



TRUSTEESHIP COUNCIL

Twenty-sixth Session

OFFICIAL RECORDS

Wednesday, 22 June 1960,
at 3.5 p.m.

NEW YORK

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President: Mr. Girolamo VITELLI (Italy).

Present:

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

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

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

- (i) Annual report of the Administering Authority for the year 1958 (T/1487, T/1495, T/1540, T/L.985);
- (ii) Petitions and communications raising general questions (T/COM.3/L.26, 27, 29-38; T/PET.3/L.10-34);
- (iii) Report of the United Nations Visiting Mission to Trust Territories in East Africa, 1960 (T/1538);
- (iv) Examination of the possibility of sending a group of United Nations observers to supervise the elections to be held in June 1960 in Ruanda-Urundi;

(v) Plans of political reform for the Trust Territory of Ruanda-Urundi (General Assembly resolution 1419 (XIV))

[Agenda items 3 (a), 4, 5 (a), 12 and 16]

At the invitation of the President, Mr. Reisdorff, 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 REPRESENTATIVE AND SPECIAL REPRESENTATIVE OF THE ADMINISTERING AUTHORITY (continued)

Economic, social and educational advancement (concluded)

1. Mr. SALAMANCA (Bolivia) asked the special representative whether he thought that the present system of land tenure in the Territory was fair and just.

2. Mr. REISDORFF (Special Representative) replied that the present system of land tenure had at one time reflected the social pattern of Ruanda-Urundi, which had now changed. It was therefore necessary to introduce reforms in the land tenure system to keep pace with social development in the Territory.

3. Mr. SALAMANCA (Bolivia) asked the special representative to comment on the recommendation in paragraph 493 of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1960 (T/1538) that a committee composed of African judicial officers, assisted by Belgian jurists, should be established without delay to prepare draft land legislation; and on the statement in paragraph 494 that the question of the necessary changes in the land tenure system had become even more urgent since the November disturbances.

4. Mr. REISDORFF (Special Representative) said that the Administering Authority entirely agreed with those views. Even before the Visiting Mission's report had reached Ruanda-Urundi, the question of establishing one or two groups to carry out a study of the customs of the Territory had already been examined. He could assure the Bolivian representative that the system of land tenure was one of the major preoccupations of the Administering Authority, which was resolved not only to study the question but also to propose reforms; some reforms had, indeed, already been put into effect. The final decision on the proposed reforms, however, would rest with the representative councils of the Ruandese and the Urundians when they had been elected.

5. Mr. SALAMANCA (Bolivia), referring to the view mentioned in paragraph 492 of the Mission's report that the High Council of Ruanda was neither objective nor competent in land matters, asked whether, if a land reform programme was proposed, it would be carried out by a special commission or by the legislative council established in the State.

6. Mr. REISDORFF (Special Representative) said that the High Council of Ruanda had now completed its term of office and had been replaced by the Provisional Special Council composed of two representatives of each political party. He could not prejudice the composition of the future land commission, but his personal opinion was that it might consist of representatives of the political parties, who would speak for all sections of the population, and of experts in land law.

7. Mr. SALAMANCA (Bolivia) said that the problem of land reform was vitally important for the political development of Ruanda-Urundi. From the information given in the Visiting Mission's report, he had gained the impression that for the last forty years the Administering Authority had been somewhat dilatory with regard to that important problem. The Territory was now developing at a rapid pace and there was very little time left. He was glad to note from the replies of the special representative that the Administering Authority was prepared to consider the problem.

STATEMENT BY THE REPRESENTATIVE OF THE WORLD HEALTH ORGANIZATION

8. Dr. SACKS (World Health Organization) said that, as the Administering Authority's annual report for 1958^{1/} had been compiled before the World Health Organization had issued its observations on the annual report for 1957 (T/1461), it did not take into account the suggestions which WHO had made and which were still valid. In the circumstances WHO had not considered that any useful purpose would be served by presenting a new paper to the Council at its present session.

9. The World Health Organization welcomed the advances in the field of public health which were reflected in the annual report for 1958. The building of three new district hospitals and sixteen rural dispensaries had brought about a considerable improvement in rural health services and there had been a considerable extension of water supplies in rural areas. There had also been an encouraging increase in the number of medical assistants and nurses. It was to be hoped that more young men and women would follow in the footsteps of the student who was studying at the Ecole de médecine in Paris and of the five girls attending the School of Nursing attached to Lovanium University in the Belgian Congo. It was also to be hoped that a department of preventive medicine would soon be opened at Lovanium University and that every effort would be made to provide opportunities for students from Ruanda-Urundi to take the public health course there.

10. Many of the vaccination programmes had been considerably expanded, as had the campaign against tuberculosis. The ambulatory treatment for such diseases as tuberculosis and leprosy was increasingly used and the long-standing control programmes, such as those against trypanosomiasis and yaws, were continuing to produce encouraging results. It was hoped that more determined efforts would be made to integrate the separate control campaigns into the general health services, thus increasing their efficiency and enabling economies to be made in both staff and budget.

^{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 1958 (Brussels, Imprimerie Clarence Denis, 1959). Transmitted to members of the Trusteeship Council by a note of the Secretary-General (T/1487).

11. At the twenty-fourth session of the Council the representative of the Administering Authority had been interested in WHO's suggestion of a pilot demonstration and training centre for planning the integration of curative and preventive health services. WHO had already sent documentation on the planning and organization of such pilot areas to the health authorities in Ruanda-Urundi and would be happy to give assistance in the matter if the Administration requested it.

STATEMENT BY THE REPRESENTATIVE OF THE ADMINISTERING AUTHORITY

12. Mr. CLAEYS BOUUAERT (Belgium) said that, in replying to the statements which the petitioner, Mr. Rwagasana, had made to the Council at its 1120th and 1121st meetings, he would confine himself to specific issues on which factual details could be given; he would not attempt to refute or to deny the petitioner's gratuitous allegations. The Council would note that most of the events which the petitioner had described had been fully covered in the Visiting Mission's report and that his version differed from the latter's on various points.

13. Mr. Rwagasana had described the communal elections as confidential and hasty. The documentation which had been supplied to the Visiting Mission was quite clear on that point: the elections were certainly not being organized in haste. For at least six months the population had been periodically receiving detailed instructions on electoral procedure and on their right to choose their own candidates and to vote by secret ballot. It was the secrecy of the voting which had perhaps prompted Mr. Rwagasana to describe the elections as confidential. The measures which had been taken to safeguard law and order, and which had somewhat restricted freedom of assembly and freedom of movement, had been lifted in the case of all meetings which were part of the election campaign.

14. The petitioner had alleged in his statement that the authorities were arbitrarily arresting all members of the Union nationale ruandaise and sending them to prison or to the concentration camp at Nyamata. The fact was that there were no concentration camps in Ruanda-Urundi and the only people in prison were those who had been sentenced for offences such as arson, looting, torture or murder.

15. The camp at Nyamata, in the district of Bugesera, was not a concentration camp but a reception centre for refugees. It had been visited by the Visiting Mission, as also by a Belgian Human Rights Commission. The latter had reported that it had received no complaints and had found the transport and housing arrangements satisfactory, and that in its opinion the Administrator of the camp had achieved excellent results by means of persuasion and by his personal relations with the refugees. The Resident in Ruanda had defined the functions of the refugee reception programme in a letter dated 4 December 1959, which specified that the reception centre had been set up to provide temporary accommodation for refugees who had left their homes of their own free will and to enable them freely to make arrangements for their future. The Government would take all the steps necessary to ensure their resettlement in suitable areas.

16. With regard to Mr. Rwagasana's allegation that a student on holiday had been arrested and imprisoned, the Administering Authority knew of only one case of

a student having been sentenced to imprisonment: he had been a student at the Université libre, in Brussels, who had been in the Territory at the time of the disturbances and had been found guilty of inflicting torture.

17. The petitioner's statement to the effect that the judgements pronounced by courts in Ruanda-Urundi were kept secret was not true: all judgements were published. The Visiting Mission had been supplied with the copies of many judgements and had had access to all the files it had asked to see, including that of the trial of Mr. François Rukeba, the Chairman of UNAR, who had stood trial on forty-two counts, had been found guilty on most of them and had been sentenced to six years' penal servitude.

18. With regard to the participation of UNAR in the preliminary conference in Brussels, about which the French representative had asked at the 1120th meeting, UNAR had been invited to send a delegation and had accepted the invitation. A few days before the departure of the delegation, however, the representatives appointed by UNAR, who had been the UNAR members serving on the Provisional Special Council, had refused to join the group.

19. The Indian representative had asked for some explanations about a telegram which had been received from the Chairman or the Acting Chairman of UNAR and upon whose authenticity the petitioner had cast doubts. The Belgian delegation was able to affirm that the message in question, which had been a letter and not a telegram, had indeed been signed by Mr. Rut-sindintwarane, who was the Chairman or Acting Chairman of UNAR.

20. The Indian representative had asked for further information concerning a statement by the petitioner to the effect that the Resident of Ruanda had issued communiqués pouring scorn on the conclusions of the Visiting Mission. Mr. Rwagasana had read out part of communiqué No. 12 of 8 April 1960. The best reply he could make would be to read the whole text; he would first, however, read out the text of a previous communiqué in order that the members of the Council might be in possession of all the facts.

21. Communiqué No. 10 of 21 March 1960 had announced the outbreak of fresh disturbances on 5, 9 and 13 March in various parts of the State and in particular incidents in Biumba, where there had been fighting between Bahutu and Batutsi. The communiqué stated that those incidents, like many others, had been due to a series of false rumours deliberately spread in order to excite the people. The trouble had originally been the result of leaflets distributed by the Rundese, or Banyarwanda, and signed "The Banyarwanda in Uganda", which had announced that Ruanda would obtain independence in May, that the Belgian authorities were about to leave and that chiefs and sub-chiefs had been deposed without reason. The leaflets had also accused the Hutu leaders of having instigated the November disturbances and had advised the people to bring facts to the knowledge of the United Nations Visiting Mission, which, according to the leaflets, had been sent at the request of Mr. Rwagasana.

22. The communiqué went on to say that certain Batutsi in the Territory had been encouraged by those falsehoods to tell people that the United Nations was coming to take the place of the former authorities and that they had gone about in armed groups intimidating

the Hutu farmers and threatening them with a return of Tutsi domination.

23. The communiqué then described various outbreaks of violence which had taken place and appealed to all the Ruandese to give up trying to solve their problems by such methods. It told the people that elections would be held in a few months, as a result of which all classes of the population would have their representatives, and pointed out that the only satisfactory way to reconcile various differing views was by means of amicable discussion.

24. Another communiqué distributed to all the people of the Territory had reproduced the entire text of the final communiqué of the Visiting Mission.

25. "Communiqué" No. 12, part of which Mr. Rwagasana had read out to the Council, began by referring to the United Nations Visiting Mission and stating that the previous communiqué contained the declaration made by the United Nations representatives on the eve of their departure. The communiqué stressed the difference between people who were working for the good of Ruanda and those who were trying to stir up trouble in order to satisfy personal ambition or a desire for revenge. It went on to say that, in January and February, leaflets coming from outside the Territory had been widely distributed, which had promised that with the arrival of the Visiting Mission the prisoners sentenced by the court martial would be released, the former chiefs would be reinstated, the refugees would return and independence would be granted immediately. It pointed out that those promises had not been fulfilled and never would be.

26. It had also said that the Visiting Mission had been able to see the progress that had been made, to hear those who had wished to speak to it and to report on its journey, and that people who had wished to see the Mission or organize demonstrations at the time of its visit had been free to do so.

27. The communiqué emphasized that no effort had been made to prevent people from reading the leaflets, although the opponents of the Administration had tried to stop people from reading the Administration's communiqués. It concluded by calling on all the Ruandese to work together for the good of their country.

28. In connexion with the subject of freedom of information, he emphasized that UNAR communiqué No. 1, which prohibited members of the party from taking part in the elections, had been circulated in its entirety.

29. Mr. Rwagasana had alleged that the UNAR leaders who were in prison had been sentenced because they were opposed to the Administration. In reply he would merely say that no one had been sentenced for speaking against the Administration; all the sentences inflicted had been on account of infractions of the ordinary criminal law.

30. The petitioner had also stated that Belgian troops were interfering in political matters. There was no truth in that assertion; the role of the troops was solely and entirely to maintain law and order. The only Administration officials who had political contacts with the people were the members of the civil service; the single exception was the Special Resident, Colonel Logiest, who had been temporarily seconded from the Army and was carrying out the civilian functions of a provincial commissioner.

31. As the special representative had informed the Council, the restrictions on freedom of assembly and of movement had been abolished on 1 June 1960 so as to enable all the parties to hold meetings in preparation for the elections. UNAR had held a number of such meetings.

32. In reply to a question by the representative of Burma, Mr. Rwagasana had stated that although it was officially recognized, and indeed stated in the Visiting Mission's report, that the disturbances had been instigated by the sub-chief Mbonyumutwa, that sub-chief was a member of the Provisional Special Council. What the report of the Visiting Mission actually, and rightly, said was that an attack on the sub-chief Mbonyumutwa had been the signal for a long series of incidents. That

was a long way from saying that the sub-chief had been responsible for the outbreak.

33. Mr. SEARS (United States of America) asked why Mr. Rwagasana was subject to arrest both in Belgium and in his home country of Ruanda.

34. Mr. CLAEYS BOUUAERT (Belgium) said that as far as his delegation was aware no sentence had been pronounced against Mr. Rwagasana. He was not, of course, in possession of the files of the "Procureur du Roi" at Usumbura and did not therefore know what evidence there might be against the petitioner or whether he would be subject to arrest if he returned to Ruanda-Urundi.

The meeting rose at 4.10 p.m.