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PETITION FROM MR. ANTOINE BIGIRANEZA
CONCERNING RUANDA-URUNDI

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BIGIRANEZA Antoine,
Buyenzi 9ème Av. no. 2,
USUMBURA.

Usumbura, 25 August 1955

To the Secretary-General of the United Nations

Sir,

I should respectfully like to call your attention to the incident involving my lorry and my driver, ZABEDA, following the judgment pronounced by Chief NYARUSAGE Athanase, chief at Kihanga, as related below:

I engaged the above-named driver at a wage of 1000 francs per month and 50 francs per week at the time when I had contracted with the Hotel PAGUIDAS at Usumbura to deliver five lorry-loads of wood at a price of 1000 francs per load. I ordered my driver to deliver these five loads of wood. When he had completed this job, I went to the Hotel Paguidas to settle our accounts. The proprietor told me that I had only delivered four loads of wood and that I still had to deliver one more load to the Hotel Paguidas. I then asked my driver where he had unloaded the fifth lorry-load. When he made no reply to this question, I said to him: "Do you know that I am going to attach your wages for one month, because the cost of a lorry-load of wood is 1000 francs?" The driver agreed to this. In the meantime I made him turn the truck round to go to Duringa; simultaneously I pointed out to him that there was a hole in the road in front of him, but he refused to listen to me, immediately started the lorry, and we drove into the hole. I then asked him: "Why have you driven the lorry into this hole? Didn't I point it out to you? Leave my lorry where it is and I shall go

and look for some men to push it out." In spite of that, the driver stepped on the accelerator and tried to drive out of the hole at full speed. I told him not to do that more than three times, but he did not listen to what I was saying and the engine was soon broken as a result of his attempts. I then said to him: "I told you not to do that; why didn't you leave my lorry where it was?" The driver answered that he had not waited to hear what I was saying. Three days later he asked me for his wages. I said to him: "Have you forgotten the lorry-load of wood that you stole from me? Pay me for that load and then I will pay you your wages of 1000 francs. And then pay me besides for the engine of my lorry that you broke through your own fault in not listening to what I was saying." The driver then went to Kihanga to lodge a complaint against me with Chief NYARUSAGE Athanase. A few days later I received a summons at a time when I was ill with stomach trouble, and I had not the strength to go to the Court at Kihanga. The next day eight policemen came with a warrant to escort me to Kihanga. I told the eight policemen that I was not a thief to be led away, but that I was the victim of a thief, who had stolen a lorry-load of wood worth 1000 francs from me and had also smashed the engine of my lorry, and that I did not see why they should arrest me. Five minutes later I went to the Usumbura Courthouse (Parquet), where I called on Deputy State Counsel BUSINE and explained the matter. The latter said that I should lodge a complaint in writing against the driver. I filed this complaint the next day and he said to me: "Very well, go home and I shall write the chief not to have you arrested again." On the way home, I met two policemen with a summons to take me to the Usumbura extra-tribal centre, where I was brought before the head of the extra-tribal centre, Monsieur TONDEUR. The latter did not ask me any questions, but simply ordered the policemen to seize me by force and take me to Kihanga and not to go anywhere else. I then asked Monsieur TONDEUR to send me to the Courthouse, but he refused and said to the policemen: "Idiot! Just take him to Kihanga." On the way I met my friends' car and asked them to drive me. My friends agreed, and as soon as I was in the car I asked them to take me to the Courthouse. When we arrived at the Courthouse Mr. BUSINE, the Deputy State Counsel, saw me standing before him and asked why I had come there. I replied that it was because of the complaint which I had lodged against my driver. Monsieur BUSINE then ordered the

policemen to take me in double-quick time to Kihanga. When we reached Kihanga, the judge (Chief NYARUSAGE Athanase) heard the case and ruled that I should pay a fine of 389 francs and 2800 francs as wages to my driver. I told the judge that I disagreed with his judgment and asked him to reconsider it. The judge only answered that if I wanted him to reconsider the judgment I must first of all pay the fine of 389 francs. I returned home and sent the amount of 389 francs with a request that the case should be reviewed, but after I had paid the fine of 389 francs the judge (Chief NYARUSAGE A.) refused to review the judgment, saying that I must still pay the driver his wages of 2800 francs. In the meantime, Sir, I have been left in the dark about the complaint which I filed in the Courthouse, and no action has been taken either by them or by Chief NYARUSAGE (the judge), except that on 17 August 1955 I received a letter from Deputy State Counsel VAN DER HEYDEN, at the Usumbura Courthouse, dated 12 August 1955, which I quote below:

"Sir,

"In reply to your letter of 19 April 1955 and respecting the enquiry made in your case, I have the honour to inform you that the summons served on you was legally valid.

"Your attitude toward the judicial or administrative authorities is unjustifiable, and the disrespect for the law which you have displayed in tearing up the sommons warranted the treatment about which you complain.

"I consider your complaint unfounded. If you have not requested that Judgment No. 278/Civ. of 18 April be reviewed within the time appointed by law, the judgment set forth in the operative paragraph shall be executed in all its rigour.

I have the honour etc.

Deputy State Counsel."

Consequently, Sir, I did not tear up any summons served on me, but on 18 August 1955, after having received this letter, I addressed a letter to the Deputy State Counsel requesting that this judgment be reviewed, but no reply was made to my request.

I am informing you of all this at this time, Sir, so that you will know that I am in a very difficult situation with the judicial and administrative

authorities; my case cannot be judged and disposed of in my favour because I am corresponding with the United Nations; their only purpose is to ruin me.

Sir, I request you kindly to ask the Belgian Government why Mr. NTUNGUKA Barnabé is to be condemned to expulsion on 1 September 1955, so that he will have to leave his land and have his property seized. I ask you to take up this matter with the Belgian Government of Ruanda-Urundi and to answer me by return of post.

I have the honour to be, etc.

(signed) BIGIRANEZA Antoine
