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EXAMINATION OF PETITIONS

Third Report of the Standing Committee on Petitions

Chairman: Mr. R. A. PFACHEY (Australia)

1. The Standing Committee on Petitions, established by the Trusteeship Council at the 397th meeting of its tenth session and composed of the representatives of Australia, China, El Salvador, New Zealand, the Union of Soviet Socialist Republics and the United States of America, examined at its 2nd, 3rd, 6th and 7th meetings on 21, 24 and 28 March 1952 the following petitions concerning Ruanda-Urundi:

- I. Petition from Mr. Chaka Selemani (T/PET.3/40, T/PET.3/40/Add.1 T/PET.3/40/Add.2, T/PET.3/40/Add.3)
  - II. Petition from Mr. Bigiraneza (T/PET.3/41)
  - III. Petition from ex-chief Ntunguka (T/PET.3/42, T/PET.3/42/Add.1)
  - IV. Petition from Mr. Joseph Marie Ngwela (T/PET.3/43, T/PET.3/43/Add.1)
  - V. Petition from Mr. Ch. d'Adesky (T/PET.3/45)
  - VI. Petition from Mr. Kabondo (T/PET.3/46)
  - VII. Petition from Mr. Jean Kangabo (T/PET.3/47)
  - VIII. Petition from Mr. Petro Bikirobe (T/PET.3/49)
  - IX. Petition from Mr. Jean Sebukuavu (T/PET.3/52)
  - X. Petition from Mrs. Madeleine Cebengwe (T/PET.3/54)
2. Mr. R. Scheyven participated in the examination as the special representative of the Administering Authority.
3. The Standing Committee submits herewith to the Council its report on these petitions and recommends that the Council decide that no special information is required concerning the action taken on resolutions Nos. 1, 2, 3, 4, 5, 6, 8, 9 and 10.

/s/ The representative  
T/L.256

4. The representative of the Union of Soviet Socialist Republics voted against this report in view of the fact that it contains draft resolutions adopted by the Committee which are unacceptable to the Delegation of the Union of Soviet Socialist Republics, because these draft resolutions do not take into consideration the interests of the indigenous inhabitants and do not recommend to the Administering Authority to take urgent measures to satisfy the request of the petitioners and to put an end to the violation of the rights and interests of the indigenous population.

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1. PETITION FROM MR. CHAKA SELEMANI (T/FET.3/40, T/FET.3/40/Add.1, T/FET.3/40/Add.2, AND T/FET.3/40/Add.3) DATED 25 JULY, 9 AUGUST, 8 SEPTEMBER 1951 AND 9 JANUARY 1952

A. Summary of the petition

5. The petitioner complains of having been unjustly detained in prison for a year for buying some stolen metal sheets. The thief, he says, was released while he, the bona fide purchaser, was imprisoned. He also complains that his house was destroyed by the Territorial Administrator.

6. In his communication of 9 August (T/FET.3/40/Add.1), the petitioner says that after his interview with the Visiting Mission he was placed in solitary confinement. To this communication is attached a letter in which Mr. Chaka Selemani's brother expresses the fear that after the Visiting Mission's departure, harsher punishment than solitary confinement will be imposed on "us", and asks for the Visiting Mission's protection.

7. In his communication of 8 September (T/FET.3/40/Add.2), the petitioner states that the examining magistrate summoned him for the purpose of ridiculing and threatening him.

8. In his latest communication dated 9 January 1952 the petitioner informs the United Nations that he has been sentenced to five years imprisonment and asks it to intercede in his behalf.

B. Observations of the Administering Authority<sup>1/</sup>

9. The Administering Authority gives particulars of the petitioner's case. The petitioner was arrested, after making a formal confession, for forgery, uttering a forged document and receiving some stolen metal sheets. By the date of his petition he had not yet been tried, because he was also charged on a second count which was then being investigated. The period of time during which the petitioner was remanded in custody was unusually long as the investigation of his case was delayed by the need to obtain an expert opinion. Measures have however, been taken to ensure that in the future persons are not remanded in custody for excessively long periods. Judgment has now been given: on 9 November 1951, the

<sup>1/</sup> Documents T/943, T/943/Add.1 and T/C.2/SR.2.

/petitioner

petitioner was sentenced to five years of penal servitude. On appeal by the petitioner, the sentence was confirmed on 14 February 1952 by the Court of First Instance at Usumbura. Incidentally, the owner of the stolen metal sheets has recovered them by removing them from the petitioner's house; this explains why the petitioner is under the impression that his house has been destroyed.

10. In reply to the assertions made in T/PET.3/40/Add.1, the Administering Authority explains that the petitioner was punished for breaking the regulations relating to prisoners' correspondence and for leaving his work without permission to deliver his petition to the Mission. The Governor of Ruanda-Urundi had this punishment cancelled as soon as it came to his attention and has given formal instruction to prevent the recurrence of such incidents. The petitioner's fears are quite unfounded; he has absolutely no need of protection.

11. In answer to the statements made in T/PET.3/40/Add.2, the Administering Authority states that the petitioner was not summoned by the magistrate against whom he makes accusations, but that he had requested the latter to give him a hearing. During that meeting, the petitioner requested his conditional release, which was refused as the case had already been set down for trial.

#### C. Action taken by the Standing Committee

12. This petition was examined and discussed at the 2nd and 6th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2 and T/C.2/SR.6.

13. At its 6th meeting, the Committee adopted by 5 votes in favour, none against with one abstention the draft resolution which is reproduced below as Resolution I.

## II. PETITION FROM MR. BIGIRANEZA (T/PET.3/41) DATED 25 JULY 1951

A. Summary of the petition

14. The petitioner, an ex-chief, makes the following complaints: (a) he cannot obtain a licence to buy a rifle to replace a weapon handed over to the authorities; (b) part of his land has been expropriated without compensation and without his consent; (c) Kaushi, the chief who replaced him, forcibly took twenty head of cattle away from him; (d) the same Kaushi also took eleven banana groves from him, and (e) another indigenous inhabitant, Komenda, stole thirty cows from him.

15. In a second communication, the petitioner, after stating that he had been chief for 25 years without ever receiving any remuneration, complains of his treatment by the Resident of Urundi and expresses the fear that after the Visiting Mission's departure he may be penalized for petitioning it. He also implies that the postal services do not always deliver letters.

B. Observations of the Administering Authority<sup>1/</sup>

16. The Administering Authority replies to each of the complaints made in the petition.

(a) Complaint concerning a rifle. The petitioner of his own free will handed in his rifle, which was not in working order and unsaleable, to the Territorial Administrator to be destroyed. He has already been told what formalities are to be complied with in order to obtain a licence to purchase a new weapon.

(b) Land. The petitioner claims two hills situated outside the area to which he has any claim. The boundaries of this area were duly fixed in 1932 and confirmed in 1950.

(c) Twenty head of cattle taken by Kaushi. This case was tried in final instance by the Ruanda-Urundi Court of Appeal, which sentenced the petitioner for slander.

(d) Transplanting eleven banana plantations. The petitioner has no right whatsoever in this land.

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<sup>1/</sup> Documents T/943 and T/C.2/SR.2.

(e) Bigiraneza v. Komanda. This case, which originally related only to seven cows, was dealt with successively by three courts, all of which gave judgment against the petitioner.

(f) Remuneration of chiefs. It was only in 1933 that statutory remuneration took the place of the benefits which the chiefs used to derive from their office by custom. The petitioner, having been relieved of his functions in 1932, was never entitled to this remuneration.

(g) Postal service. The post operates freely for everyone and violation of the secrecy of correspondence is a penal offence.

C. Action taken by the Standing Committee

17. This petition was examined and discussed at the 2nd and 6th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2 and T/C.2/SR.6.

18. At its 6th meeting, the Committee adopted by 5 votes in favour, none against with one abstention the draft resolution which is reproduced below as Resolution II.



III. PETITION FROM EX-CHIEF NTUNGUKA (T/PET.3/42 and T/PET.3/42/Add.1)  
DATED 25 JULY 1951

A. Summary of the petition

19. The petitioner, who states that he served his country as chief for thirty years, complains that the Belgians have robbed him of 193 cows. He asks the Visiting Mission to help him to leave the country, alleging that he is hardly likely to survive if he remains. He also asks the Mission to arrange a count of his 600 cows. These cows, he says, are rightfully his but in fact have been given to his subjects against his will. Lastly, he expresses the hope that his son may succeed to the chieftdom which he has voluntarily relinquished.

20. In two subsequent communications (T/PET.3/42/Add.1), the petitioner complains that the administration has sent farmers to till the grazing grounds which he had prepared for his cows. He also complains that the administration is encouraging the slaughtering of cattle and that the Administrator of the Territory is forcing him to distribute more of his cows to the people.

B. Observations of the Administering Authority<sup>1/</sup>

21. The Administering Authority replies to the petitioner's various complaints as follows:

(a) Disputes relating to cattle. Since leaving his chieftdom in 1940, the petitioner has been involved either as plaintiff or defendant in ninety-seven lawsuits relating to cattle. He has won some cases and lost others. The Administrator intervened in these cases only so far as his duties required, and particularly to see that the court's decisions were carried out.

(b) The petitioner's desire to leave the country. He is free to go where he pleases. His insinuations as to the danger he incurs by remaining in the country are absurd.

(c) Invasion of farmers. This is the result of the first steps taken by the native peasantry to occupy the less densely inhabited regions of the Territory. Furthermore, it does not affect the land occupied by the petitioner.

<sup>1/</sup> Documents T/943 and T/C.2/SR.2.

/(d) Slaughtering

(d) Slaughtering of cattle. This is linked with the question of the overstocking of cattle, with which the Trusteeship Council is familiar.

C. Action taken by the Standing Committee

22. This petition was examined and discussed at the 2nd and 6th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2 and T/C.2/SR.6.

23. At its 6th meeting, the Committee adopted by 5 votes in favor, none against with one abstention, the draft resolution which is reproduced below as Resolution III.

IV. PETITION FROM MR. JOSEPH MARIE NGWEIA (T/PET.3/43 and T/PET.3/43/Add.1)  
DATED 25 JULY 1951

A. Summary of the petition

24. The petitioner asks the Visiting Mission to make representations to the administration with a view to reducing the time of detention before trial. He states that detention prior to trial sometimes lasts for as much as eighteen months.

25. The petition is accompanied by a note stating inter alia that the petitioner, who is accused of misappropriating 100,000 francs, has been under detention pending trial for eighteen months and that the prisoners work like serfs.

26. In a later communication (T/PET.3/43/Add.1), the petitioner also complains of the situation of mulattos in Ruanda-Urundi.

B. Observations of the Administering Authority<sup>1/</sup>

27. The Administering Authority states that the petitioner is at present in jail on charges of theft, forgery and uttering a forged document, in this case a forged cheque. While it has been possible to establish that the accused stole the blank cheque and cashed 100,000 francs by means of forgery, he still denies having committed the forgery and the investigation has not yet been concluded. It is because of his refusal to disclose anything and his admissions and constant denials that the petitioner has been in detention under remand for seventeen months. He will not, however, be penalized on this account, for this period will be deducted from his sentence, which, in view of the facts already established, will exceed the term of detention already served. Moreover, steps have been taken to avoid excessive periods of detention under remand in the future.

28. With respect to the status of mulattos in Ruanda-Urundi, the Administering Authority states (a) that the mulattos who have been legally recognized by their father have the status of their father, and those who are not so recognized have the status of their mother; and (b) that the Administration is giving attention to the question of the education of mulatto children.

C. Measures taken by the Standing Committee

29. This petition was examined and discussed at the 2nd, 6th and 7th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2, T/C.2/SR.6 and T/C.2/SR.7.

30. At its 7th meeting, the Committee adopted, by 5 votes in favour, one against with no abstentions; the draft resolution which is reproduced below as Resolution IV.

7. PETITION FROM MR. D'ADESKY (T/PET.3/45) DATED 30 JULY 1951

A. Summary of the petition

31. The petitioner draws the Visiting Mission's attention to the need to build mental hospitals for the indigenous inhabitants.

32. He also asks the Mission to support his application to a mining company for authorization to supply cattle to feed the workers of certain mines in the Belgian Congo, to participate in the policing of the mines and to recruit indigenous labour for the mines.

B. Observations of the Administering Authority<sup>1/</sup>

33. The Administering Authority states that the Belgian Administration is giving very serious consideration to the question of mentally deranged persons. The Ten-Year Plan of Economic and Social Development provides for the construction of a mental hospital at Usumbura. Building will start in 1952 and should be completed in 1954.

34. The Administering Authority states that the petitioner's application to the Great Lakes Mines is outside its competence.

C. Measures taken by the Standing Committee

35. This petition was examined and discussed at the 2nd, 3rd and 6th meetings of the Standing Committee on 21, 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2, T/C.2/SR.3 and T/C.2/SR.6.

36. The USSR representative proposed the inclusion in the resolution of a paragraph recommending the Administering Authority to take immediate steps to build a mental hospital at Usumbura. The Standing Committee having rejected the proposal by one vote in favor, 4 against with one abstention, the USSR representative said he would be unable to support the draft resolution.

37. At its 6th meeting, the Committee adopted, by 5 votes in favour, one against with no abstentions, the draft resolution which is reproduced below as Resolution V.

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<sup>1/</sup> Documents T/944, T/C.2/SR.2 and T/C.2/SR.3

VI. PETITION FROM MR. KABONDO (T/PET.3/46) DATED 2 AUGUST 1951

A. Summary of the petition

38. The petitioner asks the Mission to examine his dossier regarding his differences with the Administration. He states that his title of sub-chief was revoked in 1937 and that his woodlands and coffee plantations have been confiscated.

B. Observations of the Administering Authority<sup>1/</sup>

39. After explaining that the petitioner resigned from his office as sub-chief in 1937, the Administering Authority states that a preliminary investigation held in 1938 showed that neither the woodlands nor the coffee plantations were the petitioner's exclusive property. In 1949, the latter informed the Administration through his lawyer that he intended to have writs issued against the persons holding the property to which he laid claim, but no writ has yet been issued. It is the Administration's rule to take no further action where a person has engaged the services of a lawyer, who should normally seek a settlement of the claim in court.

C. Measures taken by the Standing Committee

40. This petition was examined and discussed at the 2nd and 6th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2 and T/C.2/SR.6.

41. At its 6th meeting, the Committee adopted, by 5 votes in favour, none against with one abstention, the draft resolution which is reproduced below as Resolution VI.

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<sup>1/</sup> Documents T/944 and T/C.2/SR.2.

VII. PETITION FROM MR. JEAN KANGABO (T/PET.3/47) DATED 4 AUGUST 1951

A. Summary of the petition

42. The petitioner, who is a teacher at Kamonyi, complains of the inadequacy of teachers' salaries in Ruanda. Their maximum base pay is 500 francs a month, plus an allowance of 20 francs for each child. However, board and lodging alone for a child completing his intermediate studies costs 300 francs a month.

B. Observations of the Administering Authority<sup>1/</sup>

43. The Administering Authority states that the petitioner's position, though modest, is by no means critical, in view of living conditions in the region where he is employed. The petitioner earns 500 francs a month, plus a family allowance of 40 francs for his two children, age two and three respectively. His wife, who is also a teacher, has a salary of 500 francs. In view of his children's ages, he will obviously have no schooling expenses for many years.

44. The Belgian administration is endeavouring generally to raise as far as possible the salaries of all civil servants in the Territory, including those of teachers. The inequality which exists between the salaries of European and indigenous teachers is not due to racial prejudice but to differences in professional qualifications.

C. Measures taken by the Standing Committee

45. This petition was examined and discussed at the 2nd and 6th meetings of the Standing Committee on 21 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.2 and T/C.2/SR.6.

46. The representative of the Union of Soviet Socialist Republics proposed the inclusion in the resolution of a paragraph recommending that the Administering Authority should abolish all racial discrimination in connexion with teachers' salaries and raise the salaries of indigenous teachers to the same level as those of Europeans. The Standing Committee having rejected the proposal by one vote in favour, 4 against, with one abstention, the USSR representative said that he would be unable to support the draft resolution, and would abstain.

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1/ Documents T/944 and T/C.2/SR.2

/47. At its

47. At its 6th meeting, the Committee adopted, by 5 votes in favour, none against with one abstention, the draft resolution which is reproduced below as Resolution VII.



VIII. PETITION FROM MR. PETRO BIKIROBE (T/PET.3/49) DATED 9 AUGUST 1951

A. Summary of the petition

48. The petitioner claims the property which had belonged to his father and, if possible, the chiefdom of the territory of which his father was chief. The latter, who had, according to the petitioner, had been condemned to three years' imprisonment for refusing to be baptised, is said to have escaped from prison and died in Tanganyika.

B. Observations of the Administering Authority<sup>1/</sup>

49. The Administering Authority begins by furnishing such information as it has been able to obtain on the very old case of the petitioner's father, the former sub-chief Bikirobe, who was sentenced in 1929 for embezzlement and among other things, he had levied illegal taxes from his subjects in order to purchase a motorcycle. He misappropriated and succeeded in escaping to Tanganyika.

50. The Administering Authority then states that there can obviously be no question of returning his father's official functions to the petitioner. With regard to Bikirobe's property, the Administration has been unable to discover any evidence worthy of consideration. Some of it was probably property of which he enjoyed the usufruct by virtue of his official post. It is also possible that some of his personal property was used, after he had disappeared, to compensate the persons who had suffered from his misappropriations. The petitioner's best course would be to lodge his claims with the competent indigenous court.

C. Measures taken by the Standing Committee

51. This petition was examined and discussed at the third and sixth meetings of the Standing Committee, on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3 and T/C.2/SR.6.

52. At its meeting, the Committee adopted, by votes to the draft resolution which is reproduced below as Resolution VIII.

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<sup>1/</sup> Documents T/944 and T/C.2/SR.3

IX. PETITION FROM MR. JEAN SEBUKUAVU (T/PET.3/52) DATED 10 AUGUST 1951

A. Summary of the petition

53. The petitioner, who is confined in the Central Prison, Usumbura, begins by describing his personal case. Having been, as he says, unjustly sentenced to five years' imprisonment, he has appealed against this sentence but is still awaiting a reply from the Royal Prosecutor. He also complains of having been beaten.

54. The petitioner then makes the following critical observations on prison administration and the emigration of the Banyarwanda:

- (a) The "rooms" are kept closed all day long;
- (b) The food is not clean;
- (c) The prisoners are subject to arbitrary whippings;
- (d) Many Banyarwanda are leaving the territory.

B. Observations of the Administering Authority<sup>1/</sup>

55. As regards the petitioner's personal position, the Administering Authority explains that Sebukuavu, charged with embezzling the sum of 211,051.75 francs, forgery and the theft of an account-book, was sentenced by the Residency Court of Ruanda to five years' penal servitude. He appealed against this sentence.

The petitioner's case has been finally settled by the competent courts of the Territory: he was sentenced to 18 months of imprisonment for theft and acquitted on the other charges. The prison sentence has been now completed and the petitioner has been released.

56. With regard to the general observations, the Administering Authority replies as follows to each of the petitioner's criticisms:

- (a) The rooms in question are merely dormitories which are closed during the day to facilitate supervision;
- (b) The prisoners' diet is periodically checked by the medical authorities;
- (c) Whipping has been abolished as a penalty imposed by the indigenous courts and has been reduced to four strokes as a disciplinary punishment in prisons;

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<sup>1/</sup> Documents T/944 and T/C.2/SR.3

/(d) The question

(d) The question of emigration has already been dealt with on a number of occasions. The emigration of indigenous inhabitants of the over-populated districts of Ruanda-Urundi to the neighbouring territories is encouraged by the Administering Authority in the interests of the Trust Territory and of its inhabitants.

C. Measures taken by the Standing Committee

57. This petition was examined and discussed at the 3rd, 6th and 7th meetings of the Standing Committee, on 24 and 28 March 1952. The relevant discussion is contained in documents T/C.2/SR.3, T/C.2/SR.6 and T.C.2/SR.7.

58. The representative of the Union of Soviet Socialist Republics proposed the inclusion in the resolution of the following text:

"The Trusteeship Council,

"1. Considers the use of corporal punishment in the Trust Territories inadmissible;

"2. Calls the attention of the Administering Authority to the decision of the Council on the immediate abolition of corporal punishment in the Trust Territory of Ruanda-Urundi;

"3. Recommends that the Administering Authority strictly comply with that decision."

The Standing Committee having rejected the proposal by 4 votes in favour, one against, with one abstention the UBSR representative stated he would be unable to support the draft resolution.

59. At its 7th meeting, the Committee adopted, by 5 votes in favour, one against, with no abstentions, the draft resolution which is reproduced below as Resolution IX.

X. PETITION FROM MFS. MADELEINE CEBENGWE (T/PET.3/54) DATED 5 and 6 AUGUST 1951

A. Summary of the petition

60. The petitioner begins by describing the difficulties which one of her brothers, sub-chief Harushumwami, has had with chief Baranyanka and the Resident of Urundi.

61. She also describes the case of her other brother, sub-chief, Buryeburye, who, she claims, is unjustly confined in Kitega Prison under barbarous conditions, while his fields and children are neglected. She also alleges that she was almost put in prison because she was suspected of having seen her brother in jail and that the latter was removed from the prison at the time of the Mission's visit in order to prevent him from speaking to the members of the Mission.

B. Written observations of the Administering Authority<sup>1/</sup>

62. The Administering Authority explains the position of the petitioner's two brothers.

63. The case of sub-chief Harushumwami is a purely political and administrative matter. Proceedings have been instituted to remove him from office, inter alia, on grounds of incompetence.

64. As regards sub-chief Buryeburye, it is true that he is detained pending trial, but this detention is in no way arbitrary. The investigation of his case is not yet complete, but it has already been possible to establish a large number of charges, including extortion and abuse of authority. Since his arrest he has incurred various disciplinary punishments for failing to observe discipline and for carrying on clandestine correspondence. The prisoner is allowed to receive visits and it is not true that the petitioner was on the point of being arrested for having seen her brother. The allegation that the prisoner was prevented from talking to the Visiting Mission is without foundation, since the Mission remained at Kitega from Friday to Monday morning and Buryeburye certainly did not work on Sunday. As regards the prisoner's property, the Investigating Magistrate himself undertook to look after it; in particular, a sum of money belonging to Buryeburye has just been sent to his wife at his request.

C. Measures taken by the Standing Committee

65. This petition was examined and discussed at the 3rd and 6th meetings of the Standing Committee, on 24 and 28 March 1952. The relevant discussion is contained in document T/C.2/SR.3 and T/C.2/SR.6.

66. At its 6th meeting, the Committee adopted, by 5 votes in favour, none against, with one abstention, the draft resolution which is reproduced below as Resolution X.

/RESOLUTION I

RESOLUTION I

PETITION FROM MR. CHAKA SELEMANI (T/PET.3/40, T/PET.3/40/Add.1,  
T/PET.3/40/Add.2, T/PET.3/40/Add.3)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure;

Having accepted and examined at its tenth session the petition from Mr. Chaka Selemani (T/PET.3/40, T/PET.3/40/Add.1, T/PET.3/40/Add.2, T/PET.3/40/Add.3) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as special representative,

Having taken note of the written observations of the Administering Authority (T/943 and T/943/Add.1) as well as of the oral statement of the special representative to the effect that:

- (a) on appeal by the petitioner the judgment of 9 November 1951, under which he had been sentenced to five years' penal servitude, was upheld on 4 February 1952 by the Court of First Instance at Usumbura;
- (b) the period of detention pending trial undergone by the petitioner was exceptionally long, the investigation of his case having been delayed by the need to obtain expert opinion; action has been taken to avoid excessively long periods of detention pending trial in the future;
- (c) the punishment of which the petitioner complains was imposed on him for leaving his work without permission to deliver his petition to the Visiting Mission; the Governor of Ruanda-Urundi had this punishment cancelled as soon as he was informed of the circumstances, and gave strict instructions that no restriction should be placed on the exercise of the right of petition;

The Trusteeship Council,

1. Draws attention of the petitioner to the observations of the Administering Authority;
2. Decides that no action by the Council is called for on that part of the petition dealing with sentences imposed by the competent courts in the Territory;
3. Expresses the hope that the Administering Authority will take all appropriate action to limit to an indispensable minimum the duration of detention pending trial and to expedite the obtaining of necessary expert advice;

/4. Invites

4. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

/RESOLUTION II

RESOLUTION II

PETITION FROM MR. BIGIRANEZA (T/PET.3/41)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Bigiraneza (T/PET.3/41) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/943) as well as of the oral statement of the special representative, to the effect that:

(a) the petitioner of his own free will handed in his rifle, which was not in working order and unsaleable, to the Territorial Administrator to be destroyed; there is no reason a priori why he should be refused a licence to obtain a new weapon when he has complied with the necessary formalities;

(b) the petitioner has no right to the land which he claims;

(c) the disputes outlined in the petition have all been dealt with by the competent courts of the Territory;

(d) the Territory's postal services are free to all and violation of the secrecy of the mails is a criminal offence;

The Trusteeship Council,

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no further action by the Council is called for on the petition;
3. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.



## RESOLUTION III

PETITION FROM EX-CHIEF NTUNGUKA (T/PET.3/42 and T/PET.3/42/Add.1)

Acting under Article 87 b of the Charter in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Ex-Chief Ntunguka (T/PET.3/42 and T/PET.3/42/Add.1) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/943) as well as of the oral statement of the special representative to the effect that:

- (a) the disputes concerning the cattle which the petitioner claims relate to cases which have been or can be dealt with by the competent courts of the Territory;
- (b) the petitioner is perfectly free to go where he pleases; his fears in connexion with the dangers he incurs by remaining in the country are completely without foundation;
- (c) the invasion of farmers of which the petitioner complains is the result of the first steps taken by the native peasantry to occupy the less densely inhabited regions of the Territory; moreover it does not affect the land occupied by the petitioner;
- (d) the slaughtering of cattle is linked with the general question of the overstocking of cattle;

The Trusteeship Council,

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that as far as the disputes which come within the competence of the courts of the Territory are concerned, no action by the Council is called for on the petition;
3. Draws the attention of the petitioner to the fact that the question of cattle has been and will continue to be considered by the Trusteeship Council in connexion with its annual examination of the situation in the Territory;

/4. Further

4. Further draws the attention of the petitioner to the following recommendation adopted by the Trusteeship Council on this subject at its ninth session:

"The Council, noting that the cattle question remains one of the most urgent and difficult problems of the Territory, and noting that the Administering Authority is giving serious attention to it, urges the Administering Authority to continue to consider this matter as a major economic and social issue, and to continue to study the problems of overstocking and of placing cattle-raising on an economic basis".

5. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rules 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION IV

PETITION FROM MR. JOSEPH MARIE NGWELA (T/PET.3/43, T/PET.3/43/Add.1)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Joseph Marie Ngwela (T/PET.3/43, T/PET.3/43/Add.1), in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as special representative,

Having taken note of the written observations of the Administering Authority (T/943) as well as of the oral statement of the special representative, to the effect that:

(a) with respect to the detention of the petitioner:

- (1) he was sentenced to three years' penal servitude by a competent court, and his sentence was confirmed on appeal on 23 February 1952;
- (2) the period of detention pending trial undergone by the petitioner was particularly long, the investigation having been delayed by the need for obtaining expert advice, and steps have been taken to avoid excessively long periods of detention pending trial in the future;
- (3) the period of detention pending trial is deducted from the period of penal servitude imposed by the court;
- (4) parole may be granted as soon as a prisoner has served a quarter of his sentence, including at least three months in prison;

(b) with respect to the status of mulattoes in Ruanda-Urundi

- (1) that the mulattoes who have been legally recognized by their father have the status of their father, and that those who are not so recognized have the status of their mother;
- (2) that the Administration is giving attention to the question of the education of mulatto children,

The Trusteeship Council,

(a) with respect to the conviction and detention of the accused:

- (1) Draws the attention of the petitioner to the observations of the Administering Authority;

/(2) Expresses



RESOLUTION V

PETITION FROM MR. C. D'ADESKY (T/PET.3/45)

Acting under Article 87b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. C. D'Adesky (T/PET.3/45) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/943) as well as of the oral statement of the special representative, to the effect that:

(a) The Belgian Administration is giving very serious consideration to the question of mentally deranged persons; the Ten-Year Plan of Economic and Social Development provides for the construction of a mental hospital at Usumbura; work will be commenced on this building in 1952 and is to be completed in 1954;

(b) The Belgian Administration has no competence in respect of the petitioner's application to the Great Lakes Mines;

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority; and in particular to the statement that the construction of a mental hospital at Usumbura will begin in 1952 and is scheduled to be completed in 1954;
2. Draws the attention of the petitioner to the fact that the question of public health in the Territory has been and will continue to be considered by the Trusteeship Council in connexion with its annual examination of the situation in the Territory;
3. Further draws the attention of the petitioner to the following recommendation on the subject adopted by the Council at its ninth session:

"The Council, noting with satisfaction that during the two years under review the number of hospitals, maternity centres and dispensaries has increased, and that more are under construction; noting further that there has been an increase in medical personnel; considering, however, that the medical services are still not commensurate with the needs of the

/population;

population; reiterates its previous recommendation that public health services in the Trust-Territory be further improved and expanded."

4. Decides that as far as the petitioner's application to the Great Lakes Mines is concerned, the petition calls for no action by the Council is called for on the petition;
5. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

## RESOLUTION VI

## PETITION FROM MR. KABONDO (T/PET.3/46)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Kabondo (T/PET.3/46) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/944) as well as of the oral statement of the special representative to the effect that:

(a) an administrative investigation held in 1938 showed that neither the woodlands nor the coffee plantations were the petitioner's exclusive property,

(b) the dispute dealt with in the petition is capable of settlement by the competent courts of the Territory,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that in view of the fact that the petitioner may avail himself of the local courts and that he is aware of that possibility, no further action by the Council is called for on the petition;
3. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION VII

PETITION FROM MR. JEAN KANGABO (T/PET.3/47)

Acting under Article 87b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Jean Kangabo (T/PET.3/47) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/944) as well as of the oral statement of the special representative to the effect that:

- (a) although the petitioner's position is modest it is by no means critical,
- (b) the Administering Authority is endeavouring as far as possible to raise the salaries of all public servants in the Territory, including those of monitors (moniteurs),
- (c) the difference between the salaries of European teachers and those of indigenous monitors is based not on racial prejudice but on professional competence,

The Trusteeship Council

1. Recommends that the Administering Authority re-examine the position of teachers and monitors (moniteurs) in Ruanda-Urundi, with particular reference to wages and salaries,
2. Draws the attention of the petitioner to the fact that the question of wages has been and will continue to be considered by the Council in connexion with its annual examination of the situation in the Territory;
3. Further draws the attention of the petitioner to the following recommendation adopted by the Council at its ninth session:

"The Council, noting the fact that wages are very low; noting further that an Ordinance of 24 April 1951 has increased the minimum salary scale by 40 per cent; recalling its previous recommendation on the subject of wages; recommends that the Administering Authority continue to carry out studies of the standards of living and wages of the indigenous population with a view to raising the social level of the population in these respects."

/4. Invites



4. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION VIII

PETITION FROM MR. PETRO BIKIROBE (T/PET.3/49)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Petro Bikirobe (T/PET.3/49) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/944) as well as of the oral statement of the special representative to the effect that:

(a) there can be no question of returning to the petitioner the official functions of his father, who was formerly sentenced for embezzlement and misappropriation,

(b) the appropriate courts of the Territory are competent to deal with the petitioner's claims concerning his father's former property. The petitioner's differences with other indigenous inhabitants can be settled by the Tribunal de la chefferie, and his dispute with the Administration by the Tribunal of first instance at Usumbura,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides to inform the petitioner that he can submit his claims concerning his father's former property to the competent courts in the Territory, in accordance with the procedure suggested by the Administering Authority;
3. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION IX

PETITION FROM MR. JEAN SEBEKUAVU (T/PET.3/52)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mr. Jean Sebekuavu (T/PET.3/52) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/944) as well as of the oral statement of the special representative to the effect that:

(a) the petitioner's case has been heard by the competent courts of the Territory: he was sentenced to 18 months of imprisonment for theft and acquitted on the other charges. The prison sentence has been now completed and the petitioner has been released,

(b) prisoners' diet is periodically checked by the medical authorities,

(c) whipping has been suppressed as a penal sanction pronounced by indigenous tribunals, and has been reduced to four strokes as a disciplinary sanction in prisons,

(d) emigration by indigenous inhabitants from the overcrowded parts of Ruanda-Urundi to the neighbouring territories is encouraged by the Administering Authority in the interests of the Trust Territory and its inhabitants,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no action by the Council is called for on that part of the petition dealing with the action taken by the competent courts of the Territory;
3. Draws the attention of the petitioner to the fact that questions relating to the penitentiary system, corporal punishment and emigration have been and will continue to be considered by the Council in connexion with its annual examination of the situation of the Territory;

/4. Further

4. Further draws the attention of the petitioner to the following recommendations on corporal punishment and emigration adopted by the Council at its ninth session:

"Corporal punishment:

"The Council, noting that the Administering Authority, on 13 May 1951, decided to suppress corporal punishment as a penal sanction pronounced by indigenous tribunals; noting nevertheless that punishment reduced to four strokes is still applicable in the Territory as a disciplinary sanction in prisons; recommends that the Administering Authority immediately abolish corporal punishment."

"Emigration:

"The Council, considering that over-population and maldistribution of the population in the Territory is a problem of major importance and, recalling its previous recommendation on the subject, expresses the hope that the Administering Authority will continue to study the possibilities of migration from overcrowded areas into less heavily populated areas within Ruanda-Urundi or in neighbouring territories."

5. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure for the Trusteeship Council.

RESOLUTION X

PETITION FROM MRS. MADELEINE CEBENGWE (T/PET.3/54)

Acting under Article 87 b of the Charter and in accordance with its rules of procedure,

Having accepted and examined at its tenth session the petition from Mrs. Madeleine Cebengwe (T/PET.3/54) in consultation with Belgium as the Administering Authority concerned, which designated Mr. R. Scheyven as Special representative,

Having taken note of the written observations of the Administering Authority (T/945) as well as of the oral statement of the special representative, to the effect that:

- (a) proceedings have been instituted for the removal from office of sub-chief Harushumwami, inter alia, on grounds of incompetence,
- (b) sub-chief of Buryeburye is under detention pending trial. The investigation of his case is not yet complete, but it has already been possible to establish a large number of charges,
- (c) since his arrest sub-chief Buryeburye has incurred various disciplinary punishments; but he is allowed to receive visits, and the allegation that he was prevented from speaking to the United Nations Visiting Mission is completely unfounded,

The Trusteeship Council

1. Draws the attention of the petitioner to the observations of the Administering Authority;
2. Decides that no further action by the Council, is called for on the petition;
3. Invites the Secretary-General to inform the Administering Authority and the petitioner of this resolution in accordance with rule 93 of the rules of procedure of the Trusteeship Council.

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