

GENERAL ASSEMBLY

THIRTEENTH SESSION

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Chairman: Mr. Frederick H. BOLAND (Ireland).

AGENDA ITEM 13

Report of the Trusteeship Council (A/3822) (continued)

HEARING OF PETITIONERS (continued)

At the invitation of the Chairman, Mr. John Kale took a place at the Committee table.

1. The CHAIRMAN asked the members of the Committee who were in a position to do so to put their questions to the petitioner immediately after his statement. The text of that statement would probably be distributed in accordance with the practice followed hitherto.

2. Mr. KELLY (Australia) observed that there was no established practice for the automatic distribution of the statements of petitioners. There was no reason to afford the statements of petitioners more favourable treatment than those of representatives of Member States.

3. The CHAIRMAN said he had not suggested an automatic distribution of the petitioner's statement; it was for the Committee to take a decision in the matter.

4. Mr. KALE said that the inhabitants of Ruanda-Urundi were subject to the arbitrary decisions of the local district administrator and his subordinates.

5. The history of the two ancient kingdoms of Ruanda and Urundi could be traced back to the sixteenth century. Each of those two kingdoms had an army, a council of elders and customary laws. The spoken languages of the two countries were closely related and the two areas had a common destiny. The Trusteeship Council was therefore fully justified in recommending that the Administering Authority should promote national unity in the Territory under its administration (A/3822, vol. II, p. 40). The inhabitants viewed with sympathy the efforts being made to eliminate the class differences existing between the Batutsi and Bahutu.

6. In signing the Trusteeship Agreement, the Administering Authority had pledged itself to promote the development of free political institutions and to ensure the participation of the inhabitants of Ruanda-Urundi in the central and local administration of the Territory. However, there was as yet no central government which could serve as the nucleus of an independent national government. The African community was not represented in the Government and the Administering Authority was not training Africans to fill central and local administrative posts. There was no central repre-

sentative body having legislative powers. The present General Council, established in 1957, was a purely advisory body and the Belgian Government had not yet taken any steps to transform it into a legislative organ. Thirty-two of its forty-five members were appointed by the Governor. Lastly, the Administering Authority had consistently blocked the emergence of any political groups and the inhabitants of Ruanda-Urundi did not enjoy the same freedom of association as Europeans. Recently, the Administering Authority had refused to approve the organization of two political parties: the Association progressiste du Lac Tanganyika and the Progressive Democratic Party of Ruanda-Urundi. The Administering Authority deported Africans who tried to organize political parties. It would seem, however, that the political future of the Territory could best be served by setting up machinery for introducing the indigenous inhabitants into the administrative and legislative bodies of the country, and by promoting the development of political parties.

7. With regard to education, the Administering Authority allowed one of the three major religious groups in the Territory to make itself responsible for forming the minds of the future leaders of the country. However, the majority of the people of Ruanda-Urundi were not of the Christian faith. There were practically no institutions of higher education in Ruanda-Urundi. Until now only twenty indigenous students had been educated in metropolitan Belgian universities. Only a university established within the Territory could cope with the inhabitants' increasing demand for education. A number of African students had been compelled to pursue their secondary and university studies in Uganda. They had been obliged to find employment outside the Territory, although the Administering Authority imported non-Africans who had themselves been educated abroad. In addition, the Administering Authority objected to students who had acquired a secondary education abroad making use of scholarships offered by Members of the United Nations. Lastly, adult education left much to be desired, and there was not even a radio broadcasting station in the Territory.

8. With regard to the administrative union of Ruanda-Urundi and the Belgian Congo, it must be noted that, whereas Ruanda-Urundi was a Trust Territory which was one day to attain self-government or independence, the Belgian Congo was a colony whose future had never been defined. It was therefore not proper to link the two Territories. As the Administering Authority had not set any target dates for the handing over of administrative functions and the institution of constitutional changes preparatory to independence, it was difficult for the people to prepare themselves for the tasks ahead.

9. The situation in Ruanda-Urundi was therefore alarming. The Belgian Government was endeavouring to hinder the social and political advancement of the

indigenous inhabitants and was not preparing them for the management of their affairs. On the contrary, it was encouraging feudalism, tribalism and religious sectarianism. It was to be hoped that the United Nations would send a commission of inquiry to Ruanda-Urundi with a view to finding out how the various administrative posts could be handed over to the indigenous inhabitants, how universal suffrage could be introduced so as to enable the people to express their views, how the present educational policy could be reshaped to suit the needs of the Territory and, lastly, how to set up economic programmes likely to accelerate the Territory's development.

10. Mr. CLAEYS BOUUAERT (Belgium), referring to the various telegrams sent by the petitioner (A/C.4/377/Add.3 to 5), noted that the petitioner had at first announced that he wished to speak on his own behalf. The Committee had also been informed that the petitioner intended to speak of a territory neighbouring on Ruanda-Urundi, for which he claimed to be the spokesman. He now claimed to represent the inhabitants of Ruanda-Urundi, and the Belgian delegation wished to express its reservations on that point. Furthermore, the petitioner had emphasized that the situation was urgent in order to obtain a hearing. Nothing he had said, however, appeared to substantiate that statement.

11. The petitioner had not told the Committee anything new. He had merely repeated opinions which had already been expressed either in the Trusteeship Council or outside the United Nations. It was moreover interesting to recall that when the petitioner had been invited to speak on the day following his arrival in New York he had replied that he was not yet ready to do so.

12. Mr. MUFTI (United Arab Republic) pointed out that it was the Committee which had decided to hear Mr. Kale at the present meeting, on the proposal of the United Arab Republic.

13. He asked that the complete text of the petitioner's statement should be circulated to the members of the Committee.

14. In reply to a question by Mr. RASGOTRA (India), the CHAIRMAN stated that if there were no objections the petitioner's statement would be circulated by the morning of the following day.

It was so decided.

15. Mr. KELLY (Australia) and Mr. DE CAMARET (France) did not concur in the circulation of the document.

16. Mr. ESPINOSA Y PRIETO (Mexico) said that he would like Mr. Kale to explain in greater detail why he regarded the situation in Ruanda-Urundi as urgent; he would also like to know what Mr. Kale's relations were with the people of Ruanda-Urundi.

17. Mr. KALE replied that the mere fact that the inhabitants of the Territory of Ruanda-Urundi were unable to express their views freely did not mean that the situation was not urgent. The people wanted to have a clear idea of their future. In addition, the situation with regard to education was quite deplorable, and something should have been done about it long ago.

18. He was a national of a territory administered by the United Kingdom, but part of his family lived in Ruanda-Urundi. The frontier which thus divided the

population was artificial. There was no political organization in Ruanda-Urundi. He had been arrested by the Administering Authority and expelled from the country.

19. Mr. ESPINOSA Y PRIETO (Mexico) said that he understood the objections of the Belgian delegation, but thought that, since a hearing had been granted to the petitioner, the members of the Committee should take the opportunity to obtain as much information as possible on the Territory.

20. In reply to a question by Mr. BOZOVIC (Yugoslavia), Mr. KALE confirmed that the urgency to which he had referred in his telegram of 23 October 1958 (A/C.4/377/Add.3) was due not only to the political backwardness of Ruanda-Urundi, but also to the fact that the Territory's political development lagged behind that of the other East African territories. The inhabitants of Ruanda-Urundi were politically mature, but the Administering Authority was preventing them from acquiring administrative experience. As the Manifesto of the Bahutu (T/1346, annex I) showed, democratic aspirations existed in the Territory, but could not find expression owing to the absence of political organizations. As Ruanda-Urundi was artificially isolated from the outside world, it was natural for the people to turn to the United Nations in order to find recognition for their aspirations.

21. Mr. VELA (Guatemala) said that Mr. Kale's plea of urgency was borne out by his preliminary statement, and asked in what way the local authorities opposed the formation of political parties and how the Administering Authority was impeding the unity of Ruanda-Urundi.

22. Mr. KALE replied that local administration was in the hands of the traditional chiefs, who, though they did not encourage the formation of political parties, did nothing to prevent it; it was the Administering Authority which opposed the formation of political parties in the Territory. Ruanda and Urundi were twin kingdoms linked by close linguistic and cultural ties. The Administering Authority had sought to divide them administratively in the hope that that would make it easier to annex them to the Belgian Congo.

23. Sir Andrew COHEN (United Kingdom) asked whether the petitioner was aware that the question of the link between Ruanda and Urundi had, as the report of the Trusteeship Council pointed out (A/3822, vol. II, p. 39), been thoroughly examined by the United Nations Visiting Mission to Trust Territories in East Africa, 1957, the Trusteeship Council and the Administering Authority.

24. Mr. KALE said that it was not for the Administering Authority to decide what the aspirations of the Territory's population were with regard to the unity of Ruanda and Urundi. A referendum should be organized to enable the people freely to express their wishes in the matter.

25. In reply to a question by Mr. RASGOTRA (India), Mr. KALE added that the Administering Authority had done nothing to comply with the Council's recommendations regarding the strengthening of the relationship between Ruanda and Urundi and the establishment and development of common institutions for the two countries (A/3822, vol. II, p. 39).

26. Mr. RASGOTRA (India) asked the petitioner what practical measures should in his view be taken to end

what he regarded as an artificial division between Ruanda and Urundi.

27. Mr. KALE pointed out that the inhabitants of British Ruanda wished to be united with those of Ruanda under Belgian administration. Without wishing to pronounce on the desirability of political unification, he thought that the United Kingdom and Belgian authorities should start negotiations with a view to abolishing the barriers separating the two populations and even sometimes the members of a single family. The Administering Authority should also set targets for the political development of Ruanda-Urundi and give an assurance that the Territory would not be annexed to the Belgian Congo against the wishes of its inhabitants.

28. Mr. RASGOTRA (India) noted that according to the petitioner Ruanda-Urundi had been reduced to the status of a province of the Belgian Congo and asked what administrative measures had brought that situation about. He also inquired whether there was in the Territory a body of public opinion opposed to that state of affairs and how the people felt about the police contingent from the Belgian Congo which was responsible for maintaining order in Ruanda-Urundi.

29. Mr. KALE replied that Ruanda-Urundi was administered as an integral part of the Belgian Congo, which explained why the Administering Authority had not formulated any policy for the Territory's own development. The inhabitants were firmly opposed to the annexation of the Territory to the Belgian Congo and would prefer it to be annexed to the British East African territories. They were equally opposed to the presence of the police contingent from the Belgian Congo, considering that the Territory ought to have forces of its own, in order to be able to ensure its own defence when it became independent.

30. In reply to a further question by Mr. RASGOTRA (India), Mr. KALE said that political institutions had existed in Ruanda-Urundi for several centuries and that the inhabitants of the Territory were sufficiently mature politically to take part in a referendum. It would obviously be preferable for universal suffrage to be instituted in Ruanda-Urundi before a consultation of that kind, since, although the inhabitants had a deep political consciousness, they had so far been prevented from demonstrating it. Those indigenous inhabitants who had tried to form political parties had been imprisoned or expelled. There could be no doubt that, if no obstacles were raised, democratic political parties could be founded and could prepare the people for participation in consultations based on universal suffrage. The only difficulty lay in the fact that a large part of the population was illiterate, but in view of the slowness with which progress was being made in education, that fact should not be used as an argument against the introduction of universal suffrage.

31. Mr. RASGOTRA (India) asked for the names of the political parties which the Administering Authority had prevented from being formed and of the persons whom it had imprisoned or expelled because of their political activities.

32. Mr. KALE said that it was difficult to form political parties when there was no freedom of expression. There had, however, been an attempt to form a number of parties, such as the Association progressiste du Lac Tanganyika and the Progressive Democratic Party of Ruanda-Urundi, but permission had been withheld by

the Administering Authority. The principal victims of the Administering Authority's repressive measures had been persons attempting to form political parties. Mr. Rukeba, who for forty-five years had been trying to awaken the political consciousness of his fellow-countrymen, had been arrested and expelled. Mr. Mambo Gerald, who had joined a political party existing outside the Territory, had been arrested and sentenced to five years imprisonment, after his house had been looted and all the United Nations publications he possessed destroyed. Mr. Rukezamihto had also been persecuted for his political activities. Lastly, the petitioner himself had been arrested and arbitrarily expelled when he had tried to enter the Territory.

33. Replying to a question from Mr. RASGOTRA (India) concerning the exercise of the rights guaranteed by the Charter and by the Universal Declaration of Human Rights, Mr. KALE asserted categorically that the inhabitants of Ruanda-Urundi were not allowed freedom of expression in political affairs.

34. Mr. RASGOTRA (India) reserved the right to put further questions to Mr. Kale after having examined his statement.

35. The Indian delegation did not consider that a grave situation must exist before the Committee could grant a hearing to a petitioner. Moreover, the fact that the stage of advancement of a Territory was behind that of the rest of the world was in itself a problem which required urgent consideration.

36. Mr. EL-RIFAI (Jordan) asked the petitioner when he had last been in Ruanda-Urundi and, in the event that he had been out of the Territory for a long time, from what source he obtained his information about it.

37. Mr. KALE said that the official date of his departure from the Territory had been in November 1956, when he had been taken to the frontier and expelled, but that he had returned there since that date. As to his sources of information, he was in direct correspondence with a number of persons in the Territory.

38. Mr. CARPIO (Philippines) asked the petitioner whether laws which prohibited political activities actually existed in Ruanda-Urundi and, if so, to give examples of some of them.

39. Mr. KALE replied that political rights in the Belgian Congo, and therefore in Ruanda-Urundi, which was attached to it, were very restricted. As the traditional institutions of the Territory were essentially aristocratic, they were not capable of expressing the wishes of the people. The efforts of persons who claimed the exercise of political rights as individuals were from the outset neutralized in a wholly arbitrary manner.

40. Mr. CARPIO (Philippines) asked how many students from Ruanda-Urundi were at present in Belgium undertaking advanced studies or preparing for high administrative posts.

41. Mr. KALE replied that, although the Administering Authority had in 1952 promised to set up an establishment for advanced education, it had actually not kept its promise because the establishment in question was merely a post-primary training school for assistant mechanics. In addition, only three secondary schools had been opened since 1952.

42. Out of more than seventy young people from the Territory who were studying abroad, some fifty were

taking courses at the secondary level and the rest were undertaking advanced studies. A large number of them were receiving religious and not administrative training.

43. Moreover, some of the students who had studied abroad did not return to their country, where they might play a very useful role. Others who had been trained in educational establishments in East Africa were unable to return to give assistance to their country.

44. In reply to Mr. CARPIO (Philippines), who asked him what profession he followed, Mr. KALE said that he was engaged in politics.

45. Mr. BUSNIAK (Czechoslovakia) requested the petitioner to provide additional information concerning the statement in his telegram of 30 October 1958 (A/C.4/377/Add.4) that attempts were being made to cede Ruanda-Urundi to the Belgian Congo.

46. Mr. KALE replied that the existence of a customs and administrative union between the Belgian Congo and Ruanda-Urundi, together with the fact that the Administering Authority had not set a date for the attainment of independence by Ruanda-Urundi, suggested that the Belgian Government considered that the two territories should share a common future. The absence of a national defence force in Ruanda-Urundi, the presence in the Territory of such a force from the Belgian Congo and the efforts being made by the Administering Authority to prevent the awakening of a national political awareness all provided further evidence of the fact that the Belgian Government was considering the unification of the two Territories, a situation which should be remedied by the United Nations.

47. Mr. LOIZIDES (Greece), recalling the fact that the petitioner had referred to a part of Ruanda which was under British administration, asked whether the partition antedated the League of Nations Mandate.

48. Mr. KALE said that the partition had been in existence for a long time and had been imposed by the United Kingdom and Belgium.

49. Mr. MUFTI (United Arab Republic) considered that the reasons advanced by the petitioner were sufficient to show that he could be speaking only on his own behalf.

50. Turning to the matter of the resettlement of people in the Belgian Congo, his delegation would like to know whether that had been the result of a spontaneous migration or of a policy deliberately imposed by the Administering Authority on political grounds.

51. Mr. KALE stated that as a result of the density of population in Ruanda-Urundi more than 40,000 persons migrated each year to neighbouring East African territories. That was a spontaneous movement and was

due to the affinities which existed between the inhabitants of those territories and those of Ruanda-Urundi. On the other hand, the migration to the Belgian Congo took place under compulsion, and Ruanda-Urundi was being used as a source of cheap labour for the Belgian Congo. In Ruanda-Urundi there were still many regions which had not yet been settled. Those regions could be developed, for instance, by irrigation and by the eradication of the tsetse fly and could be used by the Administering Authority for the resettlement of the excess population.

52. In reply to a question from Mr. MUFTI (United Arab Republic), Mr. KALE said that the people who migrated to the Belgian Congo on a temporary basis were subject to that country's laws but that, except for small differences, the laws of Ruanda-Urundi were the same as those of the Belgian Congo.

53. Miss BROOKS (Liberia) recalled that, in granting the petitioner a hearing, the Committee had considered that it was not necessary for him to come from the Territory or to represent an organization in the Territory in order to be given the hearing. She reserved the right to put questions to Mr. Kale after having made a detailed study of his statement.

54. Mr. ARAMBURU (Peru), referring to the fact that Mr. Kale was a national of a territory under British administration, asked on what grounds he considered himself entitled to intervene in political affairs affecting another Territory.

55. Mr. KALE said in reply that he spoke, not on behalf of the Territory of Ruanda-Urundi, but on behalf of the people to which he belonged. He had relatives on both sides of the frontier, which was in effect nothing more than an arbitrary line dividing two parts of the same nation.

56. Sir Andrew COHEN (United Kingdom) asked the petitioner whether he could quote any cases where persons had been forced to settle in the Belgian Congo against their wishes.

57. Mr. KALE said that he did not know all the details of the situation. People had, however, been moved for administrative reasons, and when the Administration issued an order, it was impossible not to carry it out.

58. Sir Andrew COHEN (United Kingdom) pointed out that there was in Ruanda-Urundi an acute problem of over-population. The Administering Authority had put into effect many splendid schemes for the resettlement of the people with a view to raising their level of living. The United Kingdom delegation was still convinced that no one had been forced to emigrate to the Belgian Congo; he had asked about that in order to prevent the members of the Committee obtaining a misleading impression from the petitioner's remarks.

The meeting rose at 1 p.m.