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President: Mr. Mason SEARS
(United States of America).

Present:

The representatives of the following States: Australia, Belgium, Burma, China, France, Guatemala, Haiti, India, Italy, New Zealand, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America.

The representatives of the following specialized agencies: International Labour Organisation; United Nations Educational, Scientific and Cultural Organization; World Health Organization.

Statement by the representative of the United Nations Educational, Scientific and Cultural Organization

1. The PRESIDENT invited the representative of UNESCO to address the Council.
2. Mr. ARNALDO (United Nations Educational, Scientific and Cultural Organization) recalled that the President had referred at the 654th meeting to document T/1223 containing UNESCO's observations on the annual reports for 1954 on the Trust Territories of Tanganyika, Ruanda-Urundi, the Cameroons under British administration, the Cameroons under French administration, Togoland under British administration and Togoland under French administration. As the Director-General of UNESCO had indicated, those observations had been submitted in accordance with Trusteeship Council resolution 47 (IV) of 1 March 1949, Article 91 of the United Nations Charter and article IX of the Agreement between the United Nations and UNESCO. The main object of the observations was to facilitate the Council's work in reviewing and encouraging the educational advancement of the Trust Territories concerned.
3. As UNESCO had had some difficulty in the past in meeting the Council's schedule, the Executive Board had, at its forty-first session, appointed a special com-

mittee to review and approve the observations on its behalf before they were submitted to the Council in case the time available did not permit the Board to examine the observations prepared by the Director-General. In other cases, however, the Director-General had been authorized to submit observations on his own responsibility in order to accommodate the Council. Referring to document T/1223, he was glad to state that the relevant basic reports had been received in sufficient time for the special committee to examine and approve the observations in their present form.

4. For the past seven years UNESCO had submitted observations on the educational conditions in the Trust Territories based on the relevant annual reports, and in accordance with the Director-General's instructions he wished to emphasize certain points. First, UNESCO again called attention to the importance of free compulsory education as an ultimate goal for educational advancement. Quoting paragraph 15 of section I of document T/1223, he emphasized that UNESCO felt that a statement of policy in that regard for each Territory would be very useful, the implementation of that principle by legal and other measures being the next step. Another point in UNESCO's observations which should be emphasized was the need for planning for educational development and expansion, as paragraph 20 of section I indicated. Paragraph 19 of the same section emphasized the importance of audio-visual aides, especially broadcasting, in education.

5. Both he and Mr. René Maheu, the newly appointed UNESCO representative to the United Nations with the rank of Assistant Director-General, would be available to members of the Council in the plenary meetings and in the meetings of the drafting committees.

6. The PRESIDENT thanked the representative of UNESCO for his very helpful statement.

Examination of conditions in the Trust Territory of Ruanda-Urundi (*continued*):

- (i) Annual report of the Administering Authority (T/1197, T/1201, T/1223);
- (ii) Petitions circulated under rule 85, paragraph 2, of the rules of procedure of the Trusteeship Council (T/PET.3/L.5, T/PET.3/L.6)

[Agenda items 3 (b) and 4]

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

QUESTIONS CONCERNING THE TRUST TERRITORY AND REPLIES OF THE SPECIAL REPRESENTATIVE

Political advancement

7. Mr. GERIG (United States of America), referring to relations between the two states (*pays*) of Ruanda-Urundi, asked whether they were developing

equally so far as their political advancement was concerned, and what were the Administering Authority's intentions and plans with respect to their relations.

8. Mr. LEROY (Special Representative) said that Ruanda and Urundi were following a concurrent and parallel course of political advancement. One of the main factors in that advancement had been the setting up of indigenous councils in the sub-chiefdoms, the chiefdoms and the districts, and also of two High Councils. The Decree of 14 July 1952 applied equally to Ruanda and Urundi. The parallel advance being made was not however reflected in a *rapprochement* of the two countries. The Belgian Administration was the sole link binding the two states, and the establishment of the High Councils and the institution of the new political organization in 1952 had contributed to the growth of a particularist spirit in the two countries.

9. The town of Usumbura presented another difficulty. Usumbura was a large administrative and economic centre for Ruanda-Urundi as a whole, and might be regarded as a sort of federal capital. Unfortunately, since it was situated in the territory of the Barundi, the latter claimed to be the only ones to have any say in matters. The Banyaruanda, who considered that Usumbura was the capital of both states, felt that they had as much say in matters as the Barundi. That factor, too, made for separation. It followed that the political advancement of the Trust Territory tended to be rather the political advancement of the two states separately despite the fact that the Administering Authority was doing its utmost to unify them, as unity was essential for their development.

10. Mr. GERIG (United States of America) said that both the 1951 and the 1954 United Nations Visiting Missions to Trust Territories in East Africa had referred to that subject and had made recommendations with respect to the possibility of developing a common future for the two states. He believed that one of those Missions had even suggested that the two High Councils of the two states might hold joint meetings on certain subjects and for certain purposes, which might be the beginning of some joint activity between the two countries. He asked whether such a proposal would be completely impracticable.

11. Mr. LEROY (Special Representative) said that in view of the present situation of the two countries, such a proposal might be regarded as inconceivable. The reform of the Council of the Vice-Government-General, to which he had referred in his opening statement (654th meeting), might prove a way to union in the future. It was intended that a larger number of the indigenous members of the High Councils of the two countries should be represented on that Council, but nothing had yet been decided in that connexion. The Council would, however, be a meeting ground for the discussion of problems common to both countries. A meeting of the Banyaruanda and the Barundi members of the two High Councils would hardly be possible.

12. Mr. RYCKMANS (Belgium) explained that matters of common interest were not discussed in the High Councils of each country, but were debated in the Council of the Vice-Government-General on which both Ruanda and Urundi were represented; it was in that federal organization that the representatives of the two countries met. Each High Council could be regarded as the independent parliament of states which were part of a federation.

13. Mr. GERIG (United States of America), referring to a Press report on a "*mouvement politique progressiste*" which was developing in the Territory, asked whether that movement might be regarded as the beginning of the development of a political party, and what, for example, was the attitude of the Bami in Ruanda and Urundi toward the possible development of such parties.

14. Mr. LEROY (Special Representative) said that he was informed that both in Ruanda and Urundi the Bami had not been very much in favour of the setting up of the progressive party in question. They were not opposed to political movements, but it appeared that the party in question was composed of persons who opposed the present traditional organization and also the Bami. The latter had neither opposed nor encouraged the movement in question.

15. Mr. GERIG (United States of America), referring to the problem of the progressive elimination of surplus cattle, said that he had noted with very great interest the statement made by the special representative at the 654th meeting to the effect that two pilot projects had been established, one in Ruanda and the other in Urundi, to study the problem of establishing a biological equilibrium between man, earth, vegetation, water and cattle; to determine how much livestock the land could support; to consider the measures to be taken to eliminate surplus cattle and improve the quality of the remaining cattle. He wondered if more information could be given on the progress of the two projects.

16. Mr. LEROY (Special Representative) said that the problem of reducing the number of surplus cattle in Ruanda-Urundi was a crucial and difficult one. About nine-tenths of the cattle came under a contractual system whereby the cattle almost never belonged to the person who handled them. Another no less complex system existed in connexion with pastureland and land tenure. All that was further complicated by the relations between the cattle owners and the usufructuaries, so that the questions of men, land and cattle were inextricably interwoven. Efforts were being made to solve the problem. The Administering Authorities contemplated preparing pastureland, eliminating surplus cattle and marketing the meat of such cattle. It was for that reason that the two pilot projects had been set up in 1955. That work had just been begun and no results could yet be reported.

17. The question of eliminating surplus cattle had been thoroughly studied by the two High Councils, but progress in the matter had been slow.

18. Mr. RIFAI (Syria) wished to know whether the union which was being encouraged by the Administering Authority had any historical, sociological or other bases, or whether the Administering Authority was trying to fuse the two areas merely for its convenience. He also wondered whether such a union was accepted by, or being imposed upon, the people concerned.

19. Mr. LEROY (Special Representative) explained that the two peoples of Ruanda and Urundi had certain features in common. Their languages were very similar, but so far, attempts to unify the languages had been unsuccessful, as each people wished to maintain the development and character of its own language.

20. Another common point was the social organization, which was relatively similar in each part of the

Territory. In both parts of the Territory the population consisted of an aristocracy of pastoral people, comprising about 15 per cent of the population, of an agricultural population of from 84 to 85 per cent, and also of some Batwa, pottery makers, hunters, etc.

21. Another more recent tie had been religion, since the population's conversion by Catholic and Protestant missionaries.

22. The two peoples regarded each other not as enemies but as foreigners. They had very little wish to unite, so much so that if the Banyaruanda or the Barundi had to contract an alliance it was very probable that they would choose some other people rather than their neighbours.

23. There was a whole series of difficulties. The Belgian Administration, having assumed responsibility for the two states hoped that they could be unified as soon as possible without resort to coercive measures or to decisions which would be unpleasant for the two parts of the Territory. Despite the deep-seated tendency in both Ruanda and Urundi towards isolation, the Administration felt that the union of the two parts of the Territory would be very desirable and that each alone would have less chance of an assured future.

24. Mr. RIFAI (Syria) said that the density of the population in Ruanda seemed to be a serious problem. It appeared that no general plan had been devised by the Administering Authority to deal with the problem, and that the only thing that had been done was to encourage the flow of population into the adjacent territory of the Congo. He asked whether the Administering Authority had formulated any views with regard to the question and its social and economic effect on the Territory.

25. Mr. LEROY (Special Representative) said that the question raised by the Syrian representative was a very serious one. So far, the larger part of the population was concentrated along a line going from the north to the south, corresponding approximately to the Congo-Nile crest. The Administration had not merely encouraged emigration out of the country. It had also made every endeavour to ensure means of subsistence for the people, in particular by the expansion of food crops, the draining of numerous marshes, the irrigation of the arid parts of the Territory, soil conservation, the introduction, where possible of new industries, and, lastly, by the settlement of two regions hitherto sparsely populated—the Ruzizi plain, in the west of the Territory, and Mosso in the south-east. Indigenous agricultural settlements in which irrigation was assured had been set up in those regions, and the peasants were given assistance for several years. Those steps had been the first to be taken for the purpose of dealing with the increase in population.

26. Another measure which the Administration had been following for some time was the introduction of manioc, which could remain for about two and a half years under the ground and could thus be kept as a reserve. The Council would also remember that reserve food supplies had been stored in several parts of the Territory in order to guard against any possible shortage.

27. Thanks to such precautions there had been no threat of famine or even a shortage of foodstuffs since 1943. However, the problem still remained. There had been some emigration to the Belgian Congo, to the north of Ruanda-Urundi, and a seasonal emigration towards United Kingdom territories. Unfortu-

nately, the Banyaruanda and the Barundi were reluctant to leave their lands.

28. The problem of excess population had so far been solved satisfactorily, since in 1955 the population had increased by approximately 2.5 per cent whereas the production of food crops had increased by about 4.5 per cent.

29. Mr. RIFAI (Syria) said that the Council had always shown concern at the political problems which were likely to result from the administrative union of Trust and Non-Self-Governing Territories. He was happy to note that in the case of Ruanda-Urundi the Administering Authority had given a solemn assurance (T/1197) that it would examine that matter carefully and remedy it should the examination of the problem indicate that an administrative union of Ruanda-Urundi with the Belgian Congo was prejudicial to the political advancement of the Trust Territory. He asked whether the Administering Authority had given the matter the urgent attention it had promised to give, and what were its present views.

30. Mr. LEROY (Special Representative) said that the Administering Authority had always paid great attention to problems arising from the administrative union of the Belgian Congo with Ruanda-Urundi. It had always upheld the view that such a union, which in fact was authorized by the Trusteeship Agreement, was useful to Ruanda-Urundi and in no way detrimental to its political advancement.

31. He drew the Council's attention to the information given in section 11 of the Administering Authority's annual report for the year 1954. The best proof that the union was in no way harmful to the political advancement of Ruanda-Urundi was the Decree of 14 July 1952. Ruanda-Urundi was developing rapidly so far as political advancement was concerned.

32. Mr. RIFAI (Syria) said that he had asked his question because the special representative, in replying to a similar question at the fifteenth session, had said that the Administering Authority was going to give the matter further attention.

33. He asked whether the Administering Authority had taken any new steps with regard to defining the juridical status of the indigenous inhabitants of Ruanda-Urundi.

34. Mr. LEROY (Special Representative) said that no new measures had been taken to define the status of the indigenous inhabitants of Ruanda-Urundi. As he had repeatedly stated at earlier sessions of the Council, the question had a rather theoretical character. In practice, he could not recall a single case involving the question of whether an indigenous inhabitant was a Congolese, a national of Ruanda-Urundi or an alien. The question was clear in practice and that might explain why a theoretical study of the matter had not been actually undertaken.

35. Mr. RIFAI (Syria) said that various recommendations had been made, at the Council's fifteenth session in 1955, among which was one relating to the separation of the executive and judicial powers, and another relating to the question of preventive detention

¹ *Rapport soumis par le Gouvernement belge à l'Assemblée générale des Nations Unies au sujet de l'administration du Ruanda-Urundi pendant l'année 1954*, Brussels, Imprimerie Fr. Van Muysewinkel, 1955 (Transmitted to members of the Trusteeship Council by the Secretary-General under cover of document T/1201).

(A/2933, p. 82). He did not see any reference to those recommendations in the annual report now before the Council. He asked whether any steps had been taken to carry out the recommendations and why the Administering Authority had not seen fit to make specific reference to the measures that they might have taken concerning some of the recommendations made by the General Assembly and the Trusteeship Council.

36. He noted in the Administering Authority's annual report (p. 325) a section entitled "Résolutions et recommandations de l'Assemblée générale et du Conseil de Tutelle", under which a general reference had been made to all the problems of the Territory, but no specific reference had been made to action taken concerning any of the recommendations.

37. Mr. LEROY (Special Representative) said that as regards the problem of preventive arrests, the Council would recall that cases of preventive detention for lengthy periods, to which attention had been drawn, were extremely rare. Furthermore, an explanation and justification had been given for the three cases to which attention had been drawn. The written provisions of the legal procedure followed by the Administering Authority, which appeared in some detail in the annual report, gave the maximum protection to the rights of the people concerned. In practice, it was solely the magistrate who decided whether preventive detention should be for long or short periods. In each case of preventive detention the status of the accused was re-examined each month by the judge. There was therefore no danger that a man might be forgotten in prison.

38. The separation of powers was a remote ideal towards which the Administration was striving. However, a number of difficulties remained to be overcome. There were many minor offences which for reasons of good policy and administration should be dealt with rapidly and without resort to a complicated procedure. He recalled that since the judicial reorganization of 1948, the number of cases of officials performing judicial functions had been greatly reduced and that whenever sentences involved serious punishment, such officials came under the authority of career magistrates.

39. Mr. BARGUES (France), after welcoming the special representative, referred to the table on page 29 of the annual report. He was not entirely clear as to the connexion between the administrative services of Ruanda-Urundi and those of the Belgian Congo. In particular he asked whether the customs and budgetary services were administered direct from Léopoldville or whether there was a subordinate office at Usumbura, as in the case of the financial services.

40. Mr. LEROY (Special Representative) replied that as far as the customs service was concerned, the Belgian Congo and Ruanda-Urundi formed one single territory. The customs service was therefore administered from Léopoldville. The customs office at Usumbura was responsible for the frontier between Ruanda-Urundi on the one hand and Uganda and Tanganyika on the other. Revenues derived from customs were divided between the Belgian Congo and Ruanda-Urundi at a later stage, as was explained in the relevant chapter of the budget.

41. The budget of the Trust Territory was entirely independent of that of the Congo and no transfers of funds could be made from one budget to the other.

42. In reply to a further question by Mr. BAR-

GUES (France), Mr. LEROY (Special Representative) said that the comptroller depended administratively on the Governor-General of the Belgian Congo. The Governor-General had, however, no power to modify the budget; it was drawn up in Ruanda-Urundi and could be changed only by the Belgian Parliament.

43. Mr. BARGUES (France) said that he was not quite clear whether, under the new rules to be introduced with regard to the remuneration of the chiefs, there would continue to be a ratio between the sums paid to the chiefs and the tax revenue.

44. Mr. LEROY (Special Representative) said that until the previous year the payments received by chiefs had consisted of two parts: a fixed amount based on the number of taxpayers in the chiefdom and a variable amount consisting of a return on the cattle tax. In addition there had been the redemption of customary loans formerly due to the chiefs and gratuities paid to particularly deserving chiefs. In view of the various disadvantages of that system, it had been abolished in 1955, at the request of the indigenous authorities, and a system had been introduced based on an identical rate for all chiefdoms of 10,000 francs a month for chiefs and 2,500 francs a month for sub-chiefs. In addition there was an annual allowance to chiefs of 3,600 francs for each year during which they had been chiefs and 720 francs for each year during which they had been sub-chiefs. There were also annual increments, varying according to the classification of the chiefs. The annual increment was 3.5 per cent for *chefs d'élite*, 3 per cent for *très bons chefs* and 2 per cent for *bons chefs*. The other chiefs received no annual increment. Family allowances had also been provided of 300 francs a month for the wife and 200 francs a month for each child. Further, there were housing allowances, travelling allowances to encourage chiefs to travel about their chiefdoms and an allowance for the maintenance of a private vehicle. It had thus been possible largely to equalize the situations of the various chiefs and to reward merit.

45. Mr. BARGUES (France) observed that in future the payment of chiefs would be analogous to the salaries of civil servants. He asked whether under the new system the chiefs and sub-chiefs played any part in collecting the cattle tax and the head tax.

46. Mr. LEROY (Special Representative) said that all the indigenous authorities were concerned in the collection of both the cattle tax and the head tax. The Administration was waiting with some interest to see whether the fact that remuneration of the chiefs was no longer linked with the collection of taxes would result in any reduction in taxes.

47. Mr. BARGUES (France) said that the report revealed certain weaknesses in the functioning of the various councils. Apparently the chiefs and sub-chiefs were not yet accustomed to submitting their decisions to a collective advisory body and, furthermore, many councillors did not yet realize the nature of their duties and regarded the bodies in which they sat as platforms for putting forward personal claims. He asked the special representative whether in his opinion the councils were an advance on the previous system.

48. Mr. LEROY (Special Representative) replied that that was undoubtedly so. It should be remembered, however, that there was a very large number of new indigenous councils in the Territory, not all of which functioned equally well. In practice the value of each council depended on the chief and the chairman. The two High Councils functioned in an entirely satis-

factory manner. They had grasped at once what was expected of them and performed their duties with great competence.

49. Mr. BARGUES (France) asked whether there was a relationship between the stage of development of the people concerned and the functioning of the councils, or, in other words, whether the populations of the towns, which had been longer in contact with Europeans, performed their duties in the councils more efficiently than the people of some of the remote mountain areas.

50. Mr. LEROY (Special Representative) said that there was really no basis for comparison. There was only one town in Ruanda-Urundi — Usumbura. The only urban council was the council of the extra-tribal centre there. Councils in areas that had been settled for a long time were naturally likely to function better than those in remote districts. The personal factor was, however, the most important.

51. Mr. JAIPAL (India) felt it was unfortunate that the reforms of 1952 had tended to separate the two states. He had been interested to see that the Administering Authority had attempted to bring the representatives of the two states together in the Council of the Vice-Government-General. He wondered whether, in addition, it would be possible for neighbouring district councils in the two states to meet occasionally to discuss problems of common interest.

52. Mr. LEROY (Special Representative) said that ever since 1916 the Administration had made unwearying attempts to bring the two states closer together; there was, however, very strong emotional opposition to any such move. In his view the Indian representative's suggestion that there might be joint meetings of neighbouring district councils in the two states was completely impracticable.

53. Mr. JAIPAL (India) asked whether the special representative could give the Council a general idea of how the people had reacted to the 1952 reforms and how the newly established representative councils had operated during the past two years. Moreover, he noted from the report that the district councils had been slow to start operations, and he would like to know why. He would also like to know whether the Administering Authority, in the light of the past two years' experience, was considering the possibility of increasing the powers and responsibilities of the councils, and particularly those at the lower levels, after 1956. Lastly he asked whether the present system of suffrage was likely to be altered for the next elections.

54. Mr. LEROY (Special Representative) said that the effects of the 1952 Decree were under close observation by the indigenous councils, the Administration, the Belgian Government and the Ministry of Colonies at Brussels. As he had already stated, the two High Councils were functioning satisfactorily; the district councils were less active than the others since many questions were settled at the chiefdom level. Moreover, the districts did not correspond to any traditional division of the population. One of the main purposes of future reforms would be to render recruitment at the lower levels more democratic. The Administration wished the population to play a larger part in the constitution of the councils. The whole question was still being studied, since the councils had only just begun to function.

55. The Administration was considering a modification of the Decree with a view to extending the fran-

chise. It was useless for the time being to attempt to extend the franchise to women as that would be hard for the Barundi and Banyaruanda to understand. Perhaps in two or three years they might be persuaded to do so, but even that was very doubtful. The immediate aim of the Administration was to establish a broader basis of consultation, a desire for which had been expressed by both the High Councils.

56. Mr. JAIPAL (India) asked whether the reform in the system of remuneration of chiefs had been introduced at the initiative of the Administration or of the chiefs themselves.

57. Mr. LEROY (Special Representative) said that it was difficult to give a precise reply to that question. The reform had been brought about by a decree of the Governor, but the question had previously been discussed by officials with the Bami and with certain chiefs. In any event the reform had been generally welcomed.

58. Mr. JAIPAL (India) asked whether the chiefs stood to gain or lose by the new system and whether it involved increased expenditure in the territorial budget.

59. Mr. LEROY (Special Representative) replied that none of the chiefs had lost by the new system and many had gained, since a transitional provision had been introduced to prevent dissatisfaction arising from any discrepancies. Thus the position of the chiefs who had been below the new scale had been improved and that of those who had been above it had not deteriorated.

60. The additional expenditure which would result from the new system would be borne on the ordinary budget of the Territory.

61. Mr. JAIPAL (India) had understood the special representative to say at the previous meeting that in April 1956 the Council of the Vice-Government-General would consider its reconstitution. He asked whether the special representative could give the Council any idea of the scope and extent of the proposed changes: for example, how many more Africans were likely to be included in the Council and from whence they would be drawn.

62. Mr. LEROY (Special Representative) said he could only indicate what the possibilities were, without prejudice to any decision to be taken by his Government.

63. At the present time the Council of the Vice-Government-General consisted of twenty-two members, seven *ex officio* members, nine members chosen from lists put forward by various organizations such as chambers of commerce, associations of colonists and representatives of associations of employers and employees, three notables selected for their ability and three representatives of the indigenous population. The future Council would probably consist of an equal number of *ex officio* members, who would be, as at present, officials, magistrates and the Bami. The new Council would also include representatives of capital enterprises and of the independent middle classes, employees, workers, State employees, both African and European, and representatives of indigenous *circoscriptions* and extra-tribal centres, as well as notables. He could not say at present how many representatives there would be for each of those categories. African representation would undoubtedly be increased. In his personal opinion the size of the Council would be

roughly doubled and African participation almost tripled, but he had no figures to support that statement.

64. In reply to the Indian representative's last question, he did not know whence the Africans on the Council would be drawn, but the most likely source was the High Councils of the two states. For that reason the new Council of the Vice-Governor-General might well prove to be a factor drawing the two states together.

65. Mr. JAIPAL (India) asked whether there was any possibility of the grant of increased power and responsibilities to the enlarged Council.

66. Mr. LEROY (Special Representative) said he could not give a categorical reply. It was difficult to see how the Council's powers could be increased; there were at present virtually no restrictions on the questions it could consider, but from the very fact that the Territory was under the Trusteeship System the Council was necessarily a purely advisory body.

67. Mr. JAIPAL (India) was interested in the effect of the administrative union between the Trust Territory and the Belgian Congo, particularly on political development within the Territory. He would like some elucidation of the statement in paragraph 8 of Conference Room Paper No. 1² on the outline of conditions in Ruanda-Urundi that in the view of the Belgian Government a purely administrative union "neither promoted nor hindered the development of free political institutions suited to Ruanda-Urundi".

68. Mr. RYCKMANS (Belgium) thought the text of the document was not very clear; the Belgian Government's view was that the administrative union had no effect whatsoever upon political institutions; there was no connexion between the two.

69. Mr. JAIPAL (India) asked to what extent the difference in status between the Congo and Ruanda-Urundi necessitated the pursuit of different policies in the two Territories, for example, in the establishment of political institutions.

70. Mr. RYCKMANS (Belgium) explained that the differences were due to the fact that in Ruanda-Urundi the people were politically far in advance of those in the Belgian Congo. In some parts of the Congo there was no traditional tribal authority higher than that of the village, or, at the most, of the tribe, which represented a maximum of from 30,000 to 50,000 people. In the Trust Territory, on the other hand, each of the two states counted about 2 million inhabitants and they had a highly developed traditional political organization which had been used as a basis in setting up the administration of the Territory.

71. Mr. JAIPAL (India) asked whether the Governor-General had in recent years exercised the emergency powers which, according to the report, he was empowered to use in the Trust Territory.

72. Mr. LEROY (Special Representative) pointed out that the Vice-Governor-General, who administered the Trust Territory, also had emergency legislative powers. Decrees issued in accordance with those powers remained in force for only six months. He did not know of any cases where a decree of that kind had been issued by the Governor-General of the Congo in recent years, with the exception of decrees modifying customs duties. In view of the customs

union, decrees on that subject had to emanate from the Governor-General.

73. Mr. JAIPAL (India) observed that, according to the report, over 15,000 families had migrated to the Washali area in the Congo since 1947. He asked the special representative whether the scheme was successful, how the emigrants were settling down in their new surroundings and whether any had returned to Ruanda-Urundi. In the light of the statement that the population of the Territory was likely to double by 1980, he wondered what plans the Administration had for the future, apart from the Ruzizi settlement scheme, and whether there was scope in the Congo for the further absorption of surplus population from Ruanda-Urundi.

74. Mr. LEROY (Special Representative) said he believed about 100,000 emigrants, chiefly Banyarwanda, had gone to the Belgian Congo. The whole question was one of continuing concern to the Governments of Ruanda-Urundi and the Belgian Congo. There was an area in the Albertville region, on the left bank of Lake Tanganyika, which might be suitable for emigrants from Ruanda-Urundi. The difficulty was to instil a desire to emigrate into people who were strongly attached to their land, their cattle, their country and their families. The Administration was unwilling to proceed to forced transfers of population, the consequences of which were only too well known.

75. Mr. JAIPAL (India) asked whether any of the families who had emigrated to the Congo had subsequently returned to Ruanda-Urundi.

76. Mr. LEROY (Special Representative) said that emigrants who had settled in the Congo occasionally returned to the Trust Territory to visit members of their families and in any case they kept in touch.

77. Mr. JAIPAL (India) observed that according to the report there had been an increase of about 250 in the European population and 300 in the Asian population during 1954. He asked whether there was any particular reason for that increase.

78. Mr. LEROY (Special Representative) replied that the increase was presumably due to the arrival of new officials and missionaries. Furthermore the birth rate was high.

The meeting was suspended at 4 p.m. and resumed at 4.25 p.m.

79. In reply to a question from Mr. PLAJA (Italy), Mr. LEROY (Special Representative) said that the indigenous advisory councils took an interest in a great variety of questions raised either by the territorial authorities or—and that happened very often—by members of the councils themselves. Among the matters discussed at the latest session were various questions relating to cattle such as cattle diseases, the elimination of excess cattle and the suppression of the *ubuhake* contract, questions of land tenure, and the question of the territorial boundaries of chiefdoms; the possibility of a pension scheme for chiefs and former sub-chiefs had been discussed, together with a variety of other topics such as measures to combat alcoholism and the extension of education in the two states. Naturally the council's primary interest was in the budget, which was the necessary basis for a realistic discussion of the other matters.

80. Mr. PLAJA (Italy) recalled the Administering Authority's observation that a considerable amount of training and education was required before the indigenous councils could properly fulfil the functions for

² Working paper circulated to members of the Council only.

which they had been established. He wondered whether a programme had been drawn up for that purpose.

81. Mr. LEROY (Special Representative) said that as yet no political training course had been arranged. In Ruanda-Urundi, as elsewhere, people were inclined to think that no training was required for entry into politics; in any case, the customary councils which had preceded the present councils had been an excellent training-ground. Moreover, the chiefs and members of the councils were in constant contact with the Administration, which in itself was a form of education, while in the last analysis the best training was, of course, service in the councils themselves.

82. Mr. PLAJA (Italy) wondered whether emigration to other Territories was to be considered the only way of dealing with the over-population problem in Ruanda, and, as such, as a permanent phenomenon, or whether any plans were being made to encourage Ruanda's economic and, more particularly, industrial development.

83. Mr. LEROY (Special Representative) said that the Administration had long been considering the replacement of food crops by industrial and export crops but was aware that the dangers inherent in such a replacement were great. The margin between agricultural production and local consumption was so small that it would be necessary to make the substitution only very slowly and by stages, and in any case the only industrial crop likely to bring a sufficient revenue into the country at present was arabica coffee. However, the Administration was doing its utmost to industrialize the Territory's economy, while observing the caution necessary to avoid a disastrous famine.

84. Emigration did not represent a permanent solution to the problem of over-population; the Banyaruanda and Barundi readily went abroad to work in Uganda, Tanganyika or the Belgian Congo but were rarely prepared to settle down there. The Administration was endeavouring to encourage permanent emigration to the Belgian Congo and if things became difficult the people might take advantage of the opportunities offered them; for the moment, however, they could find enough to live on where they were and were not likely to move.

85. In answer to a question from Mr. S. S. LIU (China) regarding the training of indigenous inhabitants to fill responsible posts in the Administration, Mr. LEROY (Special Representative) said that that was a long-range project. At present there were virtually no indigenous inhabitants with the qualifications necessary to fill such posts. The Administration actively encouraged indigenous inhabitants to seek higher posts, particularly in technical fields such as medicine, agriculture and public works. In the political sphere the question was more delicate, because of the existence of a whole customary organization headed by the Bami, the chiefs and sub-chiefs. In any case the question did not as yet arise in that sphere. The interracial college at Usumbura, the university about to open at Elizabethville and the university centre already functioning at Kimuenza would materially help to build up a body of qualified Africans to take over the administration of the Territory at a later date.

86. Mr. THORP (New Zealand) asked the special representative if he could illustrate from concrete cases the kind of relationship existing between the inhabitants of Ruanda and Urundi. He had the impression that they displayed an unco-operativeness towards each other which amounted almost to hostility.

87. Mr. LEROY (Special Representative) said that a sense of their separate identities divided the people of the two states; a case in point had been the visit of His Majesty King Baudouin, when it had been necessary to organize separate receptions in Usumbura and in Nyanza in order to satisfy both Bami. There was no difficulty in persuading Banyaruanda and Barundi to work on the same task; they would not quarrel but neither would they combine, and they would live entirely separately.

88. Mr. THORP (New Zealand) understood that it had been more difficult to set up district councils than chiefdom councils because the boundaries of the districts did not coincide with the customary boundaries. For that reason, however, he would expect their interests to be broader, and he wondered what were the problems about which they were consulted by the Administration.

89. Mr. LEROY (Special Representative) said that the difficulty was not as great as it appeared, for although the districts did not correspond to any customary division of the country, each district did include a number of chiefdoms whose boundaries corresponded to such divisions: no chiefdom overlapped two districts. The district councils discussed the same sorts of questions as the chiefdom councils but could solve problems of wider scope, such as the laying of a road through several chiefdoms or the setting up of a market to serve more than one chiefdom in the district.

90. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) asked how far down the double administration of the Territory extended and what effect that duality had on the budget. What was the division of functions between the European and indigenous administrations?

91. Mr. LEROY (Special Representative) said that there was not in fact a double administration. The idea of a Ruanda-Urundi Territory was a purely European concept; in reality there were the two countries of Urundi and Ruanda, to which the two Residencies corresponded. The districts into which those Residencies were divided represented the limit of the European administration; within and below that level the customary divisions into chiefdoms and sub-chiefdoms prevailed. European and indigenous officials had entirely separate fields of competence; it might be said that the European officials were responsible for administration according to the written law while the chiefs were responsible for the conduct of customary life. The direct administration of the Territory was thus in the hands of the indigenous chiefs and sub-chiefs; the European administrators were there simply to guide the chiefs and to provide some general direction and control. There was no question, therefore, of a needless burden on the territorial budget.

92. In reply to a further question from Mr. GRUBYAKOV (Union of Soviet Socialist Republics), Mr. LEROY (Special Representative) again explained that the system of registration implied no sort of discrimination but had been simply an expedient for dealing with those persons who, because they lived outside the tribal areas, were not subject to customary law and could not, on the other hand, be held subject to foreign national laws. The card of civic merit was simply an honorary distinction of the same kind and did not warrant the importance attached to it; in particular it was not to be regarded as something exacted from indigenous inhabitants who wanted to acquire a certain status. Registration had never been

compulsory; it was simply a convenience offered to indigenous inhabitants who possessed no personal status.

93. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) asked whether the membership of the associations which nominated candidates for the Council of the Vice-Government-General included any indigenous inhabitants or whether they were excluded from such associations.

94. Mr. LEROY (Special Representative) replied that the candidates nominated by the associations had not included any representatives of the local population. That was one reason why the Administration was proposing to modify the composition of the Council of the Vice-Government-General so as to introduce representatives of the middle classes, the workers, African government officials, the indigenous *circonscriptions*, the extra-tribal centres and the notables. When it had been set up, the Council of the Vice-Government-General had been adequate, but now it did not provide for sufficient representation of the indigenous population.

95. There were three Chambers of Commerce in Ruanda-Urundi. Indigenous merchants were not excluded but in practice none belonged. One of the colonists' associations, the Union eurafricaine du Ruanda-Urundi, sought to include in its membership both Europeans and Africans, the main qualification for admission being that the person concerned should be self-employed. In fact, however, only three or four Africans were members, as against two or three hundred Europeans. The representatives of the associations of employers and the associations of employees had been exclusively European. That was a *de facto* rather than a *de jure* situation.

96. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) noted, from an earlier reply, that the special representative believed that, given the trusteeship status of the Territory, the Council of the Vice-Government General could be advisory only. Other Trust Territories, however, had legislative and executive bodies whose existence was not incompatible with the status of those Territories as Trust Territories. As Ruanda-Urundi advanced towards the objectives of the International Trusteeship System it would be only logical for the competence of the Council of the Vice-Government-General to comprise legislative and executive functions as well. Did the special representative's reply mean that the Administering Authority did not intend to give it legislative and executive competence, even in the relatively distant future?

97. Mr. LEROY (Special Representative) said that it was not for him to explain the Belgian Government's future policy. He could only say that the Administration had no intention of impeding the development of the Council of the Vice-Government-General and that it wished the Territory to achieve the objectives of the Trusteeship System.

98. Mr. RYCKMANS (Belgium) added that as long as Ruanda-Urundi was a Trust Territory and Belgium was the Administering Authority, the Belgian Government would retain ultimate responsibility for the Territory's administration. The Trusteeship Council had often requested the Administering Authority to adopt measures which ran counter to the wishes of the indigenous inhabitants. When the Administering Authority believed that the time was ripe for those measures, despite the opposition to them, it would be responsible

for their adoption. Furthermore, in the Belgian political system advisory councils were virtually as important as legislative councils. The Government obviously had no desire to go against the wishes of the advisory councils and they, for their part, refrained from proposing measures which they knew in advance the Government could not possibly accept. Hence, it was quite possible that the competence of the Council of the Vice-Government-General would be extended in future, but the final responsibility would always be vested in the Administering Authority. When the Administering Authority felt that it need no longer assume responsibility for decisions on the Territory's administration, it would ask the United Nations to relieve it of its trusteeship.

99. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) observed that the Trusteeship Council had criticized the limited suffrage in various Trust Territories. In his delegation's view, there should be no difficulty about introducing universal suffrage or, at least, as a first step, extending the suffrage. In Ruanda-Urundi all the councils were chosen by a few people, the chiefs and notables. It would be interesting to know when the Administering Authority intended to introduce the right to vote and why it could not be introduced in the near future.

100. Mr. LEROY (Special Representative) explained the procedure for elections to the sub-chiefdom councils, provided for in article 18 of the Ordinance of 10 July 1953. First, each sub-chief drew up and forwarded to the chief a list of notables including anyone in the sub-chiefdom qualified to express the people's views. The Ordinance specified the minimum number of notables in relation to the tax-paying population; at least twenty notables, for instance, must be listed in sub-chiefdoms with more than 1,500 taxpayers. After approval by the chief and the district administrator, the list was published. One month later the notables listed met to elect the members of the sub-chiefdom council. The ballot was written and secret. The same procedure applied to all the other councils. The Administration was trying to replace the list of notables prepared by the sub-chief by a list composed of all the individuals having any influence whatever in the sub-chiefdom. Ultimately, that system in turn would be replaced by a wider suffrage. The change would necessarily have to take place by stages; to a Barundi, for instance, it was unthinkable at present that women should have the right to vote.

101. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) considered that, in view of the proportion of twenty notables—chosen by the chief—to 1,500 taxpayers, the councils were virtually appointed by the indigenous administration, even if an electoral process was involved. It would be far more satisfactory if 1,000 taxpayers out of every 1,500 participated in the elections. He wondered if the special representative could be rather more specific about how soon an extension of the suffrage could be expected.

102. Mr. LEROY (Special Representative) agreed that it would be far more satisfactory if the notables could be elected by the taxpayers rather than chosen by the sub-chiefs. The Administration was making a great effort to that end and it was heartened by the fact that the indigenous councils themselves had requested reforms along those lines. He could not say exactly how long it would take to introduce the reforms as they would have to be enacted by the Belgian legislature.

103. Mr. RYCKMANS (Belgium) added that twenty notables per 1,500 taxpayers was the minimum. In the rather more advanced sub-chiefdoms the number was much higher, even, in certain cases, 300 or 400.

104. The Ordinance of 10 July 1953 would be amended, but even under the existing system, the number of those participating in the elections to the sub-chiefdom councils could be considerably extended. The sub-chiefs were supposed to nominate all those who had any influence on public opinion. Their lists had to be submitted to the administrator so that he could bring any omissions to their attention. The number of notables voting would therefore be considerably higher in the 1956 elections than it had been in 1953. The trend was towards the extension of the suffrage.

105. In reply to a question by Mr. GRUBYAKOV (Union of Soviet Socialist Republics) concerning the membership of the political organizations listed on page 44 of the annual report, Mr. LEROY (Special Representative) said that the Union eurafricaine du Ruanda-Urundi was intended to be a mixed African-European body. In fact it included very few Africans. The Ligue des droits de l'homme et de la démocratie nouvelle was in fact composed of a few Europeans at Kisenyi whose stated objective was to propagate the principles of the Universal Declaration of Human Rights. They were in touch with a few of the indigenous inhabitants in the Kisenyi area. The Association professionnelle des colons et sociétés du Ruanda-Urundi was an offshoot of the Union eurafricaine composed of a few European colonists.

106. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) noted that the Residency courts apparently exercised jurisdiction in accordance with written rather than customary law, but had jurisdiction only over indigenous inhabitants. It would be interesting to know why Europeans were excluded from their competence.

107. Mr. LEROY (Special Representative) replied that the answer lay in historical development of the courts—the existing judicial structure dated from 1948—and the resulting rather special approach to the functions of the State Counsel's Department. In the European courts the State Counsel's Department represented the injured party, i.e. society, and it was responsible for prosecuting the author of the offence, its activities being balanced by the defence procedure available to the accused. Before 1948 non-indigenous defendants had usually had the assistance of counsel so that the balance between the prosecuting and defending side had been maintained. The indigenous inhabitants on the other hand had not usually been defended by lawyers; indeed in many cases they had been unable to obtain counsel as there had been virtually no lawyers in the Territory. It was for that reason that, when the accused was an indigenous inhabitant, the main preoccupation of the State Counsel's Department should be to ensure that the accused's rights were respected.

108. Mr. GRUBYAKOV (Union of Soviet Socialist Republics) asked whether there was no legal provision whereby the court could appoint defence counsel for the accused.

109. Mr. LEROY (Special Representative) replied that there was no such provision in Belgian law. If the accused asked for counsel he could obtain the services of a lawyer, free of charge in some cases, but they were not automatically provided.

110. Mr. RYCKMANS (Belgium) added that the virtual non-existence of lawyers in the Territory must be borne in mind. There were a few lawyers now but the number was still inadequate to provide counsel for all accused. It was precisely for that reason that a magistrate's first duty was to protect the rights of the indigenous inhabitants. It was often the magistrate, for example, who claimed damages for an indigenous inhabitant, who might be unaware that he was entitled to civil damages in connexion with criminal proceedings. Similarly the magistrate often lodged an appeal on behalf of the indigenous inhabitant because he believed that the penalty was too high.

111. Mr. JAIPAL (India) was not very clear about the delegation of legislative and executive power to the Council of the Vice-Government-General while the Territory remained a Trust Territory. It was true that under article 5 of the Trusteeship Agreement, the Administering Authority had full powers of legislation, administration and jurisdiction, but under article 6 it was required to take all measures conducive to the political advancement of the population in accordance with Article 76 b of the Charter. It should be possible, within the framework of the Trusteeship Agreement, gradually to delegate legislative and executive power to some local representative body without the Administering Authority relinquishing its ultimate responsibility. In other Trust Territories, for example, there was the device of the veto exercised by the Administering Authority. Did the Belgian representative think that a similar development was possible in Ruanda-Urundi?

112. Mr. RYCKMANS (Belgium) replied in the affirmative. He reiterated his view that final responsibility must rest with the Administering Authority but explained that by final responsibility he meant not only the right of veto but also the right to initiate measures which the Administering Authority considered essential. In other words the Administering Authority must retain sufficient power to override the objection of a local assembly and enact necessary legislation on anti-erosion measures, for example.

113. Mr. LEROY (Special Representative) added that in practice the system advocated by the Indian representative already existed. Under the Decree of 14 July 1952 the Bami and the chiefs could take decisions based on the advice of their councils and those decisions had full effect unless they were vetoed by the Resident or the administrator.

Membership of the Standing Committee on Administrative Unions

114. The PRESIDENT reminded the Council that the delegation of Haiti was serving on the Standing Committee on Administrative Unions, the Standing Committee on Petitions and the United Nations Visiting Mission to the Trust Territories of the Cameroons under British administration and the Cameroons under French administration, 1955. Two of those bodies, the Committee on Petitions and the Visiting Mission, were already holding daily meetings and the Standing Committee on Administrative Unions would begin to meet very shortly. He had been informed by the delegation of Haiti that because of the many heavy tasks with which it was confronted it could not longer serve on the Standing Committee on Administrative Unions. The Council was deeply appreciative of the valuable services which the delegation of Haiti had rendered but he thought it only fair to relieve it of part of its heavy burden. He therefore proposed that the Council

should appoint Guatemala to serve in the place of Haiti on the Standing Committee on Administrative Unions.

It was so decided.

115. Mr. ARENALES CATALAN (Guatemala)

thanked the Council for the honour it had conferred on his delegation in appointing it to the Standing Committee on Administrative Unions.

The meeting rose at 5.55 p.m.