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RWANDA

The hidden violence: “disappearances” and killings continue

“Ici, les choses vont bien, sauf la vie [...] Un malade qui souffre d’une maladie qui ne peut pas guérir pense à beaucoup de choses dont il rêve. Quand aurons-nous la paix?”

“Here, things are all right, apart from life [...] A person who is suffering from an incurable illness dreams of many things. When will we have peace?”

Extract from a testimony from Gisenyi, northwestern Rwanda, March 1998

I. INTRODUCTION

Between December 1997 and May 1998, hundreds and possibly thousands of people “disappeared” across Rwanda. Thousands of others were killed by members of the Rwandese security forces and by armed opposition groups. The most vulnerable sectors of the population are continuing to suffer, unnoticed by most of the international community, as the armed conflict in the northwest of Rwanda rages on. Soldiers of the Rwandese Patriotic Army (RPA) as well as members of armed opposition groups - the latter believed to include members of the former Rwandese army and *interahamwe* militia responsible for many massacres during the 1994 genocide - are deliberately targeting unarmed civilians - men, women and children, often without discrimination. By early 1998, reports of killings and “disappearances” had become so routine that many Rwandese seemed resigned to this violence as an inevitable part of their lives.

In the second half of 1997, Amnesty International published two reports describing the spiralling human rights abuses in Rwanda, in particular the deliberate targeting of unarmed civilians in the context of the armed conflict.¹ Amnesty International delegates who carried out research in Rwanda in February 1998 confirmed that the patterns of killings described in these reports have become further entrenched. They were also struck by the significant increase in the number of “disappearances”. By early 1998, “disappearances” had become so frequent that many families no longer made the effort to notify the authorities or international organizations about the “disappearance” of their relatives, either for fear of their own lives or in the knowledge that little or no effective action would be taken to investigate them. Yet steps can be taken by those with power and influence to stop these atrocities.

¹ See Amnesty International reports “Rwanda: Ending the Silence” (25 September 1997, AI Index AFR 47/32/97) and “Rwanda: Civilians trapped in armed conflict” (19 December 1997, AI Index AFR 47/43/97).

This report provides an overview of some of the grave human rights abuses carried out in Rwanda from December 1997 to May 1998, with a particular focus on the patterns of “disappearances”, extrajudicial executions by members of the Rwandese security forces - particularly by RPA soldiers - and deliberate and arbitrary killings by armed opposition groups. The examples of human rights abuses contained in this report represent only a small fraction of those gathered during this period. It is no longer possible to record all cases of killings and “disappearances” in Rwanda as these are occurring on a massive scale and are being reported daily. Difficulties of gathering, compiling and verifying information - for Rwandese and foreign organizations alike - are aggravated by the inaccessibility of many of the areas where killings are taking place and by the fear of the victims’ families and friends of testifying to the atrocities they witness. The public availability of independent information is also severely restricted by the Rwandese Government’s tight control on the dissemination of information relating to the human rights situation. As a result, the full picture rarely reaches the outside world.

In February 1998, Amnesty International delegates visited different regions of the country, including the northwestern *préfecture*² of Gisenyi, the eastern *préfectures* of Umutara and Kibungo, the northern *préfecture* of Byumba, the southern *préfecture* of Butare and the capital Kigali. Despite the inaccessibility of certain areas due to widespread insecurity, they were able to gather detailed testimonies on killings, “disappearances” and other human rights abuses, from victims, relatives of victims, witnesses and other sources. This report is based in part on those testimonies, and in part on subsequent confirmation, as well as fresh evidence, gathered since March 1998 from sources inside and outside Rwanda.

While in Rwanda, Amnesty International delegates also held talks with senior representatives of the Rwandese Government and security forces. The authorities’ response to the human rights concerns raised is summarized in this report.

Amnesty International is appealing once again to the Rwandese authorities to fulfill their often-repeated promises to respect human rights and to put an end to the ongoing grave human rights violations, in particular to investigate and prevent “disappearances” and killings of unarmed civilians by members of the security forces. A government has the right to defend its country against armed aggression and a responsibility to protect the civilian population against attacks by armed groups. However, this does not provide the security forces with a licence to deliberately kill unarmed civilians. Armed opposition groups should also immediately stop targeting unarmed civilians and prevent any further such killings by elements under their control.

Amnesty International is again calling on foreign governments and intergovernmental organizations to heed the call for urgent action to put an end to the daily violation of the right to life and other human rights abuses in Rwanda and to impress upon the Rwandese authorities and

² Rwanda is divided into 12 *préfectures* (regions), which are divided into *communes* (districts), in turn divided into *secteurs* (sectors); *secteurs* are further divided into *cellules* (cells). The French terms are used throughout this report to enable precise references to the locations.

leaders of armed opposition groups that the deliberate targeting of the civilian population will never succeed in bringing peace and reconciliation to the country.

In addition to the issues covered in this report, Amnesty International remains concerned about other patterns of human rights violations in Rwanda, including arbitrary arrests, prolonged detention without charge or trial in conditions amounting to cruel, inhuman or degrading treatment, beatings and other forms of ill-treatment in detention, unfair trials and the use of the death penalty. Details of these concerns are contained in earlier Amnesty International publications and continue to be the object of ongoing research and action by the organization.

On 24 April 1998, the Rwandese Government carried out the first executions of people found guilty by the Rwandese courts of participation in the genocide in 1994. Many of those executed had had an unfair trial. Amnesty International believes that the public execution of these 22 people and any further executions constitute another major step backwards for human rights and will seriously harm the prospects of reconciliation and respect for human life in Rwanda. The organization's concerns in this respect are detailed in news releases and actions issued before and since the executions.³

II. ALARMING INCREASE IN "DISAPPEARANCES"

One of the main recent developments in the human rights situation in Rwanda has been the dramatic increase in the number of "disappearances". "Disappearances" are not a new phenomenon in Rwanda, but since the second half of 1997, they have reached alarming proportions. Amnesty International has received numerous testimonies and appeals for help from individuals who have lost all trace of members of their family. In many cases, they are presumed dead, but only in a minority of cases are the bodies ever found by the families.

In some cases, the "disappeared" are believed to be alive, held in unofficial or inaccessible detention centres, such as military camps (see below). Difficulties in tracing them there are aggravated by the absence of records in many of these detention centres.

Several patterns of "disappearances" have emerged. In some cases, evidence points to involvement of members of the security forces. In other cases, the identity of the perpetrators as well as the reason for the "disappearance" remain unknown. Amnesty International recognizes that not all cases of "disappearances" can be directly attributed to the authorities. However, the government has a responsibility to investigate all cases of "disappearances", even where there is no clear indication of the involvement of state agents.

II.1 "Disappearances" in the context of the armed conflict in the northwest

Large numbers of people have "disappeared" in the context of the armed conflict in the northwestern *préfectures* of Ruhengeri and Gisenyi. The majority of these are men, many of whom have been rounded up by RPA soldiers in the context of military operations and led away to

³ See in particular Amnesty International news releases "Rwanda: 23 public executions will harm hope of reconciliation" (22 April 1998, AI Index AFR 47/12/98), "Rwanda: Major step back for human rights as Rwanda stages 22 public executions" (24 April 1998, AI Index AFR 47/14/98) and Urgent Action UA 126/98 (22 April 1998) and update (27 April 1998).

unknown destinations. Some people have been led away by soldiers on the basis that they were being taken to attend a public meeting, and subsequently “disappeared”. For example, on 14 February 1998, the population was made to gather for a meeting in the stadium at Ruhengeri. The men were reportedly separated from the women and taken away on military vehicles. It has not been possible to verify their fate. Similarly, on 15 March 1998, an estimated 200 people, mostly men, were led away after the population was made to gather in Ruhengeri stadium, following a reported attack by armed groups in Ruhengeri town one or two days earlier; their fate is not known. Mass arrests have been carried out by RPA soldiers, without any legal basis; it is likely that some of those arrested in this way are being detained in military camps (see below).

In addition to the above pattern, an estimated several thousand people - sometimes whole communities - have gone missing following armed clashes between RPA soldiers and armed opposition groups, or attacks by either side. A number of villages in Gisenyi and Ruhengeri have been left uninhabited. Many of these people may have been displaced by the armed conflict, which is causing thousands to flee from their homes. Some flee in anticipation of likely attacks on their village; others escape in the midst of attacks or fighting. Some have probably “disappeared”. However, given the widespread insecurity and difficulties of access, it is virtually impossible to ascertain whether and which of the inhabitants have been “disappeared”, killed - and if so, by whom -, arrested, or are in hiding. Others may have been taken hostage by armed groups.

One example is that of a young man from Nyamutera, in Ruhengeri, who lost all contact with his parents since their home was attacked in December 1997. Despite extensive searches, their whereabouts have remained unknown; by early June 1998, he still did not even know whether they were alive or dead.

A typical case of those “disappearing” in search of safety is that of a peasant aged around 60, who “disappeared” on 1 December 1997. Following an outbreak of violence in Mutura *commune*, in Gisenyi, where he worked, he fled to the neighbouring *commune* of Rwerere in search of safety. He did not return. Other similar cases of “disappearances” in Rwerere were reported in December 1997. In most cases, the victims are presumed dead.

II.2 “Disappearances” in Kigali of people originating from the northwest

The armed conflict and persistent human rights abuses in the northwest have caused many inhabitants of Ruhengeri and Gisenyi to leave the area and move to other parts of the country in search of safety and employment. Many have temporarily settled in the capital, Kigali. However, once there, they have been subjected to persistent harassment, discrimination and human rights abuses, from members of the security forces as well as from sectors of the population. People originating from the northwest are immediately viewed as suspicious, are often labelled “*interahamwe*” and accused of sympathies with armed opposition groups allied to those who carried out the genocide in Rwanda in 1994.

There appears to be a policy of singling out people from the northwest simply because of their region of origin. As the area of residence is indicated on a person’s identity card and other documents, those from the northwest are easily identifiable. People are required to carry an

identity card and also need to obtain a document from the authorities in their home region entitling them to travel to another region. In practice, such documents are often difficult to obtain and there are strict controls and restrictions on freedom of movement. Even those who carry the required documents are not protected from harassment.

During random identity checks by the security forces, for example at military roadblocks, many people from the northwest - especially men of fighting age - have been arrested. Some have been detained; others have been released after questioning; many have “disappeared” without trace. The authorities’ response to these “disappearances” has been to claim that those arrested during identity checks are sent back to their areas of residence in the northwest. However, in many cases, their families in these areas have stated that they have not returned.

For example, **Emmanuel Tuyishime**, a former local government official in his thirties, came from Gisenyi to Kigali to look for work on 10 December 1997. He was last seen in Kigali on 16 December. His relatives have been searching for him ever since, have inquired in detention centres in different areas and told that he was not there. After being informed by the authorities in Kigali that people from Gisenyi were transferred back to their home areas, his family travelled up to the northwest several times - at great personal risk -, all in vain. They were told by the authorities in Gisenyi that there had been no transfers from Kigali.

During December 1997 and January 1998, identity checks and searches intensified in Kigali. Many men from the northwest were rounded up and taken into military custody. Some were released, others are not known to have returned. For example, military searches took place on 3 December 1997 in Kimisagara *secteur*, on 14 December in Gatsata *secteur*, and on 20 December in Kimisagara and Cyahafi *secteurs*, all in Nyarugenge *commune* in the urban *préfecture* of Kigali (*Kigali ville*). These operations resulted in large-scale arrests, systematic ill-treatment and “disappearances” of people, who appear to have been picked up simply because they held identity documents from the northwest. Among the victims were **Jean-Baptiste Munyaneza**, from Ramba *commune*, Gisenyi, **Laurent Sinamenye**, from Ruhondo *commune*, Ruhengeri, and **Emmanuel Uwimana**, a 16-year-old student who had been transferred from a college in his home area of Kibilira *commune*, Gisenyi, to a college in Kigali for his security.

Wellars Nturanyenkiko, a house guard in his forties from Ruhengeri who was working in Kigali, went to visit relatives on the outskirts of Kigali in November 1997. He never returned. Friends who inquired at the prison where he was reported to have been detained for a period were told that he was no longer there. Efforts to try to trace him in his home area of Ruhengeri have since been obstructed by continuing insecurity there.

II.3 Other cases of “disappearances”

Not all cases of “disappearances” are directly connected with the armed conflict in the northwest. **Sedesias Mugambira**, a former government minister, was arrested in mid-December 1997 at a roadblock in Kigali as he returned from the bank from where he had withdrawn a large sum of money. He subsequently “disappeared”. It was rumoured that he had been killed and his body thrown into an old water tank near the military roadblock, but his body was not returned to his

family. Sedesias Mugambira had been arrested several times during 1997 and released each time because of lack of evidence of his participation in the genocide. He owned several houses near Kigali and may have been the object of jealousies in this respect.

On 9 January 1998, **Juvéna Bagarirakose** was led away from his home to an unknown destination by RPA soldiers, in his home *commune* of Kibilira, in Gisenyi - a *commune* which has experienced intense violence and insecurity in recent months. The soldiers reportedly burned the nearby houses of two of his sisters before leaving the area. Neither Juvéna Bagarirakose's arrest nor his "disappearance" are known to have been officially acknowledged. He is feared dead. A teacher by training who had also worked in the commercial sector, Juvéna Bagarirakose is married with three children. He had been a refugee in the former Zaire between 1994 and November 1996, when he returned to Rwanda. As a refugee he was involved in initiatives to promote dialogue and non-violent solutions to the conflict in Rwanda. He continued with these activities following his return to Rwanda, taking an active role in discussion and prayer groups with Hutu and Tutsi communities, with the full knowledge and the cooperation of local civilian authorities.

There have been other cases of "disappearances" in Kibilira. For example, **Joy Musabirema** and her two children, **Shumbusho**, aged 8, and **Umugwaneza**, aged 6, "disappeared" on 13 January 1998. They were reportedly led away from their home in Kalehe *secteur*, in Kibilira, by RPA soldiers and taken in a military vehicle to an unknown destination.

Ladislav Mutabazi, prosecutor of Gisenyi, was last seen on 18 January 1998 at Base, near Ruhengeri, where he was visiting relatives. According to some reports, he was last seen in the company of an RPA soldier. By February, official investigations by the Ministry of Justice and the gendarmerie were underway. The results of these investigations are not known. Ladislav Mutabazi is not known to have been threatened prior to his "disappearance."

Emmanuel Munyemanzu, a journalist who worked as head of production for Rwanda's national television station, "disappeared" in the capital Kigali on 5 May 1998. He went to work as usual in the morning and did not return. In March 1998, he had been suspended from his duties at the television station and transferred to another post at the *Office rwandais d'information* (ORINFOR), Rwandese Information Office. The head of the national television station was also suspended. The suspensions are believed to be linked to a dispute with ORINFOR's director.

Evariste Twagirimukiza, a trader, was arrested on the morning of 13 May 1998 in Kigali by armed men in military uniform. He was reportedly taken away in a vehicle belonging to the gendarmerie of the Nyamirambo district of Kigali. By early June, his whereabouts were still not known. The authorities have reportedly denied any involvement in his abduction.

Large-scale "disappearances" in Umutara

A wave of "disappearances" occurred in the eastern region of Umutara in late December 1997 and January 1998, in particular in the *communes* of Kahi and Gabiro. The total number of those "disappeared" is not known; several sources have claimed that at least 100 people "disappeared",

others have estimated that several hundred went missing. The “disappearances” occurred during the period immediately after an attack on a taxi on 22 December 1997, on the road to Nyagatare, in which around five people were killed. This attack was officially attributed to an armed opposition group. It is thought that the wave of “disappearances” which followed may have been carried out in reprisal. The “disappearances” are believed to have been carried out by RPA soldiers with the help of local Tutsi civilians. Some local civilian authorities are also believed to have been involved.

The “disappearances” began on 24 December, on Christmas eve, in various locations including Kabarore and Kiziguro. During an identity check by military officials, a number of people were reportedly led away on trucks to an unknown destination. Some were rounded up from their homes, others from public places. Those who “disappeared” included several members of a choir, such as **Jean-Baptiste Ntabara**, who were preparing to celebrate Christmas. Others included **Viateur Nzabarinda** and his sister **Mukabutare**, and **Joseph Karake**, a religious student in his twenties, who was reportedly taken from his home, put on a military vehicle along with others, and never returned.

On 25 December 1997, **Médard Gashumba**, a medical assistant, was arrested, detained in the *cachot* (local detention centre) at Gabiro and released later the same day. On 26 December, soldiers came to his house, shot him dead and reportedly removed his body from the scene. His wife **Perpétue**, his four-year-old daughter **Liliane Ingabire** and two servants were led away and never seen again; it is presumed that they too were killed. Neither the body of Médard Gashumba nor that of his wife, daughter and servants were found. These killings are thought to be linked to a property dispute with the *bourgmestre* of Gabiro *commune* - a former RPA soldier -, who occupied one of Médard Gashumba’s houses. There are unconfirmed reports that the *bourgmestre* had personally ordered the release of Médard Gashumba on 25 December and was present when the soldiers went to his house to kill him.

In the days that followed, scores of people were reportedly seen being rounded up by soldiers from various locations in the area, often at night, and led away to an unknown destination. Among the victims were **Mugenzi**, his wife and seven children; **Abraham Ndumviriye**, aged around 80, his two sons, **Joseph Tegeri** and **Seth Rwamirera**, as well as their wives and children, his student grandson **Igirimbabazi**, another grandson **Festus Nkurunziza**, Festus Nkurunziza’s wife and two children; **Niyoyita** and his wife; **Nkende** and his sister **Kumuzana**; **Innocent Sebahire**, a teacher; an elderly man **Samuel Bizirumwera**, his wife and children.

The majority of the victims were former refugees in Tanzania who had returned to Rwanda in December 1996, when hundreds of thousands of Rwandese refugees were forcibly expelled from Tanzania. During their exile, most of their houses had been occupied; since their return to Rwanda, they had had to live in improvised “sheeting” while waiting for their property to be returned to them. Soon after their “disappearance”, the sheeting in which they lived was reportedly removed. In conformity with the pattern of “disappearances” across the country, many of the victims were originally from the northwest of Rwanda.

Around the same period - in late December 1997 and January 1998 -, more than 30 unidentified bodies were discovered in at least three separate locations in Umutara *préfecture*. It is not clear whether some of the victims were among those who “disappeared”, or in what ways these events may have been linked. On around 23 December, around 12 bodies were found in Rukara *commune*; some had reportedly been tied to trees and burned. On around 9 January, around 15 bodies were found in Murambi *commune*. On 22 January, 13 bodies were found at Kiziguro, also in Murambi. Soldiers prevented people from approaching the bodies to try to identify them.

The “disappearances” and other events in Umutara in December 1997 and January 1998 have received little public attention. Neither local nor national authorities are known to have taken any action to investigate them.

II.4 “Disappeared” found

Only in a small minority of cases are the “disappeared” found - often already dead. For example, **Jean-Damascène Munyaneza**, an education worker, “disappeared” on 5 January 1998 after being taken away from his home in Bicumbi, in Rural Kigali; his dead body was found, mutilated, two weeks later.

Frédéric Kayogora, a former school director, was arrested following his return to Rwanda from the Democratic Republic of Congo in May 1997. He was held for several months at the gendarmerie of Remera, in Kigali, then released. The authorities reportedly refused to give him a document confirming his provisional release. Frédéric Kayogora’s property in Kigali was occupied by military officials. In the second half of January 1998 he went to visit the illegal occupants of his house in order to negotiate for them to return his property. He never returned. His mutilated body was later found by members of his family at the morgue.

Jean-Marie Vianney Nsabimana, a shopkeeper in Kigali, aged 28 and recently married, “disappeared” on 4 December 1997. He was led away by three men in civilian clothes, at least one of whom was armed with a rifle. Several days later, his body was found in the morgue at Kigali hospital. His head had been bashed in and his body was already decomposing by the time it was found. A guard who claimed to have recognized one of the men who had led Jean-Marie Vianney Nsabimana away was arrested, then released after claiming he had made a mistake, allegedly after intimidation.

In a more unusual case, it was revealed that a Presbyterian pastor from Kibuye, **Siméon Nzabahimana**, and five other people, including **Hubert Bigaruka**, **Charlotte Bahiga** and **Jean Bizimungu**, who had “disappeared” in Kigali on 14 February 1998 were released safely, after being detained for two weeks without charge. They had been arrested by members of the security forces as they entered Kigali, apparently because they had given a lift to a suspected insurgent.

Their families had not been given any information about their whereabouts or their well-being until their release, despite extensive publicity of their “disappearance”.

II.5 Detention in military custody

Some of the “disappeared” are believed to be held in military custody but it is virtually impossible to verify their whereabouts. The military authorities continue to deny access to almost all military detention centres to detainees’ relatives, as well as to human rights and humanitarian organizations, including the International Committee of the Red Cross. Rare testimonies have been obtained from some detainees released from military detention centres, indicating that a large number of people may be held there, including civilians. The majority of those held in military camps have not been charged or had their cases put through any form of judicial procedure.

As with other prisons and detention centres in Rwanda, the conditions in military detention centres are of great concern - a concern heightened by the lack of access. Former detainees have described frequent practices of ill-treatment. One man who was detained at Muhoza military camp in Ruhengeri in early 1997 - and was killed a few months after his release - had been badly injured as a result of ill-treatment there. He reported that there were many detainees held at Muhoza, some of whom had been held there for many months, in very poor conditions with insufficient food. Describing these detainees, he said: “*It is as if they are dead*”.

Jean-Pierre Sibomana, an *inspecteur de police judiciaire* (judicial police inspector), was arrested by soldiers in Nyarutovu, Ruhengeri, in February 1998, and detained at Muhoza military camp. Subsequently, he was reportedly registered as having been released; however, sources have alleged that he was not released, but was taken from the detention centre and shot dead.

Another judicial police inspector, **Alphonse Kaburabuza**, “disappeared” on 28 December 1997 in Nyamugali, Ruhengeri. He was reportedly last seen in Base, with RPA soldiers who had arrested him. He was reportedly taken to a military detention centre, from where he was led away that same night, in a vehicle believed to be that normally used by local officials. He did not return. Local civilian officials who were alerted to his arrest reportedly stated that they would not intervene.

Martin Rugemangenzi was arrested on 15 December 1997 by RPA soldiers, in Nyakabanda *secteur*, Nyarugenge *commune*, in Kigali. Initially, he was known to be detained at a military camp in Kigali. However, when his relatives inquired, they were told that he was not held there. In January 1998, he was believed to still be detained there, but his whereabouts since that date are not known.

One of the many unresolved cases of disappearances of people believed to be in military custody is that of 112 former members of the *Forces armées rwandaises* (ex-FAR), Rwandese armed forces. They were among a group of around 155 Rwandese forcibly repatriated from Gabon in August 1997.⁴ Upon arrival in Kigali, 112 of the group were immediately arrested and taken into military custody. Access to them has been strictly denied ever since and their whereabouts remain unknown, despite repeated appeals for information and access from the United Nations High Commissioner for Refugees (UNHCR) and human rights organizations.

The group of 112 is believed to include individuals suspected of having participated in the genocide in Rwanda in 1994; however, none are known to have been formally charged or brought to trial. It is feared that they have been killed.

III. KILLINGS OF UNARMED CIVILIANS

Throughout 1997 and the first five months of 1998, thousands of unarmed civilians have been killed in Rwanda, some by RPA soldiers, others by members of armed opposition groups commonly referred to as “*infiltrés*” (infiltrators), others by unidentified assailants.

⁴ See Amnesty International Urgent Action 248/97 (31 July 1997, AI Index AFR 26/01/98) and updates of 11 August 1997, 12 August 1997 and 12 September 1997.

The majority of killings have occurred in the northwestern *préfectures* of Gisenyi and Ruhengeri, but since December 1997, the violence has spread to the central *préfecture* of Gitarama. Overall, the killings have tended to follow patterns similar to those documented in recent Amnesty International reports ⁵ - typically, attacks by armed opposition groups, followed by large-scale military counter-insurgency operations. There have also been cases of killings not immediately

preceded by or directly linked to armed opposition attacks.

Little information is available to the general public about the scale and nature of these killings. The picture projected by the media is heavily influenced by government control over information,

⁵ See in particular "Rwanda: Ending the Silence" (25 September 1997, AI Index AFR 47/32/97) and "Rwanda: Civilians trapped in armed conflict" (19 December 1997, AI Index AFR 47/43/97). These reports also provide background information on the armed conflict taking place in the northwest of Rwanda.

particularly regarding the armed conflict in the northwest. Attacks attributed to armed opposition groups sometimes receive extensive publicity, but killings of civilians by RPA soldiers are rarely reported. Killings where the perpetrators remain unidentified are often automatically attributed to the armed opposition, without independent verification. Restrictions on information are compounded by difficulties of access to many of the areas where killings take place. Most of the foreign journalists who have visited the northwest in recent months have done so with RPA military escort, thus severely limiting the likelihood or possibility of receiving information about human rights violations by the RPA. Many international media based outside Rwanda tend to rely on information provided by Rwandese government-controlled media or on briefings by government officials. This control of information has succeeded in distorting the overall picture of the human rights situation conveyed to the outside world, with the result that few people outside Rwanda are aware of the extent of the human rights violations taking place or of the fact that since 1997, a greater number of unarmed civilians have been killed by members of the Rwandese security forces than by armed opposition groups.

A resident of Gisenyi described the situation in January 1998:

“Toute ma famille a été décimée, ma femme, mes enfants et mes frères. Je reste seul. Je ne sais pas où aller. Je me sens vraiment perdu dans un monde très hostile et très féroce. Ils ont été tués par les militaires qui étaient à la recherche des miliciens [...] La communauté internationale devrait faire tout son possible pour venir au secours de ceux qui restent [...] on cache les informations: les étrangers ne peuvent pas savoir exactement que ce sont les paysans qui meurent alors qu'ils n'ont rien à faire avec les miliciens, et qu'ils ignorent même leurs visées. Les miliciens eux aussi ont tué [des] Tutsi, vous l'avez quelque fois écouté à la radio, point positif, mais quand c'est l'autre ethnie qui est tuée, on ne dit rien [...] Le Rwanda va vers un gouffre. Chez nous, il ne reste plus rien.”

(“My whole family has been decimated, my wife, my children and my brothers. I am alone. I don't know where to go. I feel really lost in a world which has become very hostile and very fierce. They were killed by soldiers who were searching for the militia [...] The international community must do all it can to come to the rescue of those who are left [...] Information is being concealed: foreigners cannot know that it is the peasants who are dying even though they have nothing to do with the militia and don't even know what their goals are. [...] The militia have also killed Tutsi, you can sometimes hear this on the radio, which is a positive point, but when it's the other way round, nothing is said. [...] Rwanda is heading towards an abyss. Here, there is nothing left.”)

III.1 The northwest - a region devastated

The scale and frequency of the violence in the northwest continued to increase in January and February 1998. In addition to the deliberate targeting of civilians by both parties to the conflict (see below), the military nature of the conflict was apparent as armed opposition groups appeared to become bolder in their tactics. Attacks by these groups on military as well as civilian targets were reported. Sources in the region reported that large numbers of RPA soldiers were being killed, sometimes more than 100 in a single incident. In early 1998, local sources claimed that

RPA soldiers were afraid to venture into certain areas in Gisenyi which had become virtual “no-go zones”, believed to be under the control of armed opposition groups; RPA soldiers would reportedly only go there for the purpose of carrying out a military operation with specific objectives, after which they would withdraw. Local civilian authorities - such as the *bourgmestres* of many *communes* - are no longer able to operate from their *communes* and have been compelled to move to Gisenyi town for their own security. The areas they have abandoned have been left without any form of recognized civilian authority or administration. According to some sources in the region, the armed groups have extended their control over certain areas to the extent that they are alleged to be running markets and distributing their own newsletters.

As described in recent Amnesty International reports, the civilian population living in these areas is trapped by the conflict. Those who are unable to flee the area for safety find themselves the inevitable victims of attacks by either party to the conflict. Some are killed in the cross-fire during clashes between RPA soldiers and members of armed opposition groups. But many more are targeted deliberately and arbitrarily as defenceless pawns in the tactics of both sides, especially those from vulnerable groups, such as the elderly and displaced populations. Some individuals are targeted specifically because of their perceived affiliation: RPA soldiers have killed many unarmed civilians who, they claim, are members or supporters of the armed opposition. Armed opposition groups have killed unarmed civilians accused of collaborating with the authorities. The population has no choice. They are likely to be killed by either side which suspects that they are cooperating with the other. There is no room for neutrality.

Young children have been among the innocent victims of this violence. Many have been killed; others have survived but have been deeply traumatized after witnessing scenes of brutal carnage. One 10-year-old boy in Rwerere *commune*, in Gisenyi, ran away from his home in January 1998, taking with him his two younger brothers, one aged 5, the other still a baby. He fled after seeing 10 people killed in front of him, including his parents and grandparents. Another boy, aged four, was found alive, with a rope around his neck, in Mutura *commune*, in Gisenyi, in early December 1997. He was lying next to his dead mother who had been beaten to death.

The population is also suffering from increasing shortages of food as a direct result of the armed conflict - a cruel irony, given that the northwest is among the most fertile regions of Rwanda. RPA soldiers have forced the population to cut down banana plantations, claiming that the insurgents use them as a hiding place. They have ordered the population in certain areas not to pick their crops. Peasants who have attempted to do so in defiance

of these orders have been directly threatened; some have been killed by government forces. In January 1998, a young man who refused to destroy his plantation was reportedly beaten by soldiers in Gisenyi. In early February, a peasant woman, Esther, and her teenage daughter were reportedly killed by soldiers after trying to harvest sweet potatoes in their field in Rugerero

secteur, in Rubavu *commune*, Gisenyi.

As part of the counter-insurgency strategy, a scorched earth policy is being carried out in many areas in the northwest, where homes and fields are being burned. In some instances, hundreds of houses have been burned, in what may amount to a form of collective punishment for the actions of armed opposition groups, directed at the civilian population living in the northwestern regions.

For example, on 9 and 10 February 1998, more than 100 houses were reportedly burned by RPA soldiers in the *communes* of Mukingo and Nkuli, in Ruhengeri, and Karago, in Gisenyi. Many of the houses are believed to have been empty as people had already fled; however, a number of people were burned alive in their homes, such as André Bayagiteto, an old man in his seventies, in Nyabirehe *secteur* in Mukingo.

Amnesty International delegates who visited Gisenyi in February 1998 described a countryside which was virtually unrecognizable in some areas. The hills which are normally green and lush bore all the visible marks of the devastation. Fields had been burned, crops destroyed. Houses stood empty with their doors hanging open; others had been burned. Whole villages seemed deserted. With a few exceptions, the only vehicles travelling the roads were armoured military vehicles.

Armed opposition groups have also forced the local population to supply them with food; those who refuse may pay with their lives. In some areas, they have reportedly tried to prevent peasants from selling their crops to markets in Kigali, claiming that they would be supplying “the enemy” (the government). Thus on 17 December 1997, more than 15 people from the area of Nkuli *commune*, in Ruhengeri, were reportedly killed by members of an armed group for trying to take their potatoes to a location from where they could be sold to traders taking them to Kigali.

Both RPA soldiers and armed opposition groups have carried out widespread looting of property, livestock, crops and other belongings, and have sometimes forced the local population to take part in looting. Many health centres and schools have had to close.

III.2 Weapons and military equipment fuelling the conflict

Despite overwhelming evidence of daily killings of unarmed civilians by both parties to the conflict in Rwanda, and despite repeated international condemnation of the continuing proliferation of small arms in the broader Great Lakes region, the RPA and armed opposition groups are continuing to obtain new supplies of weapons and equipment which they have used to commit violations of human rights and humanitarian law.

In addition to firearms, other types of weapons - such as bayonets, nail-studded clubs, machetes, knives and farming implements - have often been used to kill civilians in Rwanda. It is generally believed that such instruments are used mostly by armed opposition groups; however, several witnesses have reported independently that RPA soldiers have also sometimes used these weapons, as have armed Tutsi civilians carrying out attacks in collusion with the RPA.

Some arms dealers have supplied military equipment to both the former and present security forces in Rwanda with no apparent regard for human rights, perpetuating a conflict in which the majority of victims are unarmed civilians. Companies in Israel - using Eastern European links -, China and South Africa supplied weapons or military equipment to the former Rwandese armed forces before and during the genocide of 1994.⁶ Companies from these same countries have continued to supply arms and equipment to the RPA, sometimes arranged through companies in third countries.

In 1997, the RPA was reported to have received arms from Romania, with the assistance of an Israeli company based near Tel Aviv. According to articles published in the Romanian press in early 1998, a Russian-made aircraft, hired from a Ukrainian company, flew from the Romanian capital, Bucharest, to Kigali in April 1997. It was said to have been registered as destined for Ethiopia. The aircraft allegedly carried about 80 tonnes of armaments, such as machine guns, as well as ammunition. According to the press articles, these were listed as spare parts in documents of the Rwandese Ministry of Transport. One article alleged that weapons had also been sent to Rwanda from Romania in February 1997.

The Rwandese Government has reportedly obtained Russian-made MI-24 helicopters through a company based in South Africa.⁷ The RPA has continued to use military helicopters during its operations in areas inhabited by unarmed civilians. In the first few months of 1998, helicopters were flying daily from Kigali towards the regions of armed conflict in the northwest. Several sources in Gisenyi, Ruhengeri and Gitarama have reported that helicopters were being used not only for surveillance but also occasionally to attack areas where insurgents were believed to be hiding. An unknown number of unarmed civilians have reportedly been killed during some of these helicopter attacks.⁸

⁶ For examples of arms supplies to the former Rwandese armed forces in 1994 and 1995, see the Amnesty International report "Rwanda: Arming the perpetrators of the genocide" (13 June 1995, AI Index AFR 02/14/95).

⁷ RPA officers had previously attended an aviation and helicopter training course in South Africa in October 1996, as mentioned in the Amnesty International report "Rwanda: Ending the Silence" (25 September 1997, AI Index AFR 47/32/97).

⁸ Some examples are given in the Amnesty International report "Rwanda: Civilians trapped in armed conflict" (19 December 1997, AFR 47/43/97).

On 28 January 1998, a military cooperation agreement was signed between Rwanda and Zimbabwe, which has a major arms supply arrangement with China. It was announced that Zimbabwe would be involved in a training program for the Rwandese army and police. The timing and contents of this program have not been disclosed. Amnesty International is concerned about certain types of practices which might be reinforced by this training program, given the Zimbabwean police and military's own record of human rights violations. In particular, members of the Zimbabwean security forces were involved in shootings and beatings of Zimbabwean citizens in January 1998 during and after civil disturbances. Furthermore, Zimbabwe is reported to have provided military assistance, including weapons, ammunition and transport, to RPA soldiers operating in the Democratic Republic of Congo (DRC) and to the *Alliance des forces démocratiques pour la libération du Congo* (AFDL), Alliance of Democratic Forces for the Liberation of Congo, - which went on to form the current Congolese army. The AFDL assisted by RPA soldiers were responsible for the extrajudicial execution and "disappearance" of tens of thousands of unarmed civilians, including Rwandese refugees, in the DRC in 1996 and 1997. A Zimbabwean company has collaborated with a Chinese arms supply company to facilitate arms supplies to the AFDL.

The United States of America (USA) remains a close political and military ally of the Rwandese Government.⁹ The US authorities should clarify the relationship between the training they have supplied to members of the RPA in 1996 and 1997 and the RPA's counter-insurgency operations in 1996, 1997 and 1998 during which grave human rights violations have been committed. The US authorities should also clarify the exact role of US military personnel reportedly present in Rwanda - whether contracted by the US government or by private companies.

Recent arms supplies to armed opposition groups operating in Rwanda remain clandestine. Given the continuing arms embargo against members of the former Rwandese armed forces

⁹ Some details of military relations between the USA and Rwanda are contained in the Amnesty International report "Rwanda: Ending the Silence" (25 September 1997, AFR 47/32/97).

imposed by the UN on 17 May 1994 - more than one month after the genocide began - these forces can only receive new supplies of weapons through illicit means. Nevertheless, they appear to have been able to obtain weapons with relative ease, due to the proliferation of small arms in and around the Great Lakes region, the existence of networks of trafficking, and the close alliances between Rwandese armed opposition groups and armed groups operating in neighbouring countries, such as Uganda, DRC, Burundi and Angola. For example, in early 1998, there was a reported attempt by Sudanese government forces to bring together members of Rwandese armed opposition groups in exile, a Ugandan armed opposition group, the West Nile Bank Front, and DRC armed opposition groups, in the Garamba national park in northeastern DRC, near the borders with Uganda and Sudan.

In addition to arms which some members of the former Rwandese army brought back into Rwanda from exile, armed opposition groups operating inside Rwanda are known to have captured arms from attacks on RPA military positions. The escalation of the armed conflict in Rwanda - aggravated by killings of civilians by the RPA during counter-insurgency operations - has further fuelled the demand for arms by the armed opposition groups.

In April 1998, the UN Security Council adopted Resolution 1161 (1998), deciding to revive the UN Commission of Inquiry which had been set up in September 1995 to investigate supplies of arms and other equipment to the ex- *Forces armées rwandaises* (ex-FAR), the former Rwandese armed forces. The Commission of Inquiry had produced three reports, the last of which was finalized in 1996, but this report was not made public by the UN Security Council until a full year later, in December 1997. It contained detailed recommendations for follow up to the work of the Commission of Inquiry, which have not been implemented.

Amnesty International has supported the work of the Commission of Inquiry since its creation in 1995. It welcomes the resumption of its work and is continuing to cooperate with the Commission. However, Amnesty International urges the UN Security Council to broaden the Commission's mandate, in recognition of the fact that significant political, military and human rights developments have taken place in the region since the Commission last broke off its investigations.¹⁰ In particular, it should be recognized that it is not only the ex-FAR and associated armed groups but also RPA soldiers who are carrying out grave violations of human rights and humanitarian law - violations which have increased in frequency and gravity since the end of 1996. The mandate should reflect the fact that members of the armed opposition groups in Rwanda (whether composed of ex-FAR or other elements) are acquiring some of their arms and ammunition from capturing them from the RPA.

The commission should also carry out in-depth investigations into arms and military equipment supplied to the current Rwandese security forces and armed opposition groups by or through the

¹⁰ Major developments since 1996 include the attacks on the refugee camps in the former Zaire, carried out by the AFDL and RPA soldiers, in which tens of thousands of Rwandese refugees were killed or "disappeared"; the subsequent change of government in the former Zaire - now Democratic Republic of Congo - after the AFDL and its allies overthrew the government of former President Mobutu; the forced repatriation of hundreds of thousands of Rwandese refugees from the former Zaire, Tanzania and Burundi; and the significant escalation of the armed conflict inside Rwanda.

security forces and armed opposition groups of Burundi, the DRC and Uganda, as well as through other neighbouring countries. Close links are maintained between these forces and their counterparts in Rwanda, and the porous borders between these countries allow arms and military equipment to be transferred easily within the region. This broader perspective could make a significant contribution towards addressing the regional dimensions of the conflict in Rwanda and recognizing the devastating effects of arms transfers - whether legal or illegal - in fuelling massive human rights abuses in several countries in the region.

The UN Security Council should ensure that the Commission of Inquiry is given adequate political and financial resources to include these components in its mandate and should request the full cooperation of the governments concerned. Amnesty International urges UN member states to fulfill their responsibility to make the necessary financial contributions to ensure that the Commission can carry out its work effectively.

III.3 Killings of unarmed civilians by RPA soldiers

“Les militaires arrivent, ils brûlent, ils razzient, ils pillent. Notre maison a été brûlée, et nous avons pris la fuite. Et comme le malheur n’arrive pas seul, ma mère a été tuée [...] A 65 ans, elle n’a pas pu se sauver lorsque les hommes en armes approchaient, et elle s’est cachée dans un ravin. C’est alors que l’un d’entre eux l’a tuée d’une balle dans la tête [...] Personne n’ose pointer du doigt les assassins parce qu’ils ont la force des armes.”

“The soldiers arrive, they burn, they raid, they loot. Our house was burned, and we fled. And as misfortune is always followed by further misfortune, my mother was killed [...] At 65 years old, she couldn’t run away when the men with arms approached, and she hid in a ditch. That was when one of them shot her in the head [...] No one dares point the finger at the assassins because they have the strength of their arms.”

Anonymous testimony from Rwanda, April 1998

Thousands of unarmed civilians have been extrajudicially executed by RPA soldiers in the context of military search operations in the northwest. These operations are undertaken ostensibly to apprehend the insurgents, but in most cases, they have already left the scene by the time the army arrives. In some cases, armed Tutsi civilians have taken part in killings of primarily Hutu civilians, with the active or passive cooperation of the army; there have also been reports of RPA soldiers distributing arms to the local Tutsi population.

On 23 December 1997, a military operation was undertaken in Nyamutera *commune* in Ruhengeri. A number of people died as their houses were burned, including two sisters, **Liberata** and **Alphonsine**, and Alphonsine’s two young children - a boy aged five and a girl aged two.

In early January 1998, an unknown number of people were killed during and following clashes between RPA soldiers and members of an armed opposition group in Raba *secteur*, Rushashi *commune*, in Rural Kigali. Many civilians tried to flee the area to escape the fighting. Some elderly men and women who were unable to leave were reportedly killed in their homes by RPA soldiers during a military operation on around 6 January. The victims reportedly included

Bendantunguka and **Bahizi**, both in their seventies, **Sembagare** and **Kimonyo**, both in their eighties, and the wife of Ndumiwe, aged about 60.

On 13 January 1998, following a period of intensive military operations in search of insurgents in Kinigi *commune*, in Ruhengeri, RPA soldiers reportedly surrounded Kinege *cellule* in Gisasa *secteur*, and killed more than 60 people, including **Jaffet Kanyarwunga**, aged 61, his two wives **Sifora**, aged 63, **Marthe**, aged 57, and their four children, **Kayihura**, aged 71, **Ndahayo**, aged 14, and **Justine Mukabarera**, aged 23. A number of RPA soldiers and insurgents were also reportedly killed in the fighting which followed.

On 7 and 8 February 1998, around 100 civilians were reportedly killed by RPA soldiers searching for insurgents in Bushoby, Shonyi and Rugonero, in Kanama *commune*, in Gisenyi. Among the victims were **Pierre**, a builder, **Victor**, a former print worker, **Ndayambaje**, a peasant, and **Jeanne**, a woman trader.

Local sources in Gisenyi have reported that populations displaced by the fighting and killings have been encouraged by RPA soldiers to return to their home areas on the grounds that security has returned. During a public meeting in Busogo *secteur*, in Mukingo *commune*, Ruhengeri, on 19 February 1998, a local RPA commander reportedly told the displaced population: “*Il faut aller mourir là chez vous et non venir contaminer les autres*”. (“You should go and die there at home and not come and contaminate the others”). Many have had no choice but to follow these orders. In early February 1998, dozens of peasants who had returned to Basa *secteur*, in Rubavu *commune*, Gisenyi, having been told the area was calm, were rounded up by RPA soldiers and taken away in a military vehicle to the gendarmerie. In the early hours of the following morning, local residents heard the sound of gunfire around the gendarmerie for about two hours. The peasants did not return - it is presumed that they are dead.

From the end of February through March and April 1998, reports of armed conflict intensified in the central *préfecture* of Gitarama (see also below). On around 13 March 1998, following clashes between RPA soldiers and members of an armed opposition group at a commercial centre at Kayenzi, Gitarama, during which several people described as “infiltrators” were reportedly killed, RPA soldiers reportedly rounded up a number of local residents and accused them of assisting the armed opposition. At least seven people - two women and five men - were reportedly shot dead by soldiers in Kayenzi *secteur*, in Kayenzi *commune*.

Around early April 1998, an unknown number of people were reportedly killed by RPA soldiers in Kanyamatembe, in Kanama *commune*, Gisenyi. The victims included **Gasyomvono**, aged 15, **Ringira**, aged 13, **Birategetse**, aged 72, **Anastasie** and her 17 year-old son **Jules**; soldiers reportedly killed Anastasie when she protested that they were taking her son away.

Around 150 people were reportedly killed during a military operation on 12 May 1998 in Birembo *secteur*, in Giciye *commune*, Gisenyi. All the victims were described as unarmed civilians who were deliberately targeted by RPA soldiers. They included elderly people such as **Rubyeyi**, aged 84, **Bayazana Tamari**, aged 76, and **Bagirurwimo**, a local *responsable de cellule* (official) aged 67, and young children, such as **Uwamahoro**, aged nine. The soldiers reportedly also carried out looting in the area and burned more than 30 houses.

In May 1998, RPA soldiers surrounded several areas in Gakenke *secteur*, in Gatonde *commune*, in Ruhengeri. Scores of unarmed civilians were reportedly killed, including at least 40 people in Bukekera *cellule* - among them many elderly men and women and young children. The victims included **Hiram Mpayimana**, aged 60, his son **François Cyubahiro**, aged 34, **Jaffet Mvukiyehe**, aged 80, and his wife **Régine**, aged 75, **Alfred Sebatware**, a teacher in his thirties, **Atalie**, a woman aged 45, and three brothers, **Antoine** and **Zacharie Bipfuyekubaho**, both in their sixties, and **Bavakure**, in his fifties. RPA soldiers reportedly attacked the area with helicopters. It is not clear whether the above victims were killed in the helicopter attack, or whether they were shot dead by soldiers in their homes. Many houses were also burned.

Killings in Mukingo, Ruhengeri

The *commune* of Mukingo, in Ruhengeri, has been the scene of relentless violence, particular throughout January and February 1998. Several hundred civilians are reported have died during this period; many RPA soldiers and fighters of armed opposition groups have also been killed. Between 30 January and 24 February 1998, one local source counted more than 350 houses which had been burned, in at least six different *secteurs*.

In the aftermath of a military operation in Shingiro and Muhingo *secteurs* on 21 January 1998, more than 200 dead bodies were counted, around half of them young children and babies. The victims also included around 50 young men who had been taken to one side by RPA soldiers after they had gathered the population in Mucaca *cellule*, in Shingiro *secteur*. The soldiers then reportedly tied the men's arms behind their backs and shot them dead.

On 24 January 1998, more than 120 people were reportedly killed by RPA soldiers assisted by local armed Tutsi civilians in several *cellules* in Nyabirehe *secteur*. Some of the victims were killed with bayonets and knives; others had their heads crushed with large stones or rocks. Yet others, mainly women and children, were reportedly burned alive in their homes, including more than 20 people in Gahira *cellule*. Firearms were apparently not used. A local source described how the victims - particularly the men- were tied with their arms behind their backs to prevent movement. They were made to rest their heads on a large stone then they were hit on the head with another large stone. Witnesses who arrived on the scene soon afterwards reported seeing traces of blood and hair on rocks in the area. **Simon Kagano**, in his fifties, was among the victims who had his head crushed in this way. **Rukangagara**, a man aged about 75, died from multiple knife injuries. Amnesty International has received the names of more than 50 other victims of this massacre.

Amnesty International has also received the names of more than 120 people reportedly killed during military operations in Mukingo in February - including more than 20 in Rwinzovu *secteur* on 8 February; more than 70 in Shingiro, Kimonyi, Muhingo, Gikoro, Rwinzovu, Gataraga and Nyabirehe *secteurs* on 9 February; and more than 20 in Gataraga and Shingiro *secteurs* on 23 February. The majority of the victims were reportedly killed with knives, metal bars and stones.

On 21 February 1998, there were fierce clashes between RPA soldiers and insurgents following an ambush in Gikoro *secteur* by an armed opposition group in which around 20 RPA soldiers were reportedly killed. During a military operation to pursue the insurgents, RPA soldiers reportedly burned more than 50 houses in Gikoro and neighbouring *secteurs*. Many local residents fled the area for safety but some were unable to. Thus at least four elderly people were reportedly killed by RPA soldiers near the *commune* offices of Mukingo: **Nyiramarora**, aged 76, **Nyirabugese**, aged 84, and **Sebakara** and **Sebicyirare**, both in their nineties.

Fighting between RPA soldiers and insurgents has continued in Mukingo since March 1998 and further killings of unarmed civilians have been reported. For example, at least eight people were reportedly killed by RPA soldiers during a military operation in Rwinzovu *secteur* on 3 May 1998. The victims included **Harelimana**, aged 62, **Serugali**, aged 72, **Gahutu**, aged 12, and **Mahirwe**, aged 2. Soldiers reportedly also carried out widespread looting of cattle and other livestock belonging to local residents.

Killings in Rubavu, Gisenyi - January 1998

Amnesty International has received detailed information from several independent sources about the massacre of more than 300 unarmed civilians during military operations in Muhira and Rugerero *secteurs*, in Rubavu *commune*, Gisenyi, in the first half of January 1998. The worst killings appear to have taken place at Keya, in Muhira *secteur*, on 11 January. This military operation appears to have been undertaken in response to an attack by an armed opposition group on 10 January in the neighbouring *commune* of Nyamyumba, in which several people were killed and local government offices and vehicles set on fire.

On around 5 January, local authorities in Gisenyi held a public meeting in which they reportedly warned the population that they would be punished if they did not denounce insurgents in the area. Attendance at the meeting was compulsory - soldiers fetched people from their homes to take them to the meeting, even those who were sick. During and after the meeting, soldiers reportedly killed around 30 people in the area. Some of those who were led away by soldiers under the pretext of taking them to the meeting were reportedly killed along the way. For example, **Sebazungu**, his wife and several other relatives were reportedly burned alive in a house in Murara *secteur*.

In the morning of 6 January, scores of people were reportedly killed in Rugerero *secteur*, some in their houses, others outside. On around 11 January, a further 30 people who had fled to the neighbouring *commune* of Nyamyumba to escape the violence were reportedly killed there. Some - such as **Thérèse Sukiranya**, an elderly woman **Suzanne** and her daughter **Nyirahumure** - were reportedly shot dead and their bodies burned; they were later buried in mass graves. Other bodies were found on the riverbank.

On 11 January, RPA soldiers carried out a further military operation in Muhira *secteur*. Among those killed in their homes were **Wenceslas**, aged 42, and his brother **Joseph Twagiramungu**, aged 34, who were reportedly ordered to kneel and were shot dead on the spot.

Soldiers then surrounded Keya *cellule* and killed between 200 and 300 people there. According to one witness, the soldiers rounded up the inhabitants and gathered them in three places, separating the men, the women and children. After taking any money the victims carried on them, the soldiers reportedly shot them dead. Others were killed in their homes. The soldiers then reportedly piled up the dead bodies in houses and set fire to them.

Amnesty International has received a list of the names of more than 200 victims of those killed at Keya, including **Emmanuel Rutikanga**, a judicial official, and his wife **Thérèse Mujawayezu**, a primary school teacher - both in their thirties-, and their four children; **Frida Mukamwezi**, a former nurse in her twenties; **Angéline Ndavakure**, a widow aged 45, and her six children; **Alphonse Mihigo**, a schoolteacher aged 43, his wife **Philomène Murekatete**, aged 39, and their seven children, the youngest four years old; **Dismas Sinumyavo**, aged 68, his wife **Cécile**, aged 65, their sons **Vincent** and **Vianney** - as well as Vianney's wife **Florida** and their six children - and their five daughters, **Dative Uwimana**, **Pélagie Uwamahoro**, **Consolée Mukamuhire**, **Illuminata** and **Béata**; **Spiridion Ndimubanzi**, a carpenter aged around 70, his wife, and their four youngest children; **Jean**, aged 70, and his wife **Margarita**, aged 69; **Ignace**, aged 53, his wife **Thérèse**, their six sons **Janvier**, **Jean-Damascène**, **Théogène** and **Kigingi**, all in their twenties, **Pierre**, aged 18, **Edouard**, aged 17, their daughter **Nyiramuha** and two daughters-in-law **Innocentia** and **Maria**, all in their twenties, and their four grand-children, the

eldest only four years old; **Magdalene Nyirangaruye**, aged 60, and her daughter **Midari**, aged 40; **Mushamburere**, aged 43, his wife, **Régina**, and their seven children; **Godefroid**, aged 48, his wife **Astérie**, and their eight children.

Three people who survived were reportedly killed in the following days as they returned to the area to try to collect their belongings.

In the morning of 12 January, RPA soldiers surrounded Rugerero *secteur* and went from house to house, reportedly shooting at any person who happened to be in the area and killing more than 30 people. Among the victims were **Emmanuel Mirasano**, aged 57, former *bourgmestre* (local government official) of Rubavu, and around 20 people who had sought refuge in his home, including **Blandine Nyiragire**, her husband and four children (the youngest only six months old), **Théogène**, aged 14, and five other children who had been orphaned after their parents were killed during military operations in August 1997. Emmanuel Mirasano's cousin, **Dieudonné Iyamuremye**, aged 32, who lived in Gisenyi town, visited the scene of the massacre in Rugerero on 13 January. He was killed at his home in Gisenyi three days later, on 16 January, along with his brother Janvier Kwisanga, aged 22. Dieudonné Iyamuremye may have been specifically targeted because he had witnessed the immediate aftermath of the massacre and had disclosed some of the information.

On 14 January, five RPA soldiers came to the home of an elderly woman, **Elisa Ntamakiriro**, aged around 70 or 80, in Rasamaza *cellule*, in Muhira *secteur*. The soldiers reportedly ordered her to undress in front of her house and shot her in the mouth. They also killed **Pontien Turimubumwe**, aged 22, who had been living with Elias Ntamakiriro after his own mother and sister had been killed in August 1997.

Rubavu had been already the scene of extensive violence since October 1997, following a period of heavy fighting between RPA soldiers and members of armed opposition groups. Local sources claim that nearly 400 people were killed there between October and December 1997, most of them in Bulinda and Murara *secteurs*, others in Rugerero, Muhira and Gisa. The sources have attributed most of the killings of civilians during this period to RPA soldiers. Amnesty International has received the name of more than 150 of the victims, including men, women and children, in some cases whole families. RPA soldiers and armed opposition fighters were also killed.

Further information on killings in Bulinga, Gitarama, in December 1997 and April 1998

In its report "Rwanda: Civilians trapped in armed conflict" published on 19 December 1997, Amnesty International reported a number of killings in Bulinga *commune*, in Gitarama, during and following an attack by armed groups on the *cachot* (local detention centre) on 3 December. The organization has since gathered further information on events which took place in the following

days. The helicopter attack by the RPA - which immediately followed the attack by armed groups in Bulinga - took place not in Bulinga itself, as initially reported, but in the neighbouring *commune* of Nyabikenke.

On 4 December, a number of people were killed in Bulinga in what appeared to be an RPA reprisal operation for the attack by the armed groups. The victims in Remera *secteur* included **Kanyogote** and eight other people who were at his home, including his grandson; **Mathias Niwanshuti**, his wife and children; Rusatsi's two sons and the son of a woman called Languida.

On 11 December, RPA soldiers reportedly killed a number of people in Nyarutovu *secteur*, including **Jean Gashumba**, **Eulade Ntawirinda**, **Virginie**, **Ruberakurora** and **Nsabimana**. This appeared to be a reprisal operation by the RPA following an attack on 10 December attributed to an armed opposition group (see below).

During December, RPA soldiers also killed a number of detainees who had been freed from Bulinga *cachot* on 3 December, some of whom had not reported their release to the local authorities, as they had been required to do. The victims included **Alphonse**, **Semanwa**, **Gaheto** - a carpenter - and an electrician known as **Makanika**. On 13 December, a former teacher, **Narcisse Nsengiyumva**, and **Célestin Uwizeyimana**, known as Kibuye, were reportedly killed by members of the security forces in the presence of a local civilian official. **Thomas Ngendahimana** - a former local official -, his wife **Dative Kakuze** and his son **Anaclet Kayitano** - all former detainees who had been told to register at the local office after their release - were killed on around 6 December. Others were killed in the *cachot*: several detainees including **Désiré Degeri** - a former accountant -, **Rugwizangoga** and **Mbarubucyeye** were reportedly called out by soldiers and shot dead. Other victims included a former teacher, **Boniface Rugwizangoga**, and his wife **Perpétue Nyirabakiga**, who were reportedly killed behind the local government offices on around 26 December.

Relatives of some detainees were also targeted; **Florent Ntabashwa**, aged around 20, whose father had been in detention, was shot dead at his home in early December after he failed to reveal his father's whereabouts to soldiers who questioned him.

In late December, two primary school teachers, **Jean-Baptiste** and **Kabano**, were reportedly picked up by military and civilian authorities as they were walking along the road. They were arrested and detained in the *cachot* at Bulinga. The following day, they were reportedly no longer there. The day after, their bodies were found in a ditch; they had been killed with hammers and clubs.

On 9 or 10 April 1998, there was another attack on the *cachot* at Bulinga, the exact circumstances of which are not confirmed. A number of detainees who were released during the attack returned to the *commune* office to register, as requested by the local authorities. At least 12 of those who returned were reportedly killed, including **Jean-Baptiste Havugimana** - a teacher -, **Sylvère Habyarimana**, **Léonidas Ntamashakiro**, **Jean-Damascène Munyampirwa**, **Fidèle Kamonyo**, **Epaphrodite Ntampaka** and **Jean Ntabashwa**.

Controversy over the Nyakimana cave massacre

In its report of 19 December 1997, "Rwanda: Civilians trapped in armed conflict", Amnesty International reported that many unarmed civilians, estimated by local sources to number between 5,000 and 8,000, were killed by RPA soldiers in a large cave at Nyakimana, in Kanama *commune*, Gisenyi, between 23 and 28 October 1997. Amnesty International's account of this massacre has been called into question by representatives of the Rwandese Government. Since publishing its report on 19 December, Amnesty International has gathered further information which confirms that the events at Nyakimana took place in the circumstances described. However, as originally stated, the total number of victims remains unknown as the bodies have not been recovered; neither has it been possible to ascertain how many were directly killed by RPA soldiers and how many may have died of starvation, thirst or other causes.

Following extensive publicity of reports of this massacre, representatives of foreign governments and international organizations were invited to visit the site by the Rwandese authorities and were shown entrances to the cave. However, neither the Rwandese authorities, nor any foreign government, nor local or international organizations have carried out an investigation into the

deaths which occurred inside.

Among those taken to the cave entrance in December 1997 was David J. Scheffer, the US Ambassador at Large for War Crimes Issues, who was visiting Rwanda for the primary purpose of investigating the massacre of more than 300 Congolese refugees by an armed opposition group at Mudende, Gisenyi (see below). Like others who were escorted to the site by RPA soldiers, he was not able to carry out any in-depth investigation. Yet in his report of 16 December 1997, he

concluded: “*There is no visibly credible evidence that thousands of civilians were killed by RPA forces at the volcanic caves [...]. However, there is evidence that humans have died in the caves.*”

The report states: “*The smell of death [...] was not as overpowering as I have experienced at grave exhumations where there are hundreds of bodies [...] If there were thousands of dead bodies in the caves, the smell of death would have been much more powerful and the flies more numerous. I also doubt the RPA could have, or would have desired, to enter the caves in order to commit such large-scale killings.*” The report recommends that US representatives in Rwanda continue to monitor the RPA presence at the cave openings, as well as the number of civilians returning to the area around the cave, and stand prepared to examine human remains in the caves when security permits. Six months later, the US government is not known to have followed up this recommendation.

Amnesty International appreciates that widespread insecurity in the area and lack of the necessary technical equipment may have prevented an immediate investigation inside the cave. However, such an investigation remains critical to establish the truth about the events and to inform the families of the victims. Amnesty International is calling for an urgent independent investigation into this case and for foreign governments or inter-governmental organizations, including appropriate United Nations agencies, to provide the necessary technical, financial and security resources to undertake it. The Rwandese authorities should provide their full cooperation to enable the full truth to be told. Amnesty International remains ready to correct its earlier statements should an independent investigation demonstrate that they were inaccurate.

III.4 Killings of unarmed civilians by armed opposition groups

Killings of unarmed civilians by armed opposition groups have also increased in recent months. The exact composition, leadership and organization of these groups remains unknown. They are believed to include members of the ex-FAR and associated militia who participated in the genocide in 1994, but the proportions of old and new combatants are unknown.

While in some cases, Tutsi civilians appear to be the specific target of their attacks, in an increasing number of incidents, Tutsi and Hutu have been killed without distinction. Some Hutu civilians have been specifically targeted for their alleged role as collaborators or informants of the authorities, others for refusing to join the armed groups - there are regular reports of forcible recruitment. Civilian authorities at the local levels - such as *responsables de cellule* or *conseillers de secteur* - have also been targeted. Ambushes in which vehicles are set on fire and passengers killed indiscriminately remain a regular tactic of the armed opposition. Public buildings, such as local government offices and schools, have also been attacked. Residents of the areas where the armed groups operate have reported that written messages are often found in various locations, warning of imminent attacks.

In the night of 10 December 1997, several people were killed in Nyarutovu *secteur*, in Bulinga *commune*, in Gitarama, in an attack attributed to an armed opposition group. The victims included **Joseph Nzirorera**, **Boniface Musoni** - *responsable de cellule* (local official) of Kinigi -, **Augustin Harindintwari** and **Révérien Ntubugaruka**. These killings took place in the

aftermath of an attack on the *cachot* at Bulinga on 3 December and reprisal killings attributed to the RPA (see above).

Armed opposition groups are believed to have been responsible for several attacks in the *préfecture* of Rural Kigali in late 1997, in particular in Rushashi *commune*. For example, on 17 December 1997, a local official, **Jean-Damascène Bimenyimana** - *conseiller de secteur* of Minazi - was killed, along with his mother, **Judith Dusengimana**. It is believed he was targeted because he was a government official; he had reportedly denounced suspected insurgents and organized their arrest.

On 27 December 1997, armed men killed around 28 members of three families in Kabaya *secteur*, Nyakinama *commune*, in Ruhengeri. Some of the victims were suspected of having disclosed the whereabouts of armed groups to the RPA. Also in late December, at least nine people suspected of being close to the authorities were reportedly killed in Mburabuturo, Nkuli *commune*, Ruhengeri, in Murambi and Gitega in Gaseke *commune*, Gisenyi, and in Bumba, Karago *commune*, Gisenyi.

Six people accused of collaborating with the RPA were reportedly killed by an armed group in Rwinzovu *secteur*, Mukingo *commune*, in Ruhengeri, on around 9 January 1998. The victims include **Ayinkamiye** - a woman in her twenties -, **Bamenyakunda**, aged 22, and **Théophile Tegereza**, aged 17.

Armed opposition groups are believed to have been responsible for the death of around 40 people in an attack on a bus carrying workers of a brewery in Gisenyi on the morning of 19

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Inside the BRALIRWA brewery bus
after the attack of 19 January.
Many of the bodies were unrecognizable
as they had been burned to cinders.

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Many of the passengers were trapped inside the bus
and burned alive.

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Gisenyi hospital: one of the passengers injured in the attack
on the BRALIRWA brewery bus, but who survived.

the victims of the BRALIRWA bus attack, Gisenyi.

January 1998. The bus was carrying around 80 passengers - most of them employees of the *Brasserie et limonaderie du Rwanda* (BRALIRWA), the main national brewery and lemonade company - when it was ambushed on the main road, a few kilometres from the brewery, in Nyamyumba *commune*. The assailants reportedly shot at the tyres of the bus then poured petrol over it and set it alight. Many passengers were trapped inside and were burned alive. By the time people came to the scene, many of the bodies were unrecognizable as they had been burned to cinders. Around 10 people were shot dead outside the bus as they tried to escape. In total, around 40 people were killed, including both Hutu and Tutsi; at least as many were seriously injured. The victims included **Jean Munyamashara, Barnabé Ruberwa, Gonzalve Karangura, Athanasie Muhimpundu, Bishirandora, Marie Masengesho, Adamu** and his wife, **Maisha Munyakazi, Vénuste, Ignace Habyarimana, Godefroid, Jean-Damascène** and **Aimé**.

Most of the people interviewed by Amnesty International attributed this attack to armed opposition groups. However, a few claimed that those responsible for the attack may have been RPA soldiers.

Within a period of just two days, around 100 civilians were killed in two separate attacks attributed to armed opposition groups. On the evening of 5 February 1998, more than 40 civilians were killed and more than 20 injured in an attack by an armed opposition group in Nyamutekera and Kabatezi *cellules*, in Jenda *secteur*, Nkuli *commune*, in Ruhengeri. Among the victims were **Sebahutu, Mucocori, Rudatinya, Nzabarinda** and **Gaudence**.

The following day, reprisal killings were reportedly carried out by Tutsi civilians assisted by RPA soldiers; the number of victims of the reprisal killings is not known. On the night of 6 to 7 February 1998, members of an armed opposition group killed a further 50 to 60 civilians, men, women and children, both Hutu and Tutsi, at a settlement of displaced persons at Byahi, just north of Gisenyi town. The victims were reportedly killed with machetes, bayonets and knives. Many others were wounded.

On the night of 29 to 30 March 1998, nine people were reportedly killed by members of an armed opposition group in Nyabikenke *commune*, in Gitarama. The victims included **Charles Komezza** and his wife **Laurence Nyirampundu**, both in their seventies, **Fidèle Nkejabagabo** and his two sons. It is believed that Charles Komezza had been particularly targeted because he was believed to be collaborating with the authorities. His body and that of his wife were reportedly found decapitated.

During their visit to Rwanda in February 1998, Amnesty International gathered further information on the massacre of more than 300 Congolese refugees by armed opposition groups in Mudende, Gisenyi, on 11 December 1997.¹¹ At Gihembe refugee camp in

¹¹ For details of this massacre, see Part III.2 of the Amnesty International report "Rwanda: Civilians trapped in armed conflict" (19 December 1997, AI Index AFR 47/43/98).

Mudende refugee camp, Gisenyi, after the attack on 11 December 1997 in which more than 300 Congolese refugees were killed.

Congolese refugee who witnessed the massacre at Mudende. He was shot in the leg but survived.

were

Congolese refugee women whose relatives among the victims of the attack at Mudende.

Byumba, northern Rwanda, where the refugees were transferred after the attack, they interviewed witnesses of the massacre and many refugees whose close relatives had been killed. One man, who had been shot in the leg, described watching the attack from the window of a building in the camp. An elderly woman, whose eldest son and two grand-daughters aged 2 and 3 had all been killed, had watched the killings from a hiding place under a bed in the health centre. More than 100 people were in the health centre at the time; she said she was the only survivor. She stayed under the bed until the following morning. The victims of the massacre included **Kwitegetse** and her 18 year-old son, **Nyirakamodoka** and her five-year-old son **Mavuo, Edouard**, aged 2, **Domina**, aged 36, and her two-year-old daughter, **Nyirabagisha** and her two children aged under 2, **Midagu**, aged 72, **Rutsibuka**, aged 70, **Joli**, aged 10, **Nyarameteri**, aged 45, **Kyarankotsa**, aged 30 and her two-year-old son, and **Nyarabukara**, aged 16.

In addition to the above cases, the Rwandese News Agency has frequently reported other cases of killings attributed to “infiltrators”. In many cases, it has not been possible to verify the exact circumstances and scale of these incidents or confirm the identity of the perpetrators.

III.5 Killings where the identity of the perpetrators has not been established

The identity of those responsible for many deliberate and arbitrary killings of civilians has not been established. Often there are no clear indications as to their identity or motives, making investigations difficult. In other cases, there are conflicting claims and interpretations as to whether RPA soldiers or members of armed opposition groups were responsible for particular incidents.

A wave of killings took place in Rushashi *commune*, Kigali Rural, in November and December 1997 and January 1998. Many local civilian authorities were among the victims. For example, on 13 November, 12 people were killed when several houses were attacked in Gatare *secteur*, Rushashi *commune*. The victims included **Athanase Rugwizimbaraga** - the *conseiller de secteur* (local government official) of Gatare -, his two wives and three sons. There are contradictory reports as to whether the killings were carried out by members of an armed opposition group or by RPA soldiers.

On 25 December 1997, a few days after clashes between RPA soldiers and armed groups, more than 50 people were reportedly killed in several different locations in Raba *secteur*, Rushashi *commune*, in Rural Kigali. Some were killed with firearms, others with traditional weapons. The victims included **Albert Mivumbi** and his children, **Matako**, his wife and three children, **Rukera**, his wife and two children, the *responsable*

de cellule (local government official) of Mutara, the wife of the *responsable de cellule* of Bikonde and her four children. The identity of the perpetrators has not been confirmed. On 7 January 1998, a former teacher and local government official, his wife and children were killed by armed men in military uniform in Muyongwe *secteur*, Tare *commune*, in Kigali Rural. Their 12-year-old son was the only survivor. The identity of the perpetrators and the motives for the killing are not known.

On 2 January 1998, a priest **Abbé Jean-Marie Vianney Nsengumuremyi** was shot at while driving his car in Rugerero *secteur*, in Rubavu *commune*, Gisenyi. He survived with serious injuries to his leg and thigh. The attack was carried out by about 10 unidentified armed men. It is not clear whether Jean-Marie Vianney Nsengumuremyi was specifically targeted and if so, why. Several other vehicles were attacked along the same road in the following days.

Some attacks have been publicly and officially attributed to armed opposition groups, but reliable sources have indicated that RPA soldiers may have been responsible. One such case was an attack on a convent at Busasamana, in Mutura *commune*, Gisenyi, in the night of 7- 8 January 1998, in which six nuns of the Sisters of the Resurrection and three other people were attacked with machetes. Five nuns were killed outright: **Sisters Berthilde Mukamuhire, Epiphanie Gasigwa, Césarine Uwimana, and Xavéra Mukagakwaya** - all in their early thirties - and **Félicité Benimana**, aged 41. Two others were gravely injured and left for dead. One of them, **Sister Devota Rwangeyo**, who was shot in the head, died from her injuries in hospital a few weeks later, in early February. Three other people - a guard who worked at the convent and the wife and brother of the parish catechist - were also killed. Despite advice that they should evacuate the area due to widespread insecurity in Mutura, the nuns had insisted on staying there in order not to abandon the local population; they apparently believed that they would not be targeted, as they viewed themselves as neutral and not involved in politics. One possible explanation for why they were targeted may be that they had reportedly provided lodging at the convent to people whose houses had been burned by RPA soldiers.

On 28 January 1998, **André Ndikumana**, a former judge, and his servant, **Joseph Nyampeta**, were strangled in their home in Cyangugu, southwestern Rwanda. The perpetrators reportedly wore military uniforms but their faces were concealed. Just a few weeks before his death, André Ndikumana had started working as an interpreter and representative for *Avocats sans frontières*, Lawyers Without Borders, a Belgian non-governmental organization working in Rwanda to provide legal assistance to victims and defendants in the trials of those accused of participation in the genocide. It is unclear why he was killed. Some believe it may be linked to his work for *Avocats sans frontières*. Several other lawyers working for the organization have been victims of human rights violations; one “disappeared” in January 1997, another was arrested in September 1997 and is now in prison on charges of participation in the genocide; several others have been threatened. Another theory is that André Ndikumana was killed in the context of a property dispute; a few weeks before his death, his house, which had been illegally occupied, had been returned to him.

On 31 January 1998, a Croatian Catholic priest, **Father Vjeko Curic**, was killed in central Kigali. A man - described by some as wearing military uniform, by others as wearing civilian clothes - shot him several times in the chest. Before he died, Father Vjeko, who carried a gun for his own protection, had time to fire one shot which wounded the aggressor on the leg. The aggressor was seen running away from the scene. According to some sources, he was taken to hospital; according to others, he was apprehended and left in the custody of a local official, but reportedly escaped soon afterwards. Whichever version is correct, no progress is known to have been made in official investigations into the assassination of Father Vjeko, despite a high level of publicity surrounding his death and the potential availability of several witnesses to the killing.

Father Vjeko had been living in Rwanda for more than 15 years, based in the diocese of Kabgayi, in Gitarama. He was known for helping both Tutsi and Hutu communities. Several senior members of the Rwandese Government attended his funeral. Father Vjeko had been threatened and narrowly escaped attack on several previous occasions, and knew he was at risk. To date, Amnesty International is not in a position to confirm any of the reasons for his assassination which have been advanced; they include reports that he possessed extensive information about human rights abuses, potential disputes with soldiers who had reportedly put pressure on him to provide houses for them, whereas his program of housing assistance was directed towards vulnerable groups, and tensions among colleagues over the financial budget he managed.

On 26 February 1998, around 10 people were killed in Bihembe *secteur*, in Bicumbi *commune*, Rural Kigali. The victims included **Habimana**, his wife and their five children. The killing may have been related to steps which Habimana had just initiated to claim back his property. However, there is insufficient evidence to indicate who was responsible.

On 13 May 1998, an unknown number of civilians were killed in Mukirangwe and Nyarutembe *secteurs* in Nyamutera *commune*, Ruhengeri. Among the victims were several elderly men and women including **Hélène Nyiragahinda**, aged 86, **Ancile**, aged 66 and partially blind, **Nyirahire**, **François Kimonyo**, and others including **Ragwiba**, **Patricie** and **Athanasie**.

Ezechiel Ndibwami, a judge at the *Tribunal de première instance* (court of first instance) in Ruhengeri, was killed in the night of 27-28 May 1998 at his home in Ruhengeri town; he had been decapitated. The identity of the perpetrators has not been established. The motive for his killing may be connected with his functions as a judge in trials of people accused of participation in the genocide in 1994.

Killings in Gitarama

At the end of February 1998, violence flared up again in several *communes* in Gitarama *préfecture*. During March and April, there were clashes between RPA soldiers and members of armed opposition groups and reports of killings of unarmed civilians by both sides in several *communes*, including Bulinga, Mushubati, Nyakabanda, Kayenzi and Rutobwe. Some examples are given above, of cases where evidence pointed to the involvement of either RPA soldiers or armed opposition groups.

In addition, on 6 March, 11 people were killed in Mara *secteur*, in Rutobwe *commune*, including **Rukeratabaro**, his two sons **Gérald** and **Adrien**, his daughter and his grandson, and several members of the family of Gisagara. At least 10 civilians from Cyubi *secteur*, also in Rutobwe were reportedly killed between 9 and 13 March, including **Sylvère Karera**, his wife **Marthe**, his son **Gaetan**, his daughter **Mélanie** and his father, **Makashi**. The identity of the perpetrators of these killings is not confirmed. In the night of 8 to 9 March, nine other people were killed in Murara, also in Rutobwe; the victims included **Blandine**, a woman in her eighties, several schoolchildren, and **Kamananga**, aged about six. In this case, local sources have identified several local RPA soldiers who they believe may have been involved in the attack.

On 10 April, more than 20 people were reportedly killed with traditional weapons after being made to gather inside a house in Musambira *commune*, in Gitarama. They included **Gérard Habimana**, his wife **Nyirakimonyo** and their three children; **Benoît Murihano**, his wife **Mukankinzi** and their five children, **Catherine Urayenzeza**, her two sons and two daughters; and **Bélandile Mujawayezu**. The killings were attributed to insurgents. However, some local sources have claimed that they were carried out with the complicity of RPA soldiers from the region who may have been acting in revenge for the killing of members of their own families during the genocide.

The following evening, on 11 April, the *préfet* of Gitarama, **Désiré Nyandwi**, narrowly escaped being killed as his car was shot at in Nyamabuye *commune*. His driver was killed, as were several other people travelling in two separate vehicles which were reportedly set on fire; the victims included three women. The identity of the perpetrators is not confirmed.

Discoveries of unidentified dead bodies

A number of mostly unidentified dead bodies have been discovered in various parts of Rwanda. This phenomenon appeared to intensify in Kigali and its outskirts around the end of December 1997 and January 1998. One man counted 12 unidentified bodies found in the streets of Kigali over a three-week period, around Christmas and New Year. Some had had their throats slit, others had been decapitated, others had been knifed in the

back. Around November 1997, eight bodies were reportedly found near a Roman Catholic youth centre in Gikoro, in Kigali; the bodies bore gunshot wounds. If the families of the deceased can't be identified or located, the bodies are simply buried. In most cases, it is believed that the victims were not killed on the spot where they were found, but that their bodies were dumped there. The government has stated that it is

investigating these deaths but the conclusions of its investigations are not known.

One of the rare cases where a body found in these circumstances is known to have been identified is that of **Placide Rurangirwa**, a man in his thirties from Ruhengeri, who was last seen on 1 January 1998 at Gisozi, near a military camp in Kigali. His dead body was discovered the following day.

Dead bodies have also been found in other parts of the country. In late December 1997 and January 1998, more than 30 unidentified bodies were found in three separate locations in the eastern region of Umutara (see Part II.3 above). In the regions affected by the armed conflict in the northwest, the discovery of dead and sometimes mutilated bodies is a common occurrence. According to local residents of Gisenyi, bodies are often found washed up on the shores of Lake Kivu.

IV. THE RWANDESE GOVERNMENT'S RESPONSE TO DENUNCIATION OF HUMAN RIGHTS ABUSES

IV.1 The government's response to Amnesty International

In February 1998, Amnesty International held meetings with Rwandese government authorities and members of the security forces, including several senior officials in the President's Office, the Ministry of Justice and the Ministry of Foreign Affairs, the Military Prosecutor and the Chief of Staff of the Gendarmerie. Amnesty International delegates raised the organization's concerns about the human rights situation in Rwanda, as well as specific cases of killings and "disappearances", including some of those mentioned above.

The reactions of the authorities varied. Some officials appeared genuinely committed to improving the human rights situation and assured Amnesty International that investigations into cases of killings and "disappearances" were underway, but highlighted that especially with "disappearances", it is often difficult to reach clear conclusions about the identity of the perpetrators. Others reacted in a more hostile manner, accusing Amnesty International of publishing false and unverified information in an attempt to tarnish the image of the Rwandese Government; they claimed that Amnesty International was working with opponents of the government. One official, referring to the organization's recent reports on Rwanda, warned that Amnesty International would get itself into a difficult situation if it continued publishing such reports.

Overall, the authorities claimed that the human rights situation was not as bad as portrayed in Amnesty International's and other organizations' reports and that significant steps were being made towards ensuring greater protection of human rights. They claimed that most killings of unarmed civilians were carried out by armed opposition groups. In cases attributed to RPA soldiers, they claimed that those killed were not civilians, but insurgents, or civilians actively supporting the insurgents. They stressed the difficulty in distinguishing civilians from insurgents, claiming that insurgents deliberately mingle with the local population. However, they did not acknowledge that even if some of those described as civilians were in fact insurgents, government forces have a legal

responsibility not to kill anyone who does not pose an immediate threat to life, who is unarmed or is *hors de combat*.

Some authorities recognized that there had been cases where RPA soldiers had extrajudicially executed unarmed civilians. They claimed that such cases were followed up and those responsible brought to justice. The Military Prosecutor claimed that no known case of human rights abuse was left uninvestigated or unpunished. However, despite repeated requests from Amnesty International, the authorities have never provided details of the exact number of such cases where RPA soldiers have been arrested, charged and tried in connection with human rights violations, nor their identity or the specific crimes of which they were accused.

Among the few exceptions were two RPA soldiers who were summarily executed in January 1998 for their alleged role in two murder cases.¹² The authorities justified these summary executions - which took place without any form of judicial procedure - on the grounds that they would act as a deterrent. They provided assurances that summary executions would not continue.

In response to criticism of its research methodology, Amnesty International repeatedly asked for specific examples of cases which the authorities believed had been wrongly portrayed, and in what way. The authorities generally proved reluctant or unwilling to provide specific examples but continued to reiterate that Amnesty International's information was false. In response to assurances that the government was investigating all reported cases of extrajudicial executions, Amnesty International raised several examples of well-documented massacres attributed to RPA soldiers in 1997 and 1998 but received no reply from the authorities as to the progress or results of their investigations into these cases.

Since April 1998, relations between Amnesty International and the Rwandese Government have deteriorated. A diplomatic representative of the Rwandese Government refused to meet Amnesty International's Secretary General, on the grounds that the government was reviewing its relations with the organization. Nevertheless, Amnesty International will continue to seek to establish a meaningful dialogue with representatives of the Rwandese Government, in the belief that ongoing discussion on specific cases of human rights abuses and on effective ways of preventing further abuses is essential for the short and longer-term future of human rights protection in Rwanda.

IV.2 Restrictions on the UN Human Rights Field Operation for Rwanda

¹² For details of these cases, see Amnesty International Urgent Action 17/98 (19 January 1998, AFR 47/03/98) and update (3 February 1998, AFR 47/06/98).

The United Nations Human Rights Field Operation for Rwanda (UNHRFOR) was set up by the UN High Commissioner for Human Rights in the aftermath of the genocide in Rwanda in 1994. According to the agreement between the Rwandese Government and the UN, its tasks include carrying out investigations into violations of human rights and humanitarian law, including possible acts of genocide; implementing programs in the area of administration of justice; working with others to re-establish confidence and facilitate the return of refugees and displaced persons and the rebuilding of civil society; monitoring the ongoing human rights situation, helping redress existing problems and preventing possible human rights violations.

Since 1997, the UNHRFOR has experienced increasing difficulties in operating in the country. Widespread insecurity has meant that UNHRFOR staff can no longer carry out close monitoring of the human rights situation in certain areas; the regions where the largest numbers of killings of civilians and “disappearances” are taking place are now mostly inaccessible. For example, UNHRFOR staff rarely venture away from the towns or main roads in Gisenyi and Ruhengeri. Tight security precautions have remained in place since five staff members of UNHRFOR were killed in Cyangugu, in southwestern Rwanda, in February 1997.¹³

Relations between the UNHRFOR and the Rwandese Government have gradually deteriorated. The UN High Commissioner for Human Rights, Mary Robinson, visited Rwanda in December 1997. In a statement issued at the end of her visit, she described the human rights situation as “bleak” and denounced serious human rights abuses by government forces and armed opposition groups. This statement was strongly criticized by the Rwandese Government who accused her, among other things, of gross misrepresentation of facts about the human rights situation.

The UNHRFOR suffered a further major setback in May 1998. On 7 May, the Rwandese Government decided to expel the UNHRFOR’s press and information officer on the basis of criticisms he had expressed regarding the public execution of 22 people in Rwanda on 24 April. The government also decided to suspend the operation’s activities until a review of its mandate was completed and requested that the head and deputy head of UNHRFOR return to Geneva for talks on the future of UNHRFOR. By early June, no formal agreement had been reached on the review of the mandate and all the UNHRFOR’s activities remained frozen while discussions continued between the

¹³ For details, see Part II.10 of Amnesty International’s report “Rwanda: Ending the Silence”, 25 September 1997 (AI Index AFR 47/32/97). Six people accused of taking part in the killing of the five UNHRFOR members were sentenced to death by a court in Cyangugu in late May 1998.

Rwandese authorities and the UN High Commissioner for Human Rights, with no immediate sign of a breakthrough.

The Rwandese Government had requested a joint review of the UNHRCFOR mandate and suggested changes which involved removing the monitoring and reporting components of its work. It has argued that the task of monitoring should now be carried out not by an international organization, but by local organizations, including a newly-established but not yet functional National Commission for Human Rights. However, in the present situation in Rwanda, Amnesty International believes that it is unrealistic and in some circumstances impossible for Rwandese organizations to carry out this work, primarily for security reasons. For many months, local human rights organizations have been unable to investigate reported human rights abuses in many of the areas affected by the armed conflict; even investigations in other parts of the country are undertaken at great risk. Furthermore, there are as yet no clear guarantees that the National Commission for Human Rights or other human rights bodies set up by the government will be able to function freely, independently and impartially.

Amnesty International is particularly concerned about the Rwandese Government's pressure on the UNHRCFOR to drop its monitoring work because UNHRCFOR is one of the very few international organizations left monitoring the current human rights situation in Rwanda. For several years, under increasing difficulties and constraints, it has documented and published reports on human rights abuses by government forces and armed opposition groups. These reports form an essential part of the overall analysis of the human rights situation in Rwanda for the international community, including foreign governments and the media. Although in recent months, the UNHRCFOR's reports have become rarer, its presence in the country is crucial in ensuring at least a minimal level of international scrutiny of the human rights situation, as well as providing assistance to Rwandese governmental and non-governmental organizations on the protection and promotion of human rights.

Amnesty International believes that in order to establish transparency and commitment to human rights, the Rwandese Government should allow the UNHRCFOR to continue to perform all the tasks in its current mandate - including and especially monitoring ongoing human rights abuses - and should provide full cooperation to ensure that it can carry out these tasks. Amnesty International also encourages the UNHRCFOR to continue and expand its programs of assistance to local human rights organizations and to other national institutions - including the judiciary - whose role it is to protect and promote human rights. Amnesty International believes that the two types of functions - monitoring and reporting on the human rights situation, and helping rebuild and strengthen local human rights organizations and institutions - are interlinked, as the reconstruction of a Rwandese society based on respect for human rights must necessarily include the explicit recognition of serious, ongoing human rights problems, where they

exist, and the identification and implementation of measures which will help prevent further violations.

V. RECOMMENDATIONS

Amnesty International believes that despite the increase in grave human rights abuses in Rwanda in recent months, effective measures can still be taken by those in power to prevent further killings and “disappearances” and to begin restoring respect for human rights in Rwanda. Foreign governments and intergovernmental organizations also have a critical role to play in curbing these violations and persuading the Rwandese authorities that it is in their interests to implement the measures below. Amnesty International reminds all parties concerned that the human rights abuses illustrated in this report represent serious violations of international human rights and humanitarian law, in particular Common Article 3 of the Geneva Conventions.

The recommendations below are aimed in particular at preventing further “disappearances”, extrajudicial executions and deliberate and arbitrary killings of civilians. They reiterate and elaborate on some of the recommendations contained in earlier Amnesty International reports, the majority of which, regrettably, have not been implemented to date. Amnesty International also urges the authorities of Rwanda to adopt the appended 14-point programs for the prevention of “disappearances” and extrajudicial executions.

V.1 Investigation and prevention of “disappearances”

Agents of the Rwandese Government cannot be automatically held responsible for all cases of “disappearances” in Rwanda. However, the authorities have a responsibility to investigate all cases reported to them and take appropriate judicial and preventive action. In particular, Amnesty International refers the Rwandese Government to the Declaration on the Protection of All Persons from Enforced Disappearance, adopted by the UN General Assembly in Resolution 47/133 on 18 December 1992. Amnesty International is also urging foreign governments to assist the Rwandese Government by providing appropriate resources or expertise, as appropriate, in particular to assist with investigations.

Amnesty International appeals to the Rwandese Government to:

- make clear that “disappearances” constitute a grave violation of human rights and that those found responsible for “disappearances” will be brought to justice;

- undertake prompt and thorough investigations into cases of reported “disappearances” and keep the families of the “disappeared” informed of the progress and outcome of these investigations;
- if the “disappeared” person is found to have died, an investigation should be carried out to establish the cause of death. The family should be allowed access to information relating to the death and should be allowed to be represented in the investigation. The body of the deceased should be restored to the family wherever possible;
- allow international human rights and humanitarian organizations full access to all civilian and military detention centres to facilitate attempts to trace the “disappeared” and verify whether they are in detention. The authorities should keep systematic and accurate records of the whereabouts of detainees, including their transfer from one detention centre to another, and make these records publicly available;
- ensure that no detainees are held in secret or unofficial detention centres;
- stop the practice of detaining civilians in military detention centres.

V.2 Investigation and prevention of extrajudicial executions

The Rwandese authorities have denied that extrajudicial executions form part of government policy and have claimed that in instances where they have occurred, they have been the isolated actions of undisciplined soldiers. Nevertheless, the government remains accountable for all human rights violations committed by agents of the state, including killings of unarmed civilians by RPA soldiers in the context of the armed conflict.

The right to life is guaranteed by the International Covenant on Civil and Political Rights and by the African Charter on Human and Peoples’ Rights, both of which have been ratified by Rwanda. The killings of civilians which have taken place in the context of the armed conflict in Rwanda are also a violation of international humanitarian law, including Common Article 3 of the Geneva Conventions.

Amnesty International appeals to the Rwandese Government and the security forces - in particular those in command of the RPA - to implement the following measures fully and urgently in order to spare the lives of unarmed civilians who are taking no part in the armed conflict:

- prohibit extrajudicial executions by members of the Rwandese security forces and ensure full implementation of the UN Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions;
- publicly and officially condemn extrajudicial executions, at the highest level, whenever they occur;
- carry out thorough and independent investigations into reports of extrajudicial executions, make public the results of these investigations and ensure that individuals found responsible for ordering or carrying out extrajudicial executions are immediately suspended from their duties and brought to justice;

Amnesty International welcomes the fact that some members of the security forces have been arrested in connection with extrajudicial executions and urges the government to ensure that such steps are taken as a matter of routine, and not only on exceptional occasions. The government should disclose the number and identity of RPA soldiers arrested for alleged participation in extrajudicial executions, including details of the specific crimes of which they are accused and the progress of their case files. If charged, the individuals should be given a public trial in accordance with international standards of fairness, and without recourse to the death penalty;

- ensure strict control over the chain of command in the RPA and instruct commanders at all levels to restrict the use of lethal force to situations where it is strictly unavoidable in order to protect life - as specified in Article 3 of the UN Code of Conduct for Law Enforcement Officials - and then only to the minimum extent required under the circumstances. Officials should be instructed that they have the right and duty to refuse to obey any order to participate in an extrajudicial execution;
- remind members of the security forces at all levels that it is their duty to protect the civilian population of Rwanda in its entirety;
- take measures to prevent killings by armed Tutsi civilians and investigate reports of RPA soldiers' collaboration in such killings, including reports of distribution of arms to the population. RPA soldiers should intervene wherever possible to prevent such killings;
- ensure that all members of the security forces are familiar with and trained in international standards on the conduct of law enforcement officials, including: the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the Code of Conduct for Law Enforcement Officials and the Guidelines

for the effective implementation of the Code of Conduct for Law Enforcement Officials.

V.3 Facilitating human rights investigations

Amnesty International appeals to the Rwandese authorities to allow and facilitate investigations by local and international human rights organizations into human rights abuses in Rwanda, whether committed by armed opposition groups or by the security forces. They should allow unrestricted access to all parts of the country and to civilian and military detention centres and provide their full cooperation in investigations into killings of unarmed civilians, “disappearances” and other human rights abuses.

In particular, Amnesty International urges the Rwandese Government to allow the UN Human Rights Field Operation to continue operating in the country and to enable it to carry out all the tasks currently in its mandate, including monitoring and reporting on the human rights situation.

V.4 Prevention of deliberate and arbitrary killings by armed opposition groups operating in Rwanda

Deliberate and arbitrary killings of unarmed civilians and hostage-taking by armed opposition groups not only represent grave violations of international humanitarian law, but contribute to yet further violence by provoking reprisals by the Rwandese security forces and armed civilians in which yet further unarmed civilians are killed.

Leaders of armed opposition groups have an obligation to:

- stop killing unarmed civilians and make clear to those under their command that deliberate and arbitrary killings of unarmed civilians will not be tolerated;
- instruct all those under their command to respect basic principles of international humanitarian law, as laid out in Common Article 3 of the Geneva Conventions. In particular, they should prevent the killing of non-combatants and those taking no direct part in the conflict. Suspected or real collaboration with the authorities can never be a justification for targeting unarmed civilians;
- investigate and denounce deliberate and arbitrary killings committed by those under their command and provide public information about steps taken to prevent further such killings;

- cooperate with investigations by the International Criminal Tribunal on Rwanda to identify and bring to justice those who played a leading role in the genocide in Rwanda in 1994.

V.5 Action by foreign governments and intergovernmental organizations

To date, few foreign governments and intergovernmental organizations have taken significant action to try to prevent a further deterioration of the human rights situation in Rwanda, or even publicly acknowledged the scale and gravity of ongoing human rights. Most of those who have made statements about the human rights situation have tended to restrict their comments to denunciation of abuses by armed opposition groups, while playing down or remaining silent on human rights violations by the Rwandese security forces. Amnesty International is appealing to foreign governments - including regional governments - as well as intergovernmental organizations, such as the United Nations and the Organization of African Unity, to:

- make every effort to obtain accurate and independent information on the current human rights situation in Rwanda and ensure that policy decisions are based on a full picture of the situation;
- publicly condemn the widespread human rights abuses taking place in Rwanda and in particular, the deliberate targeting of unarmed civilians by **all** parties to the conflict;
- exert whatever influence they can over the Rwandese Government, security forces and armed opposition groups to respect international human rights and humanitarian law and implement the recommendations listed above;
- request the Rwandese Government to provide regular and up-to-date information on action taken to prevent further “disappearances” and extrajudicial executions, including details of the progress of investigations and action taken to bring to justice those found responsible;
- provide appropriate assistance to the authorities in carrying out such investigations, in cases where investigations are hampered by lack of resources or expertise;
- in particular, assist in initiating and carrying out independent investigations into specific cases of large-scale killings, such as the reported massacre of as many as several thousand people in Nyakimana cave, in Kanama, in Gisenyi, in October

1997; provide the necessary expertise and equipment for such investigations to be carried out as soon as possible and ensure that the findings are made public;

- urge the Rwandese Government to lift the suspension on the activities of the UNHRC, to allow it to continue operating in the country and enable it to carry out all the tasks currently in its mandate, including monitoring and reporting on the human rights situation;
- prevent supplies of light weapons and other types of military, security or police equipment to Rwanda, or allied forces, which would be used by the Rwandese security forces or by armed opposition groups to commit human rights abuses. Given the persistent and well-documented patterns of arbitrary killings of unarmed civilians by all parties to the conflict in Rwanda, it is clear that in the present situation, such equipment is likely to contribute directly to further human rights abuses.

Security equipment classed as “non-lethal” (such as military transport, including armoured vehicles and helicopters) is also being used to facilitate human rights abuses, especially in remote areas of the country, and should not be supplied to either side.

Governments which decide to authorize the transfer of other types of military, security or police equipment or services to Rwanda - on the basis that they are certain no serious human rights abuses will result from these transfers - should only do so if the use of those transfers will and can be monitored effectively. If serious human rights abuses are carried out using such transfers, the supply contracts should be cancelled immediately.

- support the work of the UN Commission of Inquiry into arms transfers to the former Rwandese armed forces and urge the UN Security Council to extend its mandate to cover all arms transfers which are being used for grave violations of international humanitarian law and human rights standards in Rwanda. This would include a mandate to investigate and report on transfers to the current Rwandese security forces, as well as to armed opposition groups. In view of close political and military relations between countries in the region, the Commission should also carry out in-depth investigations into arms and military equipment supplied to Rwanda from or through the security forces and armed opposition groups of Burundi, DRC and Uganda, as well as other neighbouring countries.

- ensure that training they may be providing to members of the Rwandese security forces includes training in international human rights and humanitarian standards and in the practical implementation of these standards.