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President: Mr. Awni KHALIDY (Iraq).

Present:

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

The representative of the following State non-member of the Trusteeship Council: Italy.

Examination of the annual report on the Trust Territory of Somaliland under Italian administration for the year 1951 and of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on that Territory (T/947, T/979, T/980, T/993, T/1006 and Corr.1) (*continued*)

[Agenda items 4 (a) and 6]

At the invitation of the President, Mr. de Holte Castello (Colombia), Fadel Bey (Egypt) and Mr. Pastrana (Philippines), representatives of States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration, and Mr. Spinelli, special representative of the Administering Authority for the Trust Territory, took places at the Council table.

GENERAL DEBATE (*continued*)

1. Mr. RYCKMANS (Belgium): The observations already presented by the members of the Council will enable me to be brief.

2. With regard to general administration, the Belgian delegation thinks it most regrettable that certain disagreements in the Advisory Council have become public. In that connexion we would recall that if some doubts exist as to whether the members of the Advisory Council represent their own government or the

United Nations in general, there can be no doubt that they do represent either their governments or the United Nations on the Advisory Council, and that they are not direct advisers to the local government, the Italian Administration in Somaliland. The Advisory Council is a collective body and must act as such in its collective capacity. It would be most unfortunate if any of the members of the Advisory Council were to identify themselves with political parties. That would be playing a role which would certainly not be the role of aid and assistance which the Trusteeship Agreement and the General Assembly resolution [resolution 289 (IV)] assigned to the Advisory Council.

3. Still referring to general questions, we hope that now that diplomatic relations have been resumed between Italy and Ethiopia, it will not be long before the question of the frontier between Somaliland and Ethiopia is settled.

4. In the political field, the Council will be pleased to note that the relations between the political parties have improved. The Visiting Mission¹ had noted that, unfortunately, parties still identified themselves too much with matters which definitely belonged to the past, for instance, whether or not the trusteeship of Somaliland was to be granted to Italy. Since the Visiting Mission's departure, the situation seems to have improved somewhat; it would appear that just as all parties in sovereign States accept the constitution, so the political parties in Somaliland will accept the irrevocable fact of Italian trusteeship, which will remain in force for the prescribed period, and that if they feel obliged to remain in opposition, they will at least constitute a constructive opposition, and co-operate with the government as do the opposition parties in all democratic countries. I feel certain that a resolution by the Trusteeship Council recommending such

¹ United Nations Visiting Mission to Trust Territories in East Africa (1951).

co-operation to the political parties would further improve the situation, coming as it would from an organ whose integrity the Somalis have no reason to doubt.

5. In this connexion, the Council was glad to note that many of the questions raised in the petitions have been settled and that, for instance, the conflicts between certain political parties and the Administering Authority have for the most part been resolved.

6. Further favourable developments have been the creation of an advisory organ, the establishment of municipal councils, the increase in the number of seats in the Residency councils, which will promote the political training of the inhabitants, and, finally, the establishment of a permanent committee in the Territorial Council for Somaliland, a committee which will soon be divided into two sections.

7. In legal matters, considerable progress has been achieved by the establishment of an appeals court in the Territory. We hope that greater separation of power may be achieved in the lower courts, particularly in view of the activity of the rival political parties. Though officials are independent when they exercise judicial powers, they remain officials, and that may put them in a difficult position when they have to prosecute persons who have been in active opposition to the government.

8. Another favourable development has been the shortening of the period of preventive detention, even in cases where the examination has not been completed. An accused person is now certain of being released after a period of not more than five months, even if the examination of this case has not been completed, if he has not been brought to trial before that time.

9. As regards economic advancement, the Council has reason to be pleased that the preparation of an economic plan is being continued with the co-operation of international agencies. The situation seems to have improved remarkably since last year. Agricultural production has greatly increased; the use of imported cloth and imports of agricultural machinery and equipment have grown during the year. The question of investment raises, of course, a number of problems which the Council considered last year. It would be important that the Ras Hafun salt works, which at one time were the principal resource of the Territory, should be brought back into operation, if necessary in co-operation with international agencies, in order that the Territory might derive the maximum possible advantage from this resource.

10. In the matter of the budget, the Council will note with satisfaction that Italy is making a considerable contribution in order to balance it. The benevolence of the Administration Authority should not, of course, accustom the Territory to live beyond its means, but the fact that the present deficit is made up by Italy is not in itself a danger. Some expenditures — for the equipment of a port, for instance — can be covered out of the Administering Authority's funds without in any way jeopardizing the stability of the Somaliland budget once the Territory has become independent. On the other hand, developing the medical services or educational facilities to such an extent that it would be impossible for the State of Somaliland to maintain

them might indeed constitute a danger. There is a certain balance which the Administering Authority must be very careful to maintain in order not to create difficulties for the future government of Somaliland.

11. We are less satisfied with the manner in which the budget has been presented, as it does not give a clear picture of the expenditures for various purposes. The Administration has, however, stated that this disadvantage will be obviated in the next annual report. We continue to wonder whether taxes, particularly on income derived from professional services, are sufficiently high. The maximum rate on income from salaries is 8 per cent. Even taking into account the Administering Authority's desire to favour investment, it may be wondered whether that rate is sufficient.

12. The Council will note with satisfaction the settlement of the question raised in a number of petitions as regards trade with the Far Eastern countries which supplied the Territory with goods at prices within reach of the indigenous inhabitants' limited resources. The Council will also be pleased to note that indigenous inhabitants receive preference in the issuance of import and export licences.

13. As regards social advancement, the number of doctors has been increased considerably, from thirty-seven to forty seven, and a plan for the organization of the health services is being studied in collaboration with the World Health Organization. We must recognize that in spite of the Administering Authority's efforts, medical services are still insufficient. Two-thirds of the cases were treated at Mogadiscio, and the rest of the Territory still lacks proper medical services. There are numerous petitions complaining of this deficiency, although none of them seem to consider whether or not it is within the Territory's means to expand the medical services. Its means are, after all, very limited. Somaliland could not by itself pay for a medical service comparable to that of the economically developed countries. Italy should not be prevented from spending on medical services larger sums than could ultimately be afforded by the Somali government, since a campaign against endemic diseases, for example, might result in the general improvement of public health and thus lower expenditure on the permanent health services. A medical school is to be established in 1954, and we can only regret it cannot be done sooner. On the other hand, it is doubtful that qualified candidates for such training could be found before that time.

14. Speaking about education in general, the Council will be glad to note that a five-year plan has been drawn up with the co-operation of UNESCO. We have had numerous petitions from the inhabitants of the Territory, complaining that education was insufficient. The five-year plan proposes that there should be 520 instructors and 20,000 students by 1955-1956, apart from 18,500 students attending night school. In addition, there will be twenty teachers and 440 students in secondary schools. In relation to the total population of Somaliland, these figures are not satisfactory as compared with the figures for countries of an older civilization, but it is doubtful that much more can be done until elementary education in the Somali language can be provided. It is useless to hope that any education, however elementary and general, will be of real

benefit to the population if, in order to receive it, the indigenous inhabitants must first make an effort to learn either Arabic or Italian.

15. We are glad to note, in this connexion, that the Administering Authority has been using the advice of UNESCO in order to reply, when necessary, to certain petitions which are not always realistic and do not take account of budgetary limitations or other factors.

16. I should like to say a few words concerning the question of education in the Somali language. The Administration points out that the question of writing — the establishment of a Somali alphabet — is being studied by a well-known scientist. I would point out to the Administering Authority in this connexion that the problem of writing a language which has hitherto been spoken by a people at a low level of civilization does not fall within the realm of science. The problem is not to teach the Somali language to people who do not know it, but to teach people who know Somali perfectly how to write in that language. It is not so much a question of reproducing the sounds of the Somali language in the best phonetic manner, as of working out a method of writing which can be used by all Somalis. In other words, an alphabet — preferably the latin alphabet — should be adapted to the sounds of the Somali language by using the characters most common to European languages without too many signs which would require the use of special typewriters or printing type. Simplicity is the main requirement in the writing of a language already known by the people of the Territory.

17. On the whole, I believe that the Council can be satisfied with the manner in which Italy has exercised its functions in Somaliland. Italy has clearly shown its disinterestedness. It could never hope to find in Somaliland abundant raw materials or a large market for its industry. The only glory that Italy wants in exercising trusteeship over Somaliland is the proud knowledge of having brought civilization to that Territory. The report² we have before us shows that it has accomplished that task.

18. I should like to join my colleagues in praising the manner in which the report has been presented, although this form of catechism is not the best, and I should like also to express my appreciations to the special representative for the courtesy and competence with which he has answered our questions.

19. Mr. SERRANO GARCIA (El Salvador): After studying the reports of the Administering Authority and the Visiting Mission, and after listening to the special representative's answers, given with an assurance based on full knowledge of the subject, I can only congratulate the Administering Authority most warmly for its progress in the task entrusted to it, a task which it is fulfilling with enthusiasm, and even love and affection. I personally wish to thank Mr. Spinelli for the very courteous manner in which he answered my questions.

20. The failure of the experiment which is being carried out in Somaliland would mean not only that the principles enunciated in the Charter were worthless, but, worse still, that the ideals of the peoples under

the Trusteeship System and the hopes which they have placed in the United Nations, which is the champion of all ideals throughout the world, would be betrayed. Hence any neglect by the Administering Authority of its task would be an international crime. Italy, with its experience and determination, is showing us what can be done in this field.

21. I shall not dwell at length on the activities of the Advisory Council, as other delegations have already commented on them appropriately and in great detail. My delegation agrees with the views expressed, since we notice with regret that the work of the Advisory Council could have been more complete if it had not been held up by the absence of one or two of its members. When the Advisory Council was created the idea was that there should exist between its members the close co-operation without which the Council itself would not only be ineffectual but would deviate from the principles on which it was established. Incidentally, we believe that the Trusteeship Council alone is empowered to consider petitions and that the Advisory Council is not entitled to deal with them save in some very exceptional cases where its co-operation may be requested.

22. My delegation is pleased to note that an interesting study on post-war living conditions has been undertaken in the Territory, which will serve as a basis for future social advancement in Somaliland. It is equally pleased at the promulgation of Ordinance No. 9 for the establishment of municipal councils to assist the Residents and to promote gradual participation of the indigenous inhabitants in local government. We have also been pleased to learn of the ordinances for the reorganization of the Residency councils and of the Territorial Council, with a view to extending the political experience of the indigenous inhabitants, increasing the number of indigenous representatives in those organs and ensuring the participation of political parties in the government.

23. As for the problem facing the Administration with regard to the frontier with Ethiopia, we do not doubt that, now that friendly relations have been restored between the Governments of Italy and Ethiopia, negotiations on this issue will be satisfactorily concluded. Everything possible should be done in this field in order that the future State may not inherit problems of this kind.

24. As regards the disputes between the tribes, my delegation would wish the Administration to do everything possible to achieve greater unity among these tribes, because we know that without unity there can be no nation. We realize that the task is a difficult one, at it means overcoming customs and traditions many centuries old. Such problems are always very delicate and it is very difficult to solve them satisfactorily.

25. In the social field, my delegation is pleased at the enactment of Ordinances Nos. 21 and 22, introducing labour inspection and establishing regional offices. Equally important is the ordinance which introduces compulsory workmen's compensation.

26. With regard to penal matters, we should like the new court regulations to be put into force as soon as possible, because they are based on principles of modern penal law and will enable the Administering Authority to overcome certain problems, particularly

² See *Rapport du Gouvernement italien à l'Assemblée générale des Nations Unies sur l'administration de tutelle de la Somalie, 1951*, Ministry of Foreign Affairs, Rome, 1952.

as regards the procedure to be followed in respect of convicts. We strongly hope that the new penal institutions and the school for delinquent minors will be completed during this year, as this will greatly alleviate the prison problem in the Territory.

27. In the matter of public education, we appreciate the scope of the task and the many difficulties involved. The Administering Authority has done everything possible in the short time during which it has been administering the Territory. It must continue its efforts along these lines and take energetic steps to spread education throughout the whole Territory. A campaign against illiteracy carried out in co-operation with the inhabitants might perhaps bring good results.

28. I should like on behalf of my delegation to thank the special representative once again for the courteseness, frankness and clarity with which he answered all our questions. I should also like to congratulate the Administering Authority again for the work it is doing in Somaliland, which my delegation feels is a work of love and affection. Those are important attributes for a task of this nature.

29. Mr. HURE (France): When examining the record of the Italian Administration in Somaliland, the Council must remember that it is dealing with an exceptionally poor territory and one to which civilization can be brought only very slowly. Further, the international events which have followed each other in rapid succession during the past twenty years have resulted in an instability which may have favoured the creation of political movements, but has not contributed to the Territory's progress. Political agitation, economic poverty, social anachronisms—these have been the initial characteristics of the situation in Somaliland. Another difficulty is that Italy has been given only ten years in which to lead the Territory to independence. This means that Italy will have to make—and in fact has made—intensive efforts to improve a situation which has been so unfavourable from the outset. It means that in order to meet the ten-year time limit, Italy must make a sustained effort, use great energy as well as extreme caution, and avoid delay as well as haste. Too much haste may result in mistakes which in the end may have the opposite effect to that desired. I am glad to see that the Administration has not been guilty of such mistakes. We hope that all those having any responsibility, large or small, in Somaliland, will beware of taking a theoretical approach or being too ambitious and that they will follow the maxim of not putting the cart before the horse.

30. What conclusions can we draw from the study we have undertaken in the light of the observations of the Visiting Mission—which has submitted a most interesting report [T/947] and in the light of the observations of the members of the Advisory Council [T/979]?

31. What can be said about the functioning of the Advisory Council? We all know that it has a very definite part to play: to assist and advise the Administering Authority. It is in a position to follow closely the Administering Authority's activities and to make its views known to the Administering Authority on its own initiative or upon request, concerning almost all matters except current measures.

32. A consequence of this is that there is no division of authority between the Italian Administration and the Advisory Council. The Advisory Council has the responsibility of giving advice, but the responsibility for the decisions—in other words, the authority—rests with the Administering Authority which alone, for that reason, maintains direct and official contact with the population.

33. Another consequence is that, in the relations with the Administration, the Advisory Council can act only as a body, which means, first, that none of its members has individual rights, and, secondly, that the members should be present whenever possible.

34. Lastly, the terms of reference of the Advisory Council—as is clear from the Trusteeship Agreement—do not allow that body officially to examine petitions. Without repeating the arguments already presented by various delegations—both during the present session of the Trusteeship Council and at the ninth session—the French delegation believes that neither the Trusteeship Council nor the General Assembly can delegate its power to examine petitions to the Advisory Council. To do so would be contrary to the letter and spirit of the Trusteeship Agreement. This does not mean, of course, that certain questions raised in the petitions cannot be settled meantime in accordance with suggestions made by the Advisory Council to the Administering Authority. The French delegation feels sure that it is on this principle, accepted by the Trusteeship Council, that the Italian Administration and the Advisory Council appointed to aid it in its task will divide their functions.

35. In the political field, we feel that Italy should be encouraged in its efforts to reduce the number of foreign officials and staff and to increase the number of indigenous employees, although it should be stressed that the progressive replacement of foreign officials must not result in lessening the efficiency of the institutions of which those officials had been in charge.

36. The French delegation was very interested in the system for appointments to the Territorial Council. It believes that, in present circumstances, this system can be very valuable. It wishes to stress, however, a danger which this may entail: the creation of political feudalism which might result in restraining the expression of individual opinion and in placing the central authority in jeopardy. We hope that it will be made clear that the present system is only temporary and that it is used only on a trial basis in the circumstances now prevailing in the Territory.

37. The French delegation is also happy to note that the parties which were opposed to the Administration are beginning to co-operate constructively with it. We are well aware of the difficulties in this regard. We hope that the parties in Somaliland are becoming familiar with the functioning of free institutions and, above all, with the rules and limitations of these institutions. We also hope that, having secured their independence, these parties will refrain from engaging in the excesses, abuses and disturbances which might occur during a period in which political maturity is far from having been reached. In this respect, we believe it is important not to give certain parties which are better organized than others the impression that they already dominate the political life or that they have a virtual monopoly

on the expression of public opinion. That is why we believe that understanding of administration can best be developed, free from political rivalry, at the local level. We follow with interest the development of the municipal councils, which constitute the best school for teaching the indigenous inhabitants how to manage the affairs of their country.

38. Lastly, something should be said about the importance of the application of the new rules on arrest and preventive detention. The French delegation, which had read many petitions concerning this problem, was reassured by the explanations given by the special representative. It is aware that the indigenous inhabitants — like the citizens of the more advanced countries — are inclined to attribute political motives to any measures taken under ordinary law to which they are opposed. It believes that the application of the provisions which the special representative described to us offers the best answer to the complainants.

39. In the economic field, the French delegation wishes to thank the special representative for his explanations as regards the balancing of the budget. That is a very important question, which may not be easily solved. In any case, if foreign investment is to assist the country economically in the future, such investment will only be facilitated by political stability, which in turn depends to a large extent on the moderation and understanding of the parties. That applies to the Territory's economic and financial life as a whole, in particular as regards the question of the payment of taxes.

40. Concerning cattle raising, we hope that the Administration will continue to give attention to the problem and that, by increasing the number of wells, it will succeed in overcoming the population's reluctance to provide the necessary manpower. We wish to congratulate the Administration on the progress achieved in agricultural production, as indicated by the figures which have been furnished us.

41. Definite progress is evident in the social field. The position of workers has been improved considerably by a number of provisions giving them the benefit of modern legislation, particularly as regards industrial accidents.

42. The organization of health services has also been improved by various measures. The French delegation notes with satisfaction that the number of cases treated in hospitals and the number of medical personnel employed have grown considerably. We hope that all parts of the Territory will benefit from this progress.

43. Considerable advances have been made in education, including all levels and age groups, as regards the organization, the facilities and number of schools available and the number of pupils attending school. A five-year plan has been drawn up. We have also noted with interest the programme of the School of Political Administration, which is to teach at once the essential elements of public administration. We are pleased to note also that the Italian Administration is taking the necessary action to train vocational workers and skilled labourers, such training having an immediate effect on the economic and social life of the country.

44. In conclusion, the French delegation wishes to express its deep satisfaction with the work done by the Administering Authority and to congratulate it on its efforts.

45. We wish to express our regret that Italy, whose status as an Administering Authority we fully recognize and which has shown remarkable understanding of its responsibilities, should not have a seat in the Council with all the rights of a Member of the United Nations. Faced with an enormous task, handicapped by the past backwardness of Somaliland and by the ten-year time limit — of which the best that can be said is that it was chosen on a theoretical basis — Italy has shown ability, selflessness and a strong sense of responsibility in its administration of the Territory which deserve to be commended.

46. The French delegation would like to take this opportunity to express its appreciation to Mr. Spinelli for his patience and intelligence in replying to our questions.

47. Mr. SOLDATOV (Union of Soviet Socialist Republics): The report presented by the Italian Government on the administration of the Trust Territory of Somaliland for the year 1951 does not give a true picture of the situation in the Territory as it really is. Neither does it describe the very difficult position of the indigenous population towards which the Administering Authority is pursuing a policy of discrimination and of crude violation of their rights and interests.

48. Many facts mentioned in the petitions of the indigenous inhabitants of Somaliland, the report of the United Nations Visiting Mission to Somaliland and the report of the Advisory Council for Somaliland show that the Italian Government's policy continues to be that of restoring and strengthening a cruel colonial régime in the Territory. The Administering Authority takes no legislative or other measures to guarantee the participation of the indigenous inhabitants in the legislative, executive and judicial organs of the Trust Territory. It does not encourage the establishment of local administrative organs in which the indigenous inhabitants would participate. Thus the Administering Authority is hindering the advancement of the Trust Territory towards independence and is thereby violating the principles and objectives of the International Trusteeship System set forth in the Charter of the United Nations.

49. I have already said that the Administering Authority is pursuing an antidemocratic policy with regard to the indigenous inhabitants, permitting racial discrimination and crudely violating the rights and interests of the indigenous population. Laws which were promulgated during the fascist colonial régime are still in force in the Territory. Italian officials who worked in Somaliland during the fascist régime are now back again. The special representative was obliged to concede that the majority of the present Italian officials in Somaliland were formerly members of the Fascist Party. In fact, even the present structure of the Italian Administration in Somaliland at present is similar to the one which existed during the fascist régime. The old system of Residents and commissioners has been revived. All power is in the hands of the Administrator, and it is the Italian commissioners and the Italian Residents who have full power in the Territory.

50. Page 33 of the Administering Authority's report for 1951 states that the territorial districts are administered by regional commissioners and Residents appointed by the Administrator. They direct the eco-

conomic, social and political life of the part of the Territory under their jurisdiction, in accordance with the existing laws and the Administrator's instructions and directives. The Administering Authority makes no attempt to bring the indigenous inhabitants into the administration. Tables 5, 6 and 7 of the statistical annex to the annual report show that all important posts in the central administration are occupied by Italians, while the indigenous inhabitants form the service and auxiliary personnel. The Visiting Mission, in paragraph 143 of its report [T/947], states that "at the time the Mission visited the Territory, however, all higher positions in the Administration were occupied by Italians".

51. The petition contained in document T/Pet.11/40 states:

"No sign of Somalization of the Administration and no responsibility, whatsoever, is entrusted to the Somalis in the administration of their country. The Somalis are continually discharged and dismissed from service and replaced by Italians. It so happens now that all members of many Italian families — some numbering over ten persons — are government employees, while no job is given to the mass of unemployed Somalis even if most of them can fulfil many of the vacancies which are given to the Italian..."

52. The Philippines representative made the same observation in the report of the Advisory Council (T/979, para. 21), where the following statement appears: "During the British occupation, there were Somalis who held responsible posts but who, after the hand-over, were either gradually weeded out or relegated to menial positions and their former posts taken by Italians. At the present time, there are anywhere from 750 to 800 Italians in the Administration, quite a number of whom are members of families of higher officials. Some of these are mere clerks sitting side by side with Somali clerks, who sometimes serve as trainers for their Italian counterparts. Yet salaries of Italian clerks are anywhere from three to four times those of the Somali clerks." I repeat, "Yet salaries of Italian clerks are anywhere from three to four times those of the Somali clerks."

53. The Administering Authority has established a military police régime in Somaliland. There are no limits to the arbitrary action taken by the Italian police and the *carabinieri*. In many petitions from the Territory the indigenous inhabitants complain of arbitrary arrests, preventive detention and deportation.

54. In his annex to the Advisory Council's report, the Philippines representative mentions an example of the arbitrary action of the Italian police and the *carabinieri*. Following an attempt upon the life of a person called Osman, mass arrests were made. The criminal was not apprehended in the act. On the other hand, immediately after the attempt, full *carabinieri* and police forces went into action and that night arrested indiscriminately some two or three thousand persons, mostly Somali Youth League members, from the streets and houses and everywhere. They were thus held in the police stations of the city, and, for failure to say to what tribe they belonged, many were boxed and kicked, their faces bruised and some received broken ribs, noses or teeth. They remained under arrest pending investigation for

several days before being released, but some 150 to 200 persons living in Mogadiscio were deported without court trial to various parts of the Territory. The city was virtually under martial law, reminiscent of the war days (T/979, para. 18).

55. The Administering Authority maintains a large number of military and police detachments in the Territory. As we see in the report of the Administering Authority (page 27), the police corps of Somaliland consists of about 2,000 men. In addition, there is a special corps of *Italos* of about 1,500 persons under direct authority of the Residents. There are also military units of the so-called Security Corps of Somaliland comprising over 4,000 men commanded by Italian officers (page 29). The budget for the maintenance of such military units amounts to one and a half times the total expenditure for civilian purposes including administration, police, justice, prisons, health, education and public works. Military expenditure in the year 1950-1951 amounted to approximately 81,472,676 somalos; over 73 million somalos for Italian military units and about 8 million somalos for Somali military units. The total expenditure for civilian purposes was only 55,907,454 somalos (pages 61 and 62).

56. In the Trust Territory there is not even an advisory organ on which the indigenous population is truly represented. The Territorial Council, appointed by Italian authorities, cannot be considered as truly representing the indigenous inhabitants. Most members of the Territorial Council are tribal chiefs who are in fact officials of the Administration. The other members of this Council are also appointed by the Italian Administration. As we can see from the petition of the Central Committee of the Somali Youth League (T/Pet.11/40), almost all members of the Territorial Council and of the Residency councils consist of "illiterate pro-Italian elements mostly disguised under the vest of tribal representatives". The Territorial Council has no real power and, according to paragraph 84 of the report of the Visiting Mission, the Administration has "indicated that no measures for the granting of legislative powers to the Territorial Council were contemplated for the time being".

57. The composition of the Residency councils is also unrepresentative and anti-democratic. Paragraph 89 of the Visiting Mission's report states that "During 1951 each Council has been composed of all Residency chiefs, notables, village chiefs, etc..."

58. In some towns there are municipal councils, but they have no real powers. Paragraph 99 of the Visiting Mission's report states that authority is vested entirely in the Resident who heads the municipal council.

59. All these facts go to show that the Administering Authority is not creating any legislative organs in the Territory and that it is not taking any legislative or other steps which would ensure the true representation of the indigenous inhabitants in the legislative, executive or administrative organs of the Trust Territory. Neither does the Administering Authority encourage the establishment of any organs of self-government even on the local level, thus delaying the progressive development of Somaliland, in violation of the purposes and objectives of the International Trusteeship System as established by the United Nations Charter. These facts also go to show that the Administering Authority is

pursuing an anti-democratic policy with regard to the indigenous population, permitting the crude violation of the rights of the indigenous inhabitants.

60. The Soviet Union delegation therefore proposes that the Trusteeship Council should recommend that the Administering Authority should set up legislative organs and take the necessary legislative and other measures to ensure the participation of the indigenous inhabitants of the Territory in the legislative, executive and judicial organs of the Territory, and to promote the establishment of local organs of self-government.

61. From the report of the Administering Authority and the report of the United Nations Visiting Mission it appears that the Administering Authority encourages the tribal system in the Territory, trying to adapt that system to its own purposes. As we can see from the petitions, the Administration, using the fear of punishment, is forcing the Somalis, under threat of punishment, to state to what tribe they belong. In fact, the chiefs are paid officials of the Administering Authority, being appointed by the Italian Administrator. As can be seen from paragraph 100 of the Visiting Mission's report, the chiefs "are responsible to the Residents for the direction of tribal affairs and for the communication and enforcement of all administrative acts concerning the tribes. They assist the Residents in the maintenance of order and security . . ."

62. While encouraging the obsolete tribal system, the Administering Authority persecutes the progressive elements of the population. The numerous petitions before us list many cases of discrimination, in particular against members of the Somali Youth League. The Italian officials resort to house searches, arrests, and even violence in their struggle against the League's activities. They fight the progressive elements by creating and financing pseudo-political parties composed of pro-Italian elements; it should, however, be noted that the parties sponsored by the Italians disintegrate as soon as the Italian Administration withdraws its financial support.

63. In the petition which we have received from the Somali Youth League (T/Pet.11/18), we find that the Assistant Administrator in Karda formed a small group of pro-Italian elements to fight the local branch of the Somali Youth League. He caused about forty members of the Somali Youth League to be imprisoned, and dismissed all officials who belonged to the Somali Youth League, replacing them by members of his party.

64. In the petition contained in document T/Pet. 11/66, the International Ethiopian Council informs us that Hassan Mohamed Degae, secretary of the Somali Youth League at Villabruzzi, was arrested and sentenced to eighteen month' imprisonment for alleged anti-Italian activity. The secretaries and members of various branches of the Somali Youth League at Chisimaio, Margherita, Gelib, Merca, Goluin, Genale, Ischia Baidoa, Lugh, Dolo, Bardera, Afgoi, Garoe, Beila and many other small villages have been arrested illegally and imprisoned for a long period for allegedly spreading anti-Italian propaganda.

65. The URSS delegation feels that the Trusteeship Council should recommend that the Administering Authority should put an end to its present anti-democratic policy which crudely violates the rights and interests of the indigenous population. The tribal system which

exists in Somaliland and is encouraged by the Administering Authority is not compatible with the progressive development of the Somali people towards independence. The Trusteeship Council should recommend that the Administering Authority should take steps to ensure the transition from the tribal system to the system of self-government built on a democratic foundation.

66. The Administering Authority has taken no steps to improve the difficult economic situation of the indigenous inhabitants and to promote the economic development of the Territory. The primitive systems of agriculture and cattle raising do not provide sufficient production to meet the needs of the indigenous inhabitants, who are consequently doomed to starvation. The Visiting Mission's report shows that in the northern part of Somaliland there have been famines during the past three or four years. Paragraph 179 of the report states:

"Up to the present, an uneasy balance has been maintained between the population and the resources of the Territory through the operation of natural factors such as famine and disease."

67. Instead of concentrating all efforts and resources on improving the methods of agriculture and increasing agricultural output, the Administering Authority develops only export crops, such as cotton and bananas. In 1951, exports from Somaliland increased by 8.4 in volume and 23 per cent in value in comparison with those in the preceding year. This may be seen from page 53 of the Administering Authority's report. Such policies, far from helping, only do further harm to the indigenous inhabitants, who suffer from constant droughts and poor harvests. Exports from Somaliland are increased to the detriment of the Somali standard of living. The best lands have been taken away from the indigenous inhabitants and transformed into plantations managed by Italians who exploit indigenous inhabitants along with the natural resources of the Territory. The indigenous labourers receive miserly wages. For example, a plantation worker receives a daily wage of only 1.4 somalos, which is the equivalent of about \$0.20. With that he can buy one kilogram of potatoes or half a kilogram of rice.

68. One of the forms of exploitation of the indigenous inhabitants by Europeans is the so-called co-participation system of the cotton cultivation. The European concessionaire advances the indigenous farmer money and seed, and receives in return the right to purchase the entire crop at a low price.

69. The Administering Authority has not only failed to return to the indigenous inhabitants the lands which were alienated from them before the establishment of the trusteeship, but continues that old colonial policy of alienating the lands of the indigenous inhabitants under various pretexts. The report of the Administering Authority shows (page 88) that, at the present time, there are 88,342 hectares of land in the hands of Italian proprietors. It should be kept in mind that only 10 per cent of Somali land is arable.

70. In many of the petitions from the Territory, the indigenous inhabitants complain that the Italian Administration is not doing anything to return their alienated lands or to prevent any further alienation.

71. For example, the petition in document T/Pet. 11/40 states that the Italians Buffo, Adaglio, Valenzano,

Angeleri, Del Buffalo and many others have alienated the lands belonging to Somalis at Genale and Afgoi. When the indigenous inhabitants brought the matter before the Italian authorities, they were arrested and sentenced to three months' imprisonment. The petition further states that all fertile lands are in the hands of Italian farmers, who grow bananas, cotton, nuts and other crops intended for export.

72. The petition contained in document T/Pet.11/33 states that the Italian authorities in the Bardera region seized lands belonging to Sheik Abdullah Sheik Mijo.

73. Another petitioner, Kulmie Aden Ahmed, complains that Bruno, an Italian farmer tried to seize land belonging to him, and has in fact begun irrigation work on that land (T/Pet.11/38).

74. The petition contained in document T/Pet.11/39 from Idris Omar Gude, Mahi Hassano Mohamed, Mohamed Osman Mio, Iunus Hassano Libah and Abucar Avou Marer, states that the Italian Del Buffalo, with the help of the Administration, has seized 150 hectares of land belonging to them. It also states the Commissioner of Marca had informed the petitioners that he had decided that 40 hectares out of the total area of the concession were to be set aside for use by the population of Goluin, the remaining 110 hectares to be left at the disposal of Del Buffalo. When Del Buffalo sent a team of workmen to clear the ground and to tear out trees in the area he intended to occupy, the owners of the land protested against the destruction of their trees and plantations. That same day they were arrested by the police and imprisoned at Merca. After twenty days' detention, they were sentenced to three months' imprisonment, in addition to three months' compulsory residence at Merca.

75. A petition sent Mr. Eid ibn Othman and fourteen other indigenous inhabitants (T/Pet.11/170) states that Italian farmers in the Chisimaio region have set aside land on both banks of the river and have thus prevented the people from cultivating it.

76. I shall not cite the many other instances of alienation of land from the indigenous inhabitants. They can be found in the petitions. The delegation of the Soviet Union considers that the Trusteeship Council should recommend that the Administering Authority should return to the indigenous inhabitants of the Trust Territory land alienated from them by various means and not permit such alienation of land in future.

77. Page 70 of the Administering Authority's report states that there is a hut tax in the Trust Territory which is levied on every man over 18 years of age for every house he has. If that hut tax is not paid, then, under decree No. 14 of 1944, the person's property may be confiscated; in case of insolvency, the person is liable to imprisonment for three months for every year that he has not paid his tax. The Trusteeship Council should recommend that the Administering Authority should take steps to replace the hut tax by a graduated income tax or at least a progressive tax system which would take into account the taxpayer's capacity to pay.

78. The Administering Authority is pursuing a policy of crude racial discrimination against the indigenous inhabitants, particularly where social security and wages are concerned. The Visiting Mission states in its report that the salaries of Italian officials are three to four times higher than those of indigenous officials occupying

the same position. The social security legislation applies to Italians only. Many Somali teachers complained to the United Nations Visiting Mission that their salaries were much lower than those of Italian teachers, and they have asked that equal pay should be established for Italian and indigenous teachers.

79. The general living conditions and the state of health of the indigenous inhabitants show that the Administering Authority is not fulfilling the obligations laid down by the Charter and by the Trusteeship Agreement. The Visiting Mission indicates in its report that the standard of living is very low and that the state of health is very poor. Paragraph 38 of the Visiting Mission's report further states:

"Social conditions in the Territory are backward. The standard of living is low and the population is afflicted by diseases such as malaria, syphilis, tuberculosis, tropical ulcers and intestinal infections. The high incidence of disease and mortality is further increased by malnutrition resulting from recurrent droughts."

Paragraph 270 reads:

"The Mission notes that slow starvation, in consequence of drought over the last few years, constitutes a special problem in the northern section. A number of cases, all of children or adolescents, were seen in the hospital at Bender Cassim . . . The problem is aggravated in many instances by failure to bring the victims to the hospital until they have reached the last stages of starvation."

80. Despite the poor health of the population, the Administering Authority has taken no steps to establish a proper health service. Budget appropriations for health needs for the year 1951-52 were 594,065 somalos lower than for the preceding year, even though the amount for the preceding year had constituted only 3 per cent of the total budget. From table 39, on page 307 of the annual report, we see that the number of health services decreased in 1951. In Migiurtinia it dropped from six to four, in Mudugh from two to one, in Upper Giuba from four to three. Contrary to the indication given in the report for 1950, there is no infirmary at Garoe.

81. From the report submitted to us this year it is clear that the Administering Authority makes no attempt to promote the cultural advancement of the indigenous population. It does not endeavour to train a staff of Somalis who could actively participate in the administration of their own country. The 1950-51 appropriations for educational needs constituted only 0.7 per cent of the total budget — not even 1 per cent. The 1951-52 appropriations for education were 500,000 somalos less than those for the police and the 1953 appropriations for education are one-third of those for the police and the *carabinieri*.

82. Meanwhile, there is almost complete illiteracy in the Territory. Here is how the Visiting Mission describes the situation in paragraph 279 of its report:

"Education in the Territory is in the very early stages of development. Schools are few and facilities outside of Mogadiscio are of a low standard. The great majority of children have, as yet, no access to schools and the rate of illiteracy is very high."

83. Secondary education exists as yet in theory only. There is not a single institution of higher education in

the Territory. The Mission notes, in paragraph 310 of its report, that "As yet, no provision has been made for higher education in the Territory." The Italians, who constitute a negligible part of the total population of the Trust Territory, have far better opportunities for secondary education than the Somalis. According to the data given on page 363 of the annual report, there are seven Somali-type secondary schools with fifteen classes for Somalis, and seven Italian-type secondary schools with twenty classes for Italians. In the secondary schools for Somalis there are only 343 pupils and twenty-three teachers, whereas in the secondary schools for Italians there are 351 Italian pupils and thirty-one teachers.

84. The Administering Authority has done nothing so far to compile a Somali alphabet. It tries to justify its inactivity by references to so-called opposition and to the complexity of the problem. Meanwhile, as the Visiting Mission noted, the prospect for popular education, if not provided in the Somali language, is not particularly encouraging.

85. In fact, the situation with regard to health and education is unsatisfactory and requires urgent measures by the Administering Authority. The Trusteeship Council should recommend that the Administering Authority should increase considerably the financial appropriations for education and other cultural needs as well as for health.

86. In this connexion, the USSR delegation submits for the consideration of the Trusteeship Council the following recommendations with regard to the report of the Administering Authority on Somaliland for the year 1951:

"1. The Trusteeship Council recommends that the Administering Authority create legislative and executive organs in the Trust Territory and take legislative and other measures to ensure the participation of the indigenous population in the legislative, executive and judicial organs of the Trust Territory and to promote the development of local indigenous organs of self-government.

"2. In view of the fact that the tribal system which at present exists in the Trust Territory and which is encouraged by the Administering Authority is incompatible with the progressive political advancement of the population of the Trust Territory towards independence, the Trusteeship Council recommends that the Administering Authority take measures to ensure the transition from the tribal system to a system of self-government based on democratic principles.

"3. The Trusteeship Council recommends that the Administering Authority put an end to its anti-democratic policy with regard to the indigenous population of Somaliland which permits flagrant violation of the rights and interests of the indigenous population.

"4. The Trusteeship Council recommends that the Administering Authority return to the indigenous population of the Trust Territory the lands alienated from it in any way and not permit any future alienation of lands belonging to the indigenous population.

"5. The Trusteeship Council recommends that the Administering Authority take steps to replace the hut

tax by a graduated income tax system or at least an income tax system which takes account of the property status and capacity to pay of the population.

"6. The Trusteeship Council recommends that the Administering Authority increase budgetary appropriations for educational and other cultural needs, as well as public health needs, with a view to providing the indigenous population of the Trust Territory with a proper educational and public health system."

I should like to request the Secretariat to circulate these proposals, as a Trusteeship Council document so that members of the Council may have an opportunity to study them, and to take a stand on them.³

87. FABEL Bey (Egypt): I wish to express my deepest regret at the departure of the representative of the Philippines from the Advisory Council during the present session of the Trusteeship Council. I admire the representative of the Philippines for his initiative, hard work and zeal in discharging his duties. I do not like to enter into discussions concerning the functioning of the Advisory Council, which is an organ of the General Assembly. But, since the representative of Colombia made five references in his statement to Egypt's absence from the Advisory Council, I should like to clarify the matter.

88. Egypt was present in the Advisory Council throughout the year 1950. I was assigned to duty in Somaliland at the end of January 1951. I arrived on 2 February 1951 and stayed approximately three months—until 22 April 1951. The Administrator, Mr. Fornari, discussed with me the possibility of establishing a school in Mogadiscio for training *cadis*, as well as the possibility of having a legal adviser on sheric affairs. The people of Somaliland appealed to all Arab countries for assistance in the educational field, in view of the fact that Somaliland is a totally Moslem country. The United Nations Secretariat in Mogadiscio asked me about the possibility of having a legal officer who could be consulted on various legal matters in the Territory.

89. In June and July 1951 I attended the discussions on Somaliland in the Trusteeship Council, meeting at Flushing Meadow. Upon returning to Egypt, I continued to study the question of the assistance we could extend in the educational field. After going through different administrative channels, I succeeded in securing fifty scholarships for a first group of Somalis and in sending to Somaliland five professors from Al-Azhar University as legal sheric advisers and teachers. These steps were taken in accordance with the request of the Administrator himself. I returned to Somaliland in November 1951, remaining there until my Government assigned me to a new post, in Libya, at the end of December 1951. A new Egyptian representative to Somaliland was appointed. Unfortunately, he became ill and could not proceed to Somaliland; as a matter of fact, he left the Foreign Office. My Government reappointed me to Somaliland, and I was there in April and May of 1952.

90. From this brief explanation it can be seen that Egypt was not absent from Somaliland for very long periods of time, as would appear to be the case from

³ These proposals were subsequently reproduced as document T/L.277/Corr.1.

the statement made by the representative of Colombia. He has placed the blame for the incidents which occurred between the representative of the Philippines and the representative of Colombia on Egypt's absence from the Council. I should like to point out that during my work with the Advisory Council in November and December 1951, and again during April and May 1952, I was alone with the representative of the Philippines; on the two occasions when the Colombian representative was absent, no incidents occurred — either between the representative of the Philippines and me or between the Secretariat and either one or both of us. There was complete harmony and understanding among the three parties concerned. In fact, all pending matters were discussed and dealt with on those two occasions, as may be seen from the Advisory Council's records.

91. As I have already made clear, I do not like to enter into details here in connexion with the functioning of the Advisory Council or matters relating to its internal affairs. I want to stress that these differences and divergencies of opinion could in no way affect the Advisory Council as an organ; rather, they could only be subjects for the attention of the governments of the respective representatives and the United Nations Secretariat. In this connexion, I need only refer to the following sentence from the special representative's statement [415th meeting, para. 36].

"I wish to express the gratitude of the Administration for the effective co-operation that the Advisory Council, as an organ of the United Nations, has afforded us during the past year."

92. Somaliland must be made an independent country within eight and a half years. The only way to achieve that goal is to draw up plans for all the different fields of activity to be carried out during this period: plans for education, social reform, economic development, road and harbour construction, the development of livestock industries, agricultural development, the creation of substantial credit facilities for Somali farmers, the industrialization of different products of the country — fish, sugar, cotton, textiles and so forth — plans for balancing the budget, levying taxes, combating nomadism, abolishing collective fines, ameliorating the tribal system, establishing private property, and so forth.

93. It is not sufficient to draw up plans; they must be carried out. They require a tremendous effort and huge sums of money. I wish that the Administering Authority alone could be responsible for meeting all these expenditures. We note that it is already carrying a very heavy burden in its effort to balance the budget. But Somaliland is the concern of the United Nations, not of the Administering Authority alone. The United Nations should study plans for extending technical and financial assistance to the Territory. The United Nations has a great responsibility in Somaliland; all possible means must be used to attain our goal.

94. We have discussed the formation of the Territorial Council. We have expressed the hope that it should be made a legislative body in the shortest possible time. As a legislative body, it should not, I think, have foreigners in its membership in the future.

95. Before ending this brief statement, I should like to commend the Administering Authority for the state of security in the country. During my last stay in Somaliland, in April and May of 1952, I felt that the

population enjoyed a great degree of freedom of speech and association, for which, again, I congratulate the Administering Authority. When I say that collective punishment and the tribal system should be abolished, I do not mean that these hereditary customs should be changed by a stroke of the pen. No, I mean that we should study ways and means by which we can introduce as many of these reforms as possible during the remaining period of eight and half years.

96. I commend the Administering Authority for the steps it is taking to meet the unanimous desire of the people for instruction in the Arabic language.

97. Finally, I am happy to state that, this year, I noticed evolution in the country in all fields: economic, political and social. This demonstrates the effort which the Administering Authority is making to develop this Trust Territory.

98. The PRESIDENT: I take it that this completes our discussion of the report on Somaliland. There remains only the special representative's answer, which he will make tomorrow.

99. Mr. DE HOLTE CASTELLO (Colombia): In my first statement I simply said that during the period covered by the Advisory Council's report the delegation of Egypt had been present in Somaliland for only one month and twenty-two days. I do not wish to engage in polemics here. I would only ask the Secretariat to verify whether or not what I said corresponds to the facts and circulate a list of the dates on which the representative of Egypt was present in Mogadiscio.

100. The PRESIDENT: I feel sure the members of the Trusteeship Council will support me when I say that the original purpose of both this Council and the Advisory Council was to co-operate with the Administering Authority, which is evidently doing a great deal to serve the aims specified by the General Assembly and the United Nations Charter. We need not go into the type of details that can only result in recriminations and, perhaps, hard feelings. We should like to tell the Advisory Council that we have confidence in it and that we hope it will co-operate with the Administering Authority and with us, since we have the best feelings towards it and wish to co-operate with it.

Mr. de Holte Castello (Colombia), Fadel Bey (Egypt) and Mr. Pastrana (Philippines), representatives of States members of the United Nations Advisory Council for the Trust Territory of Somaliland under Italian administration, and Mr. Spinelli, special representative of the Administering Authority for the Trust Territory, withdrew.

The meeting was suspended at 4.20 p.m. and was resumed at 4.45 p.m.

Examination of the annual report on the Trust Territory of Ruanda-Urundi for the year 1951 and of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1951, on that Territory (T/948, T/998, T/1012)

[Agenda items 4 (c) and 6]

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.

101. Mr. LEROY (Special representative for Ruanda-Urundi): The most important event for Ruanda-Urundi in 1951 was the visit paid to the Territory by the Visiting Mission to East Africa under the chairmanship of Mr. de Marchena and the supervision of Mr. Victor Hoo, the Assistant Secretary-General. The Belgian Administration of the Territory was particularly gratified by the visit. It appreciated the spirit of objectivity and understanding shown by the representatives and the encouragement they expressed. On behalf of the Belgian Administration for Ruanda-Urundi, I thank them.

102. The report of the Visiting Mission (T/948) shows that despite the short time which it spent in the Territory, the Mission grasped the problems there and approved of the way in which the Administration is trying to solve them. As I remarked last year, one year is a short time in the life of a people. Progress in the economic, political, social and educational fields is achieved slowly. Spectacular progress is every field every year cannot be expected; what is important is that progress should not cease and that every step should be in the direction of the goals laid down in Article 76 of the United Nations Charter. There may have been mistakes and false starts; that is only human. The important thing is that the advance should continue, and I do not think I am exaggerating when I say that for the Territory of Ruanda-Urundi the year 1951 was incontestably one of progress. This fact was recognized by the Visiting Mission and is mentioned in paragraphs 22 to 24 of its report.

103. The Visiting Mission's report deals at some length with the ten-year plan for the economic and social development of Ruanda-Urundi. That plan it should be recalled, is not a binding contract. It is a statement of the present situation, the goals to be sought in the economic and social fields and the means to be used in order to achieve them. It will be used by the Administration as a guide, an outline, which leaves room for every kind of action; it is binding neither in the budgetary nor the legal sense.

104. In the political field, the decree concerning the political reorganization of the Territory, which has been under study for several years, will shortly be promulgated. The Colonial Council has concluded its examination of it and has approved it. When I left Brussels all that remained to be done was to draw up the report of the meetings and submit the decree to the King for promulgation.

105. The new attempt to hold elections at the *centre extra-coutumier* of Usumbura was only partially successful and did not escape criticism by both the indigenous inhabitants and the other inhabitants of the Territory. The Administration intends to continue its efforts, and the political reorganization of the *chefferies* will accustom the indigenous inhabitants to a democratic method of electing members to the councils. It would not, however, be wise to expect rapid progress in that sphere. We could, without great difficulty, organize elections and, by means of propaganda, rouse popular enthusiasm for this or that candidate, but that is not our object. We want genuine elections that will be truly the free expression of the will of the people. It is not the organization of the elections that is

difficult, but the creation of political consciousness in the indigenous inhabitants.

106. The Belgian Administration hopes, as earnestly as does the Visiting Mission, that Ruanda and Urundi will establish harmonious relations and close co-operation with one another. That, however, will also take time. They have always lived isolated from each other, sometimes as indifferent neighbours, sometimes as enemies. The Belgian Administration is the only mortar which holds them together. It is to be hoped that a growing awareness of their common interests and of the necessity for co-operation will contribute greatly to their future union.

107. The Visiting Mission commented in great detail on the position of the Council of the Vice-Government-General and referred to the desirability of larger African representation. The composition of the Council, however, was expressly designed to ensure the primacy of the interests of the indigenous inhabitants. Of the twenty-two members of this Council, only nine could, if occasion arose, defend interests opposed to those of the indigenous inhabitants. Even that is more or less academic because these representatives of the chambers of commerce, of farmers' associations, of employers and employees, chosen because of their knowledge of African affairs and representing a few hundred non-indigenous inhabitants, know perfectly well how important it is that indigenous and non-indigenous inhabitants should co-operate and how closely linked are their interests.

108. As I have already said, the interests of the indigenous inhabitants are protected much more effectively by the officials, the magistrates and the missionaries than they would be by themselves. At the present time few Africans are qualified to serve usefully on the Council of the Vice-Government-General. There will be progressively more as opportunities arise, but to replace certain members of the Council by Africans now would be a grave mistake. The Council's role is advisory. It can and must provide training for its indigenous members, but this must not be done at the expense of the indigenous population. It would, for example, be a retrograde step and harmful to the interests of the indigenous inhabitants if we were to replace the heads of the Catholic or Protestant missions or the magistrates by educated indigenous inhabitants.

109. There is one point on which I am not in agreement with the Visiting Mission, and that is its assertion that in the composition of the Council we have not taken into account the institutions of the two parts of the Territory. I do not really understand the meaning of this observation in paragraph 67 of the report. Ruanda and Urundi are both represented on the Council. The Bami,⁴ the two Residents and the religious authorities are members, the former *de jure* and the others *de facto*. I cannot see how the institutions of both Ruanda and Urundi could better be taken into consideration.

110. With regard to the possibility of Africans being assigned important posts in the Administration, the Visiting Mission has apparently not examined the question in the proper light. Belgium has been entrusted with the administration of Ruanda-Urundi. It is

⁴ The word "Bami" is the plural of the word "Mwami".

therefore natural that the established administrative staff should be Belgian and that, as long as the trusteeship administration lasts, the indigenous inhabitants should occupy only subordinate posts. But beside this administration, and parallel with it, there exists a powerful indigenous organization, from the sub-chief up to the Mwami. If one looks ahead, it would seem that the future independence of the Territory will be achieved by the progressive transfer of powers from the non-indigenous authorities to the indigenous authorities, and not by the introduction of indigenous inhabitants into the Belgian Administration, the final result of which would be to perpetuate the co-existence of two administrations, to divide the indigenous officials and perhaps even to bring them into conflict with each other. What would be the Mwami's position in relation to an indigenous Resident? Furthermore, it is not true to say, as the Visiting Mission does, that "only the central administration can for the present provide the majority of Africans with the opportunity to aspire to positions of responsibility" [T/948, para. 68]. In Ruanda-Urundi there are only 404 non-indigenous agents, whereas there are eighty-seven *chefferies* and 1,118 *sous-chefferies*. There are therefore many more positions of responsibility in the indigenous administration than in the central administration, and it is not unusual to see officials who already have good posts in the central administration give them up for more interesting ones, as chiefs or sub-chiefs.

111. The Belgian Administration has noted with satisfaction the comments of the Visiting Mission on the administrative union of Ruanda-Urundi and the Belgian Congo, from which, the Mission states, the Trust Territory derives undoubted advantages (T/948, para. 74). The Belgian Administration is glad that the distrust which the Council seemed to harbour regarding that administrative union has been dispelled. It would be erroneous to regard the Belgian Congo as being subjected to the rigours of a colonial régime and Ruanda-Urundi as benefiting from the Trusteeship System. Such a distinction is quite arbitrary. Belgium, an essentially democratic country, has always granted to all the territories under its administration the greatest freedom consistent with their development. Thus, since 1908, the people of the Congo have enjoyed most of the fundamental freedoms, and Belgium granted those freedoms to Ruanda-Urundi from the very beginning of the mandate. Since then the situation in the two countries has continually improved. The reason is that the criterion of the Belgium Government in the matter is not *a priori* whether a territory is under a colonial régime or a trusteeship régime, but the ability to learn and the stage of development of the people under its administration.

112. It does not seem advisable to revise the fundamental texts regarding the administrative union. It is a mistake to say that they are not in conformity with the practices in force. Their felicitous wording has enabled the Administration to interpret them in a traditionally liberal spirit, and this interpretation has been favourable to the Trust Territory. Thus, in 1948, the whole judiciary of Ruanda-Urundi was completely reorganized to ensure the separation of powers. The whole political organization will shortly be reformed

without it being necessary to enact new provisions or to revise the fundamental texts.

113. With regard to the administration of justice, we must allow for the indigenous mentality, which sees in the exercise of judicial power the highest prerogative of authority. The separation of powers in the indigenous administration is just being begun and can be carried out only progressively.

114. Referring to the right of petition, the Mission feels that the Administration should endeavour to dispel the fears of the indigenous inhabitants by acquainting them with their right to petition under the Trusteeship Agreement. The Administration recognizes the inhabitants' right to address petitions to the Trusteeship Council and regards it as a duty to transmit them where necessary. It feels that it cannot do more and that it would be excessive to carry out propaganda in favour of the right of petition. The natural recourse for the indigenous inhabitants is to the Belgian Administration. Recourse by means of petition to the Trusteeship Council should remain exceptional, comparable in some ways to an appeal to a court of appeal, when the normal means have failed; it should not become a daily procedure. In 1948, some of the members of the Visiting Mission to East Africa suggested to the Arab and Indian communities in Ruanda-Urundi that they should address collective petitions to the Council. The chiefs of these communities refused to do so, stating that they preferred to settle their problems with the Belgian Administration and not to have recourse to international tribunals except in exceptional circumstances. It seems to me that that is a very sound interpretation of the right of petition.

115. I shall spend less time in dealing with economic progress. The Visiting Mission noted that great progress had been achieved during the past three years in this field. We would emphasize the following points, among others, relating to 1951.

116. To begin with, there has been a considerable increase in the number of undertakings in the hands of indigenous inhabitants. In December 1950, there were 342 African companies managing 363 establishments; in December 1951, there were 776 companies managing 819 establishments. This represents an increase of 125 per cent.

117. Also in 1951, in the Ruzizi plain, 12,000 metres of irrigation canals were dug, 1,973 hectares of swamp were drained, 27,900 kilometres of hedges and ditches were constructed against erosion. Agricultural production increased by 36 per cent. More than 7,000 palm trees and more than 5 million coffee bushes were planted. A total of 2,500 additional families were settled in the indigenous agricultural centres. In addition, many co-operatives were started, roads were built and numerous buildings erected or continued; the annual report gives details about these and the Visiting Mission saw them.

118. In 1951 the representative of China expressed the desire that the report should include the budget of the indigenous districts. This information appears on page 272 of the report for 1951.⁵

⁵ 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 1951*, Brussels, 1952.

119. The Belgian Administration has also noted with satisfaction the attention which the Visiting Mission paid to the problem of cattle.

120. As regards agricultural settlement by non-indigenous inhabitants, the Belgian Administration feels it must stress the advantages the Territory derives from the settlers who work the land; their presence serves as an attraction and a stimulus in under-populated areas. The Territory also derives great benefit from the pilot farms and from the concessions which are granted with a view to afforestation. It should be remembered that of the 54,172 square kilometres of the Territory, non-indigenous farmers occupy 175 square kilometres, or 43,000 acres, which represents something like one three-hundredth of the Territory, an infinitesimal proportion.

121. In connexion with the industrial development of the Territory, the Visiting Mission feels that the Government should encourage the establishment of a cotton textile factory. Although the Administration does not refuse to consider this idea, it considers it premature. In 1948, a cotton textile factory was set up in Albertville, with a capital of 88 million francs. By virtue of the customs union between the Belgian Congo and Ruanda-Urundi, imports into Ruanda-Urundi from that factory are duty-free. The inhabitants of Ruanda-Urundi therefore buy them at the same price as the people of the Belgian Congo. The factory produces enough for the present local needs, and when these needs increase the Administration will carefully consider the question.

122. Referring to social progress, the Visiting Mission approved unreservedly the steps taken by the Administration in matters of medicine and health, the treatment of sleeping sickness and the draining of swamps; it stated that the Belgian Administration had done remarkable work in the field of public health. The Visiting Mission hoped that the number of dentists would increase and that the indigenous inhabitants might be enabled to study medicine. This latter subject relates to the question of higher education, with which I shall deal later in my statement.

123. On various occasions the Trusteeship Council has expressed the desire that penalties resulting from breaches of labour contracts should be abolished. A draft decree is at present under consideration which will reduce the number of cases to which these penalties apply.

124. As regards the prison system, the Mission felt that prisoners ought to be given the opportunity to engage in some useful occupation, combined, where possible, with vocational training. It also felt that we should separate habitual criminals from first offenders, and that we should have special buildings for insane prisoners. The desires of the Mission entirely coincide with the Administration's plans concerning these various points, and I shall not dwell upon the subject.

125. With regard to corporal punishment, the penalty of whipping has been further restricted and is no longer inflicted except in prisons, and with a maximum of four strokes. In fact, the Administration intends to abolish it completely, but wishes to retain it in principle for the time being, until the rearrangement of the existing prisons allows the penalty of whipping to be replaced by solitary confinement.

126. The Visiting Mission had the impression that there was racial discrimination in the measures relating to the movement of indigenous inhabitants at night in urban areas. In reality, this is simply a measure of protection against criminals. It has so little to do with discrimination that in the *centres extra-coutumiers*, where only indigenous inhabitants live, the same measures have had to be enforced. As soon as the Administration can install street lighting in the towns and can organize a well-disciplined, conscientious indigenous police force, these regulations can easily be dispensed with.

127. I shall now deal briefly with the question of education.

128. With reference to teachers' training colleges, the Mission feels that the general educational level of the students admitted to these pupil teacher schools and to other teacher training schools is too low. That is unfortunately true, but to insist on a higher level at the present time would reduce disastrously the number of trained pupil teachers. The Administration wishes both to extend and to improve education. This is a task calling for perseverance and patience.

129. With respect to the sending of indigenous students to foreign universities, the Administration must make certain reservations. It is not formally opposed to these journeys, but it wishes to raise certain practical considerations. The first is that, if students are to derive benefit from a period at a foreign university, they must have had a secondary education which would enable them to take advantage of the opportunities; that is to say, in the present circumstances, students would have to be sent not to universities but rather to secondary schools. This would involve considerable expense and the risk of failure. Another point is that there can be no question of having the whole educated class which the Territory needs trained abroad. The Administration feels, therefore, that the true solution of the problem would be to organize institutions of secondary and higher education in the Territory comparable to similar institutions abroad. Only after that could we create scholarships which would allow students who have completed their higher education to study abroad.

130. The Administration is also considering the question of the education of girls. The delay in this matter, as compared with the education of boys, is largely due to traditional objections, still strong, which hamper the Administration's efforts in that direction.

131. Finally, the Visiting Mission emphasizes the need for lay public schools. This question has already been discussed many times. The Administration wishes to extend education as widely as possible, but is reluctant to open schools which do not correspond to present-day needs. The Administration understands perfectly that the Council would object to education being, for example, entirely Catholic. But that is not the case. We have Catholic, Protestant, Adventist and Moslem schools for the indigenous population. The Africans like religious instruction. The Administration feels that it ought to use its resources in placing educational facilities at the disposal of the greatest possible number of indigenous inhabitants, rather than, for reasons of principle, opening very costly establishments

for which no need has as yet become manifest. As soon as the need is felt, such schools will be started.

132. To sum up, the Visiting Mission's report gives the impression that the Belgian Administration is on the right road and that there has been undeniable progress, but that the advance is still too slow. It is not, however, possible for this advance to be more rapid and we must even expect that it will sometimes fumble and falter. As I have already said on a previous occasion, it is not simply a question of organizing elections, opening up roads, constructing ports and building schools and hospitals. If that were so, the work of civilizing the country would be merely a matter of capital.

133. The real work is to change the African in his essence, to transform his soul; to do that one must love him and enjoy having daily contact with him. He must be cured of this thoughtlessness, he must accustom himself to living in society, he must overcome his inertia. To give an example, coffee growing is the population's principal source of income. In 1951 it represented 475 million francs. Yet the cultivation of that crop is kept up only thanks to incessant propaganda by the agricultural and territorial agents. We must combat the indigenous inhabitant's prejudices, make him realize his needs, overcome his food taboos, inculcate the need for education, teach him to take a pride in his work, persuade him to abide by contracts freely entered into. It will require patience; it is a war of attrition, in which legal texts are of little use. The indigenous inhabitants are developing. There has been great progress during the last twenty-five years. The development of four million human beings, who for hundreds and possibly thousands of years have lived in thoughtless inertia, cannot be completed in a few days. It may seem slow when it is considered year by year; the Belgian Administration has no doubt that in the eyes of history it will seem extremely rapid.

134. Having completed my statement, I have a request to make of the members of the Council. This is the fourth report for the discussion of which I have attended the Council, and I have been present at the debates on many reports on other Trust Territories. In order to speed up the Council's work, and in the hope of shortening correspondingly the sufferings of the special representative. I beg any representatives who want to ask me for figures or statistical information to be good enough to do so either before or after meetings or during the recess. I can often give an immediate reply to questions relating to the interpretation of the report, the Administration's intentions or the policy it is following, but I absolutely must consult my papers when I have to supply figures or details which only members of the services concerned could quote from memory.

135. The PRESIDENT: I take this opportunity to support the wise suggestion made by the special representative concerning numerical or statistical information which members would like to have from him. It is not only fair to him to give him time, but it is fair to the Council also, because it will thus be able to obtain accurate statistics.

136. Mr. DE MARCHENA (Dominican Republic): Speaking as the former Chairman of the Visiting Mission, I should like to say a few words to introduce the

report of the Mission (T/948), which was distributed to the members of the Council some time ago. On behalf of my colleagues on the Mission, all I have to do is formally to present to the Council the conclusions contained in this report, which is the second on Ruanda-Urundi.

137. It is worth noting that the representative of the Administering Authority, in his introductory statement, chose to refer to the observations contained in the Visiting Mission's report rather than to present us with the latest statistics, as others have done. This will help to guide the Council when it considers the conclusions of the Mission. As former Chairman of the Mission, I shall reserve the right, when the time comes, to answer on behalf of the Mission some of the comments made by the Administering Authority concerning the Visiting Mission's report; in particular I shall revert to the remarks concerning the composition of the Council of the Vice-Government-General, the functions of the Vice-Governor, and the participation of the indigenous inhabitants in the administration. On some points these comments may be more or less justified, but on the whole I must say that the Visiting Mission is satisfied with the conclusions contained in the relevant passages of the report.

138. One institution in Ruanda-Urundi which does honour to the Belgian Administration; and of which the Council has no doubt taken note, is the Native Welfare Fund. The members of the Council might well consider the Visiting Mission's comments on this institution, which is making a great contribution to the development of the Territory in the economic, social and educational fields. We were able to observe closely the mechanism of this fund, and we should like to pay a tribute to the way in which it is administered. It could serve as a model not only for all the Trust Territories but for many independent countries. I therefore feel it is my duty to pay a tribute to this fund and the work it is doing for the benefit of the indigenous population.

139. An important aspect of the social problem in Ruanda and Urundi, which should be considered by the Council, is the cattle problem; it is most acute and has serious repercussions on the social and economic development of the Territory. The second Visiting Mission, which realized its urgency, studied it very carefully, and the Administration, under the able leadership of Mr. Pétilon — who is now Governor of the Belgian Congo — explained its plans in this connexion. The Trusteeship Council had reached certain conclusions on this point. The Mission was anxious to give as accurate a picture as possible of the situation as it found it. The problems of Ruanda-Urundi are completely different from those of Somaliland. There are similar social and educational problems in Ruanda-Urundi, but the Territory is undoubtedly more advanced materially. The Visiting Mission's report mentions this material progress in the chapter on economic advancement and in other passages. Social advancement, however, has not kept pace with the material progress made; nor could it do so, owing to the very nature of the social structure.

140. Progress in Ruanda-Urundi is necessarily slow because of many physical and geographical factors and especially because of the burden of tradition. The social

structure is feudal, as much so as in any society in all Africa. In order that such a society may progress, there must be a duality of government and it is therefore advantageous to have both a European government and an indigenous government.

141. Having received the four reports and considered the observations of the two Visiting Missions, the Council can now arrive at definite conclusions; the time has come to be practical.

142. The Visiting Mission arrived in Ruanda-Urundi at what was, perhaps, a historic moment, when the Administration was about to publish its ten-year plan. This plan seems to occupy an important place in the Visiting Mission's report, and we expect a great deal from it. The Council should study it with much care, as it is to be carried into effect very shortly, and, if I am not mistaken, a good many of its provisions are already being implemented. We hope that the Administration, with the frank co-operation of the people of Ruanda-Urundi, may provide another example of how a Trust Territory can be led towards the great objectives of the Charter of the United Nations.

143. In conclusion, the Visiting Mission wishes to pay tribute to the Administration and, above all, to the people of Ruanda-Urundi for their hospitality during its three weeks stay in the Territory. If it did not find conditions ideal, that may perhaps be due to the fact that true freedom of thought does not exist there in our sense of the word, doubtless because of the social structure peculiar to the Territory. These, however, are considerations which the Trusteeship Council must weigh carefully. The Mission exercised great moderation in formulating its conclusions; it learned a great deal through direct observation about the meaning of the Trusteeship System. We were assisted by competent advisers and I must pay a tribute to the officials of the Administration whose perfect knowledge of Swahili and the other indigenous dialects enables them to come into direct contact with the indigenous population.

144. The Visiting Mission could not fail to mention in its report certain shortcomings it found in Ruanda-Urundi. We wished to be very objective in the fulfilment of the task which the Council entrusted to us. The report is now before the Council and I hope that it will receive the Council's approval in due course.

145. The PRESIDENT: We shall now proceed with the questions, following the same procedure as in the case of the report on Somaliland, namely, dealing with one heading at a time.

POLITICAL ADVANCEMENT

General political structure

146. Mr. GERIG (United States of America): I have one question with regard to the possible continuance of the Council of the Vice-Government-General. The proposal of the Administration for the reform of the indigenous political structure was referred to in the special representative's general statement and in the report, on pages 24 to 27. But in the report no indication is given as to the future, if any, of this Council of the Vice-Government-General. Is it to be retained, is some similar or analogous council to be set up, or just what will be the position?

147. Mr. LEROY (Special representative for Ruanda-Urundi): I cannot say at this point what will happen to the Council of the Vice-Government-General in the distant future. The creation of *conseils de sous-chefferie*, and the reform of the *conseils de chefferie*, the Territorial Councils and the *conseils de pays*, may ultimately lead to a reform of the Council of the Vice-Government-General, adapting it to the new political structure of the country. The Administration basically intends to maintain the Council of the Vice-Government-General in its present form by increasing its African membership as indigenous inhabitants qualified to sit on the Council become available.

148. Mr. GERIG (United States of America): Have there been no Africans on the Council until now?

149. Mr. LEROY (Special representative for Ruanda-Urundi): When the Council was created, in 1948, it had no African members. In 1949, the two Bami—the two traditional chiefs of Ruanda and Urundi—were admitted as *de jure members*. Another African was admitted in 1950. At the present time there are three Africans among the twenty-two members of the Council and they have the same rights as the others.

150. Mr. GERIG (United States of America): Has any thought been given to extending the scope of the powers and responsibilities of this Council?

151. Mr. LEROY (Special representative for Ruanda-Urundi): The Visiting Missions and the Trusteeship Council itself have suggested on various occasions that the Council of the Vice-Government-General should be granted legislative powers. The Administration does not contemplate such a measure in the immediate future. In previous years I explained at quite some length—and the report explains in detail—how the legislative organization of Ruanda-Urundi functions. The King of the Belgians is the law-maker; he issues decree after consultation with the Colonial Council. The Governor of Ruanda-Urundi also possesses extraordinary legislative power, which he may use in cases of emergency, but his decisions in such cases are valid for six months only and, if not confirmed by decree, become automatically void at the end of six months.

152. Before granting the Council of the Vice-Government-General legislative powers, it would, in my opinion, be well to see how the political reform of the councils at all levels of the indigenous organization succeeds. As I said just now, it is possible that, if this political reorganization is successful, it will lead to an appreciable modification of the Council of the Vice-Government-General. Consequently, it is upon the success of this reform, which is imminent—the decree may already have been signed, although I am not aware of this—that the subsequent reform of the Council of the Vice-Government-General depends.

153. It is difficult for me to go into more detail. We must wait to see the result of this experiment before considering a reform of the Council of the Vice-Government-General. In any case, the Administration does not object to this reform in principle. It simply wishes to ascertain how, after the experiment, the reform may best be effected.

154. Mr. GERIG (United States of America): In this connexion, what role is played by the King of

Ruanda or the Sultan of Urundi? Are their governmental powers in any way related to the activity of the Council of the Vice-Government-General?

155. Mr. LEROY (Special representative for Ruanda-Urundi): The Bami—the Mwami of Ruanda and the Mwami of Urundi—are both administrative chiefs, one of Ruanda and the other of Urundi. The only authorities above them are the Governor of Ruanda-Urundi and the Residents of Ruanda and Urundi respectively. Their powers are described at some length in the chapter of the report dealing with political organization. The powers and task of the indigenous authorities are described on page 23 and the following. At the bottom of page 25 are given the duties and functions of the Bami as the supreme indigenous authorities. In addition to these, within their respective *pays*, the Bami exercise judicial power. This is what is meant when reference is made to the future separation of powers in the indigenous districts. Each Mwami presides over the court in his *pays* which has jurisdiction over all civil cases between indigenous inhabitants, regardless of the sums of money involved; in addition he has certain limited power in the criminal courts. The latter power is very limited because the Administering Authority has been particularly concerned to abolish the barbarous customs prevailing at the time Belgium took over the administration of the Territory.

156. Mr. GERIG (United States of America): I was aware that these powers, as they exist at present, were set out in this report. What I was wondering was whether there had been an evolution in the direction of increasing those powers in relation to the past, or diminishing them, or transferring them to the Council of the Vice-Government-General, or whether no such change is contemplated.

157. Mr. LEROY (Special representative for Ruanda-Urundi): Before the advent of European administration in Ruanda-Urundi, the two Mwami, each in his own *pays*, exercised absolute power. They may be said to have had absolute power in all fields. They had supreme authority over the land and the people.

158. Ever since Belgium has administered the Territory, it has sought to limit their power considerably. It started out by taking away from the chiefs all powers based on barbarous customs such as torture and certain death penalties. The Administration has also endeavoured to put an end to the various abuses attendant upon such a primitive system. For example, the Bami had not only the power of life and death over all their subjects, but they also had absolute right to all their property, lands and possessions. The Bami were perfectly free to seize land, distribute it among favourites, take it away from those who incurred their displeasure and give it to others. The Administration's first concern, therefore, was to reform all these unjust practices. The Bami were thus deprived of many of their rights and powers.

159. It has been necessary, however, to preserve the political structure of the country to some extent because, as the representative of the Dominican Republic said, feudalism was deeply rooted in the Territory. The Belgian Administration has tried to abolish all traditions contrary to customary law and fundamental human rights, permitting those traditions to continue

which are not in violent conflict with those rights. The Administration encouraged the establishment of a State Council which at first assisted the Bami and which has gradually taken over some of their powers. Thus, for some years now, the Bami have followed the rule—we may say they have followed it absolutely—of never disposing of any land which is traditionally theirs if that land is occupied and farmed. In fact, the only land over which the Bami exercise full power—and that only among the indigenous inhabitants—is land which has been abandoned.

160. Thus in practically all fields the Administration had endeavoured to limit the excessive and oppressive powers of the Bami. The new political organization about to be set up is another step forward in the limitation of the Bami's powers. What I said about the Bami applies equally to the *chefferie* and *sous-chefferie* chiefs. The purpose of the new councils is to limit the Bami's powers further and to ensure greater participation of the indigenous inhabitants in the administration of their districts. Under the new arrangement, certain decisions can be taken only in consultation with the Council. For other, more serious decisions, the Council's agreement will be required.

161. This is how we have been gradually reducing the Bami's powers and achieving a more democratic form of government.

162. Mr. MUNRO (New Zealand): I wish to ask the special representative a general question dealing with the relations between Ruanda and Urundi. In his preliminary remarks, the special representative referred to them as having lived in isolation sometimes, sometimes as enemies and sometimes as indifferent neighbours, and that the Belgian Administration was the only unifying element. Will he tell us what are the exact relations between the two today and what the Belgian Government is succeeding in doing by way of cementing them?

163. Mr. LEROY (Special representative for Ruanda-Urundi): Until the Belgian Administration intervened, Ruanda and Urundi seldom lived as indifferent neighbours; it was more usual for them to be enemies. Even when they were theoretically at peace with each other, it was a common practice for the inhabitants of Ruanda to practice witchcraft on the soil of Urundi, and vice versa, in order to bring misfortune upon the heads of their neighbours.

164. In addition, there was a long-standing resentment between the two countries, owing to the fact that a Mwami of one country had once been killed in battle by the Mwami of the other country. It may therefore be said that, until Belgium took over the administration, Ruanda and Urundi lived as enemies, at least as potential enemies.

165. The Belgian Administration has had to respect the customs of the two countries, which differ considerably. Its efforts have always been aimed at a possible union of the two. The enmity, however, was so great that the Administration has had to proceed with infinite prudence, tact and caution.

166. The similarity of the tribal institutions of Ruanda and Urundi made it possible for the Administration to draw up a political organization scheme in 1943. The scheme provided for a single organization for the two countries, due account being taken of their separate

existence and their traditional institutions, but, in view of the similarity of their political structure—rights and duties of the indigenous authorities, nature of the budgets, resources, ways and means and expenditure—it may be hoped that they will be brought closer together. Furthermore, a relationship has been created between Ruanda and Urundi which did not exist previously as a result of the establishment of the administrative centre and the Government at Usumbura; the Residents of Ruanda and Urundi, the Bami and their principal chiefs, frequently go to Usumbura where they meet on friendly terms. We hope that these contacts will become closer, but, in the present circumstances, the unification of the two countries cannot really be expected.

167. Mr. MUNRO (New Zealand): I thank the special representative for that answer, and I appreciate the difficulties. I should, however, like to ask him this. When he said—if I am quoting him correctly—that the Administration could not hope for further union “in the present circumstances”, what precisely did he mean? As I understand it, there are two peoples who are divided by enmity. Now, there has been some sort of *rapprochement* by reason of the fact that the two Heads of State from time to time meet, which furnishes some sort of union. Each country has a different language, although I believe there are some similarities. I presume, also, that there are similarities of tribal customs. I take it that the enmities have been substantially reduced, and I would therefore seek enlightenment from the special representative, who knows much more than I do about this problem, as to why he says that nothing more can be done in the present circumstances.

168. Mr. LEROY (Special representative for Ruanda-Urundi): When I said “in the present circumstances”, I meant simply the stage of development in the relations between the two countries. The present circumstances are not bad; they are certainly much better than they were. The Banyaruanda of Ruanda, and the Barundi of Urundi now get on well with each other. They have many similar customs and their languages are very close. Yet, as noted in the report, an attempt to unify the two languages met with very serious opposition. I believe that since the indigenous inhabitants are faced with the same economic problems and live under the same conditions, the consultations with the indigenous

authorities and the inhabitants, together with the studies to be made of the problem, may result in a greater *rapprochement*. At the present stage the two countries form separate entities and it must be noted that the only link between them is the Belgian Administration. If the latter were to leave, in all likelihood Ruanda and Urundi would separate immediately.

169. Mr. MUNRO (New Zealand): I have one more question which, I think, is of a general character. I observe that legislation for the Trust Territory seems to fall into four categories. There are acts of the Belgian Parliament and decrees of the Belgian Crown, legislative ordinances issued by the Governor-General of the Belgian Congo which are stated to be applicable to the Trust Territory, decrees and legislative ordinances issued either by the Belgian Crown or the Belgian Government of the Congo and transmitted to the Trust Territory by the Governor-General of Ruanda-Urundi; then there are ordinances having the force of law, issued by the Governor of Ruanda-Urundi in cases of urgency. Therefore, there are four categories so far. Would the special representative tell me what is the percentage, or how that legislation is divided. How much comes under each category? Or does legislation, for the most part, fall under one category?

170. Mr. LEROY (Special representative for Ruanda-Urundi): The decrees form by far the greater part of this legislation. The Belgian Parliament, acting as legislator, intervenes only very rarely. Since 1917 it has intervened directly, I believe, only once, in 1925, when it promulgated the fundamental law for Ruanda-Urundi. Or course, Parliament acts every year when it votes on the budget, but that is different. In all other cases the decree is by far the most common form of legislation. It is, therefore, a legislative act promulgated by the King after consultation with the *Conseil colonial*, a body of fourteen members which sits in Brussels. The legislative ordinances passed by the Governor-General of the Belgian Congo are extremely rare. They are issued now only to modify the rates of customs taxation under the administrative union between the Belgian Congo and Ruanda-Urundi. The legislative ordinances of the Governor-General of Ruanda-Urundi, like those of the Belgian Congo, can be passed in cases of emergency only and, consequently, are relatively rare. There may have been two or three of them a year.

The meeting rose at 5.55 p.m.