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PETITION FROM THE "UNION NATIONALE RUANDAISE" CONCERNING RUANDA-URUNDI

(Circulated in accordance with rule 85, paragraph 1 of the rules of procedure of the Trusteeship Council)

Union Nationale Ruandaise
 (UNAR)

Dar-es-Salaam, 11 January 1960

To the President of the Trusteeship Council,
 New York.

Sir,

We have the honour to forward the annexed petition from our party (Union Nationale Ruandaise) concerning the Belgian Government's Statement of Policy in Ruanda-Urundi.

It is our unanimous hope that the Trusteeship Council will compare the proposals of the UNAR with the above-mentioned Statement with a view to drawing up a plan of more progressive reforms which will enable the Territory rapidly to achieve independence.

In the hope that you will give favourable consideration to our petition, we have the honour, etc.

For the Committee:

KAYIHURA M.
 Vice-Chairman

RWAGASANA M.
 General Secretary

PETITION FROM THE U.Na.R.

Position of the "Union Nationale Ruandaise" (UNAR) Party with regard to the Belgian Government's Statement of Policy in Ruanda-Urundi

General considerations concerning the Statement as a whole

An examination of the text of the Governmental Statement reveals five basic provisions to which the UNAR wishes to draw attention before commenting in detail on the document as a whole:

(1) The Belgian Government stubbornly refuses to draw up an acceptable time-table for the attainment of independence by the Trust Territory. That fact is the more surprising as the United Nations has repeatedly and vainly requested the Belgian Government to draw up such a time-table and a resolution was recently adopted by the General Assembly of the Trusteeship Council inviting Belgium to draw up a time-table at the beginning of 1960; moreover the people of Ruanda-Urundi are disturbed by the Administering Authority's silence on this matter of vital importance for the country, which is enviously watching its neighbours attaining independence with growing rapidity or looking forward to it at an early date. For its part the UNAR, having consulted the various strata of the population, considers that the target date should be at the beginning of 1962, after a period of internal self-government starting in the early months of 1960.

The Belgian Government should therefore have clearly stated its intentions with regard to the independence of the Territory with a view to satisfying the aspirations of the people concerned by restoring their confidence, which had been undermined by this disquieting silence, the more so as this same Belgian Government has just fixed a definite date for the attainment of independence by the Belgian Congo. Cannot Ruanda-Urundi reasonably claim the same target date, or even an earlier one, in view of its international status and its inhabitants' level of development, which is in no way inferior to that of the neighbouring countries? The UNAR cannot endorse the Belgian Government's position in this respect, which is hardly consistent with the principal objectives of the United Nations Charter and

which gives rise to doubt concerning the genuineness of its desire to promote the rapid development towards self-determination of the Territory entrusted to it.

(2) The Government Statement gives an impression of utter obscurity. The reader is struck by the vagueness of certain expressions such as "a progressive measure of autonomy", "the supervision of Belgium's general trusteeship", "a general popular consultation in the form of an election", "a progressive economic policy" and "genuinely representative electoral colleges".

Some defenders of the Governmental Statement claim that its vagueness is its chief merit, for, they say, since it lays down no hard-and-fast programme it can be adapted to local circumstances when it is interpreted by the competent authorities of the Territory and the appropriate local bodies. They overlook the fact, however, that this vagueness is extremely dangerous precisely because it leaves room for interpretation, which we can be sure will be on the lines of the paternalistic policy followed for the past forty-two years by the Belgian Government in Ruanda-Urundi.

(3) The Union Nationale Ruandaise regrets to note that the reforms contemplated in the Statement of 10 November 1959 advocate no bold measures of democratization corresponding to the level of development reached by the inhabitants of Ruanda-Urundi, who are undoubtedly mature enough for a real democratization of their institutions. While the people are impatiently awaiting elections by universal male and female suffrage, at both the State and the chiefdom and commune levels, and the formation of a democratic local government by the majority party, we see that the Statement adopts the obsolete system of two-stage elections by the preliminary formation of electoral colleges, that it excludes women from the elections without any good reason and that it inaugurates a system of appointed ministers, whose posts are thus administrative rather than political, as they should be. The UNAR deplures this kind of programme of semi-reforms, which are a mere caricature of democracy; our country has frequently suffered from such measures and it would be disastrous to attempt similar ones in the present

situation. The UNAR's proposals on the subject will be found in the detailed examination of the text.

(4) The entire text of the Governmental Statement is stamped with the desire of the Administering Authority to maintain its political privileges in Ruanda and in Burundi. This endeavour to strengthen the trusteeship appears, for example, in the appointment of certain members of the communal councils and the State Councils, in the amalgamation of the European and indigenous administrative services and above all in the choice of Ministers from among the members of the European administration, which involves a dual appointment by the Mwami and the Resident, completed by a dual right of veto by the Resident-General and the Resident. The UNAR draws the attention of the United Nations to the danger in that connexion implied by the Government Statement: that Belgium's grip on the Trust Territory will be strengthened and the outcome assured by the appointment of persons who support its policy.

(5) The UNAR notes that the Minister of the Belgian Congo and Ruanda-Urundi waited until disturbances had broken out in Ruanda before issuing the Government Statement. We do not claim to know what the Minister's intentions are, but nevertheless it is a surprising coincidence: the riots broke out on 2 November 1959 and the Statement appeared on 10 November 1959, which strangely resembles the case of the Statement on the Belgian Congo and the disturbances at Leopoldville last January. Moreover it is crystal clear that since this Statement was issued when Ruanda-Urundi was under military occupation, it will be imposed on the people by force.

In view of this state of affairs, the Union Nationale Ruandaise formally expresses the hope that the Statement will not be put into effect until it has been accepted by all classes of the population and by the political parties concerned. This means that freedom of speech, of expression and of assembly must be guaranteed to the inhabitants and the parties, which implies in the first place the immediate withdrawal of the military occupation forces, which are violating these freedoms, while engaging in propaganda for the Government parties and reinforcing Belgian colonial policy. The

Union Nationale Ruandaise is convinced that the Trusteeship Council will compare the proposals hereby submitted with the Belgian Governmental Statement when examining it in accordance with the General Assembly resolution which "requests the Trusteeship Council to consider in detail the plans of political reforms envisaged for the Territory by the Administering Authority and to include the Council's observations and recommendations on the plans in its report to the General Assembly at its fifteenth session, taking into account the provisions of Assembly resolution 1413 (XIV) on the attainment of self-government or independence by Trust Territories".

Examination of the text of the Statement

The preamble to the Statement reads: "In the statement on the Belgian Congo's political future, made to both Houses on 13 January of this year, the Government expressly reserved the case of Ruanda-Urundi, which would be the subject of a separate examination.

"In fact, the legal basis of Belgian action in Ruanda-Urundi is as radically different from that relating to the Congo as are the geographical, economic, social and political structures of the two Territories.

"Belgium holds full administrative authority over Ruanda-Urundi, which is exercised today by virtue of the Trusteeship Agreement concluded with the United Nations, which was approved by the latter on 13 December 1946 and sanctioned by a Belgian Act dated 25 April 1949."

With reference to the third paragraph, the Union Nationale Ruandaise does not consider that Belgium holds "full administrative authority" over Ruanda-Urundi, since its powers are limited by the Trusteeship Agreement which is based on the principles of the United Nations Charter, which recognizes that the interests of the inhabitants of the still dependent territories are paramount. We believe the people are entitled to demand that their interests should be safeguarded. The fourth and fifth paragraphs state:

"The Trusteeship Agreement in respect of Ruanda-Urundi was signed in application of the United Nations Charter of San Francisco, and replaced the mandate which the League of Nations had conferred on the King of the Belgians on 31 August 1923, five years after the Territory had effectively been occupied by our troops in the course of the important military operations carried out in East Africa during the First World War.

"Belgium's freedom of action in Ruanda-Urundi is therefore limited by the provisions of the Trusteeship Agreement and when it becomes necessary to exceed these limits the Trusteeship Council and the General Assembly of the United Nations must be consulted. Neither Belgium, nor the peoples of Ruanda-Urundi nor the United Nations, therefore, have the right to act independently outside the scope of the Trusteeship Agreement. Belgium attaches great importance to the observance of both the letter and the spirit of this regime, in accordance with the essence of modern international law."

The Union Nationale Ruandaise would point out that Belgium has not hitherto respected the Trusteeship Agreement, since it has ignored essential human rights by imposing restrictions on the freedoms of speech, expression and assembly. The prohibition of meetings of political parties, the requirement that prior authorization must be obtained from the Territorial Administrators for any meeting, etc., have all contributed to delaying the political development of the Territory. The sixth paragraph states:

"Since 1917 it (Belgium) has carried out a disinterested mission in Ruanda-Urundi which has brought that handicapped and isolated region of Central Africa to a stage of development which gives us reason to believe that we have indeed, in the words of article 76 of the San Francisco Charter: 'promoted the political, economic, social and educational advancement of the inhabitants, and their progressive development towards self-government or independence as may be appropriate to the particular circumstances of each territory and its peoples ...'"

The Union Nationale Ruandaise would take the liberty of drawing the attention of the authorities responsible for our future to the fallaciousness of the argument that Belgium "has carried out a disinterested mission in Ruanda-Urundi", an argument to which the Special Representative of Belgium in the Trusteeship Council often returns during the discussion of the Territory's problems.

It should be pointed out that the population is no longer taken in by such special pleading, which passes over in silence the political and material advantages the Administering Authority derives from Ruanda-Urundi. The Union Nationale would point to the following, as examples:

(a) We know that politically the termination of trusteeship over Ruanda-Urundi may have political repercussions in the Belgian Congo and that it constitutes what we call a "buffer State" for Belgian policy in its rich colony.

(b) Belgium should recognize that economically, through the effects of the common market with the Territory and the customs and economic union with the Belgian Congo, it derives considerable financial advantage from our country.

(c) We may also point to the benefit derived from savings and from the investment of a large part of the Ruanda-Urundi Coffee Equalization Fund in the Belgian Congo, the absorption of unemployment in Belgium through the mass employment of Belgian officials and agents, the raw materials extracted for the benefit of the home country, etc.

It would be tedious to list here the benefits which the colonizers derive from the countries they administer, for no one any longer believes the theory that colonization is a disinterested and sacred mission to be carried out on behalf of the dependent countries. The repressive measures which are resorted to when the populations ask for self-determination prove the contrary.

The seventh, eighth, ninth, tenth, eleventh and twelfth paragraphs state:

"It should be noted, moreover, that Ruanda-Urundi has a problem which is at once economic, social and political in character: that of large-scale pauperism, which affects a numerically important part of the population.

"As in many countries where democracy has not yet take root, there is a wide gap between the affluence of the wealthy few and the poverty of the mass of very poor peasants and small cattle farmers.

"This gap is accentuated by the cultural differences between the two social groups.

"The Territory's lack of natural resources and the small increase in national income, as compared with population growth, are factors which do not favour the rapid economic emancipation of the mass of the population and the development of a genuine middle class.

"A beginning has been made in improving the social situation through, among other measures, the gradual suppression of the system of contractual pastoral serfdom.

"A revision of the system of land tenure should be begun as soon as possible."

The Union Nationale Ruandaise would point out that some of these passages are sufficient to show that what is known as the "muhutu-mututsi-mutwa" problem is social rather than racial. Moreover, with regard to the problem of pauperism, it may be pointed out that the annual per capita income of the inhabitants of Ruanda-Urundi is higher than that of some neighbouring territories.

The second part of Statement contains the following five paragraphs:

"On 16 April 1959, the Government set up a Working Group which went to Ruanda-Urundi to make a thorough inquiry into conditions in the Territory and the aspirations of its inhabitants. On 2 September 1959 the Working Group submitted a well-documented report. The Government therefore believes that the time has come to state its position in regard to Ruanda-Urundi and the position which it proposes Belgium should take with regard to Ruanda-Urundi's problem.

"That position is clear and simple.

"The inhabitants of Ruanda-Urundi are demanding reformed and democratic institutions.

"Belgium does not wish to impose on the Territory its final structure or unilaterally to define the nature of its relations with the Trust Territory in the final stage of its development.

"Belgium wishes to do everything in its power to make the people as a whole capable of self-government and of freely deciding on their future and the international relations which they may want to establish. But that edifice must be built by a great common effort in which the chief workers must necessarily be

the inhabitants of the Territory themselves, supported by Belgium within a framework which will surely not exclude other nations."

The Union Nationale Ruandaise would point out that if the Government's Statement had been animated by the spirit of the Belgian Working Group (as the General Council of Ruanda-Urundi had asked) no doubts could remain as to the interested nature of Belgium's plans for the Territory. We would merely point out that the present Minister, Mr. De Schryvers, was a member of the Group, and that the statements he made to Parliament were in accordance with the policy followed by his Administration, which smacks greatly of the colonialist principle of "divide and rule".

The third part of the Statement also includes five paragraphs reading as follows:

"The Government is therefore advocating a political programme to be carried out in two stages;

"It will set up to begin with, in each of the two States, under the supervision of Belgium's general trusteeship, carried out by the Resident-General and the Residents, local governments which will enjoy progressively increasing autonomy.

"Then, in accordance with the opinion which the United Nations has repeatedly expressed, and with the conclusions of the Working Group, it can only repeat its conviction that the two States would condemn themselves to an unhappy future if they were not united in the pursuit of higher aims. But Belgium does not want to prescribe itself what the nature of this essential community is to be. It is its intention to invite the two States to organize such a community with Belgian assistance.

"Lastly, the Government is considering the elimination of Ruanda-Urundi's subordination to the Government-General of the Belgian Congo and the limitation of the administrative union between the two Territories to financial matters, the customs and certain technical matters.

"The Government has not, of course, lost sight of the conditions necessary for the success of any progressive policy. It is well aware of the value of order and public tranquility, of the need to mobilize all the Territory's

potential resources and to ensure adequate financial and economic balance, and, lastly, of the value of the technical assistance which may be given to Ruanda-Urundi by Belgium and by international organizations.

The Union Nationale Ruandaise would like to offer a constructive criticism of the Belgian Government's Statement. It is characterized by vagueness and imprecision, for the people are not requesting a "progressively increasing autonomy" as to the political scope of which its leaders are in the dark. At the stage on which African countries are now entering it is too late to speak of gradually increasing autonomy and a programme in two stages. Belgium should understand that Ruanda-Urundi desires its independence. However, it has seemed to the Union Nationale Ruandaise that, because of the Administering Authority's delay in training the personnel necessary for the success of such independence, a period of broad internal autonomy is necessary. We believe that this period should not exceed two years. With regard to the problem of the association of Ruanda with Burundi, the Union Nationale Ruandaise supports the view expressed by the Administering Authority in the Statement. The UNAR considers, however, that, without prejudice to the decisions to be taken by the future local governments, a form of confederal union between the two autonomous States of Ruanda and Urundi should be considered. The confederation contemplated would include at the beginning an equally balanced supra-national legislative body with special powers, for example in regard to economic questions, national defence, foreign affairs and telecommunications. It would also have executive and judicial organs which would be given responsibility for the important common affairs of the two countries. The UNAR would point out that the institutional provisions under which this Confederation will operate will be decided on by the valid representatives of the two countries. The form of confederation we contemplate is justified by the fact that contacts between the two countries have not been encouraged by the Administering Authority and by the need to take account of the present aspirations of the population. We are convinced that action by the political parties will be necessary to prepare opinion for a closer association.

The UNAR also believes that, as the Administering Authority proposes, the existing administrative union between the Trust Territory and the Belgian Congo should be abolished, but that the economic, customs and financial union should be maintained. We consider that an agreement on the subject between the Congo and Ruanda-Urundi should be worked out by valid representatives of the two countries.

We now turn to the section of the Government's Statement dealing with the detail of its proposed programme.

The first three paragraphs state:

"The Government now comes to the details of its programme, first in the two States, secondly in the Territory as a whole and thirdly at the level of metropolitan institutions.

"We have already referred to the desirability of recognizing the two States and of setting up a local government at that level.

"This is the level at which more democratic institutions are being insistently demanded".

The UNAR believes that the authorities should have specified the date on which the two local governments are to be set up. We believe that the governments should begin to function towards the end of the first half of 1960.

The fourth paragraph states:

"A general popular referendum in the form of elections is necessary to form genuinely representative colleges, which will be the basis of the reformed institutions".

The UNAR would draw attention to the dangerous vagueness and to a real trap which will permit biased interpretations that may prove disastrous to the Territory and could deepen the divisions that have already been created. The ambiguity of the wording - "a general popular referendum in the form of elections..." to form "genuinely representative electoral colleges" - gives cause for serious reflection. We would like to know whether the Government has in mind universal suffrage, as desired by the people, or a colonial policy based on ethnic representation designed to perpetuate the existing divisions. The paragraph calls for explanation, since it relates to a key element in the new democratic structure of our country.

The UNAR believes that in view of its level of development, the Territory is, like other countries, unquestionably capable of organizing institutions based on genuine democracy and not on outdated methods. We are certain that the United Nations will be vigilant and will foil the colonialist manoeuvres cloaked in these ambiguous phrases. The UNAR would also remind the Administering Authority that, as the party declared in its manifestoes, we unreservedly condemn all racist policies, whatever their form and in whatever quarter they may originate.

We turn now to the fifth, sixth, seventh, eighth and ninth paragraphs, which read:

"The enlarged sub-chiefdoms are to become communes, the only local decentralized political entities below the State level.

"The communes would have a burgomaster and deputy-burgomasters and a communal council.

"The chiefdoms would become administrative circonscriptions and would accordingly no longer be political entities. They would play an important part in the development of the communes. The present chiefs would be incorporated in the general administration of the State, of which they would be non-political officials.

"The extra-tribal centres would be incorporated into the administration of the State and would become communes with the same basic structure as the other communes formed from the sub-chiefdoms. The same arrangements would apply in Usumbura, subject to the police rights which the territorial Administration must obviously be able to exercise at the place which is the seat of government.

"A period of transition will be necessary before the communes are set up in their final form and the function of the chiefdoms is altered."

In the first place we would point out that while it may appear logical to take the enlarged sub-chiefdom as the local decentralized political entity below the State level, this reform takes no account of the real practical difficulties; it also introduces a long-term policy designed to delay national independence. In view of these considerations the UNAR believes, as has also been proposed by certain other political parties, that it would be logical to take the chiefdom as the local political entity. The chiefdom is viable from the budgetary point of view and it would therefore be possible to carry out the necessary democratic reforms immediately, whereas they could not be undertaken for many years if the sub-chiefdom were taken as the starting-point. We believe that it is much easier to start with an entity which is already viable rather than with one which is not. The existing sub-chiefdoms would be merged in the communes, thus avoiding a proliferation of political and administrative bodies. The Territories would continue to be the administrative circonscriptions and would play an important part in the development of the communes.

It is at this (the Territorial) level that the amalgamation of the two administrations, Belgian and indigenous, should be carried out.

Depending on their importance, the extra-tribal centres would become communes or would be merged in the chiefdoms, which would have acquired the status of communes.

The indefinite period of transition envisaged in the Government's Statement would be unnecessary if the reforms we have proposed in connexion with this paragraph were accepted, a factor of major importance from the point of view of the rapid attainment of independence.

The tenth, eleventh and twelfth paragraphs state:

"The sub-chiefdoms, extra-tribal centres and the urban circonscriptions now in existence will form provisional communes which will in all probability elect their councils by universal suffrage during the first half of 1960. The Government believes that the right to vote should, in principle, be exercised by both men and women. Nevertheless, for practical reasons connected with the dates on which the first elections will have to be held it may be necessary for the Government to organize them on the basis of male suffrage only.

"The councils will be able to nominate one of their members as the head of the provisional commune.

"In each State, the councils will form the electoral college which will elect the large majority of the members of the new State Councils, which would thus be able to meet in the second half of 1960."

This part of the Statement shows the same vagueness, ambiguity and deliberate absence of a clear-cut policy regarding the bold reforms the situation demands. It reflects the policy of temporization which the Administering Authority wishes to follow because it does not favour the termination of trusteeship. The Union Nationale Ruandaise would draw the attention of those responsible for the future of the Trust Territory to the attitude of the vast majority of the people who are calling for the unconditional introduction of universal male and female suffrage at the chiefdom ("commune") level and at the State level. We believe that the people's right to appoint its representatives directly requires no comment and we maintain that the people of Ruanda and Urundi are mature enough to exercise their freedoms and to enjoy the benefits of this desirable reform.

With regard to the extra-tribal centres, the UNAR believes that it would be dangerous if the new reforms introduced artificial distinctions between the component units of the Territory, which are based on discriminatory tendencies and would impair the smooth working of our future institutions. In accordance with this view, there would be no provisional communes and the head of the commune would be elected from the members of the communal council. The UNAR cannot endorse the system of two-stage elections, which has various serious disadvantages. In particular:

- (a) it provides no guarantee that all communes will be represented in the State Council, which is contrary to the repeatedly expressed wishes of the people,
- (b) it opens the door to fraud and corruption, since the number of electors at the second stage is small.

With regard to the proposal that "the large majority" of the members of the new State Councils should be elected, the co-option of a small number of members is acceptable to the Union Nationale Ruandaise, but we are opposed to the appointment of members of the State Council.

The thirteenth paragraph of the Statement reads:

"The State Council, jointly with the Mwami, will exercise local legislative power which will gradually be conferred on it. Its decisions, to be known as edicts, will be subject to the supervision of the general trusteeship. Its vote on the budget and its approval of the accounts will give it important rights through which it will exercise control over the Government."

This passage in the Statement implies that the Mwami would continue to be a member of the State Council, either as its President or in some other capacity, which is contrary to the principle of constitutional monarchy already recognized in the case of Ruanda; here again the Statement is vague.

The UNAR would point out that the word "gradually" conceals the desire to keep the paternal administration of the Trust Territory in existence for as long as possible. We believe that the functions of the State Councils should be deliberative rather than advisory.

The "supervision of the general trusteeship", to which the "edicts" will be subject and which can be interpreted extremely widely (veto, supervision of draft, imposition of amendments, etc.), is sufficient indication of the Belgian Government's determination to retain the greatest possible grip on the Territory.

and its institutions. The spirit of this paragraph and the word "edict", which sets us back two thousand years, are striking proof of the reactionary character of the Belgian Government's Statement.

The fourteenth paragraph of the Statement reads:

"These Councils will function during the transition period. The the end of the transition period, it will be possible, if necessary, to adopt other arrangements more in keeping with the wishes of the people."

In view of the considerations set out above, the Union Nationale Ruandaise believes that this paragraph, which clearly reflects a go-slow policy, has no raison d'être.

The fifteenth paragraph reads:

"Side by side with this local legislative power a local Government will be set up, its head and the departmental heads being appointed and dismissed by the Mwami, with the concurrence of the Resident. They may be selected from the administrative establishment of the State."

Although it is at this top policy-making level of the country that democratic reforms are most urgently demanded, the Administering Authority confines itself to establishing a unique type of government by inaugurating a system of double appointment of Ministers, thus revealing its intention of appointing to these posts officials or agents of its own administration.

The Union Nationale Ruandaise cannot agree to this method of forming a Government, which is anti-democratic. We believe that a democratic Government should be formed in accordance with the practice in all countries where democracy really exists, without distorting that practice to suit a particular purpose.

Nevertheless, in view of the temporary trusteeship status of the Territory, the UNAR concedes that a Prime Minister could be appointed by the Mwami with the agreement of the Representative of the Administering Authority, from the majority party, and that this Prime Minister should form his cabinet. We reiterate here that the method of appointing the Ministers proposed in the Government's Statement infringes the elementary rules of democracy.

The sixteenth paragraph reads:

"The Mwami, as a constitutional head of the State, will be outside the Government and above all parties. He will thus be better able to perform the duties of supreme arbiter which the people expect of him. He will not govern, and his public acts will be subject to endorsement by the Government."

We would point out that there is a basic contradiction between this paragraph and the preceding paragraph concerning the exercise of legislative power by the Mwami. Whereas according to the Government's Statement the Mwami is the constitutional head of the State and is outside the Government and above the parties, the same Statement curiously enough, provides that he shall be on the State Council and shall take a direct part in appointing the head of the Government and the departmental heads. Although according to the Statement the Mwami's public acts will be subject to Government endorsement, it is not made clear whether this means the local Government of which he will be the head, or the trusteeship Government; in the latter case the result would be an unjustifiable juxtaposition of powers, as the Representative of the Administering Authority would have the right of veto.

In the seventeenth paragraph we read:

"Thus the legislative and executive powers will be clearly separated at the State level."

Contrary to what is maintained in the Statement, we believe that the legislative and executive powers are not clearly separated at the State level, since the Mwami is to take a direct part in both.

The eighteenth and nineteenth paragraphs state:

"As regards the judiciary power, the Administering Authority will exercise special supervision in this field so as to ensure the independence, competence and integrity of the judges.

"If a community is set up, the administration of justice will be among its functions."

In this matter also the Government's Statement is vague. However, it shows that the Administering Authority is clinging jealously to its powers in the judicial sphere, whereas the local Government should be given real responsibility in this sphere in order to acquire the necessary experience.

The Union Nationale Ruandaise wishes to restate the desires of the people with regard to reform of the judiciary, summarized in the following three points:

- (a) a clear separation of powers the better to ensure the independence of the judiciary;
- (b) unification of the judiciary (European and indigenous) with powers corresponding to legal competence;
- (c) adoption of a uniform code of laws, which would imply a preliminary study of customs.

The twentieth paragraph states on the subject of the amalgamation of the two administrative services:

"We consider that governmental reform at the State level should entail the rapid amalgamation of the so-called customary administration and the general administration. This would naturally lead to the granting of many responsible offices to Banyarwanda and Barundi, and consequently every effort would be made, by means of prior training on as large a scale as possible, to ensure that this Africanization did not result in any lowering of the level of the service."

The Union Nationale Ruandaise has always subscribed to the principle of the rapid amalgamation of the two administrations (indigenous and European), but it is opposed to the means by which the Administering Authority proposes to bring about this amalgamation.

The granting of many responsible offices to the indigenous inhabitants, as suggested in the Statement, implies that the existing European service would be maintained as it is, but would absorb indigenous members in the different categories set forth in the single statute. Such Africanization of the civil service, as conceived by the Belgian colonial Government, is a completely wrong approach to the problem, and its aim is to prevent any effective transfer of power to the indigenous inhabitants, and thus to postpone our independence indefinitely. It is more logical and more in accordance with the aims of trusteeship, which is in itself a form of indirect government, to conceive the union of the two services as based on the establishment of an indigenous administration with its own statute, which could co-opt officials and members of the European service as advisers or technicians. The Union Nationale Ruandaise wishes to draw the attention of the United Nations and the Administering Authority to the paramount importance of this reform, which is essential for self-determination.

We come now to the twenty-first, twenty-second and twenty-third paragraphs, which read:

"Above the two States there exists the de facto community formed by the present Government of the Territory.

"Belgium sets itself the goal of establishing the future community through judicious consultations with the newly formed State Councils. In the meantime, the existing institutions are to continue in operation. Neither our international obligations nor the interest of the Territory would allow us to eliminate the entity Ruanda-Urundi, which is a Trust Territory, without the consent of the United Nations.

"A Resident-General will therefore continue to direct the Territory. A General Council, elected according to the same principles as the State Councils, will co-operate with the legislative power in an advisory capacity until such time as agreement is reached on other provisions, such as the organization of a legislative and an executive power of the community, as proposed by the Working Group."

With regard to these paragraphs, the Union Nationale Ruandaise refers to its comments on the relations between Ruanda and Urundi, advocating the establishment of a supra-national legislative body on a parity basis, and of an executive and judiciary in specified fields, on the lines of the examples given at the beginning of this study. We believe that the Governor of Ruanda-Urundi (or the Resident-General) should be the head of the executive referred to, just as the supreme judicial authority would be with regard to the judiciary at this level.

The twenty-fourth paragraph reads:

"In that sense, the Commune Councils would form the electoral college responsible for electing a large majority of the members of the community's Councils."

The Union Nationale Ruandaise wishes to point out that the supra-national body it advocates would consist of delegates from the two States elected to the State Councils by their peers. This system is undoubtedly preferable to that proposed in the Statement, since it achieves the same result of constituting a representative body without resorting to the ballot box again at the community level.

The twenty-fifth, twenty-sixth and twenty-seventh paragraphs read:

"Since Belgium lays it down as a principle that it is conversations which should pave the way for final decisions, other equally good solutions may possibly be adopted.

"The King will exercise legislative power through decrees made after consultation with the General Council and a Legislative Council.

"The Legislative Council will replace the present colonial Council as soon as legislation can be enacted; representatives of the Trust Territory will sit on this Council."

The Union Nationale Ruandaise considers that the substance of these three paragraphs should not be included in the new reforms.

The twenty-eighth paragraph reads:

"Later on, when a legislative power for the Territory has been instituted, the Legislative Council will nevertheless continue to exist as long as trusteeship is maintained, since this Council is the essential instrument whereby the King, on the political responsibility of the Belgian Government, can effectively exercise the functions of general trusteeship over Ruanda-Urundi that were vested in Belgium."

The Union Nationale Ruandaise proposes the following amendments to this passage. A legislative power for the Territory shall be instituted immediately. The Legislative Council will nevertheless continue to exist as long as trusteeship is maintained, since this Council is the essential instrument whereby the general trusteeship with respect to Ruanda-Urundi can be effectively exercised. The composition and operation of the Legislative Council will be defined subsequently by the Administering Authority and the authorized representatives of the Trust Territory.

The twenty-ninth paragraph reads:

"Provision is made for the Resident-General to retain the right to issue legislative decrees in cases of emergency."

This passage is an indication of what we have repeatedly condemned in this study, namely, the Government's concern to maintain the attributes of direct administration, which are not defined in scope and have no clearly determined limits. The possible "cases of emergency" mentioned in the Statement can be dealt with at the national level by the Council of Ministers and at the supra-national level by the Legislative Council.

The thirtieth paragraph reads:

"Some of the reforms arising out of the programme described above will be the subject of a bill, since the system established by the Acts of 18 October 1903 and 21 August 1925 will have to be changed."

In order to avoid a political deadlock, the Union Nationale Ruandaise proposes that before a basic law governing the Trust Territory is promulgated, conversations should be initiated between the representatives of the political parties on the one hand, and the Administering Authority on the other.

The thirty-first paragraph reads as follows:

"Under the international trusteeship mandate entrusted to it, Belgium is required to exercise general, political and administrative trusteeship over the Territory and over all authorities and all public bodies, with a view to maintaining law and order, good government, respect for human rights and the protection of minorities."

The thirty-second paragraph goes on to state:

"The representative of the general trusteeship in Africa will be the Resident-General, who, for that purpose, will be in charge of a general trusteeship department, independent of the national Governments and the administration of the Territory. This department will be represented in both countries by the Residents and the Territorial Administration."

The Union Nationale Ruandaise considers, bearing in mind its position with regard to the amalgamation of the two administrative services, that trusteeship should be exercised solely at the supra-national and the national level, which would require the retention of a Resident-General and of Residents. They should have special departments under them in order to be able to exercise supervision. Liaison between the Office of the Resident and the Territories would be effected by the Ministry of Internal Affairs of each State.

The third part of the Government's statement reads:

"The proposals outlined above cannot, however, be put into effect unless they are such as to make their implementation materially possible in an atmosphere of law and order.

"Civic law and order are contingent upon the political training which has still to be acquired by the vast majority of those who will shortly be called upon to decide their country's future.

"The Government must also stress the fact that, as a necessary prerequisite for the growth of democracy, the means of promoting rapid economic development must be found within the limited resources of the Territory.

"No effort should be spared to that end.

"It should be possible to raise the level of living of the working classes by means of planned economic progress.

"The study of over-all development already undertaken on the initiative of the Belgian administration will be continued with a view to seeking every possible means likely to contribute to the full utilization of the Territory's resources.

"Belgium, which for the last seven years has been financing the implementation of the Ruanda-Urundi investment programme by means of annual contributions, initially of 400 million and subsequently of 600 million francs, will continue in 1960, notwithstanding its own budgetary problems and those of the Congo, to provide financial assistance to the Trust Territory so as to enable it to carry out its political reforms, to give the necessary further impetus to its economy and to further educational advancement.

"On the other hand, those responsible will have to take stringent measures to bring the administrative, social and economic expenditure of the Territory into line with its resources. It will, inter alia, be necessary to revise the scale of wages applicable under the single wage statute, which is an intolerable burden on the Territory's budget.

"At present, even the regular budget of the Territory can be balanced only with the help of advances from Belgium. The extraordinary budget is almost entirely financed by Belgium.

"The estimates for the regular budgets for 1958 and 1959, now in operation, include Belgian contributions of 125 million and 270 million respectively, required to balance them. Where the extraordinary budgets are concerned, Belgium's annual contributions have been on the order of some 150 million in 1950 and 1951, 400 million from 1952 to 1957 and 475 million in 1958. An advance of 330 million is provided for 1959. This shows the compelling need for the Territorial Assemblies to cut down administrative expenditure to match the Territory's resources.

"Over a seven-year period, the Territory has received a total of 3,300 million francs from Belgium.

"But political tranquillity is the main prerequisite for the atmosphere of security and confidence needed to encourage the private enterprises and private investment capital which the Territory so urgently needs.

"The Belgian and African territorial authorities will do all in their power to foster, promote and co-ordinate this economic expansion, secure substantial financial and technical assistance from international organizations and attract Belgian and foreign capital to Ruanda-Urundi.

"Only by these means will it be possible to achieve the balanced political, social and material development of a people which lives in a far from favourable natural environment and which, if the present rate of population growth is maintained, will be more than twice as numerous before the close of the century."

With regard to the paragraph dealing with our country's economic problems, the Union Nationale Ruandaise is aware of the complexity of the question. It believes that from now on the Territory should make a greater effort to develop its economy. To that end, the UNAR proposes, as an initial step, the establishment of an economic commission to draw up a comprehensive plan of economic development, providing for: the development of the country's resources, the rational administration of the budget, a revision of the wage system, a policy of attracting foreign capital, the encouragement of savings, the promotion of co-operatives, the establishment of a national bank, industrialization and expansion of trade, etc. With regard to the financial assistance provided by Belgium, we consider that it should not be regarded as a national debt binding Ruanda-Urundi to Belgium. Such aid should, on the contrary, be considered part of the normal obligations of a country exercising trusteeship towards its ward. We would also emphasize that in practice these funds have not served exclusively to benefit the inhabitants of the Trust Territory.

The closing part of the Statement reads as follows:

"Belgium's action since 1917 has committed it to promoting all aspects of moral, social and economic welfare in what is an isolated region in the heart of Africa. It was Belgium who brought it out of its isolation. Belgium can confidently look forward to setting the countries of Ruanda and Urundi on the

path of self-government, culminating in the free choice of some form of independence and possibly association between the two States, which would not exclude any ties they might wish to form with Belgium. This further stage will be reached somewhat later, as a result of negotiations with the Administering Authority and the United Nations. But it is for Belgium to continue to exercise, with benevolence and firmness, the mission of trusteeship entrusted to it, so long as it remains in Ruanda-Urundi. The inhabitants of Ruanda-Urundi, realizing that they have reached a turning point in their history, will have to unite in a spirit of whole-hearted and confident collaboration in order to continue their evolution. Only in an atmosphere of harmony and brotherhood will they be able to advance successfully along the road to prosperity and progress. The Government hopes to see Ruanda-Urundi achieve its aspirations and its peoples enjoy general well-being under peaceful and orderly conditions."

In conclusion, the UNAR, on behalf of the peoples of Ruanda which it represents, reaffirms its confidence in the United Nations from which they hope for the democratic reforms they desire.

The UNAR urges that, in any event, the next elections should be supervised by a United Nations Commission as in view of the recent disturbances in Ruanda for the causes and disastrous repercussions of which the Administering Authority was responsible, the majority of the people of Ruanda no longer have any confidence in the Belgian Government's impartiality.

Dar-es-Salaam, 8 January 1960,

For the Committee,

(Signed) RWAGASANA M.
General Secretary

(Signed) KAYIHURA M.
Vice-President
