

technical cooperation projects related to human rights; and the HRFOR response to the genocide and vulnerable groups.

The report notes that HRFOR has carried out three main types of activities: (a) conducting the initial investigations into genocide and other serious violations of human rights and humanitarian law that took place during the armed conflict in Rwanda from April to July 1994; (b) monitoring and reporting on the ongoing human rights situation; and (c) implementing a broad-based programme of technical assistance and human rights promotional activities, ranging from projects for the rebuilding of the Rwandan justice system to human rights education and promotion.

Commentary on the situation in the past year notes, *inter alia*, that: the human rights situation has been closely linked to increasingly deteriorating security conditions, particularly in the northwestern region of the country; attacks against both civilian and military targets carried out by armed groups — made up of elements of the former Rwandese Armed Forces (ex-FAR) and former Interahamwe militia who participated in the genocide — escalated in number and scale during 1997. Attacks by armed groups further intensified as of October 1997; among the victims were genocide survivors, returnees who had taken refuge in neighbouring countries in 1959 and Congolese Tutsi refugees. The report notes that the large-scale counter-insurgency operations by the Rwandese Patriotic Army (RPA) resulted in the killing of a significant number of persons, including unarmed civilians, and the conflict in the northwest had led to the displacement of large numbers of civilians. The report states that the detention situation — a result of the challenge of bringing to justice the great number of Rwandan citizens presumed to have participated in the genocide — remained a most serious human rights problem, characterized by severe overcrowding, poor sanitation and lack of sufficient food and health care, and ill-treatment of detainees by RPA, communal police and judicial personnel, particularly during interrogations. By December 1997 a greater proportion of arrests appeared to have been carried out by legally mandated officials with provisional arrest warrants as specified under law. Since 1996, RPA officers implicated in three separate military operations, which resulted in the killing of civilians and eight RPA soldiers, and officers accused of killing a national gendarmerie commander have been prosecuted before military courts. The report also notes that the establishment of the Military Prosecutor's Department (Auditorat Militaire) in 1997 was expected to increase the capacity of the RPA to carry out internal investigations and bring accused persons to trial.

Commentary on the human rights situation in northwestern Rwanda notes that the area is mainly populated by Hutus and is perceived by the government as a bastion of genocidal forces. The report specifically refers to the prefectures of Gisenyi and Ruhengeri, noting that: attacks by armed groups comprising elements of the ex-FAR (Forces armées rwandaise) and Interahamwe militia have escalated; the deterioration in the security

situation has been exacerbated by the apparent ease with which armed groups have gained access to weapons, despite the imposition of a Security Council embargo on the supply of arms in the region; and the RPA has responded to such attacks with large-scale counter-insurgency operations in which violations of the right to life have been reported to HRFOR. The report states that the local civilian population has often been caught between the armed groups and the RPA and suffers regularly from intimidation and threats by members of armed groups who exhort the population to join them and, at times, abduct or kill alleged RPA informants. The same population lives under strict control by local military authorities determined to prevent any collaboration with the armed groups; during evenings, members of armed groups have often gone to local houses throughout the region and demanded money or other goods from the inhabitants; killings have sometimes occurred during these "visits", many of which are not reported because the survivors are afraid of further attack; the climate of fear and tension, in addition to the actual fighting, has resulted in the displacement of several thousand people; at times, local civilians appear to be used as shields by the armed groups and at other times are encouraged or forced to kill Tutsis in a settlement, while the armed groups carry out an attack on a nearby military post. The report states that in certain cases RPA soldiers have carried out revenge attacks, with or without the approval of their superiors, in response to, for example, a high incidence of casualties or attacks on RPA members' families. RPA killings also appear to be used to punish and/or deter the population from collaborating with the armed groups. The report also refers to information received by HRFOR related to Tutsi civilians carrying out retaliatory attacks following attacks by members of armed groups or local civilians.

The key points contained in the description of the human rights situation since March 1997 include that: the vast majority of incidents reported to HRFOR are possible right-to-life violations under human rights and international humanitarian law; from January through December 1997, HRFOR documented the killings of at least 5,952 persons, compared with 1,575 reported killings from January through December 1996; armed groups carried out numerous attacks targeting genocide survivors and those associated with them, and persons who returned to Rwanda from exile in 1959 ("old-case-load returnees"); communal offices and detention centres, in most cases situated adjacent to each other, have also been the targets of attacks by armed groups; a significant number of the persons killed during RPA cordon-and-search operations included unarmed civilians, such as elderly persons, women and children. The report notes that the detainee population in the 19 central prisons totalled 77,349 as of 31 December 1997, compared with around 72,000 in August. As well, reference is made to the work of itinerant judicial investigative personnel (Groupes mobiles) who were deployed by the Ministry of Justice to carry out preliminary investigations into genocide cases and open case files for detainees who did not have them. In some cases this work led to the provisional release of those against whom there was