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ARMING RWANDA

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ARMING RWANDA The Arms Trade and Human Rights Abuses in the Rwandan War

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A. Rwanda's \$6 Million Arms Purchase From Egypt.

1. Contract between the Government of the Rwandan Republic and the Government of the Arab Republic of Egypt for Egypt's providing of Military Assistance credit, dated March 30, 1992. (English translation attached.)

2. Unexecuted Form of Financial Guarantee to the Government of the Arab Republic of Egypt, represented by the Department of Arms of the Egyptian Ministry of Defense. (English translation attached.)

3. Description of \$6 million arms purchase, including item, quantity, unit price and total price.

4. Shipping schedule for purchased arms.

B. Rwanda's \$5.9 Million Arms Purchase from South Africa.

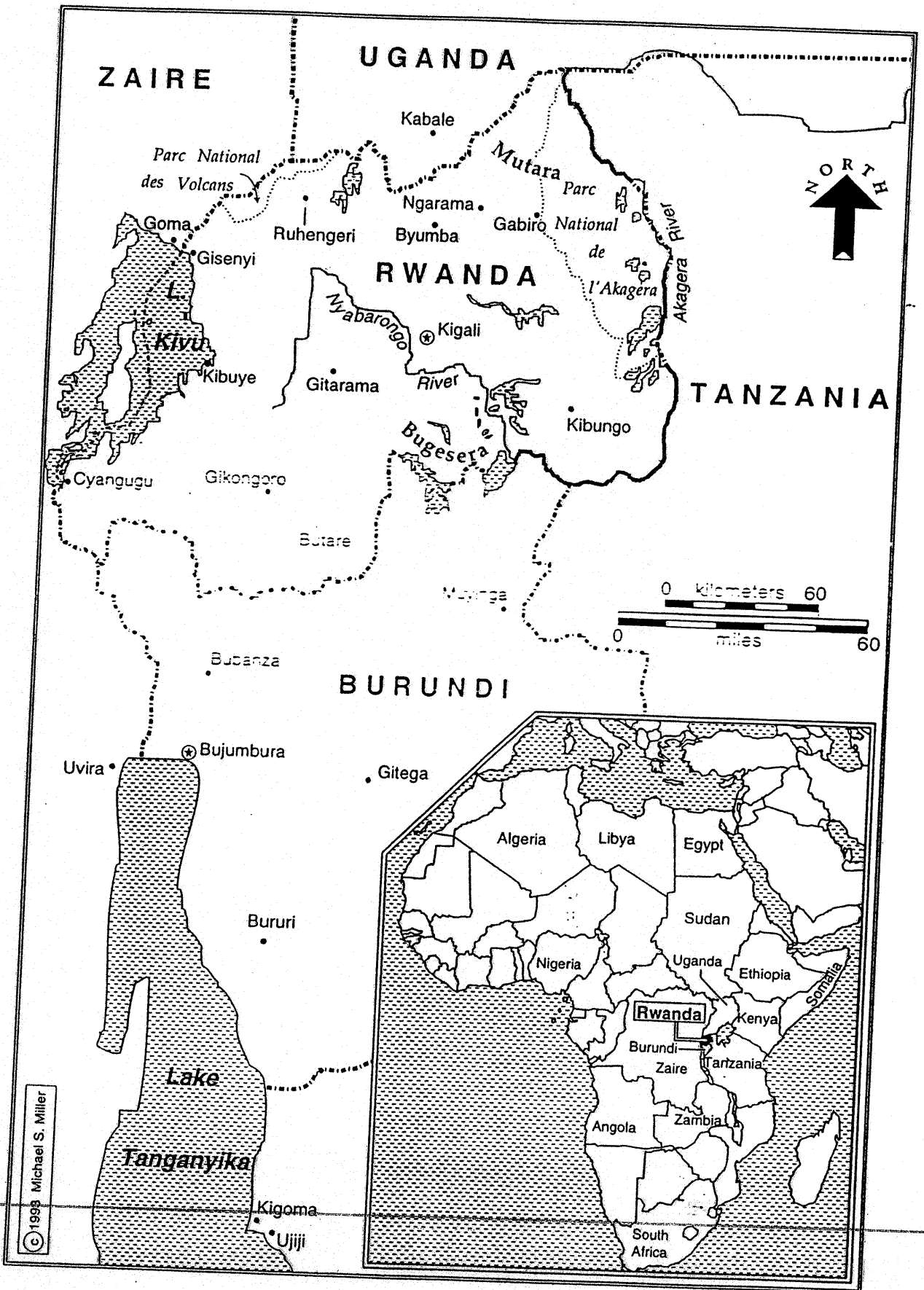
Invoice number 147, dated October 19, 1992, from Conrad Kuhn, representative of Armscor, the national South African arms corporation, to Major Cyprien Kayumba, Rwandan Ministry of National Defense.

C. Government Distribution of Weapons to the Civilian Population

Order 0850/G2.1.0, August 26, 1991, from the Rwandan Minister of Defense, Subject "Self-Defense of the Population," Status "SECRET." (English translation attached.)

D. Uganda's Response to the Arms Project

Letter from the Ugandan Ambassador to the United States S.T.K. Katenta-Apuli, dated August 26, 1993.



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INTRODUCTION

"The RPF had superior weapons. Whatever new equipment we acquired, they had it before us."

*James Gasana
Rwandan Minister of Defense.*

"The country is flooded with weapons. Two beers will get you one grenade."

A Western diplomat in Kigali.

Rwanda is one of Africa's poorest countries. Most of its 7.2 million people are, by tradition, subsistence farmers or cattle herders. Smaller in size than Belgium, Rwanda does not have enough land to go around. The country has almost no industry, few natural resources and has long been dependent on foreign development aid.

In October 1990, the Rwandese Patriotic Front (RPF) launched an invasion from neighboring Uganda, aimed at overthrowing the Rwandan government. A peace agreement signed in August 1993 has brought the war to a halt, but it appears to be an uneasy peace. An estimated 4,500 people, both combatants and noncombatants, died in the conflict. The fighting also uprooted nearly one million civilians, or one out of every seven Rwandans. In addition, approximately 2,000 civilians were killed as a result of human rights violations related to the war but not directly part of the conflict. The Rwandan army killed many hundreds of civilians both in support of communal violence against the minority Tutsi population and during combat operations against the RPF. The Rwandan army also summarily executed civilians designated by civilian authorities.

Civilian groups, composed of majority Hutu, committed widespread acts of ethnic violence against Tutsi. These rampaging crowds were incited and led by local administrators and by militia attached to Rwanda's long-time ruling political party, the National Republican Movement for Democracy and Development (MRND). They destroyed crops, stole food, slaughtered cattle, burned homes and attacked their neighbors using machetes, spears and clubs.

In a development with frightening implications, other civilian groups have been armed by governing authorities with Kalashnikov rifles. These armed groups are increasingly involved with the militias that have been responsible for many abuses.

The RPF also committed numerous human rights violations. Up to several hundred people were extrajudicially executed by the RPF. The victims included government officials as well as civilians thought to support the government. The RPF forcibly moved hundreds, perhaps thousands, of people from Rwanda into Uganda in order to create free-fire zones. RPF forces also stole food, cattle and other property from Rwanda's refugee population.

The influx of weapons from foreign sources to both sides contributed significantly to needless and abusive civilian deaths and suffering. Sources from both sides told the Arms

Project that as one side received more weapons, and weapons of greater lethality, the other tried to match it. Foreign governments and other suppliers were more than willing to fuel this arms race. This small, impoverished nation, which was already unable to meet its own human needs, devoted its scarce resources to an unprecedented accumulation of a wide variety of arms, including the introduction of heavier, long-range weapon systems.

The origin of many of the weapons used in the Rwandan conflict has remained in question. The government claims to have bought arms "with its own funds" legally on the open market. The RPF claims to have stolen arms from the Ugandan military, with which it still enjoys warm relations, captured additional arms from the Rwandan army, and bought others on the open market. Both sides' sources of arms, the funds to buy them, and the human rights abuses resulting from the influx of weapons is the focus of this report.

The Rwandan war formally ended with the signing of a peace agreement August 4, 1993, known as the Arusha Peace Agreement. However, implementation of the peace agreement's accords is already behind schedule.

The recent wave of violence in neighboring Burundi, which has left 10-50,000 dead and which also pits Tutsi against Hutu, does not bode well for Rwanda. Indeed, many observers believe that there is little chance that the peace accord, which calls for integration of the two armies, will be implemented. The killings in Burundi have again inflamed the hatred and mistrust of Tutsi and Hutu in Rwanda. The possibility of renewed fighting is very real.

Summary of Key Findings

1) The Arms Project has obtained confidential documents concerning a \$6 million arms sale to Rwanda by Egypt. The Arms Project has also received information that France's nationalized bank, Credit Lyonnais, made the \$6 million deal possible through provision of a bank guarantee. The terms of this purchase, including the roles of Credit Lyonnais and France, had been secret. It included automatic rifles, mortars, long-range artillery, shoulder-fired rocket launchers, munitions, landmines, and plastic explosives. The Arms Project asked official representatives of France, Egypt and Credit Lyonnais about this transaction. All declined comment. However, Rwandan Minister of Defense James Gasana confirmed the existence of this transaction to the Arms Project.

2) The Arms Project has also obtained an invoice concerning a \$5.9 million arms purchase from South Africa. The Rwandan government obtained these arms in contravention of the United Nations Security Council resolution opposing the importation of arms from South Africa. This purchase included automatic rifles, machine guns, grenade launchers and munitions.

3) Rwanda has also purchased weapons from France, both before and after the war began in October 1990. These include mortars, artillery, armoured cars and helicopters. These sales are not disputed by France. France also deployed up to 680 troops in Rwanda during the war, in addition to providing military advisors.

France denies that its forces played any direct role in the fighting. However, sources told the Arms Project that French troops played a direct role in the conflict, including provision of infantry support for Rwandan forces during the February 1993 offensive. This goes well beyond France's self-proclaimed mandate merely to protect the lives and ensure the evacuation of French expatriates and other foreign nationals. Sources also told the Arms Project that French trainers advised Rwandan field officers in tactical combat situations, going beyond France's other self-proclaimed mandate merely to train Rwandan forces.

4) The Arms Project has obtained a secret Rwandan government document showing that the government formed paramilitary "self-defense" groups in select communities, where human rights violations took place.

5) Sources told the Arms Project that Uganda provided weapons, munitions and other military supplies to the RPF. These included munitions, automatic rifles, mortars, artillery and Soviet-designed Katyusha multiple rocket systems. Sources told the Arms Project that Uganda allowed the rebel movement to use its territory as a sanctuary for the planning of attacks, stockpiling of weapons, raising of funds and movement of troops. Official representatives of both Uganda and the RPF categorically deny that Uganda provided any military assistance to the RPF.

Summary of Recommendations

The Arms Project calls upon the international community to impose an at least one year moratorium on all lethal military assistance or sales to any party in the Rwandan war. All countries which choose to sell arms or provide military assistance should legally and explicitly condition it upon the human rights performance of the recipient. Weapons of increased lethality and technological sophistication should not be introduced into Rwanda, given the appalling levels of human rights abuse engaged in by all parties. All governments, including Egypt, France, South Africa, and Uganda, should fully disclose the nature of their military assistance and arms transfers to the RPF and Rwandan government.

United Nations peacekeeping forces should be put in place and brought up to full strength as quickly as possible, consistent with U.N. resources and other peacekeeping demands, in order to monitor compliance with the cease-fire and implementation of the peace accord, for the purpose of reducing on-going human rights abuses. Their mission ought explicitly to include monitoring of human rights abuses and arms acquisitions by all parties. Foreign armed forces which are not under the command of international monitoring organizations should not be deployed in Rwanda, given the involvement of foreign armed forces with abusive forces in the conflict up to this point. French, Zairian and Ugandan troops should be barred from participation in any international peacekeeping efforts in Rwanda because of their past association with abusive parties in this conflict. The Rwandan government and the RPF should destroy weapons rendered unnecessary by the war's end under the supervision of international monitors, because of the likelihood, in a war marked by such severe abuses by all parties, that renewal of fighting with these weapons would result in further abuses.

I. HISTORICAL BACKGROUND TO THE WAR

"What the Banyarwanda want is not necessarily to go back, but to have a sense of national identity, to have citizenship, and the protection of the Rwandan flag."

*Toni, RPF military officer and former NRA soldier
RPF Zone of Control, Rwanda.*

"The involvement of Uganda in this conflict is evident. The attack came from there, and also we know that it was conducted, led by NRA military officers."

*Colonel Deogratias Nsabimana
Chief of Staff, Rwandan Army
Kigali, Rwanda.*

The Banyarwanda and Uganda

On October 1, 1990, the RPF invaded Rwanda from Uganda. Most of the people in this invasion force were Banyarwanda, or refugees who have either left or fled Rwanda over the past four decades. Most of them are also Tutsi, one of Rwanda's three social or ethnic groups.¹

From the seventeenth century until the monarchy was overthrown in 1961, the Kingdom of Rwanda was a highly organized and stratified state. Most noblemen, military commanders, local officials and cattle herders were Tutsi. Most people among the remainder were Hutu, who were predominately subsistence farmers. A small minority of hunters and potters were Twa. They made up 14, 85 and 1 percent of the population respectively. The system was based largely on class, as a rich Hutu could become a Tutsi despite his Hutu past. Nonetheless, these social groups have ethnic distinctions. To this day, all Rwandans are required to carry apartheid-like cards which identify their specific social category.

Tutsi leaders dominated Rwanda as an elite ruling class, although most Tutsi, like Hutu, were also poor. Tutsi leaders, however, were highly conscious of their distinctiveness, and considered their group to be physically and intellectually superior. Colonialism only aggravated this division. Belgium governed Rwanda as a protectorate from 1919 to its independence in 1962. Belgium allied itself with the dominant Tutsi throughout most of this period, but switched to supporting the Hutu when they rose against the Tutsi in 1959.

¹ The information for this historical background was drawn from: Catharine Watson, *U.S. Committee for Refugees Issue Paper*, "Exile from Rwanda: Background to an Invasion," February 1991; and, *Africa Watch, News From Africa*, Vol. 5, No. 7, "Beyond the Rhetoric: Continuing Human Rights Abuses in Rwanda," June 1993.

As Hutu moved into positions of power, they harassed and threatened Tutsi, and began removing them from office and dismantling their long-standing privileges. This led to violent clashes between the two groups. By 1960, hundreds of Tutsi had been killed, and tens of thousands had been internally displaced. Independence in 1962 only led to more violence. Tutsi began fleeing to other countries, creating the initial Banyarwanda refugees.

The first Tutsi guerrilla group, known as the Inyenzi, was formed among Banyarwanda refugees in 1961. They attacked Hutu targets in Rwanda from Uganda, Burundi, Zaire and Tanganyika (Tanzania). Hutu leaders responded by lashing out against more Tutsi in Rwanda. The government executed some 20 prominent Tutsi leaders, while Hutu crowds killed as many as 20,000 others over the next several years. By 1964, the United Nations High Commissioner for Refugees (UNHCR) estimated that about 150,000 Banyarwanda had fled to Tanzania, Burundi, Zaire and Uganda. At present the number of Banyarwanda refugees, which includes those who fled Rwanda as well as their descendants, is estimated between 400,000 and 500,000.

Of these, about 200,000 have lived in Uganda. But most Banyarwanda there, as in other African countries, remain refugees without statehood, legal citizenship or official residence. This has left them vulnerable to deportation, displacement or harassment from host countries. The Ugandan Banyarwanda suffered especially under President Milton Obote, later under President Idi Amin, and, in the early 1980s, again under President Obote.

In 1981, Ugandan Minister of Defense Yoweri Museveni defected with a small group of army supporters to form a guerrilla army to fight against the then-Ugandan government. After five years of war, Museveni took power in Uganda with an army of 14,000 men. At least 2,000 of them were Banyarwanda refugees from Rwanda who had suffered under previous Ugandan regimes and had joined his movement.

Museveni and his army, reorganized as the National Resistance Army (NRA), have ruled Uganda since 1986. But within two years of their victory, Banyarwanda leaders who had fought alongside Museveni began to plan their own invasion of Rwanda. One of them was Major General Fred Rwigyema, a senior NRA military commander. Another was Major Paul Kagame, head of the NRA's military intelligence from November 1989 to June 1990. They had both been with Museveni from the beginning.

The October 1990 RPF invasion force was commanded by Rwigyema. Ugandan officials claim that Rwigyema was removed from the NRA by a decision of the Ugandan National Resistance Council prior to the invasion, and that he and other leaders were acting entirely on their own. (See Appendix D.)

About half of Rwigyema's initial invasion force of some 7,000 troops were NRA soldiers. Hundreds of mid-ranking RPF officers were also officers in the NRA. Dozens of senior and top NRA intelligence, logistics and operations commanders now hold top command positions in the RPF. These soldiers brought with them their own personal weapons as well as heavier equipment. Most arms the RPF used in the invasion came directly from the stocks of the NRA.

Ugandan President Museveni claims that neither he nor any of his officers who remained loyal had any prior knowledge of the RPF's plans. President Museveni was on an official state visit to the United States, when he says he received an urgent phone call: "I was asleep in my hotel in Washington. My army commander rang and said: 'There's a problem. The Banyarwanda boys are deserting'. We were taken by surprise by the speed and the size of the desertions."²

RPF commander Rwigyema died on the second day of the invasion. He was eventually succeeded by NRA Major Paul Kagame, who was in the United States on a joint Ugandan/American military training program when Rwigyema died. Kagame returned to Kampala, the Ugandan capital, traveled to southern Uganda, entered northern Rwanda, and by November became the RPF's top military commander. It remains unclear on what date he resigned or deserted his post in the NRA.

Rwanda and the Habyarimana Regime

Hutu attacks against Tutsi diminished after 1966, although widespread discrimination continued. In 1973, Hutu crowds - possibly orchestrated by the military - renewed attacks against Tutsi. Then Minister of Defense Juvenal Habyarimana executed a military coup, invoking the need to reestablish order.

Under the pretext of easing tensions, President Habyarimana established a policy of "balance" to purportedly distribute resources and jobs equally between the two groups. But the Habyarimana regime over time came to discriminate against both, as most of the resources and key positions went to his family, friends and associates from the region of his own birthplace in northwestern Rwanda. The President and his National Republican Movement for Democracy and Development (MRND) have ruled Rwanda as a one-party state. Until recently, the most important government posts were still controlled by MRND ministers. Many are related by birth or marriage to the President.

In July 1990, in response to growing domestic opposition and pressure from foreign aid donors, President Habyarimana began a process of political reform. It allowed for the establishment of other political parties and the sharing of power. President Habyarimana announced that Rwanda would be a democratic republic within two years.

These reforms had just begun when the RPF launched its invasion on October 1, 1990. Although the invading forces remained isolated to northeastern regions of the country, forces loyal to the Habyarimana regime simulated a firefight in Kigali, the Rwandan capital, on the night of October 4.³ This alleged RPF attack was used as a pretext for a government crackdown against Tutsi civilians.

² From "Exile from Rwanda," p.14.

³ See "The Report of the International Commission," p.32. The Arms Project interviewed former Rwandan government and military officials, who confirmed that this alleged attack was staged by the government.

Fighting in northeastern Rwanda was heavy for several weeks, but the government successfully repelled the RPF invasion force by November. At least 500 people died in the fighting, which created 350,000 refugees. The RPF retreated to Uganda, where its forces regrouped, retrained and rearmed with new and heavier weapons. Using Uganda as a base, these forces launched a series of small excursions into northern Rwanda throughout 1991 and 1992.

The ruling MRND party agreed to form a coalition government with four other parties in April 1992. Most of these parties' leaders are Hutu. They appear to have little connection or active sympathy for the RPF. The government was to hold power for a year, while it prepared to hold national elections. Half the ministerial posts were allocated to opposition political parties. Executive power was formally divided between the President and the Prime Minister, a leader of the Republican Democratic Movement (MDR), the largest of the opposition parties.

After several unsuccessful diplomatic attempts to end the war, representatives of the Rwandan government and the RPF signed a cease-fire at Arusha, Tanzania in July 1992. Negotiations led to several further accords, notably the protocols on power-sharing which were signed on October 30, 1992 and January 9, 1993. But President Habyarimana subsequently rejected the protocols, stating his dissatisfaction with the distribution of ministerial posts among the political parties. Habyarimana's party, the MRND, organized demonstrations, including one which shut down the capital on January 20, 1993.

On February 8, 1993, the RPF violated the cease-fire, opening combat along much of the northern front in addition to new points of entry from Uganda. The RPF said that continuing abuse of human rights by the Habyarimana regime including the massacre of more than 300 Tutsi in northwestern Rwanda in January 1993 was one justification for its offensive. This fighting was the heaviest of the war. Hundreds more civilians died, and another 650,000 people were displaced.

An agreement between the Rwandan Prime Minister and the RPF established a new cease-fire on March 9, 1993. It stipulated that forces return to positions occupied prior to February 8, and that a neutral force set up by the Organization of African Unity monitor the declared De-Militarized Zone between the two armies. Nonetheless, in May 1993 the Arms Project observed fighting across the de-militarized zone. Witnesses and other sources told the Arms Project that the cease-fire had been violated regularly by both sides.

On August 4, 1993, the two sides signed a peace agreement in Arusha, Tanzania formally ending the war and establishing steps for reconciliation. It calls for: power-sharing through the establishment of a new Broad-Based Transitional Government; the integration of both sides' armies into a single National Army; the integration of troops from both sides' armies into a new National Gendarmerie; and guarantee of the inalienable right of all Rwandan refugees, including those from past decades, to repatriate.

II. THE RECORD ON HUMAN RIGHTS⁴

Violations by the Government

The International Commission which investigated human rights violations in Rwanda at the beginning of 1993 collected testimony from hundreds of witnesses in addition to excavating mass graves. The Commission concluded that armed paramilitary groups working in collaboration with Rwandan civilian officials, as well as government soldiers acting upon the orders of their superiors, killed an estimated 2,000 noncombatant civilians since the war began in October 1990. Most of the victims were Tutsi, and they were killed for the sole reason that they were Tutsi. The number of Hutu killed, almost all of whom were members of opposition parties, rose sharply in the last year of the war. At least 8,000 other civilians were imprisoned without being charged. Among them, hundreds were beaten, tortured or raped. Dozens were extrajudicially executed by their captors. These crimes began immediately after the RPF's October 1990 invasion, and wholesale violations continued as late as January 1993. Authorities at the highest level, including the President of the Republic, consented to the abuses.

The Rwandan army slaughtered hundreds of civilians in the course of its military operations against the RPF. The army also killed civilians in support of the attacks by Hutu civilian crowds against Tutsi. In a number of other cases, the army assassinated or summarily executed civilians singled out for murder by local authorities. The army also killed RPF soldiers after they had surrendered and laid down their arms.

In Kibilira in late 1990, in northwest Rwanda in early 1991, and in Bugesera in March 1992, civilian groups composed of Hutu carried out massacres of Tutsi. These crowds were incited and led by local administrators loyal to the Habyarimana regime. They destroyed crops, stole food, slaughtered cattle, burned homes and attacked their neighbors using machetes, spears and clubs. In Bugesera, for example, almost 300 people were killed, most of them hacked to death by machetes. One man said they killed his wife and four children, throwing his wife's body into a latrine.⁵

In 1992, the MRND and its allied party, the CDR, formed militias, known as *Interahamwe* ("Those Who Attack Together") and *Impuzamugambi* ("Those Who Have the Same Goal"), and began dispersing them throughout the country. By late 1992, the militia had taken the lead in violence against Tutsi and the political opposition. More than 300 Tutsi and members of opposition parties were massacred in northwestern Rwanda in late January 1993 by these private militia at the direction of local and central government authorities. In

⁴ This section on human rights abuses is based on the investigation by Africa Watch and others in January 1993 that resulted in "Report of The International Commission of Investigation on Human Rights Violations in Rwanda since October 1, 1990," (March 1993), which was prepared jointly by Africa Watch, the International Federation of Human Rights (Paris), the Inter-African Union of Human Rights (Ouagadougou), and the International Center for Human Rights and Democratic Development (Montreal). This section also draws from Africa Watch's *News From Africa*, Vol. 5, No. 7, "Beyond the Rhetoric: Continuing Human Rights Abuses in Rwanda," June 1993.

⁵ See "The Report of the International Commission," pp. 25-27.

February and March, smaller scale attacks claimed the lives of at least thirty others.⁶ In mid-March, after a flurry of domestic and international criticism about attacks by militia, President Habyarimana temporarily banned demonstrations by political parties. Since then, the militia have caused no major incidents, but they remain in place and ready to move when ordered.

Rwandan military and national police authorities also detained hundreds of people in communities and military camps throughout Rwanda. Among these, dozens were beaten or tortured, and an undetermined number were killed. Dozens of other civilians who were seen in police custody later disappeared. For example, in Bugesera in October 1991 local authorities arrested 28 youths and brought them to the Gako military camp. All were severely beaten and eight of them subsequently disappeared or were known to have been killed in the base. Similar abuses took place in Bigogwe, Byumba, Gabiro and Kigali. Rape was also common. The Commission reports that five young girls were raped and then killed by soldiers in Cyera the week of January 4, 1993.

Major Pierre Ngira received 18 prisoners as commander of the Byumba military camp. The local Burgomaster, Jean-Baptiste Gatete of Murambi, sent them to him on October 7, 1990. Major Pierre Ngira provided first-hand testimony of his treatment of these prisoners to the International Commission. The Commission reports: He ordered that they be put in a hole that had been dug for latrines, six meters by three, and four meters deep. In the morning, those still alive were transferred to prison and the others were buried. Major Ngira claimed that he was distracted by other duties and therefore was uncertain whether victims were buried inside or outside the camp, although he believed it was in the Byumba cemetery. According to other witnesses, however, Major Ngira himself ordered red hot coals dumped on the prisoners in the hole, burning them to death.⁷

The largest detention of civilians took place in Kigali. On the night of October 4, 1990, three days after the RPF invasion, the government simulated an RPF attack in the capital, at least forty kilometers south of the real fighting. Authorities then used this alleged attack to detain at least 8,000 people, mostly Tutsi, without charges. Many were beaten and tortured, and an unknown number of victims were summarily executed.

Over one year later, government forces staged a second attack on the night of February 4, 1991 at the military camp of Bigogwe in Mutura. The morning after the attack, soldiers organized Hutu crowds to search out and attack Tutsi. More than 300 Tutsi and members of opposition political parties were killed.

Beatings, killings and disappearances of civilians by the military increased after the February 1993 RPF offensive. Africa Watch reported that Rwandan soldiers killed at least

⁶ Africa Watch, "Beyond the Rhetoric," p. 1.

⁷ See "The Report of the International Commission," p.32.

147 civilians, and beat, raped or arrested hundreds more in the four months following the offensive.⁸

Soldiers rape and loot frequently and with impunity. So serious and numerous are the instances of indiscipline that President Habyarimana himself has reproached the military for its behavior. But no soldiers have been brought to trial for abuses of civilians.⁹

Violations by the RPF

The RPF has committed extrajudicial executions of up to several hundred civilians and military prisoners. (Investigations to reach a more accurate estimate were only made possible recently by the ending of the war, and are not yet complete.) The RPF has also forcibly moved hundreds, perhaps thousands, of civilians from their homes, pillaged and destroyed their property, and recruited boys and men against their will to serve the RPF as porters and cattleherders. This abuse began with the RPF invasion in October 1990. Although it continued on a lesser scale throughout the war, the abuse increased sharply again with the RPF offensive in February 1993.

Refugees at camps near Ngarama and Byumba told the International Commission of dozens of cases of abuse. A woman from Muvumba said that in October 1990: "They took all the cattle that they could find, ours and those of other families. They took all our property and they even took people. They killed several persons. They took people from the houses and led them away just like that."¹⁰

A man at a refugee camp near Ngarama told the International Commission of abuse by the RPF in December 1992: "The father, Kwigamba, had stayed [instead of fleeing like other men] because he was sick. They took him and told his wife to stay in the house. They took two other men and they killed them, just like that, for the sake of killing. Kwigamba was killed with a bayonet after the [RPF forces] told the women and children to go home."¹¹

In the wake of the RPF's February 1993 offensive, the RPF extrajudicially executed at least 100 civilians in and near Ruhengeri in northwestern Rwanda. Independent Rwandan human rights groups saw the bodies of several victims and collected testimony of dozens of survivors. Local clergy from Catholic parishes in Gahanga and other communities near Ruhengeri estimate that up to 200 civilians were extrajudicially executed by the RPF in their areas alone. Until recently, continued unrest in this area has made investigation of these crimes not possible. However, although the exact figures remain in dispute, that the RPF is responsible for wholesale human rights violations in and around Ruhengeri is clear.

⁸ Africa Watch, "Beyond the Rhetoric," June 1993, p. 8.

⁹ Africa Watch, "Beyond the Rhetoric," June 1993, p. 12.

¹⁰ See "The Report of the International Commission," p.37.

¹¹ See "The Report of the International Commission," p.38.

III. ARMS FLOWS TO THE GOVERNMENT OF RWANDA

"Our efforts are not partisan for either side."

*Colonel Cussac
French Military Attache and
Head of the French Military
Assistance Mission to Rwanda
Kigali, Rwanda.*

"Cussac is a man in favor of a military solution."

*A European Diplomat
Kigali, Rwanda.*

Expansion of the Rwandan Armed Forces

When the war began in October 1990, Rwanda had an army of only 5,000 men. They were equipped with light arms including Belgian-made FAL, German-made G-3, and Kalashnikov automatic rifles manufactured by China or countries of the former Eastern Bloc. The Army's most significant weaponry included eight 81mm mortars, six 57mm antitank guns, French 83mm *Blindicide* rocket launchers, 12 French AML-60 armored cars, and 16 French M-3 armored personnel carriers.¹²

By the war's end, the Rwanda armed forces had expanded to at least 30,000 men, armed with a wide range of light arms, heavier guns, grenade launchers, landmines, and mid- and long-range artillery. The flood of light weapons and the introduction of heavier weapons systems contributed to thousands of civilian casualties and the displacement of hundreds of thousands more.

France, Egypt and South Africa supplied the vast majority of weapons to arm this expansion. Through its investigations, the Arms Project has identified Egypt as a key arms supplier, has uncovered new information regarding Rwandan purchases from South Africa, and has discovered new evidence confirming the role of France as Rwanda's main military patron.

Egypt

The Arms Project has obtained documents showing Egypt sold \$6 million in arms to Rwanda in March 1992. The deal was apparently made possible by a \$6 million bank guarantee from France's nationalized bank, Credit Lyonnais, according to information received by the Arms Project. In an interview with the Arms Project in Kigali on June 2, 1993, Rwanda's Minister of Defense James Gasana confirmed the existence of this transaction.

¹² See International Institute for Strategic Studies, *The Military Balance 1990-1991*, London, 1990, p. 140.

Others, however, seemed determined to keep this arms deal and its specific terms – particularly Credit Lyonnais' role – secret. Attache Saliman M. Osman from the Egyptian Embassy in Kigali and Ambassador Ahmed Maher El Sayed from the Egyptian Embassy in Washington, D.C. declined comment to the Arms Project. Likewise, France's Ambassador to Rwanda declined comment. Director of Communications for Credit Lyonnais Valerie Sehet in Paris also declined comment, on the grounds that Credit Lyonnais is obligated to respect the confidentiality of its clients.

According to the terms of the executed, secret agreement between Rwanda and Egypt (see Appendix A-1), Rwanda was to pay \$1 million cash within six months of the signing of the contract. Another \$1 million was to be paid by the delivery of 615 tons of Rwandan tea by the end of 1992. The remaining \$4 million was scheduled to be repaid in annual installments from February 1993 through February 1996.

The agreement was conditioned on Rwanda obtaining a bank guarantee for the transaction from a "first-rate, international bank approved by [Egypt]." The Arms Project has obtained an unexecuted form of the required bank guarantee. (See Appendix A-2.) Rwandan officials, speaking not for attribution, and other Rwandan and French sources told the Arms Project that Credit Lyonnais provided the guarantee. Although the Arms Project has not been able to obtain final documentary confirmation, it believes that Credit Lyonnais did in fact provide the guarantee, and calls on the governments of France, Rwanda, and Egypt to acknowledge openly this arrangement and to clarify its implications.

In addition to the delivery of \$1 million of Rwandan tea to Egypt as partial payment for the arms, Rwanda pledged its future tea harvests from the Mulindi tea plantation to Credit Lyonnais as collateral for the guarantee, according to Western diplomats. However, in February 1993 the Mulindi tea plantation was taken over by the RPF. The Arms Project visited this plantation in May and June 1993 while it was under RPF control; its crop had already spoiled. Given this situation with the tea crop, and the Rwandan government's dire financial straits, its ability to make continuing payments to Egypt is questionable. Which of the parties to the transaction may bear losses is not clear.

The \$6 million deal included a wide range of light arms, infantry support weapons and ammunition:

- fifty 60mm and twenty 82mm mortars, with ten thousand high-explosive mortar shells;
- six 122mm D-30 long-range artillery guns, with three thousand high-explosive artillery shells;
- over six thousand high-explosive shells for 120mm mortars;
- two thousand RPG-7 rocket-propelled grenades;
- two thousand MAT-79 antipersonnel landmines;
- two hundred kilograms of plastic explosives;

- 450
- at least four hundred and fifty Egyptian-made Kalashnikov automatic rifles;¹³
 - more than three million rounds of ammunition.

(See Appendix A-3 and A-4.)

France

France, in particular, has played a large, but still not completely defined role, in arming and supporting Rwanda's military. France has either supplied or kept operational most of the heavy guns, artillery, assault vehicles and helicopters used by Rwanda in the war.

After the initial October 1990 invasion, France supplied 60mm, 81mm, and 120mm mortars, as well as 105mm LG1 light artillery guns. The 120mm mortars and the 105mm guns require a wheeled carriage, and have a range of over 5,700 meters and 11,500 meters respectively. France also provided the spare parts and technical assistance to maintain dozens of French-made armored vehicles, including Panhard Light Armoured Cars, models AML 60/7 and AML 90. Both are equipped with turret-mounted cannons and 7.62mm machine guns. France also kept operational French-made Panhard M3 Armoured Personnel Carriers, as well as six French-made Gazelle helicopters.

South Africa

The Arms Project has obtained a document dated October 19, 1992 that shows that South Africa has supplied Rwanda with a wide range of light arms, machine guns and ammunition. (See Appendix B.) The Arms Project also observed South African weapons, including R-4 automatic rifles, in use by Rwandan troops, and photographed a variety of South African weapons in use by RPF troops, which the RPF claims to have captured from the Rwandan army.

About 3,000 Rwandan army troops are now equipped with South African-made 5.56mm R-4 automatic rifles. The R-4 can also launch rifle grenades, and the October 1992 Rwandan purchase from South Africa includes twenty thousand high-explosive grenades, and over 1.5 million rounds of ammunition. In addition, South Africa provided 7.62mm SS-77 machine guns, as well as heavier 12.7mm (.50 caliber) Browning machine guns, and over one million rounds of ammunition. South Africa also sold seventy hand-held 40mm MGL grenade launchers with ten thousand grenades, and one hundred 60mm M1 mortars. This purchase also includes ten thousand M26 fragmentation grenades.

This arms deal with South Africa is in contravention of a United Nations Security Council resolution opposing importation of weapons from South Africa. However, the import prohibition is voluntary, unlike the U.N. ban on arms exports to South Africa, which is mandatory. U.N. Security Council Resolution 558, adopted unanimously by the Security

¹³ These Kalashnikov automatic rifles are Egyptian-made AKMs, commonly referred to as the AK-47. The two weapons are nearly identical, with the AKM being a second generation modification of the original AK-47. In this report, the term Kalashnikov is meant to denote either, although the Arms Project observed only AKMs in Rwanda.

Council on December 13, 1984, "Requests all States to refrain from importing arms, ammunition of all types and military vehicles produced in South Africa."¹⁴

United States

United States military sales and aid to Rwanda have been limited. U.S. military sales to Rwanda totalled \$2.3 million from fiscal years 1981 through 1992. These sales were financed by a \$1.5 million military loan in FY 1981 and a \$750,000 military grant in FY 1986. Another \$600,000 in military sales are estimated for FY 1993. In addition, the U.S. provides grant aid for Rwandan military personnel to participate in the U.S. International Military Education and Training Program (IMET). From FY 1980 through FY 1992, the U.S. provided \$769,000 through IMET to train 35 Rwandan officers and noncommissioned officers at U.S. military schools, with an emphasis on teaching basic infantry and engineering skills. IMET for Rwanda is estimated at \$120,000 for both FY 1993 and FY 1994.¹⁵

It is worth noting, however, that although the level of U.S. military assistance is small, the U.S. has generally been very supportive of the Rwandan government and Rwandan armed forces. In fact, in its 1992 annual report to Congress justifying military aid programs, the Bush Administration stated that "(r)elations with the U.S. are excellent," and that "there is no evidence of any systematic human rights abuses by the military or any other element of the Government of Rwanda."¹⁶

Other Sources

Rwanda has also purchased weapons from both other governments and independent arms dealers, but apart from sources already named above, most other purchases by Rwanda appear to be small. Rwandan military officers and government officials involved in weapons transfers, including Minister of Defense James Gasana, said that Rwanda makes purchasing decisions according to market conditions. Rwandan authorities said they turned to South Africa as a supplier because it offered quality weapons at a better price than Egypt. In June 1993, various officers and officials told the Arms Project that Rwanda was trying to develop new sources in Russia for the same reason.

Western diplomats told the Arms Project that a variety of African countries have sold Rwanda small quantities of arms. Many sources told the Arms Project that they suspected or "had heard" that Libya had provided Rwanda with weapons. The Arms Project was unable to confirm this allegation. Purchases from independent arms dealers probably include

¹⁴ UN Security Council Resolution 558 of 13 December 1984, S/RES/558 (1984), Adopted unanimously at the 2564th meeting.

¹⁵ U.S. Defense Security Assistance Agency, *Fiscal Year Series, As Of September 30, 1992*, (1993), pp. 298-299; and, U.S. Department of Defense and Department of State, *Congressional Presentation for Security Assistance Programs, Fiscal Year 1994*, (1993), pp. 32, 35, 301.

¹⁶ U.S. Department of Defense and Department of State, *Congressional Presentation for Security Assistance Programs, Fiscal Year 1993*, (1992), p. 291.

Kalashnikov automatic rifles, which are widely available throughout Africa, and Chinese stick grenades, also easily obtainable on the open market.

Scope of the Weapons Influx

To Americans and others who are used to hearing about \$300 billion military budgets and multi-billion dollar arms sales to Saudi Arabia, Rwanda's arms deals cited above may seem trivial and no cause for concern. However, these are in fact very significant for a small, impoverished nation like Rwanda.

To put the \$6 million Egyptian sale and \$5.9 million South African sale into perspective, one has to recognize that, according to the U.S. Arms Control and Disarmament Agency, Rwanda's arms imports from all nations from 1981 through 1988 totalled just \$5 million.¹⁷

President Habyarimana recently recognized the widespread negative impact of Rwanda's arms imports:

Our economy was already ailing in 1990, and of course the war has not resolved anything. We signed agreements with the IMF and the World Bank, which we have of course been unable to honor, because we have had to purchase weapons and supplies. Now we want to improve our macroeconomic outlook, but we have a serious shortage of currency.¹⁸

¹⁷ U.S. Arms Control and Disarmament Agency, *World Military Expenditures and Arms Transfers 1990*, U.S. Government Printing Office, Washington, D.C., 1991, p. 121. This document also lists \$20 million in military imports from China in 1989, but the Arms Project's investigation did not reveal significant amounts of Chinese weaponry in Rwanda.

¹⁸ Foreign Broadcast Information Service, FBIS-AFR-93-193, October 7, 1993, p. 2.

IV. ARMS FLOWS TO THE RPF

"We just took off and left. They didn't even know it until we had already crossed the border."

RPF Commander Frank Mugambage, Second Lieutenant in the Ugandan NRA prior to the invasion.

RPF Zone of Control, Rwanda.

"The NRA is committed, we are committed to the RPF. If they didn't have our support, they wouldn't be as successful as they are."

*NRA Operations Officer
Kampala, Uganda.*

The most important source of weapons to the RPF has been Uganda and its National Resistance Army (NRA). The RPF has also received substantial funds to buy arms from Banyarwanda exiles, especially in North America and Europe. The RPF also captured weapons and ammunition from the Rwandan army.

Weapons from Uganda

The thousands of NRA members who allegedly defected en masse to the RPF brought their uniforms and personal weapons, most of which were Romanian and other ex-Eastern bloc Kalashnikov automatic rifles, as well as ammunition. RPF forces also took other weaponry including landmines, rocket-propelled grenades, 60mm mortars and recoilless cannons. RPF commanders Jean Birasa and James Rucibira in Kigali on May 26, 1993 and commanders Frank Mugambage, David Byarugaba and Frank Rusagara in Mulindi on May 30, 1993 told the Arms Project that they left Uganda with at least two Soviet-made Katyusha multiple rocket launcher systems. The Katyusha is a long-range system which can cover an area wider and longer than a soccer field with a concentration of incoming fire.

RPF commanders maintain that they "stole" all of these weapons. Both RPF commanders and Ugandan President Yoweri Museveni deny that the NRA has provided any direct support to the RPF. (See Appendix D.)

The Alleged Mass Defection and Invasion

At face value, this suggests that a conspiracy involving thousands of rank-and-file troops and hundreds of non-commissioned and ranking officers took place without either the NRA's blessing or even knowledge. The Arms Project finds this claim not credible. Many journalists, diplomats and other observers told the Arms Project that the fact of the invasion was common knowledge in Kampala and other locations throughout Uganda, as thousands of soon-to-be departing NRA members bid farewell to relatives and friends.

Moreover, while military intelligence may have been under the control of the alleged conspirators, Uganda has a separate Internal Security Organization (ISO) with several thousand agents that was created precisely to prevent renegade or conspiratorial activity within the NRA. That the ISO could have been entirely uninformed of both the conspiracy and its execution is not credible.

Finally, movements in preparation for the invasion were efficient, but not especially rapid. Diplomats and western military observers say that troops, trucks and weapons left Kampala to gather in the local football stadium in Kabale, 300 kilometers southwest of Kampala and 20 kilometers north of the Rwandan border. This movement began September 29, 1990, two days prior to the October 1 invasion. There is no evidence that any NRA or other Ugandan authorities challenged this alleged mass defection of troops.

Ugandan Support Since the Invasion

On the day of the invasion, Ugandan officials say they declared the defecting NRA troops to be in violation of the law. According to Ugandan Ambassador to the United States S.T.K. Katenta-Apuli: "The Ugandan government declared all Rwandese who had left the NRA to attack Rwanda as Deserters under the Operational Code of Conduct. That means, on conviction by a Court Martial, they would be punishable by death. This is no incentive for them to cross back into Uganda." (See Appendix D.)

However, RPF officers who led and organized the conspiracy, including the former head of NRA military intelligence and now top RPF commander Paul Kagame, traveled frequently and openly to Kampala to meet with foreign diplomats, reporters and RPF supporters within the NRA. These visits and meetings in Kampala took place throughout the three year war, as late as 1993. Rather than arrest the organizers of this alleged act of high treason, Ugandan authorities greeted them repeatedly.

Journalists, diplomats and international military observers say that Uganda had been a steady source of light arms, ammunition, uniforms, batteries, food and gasoline from October 1990 to as late as May 1993, when a western observer interviewed by the Arms Project reported seeing uniformed soldiers openly unload two crates of about thirty Kalashnikovs in southern Uganda near the Rwandan border.

During the February 1993 RPF offensive, Rwandan authorities confiscated a Mercedes-Benz truck with a Ugandan license plate, number UWT-868, in Rwanda between Ruhengeri and the Ugandan border. RPF commander Frank Mugambage confirmed to the Arms Project that this vehicle was in use by RPF forces, but said: "That was a civilian vehicle given to us by one of the supporters. It had nothing to do with the [Ugandan] government." However, Rwandan authorities found a document inside the vehicle with a general order from the NRA's Military Police Headquarters. The order identifies the truck by its license plate, and reads: "It is on special duties. Assist them where necessary." Dated November 21, 1991, the order indicates that the truck had been, 15 months before the offensive, operating under official NRA authorization. Whether the truck was still under NRA authorization in February 1993, when it was discovered in Rwanda, remains unclear. The Arms Project has a copy of the order and a photograph of the truck.

On several occasions throughout the war, journalists, diplomats and international military observers say that wholesale numbers of RPF troops operating in organized units have crossed back into Uganda, and have camped in border areas for months. Despite their claims that ex-NRA soldiers in the RPF would face charges "punishable by death," Ugandan authorities made no effort to arrest, deter or otherwise control these RPF forces.

A senior NRA operations officer told the Arms Project that Uganda has supported the RPF throughout the conflict. The officer said that after the failure of the RPF's October 1990 invasion, the NRA provided even heavier weaponry including artillery. The officer said that throughout the conflict, the NRA provided a steady stream of ammunition, food and logistical supplies, and that the two armies shared intelligence information.

Ugandan Responsibility

There is no evidence that NRA troops who remained under Ugandan command ever directly participated in the fighting or entered Rwandan territory. Nor is there evidence that the RPF, as it has been organized, has been in any way a proxy of or under the command of Uganda.

Nonetheless, the Arms Project finds a high degree of institutional complicity between the NRA and the RPF. At the very least, Uganda and its leaders are responsible for allowing military renegades to plan and execute the invasion of a sovereign state with Ugandan weapons, launched from Uganda. The Arms Project also believes that there is credible evidence that the Ugandan government allowed the RPF to move arms, logistical supplies and troops across Ugandan soil, and provided direct military support to the RPF in the form of arms, ammunition, and military equipment.

Funds from the Diaspora to Buy Arms

The RPF has received considerable funds from Rwandan exiles, known as Banyarwanda, living in North America, Europe and elsewhere. With this money, the RPF has bought weapons, ammunition and other equipment. In the RPF zone of control in May 1993, the Arms Project observed Kalashnikov automatic rifles manufactured by Romania and other countries of the former Eastern bloc, as well as East German rain pattern camouflage uniforms. These weapons and other material appear to have been purchased through independent arms dealers in both Africa and Western Europe.

Western diplomats, Rwandan authorities and journalists also told the Arms Project that both Libya and Iraq may be sources of weapons for the RPF. But the Arms Project found no evidence of any direct governmental arms transfers to the RPF apart from Uganda.

Captured Weapons from the Rwandan Army

The RPF claims to have captured most its weapons from the Rwandan army. To demonstrate, the RPF allowed the Arms Project to inspect a training camp inside its zone of control, and to photograph weapons at random. The Arms Project was able to positively identify various weapons common among Rwandan army stocks.

The photographed weapons which appear to have been captured by the RPF from the Rwandan army include:

- 1) 5.56mm R-4 automatic rifles manufactured by South Africa.
- 2) 7.62mm SS-77 machine guns manufactured by South Africa.
- 3) 40mm Arm Scor MGL grenade launchers manufactured by South Africa. This includes grenades with stock number M848A1, and a 1992 year of manufacture.
- 4) M-791 Antipersonnel rifle grenades manufactured by South Africa for both 5.56mm and 7.62mm automatic rifles.
- 5) 9mm Browning High-powered pistols manufactured in Belgium under license, and common among pre-war stocks of the Rwandan army.
- 6) 7.62mm FN FAL automatic rifles manufactured by Belgium and common among pre-war stocks of the Rwandan army.
- 7) 7.62mm FN MAG machine guns manufactured by Belgium and common among pre-war stocks of the Rwandan army.

However, at least 80 percent of the weapons observed by the Arms Project were Kalashnikov automatic rifles, mostly of ex-Eastern bloc manufacture. The Kalashnikov is common among the Rwandan army. But it is more common among the Ugandan NRA, and it is readily available on the market throughout Africa.

V. THE ROLE OF FOREIGN TROOPS

"French military troops are here in Rwanda to protect French citizens and other foreigners. They have never been given a mission against the RPF."

*Colonel Cussac
French Military Attache and
Head of the French Military
Assistance Mission to Rwanda
Kigali, Rwanda.*

*"I don't expect the Rwandan army to suppress the RPF by itself."
French Ambassador Marlaud
Kigali, Rwanda.*

France

Belgium was traditionally Rwanda's main provider of military assistance and training. But after the war began in October 1990, Belgium cut off all lethal assistance. France, in contrast, rapidly expanded its military role, becoming Rwanda's primary military partner. France has provided Rwanda with weapons, munitions and advisors, and has deployed troops in Rwanda for the stated purpose of protecting French nationals living there. However, the monetary value and exact nature of French military assistance to Rwanda remain secret, even in peacetime.

At the beginning of the war, France sent 300 soldiers to Rwanda, drawn from its force stationed in the Central African Republic. According to a French Foreign Affairs Ministry official, the mission was "to protect French nationals from unrest." The same official noted that French troops did not use weapons and "were not directly committed, but their presence...helped to restore order."¹⁹ Part of the force was withdrawn, but 170 soldiers remained stationed in Rwanda.

Immediately after the RPF launched its offensive on February 8, 1993, the number of French soldiers swelled to at least 680 - four companies, including paratroopers. Two of these companies were deployed on main roads north of the capital. The remainder were deployed in strategic positions in Kigali, including the airport. French officials including Colonel Cussac, the military attache for the French Embassy and the head of the French Military Assistance Mission, told the Arms Project: "French military troops are here in Rwanda to protect French citizens and other foreigners. They have never been given a mission against the RPF." As part of this mission, French troops were deployed along the road to Ruhengeri and further north to ensure the safe evacuation of French nationals and other western expatriates living there.

¹⁹ Ambassador Francois de La Gorce, "Security in Africa: A Link With France," *United Nations Disarmament Topical Papers 12: Disarmament and Security in Africa*, United Nations, New York, 1992, p. 33.

However, the Arms Project witnessed first hand French military activities that, at the least, were tantamount to direct participation in the war. In addition, sources including non-French Western diplomats in country told the Arms Project that French soldiers provided artillery support for Rwandan infantry troops both before and during the February 1993 offensive. French soldiers were deployed at least 40 kilometers north of the capital on the road to Byumba, just south of the RPF's recognized zone of control. No French citizens or other western expatriates are known to be living there.

The Arms Project observed French soldiers manning checkpoints just north of Kigali on the roads to Ruhengeri and Byumba. They were armed with 5.56mm FAMAS automatic rifles, as well as Wasp 58 assault rocket launchers and other infantry support weapons. Like Rwandan army troops, French troops demanded identification from passing civilians. All Rwandans are required to carry cards, which identify both their name and the specific social category, Hutu, Tutsi or Twa, to which they belong.

In addition to the combat troops, France has sent military advisors to provide training, including combat skills and commando operations, to Rwandan troops. French military advisors and consultants also provide technical assistance to the Rwandan Gendarmerie or national police, to facilitate the investigation of violent crimes. This assistance is part of a Franco/Rwandan agreement signed in 1974, which predates the deployment of French troops during the war.

French information officer William Bunel told the Arms Project that French advisors are prohibited from entering combat areas, and may only advise Rwandan troops in fixed training centers. But western observers, diplomats and Rwandan military officers said that French advisors had been observed in tactical combat situations with Rwandan troops during the February 1993 offensive. When confronted with this statement, French Ambassador Marlaud told the Arms Project: "When you are supposed to advise, you must advise however it is necessary."

In December 1993, following deployment of U.N. forces, all remaining French troops were apparently withdrawn.²⁰

Zaire

When the war started in October 1990, the government of Zaire sent about 500 troops to help Rwandan forces repel the RPF invasion. A Rwandan army field commander told the Arms Project that the Zairian troops brought their own weapons, but that munitions were provided by Rwanda. Several weeks after their arrival, the soldiers were withdrawn in the midst of charges that they had lacked discipline and had abused Rwandan civilians. The Arms Project found no evidence that Zairian troops had been re-deployed in Rwanda.

²⁰ See chapter IX, International Peacekeeping.

Uganda and Rwanda

Although more than half of the initial RPF invasion force came from the Ugandan NRA, and many RPF commanders are former Ugandan military officers, the Arms Project found no evidence that NRA troops, still under Ugandan command, ever directly entered the conflict. But Rwandan officials claim that NRA troops shelled Rwandan positions from Ugandan soil.

There is also no evidence that Rwandan troops ever crossed into Uganda. But international military observers told the Arms Project that Rwandan troops fighting the RPF on occasion shelled territory in southern Uganda.

VI. THE ESCALATION OF FIREPOWER AND THE CIVILIAN TOLL

"People in Kigali provided the support. The order was to destroy everything in the zone."

*A Rwandan Army Field Commander
Kigali, Rwanda.*

"Civilians were killed as in any war."

*Colonel Cussac
French Military Attache and
Head of the French Military
Assistance Mission to Rwanda
Kigali, Rwanda.*

The proliferation of weapons in Rwanda - among the government armed forces, the RPF, and throughout society - over the past three years has contributed to the loss of thousands of civilian lives, as a result of human rights violations and violations of the laws of war. While the government and RPF are primarily responsible for the abuses, the Arms Project believes that France, Egypt, South Africa, Uganda and other nations that provided arms and other forms of military support to the combatants while knowing their general disrespect for the laws of war also bear responsibility for abusive civilian deaths.

The Invasion and the February 1993 Offensive

Throughout the war, but particularly during the initial invasion and the February 1993 RPF offensive, both the Rwandan army and the RPF engaged in frequent incidents of indiscriminate attacks in known civilian areas as well as direct attacks on civilians. Such attacks violate internationally recognized laws of warfare.²¹

After the RPF invaded Rwanda on October 1, 1990, the fighting which ensued was conventional in nature, with direct engagement between large numbers of units in the northeastern region of Mutara between Byumba and the Parc National de L'Akagera. A Rwandan field commander told the Arms Project that authorities in Kigali declared the invasion area a "red" or free-fire zone, ordering the Rwandan army "to destroy everything in the zone." It was populated by subsistence farmers and cattle herders. Apart from combatants, at least 500 civilians were killed. Another 350,000 Rwandans were displaced by the fighting.

The RPF also attacked targets that were clearly civilian. On December 1, 1991, they attacked a camp sheltering 6,000 displaced people at Rwebare. They stormed the camp from three sides in the middle of the night, killing 19 people and wounding 34. A week later, the

²¹ See Article 51(4) and (5) of 1977 Additional Protocol I to the Geneva Conventions of 1949, prohibiting indiscriminate attacks. Article 51(2) of Protocol I prohibits direct attacks on civilians. Although Protocol I applies to international wars, whereas the Rwandan war is an internal armed conflict, these rules in Article 51 codify customary international law of war applicable in all armed conflicts, international or non-international.

RPF attacked the small hospital of Nyarurema for the third time since the war began, killing 6 nurses and patients. Other civilian targets included schools, markets and homes.

The war's most intense fighting took place during the RPF's February 1993 offensive through the Parc National des Volcans and the town of Ruhengeri. Military and diplomatic sources sympathetic to both sides told the Arms Project that this battle involved the use of heavier weaponry, including 120mm mortars by the RPF, and French-made Gazelle helicopters by the Rwandan army. Hundreds of civilians were killed and another 650,000 Rwandans were displaced, creating most of the war's refugees.

Government Distribution of Weapons to Civilians

As new weapons, particularly automatic rifles, were obtained from new sources, the government was able to distribute hundreds of Kalashnikov automatic rifles from existing stocks to civilian groups loyal to the Habyarimana regime. In 1991 the Rwandan government began a program of arming civilians to create "self-defense" forces. This was separate from the formation of the party militia that engaged in massive human rights abuses - using machetes and spears - in late 1992 and early 1993.

The Arms Project has obtained a Rwandan government document marked SECRET, dated September 29, 1991, from Colonel Deogratias Nsabimana to the Defense Minister, proposing to provide a gun for every administrative unit of ten households. (See Appendix C.) It specifically calls for 1,760 guns to be distributed in four "communes" (Muvumba, Ngarama, Muhura, and Bwisige).

Dr. Augustin Iyamuremye, General Secretary of the Central Information Service (secret police), told the Arms Project that, as part of this activity, the government distributed up to 500 Kalashnikov automatic rifles to local civilian authorities. Although the 1991 document calls for the national police to organize and train the civilians participating in the program, it appears only the army has performed this function.

These forces served as a sort of border guard during 1992, and were not involved in the human rights abuses committed by the Rwandan army, party militia, and civilian crowds. By February 1993, however, the program had been extended from border communes to interior communes, and there was increasing interaction and overlapping of these forces and the abusive militia. Dr. Iyamuremye admitted to the Arms Project that in areas where there were "existing political conflicts" some local MRND militia members did incite and execute violence against unarmed civilians.

It is impossible to exaggerate the danger of providing automatic rifles to civilians, particularly in regions where residents, either encouraged or instructed by authorities, have slaughtered their neighbors. In light of the widespread and horrific abuses committed by Hutu civilian crowds and party militia armed primarily with machetes and spears, it is frightening to ponder the potential for abuses by large numbers of ill-trained civilians equipped with assault rifles.

C. Assassinations and Bombings

"I don't think we have to call an International Commission to investigate something which we can investigate here."

*Dr. Charles Nzabagerageza
Rwandan Minister of Transportation
and Communication, and member of
the so-called Akazu.
Kigali, Rwanda.*

"Shadow groups are behind the violence. But nobody can provide concrete evidence [against them]. Take the example of the mafia. Their chief may recruit from churches, the government or private companies which allow him to conduct criminal activities without being seen. Here, the shadow groups are able to build connections to carry out criminal activities with impunity."

*Dr. Dismas Nsengiyaremye
Ex-Prime Minister of Rwanda
Kigali, Rwanda.*

Since the war began, Rwanda has been plagued by bombings and other terrorist attacks, which have killed or wounded dozens, and menaced many more. These include the bombing of hotels and nightclubs which cater to wealthier Rwandans and foreigners, the bombing of busy markets which cater to poorer Rwandans, and assassinations of opposition political party leaders.

In May, two grenades were thrown into the house of Stanislas Mbonampeka, a former Minister of Justice and member of the political opposition, injuring a child. In March, Catherine Mujawayeze, a nurse and human rights activist, was killed by a grenade thrown in her house.

The problem is exacerbated by the increasing proliferation of weaponry in Rwanda. Hand grenades and other small arms have been available in local fruit and vegetable markets as military supplies have increased. A single grenade can be bought for as little as 400 Rwandan francs or U.S. \$3. They have become the weapon of choice for thieves and street criminals in Kigali and elsewhere.

No group has ever claimed responsibility for these attacks. However, the assassinations and bombings have been carried out quickly and professionally, sometimes by uniformed men, suggesting the attackers are disciplined and trained. The facts suggest that a well organized group of individuals with access to substantial funds and resources is behind terrorism in Rwanda. But, there is no consensus on which group is responsible.

Rwandan and French authorities told the Arms Project that they had proof linking these acts to the RPF and associated individuals. Rwandan and French authorities have made the same case to members of the diplomatic corps. But no evidence has ever been presented. French officials claim that the Soviet timing devices and detonators used in the bombings are

of the same type and design used by the RPF. However, French officials also told the Arms Project that Soviet demolition material is widely available throughout Africa.

In direct contrast to the position of French and Rwandan officials, a persuasive number of non-French Western diplomats, Rwandan military officers, and civilians with a long standing personal relationship with Rwandan President Habyarimana told the Arms Project that they suspect members of the regime, and in particular the first circle or so-called "little house" around the President, which translates from the Kinyarwanda word "Akazu," to be responsible for these terrorist attacks. These people told the Arms Project that powerful elements within the Akazu, who have largely ruled Rwanda since 1973, opposed both the negotiations to end the war and the opening to opposition political parties. Nonetheless, there is no proof at this time.

VII. LANDMINES

According to a recent report by the U.S. State Department, "As a result of the civil conflict that began in 1990, Rwanda is now faced with a sizeable uncleared landmine problem," and "the need for demining in Rwanda is critical."²² The exact number of landmines buried on Rwandan soil is not known, but the government estimates that it runs into the hundreds.

A. Mine Types and Locations

Both the government and the RPF have used landmines. They range from World War II-vintage mines to modern, nonmetallic antipersonnel and antitank types. The manufacturer and supplier of mines used by the RPF is unknown. Documents obtained by the Arms Project show that Egypt has provided the government with MAT-79 antipersonnel landmines; however, other mine types deployed by the government also remain unknown.

The heaviest concentration of mines is between the de-militarized zone and the Burundian border; it is an area of land about 120 kilometers long and, on average, 10 kilometers wide. It includes Rwanda's Parc National des Volcans, the habitat of the mountain gorilla, creating a hazard for this endangered species. Mines are also planted south of the de-militarized zone in an area of about 1,200 square kilometers. At least six confirmed mine incidents have occurred there since March 18, 1993.

B. Indiscriminate Attacks

Of particular concern is the indiscriminate placing of landmines on civilian roads up to 150 kilometers from the front. Such use of landmines is in clear violation of international law.²³ French officials told the Arms Project (as well as representatives of other Western missions in Kigali) that they positively identified some of the landmines used in these attacks as being of Belgian manufacture. By tracing the serial numbers, they claimed to have determined that Belgium sold these landmines, at an unspecified date, to Libya, which in turn sold them to the RPF. French officials said that Belgian landmines of the same type and serial number were discovered in the hands of RPF members in Rwanda. French officials said these weapons had been transported through Zaire and Tanzania.

Belgian officials in Kigali, including Colonel Vincent, the head of the Belgian/Rwandan Military Technical Cooperation mission, and Ambassador Johan Swinnen, declined comment on this matter, referring the Arms Project to the Belgian Foreign Ministry in Brussels. There, Foreign Ministry spokesman Mr. D'Hoop told the Arms Project that Belgium has sold no weapons to Libya since a United Nations embargo against arms sales was imposed. Belgian officials, who asked not to be identified, told the Arms Project they had no knowledge of any Belgian landmines being linked to the RPF through Libya.

²² U.S. Department of State, *Hidden Killers: the Global Problem with Uncleared Landmines*, July 1993, pp. 32, 148.

²³ See the Arms Project of Human Rights Watch and Physicians for Human Rights, *Landmines: A Deadly Legacy* (1993), Chapter 8, "International Law Governing Landmines," pp. 261-318.

Many of the people who blamed the Akazu for other terrorist attacks believe it is they rather than the RPF who are responsible for this use of landmines against civilians. The evidence on this issue is inconclusive.

C. Mine Clearance

Now that a peace agreement has been signed, refugees and displaced persons will be returning to their homes and fields in large numbers. The U.S. State Department has said, "Demining assistance must be provided urgently, either by military forces or commercial contract, to enable the displaced to return to the buffer zone."²⁴ Indeed, some returning refugees have already lost limbs to landmines.

Some planning for mine clearance in Rwanda is underway. The United Nations' top demining expert, Patrick Blagden, has visited Rwanda to assess its needs. The Rwandan Army has competent combat engineers, who have been trained by both Belgium and the United States. They have three operable mine detectors. The United States and France are both providing demining equipment and technical advice to Rwanda.

The RPF has offered to provide maps, when available, of the areas that it has mined. But maps of the newer minefields in the mountainous border area near and in the Parc National des Volcans apparently do not exist.

²⁴ DOS, *Hidden Killers*, p. 32.

VIII. HUMAN RIGHTS CONDITIONS ON ARMS TRANSFERS

"France will link its entire contribution effort to efforts made to move in the direction of greater freedom."

President Francois Mitterrand

La Baule, France (June 1990).

"We are in a country which is at war, and despite the war, they have been able to pursue democratization. It's not perfect, but the trend is toward democratization."

French Ambassador Marlaud

Kigali, Rwanda (June 1993).

"Are you saying that the providing of military assistance is a human rights violation?"

Colonel Cussac

French Military Attache and

Head of the French Military

Assistance Mission to Rwanda

Kigali, Rwanda.

The Arms Project recognizes the right of France, Egypt and others to sell weapons or provide military assistance to countries. However, the Arms Project believes that human rights considerations should be a paramount concern when governments make decisions about arms sales - whether to provide arms, and of what type, quantity, and restrictions. Further, the Arms Project believes that if a government decides to provide weapons or other military assistance to a recipient with a questionable human rights record, all such arms transfers or other military assistance should be conditioned upon the human rights performance of the recipient. It is abundantly clear in the Rwandan situation that increased arms transfers facilitated increased human rights abuses by both the government and the RPF. With the exception of Belgium, it does not appear that any military suppliers took human rights considerations into account.

Belgium has a prohibition on selling or donating lethal military equipment to a country at war. Shortly after hostilities began in Rwanda, Belgium cut off all transfers of lethal military equipment. But Belgium still provided Rwanda with 88 million Belgian francs (U.S. \$2.75 million) in military assistance in 1992. It included the training of Rwandan officers, commando units, and medical personnel, and the delivery of non-lethal military equipment including boots and uniforms.

Following the release of the International Commission's human rights report on March 8, 1993, Ambassador Johan Swinnen was recalled to Brussels for two weeks of consultation. The Ambassador told the Arms Project: "When I returned we put pressure on the President and the Prime Minister, and on the RPF, to react to the report, and on the parties, the President and the Prime Minister, and on the RPF, to react to the report, because the future of the country and the democratic process depends on it." Ambassador Swinnen said that Belgium's providing of non-lethal military aid was explicitly linked to the situation in Rwanda.

respect for human rights, negotiations to end the war, and the process of greater democratization.

France provides Rwanda with both lethal and non-lethal military equipment. Ambassador Marlaud told the Arms Project that France's policy toward Rwanda and other countries in Africa is based upon the guidelines established at the Franco/African summit at La Baule in June 1990. At this summit, French President Francois Mitterrand announced: "France will link its entire contribution effort to efforts made to move in the direction of greater freedom." However, President Mitterrand made no explicit reference to respect for human rights in his statement.

Ambassador Marlaud told the Arms Project that France denounces human rights violations in Rwanda, and supports the process of democratization. However, neither French policy nor French law includes any explicit conditioning of military assistance or sales based on the human rights performance of the recipient.

Egypt provides Rwanda with both lethal and non-lethal military equipment. Egyptian Embassy attache Soliman M. Osman told the Arms Project: "Our general policy is not to encourage aggression. But we can provide defensive weapons to a regime to defend itself." The Arms Project is unaware of any explicit conditioning of Egyptian arms sales or military assistance related to human rights issues.

Uganda has provided the RPF with both lethal and non-lethal military equipment. The Arms Project is unaware of any policy by Uganda to attach human rights conditions to its arms transfers to other countries or parties.

South Africa has been an apartheid state which, during the Rwandan war, was still in open violation of accepted international norms and law. South Africa has sold arms unconditionally to buyers. However, all Rwandan arms purchases from South Africa have been in contravention of United Nations Security Council Resolution 558, adopted on December 13, 1984, which asks nations to refrain from importing arms, ammunition, and military vehicles produced in South Africa.²⁵

A. A One-Year Moratorium on Lethal Assistance

Given the human rights record of the Habyarimana regime and the RPF, the Arms Project believes that the international community should impose an at least one-year moratorium on all lethal military assistance or sales to any party in Rwanda.

Moreover, the Arms Project believes that any country which chooses to sell arms or provide military assistance in the future should legally and explicitly condition such transfers upon the human rights performance of the recipient. The Arms Project believes that weapons of increased lethality and technological sophistication should not be introduced into Rwanda, given the evidence of the proclivities of its armed parties to abuse.

²⁵ U.N. Security Council Resolution 558 of 13 December 1984, S/RES/558 (1984), Adopted unanimously at the 2564th meeting.

XIII. TRANSPARENCY IN ARMS TRANSFERS

*"I can't give you figures on military aid."
Ambassador Marlaud
Kigali, Rwanda.*

The governments of France and Egypt did not respond to requests from the Arms Project to provide information about their arms transfers to the government of Rwanda. The government of South Africa does not release any information on its arms sales. The government of Uganda denied the provision of arms or assistance to the RPF, despite evidence to the contrary. (See Appendix D.)

That France sells Rwanda arms and provides it with additional military assistance is a fact in the public domain. Yet, even though the war is formally over, the monetary value and details on numbers and types of weapons and equipment remain secret. Furthermore, France's role in financing Rwandan arms purchases from third parties, including the \$6 billion purchase from Egypt, remains unclear.

The Arms Project believes that states should be willing to provide details about their weapons transfers and other military assistance to other countries. As a rule, if a country believes it is in its national interest to make a particular arms sale, it should be willing to divulge the details of the sale and provide its justification. This is particularly true in the case of arms transfers to human rights violators, when the possibility of misuse of weaponry is high.

Recognition of the need for disclosure, or "transparency" as it is called in the international security community, is what led to the establishment of the United Nations Conventional Arms Register in December 1991. The register was created to promote "transparency so as to encourage prudent restraint by states in their arms export and arms import policies and to reduce the risks of misunderstanding, suspicion or tension resulting from a lack of information."²⁶ Nations are requested to voluntarily submit data on their arms imports and arms exports, but only for seven categories of major weapons systems: tanks, armored vehicles, large caliber artillery systems, combat aircraft, attack helicopters, warships, and missiles and missile launchers. Small arms and light weapons are presently not part of the Register.

The year 1993 was the first year nations were requested to submit data (for calendar year 1992). Rwanda did not make a submission. South Africa also declined to participate, citing the U.N. arms embargo against it. France's submission did not list any exports to Rwanda. Egypt's submission listed the transfer of six 122mm howitzers to Rwanda.²⁷

²⁶ Study on ways and means of promoting transparency in international transfers of conventional arms: report of the Secretary-General, U.N. Doc. A/46/301 (9 September 1991), p. 11.

²⁷ United Nations Document A/48/344, pp. 33, 34, 39, 99.

The Arms Project urges that France, Egypt, South Africa and others publicly disclose the full nature of all their arms transfers and military assistance to Rwanda. Likewise, the Arms Project urges Uganda and other nations to disclose the full nature of all arms transfers and other military assistance to the RPF since 1990.

The Arms Project strongly believes that the U.N. Register should be expanded to include less-than-major weapons systems. As has been seen in Rwanda, these weapons also contribute to regional and internal instability, and, in fact, often cause the greatest devastation to civilians.

IX. INTERNATIONAL PEACEKEEPING

In mid-1992, the Rwandan government and the RPF asked the Organization of African Unity (OAU) to establish a military observer group to monitor the cease-fire as well as steps toward ending the war. The 50-member group (known as the Neutral Military Observer Group or NMOG) has operated effectively since the fall of 1992, although it became clear after the RPF offensive in February 1993 that additional peacekeeping support was necessary.

In July 1993, at the request of the governments of Rwanda and Uganda, the United Nations deployed a contingent of peacekeeping personnel in southern Uganda along the Rwanda border (known as the United Nations Observer Mission Uganda-Rwanda or UNOMUR), with a mandate to monitor the flow of arms or other supplies into Rwanda.

At the time of the August 4, 1993 Arusha Peace Agreement, both the Rwandan government and the RPF called for the deployment of United Nations peacekeepers to assist in the implementation of the peace agreement. On October 5, 1993, the U.N. Security Council unanimously approved the creation of a peacekeeping mission known as the U.N. Assistance Mission to Rwanda (UNAMIR). U.N. Security Council Resolution 872 authorizes the deployment of 800 troops for an initial six-month period, at an estimated cost of \$62.6 million. It is envisioned that UNAMIR will grow to about 2,500 troops during 1994, making it the third largest U.N. peacekeeping force in Africa, after those in Somalia and Mozambique.²⁸ The first elements of UNAMIR took up positions in northern Rwanda on November 1, 1993.

According to the United Nations, UNAMIR is authorized to monitor observance of the cease-fire agreement, which includes: the establishment of cantonment and assembly zones and the demarcation of the new demilitarized zone; monitoring the security situation during the final period of the transitional government; and investigating non-compliance with the provisions of the agreement relating to the integration of the armed forces.

²⁸ United Nations Security Council, 3288th Meeting, Night Summary, "Security Council Establishes United Nations Assistance Mission to Rwanda," SC/5713, October 5, 1993, p. 1. Also, *Foreign Broadcast Information Service*, FBIS-AFR-93-193, October 7, 1993, pp. 1-2.

UNAMIR's mandate also includes: contributing to the security of the city of Kigali within a weapons secure area established by the parties in and around the city; investigating and reporting on the activities of the gendarmerie and police; monitoring the repatriation of Rwandese refugees and the resettlement of displaced persons; and assisting with mine clearing and coordination of humanitarian activities.²⁹ The U.N. resolution also approves the integration of UNOMUR and the OAU's NMOG into UNAMIR.

While the peace agreement formally ends the war, it is at present a fragile peace. The Arusha Peace Agreement does not guarantee an end to either the fighting or human rights violations. There have been sporadic charges and counter-charges of cease-fire violations and human rights abuses since August. Even more disturbing, the appalling outbreak of violence between Hutu and Tutsi in neighboring Burundi, which has left an estimated 10-50,000 dead, could well spark renewed fighting in Rwanda.

To help guard against rights abuses, the Arms Project supports the presence of the U.N. forces in Rwanda, and urges that their mission explicitly include monitoring the flow of weapons to both sides, as well as any human rights abuses committed by any side.³⁰ The peacekeeping forces should be put in place and brought up to full strength as soon as possible, consistent with U.N. resources and global peacekeeping commitments.

The Arms Project believes that foreign troops which are not under the direct command of international peacekeeping organizations should not be deployed in Rwanda because of the close association of foreign troops with abusive forces in the conflict. Moreover, the Arms Project urges that French, Zairian and Ugandan troops, because of their past association with this conflict and its abusive parties, be barred from participation in any international peacekeeping efforts in Rwanda. The day after the U.N. approved peacekeepers for Rwanda, French Foreign Ministry spokesman Richard Duque stated, "We will pull the two French companies out of Kigali as soon as the neutral international force deploys... We will not be among the contingents making up this force."³¹ It appears that all French troops did subsequently depart Rwanda in mid-December, following the arrival of additional U.N. forces.³²

The Arusha Peace Agreement calls for the integration of the armed forces of the government of Rwanda and the RPF into an army of reduced size. The Arms Project believes that an important element of the merging and downsizing of the armed forces should be the destruction of excess weaponry, given the role that such weaponry has already

²⁹ United Nations Security Council, 3288th Meeting, Night Summary, "Security Council Establishes United Nations Assistance Mission to Rwanda," SC/5713, October 5, 1993, p. 1.

³⁰ See, Human Rights Watch, *The Lost Agenda: Human Rights and U.N. Field Operations*, June 1993, for a detailed examination of the human rights component of various U.N. missions around the world, and for recommendations on how the U.N. can apply human rights standards more vigorously in its field operations.

³¹ *Reuters*, "French Troops to Leave Rwanda When U.N. Arrives," Paris, October 6, 1993.

³² BBC Summary of World Broadcasts, Dec. 13, 1993; interview with French official, Dec. 16, 1993; interview with U.S. State Department official, Dec. 17, 1993.

played in human rights abuse. This destruction should be carefully supervised by international monitors. The U.N. Security Council Resolution already calls for the establishment of a weapons-secure area in and around Kigali within which military units would be required to store their arms. There is the danger that the large quantities of small arms and light weaponry, as well as heavier systems, that flooded Rwanda during the war could be secretly stockpiled by the government and the RPF for use against each other or against civilians in the future. There is also the danger that such weaponry will be dispersed to militias, or sold elsewhere in Africa where it can be misused.

XI. RECOMMENDATIONS

- 1) The Arms Project calls upon the international community to impose an at least one year moratorium on all lethal military assistance or sales to any party in the Rwandan war.
- 2) The Arms Project calls for all countries which choose to sell arms or provide military assistance in the future to legally and explicitly condition such transfers upon the human rights performance of the recipient. The Arms Project believes that weapons of increased lethality and technological sophistication should not be introduced into Rwanda given the existing evidence of the parties' willingness to abuse human rights.
- 3) The Arms Project also urges governments, including Egypt, France, South Africa, and Uganda, fully to disclose the nature of their military assistance and arms transfers to the RPF and Rwandan government.
- 4) The Arms Project supports the deployment of United Nations troops to Rwanda to monitor compliance with the cease-fire and believes that their mission ought explicitly to include monitoring human rights violations and arms acquisitions by any party. These forces should be put in place and brought up to full strength as quickly as possible, consistent with U.N. resources and global peacekeeping responsibilities.
- 5) The Arms Project believes that foreign troops which are not under the direct command of international monitoring organizations should not be deployed in Rwanda, and urges that French, Zairian and Ugandan troops, because of their past association with this conflict, be barred from participation in any international peacekeeping efforts in Rwanda.
- 6) The Arms Project urges both the Rwandan government and the RPF to destroy weapons rendered unnecessary by the war's end, and so prominent in past human rights abuses, under the supervision of international monitors. The Arms Project urges both sides to fully comply with the terms of the August 4, 1993 peace agreement.

ACKNOWLEDGEMENTS

This report is based upon a visit to Rwanda and Uganda in May and June 1993 by Frank Smyth, a journalist and consultant to the Arms Project. Additional material has been taken from a visit to Rwanda in January 1993 by Alison DesForges, a member of Africa Watch's Advisory Committee who was participating in an international commission investigating human rights abuses.

The report was written by Mr. Smyth and edited by Stephen Goose, Washington director of the Arms Project. It was reviewed by Kenneth Anderson, director of the Arms Project, Holly Burkhalter, Washington director of Human Rights Watch, and Alison DesForges. Arms consultant Michael J. Limatola identified weapons and ammunition in both photographs taken and invoices obtained by the Arms Project. Bruce Rabb, a New York lawyer and member of the Executive Committee of Human Rights Watch, reviewed contracts and other financial documents obtained by the Arms Project.

HUMAN RIGHTS WATCH ARMS PROJECT

The Arms Project of Human Rights Watch was formed in 1992 with a grant from the Rockefeller Foundation for the purposes of monitoring and seeking to prevent arms transfers to governments or organizations that either grossly violate internationally recognized human rights or grossly violate the laws of war. It also seeks to promote freedom of information and expression about arms transfers worldwide. The Arms Project takes a special interest in weapons that are prominent in human rights abuse and the abuse of non-combatants. The director of the Arms Project is Kenneth Anderson and its Washington director is Stephen D. Goose. Barbara Baker and Cesar Bolanos are New York staff associates, and Kathleen Bleakley is the Washington staff associate. Monica Schurtman is of counsel.

Members of the international advisory committee of the Arms Project are: Morton Abramowitz, Nicole Ball, Frank Blackaby, Frederick C. Cuny, Ahmed H. Esa, Jo Husbands, Frederick J. Knecht, Andrew J. Pierre, Gustavo Gorriti, Di Hua, Edward J. Laurance, Vincent McGee, Aryeh Neier, Janne E. Nolan, David Rieff, Kumar Rupesinghe, John Ryle, Mohamed Sahnoun, Gary Sick and Tom Winship.

HUMAN RIGHTS WATCH

Human Rights Watch conducts regular, systematic investigations of human rights abuses in some seventy countries around the world. It addresses the human rights practices of governments of all political stripes, of all geopolitical alignments, and of all ethnic and religious persuasions. In internal wars it documents violations by both governments and rebel groups. Human Rights Watch defends freedom of thought and expression, due process and equal protection of the law; it documents and denounces murders, disappearances, torture, arbitrary imprisonment, exile, censorship and other abuses of internationally recognized human rights.

Human Rights Watch began in 1978 with the founding of its Helsinki division. Today, it includes five divisions covering Africa, the Americas, Asia, the Middle East, as well as the signatories of the Helsinki accords. It also includes four collaborative projects on Arms, Free Expression, Prisoners' Rights, and Womens Rights. It now maintains offices in New York, Washington, Los Angeles, London, Moscow, Belgrade, Zagreb and Hong Kong. Human Rights Watch is an independent, nongovernmental organization, supported by contributions from private individuals and foundations. It accepts no government funds, directly or indirectly.

The board includes Robert L. Bernstein, chair; Adrian W. DeWind, vice chair; Roland Algrant, Lisa Anderson, Peter D. Bell, Alice L. Brown, William Carmichael, Dorothy Cullman, Irene Diamond, Jonathan Fanton, Alan Finberg, Jack Greenberg, Alice H. Henkin, Stephen L. Katz, Marina Pinto Kaufman, Alexander MacGregor, Peter Osnos, Kathleen Peratis, Bruce Rabb, Orville Schell, Gary G. Sick, and Malcolm Smith.

The staff includes Kenneth Roth, executive director; Holly J. Burkhalter, Washington director; Gara LaMarche, associate director; Susan Osnos, press director; Ellen Lutz, California director; Jemera Rone, counsel; Richard Dicker, associate counsel; Stephanie Steele, operations director; Michal Longfelder, development director; Rachel Weintraub, special events director; Allyson Collins, research associate; and Ham Fish, senior advisor.

The regional directors of Human Rights Watch are Abdullahi An-Na'im, Africa; Juan E. Méndez, Americas; Sidney Jones, Asia; Jeri Laber, Helsinki; and Andrew Whitley, Middle East. The project directors are Kenneth Anderson, Arms; Gara LaMarche, Free Expression; Joanna Weschler, Prisoners' Rights; and Dorothy Q. Thomas, Women's Rights.

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APPENDIX A1

Entre le Gouvernement de la République Rwandaise et le
Gouvernement de la République Arabe d'EGYPTE sur la
fourniture par l'EGYPTE d'un crédit d'Assistance Militaire.

Dans le cadre de bonnes relations, d'amitié et de Coopération existant entre les Gouvernements et les Forces Armées des deux pays, en vue de raffermir et de développer ces relations, le Gouvernement de la République Rwandaise et le Gouvernement de la République Arabe d'EGYPTE, dans un esprit de soutien et d'aide mutuelle et par suite des consultations amicales au sujet de la fourniture par l'EGYPTE d'un crédit d'assistance militaire au RWANDA, se sont convenus de ce qui suit :

Art. 1 Contenu du contrat.

La République Arabe d'EGYPTE, Ministère de la Défense, représentée par le Lieutenant-Général MOHAMED FOUAD Abd SAMI, et désigné dans le présent contrat comme "FOURNISSEUR" s'engage à livrer à la République Rwandaise, Ministère de la Défense, désigné dans le présent contrat comme "ACHETEUR", les matériels militaires dont le détail et le prix FOB Aéroport du fournisseur sont consignés dans l'annexe "A" du présent contrat.

- L'acheteur accepte d'acheter lesdits matériels selon les conditions mentionnées aux articles 4 et 5 et sur lesquelles les deux parties se sont mises d'accord.

Art. 2 Des prix.

Le montant total des articles de l'annexe "A" de ce contrat - livraison FOB le CAIRE - est de SIX MILLIONS DE DOLLARS AMERICAINS (6.000.000 USD).

Art. 3 Taxes et Frais.

- Tous taxes, frais et dépenses dus à ce contrat, sur la République de la République Arabe d'EGYPTE, seront payés par le "Fournisseur".
- Tous taxes, frais et dépenses dus à ce contrat, hors de la République Arabe d'EGYPTE seront payés par "l'acheteur".

Art. 4 Modalités de paiement.

1. "L'acheteur" paiera la somme de CINQ MILLIONS DE DOLLARS AMERICAINS en Cash soit au Bureau de l'Attaché de Défense à LONDRES à l'adresse suivante :

- Banque : Crédit Lyonnais
- Adresse : West End Branch, 18 Portico Street London, SW, 4PH.
- Tel : 9306064
- Account n°: 113874

Les paiements seront échelonnés comme suit :

- 1. Un million de dollars sera payé six mois après l'entrée en vigueur de ce contrat.
- 2. Un million de dollars sera payé début Février 1993.
- 3. Un million de dollars sera payé début Février 1994.
- 4. Un million de dollars sera payé début Février 1995.
- 5. Un million de dollars sera payé début Février 1996.

2. L'acheteur s'engage à fournir la quantité de 432 tonnes de thé Rwandais du genre PF1, de 183 tonnes de thé du genre PF au prix de respectivement 1.650 et 1.570 dollars américains par tonne de chaque catégorie pour un montant total de un million de dollars américains.

La livraison de toute la quantité devra être terminée avant la fin de l'année 1992 suivant les modalités ci-après :

- a. "L'acheteur" transportera au départ une quantité de 432 tonnes des 2 genres (PF1 et PF) de thé, sujet de l'accord, du RWANDA au CAIRE par l'avion qui transportera les matériels mentionnés à l'annexe "A".
- b. "L'acheteur" délivrera au "Fournisseur" la quantité restante soit 183 tonnes de thé qui dépassera la capacité du moyen de transport du point "A" au port de MOMBASA.
- c. La réception définitive du thé sera soumise à la conformité de la quantité livrée avec l'échantillon retenu pour chaque sorte.

Art. 5 - Garantie bancaire

Pour la sûreté de l'exécution de ce contrat, "L'acheteur" remettra au "Fournisseur" une lettre de garantie établie en langue Française précisant la devise de référence (c.à.d. dollars américains).

Cette lettre devra être émise par une banque internationale de 1ère classe (acceptée par le "Fournisseur") selon la forme citée à l'annexe "C" et couvrant une somme de SIX MILLIONS DE DOLLARS AMERICAINS.

La somme de cette garantie diminuera au fur et à mesure que le règlement des tranches interviendra.

Ce contrat ne sera exécutoire ni opposable au "Fournisseur" avant la remise de cette lettre de garantie.

Art. 6 - Livraison

Le "Fournisseur" s'engage à livrer à "l'acheteur" le matériel de ce contrat P.O.B. Aéroport d'EGYPTE juste après que "l'acheteur" aura remis la lettre de garantie mentionnée à l'article 5 et selon

Art. 7 - Obligations de "l'acheteur"

- "L'acheteur" s'engage de ne pas vendre ni offrir tout ou partie de matériel de ce contrat à une tierce partie sans l'accord écrit du "Fournisseur".
- "L'acheteur" et le "Fournisseur" s'engagent à ne pas montrer à une tierce partie le contenu de ce contrat.

Art. 8 - Responsabilités

La responsabilité du "Fournisseur" sur le matériel faisant l'objet de ce contrat se terminera avec le dernier chargement, F.O.B. le CAIRE. Chaque livraison devra être soumise à l'inspection technique du délégué de l'acheteur.

Art. 9 - Assistance technique

Un stage de formation du personnel sur le nouveau matériel sera dispensé en EGYPTE à une équipe de 4 personnes. A l'issue de cette formation, une équipe de techniciens égyptiens se rendra à KIGALI pour y évaluer et parachèver la dite formation.

Art. 10 - Litiges

Tout litige né de l'exécution de ce contrat sera réglé à l'amiable entre les parties contractantes. Si aucun accord n'est obtenu entre les deux parties seuls les tribunaux de la République Arabe d'EGYPTE seront compétents pour statuer selon la loi égyptienne.

Art. 11 - Correspondance

1 - Adresse du "Fournisseur"

Ministère de la Défense
Rue El Khalifa El Maamoun-Heliopolis
Le CAIRE - R.A.E.

2 - Adresse de "l'acheteur"

République Rwandaise
Ministère de la Défense
B.P 23 KIGALI
FAX : 72433

3. Au cas de changement d'adresse, il faudra avertir immédiatement l'autre partie sinon toutes les correspondances envoyées aux adresses ci-dessus seront considérées comme valides.

- Ce contrat est rédigé en deux exemplaires en langue Française dont le "Fournisseur" possède une copie et "l'acheteur" possède l'autre copie.

Art. 12 - Entrée en vigueur du présent contrat.

Le présent contrat entrera en vigueur dès la date de sa signature par les autorités compétentes représentants les deux Gouvernements et après remise de la lettre de garantie mentionnée à l'article 5 de ce contrat.

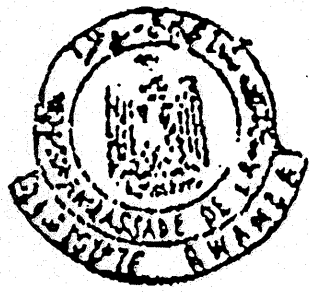
Fait à KIGALI, le 30 - 3 - 1992

Pour la République Arabe d'EGYPTE

Le Représentant du Ministère de la Défense :

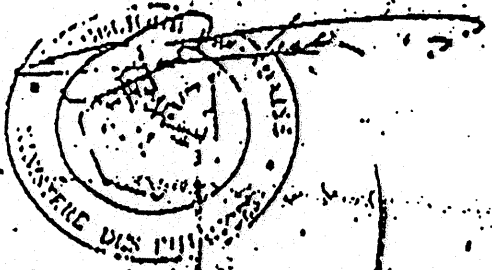
Nom Mohamed Fouad ARIF SAÏD
Grade Lieutenant Général
Fonction Chef du département des armées et militaires
Signature

M. Fouad

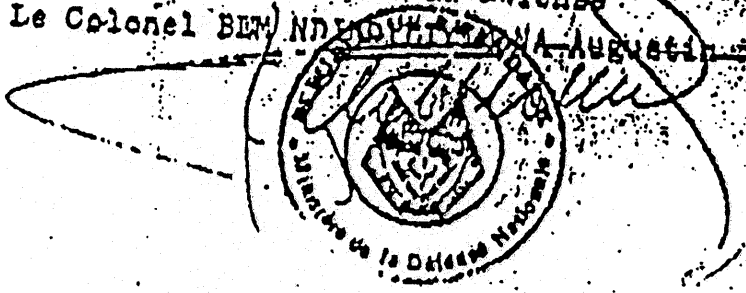


Pour la République Rwandaise

Le Ministre des Finances
Ruhigira Enock



Le Ministre de la Défense
Le Colonel BEMUNDE MUTISHANA Augustin



Au Gouvernement de la République
Arabe d'EGYPTE
représenté par le Département de
l'Armement au Ministère Egyptien
de la Défense,
ci-après désigné "le Fournisseur".

OBJET : Lettre de garantie
bancaire.

Nous référant au contrat N° 01 signé
le 30 Mars 1992 entre Vous et le Ministère de la Défense
de la République Rwandaise, ci-après dénommé "l'Acheteur"
particulièrement en son article 5 stipulant que l'Acheteur
doit déposer chez le fournisseur une lettre de garantie
bancaire couvrant à 100 % la valeur des équipements faisant
objet du contrat.

Nous, Banque
ci-après désignée "La Banque", sur notre honneur et sous
notre responsabilité, garantissons par la présente que
l'Acheteur assumera ses responsabilités contractuelles
pour rembourser la valeur de ces équipements suivant les
conditions citées dans ce contrat.

Nous promettons que nous garantissons
pour le compte du Ministère Egyptien de la Défense la somme
de SIX MILLIONS DE DOLLARS DES ETATS UNIS D'AMERIQUE
(6.000.000 \$ US) et que cette garantie est libre et susceptible
d'être appelée en cash totalement ou partiellement à la
première demande du Fournisseur sans restriction ni condition
et ce malgré toute objection éventuelle de l'une ou l'autre
partie liée par le contrat. La valeur de cette garantie
diminuera au fur et à mesure des remboursements effectués par
l'Acheteur et sur avis du Fournisseur.

.../...

Cette garantie inclut avec le remboursement intégral de toutes les sommes dues par l'acheteur et ce conformément à l'obligancier cité à l'article 4 du contrat. Elle reste donc en vigueur jusqu'en Février 1976 et ce à concurrence des montants restant dus par l'acheteur.

A l'expiration de la garantie, c-à-d après le remboursement final, cette lettre sera remise à la Banque pour annulation.

Fait le

Signature (s) autographe (s)

KIGALI

Annex "O"

To the Government of the Republic of
Egypt, represented by the Department of Armaments
at the Egyptian Ministry of Defence,
hereafter designated as the "Supplier"

SUBJECT: Bank Guaranty Letter

With reference to contract No. 1 between you and the Ministry of Defence of Rwanda, hereafter called the "Buyer", signed 30 March 1992, and having regard specifically to article 5 which stipulates that the Buyer must provide a bank guaranty letter, fully covering the cost of the equipment being the subject of the contract.

The Bank, hereafter known as the BANK, on honor, accepting responsibility, guarantees by this letter that the Buyer will fulfill its contractual obligation, by repaying the cost of these equipments according to the conditions stipulated in the contract.

We hereby guaranty on behalf of the Egyptian Ministry of Defence the sum of six million (6,000,000) US dollars; that this guaranty is freely given and that full or partial cash payment could be requested on the first demand of the Supplier without restrictions or conditions, notwithstanding objections by one party or the other to the contract.

Deductions will be made to the sums of this guaranty as the Buyer makes payments and after the Supplier gives notice of such payments.

This guaranty will expire when all the monies owed by the Buyer have been repaid in accordance with the payment schedule defined at article 4 of the contract. It will therefore remain valid until February 1996 relative to the sums still owed by the Buyer.

When the guaranty expires, that is, after final payment, this letter will be presented to the bank for cancellation.

Date:

Authorized Signature(s):

1. The payment schedule is as follows:
 1. One million dollars will be paid six months after this contract takes effect
 2. One million dollars will be paid at the beginning of February 1993
 3. One million dollars will be paid at the beginning of February 1994
 4. One million dollars will be paid at the beginning of February 1995
 5. One million dollars will be paid at the beginning of February 1996
2. The BUYER agrees to supply 432 tons of Rwandan tea (type PF1 at 1,650 american dollars per ton), 183 tons of tea (type PF at 1,570 american dollars per ton) for a total price of one million american dollars.

The total quantity should be delivered before the end of 1992 according to the following methods:

- a. The BUYER will first ship 432 tons of the two kinds of tea (PF1 and PF), the subject of the agreement, from Rwanda to Cairo by the plane that will transport the materials mentioned in appendix A.
- b. The BUYER will ship the remaining quantity, or 183 tons of tea that will be beyond the capacity of the means of transportation, from point "A" to the port of Mombasa.
- c. At final delivery, it will be determined whether the quantity of each type of tea delivered is correct.

Art. 5 Financial Guaranty

To ensure that this contract will be carried out, the BUYER will hand over to the SUPPLIER a financial guaranty letter written in French stating the currency of reference (that is, american dollars).

This letter must be issued by a first rate international bank (approved by the SUPPLIER) according to the form specified in Appendix C and covering 6 million american dollars.

The amount of this guaranty will reduce as the installment payments are made.

The contract will not be enforceable nor valid against the SUPPLIER without if this letter of financial guaranty is not presented by the BUYER.

Art. 6 Shipment

The SUPPLIER agrees to ship the materials specified in the contract as soon as the BUYER has presented the financial guaranty letter mentioned at article 5 and according to the shipping plan specified in Appendix B.

Art. 7 Obligations of BUYER

The BUYER agrees not to sell or offer all or part of the materials of this contract to a third party without a written consent of the SUPPLIER.

The BUYER and the SUPPLIER agree not to show the contents of this contract to third parties.

Art. 8 Liability

The liability of the SUPPLIER for the materials being the subject of this contract, ends with the last FOB shipment at Cairo. Each shipment must undergo a technical inspection of a representative of the BUYER.

Art. 9 Technical Aid

A team of four persons will be trained in Egypt on the use of the new materials. At the end of this training a team of Egyptian technicians will go to Kigali to complete and evaluate the said training.

Art 10 Disputes

Any dispute arising from the implementation of this contract will be settled by amicable arrangement between the parties to the contract. If the parties do not reach any agreement, only courts of the Arab Republic of Egypt will have jurisdiction in deciding the issue, and in accordance with Egyptian law.

Art.11 Correspondence

1. SUPPLIER'S ADDRESS
Ministry of Defence
Rue El Kalia El Maamoum- Heliopolis
Cairo - Arab Republic of Egypt

2. BUYER'S ADDRESS
Republic of Rwanda
Ministry of Defence
P.O. Box 23, Kigali

Fax: 72433

3. In case of change of address, the other party must be notified immediately, failing which all correspondence sent to the above addresses will be considered valid.

There are two copies of this contract, both in French; the SUPPLIER keeps one copy and the BUYER keeps the other.

Art. 12 Effective Date of this Contract

This contract will become effective on the date of its signature by the authorized officials of the two governments and after the presentation of the financial guaranty letter mentioned at article 6 of the contract.

Kigali, 30 March 1992

For the Arab Republic of Egypt

For the Republic of
Rwanda

Representative of the
Ministry of Defence:

The Minister of Finance
Enock RUHIGIRA

Name: Mohamed Fouad Abd Samie
Rank: Lt. General
Position: Chief of armaments &
munitions department

The Minister of Defence
Colonel illegible

Signature:

ANNEXE n° 1 : RELEVÉ DE MARCHÉ

DESCRIPTION	QUANTITÉS										UNITÉ	REMARQUES		
	1	2	3	4	5	6	7	8	9	10				
Rifle E-28 (used)														
Rifle 60 mm (used)					10	10								
Cartridge 122 mm D-30					25	25								
Cartridge M7 120 (BR)	500	1.000					5	5						
Cartridge For 82 mm (Impr) BR	1.000	1.000				500			200					
Cartridge For 82 (For) BR	1.000	1.000								500				
Cartridge 7,62 x 51 (Tracer)			500.000							5.000				
Cartridge 7,62 x 51 (Normal)	800.000													
Cartridge 7,62 x 39 (different)		200.000	300.000		200.000									
Socket RPG 7					2.000									
Ammunition 122 mm BR D-30													955900	
Mine AP-Type Kat 79						500	500							
Carton détonant	1.000				2.000					500	1.000			
A explosif plastique		200												
Munition AMH														
Tonnage (Tonnage)	± 30	30	± 30	36	36	25	57	57	57	57	57	57	150	

24

5

APPENDIX A3

ANNEXE n° 1

No. DE SERIE	DESCRIPTION	QUANTITE	PRIX UNITAIRE (USD)	PRIX TOTAL (USD)
01	Mortier 82 mm (used)	20	4.000	80.000
02	Mortier 60 mm (used)	50	1.700	85.000
03	Howitzer 122 mm D-30 (HE)	6	200.000	1.200.000
04	Bombes 120 mm (HE)	6.200	257,5	1.473.120
05	Bombes 82 mm (Imp) HE	5.000	100	600.000
06	Bombes 82 mm (Mor) HE	4.000	60	240.000
07	Rounds 7,62 x 51 (Tracer)	500.000	750/1000	375.000
08	Rounds 7,62 (Normal)	1.250.000	750/1000	937.500
09	Rounds 7,62 x 39 (different)	1.453.000	200/1000	290.750
10	Rocket R.P.G. 7	2.000	200	400.000
11	Ammunition 122 mm D-30 HV	3.000	300	900.000
12	Mines (A.P) - TYPES M.A.T. 79	2.000	20	40.000
13	Cordon detonant	1000 m	0,2/M	200
14	Explosive plastique	200 Kg	9/EG	1.800
15	Fusils 7,62 MM	450	220	99.000
16	Tous de pièces de rechange pour les armes fournies	-	-	-
VAT SUR TOTALE				6.722.400 USD
REMISE SPECIALE				722.400 USD
Valeur nette à payer				6.000.000 USD

NOUS DISONS SIX MILLIONS DE DOLLARS AMERICAINS (6.000.000 USD)

11

5

MINISTRY OF NATIONAL DEFENSE
 NATIONAL ARMY
 MAINTENANCE SECTION

INVOICE

Inv. no. 4660131443

ATTENTION: MAINTENANCE SECTION

NUMBER	DATE
147	19/10/92

PROD ACCOUNT NO.: R001

IN CASE OF QUERY PLEASE CONTACT:

REFERENCE:
1111/06.1.9

CONRAD KUHN
 TEL. (012) 428 0871

RMS: 30 DAYS AFTER RECEIPT OF INVOICE

QM	DESCRIPTION	UNIT PRICE	QUANTITY	AMOUNT USD
2	spare for 8377	551.860.78	1	551.860.78
3	Maintenance spares for Mortars	35.370.05	1	35.370.05
4	12.7mm Browning ammunition	372.250.50	10	372.250.50
5	8.50mm Ball Ammunition	233.000.00	1488000	347.200.00
6	Freight charges	55.750.00	4	223.000.00

MARKS

SUB TOTAL USD 5 901 031.36

[Signature]
 SIGNATURE

19/10/92
 DATE

TOTAL USD 5 901 031.36

D.P.S.F.

BT. 3003/90

INVOICE TO: MINISTRY OF NATIONAL DEFENCE
 POST BOX 21
 KIGALI
 RWANDA

ATTENTION: MAJ. CYPRISN KAYUMBA

INVOICE

BA. No. 4540181411

NIMROD ACCOUNT NO. 1 R001

YOUR REFERENCE: 1111/06.1.0

TERMS: 30 DAYS AFTER RECEIPT OF INVOICE

NUMBER	DATE
147	19/10/92
IN CASE OF QUERY-PLEASE CONTACT:	
CONRAD KUTIN TEL. (012) 125 0871	

ITEM	DESCRIPTION	UNIT PRICE	QUANTITY	AMOUNT USD
1	Greade Rifle 7.62mm Hs	58.12	10000	581 200.0
2	Greade Rifle 5.56mm Hs	58.12	10000	581 200.0
3	Greade Hand M26 Hs	25.18	10000	251 600.0
4	Greade Hand 40mm Hs	60.00	10000	600 000.0
5	7.62mm Vickers Linked for 8577	395.60	1000000	395 600.0
6	12.7mm Browning Linked 4/1	2 106.54	100000	210 654.0
7	40mm MOL	2 263.00	70	158 410.0
8	60mm M1 Mortar	8 218.11	100	821 311.0
9	60mm M1 Mortar eight	1 610.62	100	161 062.0
10	60mm M1 Mortar ops extra	1 475.87	100	147 587.0
11	Maintenance spares for RA	72 241.03	1	72 241.0

REMARKS

[Signature]

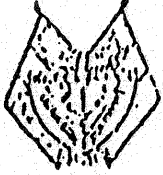
SIGNATURE

19/10/92

DATE

SUB TOTAL	USD	3 980 866
TOTAL	USD	

REPUBLIC RWANDAISE


 ARME DE LA DEFENSE NATIONALE
 ARME RWANDAISE

Doct ODI MUT

SECRET

NYAGATARE, le 29 SEP. 1991

N° 181/G2.3.0Monsieur le Ministre de la Défense
NationaleKIGALI

Info : Chef ETI Gd N

H/C : Chef ETI AR

O B J E T : Auto-défense de la
population.

REFERENCE : VI. N° 0350/G2.1.0 du 26 Aou 91.

1. Suite à VI, dont l'objet est repris en marge, j'ai l'honneur de vous présenter ci-dessous les propositions dégagées de la réunion tenue à NGARAMA le 26 Septembre 91 au sujet de l'auto-défense populaire.

Cette réunion s'inscrivait dans le cadre des concertations périodiques de membres du Conseil Sous-Préfectoral de Sécurité et comprenait le Sous-Préfet de NGARAMA, les Bourgmestres des Communes MUTUMBA, NGARAMA, SWIGIGE et NYUHURA, ainsi que les SRS et le Chef du Parquet Local et moi-même.

2. D'emblée, les participants à la réunion souscrivant unanimement et fermement, ont déclaré que les propositions qui à leur avis avaient, dans plus tarder, devenir une réalité au regard aux motifs invoqués dans le document de travail que j'avais préparé à leur intention et que j'annexe à la présente pour votre information.

3. Les amendements significatifs apportés à ce document par les participants à la réunion portent sur le choix des membres, l'encadrement, l'instruction et la détermination des besoins; les missions quant à elles étant adaptables à une situation politique donnée. Ce qui est repris dans le document en annexe demeure par conséquent valable.

4. S'agissant de l'organisation, la réunion approuve l'idée d'une auto-défense populaire se diluant dans la masse jusqu'à la plus petite entité administrative dénommée NYUMBA KUMI. A cet échelon-ci, au moins une personne devrait être armée. Le choix de cette personne sera laissé à l'entière discrétion du Conseil Communal de Sécurité et obéira à des critères physiques et moraux très rigoureux.

A ce sujet, tout candidat à l'auto-défense populaire doit répondre notamment à ces conditions :

- Etre âgé de 25 ans au moins et de 40 ans au plus
- Etre de préférence, Marié
- Justifier d'une moralité, d'un patriotisme, d'une sociabilité et d'un

SECRET - 2 -

5. Concernant l'encadrement, la réunion recommande l'étatofort de l'organigramme actuel de la police nationale plaçant celle-ci sous la tutelle du Ministre ayant l'Intérieur dans ses attributions et définissant les différents rôles aux échelons national, Communal et de Secteur. Il y a lieu donc d'amender cette structure en mettant en place un responsable de la police au niveau préfectoral.

Il va sans dire que le personnel d'encadrement à ces différents degrés doit jouir d'une solide formation professionnelle.

6. En attendant que la Police Nationale puisse voler de ses propres ailes, l'instruction des membres de l'auto-défense populaire peut-être assurée en tout ou en partie par les militaires des FAR.

Autant que possible, l'instruction et l'entraînement seront organisés localement pour éviter d'extraire de leur milieu ceux qui sont appelés à en bénéficier.

De la sorte, il NE sera NI nécessaire d'aménager des Centres d'instruction, NI verser un pécule aux bénéficiaires.

Les instructeurs quant à eux, pourraient être détachés temporairement de l'Unité militaire la plus proche des gens à former.

7. Au regard du souhait de la réunion de disposer d'au moins un homme armé par "NYUMBA KUMI" et d'un policier au moins par Secteur, les besoins approximatifs se chiffrent comme suit :

a. Personnel d'encadrement

- Sauf la Commune RWIZIGE qui aligne six policiers pour huit Secteurs, les autres Communes du ressort du Commandement Secteur MUTARA à savoir : NYUMBA, NGARAMA et MUKURA disposent des effectifs suffisants en policiers de manière à offrir chaque Secteur d'un agent.

- Actuellement la Commune NYUMBA a 20 policiers pour cinq Secteurs.

- la Commune NGARAMA a 10 policiers pour huit Secteurs.

- la Commune MUKURA a 10 policiers pour huit Secteurs.

b. Membres à enrôler

En prenant pour chiffres de référence une arme par "NYUMBA KUMI" et dix NYUMBA KUMI par Cellule, les besoins en armes s'établissent à :

- Commune NYUMBA : 35 cellules X 10 soit 350 armes

- Commune MUKURA : 58 cellules X 10 soit 580 armes

- Commune NGARAMA : 53 cellules X 10 soit 530 armes

- Commune RWIZIGE : 30 cellules X 10 soit 300 armes

Les besoins en munition tiendront compte du genre de l'armement à utiliser ainsi que des dotations d'instruction et de combat à chaque arme.

sur plus 1760

SECRET

8. Les participants à la réunion recommandent que les besoins exprimés ci-dessus sont très élevés et sont connus de la majorité du budget national.

Entendant cependant que l'auto-défense populaire soit partie intégrante d'une politique de défense crédible, ils suggèrent d'expérimenter ce système étape par étape, en privilégiant d'abord, les Communes périphériques constamment exposées aux incursions ennemies ou l'occurences de MUWUMBA et de NQAKAMA, et en l'étendant ensuite à celles de l'intérieur du pays.

[Signature]

MBABIMANA Déogratias

Col BEM

Comd Secteur OVB MITANA

0 5 1

- Monsieur le Préfet de Préfecture
BYUMBA
- Monsieur le Sous-Préfet de Sous-Préfecture
NOAKAMA
- ↳ Monsieur le Bourgmestre de la Commune
DWINDIGI
- Monsieur le Bourgmestre de la Commune
MUHURA
- Monsieur le Bourgmestre de la Commune
MUVUMBA
- Monsieur le Bourgmestre de la Commune
NOAKAMA
- Monsieur le 1^{er} Substitut
- Monsieur le S R D : NOAKAMA et MUVUMBA

SECRET

Republic of Rwanda
Ministry of National Defence
Rwandan Army
Sect MUT

NYAGATAWE
29 September 1991
No. 181/03.3.0 n

Minister of National Defence
Kigali

Info: Chief EM Gd N
C/O : Chief EM AR

SUBJECT: Self-Defence of the Population
REFERENCE: Letter No. 0850/02.1.0 od 26 August 1991

1. With reference to your letter, the subject of which is restated above, I have the honor of presenting below the propositions decided on at the meeting held at Ngarama on 26 September 1991 relating to the self-defence of the population.
2. This meeting was part of the periodic discussions of the members of the Sub-Prefecture Council on Security, and comprised the Sub-Prefect of Ngarama, the village chiefs of Muvumba, Ngarama, Bwigige and Munura, as well as the local SRS and Prosecutors, and myself.

The participants at the meeting unanimously . . . without further delay, become reality having regard to the reasons given in the working document which I had prepared for them and which I attach to this letter for your information.

3. The important amendments made to this document by the meeting participants concern the choice of members, supervision, instruction and the determination of needs; the missions for their part being adaptable to specific political situations. Hence what is restated in the enclosure remains valid.
4. With regard to organization, the meeting approves of self-defence embracing all the population, including the smallest administrative unit called Nyumba Kumi. At this level, at least one person should be armed. The choice of this person will be left to the sole discretion of the Village Council for Security and will be dictated by rigorous criteria.

In this regard, all candidates for self-defence of the population must especially fulfill the following conditions:

- be at least 25 and at most 40 years old
- be preferably married
- demonstrate sufficient morality, patriotism, sociability and courage

5. The meeting recommends as far as supervision is concerned, the broadening of the current organizational chart of the national police, placing it under the Ministry of Interior, and defining the different roles at national, village and sector levels. There is need therefore, to modify this structure in appointing a police officer at the prefecture level.

Needless to say that the supervisory personnel at these different levels must have sound professional training.

6. While waiting for the national police to stand on its own, the instruction of members of the people's self-defence force could be given wholly or partially by soldiers of the Rwandan Armed Forces (FAR).

As far as possible, instruction and training will be organized locally to avoid moving trainees from their localities. This way, it will neither be necessary to set up instruction centers, nor to pay gratuities to those trained for the self-defence force.

As for the instructors, they could be detached temporarily from military units closest to the people to be trained.

7. Given the wishes of the meeting to have at least one armed man per NYUMBA KUMI and at least one policeman per sector, the needs can be roughly tallied as follows:

a. Supervisory personnel

-Except for Bwigige village which has six policemen for eight sectors, the other villages under the Mutara Command Sector, that is, MUVUMBA, NGARAMA, AND MUNURA have enough police officers to cover each sector with an officer.

-Currently MUVUMBA village has 28 officers for five sectors.

NGARAMA village has 18 officers for eight sectors.

MUNURA village has 10 officers for eight sectors.

b. Members to be enrolled

Taking one arm per "NYUMBA KUMI", and ten "NYUMBA KUMI" per cell as reference figures, the arms need would be as follows:

-MUVUMBA village: 35 cells x 10, or 350 arms

-MUNURA village: 58 cells x 10, or 580 arms

-Bwigige village: 30 cells x 10, or 300 arms

Munitions needs will take into account the type of arms to be used as well as instruction given.

8. The participants at the meeting recognize that the needs stated above are very high and are aware that the national budget is small.

Considering, however, that a people's self-defence is an integral part of a credible defence policy, they propose that this system be tried in stages, starting with frontier villages constantly exposed to enemy incursions, that is, MUVUMBA and MUNURA, and then extended to other villages in the interior of the country.

Déogratias NBABIMANA

Colonel BEM

Commander CTS Sector MUTARA

cc:

-Prefecture Prefect
BYUMBA

-Sub-Prefect of Sub-Prefecture
BYUMBA

-Bwigige village chief

-MURURA village chief

-MUYUMBA village chief

-NGARAMA village chief

-Assistant Public Prosecutor

-The SRS, NGARAMA and MUVUMBA

EMBASSY OF THE REPUBLIC OF UGANDA



OUR REFERENCE

C/POL/W4

5909 16TH ST., N.W.
WASHINGTON, D.C. 20011

TELEPHONE: (202) 726-7100
FAX: (202) 726-1727
TELEX: 440338 UGDA, UI.

August 26, 1993

Mr. Stephen D. Goose
Washington Director
The Arms Project
Human Rights Watch
1522 K Street, N.W.
Suite 910
Washington, D.C. 20005-1202

Dear Mr. Goose,

I am writing in reply to your letter of August 11, 1993 and wish to respond as follows:

Major General Fred Rwigyema was no longer on active duty with the NRA at the time of the invasion in October 1990. Because he opted to remain a Rwandese national, he and many other Rwandese in this category were removed from the NRA by a decision of the National Resistance Council (Parliament). During the Parliamentary debate on the Uganda Investment Code, non-nationals including Rwandese refugees were precluded from owning land. It is believed that the combination of these two fundamental decisions convinced Rwandese refugees that they did not have a bright future in Uganda and precipitated the mass desertion from NRA and invade Rwanda to regain their rights in their country of origin.

Rwandese refugees, especially young men and women joined the different fighting factions during the 20 years of Uganda's era of dictatorships and turmoil. Rwandese and Sudanese refugees served in Idi Amin's Army. During the five years of civil war, 1981-1986, Rwandese refugees fought on all sides of the parties to the conflict. Their presence in NRA in significant numbers was due to the areas in which the civil war was most active and where most of the recruitments took place.

During the late 1960s, Uganda agreed to assimilate the refugees population on its soil under a Program sponsored by the United Nations High Commission for Refugees (UNHCR). The figure of 4,000 officers and men may seem large to be in NRA but Rwandese refugees are integrated in every aspect of Ugandan life. There are as many in each field as Teachers, Doctors, Traders, Police/Prisons officers and a lot more in the general civil service.

When the NRA started the struggle on February 6, 1991, just a group of 27 people surprised Kabamba Military Training College and took large quantities of arms from the Government armory under the very nose of a combined force of Uganda and Tanzania Armies. It should not surprise you that the Rwandese in NRA, every single one of them, carried his personal weapon because that was policy for the entire NRA, were able to steal the equipment you describe.

Uganda is operating a tight budget under the strict supervision of the World Bank and IMF. If Uganda gave RPF logistical support as it is being alleged by the French and Rwandese government officials who are partisan in this issue, the cost would have been reflected and would have been a detectable strain on the Uganda budget and economy. It is my belief that if Uganda gave RPF the alleged logistical support, RPF would have defeated the Rwandese government troops outright and in quick time. It is the refusal of Uganda to give RPF any help that prolonged the war.

In response to your direct question, the Uganda government did not provide assistance of a military or non-military nature to RPF:

1. Uganda's role was to ~~attempt~~ to mediate between the conflicting parties.
2. The Uganda Government did not permit private groups or individuals to provide assistance of any kind. Smuggling on Uganda's borders of Sudan, Zaire, Rwanda and Kenya is an age old endemic problem. The civil strife raging on Uganda's border with Rwanda, provided healthy ground for smuggling especially of food which was in short supply in Rwanda.
3. On the day of the invasion, October 1990, the Uganda Government declared all Rwandese who had left NRA to attack Rwanda as Deserters under the Operational Code of Conduct. That means, on conviction by a Court Martial, they would be punishable by death. This is no incentive for them to cross back into Uganda.
4. President Museveni shared intelligence information with his colleague, President Habyarimana of Rwanda. The problem of one million Rwandese living around Rwanda in neighbouring states was pointed out to President Habyarimana by President Museveni almost in every meeting they held, with suggested solutions. As soon as news of the invasion broke, President Museveni met President Habyarimana twice in New York and Washington, D.C. and offered him full co-operation. In Uganda any further defections from the NRA were thwarted. All those who attempted to cross into Rwanda were arrested and put in jail.
5. I do not believe that after the signing of the Peace Accord in Arusha, Tanzania, between RPF and the Rwanda government, the Uganda government can or is required to exercise any authority on Rwandese who returned to their country by force of arms.

Thank you for giving us an opportunity to respond to general issues of your findings. We shall be happy to deal with details when they are made known to us.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'S.T.K. Katenta-Apuli'.

S.T.K. Katenta-Apuli
AMBASSADOR

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