " RWANDA" BE ADDED IN PARA 5 c AS FOLLOWS:

- "SELF DEFENSE. THE USE OF FORCE IN RWANDA TO PROTECT:"
- (4) CONCERNS DISPLACED PERSONS, REFUGEES AND CIVILIANS PERSONNEL UNDER THE PROTECTION OF UNAMIR.

B. THE BEGINNING OF PARA 19 BE REVISED TO READ: " 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 965 (1994) OF NOVEMBER 1994."

5. IT WOULD BE APPRECIATED IF THESE CORRECTIONS COULD BE MADE AND THE NEW DRAFT AVAILABLE BY 26 MAY 1995.

6. REGARDS.

DRAFTED BY: LT CDR SEYDOU KEBE FAX#(212) 963-1356; TEL#(212)963-0851	

Mir0525coe.fax

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;

2

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. Impartiality will be the fundamental principle of the activities of UNAMIR.

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~~, UN agencies, International Tribunal for Rwanda, including the Prosecutor office, human right officers & humanitarian agencies.

(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;

(4)

(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 that 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

5

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.

c. ~~Authorised to~~ Use force, as appropriate, to protect persons from suffering death or serious bodily injury when there are no Rwandan authorities available to render immediate assistance.

6

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.

16. UNAMIR Personnel ~~are authorised to search, stop~~ may stop, search and if necessary detain, individuals who commit a serious criminal offence when there are no Rwandan authorities available to act in time. If detained such individuals shall be immediately be handed over to the custody of the competent Rwandan authorities.

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.

(F)

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

ANNEX A TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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

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

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

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)

11

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.

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ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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.**

APPENDIX ONE TO
ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A: Weapons will be carried with loaded magazines.

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

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

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

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

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

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

RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A: No authorization granted.

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.

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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).

15

File

UNITED NATIONS **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA — MISSION POUR L'ASSISTANCE AU RWANDA

OUTGOING FAX NO

PAGE 1 OF 1

DATE: 25 JULY 1995

File No. 5000.8 (PLANS)

TO: MGEN VAN KAPPEN UNATIONS NEW YORK FAX # (212) 963-1356 ~ 9070 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT for FORCE COMMANDER UNAMIR, KIGALI
ATTN: LT CDR SEYDOU KEBE, UNNY FAX# (212) 963-1356	PHONE: 1 212 963 0851
INFO:	FAX NO: 1 212 963 1356
INTERNAL DISTR: ~~COS, DCOS OPS~~, & G3 PLANS	~~DRAFTED~~ BY: G3 PLANS
SUBJECT: UNAMIR - RULES OF ENGAGEMENT (ROE)	
REFERENCE:	

1. ENCLOSED IS THE RULES OF ENGAGEMENT WHICH HAVE BEEN REVISED AS A RESULT OF THE REDRAFTED UNAMIR MANDATE APPROVED BY THE SECURITY COUNCIL ON 9 JUL 95.

2. OVERVIEW OF THE PROPOSED CHANGES. THE UNAMIR TASKS PROPOSED IN THE MANDATE (PARA 2) HAVE BEEN ADJUSTED TO REFLECT THE REDRAFTED 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 HAS 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. IT IS REQUESTED THAT YOU ACCEPT THE REVISED ROE AND PROVIDE YOUR APPROVAL BY 8 AUG 95.

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;"

File

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR-MINUAR

File: 5000.8 (Plans)

To: FC — Approved/~~Not approved~~

From: G3 PLANS

Through: DCOS OPS — Recomended/~~Not recommended~~

COS — Recommended/~~Not recommended~~

DFC — Recommended/~~Not recommended~~

Date: 24 Jul 95

Subject: **REWRITE OF UNAMIR STANDING OPERATING PROCEDURES (SOPs) SECTION 17 - RULES OF ENGAGEMENT (ROE)**

1. The ROE have been revised as a result of the redrafted UNAMIR mandate approved by the Security Council on 9 Jul 95.

2. Overview of the Proposed Changes. The UNAMIR tasks proposed in the mandate (para 2) have been adjusted to reflect the redrafted 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 has 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. It is requested that you accept the revised ROE and provide your approval.

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 that 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

ANNEX A TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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

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

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

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.

ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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.**

APPENDIX ONE TO
ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A: Weapons will be carried with loaded magazines.

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

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

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

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

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RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A: No authorization granted.

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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);

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95

UNAMIR ARCHIVES
25 JUL 1995
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PAGE 1 OF 15 MIR 2686

DATE: 25 JULY 1995

File No. 5000.8 (PLANS)

TO: MGEN VAN KAPPEN UNATIONS NEW YORK FAX # (212) 963-1356 - OSL PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT for FORCE COMMANDER UNAMIR, KIGALI
ATTN: LT CDR SEYDOU KEBE, UNNY FAX# (212) 963-1356	PHONE: 1 212 963 0851
INFO:	FAX NO: 1 212 963 1356
INTERNAL DISTR: COS, DCOS OPS, & G3 PLANS	DRAFTED BY: G3 PLANS
SUBJECT: UNAMIR - RULES OF ENGAGEMENT (ROE)	
REFERENCE:	

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FC CMO SNSG + *

(1)

24 July 1995

UNAMIR STANDING OPERATING PROCEDURES

SECTION 17: RULES OF ENGAGEMENT

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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;"

2

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.

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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;

(4)

(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 that 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

5

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.

(8)

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

ANNEX A TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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

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

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

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)

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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.

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ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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.**

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APPENDIX ONE TO
ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A: Weapons will be carried with loaded magazines.

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

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

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

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

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

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

RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A: No authorization granted.

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.

14

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).

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 that 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.

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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.

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

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   (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.

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(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.

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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

ANNEX A TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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

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

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

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.

ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

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.**

APPENDIX ONE TO
ANNEX B TO
RULES OF ENGAGEMENT
DATED 24 JULY 1995

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B:	Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A:	Weapons will be carried with loaded magazines.

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

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

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

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

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

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

RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A:	No authorization granted.

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).

UNITED NATIONS **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA — **MISSION POUR L'ASSISTANCE AU RWANDA**

UNAMIR - MINUAR

File No 5000.8 (PLANS)

To: DISTRIBUTION LIST

From: G3 PLANS

Date: 9 Aug 95

Subject: REGLES D'ENGAGEMENT

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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 (par 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

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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 Governement 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 Governement rwandais pour instaurer un climat de stabilité et de confiance, grâce à des activités de surveillance menées dans l'ensemble du pays par des observateur militaires et des observateurs de police;

(c) Faciliter l'aide humanitarian, 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 droites de l'homme, et contribuer également, si besoin est, à assurer la sécurité des organismes humanitaires;"

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 corporeeles, en sachant qu'il n'y a pas d'autorités rwandais pouvant assurer cette assistance pour le moment,

(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. Dommage collatéral. Dommage 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 dommage 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 dommage 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 emettra 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;

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;

(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 a 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 suelment 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 Humanitare Interntionale ou bien alors la Législation Rwandaise.

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;

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.

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);

ET

b. vous pensez que la personne est sur le point de vous attaquer vous-même, votre unité, ou toute personne dont il est votre devoir de protéger; **ET**

c. la personne refuse de s'arrêter quand elle est appelée à le faire; **ET**

d. vous estimez qu'il n'y a pas d'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.

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.**

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.**

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.

APPENDICE 1
A L'ANNEXE B

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)

CNR-189 P1/1

UNAMIR 95 JUL 13 20 10

UNITED NATIONS PEACE OPERATIONS 95 JUL 13 P 2:10

OUTGOING CODE CABLE

TO: KHAN / TOUSIGNANT, UNAMIR, KIGALI

FROM: ANNAN, UNATIONS, NEW YORK

DATE: 12 JULY 1995

NUMBER: 2300

SUBJECT: UNAMIR-Rules of Engagement

1. Reference to your fax dated 4 July 1995, the UNAMIR revised Rules of Engagement have been approved.

2. All new changes to these Rules of Engagement need to be submitted to the Department of Peace-Keeping Operations for future approval.

Best regards.

DCOS (ops) } TSOR
C3 Plans
A DCOS (ops)
For info please

FC briefed
MA
17/07

UNITED NATIONS **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA — MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR-MINUAR

UNAMIR ARCHIVES
11 JUL 1995
RECEIVED
95 JUL 11

OUTGOING FAX NO. 4663

PAGE 1 OF 2 MIR-2533

DATE: 4 JULY 1995

File No. 5000.8 (PLANS)

TO: **MGEN VAN KAPPEN**, UNITED NATIONS NEW YORK FAX # (212) 963-9070 dc 11/10 SLT PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI A Dcos/ops
ATTN:	PHONE: 1 212 963 3092
INFO: LT CDR SEYDOU KEBE UNAMIR PLANNING DESK DPKO, UNHQ NY FAX # (212) 963-1356 dp 17/11/3 LT	FAX NO: 1 212 963 3090
INTERNAL DISTR: G3 OPS, G3 PLANS	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT	
REFERENCE: A. YOUR No 200/DPKO/MPS/AD DATED 08 JUN 95 B. TELCON LT CDR S. KEBE/UNAMIR G3 PLANS OF 3 JULY 95	

1. PLEASE FIND ATTACHED THE REQUESTED CHANGES TO THE UNAMIR RULES OF ENGAGEMENT, PAGE 3-17-4, AS ADVISED AT REFERENCES A AND B.

2. THIS CHANGE TO THE UNAMIR SOP IS CURRENTLY BEING PROMULGATED TO ALL CONCERNED.

3. BEST REGARDS.

FC G3 OPS G3 PLANS G3

UNAMIR
95 JUL 11 11 13

p2/2
MIR-2533

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 that 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

UNITED NATIONS **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA — **MISSION POUR L'ASSISTANCE AU RWANDA**

UNAMIR-MINUAR

UNAMIR
95 JUL 11 11 02

OUTGOING FAX NO. 4663

PAGE 1 OF 2 MIR-2533

DATE: 4 JULY 1995

File No. 5000.8 (PLANS)

TO: **MGEN VAN KAPPEN**, UNITED NATIONS NEW YORK FAX # (212) 963-9070 dc 111105LT PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI A Dcos/ops
ATTN:	PHONE: 1 212 963 3092
INFO: LT CDR SEYDOU KEBE UNAMIR PLANNING DESK DPKO, UNHQ NY FAX # (212) 963-1356 dc 171113 LT	FAX NO: 1 212 963 3090
INTERNAL DISTR: G3 OPS, G3 PLANS	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT	
REFERENCE: A. YOUR No 200/DPKO/MPS/AD DATED 08 JUN 95 B. TELCON LT CDR S. KEBE/UNAMIR G3 PLANS OF 3 JULY 95	

1. PLEASE FIND ATTACHED THE REQUESTED CHANGES TO THE UNAMIR RULES OF ENGAGEMENT, PAGE 3-17-4, AS ADVISED AT REFERENCES A AND B.

2. THIS CHANGE TO THE UNAMIR SOP IS CURRENTLY BEING PROMULGATED TO ALL CONCERNED.

3. BEST REGARDS.

FC G3 OPS G3 PLANS G3

UNAMIR
95 JUL 11 11 13

p2/2
MIR-2533

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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

UNITED NATIONS **NATIONS UNIES**

ASSISTANCE MISSION IN RWANDA — **MISSION POUR L'ASSISTANCE AU RWANDA**

UNAMIR-MINUAR

1/3

OUTGOING FAX NO. 4435

PAGE 1 OF 3

DATE: 26 JUNE 1995

File No. 5000.8 (PLANS)

TO: **BARIL**, UNITED NATIONS NEW YORK FAX # (212) 963-9070 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN:	PHONE: 1 212 963 3092
INFO:	FAX NO: 1 212 963 3090
INTERNAL DISTR: G3 OPS, G3 PLANS	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT	
REFERENCE: A. YOUR No 200/DPKO/MPS/AD DATED 08 JUN 95	

1. PLEASE FIND ATTACHED CHANGES TO THE UNAMIR RULES OF ENGAGEMENT, PAGES 3-17-2 AND 3-17-8, AS ADVISED BY REFERENCE A.

2. THESE CHANGES TO THE UNAMIR SOP ARE CURRENTLY BEING PROMULGATED TO ALL CONCERNED.

3. BEST REGARDS.

2/3

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) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or

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

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

(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 965 (1994) of 30 November 1994. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission. The use of force by UNAMIR personnel is prohibited unless specifically authorised by the ROE.

20. Rule No. One: Authority to Carry Arms

a. State A: No authority; and

b. State B: Authority granted to carry weapons.

21. Rule No. Two: Status of Weapons

a. State A: Weapons will be carried with loaded magazines.

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

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

a. State A: Observe and report but will withdraw in order to preserve own force.

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

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

d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorised.

UNITED NATIONS NATIONS UNIES

ASSISTANCE MISSION IN RWANDA MISSION POUR L'ASSISTANCE AU RWANDA

UNAMIR - MINUAR

File No 500[illegible]/8 (PLANS)

To: DISTRIBUTION LIST

From: FG3 PLANS

Date: 26 Jun 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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SECTOR 3B	4	58-61
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SRSG OFFICE	1	101
UNITED NATIONS HQ NEW YORK (DPKO)	1	102

AMENDMENT RECORD SHEET

AMENDMENT	DATE	SIGNATURE
COMMUNICATIONS - PART 6 ISSUED	13 FEB 95	
Pg. 3-20-1	04 MAR 95	
Annex A & B to Part 1, Pg. 3-20-2, Annex B to Part 8 Sect 15, Annex B to Part 9 Sect 5, Annex F to Part 9 Sect 6.	01 APR 95	
Section 17 to Part 3	13 APR 95	
Distribution List, pp. 7-2-3, 7-2-4, 8-6-4, Part 8 Sect 8.	24 APR 95	
Distribution List, Annex B to Part 2, Annex A & E to Part 8 Sect 8.	26 MAY 95	
pp. 3-17-2, 3-17-8.	26 JUN 95	

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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:

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(3) non-UNAMIR humanitarian aid personnel,

(4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or

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

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

(7) the apparent results of the firing.

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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.

UNITED NATIONS
ASSISTANCE MISSION IN RWANDA

NATIONS UNIES
MISSION POUR L'ASSISTANCE AU RWANDA

OUTGOING FAX NO. _____

PAGE 1 OF 16

DATE: 1 April 1995

File No. 5000.8 (PLANS)

TO: BARIL, UNITED NATIONS NEW YORK FAX # (212) 963-1356 PHONE # (212) 963-2402	FROM: MGEN GC TOUSIGNANT FORCE COMMANDER UNAMIR, KIGALI
ATTN:	PHONE: 1 212 963 3092
INFO:LT COL LARS ANDERSON,UNNY FAX# (212) 963-1356	FAX NO: 1 212 963 3090
INTERNAL DISTR: G3 PLANS	DRAFTED BY: G3 PLANS
SUBJECT: RULES OF ENGAGEMENT	
REFERENCE:	

1. ENCLOSED IS THE RULES OF ENGAGEMENT WHICH HAVE BEEN REVISED AS A RESULT OF THE CONCERNS EXPRESSED BY THE COMMANDER CANADIAN CONTINGENT. THOSE CONCERNS REVOLVED AROUND THE LINKING OF ROE TO ALERT STATES AND THE AUTHORISATION LEVELS FOR THE USE OF FORCE.

2. OVERVIEW OF THE PROPOSED CHANGES. THE SOP DELETES AND DOES NOT REWRITE THE SECTION ON AUTHORISATION LEVELS FOR THE USE OF FORCE (PARA 7). USE OF FORCE AND ENGAGEMENT PRINCIPLES (PARA 9) REPLACES THE EXISTING PRINCIPLES FOR THE USE OF FORCE (PARA 8). IN THIS NEW SECTION THE CONCEPTS OF 'REASONABLE BELIEF', 'PROPORTIONALITY', 'DURATION OF FORCE AND DISENGAGEMENT', 'REPRISAL', 'APPLICATION OF FORCE', AND 'CROSS BORDER FIRE' ARE INTRODUCED AND EXPLAINED. IN THE SECTION DEALING WITH THE AUTHORITY TO USE FORCE (PARA 10), THE REWRITE REMOVES THE WORD 'UNARMED' ENTIRELY IN THE SUBSECTION CONCERNING THE PERMITTED USE OF 'NON-DEADLY FORCE'. IN THE SECTION DEALING WITH CHALLENGE AND ESCALATION PROCEDURES (PARA 16), THE PROCEDURE FOR 'ESCALATION OF DEADLY FORCE' HAS BEEN REMOVED AND NOT REPLACED. THE SUB SECTION DEALING WITH 'TREATMENT OF DETAINEES' HAS BEEN REWRITTEN TO REMOVE PARA 14, IE. EQUATING THE MINIMUM STANDARD OF TREATMENT TO THAT OF A PW. THE SECTION DEALING WITH 'OPENING FIRE WITHOUT WARNING OR ESCALATION' (PARA 15) HAS BEEN REMOVED AND IS DEALT WITH ELSEWHERE IN THE DOCUMENT. THE SECTION DEALING WITH 'PROCEDURES DURING FIRING' HAS BEEN SUBSTANTIALLY REWRITTEN AND ONLY ENCAPSULATES THE FIRST PART OF THE EXISTING SECTION.

3. IT IS REQUESTED THAT YOU ACCEPT THE REVISED ROE AND PROVIDE YOUR APPROVAL BY 14 APR 95.

17 March 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 965 dated 30 November 1994. That Resolution states that UNAMIR will:

> " (a) Contribute to the security and protection of displaced persons, refugees and civilians at risk in Rwanda, including through the establishment and maintenance where feasible, of secure humanitarian areas;
>
> (b) To provide security and support for the distribution of relief supplies and humanitarian relief operations; and
>
> (c) Exercise its good offices to help achieve national reconciliation within the frame of reference of the Arusha Peace Agreement;
>
> 3. (The Security Council) Decides to expand UNAMIR's mandate to include the following additional responsibilities within the limits of the resources available to it:
>
> (a) Contribute to the security in Rwanda of personnel of the International Tribunal for Rwanda and human rights officers, including full-time protection for the Prosecutor's Office, as well as security details for missions outside Kigali;"

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

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

PART II

AIM

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

PART III

DEFINITIONS

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

a. Force. The use of, or the threat to use, physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.

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

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

(1) oneself and the personnel in one's unit,

(2) other UNAMIR military or civilian personnel,

(3) non-UNAMIR humanitarian aid personnel,

(4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or

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

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

d. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 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.

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 that 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

k. Cross-Border Fire. UNAMIR personnel are authorised to fire across the border of Rwanda into neighbouring countries **only** when acting in self-defence (and defence of others as per paragraph 5.c).

AUTHORITY TO USE FORCE

10. Force may be used as follows:

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

(1) in self-defence;
(2) against attempts at infiltration or envelopment of UNAMIR units, compounds or locales;

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

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

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

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

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

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

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

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

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

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

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

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

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

AUTHORITY TO SEARCH AND DETAIN

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

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

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

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

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

CHALLENGE AND ESCALATION PROCEDURES

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

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

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

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

b. Charge Weapons. Make use of the visual effect of such action to convince the aggressor that failure to stop the aggressive activity may result in the use of deadly force;

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

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

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

PROCEDURES DURING FIRING

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

PROCEDURE AFTER FIRING

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

a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.

b. Recording. Details of the incident will be recorded, including:

(1) date, time and place of firing;

(2) unit and personnel involved;

(3) the events leading up to the firing;

(4) why UNAMIR personnel opened fire;

(5) who or what was fired on;

(6) the weapons fired; and

(7) the apparent results of the firing.

c. Reporting. The above information and the current situation will be reported through the chain of command to 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 personnel provided by nations participating in UNAMIR under the provisions of UN Security Council Resolution 965. These ROE are written in the form of either prohibitions or permissions. Issued as prohibitions, they are orders not to take specific actions. Issued as permissions they are guidance to commanders that certain specific actions may be taken if they are judged necessary to achieve the aim of the mission. The use of force by UNAMIR personnel is prohibited unless specifically authorised by the ROE.

20. Rule No. One: Authority to Carry Arms

a. State A: No authority; and

b. State B: Authority granted to carry weapons.

21. Rule No. Two: Status of Weapons

a. State A: Weapons will be carried with loaded magazines.

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

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

a. State A: Observe and report but will withdraw in order to preserve own force.

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

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

d. State D: Observe and Report. Stay in place. Warn aggressor of intent to use force and demonstrate resolve by appropriate means. Demonstrative use of fire is authorised.

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

a. State A: No authorisation granted.

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

24. Rule No. Five: Intervention and Warning Shots

a. State A: Intervention between warring factions is prohibited.

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

25. Rule No. Six: Control of Weapons Systems

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

b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:

(1) Man (type of system);

(2) Prepare (type of system);

(3) Move (type of system); and

(4) Fire (type of system).

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

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

PART VI

CONCLUSION

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

28. This Directive will be classified UN RESTRICTED.

Annexes:

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

Annex B UNAMIR Levels of Readiness/Alert

ANNEX A TO
RULES OF ENGAGEMENT
DATED 17 MARCH 1995

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

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

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

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.

ANNEX B TO
RULES OF ENGAGEMENT
DATED 17 MARCH 1995

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.**

APPENDIX ONE TO
ANNEX B TO
RULES OF ENGAGEMENT
DATED 17 MARCH 1995

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A: Weapons will be carried with loaded magazines.

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

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

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

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

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

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

RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A: No authorization granted.

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).

SECTION 9:

OPERATIONAL DIRECTIVE NO. 02

RULES OF ENGAGEMENT

PART I

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

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

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

Paragraph 5 of the resolution particularly recognizes that:

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

PART II

DEFINITIONS

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

a. Force. The use of physical means to impose one's will. Military force is the use of the physical means provided by formed, armed and disciplined bodies of troops under unified command to achieve the same end and generally implies the potential to use significant levels of violence.

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

(1) oneself and the personnel in one's unit,

(2) other UNAMIR military or civilian personnel,

(3) non-UNAMIR humanitarian aid personnel,

(4) displaced persons, refugees and civilians in sites or among populations under the protection of UNAMIR forces, or

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

c. Hostile Act. A hostile act is an attack or other use of force against those entities listed in paragraph 3.b. above.

d. Hostile Intent. Hostile intent is the threat of the imminent use of force against those entities listed in paragraph 3.b. above.

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

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

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

h. Deadly Force. This is the ultimate degree of force. Deadly force is that level of force which is intended or is likely to cause death or serious bodily harm regardless of whether death or serious bodily harm actually results.

PART III

INSTRUCTIONS ON THE USE OF FORCE

APPLICABILITY

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

COMMANDERS' RESPONSIBILITY

5. Commanders at all levels are required:

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

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

AUTHORIZATION LEVELS FOR THE USE OF FORCE

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

a. Force Commander or His Delegate:

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

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

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

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

(2) light machine guns; and

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

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

(1) Sector Commanders:

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

(b) light machine guns; and

(c) all personal weapons on automatic fire.

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

(a) Personal weapons for single shot fire.

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

PRINCIPLES FOR USE OF FORCE

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

a. if possible, negotiation and warnings must be exhausted before any use of force is initiated;

b. only the minimum non-deadly and deadly force consistent with achieving the immediate aim shall be employed;

c. except where authorized under paragraph 11, the escalation of force procedures pursuant to paragraph 14 must be exhausted before the use of any deadly force is initiated;

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

e. escalation of the level of violence is to be minimized;

f. collateral damage is to be minimized;

g. the use of force in retaliation is prohibited; and

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

AUTHORITY TO USE FORCE

8. Force may be used as follows:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

AUTHORITY TO SEARCH AND DETAIN

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

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

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

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

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

CHALLENGE AND ESCALATION PROCEDURES

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

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

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

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

b. Charge Weapons. If authorized under State B of ROE No.2 (paragraph 15 refers);

c. Non-Deadly Force. If warnings are ignored, employ minimal non-deadly force;

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

e. Deadly Force. If minimal non-deadly force is either not feasible or fails, on order and under the control of a superior, minimal deadly force, such as single aimed shots, may be used until the threat is removed;

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

OPENING FIRE WITHOUT WARNING OR ESCALATION

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

a. lead to death or serious injury to UNAMIR personnel or to other UN-authorized military or civilian personnel;

b. lead to death or serious injury to persons who are under the protection of UNAMIR; and

c. lead to the immediate damage or destruction of UNAMIR property in the circumstances described in paragraph 8.b.(2).

PROCEDURE DURING FIRING

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

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

PROCEDURE AFTER FIRING

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

a. Medical. Any wounded, including those fired upon by UNAMIR personnel will be given first aid, if such an action can be done without further endangering the lives of UNAMIR personnel.

b. Recording. Details of the incident will be recorded, including:

(1) date, time and place of firing;

(2) unit and personnel involved;

(3) the events leading up to the firing;

(4) why UNAMIR personnel opened fire;

(5) who or what was fired on;

(6) the weapons fired; and

(7) the apparent results of the firing.

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

PART IV

RULES OF ENGAGEMENT

19. Rule No. one: Authority to Carry Arms

a. State A: No authority; and

b. State B: Authority granted to carry weapons.

20. Rule No. Two: Status of Weapons

a. State A: Weapons will be carried with loaded magazines.

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

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

a. State A: Observe and report but will withdraw in order to preserve own force.

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

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

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

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

a. State A: No authorization granted.

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

23. Rule No. Five: Intervention and Warning Shots

a. State A: Intervention between warring factions is prohibited.

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

24. Rule No. Six: Control of Weapons Systems

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

b. State B: Designated activity in the presence of the forces in conflict is permitted but will be specified by the following notes:

(1) Man (type of system);

(2) Prepare (type of system);

(3) Move (type of system); and

(4) Fire (type of system).

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

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

PART V

CONCLUSION

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

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

Annex:

Annex A Aide-Memoire for Members of UNAMIR.

ANNEX A TO
RULES OF ENGAGEMENT
DATED 6 OCT 94

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

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

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

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

a. open display of weapons.

b. verbal warning.

c. barring access to the point being protected.

d. physical restraint.

e. warning shots.

f. pointing weapons, and

g. firing weapons.

WARNINGS

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

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

(PAUSE)

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

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

a. the person is carrying a dangerous weapon (e.g. firearm, improvised firing device or machete); AND

b. you believe the person is about to attack you, your unit, or any person it is your duty to protect; AND

c. the person refuses to stop when called upon to do so; AND

d. you believe there is no other way of stopping the person.

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

a. has used or is using a fire arm or other dangerous weapon against you, your unit or persons it is your duty to protect; OR

b. is carrying what you believe to be a dangerous weapon, AND is clearly about to use it, AND you believe that there is no other way to protect yourself, your unit, or the persons it is your duty to protect.

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

UNAMIR LEVELS OF READINESS/ALERT

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

AIDE MEMOIRE - RULES OF ENGAGEMENT

NOTE: GREEN status indicated in boxes

RULE ONE: AUTHORITY TO CARRY ARMS

STATE A: No authority granted.

STATE B: Authority granted to carry weapons.

RULE TWO: STATUS OF WEAPONS

STATE A: Weapons will be carried with loaded magazines.

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

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

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

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

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

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

RULE FOUR: DISARMAMENT OF PARAMILITARY PERSONNEL OR CIVILIANS

STATE A: No authorization granted.

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

RULE FIVE: INTERVENTION AND WARNING SHOTS

STATE A: Intervention between warring factions is prohibited.

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

RULE SIX: CONTROL OF WEAPON SYSTEMS

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

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

(1) Man (type of system);

(2) Prepare (type of system);

(3) Move (type of system); and

(4) Fire (type of system).