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President: Mr. Leslie Knox MUNRO (New Zealand).

Present:

The representatives of the following States members of the Trusteeship Council: Australia, Belgium, China, El Salvador, France, Haiti, India, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representative of the following specialized agency: United Nations Educational, Scientific and Cultural Organization.

Examination of conditions in the Trust Territory of Ruanda-Urundi: (a) annual report (T/1081); (b) petitions circulated under rule 85, paragraph 2, of the rules of procedure (*continued*)

[Agenda items 3 (b) and 4]

At the invitation of the President, Mr. Leroy, special representative of the Administering Authority for the Trust Territory of Ruanda-Urundi, took a place at the Council table.

QUESTIONS CONCERNING THE TRUST TERRITORY AND REPLIES OF THE SPECIAL REPRESENTATIVE (*concluded*)

Political advancement (concluded)

1. Mr. S. S. LIU (China) asked whether the Administering Authority had considered the possibility of adopting an organic law in the Territory.
2. Mr. LEROY (Special representative for Ruanda-Urundi) explained that the fundamental law of Ruanda-Urundi was the Act of 21 August 1925, which had set up the administrative union between the Belgian Congo and Ruanda-Urundi. The Administration and the courts had always construed the Act as implying co-operation between the two territories, not the subordination of one to the other. The Act of 25 April 1949 approving the Trusteeship Agreement for Ruanda-Urundi did not repeal any of the provisions of the law of 1925 since there was no incompatibility between the two Acts. The Act of 1925 was therefore still in force, but in practice the Act of 1949 superseded it in matters which came within the scope of the Trusteeship Agreement.
3. Mr. S. S. LIU (China) asked whether there were any indigenous political organizations and whether the Administering Authority encouraged their formation.

4. Mr. LEROY (Special representative for Ruanda-Urundi) said that there were no indigenous political organizations, in the proper sense of the words, in the Territory, and that the Administration had neither formally encouraged them, nor prohibited the formation of political parties.

5. Mr. S. S. LIU (China) asked whether the Administering Authority had taken steps to reduce the period of detention pending trial.

6. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Chief Law Officer (*procureur du Roi*) had instructed his deputies to submit an explanatory report on every case of such detention in excess of three months. Long terms of detention pending trial were the exception in the Territory.

7. Mr. SERRANO GARCIA (El Salvador) asked whether it was being contemplated to allow indigenous inhabitants to enter the military services or the police force.

8. Mr. LEROY (Special representative for Ruanda-Urundi) replied that indigenous inhabitants could enrol in the police; they were the only members of the internal territorial police forces. Two problems arose in connexion with the armed services — in other words, the army. The first problem was legal: for financial reasons the Administration employed a detachment of the Belgian Congo Army in Ruanda-Urundi; that army could be called upon to maintain the public peace either in Ruanda-Urundi or in the Congo, but the Act of 1925 stipulated that indigenous inhabitants of Ruanda-Urundi could be employed only in the defence of their own Territory. Moreover, the indigenous inhabitants of Ruanda-Urundi showed little enthusiasm for service in the army.

9. Mr. SERRANO GARCIA (El Salvador) asked whether the Territory's police force was insufficient to maintain the public peace.

10. Mr. LEROY (Special representative for Ruanda-Urundi) stated that the public peace had never yet been disturbed. Since the conquests of the country in 1916-1917, the armed services had consisted of a small detachment of troops. The territorial police, on the other hand, was a body of very recent creation and existed as yet in only a few large centres. Its members were recruited exclusively among the indigenous inhabitants and were given special training at a police school, which had been operating for three years.

11. Mr. SERRANO GARCIA (El Salvador) asked why many persons who had committed offences against the ordinary law had to wait more than a year for trial.

12. Mr. LEROY (Special representative for Ruanda-Urundi) said that not more than one or two such cases had occurred and that the difficulties involved in the investigation had made the delay necessary.

13. Mr. TARAZI (Syria) asked whether the legislation applicable to the Territory was generally promulgated by Parliament or by the Crown.

14. Mr. LEROY (Special representative for Ruanda-Urundi) explained that the supreme legislative power was vested in Parliament, which passed Acts, and the Acts were then approved and promulgated by the Crown. Such Acts were not very frequent. It was Parliament that had passed the Act which constituted the fundamental law of the Territory and the Act approving the Trusteeship Agreement; in addition, Parliament passed the annual Budget Act. In nearly all other cases the Crown legislated by decree on the advice of the Colonial Council, which consisted of fourteen members and met at Brussels.
15. Mr. TARAIZI (Syria) asked whether the Colonial Council had the power to deliberate and vote or advisory powers, and whether in practice draft legislation which had not received the Council's assent could nevertheless be adopted by the Government, in other words by the Crown.
16. Mr. LEROY (Special representative for Ruanda-Urundi) replied that the Colonial Council's powers were purely advisory, but that the Crown had never promulgated a decree against the Council's advice.
17. Mr. TARAIZI (Syria), referring to the statement in the Administering Authority's annual report¹ that in an emergency the Governor of Ruanda-Urundi could suspend the effect of decrees and issue ordinances having the force of law, asked what was the criterion for determining the existence of an emergency and whether the effect of decrees could be suspended indefinitely.
18. Mr. LEROY (Special representative for Ruanda-Urundi) replied that the Vice-Governor-General of Ruanda-Urundi was the sole judge of an emergency, but that an ordinance issued in the manner described was valid only for a period of six months, on the expiry of which it automatically lapsed.
19. Mr. TARAIZI (Syria) asked what were the powers of the Council of the Vice-Governor-General in the examination of budgetary proposals.
20. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Council's functions were advisory only. Nevertheless, its discussions were public and the opinions it voiced were of considerable influence.
21. Mr. TARAIZI (Syria) asked whether there was a division of jurisdiction between the Bami,² or local authorities, and the Administering Authority in the matter of executive regulations.
22. Mr. LEROY (Special representative for Ruanda-Urundi) explained that the Bami were competent in customary matters. Moreover, under the Decree of 14 July 1952, they could issue, on the advice of their councils, certain regulations under statute law, such as regulations defining the boundaries of chiefdoms and sub-chiefdoms.
23. Mr. TARAIZI (Syria), pointing out that the members of the sub-chiefdom, chiefdom and territorial councils were chosen from pre-established lists on which only the names of notables appeared, asked how it was decided that a particular person was a notable.
24. Mr. LEROY (Special representative for Ruanda-Urundi) recalled the difficulties which the Administration had had to face when it had introduced the system of the new councils. It had specifically instructed all the sub-chiefs that the lists in question should contain not only the names of notables in the customary sense, but also those of persons having some influence in the Territory.
25. Mr. TARAIZI (Syria) asked if the four members of the superior council of each *pays* (state) who were referred to in the annual report (p. 21) and who were selected because of their knowledge of the country's social, economic, spiritual and cultural problems were indigenous inhabitants.
26. Mr. LEROY (Special representative for Ruanda-Urundi) said that they were indigenous inhabitants, and added that all members of the various councils were required to be nationals of Ruanda-Urundi. Only the indigenous inhabitants were nationals inasmuch as the non-indigenous inhabitants had no means of acquiring the nationality of the *pays*.
27. Mr. TARAIZI (Syria), remarking that the codes of civil and criminal procedure were based directly on Belgian law, asked whether the corresponding Belgian codes were not applicable in the Territory.
28. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Belgian codes were in no instance directly applicable in Ruanda-Urundi.
29. Mr. TARAIZI (Syria), pointing out that according to the annual report preliminary investigations were conducted by representatives of the Chief Law Officer, asked if the distinction made in the Belgian system between the bench and the *parquet* was observed in the Territory.
30. Mr. LEROY (Special representative for Ruanda-Urundi) said that the distinction was made in the Territory. He explained that the judiciary consisted of the president of the Court of Appeal and the presidents of the courts of first instance, whilst the *parquet* consisted of the Chief Law Officer and his deputies. Cases were investigated by the *parquet*.
31. Mr. TARAIZI (Syria) asked whether a sentence of penal servitude for life or for a term of years, mentioned on page 29 of the annual report, was equivalent to a penalty of hard labour.
32. Mr. LEROY (Special representative for Ruanda-Urundi) said that a sentence of penal servitude meant imprisonment. While in prison, offenders had to perform certain tasks, but the work could not be described as hard labour.
33. Mr. TARAIZI (Syria), pointing out that there were two categories of courts in the Territory and that the double system might lead to disputes of jurisdiction, asked whether the Administering Authority had introduced arrangements for settling disputes of that kind.
34. Mr. LEROY (Special representative for Ruanda-Urundi) said it was quite unlikely that such disputes would arise, for the criminal courts competent for the indigenous inhabitants had very limited powers and could not impose sentences exceeding two months' penal servitude. Moreover, in practice there had been no difficulties between the indigenous penal court and the police court.
35. Mr. TARAIZI (Syria) asked why the indigenous inhabitants had not as yet thought of setting up political organizations, associations or parties.

¹ See *Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1952*, Brussels, Etablissements Généraux d'Imprimerie, 1953.

² "Bami" is the plural of "Mwami".

36. Mr. LEROY (Special representative for Ruanda-Urundi) thought a distinction should be made between customary areas and extra-tribal centres.

37. Political parties had not yet developed in the tribal areas because of the strong hierarchy which still existed, although it was gradually being broken down.

38. There were no political parties in the real sense of the term in the extra-tribal centres but there were well-defined ethnic groups, such as the Moslems and the Waswahilis.

39. Mr. RYCKMANS (Belgium) explained that there were different tendencies in the population but that they did not manifest themselves overtly in the form taken by political life in societies organized along democratic lines.

40. Mr. TARAZI (Syria) noted that there were three political organizations in Ruanda-Urundi, and asked whether the Ligue des Droits de l'Homme et de la Démocratie Nouvelle admitted indigenous inhabitants to membership.

41. Mr. LEROY (Special representative for Ruanda-Urundi) explained that there were only two political associations in the Territory.

42. Moreover, the Ligue played a very minor role for it was concerned only with a very special problem affecting only a few people. Its regulations in no way debarred indigenous inhabitants.

43. In reply to a question by Mr. TARAZI (Syria), Mr. LEROY (Special representative for Ruanda-Urundi) said that in the matter of exchange control, Belgium was regarded as a foreign country.

44. Mr. SCOTT (New Zealand) asked for particulars of two of the special functions to be vested in the indigenous authorities under the new political system: the prohibition of residence in certain zones and the determination of agricultural programmes.

45. Mr. LEROY (Special representative for Ruanda-Urundi) observed, with regard to the determination of agricultural programmes, that according to the laws of Ruanda-Urundi the indigenous inhabitants were required to engage in some agricultural activity in order to learn to work and to prevent famines in the Territory. The Governor of the Territory laid down the broad lines of the annual programme of work; and the Bami, upon the favourable recommendation of the councils, were responsible for carrying it into effect, contrary to the practice observed in the past when the European authority had exercised that function.

46. The ban on residence in certain areas was intended to prevent the indigenous inhabitants from living in insalubrious localities. As yet, no area had been placed under a ban.

47. Mr. SCOTT (New Zealand) asked if the Administering Authority had considered the possibility of establishing an indigenous council with jurisdiction over the country as a whole.

48. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Administration had not considered establishing a body of that type inasmuch as certain indigenous inhabitants were eligible for membership of the Council of the Vice-Government-General. The two bodies would overlap.

49. Mr. SCOTT (New Zealand), noting that the European administration guided and supervised the indigenous authorities in the extra-tribal areas only,

asked how it could intervene in practical matters affecting tribal areas.

50. Mr. LEROY (Special representative for Ruanda-Urundi), taking an illustration from the field of public works, said the first test was whether the project in question was of national or of local interest. If it was of national interest, the Government decided upon the construction and the indigenous authorities would have but little responsibility. If it was of local interest, the decision was made by the indigenous administration, either on its own initiative or on the suggestion of the territorial authority.

51. Mr. SCOTT (New Zealand) asked whether the Administering Authority had considered appointing career magistrates to the residency courts and police courts.

52. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Administration had not yet been able to adopt that practice. The police court magistrate was a civil servant, but a procedure for review existed which was stricter than the appellate procedure. Even judgments against which the defendant made no appeal were reviewed by the career magistrate so that no police court decision was made by a civil servant without a review by a magistrate.

53. The residency courts were presided over by the Resident and also included a career magistrate whose duties as protector of the indigenous inhabitants took priority over his duties as protector of society.

54. Mr. SCOTT (New Zealand) observed that, according to the annual report, the jurisdiction of indigenous courts in civil matters was unlimited, and asked if those courts could impose fines for unlimited amounts.

55. Mr. LEROY (Special representative for Ruanda-Urundi) explained that those courts dealt only with civil cases and that consequently indigenous courts never imposed fines. They were, however, empowered to award damages and could fix the amount having regard to the damage caused.

56. Mr. RYCKMANS (Belgium) said it was the subject matter of cases, not their importance, which determined the competence of the indigenous courts.

57. Mr. SCOTT (New Zealand) observed that the right of review was exercisable only if three months had not elapsed between the date of the decision to be reviewed and the date when the court empowered to review it met to consider the case. Apparently, therefore, an appeal had to be lodged (if lodged at all) within three months after the date of the decision.

58. Mr. LEROY (Special representative for Ruanda-Urundi) said it was quite unlikely that a court of review would not have met in the three months following the decision. Even in that case, the unsuccessful party could apply to the judge of the *parquet*; in other words to the European career magistrate, who was empowered to set aside the decision and to refer the matter to another court.

59. Mr. SCOTT (New Zealand) noted that, according to the annual report, the rules of procedure applicable in the indigenous courts were those fixed by custom in so far as they were not repugnant to public policy and that where custom was silent they were based on the rules of equity. Who decided what was equity?

60. Mr. LEROY (Special representative for Ruanda-Urundi) said it was difficult to give explanations on that point, but where all sources of law were silent every effort was made to give each party his due.
61. Mr. SEARS (United States of America) asked if the indigenous inhabitants received any training which would enable them properly to exercise their functions in the councils.
62. Mr. LEROY (Special representative for Ruanda-Urundi) said that the Administration was responsible for training the indigenous inhabitants, without, however, intervening in the deliberations and the activities of the councils. He thought that the indigenous inhabitants would not need any special training in that respect.
63. Mr. SEARS (United States of America) asked if the Administration informed the people of the extra-tribal centres of the purposes and the technique of elections in the towns.
64. Mr. LEROY (Special representative for Ruanda-Urundi) said that for the elections held at the end of 1952 the Administration had called upon officers of the territorial service who were particularly competent in such matters. They had explained the machinery of elections to persons who were likely to influence the people. Moreover, those elections had been postponed for approximately two months when it was noticed that some of the indigenous inhabitants had not yet understood the machinery properly.
65. Mr. TSARAPKIN (Union of Soviet Socialist Republics) noting that the Territory formed part of an administrative union with the colony of the Belgian Congo, of which it constituted a Vice-Government-General, and that it was subject to the laws of the Congo, asked whether that state of affairs was not somewhat inconsistent with the provisions of the Trusteeship System.
66. Mr. LEROY (Special representative for Ruanda-Urundi) said that Ruanda-Urundi was a separate legal entity, with its own budget, and that its Governor, like the Governor-General, had extraordinary legislative power in urgent matters. Moreover, executive powers were vested in the Governor directly, by statute, and he did not have to go through the Governor-General of the Belgian Congo.
67. Mr. TSARAPKIN (Union of Soviet Socialist Republics) asked whether the administrative provisions which, in the Belgian Congo, governed the recruitment of both European and African civil servants also applied to Ruanda-Urundi.
68. Mr. LEROY (Special representative for Ruanda-Urundi) said that the administrative provisions concerning the European administration applied to the Trust Territory; but that the indigenous civil servants in Ruanda-Urundi who belonged to the European administration were governed by their own regulations, which were laid down by the Governor of Ruanda-Urundi and were distinct from those applicable to the indigenous civil servants in the Belgian Congo.
69. Mr. TSARAPKIN (Union of Soviet Socialist Republics) inquired what steps had been taken by the Administering Authority towards indigenous participation in the Territory's administration.
70. Mr. LEROY (Special representative for Ruanda-Urundi) replied that the indigenous inhabitants were already taking a large share in its administration. The Bami and the chiefs were not without responsibility, and the number of indigenous members of the Council of the Vice-Government-General was constantly increasing. The councils to be set up under the Decree of 14 July 1952 would give the Africans more and more opportunities of managing their own affairs.
71. In reply to a question by Mr. TSARAPKIN (Union of Soviet Socialist Republics), Mr. LEROY (Special representative for Ruanda-Urundi) said that the Bami, who were Africans, had been members of the Council of the Vice-Government-General between 1951 and 1953.
72. Mr. TSARAPKIN (Union of Soviet Socialist Republics) observed that it appeared from the annual report that the Governor of Ruanda-Urundi, the Residents and the administrators exercised not only executive but also judicial powers. Did the Administration intend to take steps to separate the powers and democratize Ruanda-Urundi's judicial system?
73. Mr. LEROY (Special representative for Ruanda-Urundi) pointed out that the Administering Authority had considerably democratized the judicial system in 1948.
74. Mr. TSARAPKIN (Union of Soviet Socialist Republics) wished to know who had taken part in the 1953 elections, and what had been the law governing the elections held.
75. Mr. LEROY (Special representative for Ruanda-Urundi) stated that the notables and influential persons in the sub-chiefdoms had taken part in the elections.
76. The question of the electoral system had been dealt with at the Council's 515th meeting.
77. Mr. TSARAPKIN (Union of Soviet Socialist Republics) remarked that the statements made by the special representative in his opening statement (510th meeting) had contradicted the annual report, which stated: "The right to vote is not recognized for any section of the population" (p. 22).
78. Mr. LEROY (Special representative for Ruanda-Urundi) said that the passage should be understood to mean that, in the present state of legislation, neither Africans, nor Asians, nor Europeans could claim the right to vote. But the Administration could organize elections, and had done so.
79. Mr. TSARAPKIN (Union of Soviet Socialist Republics) suggested that they had been mock elections.
80. Mr. LEROY (Special representative for Ruanda-Urundi) pointed out that the notables and persons of any influence had been assembled, and each elector given a ballot paper on which to write a name in capital letters. Illiterates had been accompanied by a friend or relation.
81. Mr. S. S. LIU (China) observed that, under the Royal Order of 4 March 1947, the Council of the Vice-Government-General was to include three representatives of the indigenous inhabitants, if possible selected from among the latter. But the special representative had stated that the Council at present had only three Africans members, including the two Bami. Why was there only one African in addition to the Bami?
82. Mr. LEROY (Special representative for Ruanda-Urundi) explained that, when the Council of the Vice-Government had been formed, only one indigenous inhabitant had been judged capable of being a useful member. Indigenous interests were therefore repre-

mented by him, and by one of the Apostolic Vicars and the head of the Protestant missions. It was obvious that those two distinguished persons, who were largely responsible for the work of civilization undertaken by the missions in Ruanda-Urundi, would much more efficiently defend the interests of the population than could two uneducated Africans, who would probably have taken no part in the debates.

83. Mr. S. S. LIU (China) recalled that the special representative had said in his opening statement that the number of African members of the Council would be raised from three to five in 1954. Had he intended to convey that the African representatives of whom the Royal Order spoke would all be appointed in 1954? The Order had also provided for the appointment of three notables selected for their experience; would they also be Africans?

84. Mr. LEROY (Special representative for Ruanda-Urundi) said that the term of office of the Council members had expired in December 1953; when he had left Africa, the members of the new Council had not yet been appointed. But the Governor of Ruanda-Urundi had informed him of his intention to appoint five Africans to the Council, if he could find qualified persons among the indigenous inhabitants. The appointments had in all probability already been made, because the Council of the Vice-Government-General was due to meet on 22 March.

85. The three notables selected for their experience did not necessarily have to be indigenous; according to the Royal Order only the two Bami had to be indigenous.

GENERAL DEBATE

86. Mr. PIGNON (France) said the Trusteeship Council had had a full and objective report available for its examination of conditions in the Trust Territory of Ruanda-Urundi; the special representative and the Belgian representative had, with accuracy, competence and fairness, supplied all the explanations which it could have desired. If the Council shared his delegation's opinion, it would be able to express the considered view that the Administering Authority had conscientiously, methodically and efficiently carried out its trusteeship work, with exclusive regard for the present and future interests of the indigenous population.

87. The reforms introduced by the Decree of 14 July 1952 represented a very important, and perhaps even decisive, stage in the Territory's political life. Belgium had been fortunate enough to find in Ruanda-Urundi an African society of undoubted vigour, with well-organized hierarchical machinery, and should be congratulated for having left that traditional organization unimpaired, for it had been a factor of stability and progress. The Territory's geographical position had its drawbacks, but also its advantages; Belgium had most admirably turned any favourable circumstances to account by proceeding methodically, and by patiently working out novel solutions in which its own genius seemed to blend harmoniously with that of the Africans.

88. The 1952 reforms had shown that such a way of dealing with institutional problems had been perfectly justified; the indigenous executive had been strong, and remained strong; it had had a large share of administrative responsibility before, and that share had now been appreciably increased. At every level of the

indigenous hierarchy, the notables were co-operating with the Bami and the chiefs in reaching decisions. The Bami had lost their absolute power, and it was gratifying that they had agreed to the reform without difficulty, for their attitude proved that the reform had been introduced when minds were sufficiently enlightened to accept it. Of course, it might be held that the system put in operation by the Administering Authority was still far removed from formalized notions of democracy, but each case had to be considered in relation to its historic and geographical setting. It was certain that the political structure of Ruanda-Urundi was essentially of a kind which would readily lend itself to improvement and was admirably suited to continued progress, as well as to any adjustments which might be required by the evolution of a public opinion influenced by the very rapid generalization of education.

89. He would not dwell at length on economic achievements. Ruanda-Urundi appeared to his delegation to be well managed, with the concern for method and efficiency which characterized the Administering Authority's work in every field. The systematic effort that had been made to preserve and develop the resources of a mountainous and over-populated territory deserved the unanimous approval and encouragement of the Trusteeship Council.

90. In the social field, there were many reasons to be satisfied. Pride of place should be given to the accomplishments in the matter of public health and sanitation. It was comforting to learn that the African population had overcome its early prejudices and was showing every confidence in European medicine: for example, the fact that there had been over a million attendances at infant clinics in 1952 was in itself proof of success. Vigorous action was being taken to control social diseases and the major tropical endemic diseases, and the systematic campaign for the detection of tuberculosis should be singled out for special mention. One might only recommend the Administering Authority very actively to encourage the training of indigenous doctors, which would seem to be possible in view of the advancement of general education.

91. Social welfare proper also seemed to be cared for by the Administering Authority. It was heartening to see increasingly large budget funds appropriated for that purpose, and the work undertaken by the Indigenous Welfare Fund was also on a commendably large scale. In addition to their direct influence, the welfare centres would play a very useful part in developing that social consciousness in which the indigenous population was still somewhat deficient.

92. The Administering Authority should be congratulated for having confirmed the principle of monogamous marriage by the Decree of 4 April 1950. In another connexion, he said that the retention of the penalties in labour regulations was to be regretted; it would be rash indeed to recommend their immediate abolition, but it seemed that every attempt should be made to introduce a system of freedom within the shortest possible time. Very great efforts had already been made to educate the workers: the indigenous works councils (*conseils indigènes d'entreprises*) and local workers' committees, and the indigenous labour and social progress commissions (*Commissions du travail et du progrès social indigène*) might be of real service, particularly in connexion with the early abolition of the penalties.

93. In view of the special social conditions in Ruanda-Urundi, the "movement passport" (*passeport de mutation*) required for all journeys of over thirty days was perfectly justified. But the curfew was hardly justifiable. Perhaps a partial remedy for the mental indolence deplored in the annual report might be found in the careful relaxation of certain excessively stringent rules: it was questionable whether the curfew was conducive to an awakening of social consciousness or, for that matter, of any kind of consciousness.

94. His delegation had noted with great satisfaction the progress made in educational matters. With remarkable efficiency and economy, the Administering Authority had covered the Territory with a network of schools reaching the most remote parts of the bush. Although the figures for school attendance were already among the most satisfactory in Africa, the Administration had prepared a large and impressive school-building programme for which it undoubtedly deserved the unanimous praise of the Trusteeship Council. Primary education was organized on a sound basis and the Administering Authority was now able to proceed with the rapid development of establishments of secondary, technical and higher education. His delegation had been pleased to note that the Usumbura secondary school, which would teach the humanities, the real basis of general education, would be opened shortly. The only criticism that could be made regarding a generally well planned and well balanced system was that there was perhaps a certain lack of boldness in the provision of secondary and vocational education for girls. That was one of the rare fields in which it seemed legitimate to break down custom and tradition to some extent.

95. In an organization very largely based on subsidized and supervised private schools, the Administering Authority had been able to fill any gap and make good any deficiencies by opening official schools. It was obvious that as the educational system developed more fully, increasing direct official action would become necessary. In the initial stages, it had, however, been wholly legitimate and reasonable to make use of the exceptionally devoted services available and to encourage and support them in every way.

96. Having studied the annual report objectively, his delegation was firmly convinced of the value of the constant and steady progress which the Territory was achieving, in fulfilment of the purposes of Article 76 of the Charter, under the vigilant and generous trusteeship of Belgium.

The meeting was suspended at 4 p.m. and was resumed at 4.30 p.m.

97. Mr. KHAN (India) said that Ruanda-Urundi was by far the least developed of the African Trust Territories, particularly from the political point of view. Whereas the rest of the African continent was in a state of flux and ferment, Ruanda-Urundi presented a spectacle of complete inertia, because the administration of the Territory was utterly anachronistic. The local people merely carried out orders. That wholly unreal situation could not last long. Such antiquated and semi-feudal methods of administration might lead to unrest when the indigenous inhabitants came to feel that such methods would not enable them to achieve their aims.

98. The Administering Authority might reply that it could not introduce changes at a pace that was faster than was acceptable to the indigenous inhabitants, that

the tribal organization and the tribal loyalties of the people were the main obstacle, and that the slowness in political advance was due to the backwardness of the local people. It might be said that it was perhaps dangerous to make an indiscriminate onslaught on tribal habits and ways of life, but there must be no hesitation in changing those habits when political, social and economic advancement so required. That was a problem of education and training which must be tackled by the Administering Authority. It was also difficult to believe that the plans of the Administration were being held back by the inertia of the indigenous inhabitants. It was known, for example, that 40 per cent of the inhabitants had changed their religious beliefs and were Christians. That was a radical change in an important field of human activity. With regard to economic development, the indigenous inhabitants had warmly welcomed the introduction of crops such as coffee and cotton. Another development was the fact that the two Bami and the younger generation were prepared to see the abolition of the *ubuhake*. None of those developments denoted very obdurate conservatism. A tribal society which had already accepted or requested such spiritual, moral and economic reforms was obviously capable of adapting itself to political and social changes.

99. There were two necessary changes without which no real progress could be achieved in Ruanda-Urundi: the grouping of the people into villages and the extermination of surplus cattle. If the tribal customs were a hindrance to those reforms, the Administering Authority must boldly attempt to break them down. His delegation was convinced that, once the attempt had been made, it would be found that the opposition of the indigenous inhabitants was much less than was claimed.

100. Another aspect of the general situation which he could not overlook was the disdain which the Administering Authority seemed to have for the indigenous inhabitants. The annual report contained practically no good word for the inhabitants of the Territory, who were described as undisciplined, lazy, dishonest, apathetic and uncivilized. It was surprising that the Administering Authority did not realize that its criticism of the indigenous inhabitants really reflected on itself and not on the local people. Belgium had been in Ruanda-Urundi for thirty-two years, with the avowed intention of raising the Territory to a high level of civilization. If the inhabitants were still what the Administering Authority said they were, it could only mean that the Administering Authority had done a very poor job.

101. The present political organization was strange and out of date. The existence of two parallel administrations, each apparently independent of the other, was hard to understand. The local administration seemed to exist only to carry out the orders of the Belgian administration. The reforms adopted in 1952 and put into effect in 1953 seemed to amount to little: they had made the local administrative organization more elaborate but not more effective. Real power remained with the Belgian administration. Such measures would not enable the Territory to achieve self-government or independence. Under existing conditions, the only constructive action would be to admit more and more indigenous inhabitants into the Belgian administration; candidates could be found among the chiefs and sub-chiefs, who were said to be educated and to have some administrative training.

102. His delegation sincerely regretted the existence of the curfew in the Territory. The presence of some undesirable elements must not impose upon hundreds of thousands of indigenous inhabitants the humiliation of being treated like children. The curfew conflicted with the principle of human dignity and was ineffective, as it certainly did not stop the criminals.

103. With regard to economic and social matters, the Administering Authority must take more energetic steps to abolish the *ubuhake* system; it should be encouraged by the attitude of the two Bami and the younger generation. It must also strive to eliminate the surplus cattle. His delegation was gratified to note that a large number of animals had already been slaughtered and that the people were being encouraged to add meat to their diet. It would thus be possible to remove the surplus cattle and to contribute to the general health of the people.

104. It was difficult to say anything about the measures adopted by the Administration to group the indigenous inhabitants into villages. Little information had been given, but the work was of great importance and it must be hoped that the Administration would spare no effort in carrying it out. The establishment of extra-tribal centres must be welcomed. Such centres would help to break down certain tribal customs which held back the development of the indigenous inhabitants. They should be extended, and should not be made dependent on the existence of a nearby town with a European population.

105. As regards the other great economic and social problem, over-population, there was only one effective answer, family planning. He had been surprised and disappointed to learn that the Administering Authority was not contemplating that solution. The most constructive way of dealing with over-population was obviously to increase the country's productivity, but, if that could not be done quickly enough, family planning was preferable to emigration. Emigration as a policy implied a defeatist and inhuman attitude, as the indigenous inhabitants were most reluctant to leave their country.

106. In the health field, the Administering Authority should make more use of the specialized agencies, particularly in the fight against malaria and other epidemics.

107. The Administering Authority should take a larger part in the Territory's educational system. There should be less emphasis on the literary and more on the practical and scientific side of education. It was tragic that young Africans should be learning Latin; the efforts asked of them in that direction could certainly be spent on more important subjects. Religious instruction in the mission schools should be optional and not compulsory as at the moment.

108. The situation left much to be desired. The Administering Authority must make more determined and sustained efforts to carry out the plans which it had prepared and to use the funds available to it. Its efforts would be successful only if it won the co-operation of the inhabitants; to that end it must make them feel that they would be called upon at an early date to run their own affairs and must grant them some political responsibility.

109. Mr. SEARS (United States of America) thought that the special representative had described the situation in Ruanda-Urundi very effectively. He should be

congratulated in particular on the objectivity with which he had identified the problems for which there was as yet no satisfactory solution. He had, for example, mentioned the difficulty of modernizing tribal institutions, which was certainly a complex and delicate matter. The progress so far achieved must be welcomed. The establishment of a new system of councils in 1952, which would give an increasing number of indigenous inhabitants experience in public administration, had been an important step forward.

110. The United States delegation understood the difficulties facing the authorities in utilizing and conserving land that was over-populated with men and cattle. Anyone who considered the situation hopeless might however usefully examine the experience of Puerto Rico.

111. The PRESIDENT regretted that he had to interrupt the United States representative, but noted that Puerto Rico was not a Trust Territory and should not therefore be discussed in the Council.

112. Mr. SEARS (United States of America) pointed out that the head of the Indian delegation had spoken of the achievements of his country in solving a problem which also existed in a Trust Territory.

113. He congratulated the Administering Authority on its presentation of the facts concerning the situation in the Territory; the outlook for the future seemed bright.

114. Mr. LOOMES (Australia) stated that the annual report on Ruanda-Urundi for 1952 showed that the Territory had made satisfactory progress in all fields.

115. With regard to political progress, his delegation had been particularly impressed with the reorganization of indigenous political institutions effected by the Decree of 14 July 1952, which had come into force on 1 August 1953. The reorganization was all the more remarkable as Ruanda and Urundi had originally been two absolute monarchies, partly feudal in structure, each ruled over by its Mwami. It had been necessary for the Administering Authority to develop democratic institutions gradually, without undermining the traditional tribal structure. While it was desirable that the two *pays* should ultimately be merged into one, any abrupt action to bring that about would in the present circumstances probably be impossible. It was necessary to wait until the peoples were sufficiently advanced to understand the desirability and advantages of unification. The Administering Authority was to be congratulated on its success in organizing the elections for the new indigenous councils, particularly in view of its earlier disappointments in that connexion.

116. In the economic sphere, the Administering Authority was faced with perplexing problems in connexion with the economic and social implications of the custom regarding the ownership of cattle. The Administration had rightly been patient and was trying to educate the young generation with a view to the gradual elimination of traditional practices with harmful social and economic consequences. Over-population and its effects on the food situation posed a further problem for the Administering Authority. Obviously, the Territory's exports could only be expanded after the needs of the population had been met. He noted with satisfaction, however, that notwithstanding those difficulties, exports from the Territory had steadily increased during the past two years. Two interesting developments in the country's economy were the establishment of fisheries

— in particular on Lake Tanganyika — and the construction of fish-ponds; notwithstanding its original aversion to fish, the population was consuming fish in increasing quantities.

117. In the social field, the Australian delegation noted that the inhabitants' living conditions had improved as a result of the Administration's determined efforts. He was pleased to note that budgetary allocations for social services had been steadily increased. The Territory continued to benefit considerably from the Indigenous Welfare Fund, which had risen to 285 million Belgian francs in 1952. The establishment of additional hospitals and dispensaries, and the appreciable expansion of the health service staff should also be noted. The conditions of workers had also improved as a result of the establishment of a labour inspection system.

118. Steady advances had been made in the field of education, for which the Administering Authority should be commended. A school construction programme was under way. UNESCO had rightly drawn attention, in its useful observations (T/1091), to the expansion of vocational education in 1952. Missions continued to play an important part in education, and were doing valuable work. A college on the Belgian model, which would admit students of all races, would soon be opened at Usumbura. The education of girls continued to present a difficult problem, but progress had been made, particularly as regarded training in home economics.

119. Mr. SERRANO GARCIA (El Salvador) said that from the point of view of political advancement, it was most important that the indigenous inhabitants should be enabled to participate in the government of their Territory since that was one of the fundamental purposes of the Trusteeship System. The Administration should give immediate consideration to the possibility of setting up a legislative body in which the indigenous inhabitants would be represented and through which they would be able to take part in the preparation of legislation affecting them. It must never be forgotten that the Trust Territories were to be guided towards self-government or independence. The relative failure of attempts to organize elections in the past should not be regarded as a complete defeat; the Administration must continue to educate the population and study all the remaining political, social, religious and administrative obstacles to the establishment of an electoral system, with a view to eliminating them. The Territory's political development must obviously take place in stages. It was important that steps should be taken to make the inhabitants aware of the problems common to the Territory as a whole so as to strengthen the ties between the different population groups.

120. The administrative union between Ruanda-Urundi and the Belgian Congo was open to the same criticism as other administrative unions between Trust Territories and adjacent colonies. Administrative unions tended to encourage a sense of subordination in a Trust Territory. Ruanda-Urundi was completely distinct from the Belgian Congo and must be provided with its own institutions so that the people could be given an understanding of its capacity for self-government, without being dependent on an adjacent colony which was in turn dependent on the metropolitan country.

121. In regard to economic matters, the Administering Authority should plan agriculture and stock farming with a view to improving the country's economy and raising the standards of nutrition of the people. Steps should also be taken to introduce improved methods of transport: at present many goods were carried on the backs of porters.

122. In the social field, he was pleased to note that health facilities had been improved and that the incidence of sleeping sickness had considerably decreased. He hoped that the Administration would completely abolish corporal punishment.

123. Lastly, he recommended that the Administering Authority should continue to develop education and increase the number of government schools. The existing schools should be enlarged and the length of courses should be increased, particularly in the primary schools. A child could not be given a proper primary education in two years.

124. Mr. SCOTT (New Zealand) felt that the Council could take note of the progress made in all fields during the year under review, bearing in mind the difficulties peculiar to the Territory. Those difficulties included over-population, the excess of cattle, the political and social division of the Territory into two *pays*, the extent of the population's dependence upon locally produced foodstuffs, the lack of villages and the social effects of the *ubuhake*.

125. In the political field, the Council would appreciate the significance attached by the Administering Authority to the reorganization of the indigenous political structure, embodied in the Decree of 14 July 1952. The Administering Authority was apparently well aware of the desirability of ensuring the political unity of the Territory, which was still composed of two practically feudal states. The establishment of various councils, which was marked by the beginnings of an electoral system, was a step forward. It might be desirable for the Administering Authority to consider the establishment of a Territory-wide council, above the superior council of each *pays*, thus encouraging the unity of the two *pays*. In that way, the Administering Authority would establish a system of government by council extending from the tribal unit to the national unit. A national council might be more effective than an expansion of the Vice-Government-General's Council. The Administering Authority could aim at the gradual extension of the indigenous councils' powers, more particularly their financial responsibilities. In order to ensure a continuation of progress, it seemed necessary that the indigenous *élite* should not be wholly, or even largely, taken from among the chiefs. With regard to the parallel system of administration, it might be difficult to transfer the functions of the European administration to the indigenous administration without placing European officials in the Native administration. The influence of the European administration must of necessity increase and the Administering Authority should not attempt to maintain a rigid distinction between the two systems.

126. In the administration of justice, there was already a tendency towards fusion, and, as a result of progressive adoption of Western ethical standards, both civil and criminal jurisprudence would gradually displace customary law. It might be difficult perhaps to entrust Native courts with the administration of justice based on Belgian law, if those indigenous courts had limited

experience in Western jurisprudence. The principle of the separation of powers did not seem to be precisely observed in the Territory and he wondered whether it might not be possible to reorganize the non-indigenous court structure so that career magistrates could assume some of the functions now undertaken by the Residents and administrators. With regard to the right of appeal, he had been glad to learn that a decree was being considered to improve the situation.

127. In the economic field, the ten-year development plan was progressing satisfactorily. The Administering Authority would be well advised to give careful study to the problem of over-population. Emigration was obviously one solution, but it was not the only one; another would be to bring more ground under cultivation. A further problem was the excess of cattle, and the commendable measures taken by the Administering Authority in that respect should be continued. Important work was being done by the veterinary and agricultural services and in reforestation. However the Administering Authority should continue to emphasize the production of foodstuffs in order to improve the food supply, which was often dangerously low. The construction of storage facilities similar to those in Tanganyika would be of considerable value. He also expressed satisfaction at the encouraging development of co-operative societies.

128. Progress had been maintained in the social field. He repeated the suggestion made by his delegation to the Administering Authority during the examination of the previous annual report, at the Council's eleventh session (429th meeting): it would be useful to establish agricultural communities to encourage village life and and to train the indigenous inhabitants in community development. The Administering Authority recognized the need for training indigenous medical personnel, and he looked forward to an increase in the number of trained Africans employed in the medical services of the Territory. The Administration should also be congratulated on its measures to curb tuberculosis.

129. With regard to education, the Council should welcome the proposed interracial secondary school which was to be built at Usumbura. It should also take note of the expansion of educational facilities and the substantial contribution made by the missions in the field of education.

130. Mr. S. S. LIU (China), noting that there was still no organic law for the Territory, recalled his statement at the Council's eleventh session (429th meeting) that the Administration should give serious consideration to that aspect of the situation. The Act of 1949 could not be regarded as a substitute for an organic law, for it did not clearly define the status of the inhabitants, and it left other gaps. He had been interested to hear of the putting into operation of the Decree of 14 July 1952, the immediate result of which had been the establishment of a series of councils and a rudimentary electoral system. It was to be hoped that that new practice would be widely applied.

131. Although it was too early to assess the results of the functioning of the new councils, it was true that there was no central body with jurisdiction over the two *pays*. At the eleventh session of the Council his delegation had expressed the view that the Administering Authority should heed the observations in the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951 (T/948 and Corr.1) and

make preparations for the establishment of a central legislative organ which would tend to bring about some sort of unity between the peoples of the two *pays*, and whose members would have an opportunity to deliberate on their common problems. Since any programme of political reform in the Territory should envisage the unification of the two *pays* as one of its aims, he supported the views expressed by the New Zealand representative.

132. His delegation shared the doubts concerning the system of two administrations that had been expressed at the eleventh session and also during the present session of the Council, since the purpose of the Trusteeship System was to give the indigenous population the training necessary for the attainment of self-government or independence. A prolonged separation of the two administrations would have the inevitable effect of retarding the progress of the Territory in that respect because the limitation placed upon the number of indigenous participants in the European administration deprived the great majority of the benefit of the useful training that such participation provided.

133. His delegation was glad to learn that it was the intention of the Administering Authority to implement the Trusteeship Council's recommendation (A/1856, p. 60) by increasing the African membership of the Vice-Government-General's Council. He naturally hoped that the number of African members would be increased from time to time, because the Council provided a means for their increased participation in the management of their affairs within the European administration.

134. In the economic field, it had been gratifying to note the progress made in the continued execution of the ten-year plan, the increase of co-operatives, the excellent soil-conservation measures, the development of commercial and industrial undertakings by the indigenous inhabitants, and the completion of certain public works projects. However, steps should be taken to encourage secondary industries based on local resources since they would strengthen the economy of the Territory and enable it to stand on its own feet. The Administering Authority had launched a vigorous campaign to deal with the serious livestock problem by combating the harmful traditional system that has taken such deep root among the population.

135. It was regrettable that racial discrimination still existed in the Territory and that the Trusteeship Council's recommendations (A/2150, p. 95) and the General Assembly resolution 644 (VII) on that question remained unimplemented. The explanations given by the Administering Authority in regard to the laws restricting the freedom of movement of the indigenous inhabitants had been unconvincing. He asked whether the Administering Authority was aware that such measures were not in accordance with the United Nations Charter and the Universal Declaration of Human Rights. He wished to stress that point because it had been several years since the question of discriminatory laws and practices in the Trust Territories had first arisen, and the attitude of the Belgian administration of Ruanda-Urundi on the matter had been discouraging, to say the least.

136. The Administering Authority had also failed to carry out the repeated recommendations of the Trusteeship Council and the General Assembly with respect to corporal punishment. His delegation attached great

importance to the question and wished to draw attention to the fact that it was the obligation of the Administering Authority to meet the desire of the General Assembly, particularly since the Charter enjoined upon Members of the United Nations respect for fundamental freedoms and human rights.

137. In the educational field, it was recognized that some progress had been made. That progress was shown particularly by the substantial increase in budgetary appropriations for education and the increase in the number of schools. It was to be hoped that the Administration would take steps to introduce compulsory education. He agreed with the opinion expressed by UNESCO in its observations (T/1091) that it was desirable to study measures for achieving uniformity in the school system of the Territory, especially with respect to the primary schools. There was need for improvement in teacher training, as UNESCO had emphasized. The existence of large-scale illiteracy in the Territory called for firmer steps in the promotion of adult education.

138. He hoped that the Administering Authority would pay special attention to the question of the dissemination of information on the United Nations by providing the schools with information on the Trusteeship System, particularly on the right of petition.

139. Mr. MATHIESON (United Kingdom) noted that, as the Indian representative had so rightly pointed out, considerations of social evolution were dominant in any evaluation of progress in the two *pays* of Ruanda and Urundi. The problems confronting the Territory involved a large element of what was known as custom. In such circumstances, if one were to be guided by what appeared to be the freely expressed wishes of the population, one might find oneself in the position of being asked to be an accomplice in the petrification of custom and in the rejection of the concept of progress envisaged in the United Nations Charter. The Administering Authority of Ruanda-Urundi was a foremost exponent of the philosophy of progress and a staunch supporter of the ideals of the Charter. He was therefore confident that neither feudal conservatism nor apathetic inertia would prevent the Administering Authority from guiding the inhabitants of the Territory to a fuller appreciation of what the United Nations regarded as the most satisfying principles of political and social organization.

140. The possibility of self-government or independence, which must be founded on democratic principles and representative institutions, was still distant in Ruanda-Urundi. In that Territory the autocracy of the Bami was revered, and the authority of the chiefs and sub-chiefs was unchallenged by the people, with the result that the Administering Authority must virtually foment dissatisfaction if it was to promote political progress in the spirit of the Charter. The same problem arose in connexion with the ownership of cattle and the status of women.

141. As to the question of two parallel administrations, he thought that the division might be advantageous if the Administration was prepared to tolerate a duplication of functions. Such duplication was essential if the indigenous administration was to grow up to full stature alongside the European administration, which would finally disappear. There was a disadvantage in the system where the Africans were progressively introduced into a single administrative machine, originally European: if self-government came before all the European element had been eliminated, the departure of the Europeans, if desired by the people, might cripple the administration. A bold step had been taken in the inauguration of political reforms, which had brought to bear on traditional autocracy the evolutionary influence of public opinion in the form of representative bodies not only endowed with legal functions but publicly admitted by the Bami, chiefs and sub-chiefs as entitled to influence their views. There was therefore reason to hope for the progressive evolution of the Territory.

142. He would not touch on the well-founded ten-year plan for economic development or the programme of educational expansion, which could be taken for granted as the necessary acts of an Administering Authority conscious of its responsibilities; he would, however, point out that Belgium had performed its first duty, which was to apply experience and thought to the basic problems confronting the realization of the objectives of the Trusteeship System. In the case of Ruanda-Urundi it was impossible to predict the period of time that must elapse before those difficulties could be overcome and Ruanda-Urundi would become a self-governing society, in balance with nature and fully capable of taking its place among the society of nations in the exacting conditions of the modern world.

The meeting rose at 6.10 p.m.