

UNITED NATIONS
TRUSTEESHIP
COUNCIL



Distr.
GENERAL

T/PET.3/72
10 June 1954
ENGLISH
ORIGINAL: FRENCH

PETITION FROM EX-CHIEF BARNABE NTUNGUKA
CONCERNING RUANDA-URUNDI

(Circulated in accordance with rule 85 and supplementary rule F of the
rules of procedure for the Trusteeship Council)

Usumbura, 30 May 1954

Mr. Victor Hoo,
Assistant Secretary-General,
United Nations,
New York

Sir,

I am taking the liberty of bringing to your kind attention the following case, which has left me dumbfounded. Please forgive me for taking up your time with this matter.

I owe Mr. PIERARD F., retail butcher at Usumbura, some 51,000 francs. As Mr. MICHEZ P., a former manager of Mr. PIERARD's establishment, owed me 50,000 francs I told Mr. ROULS A.T. of Bubanza that I could not pay Mr. PIERARD until Mr. MICHEZ paid me.

Although I pressed my claim Mr. MICHEZ gave me a cheque for only 10,000 francs, which is at present in the possession of Mr. BALTHASAR A.A.T., who represents Mr. ROULS at Kihanga (Bubanza).

A few days later I received a summons from the parquet to pay the 51,000 francs immediately. I went to the parquet, where the assistant judge, Mr. FRANS E., handed me a statement of which a copy is appended hereto.

On Saturday 23 May Chief Athanase NYARUZAGE came and seized twenty-six cows in my absence. As soon as I arrived home and learned that the cows had been seized I set off in pursuit. I could not catch up with them, but by chance came upon the aforesaid Chief's cows and selected sixty-three of them.

On Sunday 24 May three officials - Mr. FREZIN J., Mr. BALTHASAR A. and Chief Athanase NYARUZAGE - came to my home and created an unbearable disturbance, breaking down my fence and striking all my family.

I am now in prison, though judgment has not yet been delivered. I hope you will do all you can to have me released; I rely on you, for I have no one to help me.

On 28 May my compatriots produced 30,000 francs on account. This was refused. Mr. JAIAR, who had been my counsel, dropped my case on the ground that I was in touch with the United Nations and that he did not want to get into trouble with the Government.

I beg you to be kind enough to try to come to Africa and examine what is happening. They are proposing to deport us as political prisoners. Mr. SCHEYVEN, the representative of Ruanda-Urundi, does nothing; we go to see him and he turns us away.

I have the honour to be etc.

NEUNGUKA Barnabé

(COPY)

PARQUET, URUNDU - USUMBURA

Usumbura, 12 May 1954

REGISTERED

No. 1,848/D.21/595/F

Copy to: the Chief Administrator of the Territory
of Bubanza, at Bubanza, for information.

Mr. NTUNGUKA Barnabé,
BURINGA (Territory of Bubanza)

Sir,

In reply to your letter (dated, presumably in error, 5 April 1954) concerning your debt to Mr. PIERARD, which was received at the parquet on 6 May 1954, I have the honour to inform you that a writ of execution can be issued only by court judgment, in this case of the judge of the court of first instance, and that such a judgment must be preceded by a hearing at which the parties are summoned to appear.

Furthermore, if you were sentenced by default you were entitled to contest the judgment in the manner and within the period provided for in the Code of Civil Procedure.

In this connexion I would advise you, in view of the interests involved, to get into touch with your present (usual) counsel.

I have the honour to be etc.

THE ASSISTANT JUDGE

E. FRANS
