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Agenda item 4

PETITION FROM THE "UNION DES COLONS
DU RUANDA-URUNDI" (T/PET.3/55)

Observations of the Administering Authority

NOTE ON LETTER NUMBER 597 OF 8 DECEMBER 1951
(T/PET.3/55) SENT BY THE PRESIDENT OF THE
UNION DES COLONS DU RUANDA-URUNDI
TO THE MEMBERS OF THE TRUSTEESHIP COUNCIL

According to letter no. 597 of 8 December 1951 (T/PET.3/55) sent by the President of the Union des Colons du Ruanda-Urundi to the members of the Trusteeship Council, the elections of councillors for the extra-customary centres of Usumbura were the result of an unfortunate attempt by the Administration of Ruanda-Urundi to meet the views of the Trusteeship Council. Further, the Union des Colons du Ruanda-Urundi accuses the Administration of Ruanda-Urundi of violating the provisions of Article 6 of the Co-ordinated Decrees of 23 November 1931 and 22 June 1934, which provide that councillors shall be chosen by the Resident.

In the eyes of the Union des Colons du Ruanda-Urundi, the setting up of an electoral system in an extra-customary centre constitutes racial discrimination because Europeans are not allowed to take part in elections, although they are more capable of doing so than the blacks who are not interested in the question.

Finally, the composition of the electoral body is criticized because the electors consist not only of the Barundi, "who are natives of that area", but also of the Banyarwanda and of Congolese of various races.

. . .

Elections were not organized in Usumbura in order to meet the Trusteeship Council's wishes. The Report of the first Visiting Mission (1948) states: "In the centres where Native custom does not apply, the Mission noted with satisfaction that the Belgian Administration has begun to study the appointment by election of chiefs and members of councils."

The Belgian Government cannot conceive of any regime other than one having a democratic basis for a territory under its administration, but it knows that its work can be accomplished and its aim achieved only by stages.

/Consequently,

Consequently, as soon as the Belgian Administration considered it possible to have recourse to the electoral system in choosing the councillors for the extra-customary centre of Usumbura, it decided to do so.

In so doing, it was not only giving partial effect to the Government's general policy; it was also observing one of the essential aims of the Trusteeship System as defined in the United Nations Charter (Article 76).

There are therefore no grounds for stating that the organization of these elections is due to what was wrongly thought to be the wish of the Trusteeship Council.

It should also be added that these elections are not the first to be held. The Administration had already organized elections in 1949 and the Trusteeship Council was informed of the fact. What is the legal value of these elections?

Article 6 of the Co-ordinated Decrees on extra-customary centres says that the council of the centre shall be composed of the indigenous judges of the centre, who are ex officio members of the Council, and of members chosen from among the most capable of the inhabitants by the District Commissioner, who takes their preferences into account.

There is no better way of knowing the inhabitants' preferences than the appointment of candidates by election: while this method is not specifically advocated by the text, the text in no way prohibits it. Moreover, such a system provides an excellent preparation for public life and an effective stimulant of the interest the people should take in that life.

Are these elections an example of racial discrimination? Certainly not.

The Administering Power knows how much interest the population of the Trust Territory has so far taken in political life; it has said what it thought of it and has transmitted to the Visiting Mission a copy of the letter sent to the Administration by some electors.^{1/}

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^{1/} This letter is annexed to the present document.

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That is not, however, a reason for abandoning the electoral system. The elections of 1951 marked a considerable progress in relation to those of 1949: 908 electors voted in 1949, whereas in 1951 there were 2,559.

Composition of the electoral body.

The charge is made that the electoral body, in addition to the Barundi, "who are the only natives", includes Banyarwanda, Baswahili, and Congolese of various races, who according to the Union des Colons du Ruanda-Urundi, are just as much foreigners as the Europeans.

An African might avail himself of his Murundi status in a Murundi customary district, but not in an extra-customary centre, the very justification for whose establishment is the fact that the ethnic groups are so varied that the political, social or legal problems could not be regulated by a system of customary law.

The origin of the inhabitants of an extra-customary centre should not be taken into consideration in deciding their political status; what should be considered is whether they are in the habit of residing in the centre and their manner of residence.

. . .

The question of the participation of the white population of Ruanda-Urundi in the administration of some districts in which it resides is one which the petitioner is wrong to associate with the problem of organizing extra-customary centres. It does not appear necessary to draw any parallel between the way in which extra-customary centres, which sometimes include tens of thousands of indigenous inhabitants, are administered and the method of administration needed in districts inhabited by a few hundred non-indigenous inhabitants.

The question of the establishment of urban districts may one day arise in Ruanda-Urundi.

It will have to be solved in relation to all the elements of the problem and not merely by reference to the organization of extra-customary centres. Contrary to what the petition states, no draft decree for Ruanda-Urundi relating to urban districts is pending before the Colonial Council. It should incidentally be recalled that the Council is a consultative organ to which the legislator has recourse, but is not itself the legislator.

ANNEX

Usumbura, 7 August 1951

The representative of the Administering Authority
for Extra-Customary Centres at Usumbura,

Sir,

We are writing this letter to you to ask you a question:

Why do you Europeans want us to choose the chiefs and councillors of Belge and Buyenzi? You yourselves had long appointed the chiefs and councillors. Tell us, in what year did you call the people to the centres to choose the chiefs and councillors? If you want to, you can invite the Mwami Mwambutsa himself, who is the owner of the Urundi country, to choose the chiefs and councillors of Belge and Buyenzi. All of us, inhabitants of Belge and Buyenzi, only work in Usumbura. Consequently, not one of us is a native of that country, we are all foreigners. If you Europeans hate Wanga and Ramazani, it would be much more fitting for you yourselves to choose the men you like. You should not worry us each time with your words. All we can do is pay taxes; that is the only matter that affects us.

In the first place, you want a man who can write and speak French and who has never been in prison for a year or six months; that is all a lie on your part. We ask you again: what is the purpose of the cards you keep in the extra-customary centre for the inhabitants of Usumbura? You know, first of all, how many clerks there have been in Belge who have never been imprisoned, not even for one day, and you know who has been imprisoned each time. And how long have they been here in Usumbura? Why do you not choose them there from the cards? Then there are many clerks in Buyenzi whose cards you have. Why do you Europeans speak like a little child? Your words amuse us greatly.

Listen: one out of ten will go to your meetings: that is all.

Greetings. Buyenzi -- Belge

(6 illegible signatures follow)

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