



**OFFICIAL RECORDS OF THE GENERAL ASSEMBLY
SIXTEENTH SESSION**

ANNEXES

VOLUME II

19 SEPTEMBER 1961 — 23 FEBRUARY 1962

AND

7 — 28 JUNE 1962

UNITED NATIONS

Prefatory fascicle



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7 — 28 JUNE 1962

**UNITED NATIONS
New York, 1963**

INTRODUCTORY NOTE

The *Official Records of the General Assembly* include the records of the meetings, the annexes to those records and the supplements. The annexes are printed in fascicles, by agenda item. The present volumes (I, II and III) contain the annex fascicles of the sixteenth session.

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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¹ The fascicle on item 58 is followed by documents A/4825 and A/4828, which are connected with this item and which were printed as separate fascicles.

² The fascicle on item 65 is followed by documents ICSAB/X/7 and ECPA/S.3/6, which are connected with this item and which were printed as separate fascicles.

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DOCUMENT A/4856

Report of the Special Commission for Ruanda-Urundi

[Original text: French]
[30 August 1961]

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LETTER DATED 6 JULY 1961 FROM MR. ANTONIO HOUAISS, MEMBER OF THE SPECIAL COMMISSION FOR RUANDA-URUNDI, ADDRESSED TO THE SECRETARY-GENERAL

The Special Commission for Ruanda-Urundi, set up under paragraph 9 (b) of General Assembly resolution 1605 (XV) of 21 April 1961, has instructed me to transmit to you the attached report so that it may be communicated to the Members of the United Nations.

Although the resolution did not specify that the Special Commission was to submit a report, the Com-

mission thinks it well to inform the General Assembly of the work it has accomplished. It considers that this report should be published at the appropriate time, i.e., shortly before the opening of the sixteenth session of the General Assembly (or should it so happen, at the fifteenth session reconvened in accordance with paragraph 13 of resolution 1605 (XV)).

(Signed) ANTONIO HOUAISS
Representative of Brazil, member of
the United Nations Special Commission
for Ruanda-Urundi

REPORT OF THE SPECIAL COMMISSION FOR RUANDA-URUNDI

1. Resolution 1605 (XV), adopted by the General Assembly at its 994th plenary meeting, held on 21 April 1961, besides defining once again the terms of reference of the United Nations Commission for Ruanda-Urundi appointed under resolution 1579 (XV) of 20 December 1960, referred in operative paragraph 9 to the question of the amnesty in Ruanda, in the following terms:

"The General Assembly,

"...

"9. Notes the information given by the representative of the Administering Authority concerning measures of amnesty already implemented, and recommends that:

"(a) Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority;

"(b) The few remaining cases which, in the Administering Authority's view, are guilty of 'very grave crimes' be examined by a Special Commission composed of the representatives of three Member States to be elected by the General Assembly, with a view to securing their release from prison or return from abroad in the full implementation of the Assembly's recommendation concerning amnesty not later than two months before the national elections".

2. At the same meeting the General Assembly decided that the Special Commission thus appointed should be composed of representatives of Brazil, Canada and Tunisia.

3. The Government of Brazil appointed Mr. Antonio Houaiss as a member of the Special Commission; the Government of Canada, Mr. Martial Asselin, M.P.; the Government of Tunisia, Mr. Ahmed Ben Arfa.

4. At the formal invitation of the Belgian Government (annex I), Mr. Houaiss and Mr. Asselin left New York on 7 June 1961 for Brussels, where Mr. Ben Arfa joined them on 8 June.

5. At the first interview with the Belgian authorities, which took place at the Ministry of Foreign Affairs on the morning of 9 June, the Special Commission examined Legislative Ordinance No. 01/188 of 31 May 1961 proclaiming an amnesty for political offences committed between 1 October 1959 and 1 April 1961 (annex II), as also the figures estimated by the Belgian authorities in connexion with the implementation of the said Ordinance (annex III).

6. As it considered that the said Legislative Ordinance ran counter to the spirit and the letter of the General Assembly resolutions and that the amnesty measures envisaged by the Administering Authority would leave an inordinate number of people unable to have the benefit of amnesty, the Special Commission sent the Minister for Ruanda-Urundi the letter of 10 June 1961, reproduced in annex IV.

7. After receiving the reply from the Minister for Ruanda-Urundi, dated 13 June 1961 (annex V), the Special Commission left Brussels on 14 June for Usumbura.

8. As soon as it arrived the Special Commission established contact with the Resident-General of the Trust Territory, the judicial and administrative authorities concerned, and in particular, the Political Amnesty Commission, established under article 6 of

Legislative Ordinance No. 01/188, which was meeting at Astrida. During those several interviews the Special Commission made a point of specifying the political nature of its terms of reference.

9. After a careful examination of the files submitted to it by the Belgian Political Amnesty Commission, the Special Commission sent the Resident-General the letter dated 26 June 1961, reproduced in annex VI, accompanied by a list of persons who, in the opinion of the Special Commission, should benefit by an amnesty supplementary to that already decreed by the Administering Authority, so that the General Assembly resolutions might be carried out (annexes VI A and VI B). On that occasion, the Resident-General handed the Special Commission a final complete file (R.P.A.83, Bantegeye Pierre, Barisesa, Barutanra, Bitonga, Kanyeoko, Mpundu, Nsagabe, Nsagiranabo, Rwaramunaniye) which was later the subject of an additional amnesty recommendation, and requested the Special Commission to examine if need be a number of other files. The latter proved subsequently to be completely outside the terms of references of the Special Commission and a letter to that effect was transmitted to the Resident-General on 27 June (annex VII). The list of names of those prisoners who should be automatically amnestied was forwarded to the Chairman of the United Nations Commission for Ruanda-Urundi for information (annex VIII).

10. On 26 June 1961, the Special Commission sent a letter to the Chairman of the United Nations Commission for Ruanda-Urundi (annex IX) informing him that the mission envisaged in operative paragraph 9 (b) of resolution 1605 (XV) had been accomplished. A copy of the list of persons to be amnestied and of those who in the opinion of the Special Commission were not deserving of amnesty (annex IX A) was enclosed with the letter, so that the United Nations Commission for Ruanda-Urundi would be able to supervise the implementation of the Special Commission's final recommendations and, if need be, invoke paragraph 13 of resolution 1605 (XV), exercising the authority vested exclusively in it.

11. Although the Special Commission is not required to produce any report, it felt that it would be well to inform the General Assembly of the work it has accomplished, stating at the same time that it reserves the right to provide in due course any additional information which might prove necessary. The Special Commission considers, however, that the report should be published at the appropriate time, i.e., shortly before the sixteenth session of the General Assembly or at a possible reconvened fifteenth session.

12. Within this framework of complete information the Special Commission has also made a point of presenting a statistical table of the number of persons accused, convicted and amnestied by the Belgian Political Amnesty Commission under Legislative Ordinance No. 01/188 and of those for whom the Special Commission expressly recommends or does not recommend amnesty (annex X).

13. In conclusion, the Special Commission wishes to point out to the General Assembly that all its decisions were taken unanimously and to state that this agreement was possibly due to the fact that it concentrated on matters of substance and disregarded formalities and questions of protocol regarding status or the election of a Chairman.

14. The Commission also wishes to thank the Belgian authorities for the warm welcome and co-operation extended to it during its mission, not only at Brussels but in the Trust Territory of Ruanda-Urundi, to thank the representatives of the different social categories in Ruanda-Urundi for having helped it to understand the problem entrusted to it, and to pay a tribute to the inhabitants for their kindness, public spirit and sense of responsibility, which it will always remember.

(Signed) Antonio HOUAISS, representative of Brazil
 Martial ASSELIN, representative of Canada
 Ahmed BEN ARFA, representative of Tunisia
 United Nations Special Commission for Ruanda-Urundi

ANNEX I

LETTER DATED 6 JUNE 1961 FROM THE PERMANENT REPRESENTATIVE OF BELGIUM ADDRESSED TO THE SECRETARY-GENERAL

With reference to letter TR 100 RUUR (1) dated 22 May 1961 concerning the composition of the Special Commission set up under paragraph 9 (b) of resolution 1605 (XV) of 21 April 1961, I have the honour to inform you that the Belgian Government would like to meet the members of the Commission at Brussels before their departure for Ruanda-Urundi.

I should therefore be grateful if you would kindly let Mr. Antonio Houaiss, Mr. Martial Asselin and Mr. Ahmed Ben Arfa know that the Belgian Ministry of Foreign Affairs invites them to call at Brussels on or after Thursday, 8 June.

(Signed) Walter LORIDAN
 Permanent Representative of Belgium
 to the United Nations

ANNEX II

LEGISLATIVE ORDINANCE No. 01/188 OF 31 MAY 1961 PROCLAIMING AN AMNESTY FOR POLITICAL OFFENCES COMMITTED BETWEEN 1 OCTOBER 1959 AND 1 APRIL 1961

The Resident-General,

Considering the Act of 21 August 1955 concerning the Government of Ruanda-Urundi,

Considering the Royal Interim Order of 25 January 1960 on the administrative organization of Ruanda-Urundi,

Considering the Act of 12 July 1960 on the administration of Ruanda-Urundi,

Considering the Act of 18 October 1908, in particular article 22,

Considering the urgency of the situation,

DECREES:

Article 1. An amnesty shall be granted for offences committed between 1 October 1959 and 1 April 1961 which by reason of their motive, their object or the considerations that prompted them are of a political character even if they constitute offences under ordinary law.

Article 2. The amnesty shall not apply to the following offences, unless the persons convicted have been sentenced to a term of imprisonment not exceeding five years:

Assassination, murder and arson causing loss of life;

Physical torture;

Directing assaults calculated to bring about devastation, massacre or pillage.

Article 3. The amnesty shall annul penal sentences and proceedings, with the exception of sentences for civil offences.

Sentences of imprisonment for civil offences, however, may not be put into effect until after the lapse of one year from the date of signature of this Legislative Ordinance.

Article 4. The amnesty may not prejudice the rights of third parties. In particular it shall not prevent action for

divorce or judicial separation or action for damages resulting from the offence.

Fines and legal costs shall not be reimbursed.

Article 5. The amnesty shall restore any voting rights and electoral eligibility that may have been forfeited as a result of sentences incurred.

Article 6. The political nature of the offences for which an amnesty may be granted shall be determined by a Commission of three Belgian judges assisted by *auditeurs* chosen from the judges of Ruanda-Urundi.

Article 7. The commission shall be known as the "Political Amnesty Commission".

Its members shall be appointed by the Minister for Ruanda-Urundi.

Article 8. At the suit of the *ministère public* the Commission shall be seized of all cases concerning offences committed between 1 October 1959 and 1 April 1961 for which:

Sentences have been pronounced;

Preliminary investigations or proceedings are in progress.

The Commission may ask the *ministère public* for the file of any case which it thinks might be within its competence and for any evidence which it considers necessary for its work.

Article 9. The Commission pronouncing judgement on its own motion and on the evidence shall determine without appeal the political character of the offences for which an amnesty may be granted.

Article 10. The Resident-General may submit to the judgement of the Commission the appraisal of the political character of any offence which does not qualify for amnesty under the terms of this Legislative Ordinance.

Article 11. The amnesty shall take effect from 1 June 1961, as and when the Commission determines the political character of offences.

Article 12. This Legislative Ordinance shall come into force on 31 May 1961.

(Signed) J. P. HARROY

ANNEX III

AMNESTY: APPLICATION

Number of sentences pronounced on political grounds between 1 October 1959 and 1 May 1961 (only ten decisions of the court of first instance are not included).....	1,355	
Number of cases under investigation.....	767	
		2,122
Number of sentences fully served on 1 June 1961.....	254	
Number of convicted persons granted:		
(a) Conditional release.....	179	
(b) Pardon.....	71	
(c) Suspension of sentence.....	15	
		519
Number of convicted persons still in custody or who have escaped.....	836	
		1,355
Estimated number of persons to be granted amnesty:		
Convicted persons		
Out of 149 offences of murder and assassination.....	39	
Out of 72 offences of arrests with torture.....	56	
Out of 809 other offences (including suspended sentences and people released conditionally).....	773	

Pardons	71	
Sentences served	254	
	<hr/>	
	1,193	1,193
Accused persons awaiting trial:		
Estimated from 767 cases in course of investigation		717
		<hr/>
		1,910
Estimated number of persons to whom the amnesty cannot be applied		
Convicted persons	162	
Accused persons awaiting trial.....	50	
	<hr/>	
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ANNEX IV

LETTER DATED 10 JUNE 1961 FROM THE SPECIAL COMMISSION ADDRESSED TO THE MINISTER FOR RUANDA-URUNDI

The United Nations Special Commission on Ruanda-Urundi, having examined the text of Legislative Ordinance No. 01/188 of 31 May 1961 proclaiming an amnesty for political offences committed between 1 October 1959 and 1 April 1961, feels it its duty to reaffirm the reservations it expressed at the time of the meetings held with the Belgian authorities on 9 June 1961, namely:

1. The concept of amnesty as embodied in the above Ordinance in no way corresponds to the terms of operative paragraph 9 (a) of resolution 1605 (XV), adopted on 21 April 1961 by the United Nations General Assembly, which recommends that:

“Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority.”

2. The number of persons who will not be eligible for amnesty, according to the estimate given us by the competent Belgian authorities, exceeds to a surprising degree the numbers anticipated by the General Assembly and explicitly confirmed, moreover, by the Permanent Representative of Belgium to the United Nations. It was the latter figures that the General Assembly resolution was referring to when it spoke of “the few remaining cases which, in the Administering Authority’s view, are guilty of ‘very grave crimes’”.

3. The aforementioned Ordinance is so worded that it does not allow for the possibility of reducing the remaining unforeseen cases to a “few” persons, unless article 10 of the said Ordinance may be given a wide interpretation in order to limit the effects of article 2. Otherwise the work of the Special Commission would only amount to an ineffectual and inoperative review of files which would be submitted to it by the Political Amnesty Commission of the Administering Authority.

After the talks which have taken place the Special Commission expresses the hope that the Administering Authority will recognize the validity of its comments and will be prepared to take decisions to pardon persons convicted or on trial for political offences who are excluded from the benefits of the said Ordinance after their files have been carefully examined by the United Nations Special Commission.

The Special Commission considers that under these conditions it will be able to go to Ruanda-Urundi on Wednesday, 14 June 1961, to carry out the task entrusted to it by the United Nations General Assembly.

A copy of this letter will be transmitted for information to the Chairman of the United Nations Commission for Ruanda-Urundi, in accordance with the terms of General Assembly resolution 1605 (XV).

The Special Commission wishes to affirm its sincere desire to co-operate with the Belgian Government so that the General Assembly resolution may be implemented in the interests of peace, of Belgium, of Ruanda-Urundi and of the United Nations.

Lastly, the Special Commission wishes to thank the Belgian

Government for the hospitality extended to it and has the honour to be, etc.

(Signed) Antonio HOUAISS, representative of Brazil
 Martial ASSELIN, representative of Canada
 Ahmed BEN ARFA, representative of Tunisia
 United Nations Special Commission for Ruanda-Urundi

ANNEX V

LETTER DATED 13 JUNE 1961 FROM THE MINISTER FOR RUANDA-URUNDI ADDRESSED TO THE SPECIAL COMMISSION

I have the honour to acknowledge your letter of 10 June 1961, in which you were good enough to transmit to me your observations on Legislative Ordinance No. 01/188 of 31 May 1961 granting an amnesty for political offences committed between 1 October 1959 and 1 April 1961.

I. Operative paragraph 9 of resolution 1605 (XV) recommends that:

(a) A full and unconditional amnesty should be immediately granted;

(b) The few remaining cases which are guilty of very grave crimes should be examined by a Special Commission “with a view to securing their release from prison or return from abroad...not later than two months before the national elections”.

The Belgian Government considers that a full and unconditional amnesty should be granted immediately, but not a total amnesty for all crimes, even the most grave. In the case of those guilty of such crimes, the Administering Authority, which alone is responsible for public order and public peace, will exercise its sovereign right of pardon, acting as far as possible on the advice of the international Commission which is required to propose measures of clemency.

The amnesty as defined above is now being carried out. I had the honour to send you a copy of Legislative Ordinance No. 01/188 of 31 May 1961, which legally prescribes the measures of amnesty within the Territory.

As you will have noted:

(a) These measures are full: they apply to all political offences or offences under ordinary law which, by reason of their motive, their object or the considerations that prompted them, are of a political nature. The only exceptions are sentences of more than five years imprisonment for certain particular crimes;

(b) They are unconditional in that no political or administrative conditions are imposed on those amnestied. The Belgian Government has even taken steps to suspend for one year the enforcement of any sentences of imprisonment which such persons may incur for civil offences;

(c) They are immediate in that they take effect as soon as the Belgian Commission has classified a case as one of those to be amnestied. The names of those concerned will be published in such a way that they may be informed of their position.

The Belgian Commission, which is composed of three judges from Brussels, Ghent and Liège, arrived at Usumbura on 8 June.

The political cases which this Commission regards as coming under article 2 of the Legislative Ordinance in question and involving very grave crimes will be submitted to your Commission.

II. The Belgian authorities have endeavoured, in article 2 of Legislative Ordinance No. 01/188, to define objectively what are the very grave crimes which are not covered by the full amnesty.

If the number of cases to which these objective standards apply is higher than was expected, it is because the disturbances which took place in the Territory during the period covered by the amnesty were in fact more grave than had at first appeared. Your Commission will be able to see this for itself when it examines the files. If its examination of cases coming

within the categories laid down in article 2 reveals any political or other circumstances which might mitigate the gravity of the offences, the Belgian authorities will not fail to take your opinion into account.

III. In order to provide all guarantees for the application of the amnesty in the spirit of resolution 1605 (XV), the Belgian authorities have endeavoured, in article 10 of Legislative Ordinance No. 01/188, to rectify any possible omissions.

Moreover, the Belgian Government, hoping that the individual examination of files may make it possible to reduce the number of cases to which the general amnesty measures can clearly not be applied, is prepared, without prejudice to its sovereign decision in each case and taking into account its own responsibility, "to issue pardons to persons sentenced or prosecuted for political offences who are not covered by Legislative Ordinance No. 01/188, after a careful examination of their files by the United Nations Special Commission".

The Belgian Government hopes that, in the circumstances, your Commission will be able to go to Ruanda-Urundi on Wednesday, 14 June 1961, in order to carry out the task entrusted to it by the United Nations General Assembly.

A copy of this letter will be sent to the Chairman of the United Nations Commission for Ruanda-Urundi.

I am glad to tell you that the Belgian Government appreciates the sincere desire for co-operation which you have shown and the lofty purposes with which you are imbued.

I was delighted to have the honour of welcoming your Commission in a spirit of true cordiality.

(Signed) P.-H. SPAAK

ANNEX VI

LETTER DATED 26 JUNE 1961 FROM THE SPECIAL COMMISSION
ADDRESSED TO THE RESIDENT-GENERAL OF RUANDA-URUNDI

With reference to our note of 10 June 1961, addressed to the Belgian Government through Mr. Paul-Henri Spaak, its Minister for Ruanda-Urundi, we have the honour to point out once again that resolution 1605 (XV), adopted by the United Nations General Assembly on 21 April 1961, clearly and unequivocally describes the amnesty which is to apply to political offences committed between 1 October 1959 and 1 April 1961 in the Trust Territory of Ruanda-Urundi. Under the terms of that resolution, the amnesty is to be full, unconditional and immediate.

Legislative Ordinance No. 01/188 of 31 May 1961 proclaiming an amnesty for political offences committed between 1 October 1959 and 1 April 1961 will undoubtedly be deemed by the United Nations General Assembly to depart from the principle of that resolution, the more so since the arguments advanced in support of the Ordinance seem to us unconvincing.

We also wish to inform you once again that we are surprised at the unexpected number of "very grave" cases submitted for our consideration, especially since operative paragraph 9 (b) of General Assembly resolution 1605 (XV) mentions only "the few remaining cases".

It is obvious that the accomplishment of our task, within the terms of reference we have been given, is an essential condition for the success of the mission entrusted to the Commission for Ruanda-Urundi.

General Assembly resolution 1605 (XV) requires these few remaining cases to be examined "with a view to securing their release from prison or return from abroad... not later than two months before the national elections", which are to be held in August 1961.

After a careful examination of the files submitted to us by the Political Amnesty Commission for Ruanda-Urundi set up under article 6 of the Legislative Ordinance mentioned above, we wish to declare that we have come to the conclusion that in the case of all the offences of a purely political nature we can only recommend an amnesty, in accordance with the spirit and the letter of the General Assembly resolutions.

As our Commission has already explained at Brussels, we do not consider that our mandate coincides, even indirectly, with that of the Political Amnesty Commission set up by the Minister for Ruanda-Urundi. We therefore wish to avoid giving the reasons for the recommendations which we are submitting to the Administering Authority, since this could only be interpreted as interference in a field which is outside our competence—namely, that of internal law—and would make it more difficult for the international instrument under which our Special Commission was set up to be put into effect.

It is in the light of these considerations that the Special Commission has carried out its task, always bearing in mind the terms of the relevant General Assembly resolutions and the provisions of the Trusteeship Agreement, in particular those of article 7.

Having examined the files submitted to it, the Special Commission recommends that the Administering Authority should amnesty the persons named in the attached list.

In recommending this measure, the Special Commission expresses the hope that any pardons granted will have the same effect and the same scope as the amnesty already proclaimed under Legislative Ordinance No. 01/188 of 31 May 1961.

In other words, the Special Commission hopes that the pardon referred to in the letters of 10 and 13 June 1961 will amount to an additional amnesty "so as to enable political workers and leaders who are in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections" [General Assembly resolution 1579 (XV)].

In order to avoid any misunderstanding, the Special Commission also wishes to point out that, after the examination of the files submitted to it, any person sentenced or prosecuted by the special court set up to deal with offences committed between 1 October 1959 and 1 April 1961 whose file has not been transmitted to the Commission before the date of this note shall be presumed to be automatically amnestied.

In the circumstances, the Special Commission sincerely believes that once the amnesty has been decreed in June 1961, it will be possible to implement General Assembly resolution 1605 (XV) in full and that the United Nations Commission for Ruanda-Urundi will be able to proceed with its mission in accordance with that resolution.

We wish to inform you that a copy of this letter will be sent to the Chairman of the United Nations Commission for Ruanda-Urundi for information. We enclose for your information a copy of the letter which we are sending to him today.

The Special Commission wishes to express its sincere thanks to your Excellency and the Belgian authorities in the Territory for the hospitality it enjoyed both at Usumbura and at Astrida.

Lastly, the Special Commission wishes to reaffirm to the Administering Authority that in carrying out its task it has always been careful to maintain a spirit of co-operation in the interests of peace, of Belgium, of Ruanda-Urundi and of the United Nations.

(Signed) Antonio HOVAISS, representative of Brazil

Martial ASSELIN, representative of Canada

Ahmed BEN AREA, representative of Tunisia

United Nations Special Commission for Ruanda-Urundi

ANNEX VI A

PERSONS TO BE AMNESTIED

<i>Reference decision of the Political Amnesty Commission</i>	<i>Date</i>	<i>Name</i>	<i>Serial No. given by the Special Commission</i>		
CAP/67	15 June 1961	RUDIGIRI (No. 1)	1		
		NTUNDA, Jean Berchmans (No. 2)	2		
		REBERO, Côme (No. 3)	3		
CAP/14	15 June 1961	RWEVU, Ndarimana (No. 1)	4		
		KAYIHURA, Michel (No. 1)	5		
		BUTWATWA, Zorobabel (No. 2)	6		
		KIMENYI, Jean-Berchmans (No. 3)	7		
		NKURANGA, Oswald (No. 4)	8		
		BUTERA, Félicien (No. 5)	9		
		KAMUGUNGA, Englebert (No. 6)	10		
		GASHUGI (No. 14)	11		
		RUTAZIHANA, Thomas (No. 16)	12		
		BUHIGA, Pierre (No. 18)	13		
		BADEGE, Pierre (No. 19)	14		
		KANAMUGIRE, Venant (No. 20)	15		
		NZARAMBA, Déogratias (No. 21)	16		
		RUGERINYANGE, Raphaël (No. 22)	17		
		CAP/1	13 June 1961	NYIRIMIERRA (No. 14)	18
		CAP/10	13 June 1961	NYABUGWENE (No. 3)	19
		CAP/13	13 June 1961	RWAKAYIRU, Joseph (No. 52)	20
NZIGAMASABO, Antoine (No. 53)	21				
SEBURIKOKO, Narcisse (No. 54)	22				
GAKWANDI, Albert (No. 55)	23				
CAP/26	13 June 1961			RUHORAHOZA (RURURAHOZA) (No. 28)	24
CAP/27	13 June 1961	NGRINSHUTI, Joseph (No. 5)	25		
CAP/49	14 June 1961	BWAYAHANDI (No. 2)	26		
		HABUMUGISHA (No. 3)	27		
		KAGENZA (No. 4)	28		
		NTEZIRYAYO (No. 5)	29		
		CAP/38	14 June 1961	GASHUGI (No. 1)	30
CAP/33	14 June 1961	MUSANA, Gaspard (No. 1)	31		
		RUGERINYANGE, Raphaël (No. 2)	32		
		KAMBANDA, Félicien (Pierre) (No. 4)	33		
CAP/34	14 June 1961	GAKWANDI, Albert (No. 1)	34		
CAP/63	14 June 1961	KARAMU, Jean (No. 1)	35		
		CYARUHINDA, Paul (No. 2)	36		
		NYAKARASHI, Ezechiel (No. 3)	37		
CAP/16	13 June 1961	GASHIGI (GASHUGI), Justin (No. 1)	38		
CAP/35	14 June 1961	GAHENDA, Anastase (No. 33)	39		
		MUKAMARUTOKE, Denis (No. 14)	40		
CAP/57	14 June 1961	SEBUHORO, Mathias (No. 1)	41		
		MUHIRE (No. 2)	42		
		SEKAYUZI (No. 3)	43		
CAP/72	14 June 1961	HARERINKA, Jean (No. 56)	44		
		MULEFU, Léonard (No. 49)	45		
		SEBIGOMBA, Epimoque (No. 50)	46		
		BUTERA, Frédéric (No. 54)	47		
		RUTAMBUKA (No. 32)	48		
		MPAMIJE (No. 76)	49		
		GASANA, Raymond (No. 61)	50		
		RWAMBIBI, Edouard (No. 66)	51		
		RUKEBA, François (No. 78)	52		
		CAP/95	16 June 1961	MFIZI, Alphonse (No. 1)	53
BURASA, Sylvestre (No. 2)	54				
KARAMUHETO, Dasère (No. 3)	55				
GAKUMBA, Onesphore (No. 9)	56				
BIRASA, Thomas (No. 4)	57				
CACANA, Jérémiane (No. 5)	58				
NYABIRUNGU, Athanase (No. 7)	59				
CAP/98	16 June 1961	MUVARA, Frodvard (No. 2)	60		
CAP/108	16 June 1961	MUNYAMBI (No. 1)	61		
		GAKWAYA (No. 2)	62		

ANNEX VI A (continued)

Reference decision of the Political Amnesty Commission	Date	Name	Serial No. given by the Special Commission
		NYIRINGONDO (No. 17)	63
		NZEYURWANDA (No. 18)	64
CAP/89	15 June 1961	BIGIRUMUHATSE (No. 1)	65
CAP/90	15 June 1961	GASHAYIJA, Chrisologue (No. 3)	66
		GASHURUSHURU, Silas (No. 4)	67
		MURARA, Hormidas (No. 9)	68
CAP/73	15 June 1961	BITEGE, Alexis (No. 2)	69
		MUGABO (No. 7)	70
		RWANYINDO, Médard (No. 9)	71
		KABERA (No. 10)	72
CAP/122 A 122 B	19 June 1961	MBANDA, Hormidas (No. 1)	73
		RUTAHISIRE (No. 2)	74
		RWABAGABO (No. 9)	75
		SEBAZUNGU (No. 37)	76
		NKURANYABAHIZI (No. 7)	77
		GAKARA (No. 8)	78
		MUNYARUKIGA (No. 12)	79
		RUBONEZA (No. 14)	80
		RWAMAHINA (No. 21)	81
		RUKAYISHA (No. 23)	82
		RUGERABAGANWA (No. 24)	83
		KANYENZI (No. 29)	84
		SEMICANDARI (No. 30)	85
		MBONIMPA (No. 31)	86
		NZIRIBATINYE (No. 32)	87
		MUNYAMDWERKE (No. 33)	88
		NTIGIMANA (No. 34)	89
		SERUBYANDARI (No. 36)	90
CAP/77	15 June 1961	KARAYABAYA (No. 8)	91
		BUSORO (No. 20)	92
CAP/96	16 June 1961	BENZINGE, Boniface (No. 1)	93
		MUDACYARWA, Théodomin (No. 2)	94
		GASANA, Eustache (No. 3)	95
		KARISUMU, Wenceslas (No. 6)	96

ANNEX VI B

ADDITIONAL LIST OF PERSONS TO BE AMNESTIED

Annex to the letter of 26 June 1961

Reference decision of the Political Amnesty Commission	Date	Name	Serial No. given by the Special Commission
CAP/161	20 June 1961	KANYANDEKWE, Stanislas (No. 4)	97
		MANIRAGURA (No. 6)	98
		MAFUNDI (No. 7)	99
		SEMANA, Mathias (No. 21)	100
		UBANJE <i>alias</i> BUBANJE (No. 22)	101

ANNEX VII

LETTER DATED 27 JUNE 1961 FROM THE SPECIAL COMMISSION
ADDRESSED TO THE RESIDENT-GENERAL OF RUANDA-URUNDI

In our talk yesterday morning, after the delivery of the note dated 26 June 1961 transmitting the recommendations of the Special Commission, you informed us of the existence of a number of additional files which might require our examination.

In spite of the terms of the telegram dated 22 June 1961 from the Political Amnesty Commission, informing us that all the files had been sent to us, we consented, in a spirit of sincere co-operation, to take cognizance of the matter in order to be certain that the examination of these cases was in fact within our terms of reference.

A study of the files has shown them to fall into the following three categories:

- Cases in the process of preliminary investigation;
- Cases referred to the court of first instance;
- Cases which are the subject of an appeal.

In the light of General Assembly resolution 1605 (XV), the effect of any examination of the files in question, none of which has received a final judicial decision, can only be to transfer the powers of the Administering Authority to the Special Commission.

Under the terms of that resolution, it is the function of the Administering Authority, as an essential preliminary to the examination of the files by the Special Commission, to:

1. Declare that the accused are in fact guilty;

2. Express the view that these persons are "guilty of very grave crimes".

Moreover, article 3 of Legislative Ordinance No. 01/188 of 31 May 1961 explicitly provided that the amnesty should annul penal sentences and proceedings: Since the files mentioned do not include any decision having the force of *res judicata*, they cannot fail to come under the provisions of article 3 of the Ordinance.

That being so, the Special Commission considers that none of the cases of persons accused of political offences committed between 1 October 1959 and 1 April 1961 can be excluded, *a priori* and arbitrarily, from the immediate benefits of the amnesty and that they should therefore be amnestied. To prejudice the guilt of an accused person and the severity of the sentence to be passed upon him could not fail to derogate from the fundamental concept of human rights.

It was undoubtedly on the basis of this sacred principle and in its concern to respect legality and the strict time-limits laid down for the implementation of General Assembly resolutions that the Administering Authority decided to insert the provisions of article 3 in Ordinance No. 01/188.

A copy of this letter will be sent to the Chairman of the United Nations Commission for Ruanda-Urundi, with a list of names of these accused persons who are automatically amnestied.

(Signed) Antonio HOUAISS, *representative of Brazil*

Martial ASSELIN, *representative of Canada*

Ahmed BEN ARFA, *representative of Tunisia*

United Nations Special Commission for Ruanda-Urundi

ANNEX VIII

LIST OF ACCUSED PERSONS

A. *List of persons accused of political offences whom the Special Commission considers automatically amnestied*

Reference No. of file	Date	Name	Serial No.		
CAP/150	20 June 1961	MAJABO (No. 1)	1		
		KAMPAYANA, Jean (No. 2)	2		
		SEBINEGO, Balthazar (No. 3)	3		
CAP/139	19 June 1961	KARAHAMUHETO (No. 3)	4		
		GATARI, Aloys (No. 4)	5		
CAP/154	20 June 1961	NTAHOMPAGAZE (No. 2)	6		
		SARUHARA (No. 4)	7		
		MBABAJENDE (No. 5)	8		
		BAKUNDA (No. 6)	9		
CAP/155	20 June 1961	RUKERATABARO, Isidore (No. 1)	10		
		URIMUBENSHI, Antoine (No. 2)	11		
		MUNYAKAZI, Godefroid (No. 3)	12		
		MUNYANTWARI (No. 4)	13		
		NIRERE, Pascal (No. 5)	14		
		HARERIMANA, Donat (No. 6)	15		
		KAGENZA (No. 7)	16		
CAP/158	20 June 1961	BANTEGEYE, Pierre (No. 1)	17		
		BARISESA (No. 2)	18		
		BARUTANWA, Balthazar (No. 3)	19		
		BITONGA (No. 4)	20		
		KANYESOKO (No. 6)	21		
		MPUNDU, Alphonse (No. 7)	22		
		NSANGABE, Jean (No. 9)	23		
		NSANGIRANABO, Nicolas (No. 10)	24		
		NZAYINO, Izaya (No. 11)	25		
		CAP/159	20 June 1961	REKERAHO, Froduald (No. 1)	26
NZIGIYE, Michel (No. 2)	27				
MISIGARO, Célestin (No. 3)	28				
MPAKANIYE, Balthazar (No. 4)	29				
CAP/160	20 June 1961	MASILIKARE, Gérard (No. 1)	30		
		SEBARUNDI, Balthazar (No. 3)	31		
CAP/161	20 June 1961	BITENGA <i>alias</i> SEBITENGA (No. 1)	32		
		IYAMULE (No. 2)	33		
		MUHAKWA (No. 8)	34		
		MUHUTU, Bernard (No. 9)	35		
		MUSONERA, Jean-Baptiste (No. 10)	36		
		NYIRIMPANZI, Joachim (No. 15)	37		
		RUKWAVU, Joseph (No. 16)	38		
		RWALINDA, Antoine (No. 17)	39		
		SEBAHUNDE, Frodual (No. 18)	40		
		SEBAKUMBI (No. 19)	41		
		SEDEGEDE, Anasthase (No. 20)	42		
		MUGEMA (No. 23)	43		
		KABANGO (No. 25)	44		
		CAP/162	20 June 1961	GAPFIZI (No. 1)	45
				KARAHAMUHETO (No. 2)	46

ANNEX VIII (continued)

Reference No. of file	Date	Name	Serial No.
		BIHWEHWE, Anasthase (No. 3)	47
CAP/116	17 June 1961	SERUHWEHWE, David (No. 1)	48
CAP/117	17 June 1961	BUSIZORI <i>alias</i> AHORUKOMEYE (No. 1)	49
CAP/123	19 June 1961	SEBERA, Emmanuel (No. 1)	50
CAP/124	19 June 1961	MUGASA (No. 1)	51
		BARUMUKUNDA, Basile (No. 2)	52
		HABIMAWA, Thacien (No. 31)	53
		IYAKALEMYE, Faustin (No. 4)	54
		HAVUGIMANA, Joseph (No. 5)	55
		MUSHOKANBERE, Etienne (No. 6)	56
		KAJANGWE, Charles (No. 7)	57
		SAYINZOGA (No. 8)	58
		SEKAMONYO (No. 9)	59
		RUTEBUKA, Victor (No. 10)	60
		RUKARA, Berkmans (No. 11)	61
		NZARUBARA (No. 12)	62
		RWIZIHIRWA (No. 13)	63
		KABILIGI <i>alias</i> NTAKABARAZA (No. 14)	64
		REKAYABO, Martin (No. 15)	65
		MUBAKWA (No. 16)	66
		SEGATASHYA (No. 17)	67
		SIKUBWABO (No. 18)	68
		NYIRAHUKU <i>alias</i> MUREKEZI (No. 19)	69
		MBONABUGYA (No. 20)	70
		RUGERINYANGE, Faustin (No. 21)	71
		RUFUKU (No. 22)	72
		GAKWAYA (No. 23)	73
		SEFIGI, Vincent (No. 24)	74
		KAMANDWA (No. 25)	75
		BUCYANA, Dismas (No. 26)	76
		HARORIMANA (No. 27)	77
		GAHUTU (No. 28)	78
		BUHAKE (No. 29)	79
		MATABARO, François (No. 30)	80
		KAJANGWE, Claver (No. 31)	81
		NYAMINANI (No. 32)	82
		RWIZIGURA, Mathias (No. 33)	83
		RUKEMAMPONZI (No. 34)	84
		SESHA (No. 35)	85
		GASHONGURE (No. 36)	86
		RUÇAMIHIGO (No. 37)	87
		RWAMARABA (No. 38)	88
		SENGOGA (No. 39)	89
		SEMUZINA (No. 40)	90
		RWALINDA (No. 41)	91
		SIKUBWABO (No. 42)	92
		RWAGIRAYEZU (No. 43)	93
		MUTABAZI, Nathanaël (No. 44)	94
		NSANBANDORA (No. 45)	95
		MUNYAKAZI <i>alias</i> HATEGEMANA (No. 46)	96
		NYIRINDEKWE (No. 47)	97
		HATEGIKAMANA, Dominique (No. 48)	98
		MUKEZA, Joseph (No. 49)	99
		MUSEGA, Pierre (No. 50)	100
		RUKEBESHA, Antoine (No. 51)	101
		NYABUSHENGERO, Laurent (No. 52)	102
		BIRYABABISHA (No. 53)	103
		KABWANA, Elie (No. 54)	104
		MUDAMERABWA, Joseph (No. 55)	105
		SEGATEMBERA <i>alias</i> MURWANASHYAKA (No. 56)	106
CAP/129	19 June 1961	MUNYARUGARAMA, André (No. 1)	107
		MAFIGI, Ezechiel (No. 2)	108
		RUKERAKENJA, Ephrem (No. 3)	109
		KAMONYO, Obed (No. 4)	110
		NZAMBA, Chrisologue (No. 5)	111
CAP/130	19 June 1961	NDENGEYINKA, Sixbert (No. 1)	112
		RURINDA, Pierre (No. 2)	113
		MUGEMA (No. 3)	114
		NSANZABAGANWA (No. 4)	115
		NYANJWENGE (No. 5)	116

ANNEX VIII (continued)

Reference No. of file	Date	Name	Serial No.
		SEMUTUNDA (No. 6)	117
		NYAMWASA, Nestor (No. 7)	118
		KANANI, Onesphore (No. 8)	119
		TABARO (No. 9)	120
		SEHENE (No. 10)	121
		MUNYANTORE (No. 11)	122
		BIZIMANA (No. 12)	123
		KIREMYE, Tharcisse (No. 13)	124
		RUTINDUKA (No. 14)	125
		GATSOBE, Samuel (No. 15)	126
		KIROMBA <i>alias</i> NAKAMANDWA (No. 16)	127
		NAKAMANDWA, Nathanaël (No. 17)	128
		KAJEBERI (No. 18)	129
		KAYONGA No. 19)	130
		RUHONYO, Ladislas (No. 20)	131
		RWAYIHIGI (No. 21)	132
		RWEMALIKA, Michel (No. 22)	133
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ANNEX IX

LETTER DATED 26 JUNE 1961 FROM THE SPECIAL COMMISSION ADDRESSED TO THE CHAIRMAN OF THE UNITED NATIONS COMMISSION FOR RUANDA-URUNDI

We have the honour to attach a copy of the letter which we are sending today to the Resident-General of the Trust Territory of Ruanda-Urundi and which refers to the mandate conferred upon us by resolution 1605 (XV), adopted on 21 April 1961 by the United Nations General Assembly.

As is clear from this resolution, which set up the Special Commission and renewed the mandate of the United Nations Commission for Ruanda-Urundi, our mission is confined to examining the very grave cases and making the necessary recommendations, while yours is general and includes the implementation of the resolution. This fundamental aspect of our respective missions was explained to you during our talk on 22 June, when it was also pointed out to you that our Commission makes its recommendations irrevocably but is not entitled to invoke operative paragraph 13 of the resolution.

The Special Commission considers that in transmitting to the Administering Authority the list of persons to be annested it has completed the task assigned to it and that it is for

your distinguished Commission to ensure that the Administering Authority has complied with our final recommendations, in order that one of the essential conditions for the full implementation of the General Assembly resolutions should be fulfilled and that the United Nations Commission for Ruanda-Urundi should not be obliged to invoke operative paragraph 13 of resolution 1605 (XV) in connexion with the amnesty.

In this respect, we have every reason to believe that within the time-limit set by the General Assembly, the Administering Authority will enact the amnesty measures recommended in our note of today addressed to the Resident-General.

We also wish to inform you that the Special Commission is entirely at your service should its opinion on any question concerning the amnesty problem be required.

A copy of this letter is being sent for information to the Resident-General of Ruanda-Urundi, as an annex to the note addressed to him today.

(Signed) Antonio HOUAISS, representative of Brazil

Martial ASSELIN, representative of Canada

Ahmed BEN ARFA, representative of Tunisia

United Nations Special Commission for Ruanda-Urundi

ANNEX IX A

PERSONS FOR WHOM AMNESTY IS NOT RECOMMENDED

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CAP/12	13 June 1961	NIBONEYIMBWA, Michel	1
CAP/26	13 June 1961	SEBUHURU (No. 15)	2
CAP/51	14 June 1961	MUKIGA, Mathias	3
CAP/56	14 June 1961	SENGURUBE, Cyriaque	4
CAP/52	14 June 1961	HAMENYIMANA (No. 1)	5
		BAGUZINKA (No. 2)	6

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CAP/69	14 June 1961	NTIBAZICIRA, David	7
CAP/72	14 June 1961	NGARASI (No. 64)	8
		MAHUKU (No. 74)	9
		NIYOYITA (No. 73)	10
CAP/92	16 June 1961	KARIMBA, Claver	11
CAP/102	16 June 1961	BWUFIRE	12
CAP/89	15 June 1961	KAGISHA (No. 2)	13
		GASHONDO (No. 3)	14
		RUKOMEREYE (No. 4)	15
CAP/91	15 June 1961	BARARUHA, Jean (No. 3)	16
CAP/87	15 June 1961	SEBACENZA	17
CAP/122 C	19 June 1961	GASAMUNYICA, Pancrace	18
CAP/119	17 June 1961	KANYABUBIRA (No. 1)	19
		MUYAMASOKO <i>alias</i> MUNYEZEZE (No. 2)	20
		KARARAMBUCA, Makere (No. 3)	21
		ZINGA (No. 4)	22
		SEBUKAYIRE (No. 5)	23
		NDOROMO <i>alias</i> MAGAZINI (No. 6)	24
		KANYENTAMBWA <i>alias</i> NIAGOZERA (No. 7)	25
CAP/133	17 June 1961	BARUNGU (No. 1)	26
		GASIMBA (No. 2)	27
		NZABANITA (No. 3)	28
		NYANDWI, François (No. 4)	29
CAP/134	19 June 1961	NYAGAHIGI (No. 2)	30
CAP/96	16 June 1961	SEBUDANDI, Gabriel (No. 19)	31
CAP/83	15 June 1961	BARAVINGINGWA	32

ANNEX X

STATISTICAL TABLE

File No.	Number of persons accused (and acquitted)	Decision of the Political Amnesty Commission		Decision of the Special Commission		File No.	Number of persons accused (and acquitted)	Decision of the Political Amnesty Commission		Decision of the Special Commission	
		Amnestied	Not amnestied ^a	Additional amnesties ^b	Not amnestied ^b			Amnestied	Not amnestied	Additional amnesties ^b	Not amnestied ^b
CAP/33	21	18	3	3	0	CAP/87	1	0	1	0	1
CAP/38	34	33	1	1	0	CAP/12	1	0	1	0	1
CAP/49	17	13	4	4	0	CAP/72	78	68	10	9	3
CAP/34	11	10	1	1	0	CAP/73	10	6	4	4	0
CAP/63	12	9	3	3	0	CAP/90	56 (7)	46	3	3	0
CAP/51	1	0	1	0	1	CAP/91	25 (7)	17	1	0	1
CAP/69	7 (1)	5	1	0	1	CAP/89	8 (2)	2	4	1	3
CAP/52	2	0	2	0	2	CAP/102	1	0	1	0	1
CAP/56	1	0	1	0	1	CAP/92	1	0	1	0	1
CAP/16	2	1	1	1	0	CAP/108	22 (1)	17	4	4	0
CAP/134	2 (1)	0	1	0	1	CAP/98	38 (10)	27	1	1	0
CAP/35	14 (3)	9	2	2	0	CAP/95	36 (9)	20	7	7	0
CAP/27	26 (4)	21	1	1	0	CAP/14	22 (4)	17	1	1	0
CAP/83	1	0	1	0	1	CAP/71	25 (2)	10	13	13	0
CAP/57	17 (5)	9	3	3	0	CAP/96	59 (3)	51	5	4	1
CAP/133	5 (1)	0	4	0	4	CAP/67	34 (3)	28	3	3	0
CAP/26	36 (8)	26	2	1	1						
CAP/119	7	0	7	0	7	41	796 (77)	591	128	96	32
CAP/13	55	51	4	4	0			719		128	
CAP/10	3	2	1	1	0			796			
CAP/1	47	46	1	1	0						
CAP/77	21 (2)	17	2	2	0						
CAP/122/A	1	0	1	1	0						
CAP/122/B	35 (4)	14	17	17	0						
CAP/122/C	1	0	1	0	1						

^a List of names given in annex VI A of the report.

^b List of names given in annex VII A of the report.

Number of persons accused and acquitted, according to the table..... 796
Annex VIII (and continuation)..... 562
Paragraph 9 of the report..... 9

TOTAL, number of cases examined 1,367

ANNEX X (continued)

Acquitted	77	Considered by the Special Commission to be automatically amnestied	562	
Amnestied by the Political Amnesty Commission	591			1,335
Requests by the Special Commission for further amnesties	96	In the opinion of the Special Commission, not to be amnestied	32	
Ditto in paragraph 9 of the report.....	9		1,367	1,367

DOCUMENT A/4865*

Letter dated 9 September 1961 from the Permanent Representative of the Union of Soviet Socialist Republics to the United Nations, addressed to the President of the General Assembly

[Original text: Russian]
[11 September 1961]

On 21 April 1961, the General Assembly adopted resolution 1605 (XV) on the question of the future of the Trust Territory of Ruanda-Urundi. This resolution provided, *inter alia*, that "the legislative elections in Ruanda-Urundi should be held in the month of August 1961... under the supervision of the United Nations..." and declared that "it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections..."

To that end, the General Assembly recommended to the Administering Authority that a full and unconditional amnesty should be granted, that the Legislative Order of 25 October 1960 should be rescinded, etc.

The actual situation in the Trust Territory shows that the Government of Belgium is failing to carry out the decisions taken by the General Assembly at its fifteenth session concerning a full and unconditional amnesty. The recently issued report of the United Nations Special Commission for Ruanda-Urundi (A/4856) points out that the Administering Authority Ordinance providing for a so-called amnesty runs "counter to the spirit and the letter of the General Assembly resolutions", and that "the amnesty measures envisaged by the Administering Authority would leave an inordinate number of people unable to have the benefit of amnesty".

Moreover, the Administering Authority has taken no steps to create normal conditions for the free activity of all political parties in Ruanda-Urundi. Most of the leaders of the patriotic parties of the Trust Territory are still in exile. The Administering Authority is resorting to all sorts of tricks in order to restrict the activities of the patriotic parties to the greatest possible extent. For example, it keeps the leaders of these parties under arrest during the day and frees them for the night, and so forth. There are still about 50,000 refugees in the Congo and in Uganda. Thousands of refugees more have had to leave their homes and seek refuge in schools and churches.

The developments of the last few weeks and days in Ruanda-Urundi show that the Belgian colonialists are working against time to prevent a free expression of the will of the population of the Trust Territory at the forthcoming elections. As a result, a highly tense situation has been created in Ruanda-Urundi.

The Belgian colonial authorities are continuing their policy of setting one tribe against another, and are seeking to kindle the flames of inter-tribal war in the Trust Territory. In the last two months, according to press reports, about 300 people have been killed in the Trust Territory; and in Rwanda alone more than 100 people have recently been killed and about 500 wounded.

The Administering Authority, while maintaining that it is not opposed to the holding of elections and to "co-operation" with the United Nations Commission for Ruanda-Urundi, in fact wants the elections to be held in its own way: in the colonial manner, in conditions of military emergency and under the completely arbitrary control of the Belgian occupation troops and authorities. It is well known that the Belgian forces in Ruanda-Urundi have recently been reinforced with new units, transported to the Trust Territory by air from Belgium. Further reinforcements are anticipated. The Belgian paratroopers are equipped with helicopters and transport aircraft, maintain constant control over the Mwogo River valley, where unrest is rife, and open fire on Africans without the slightest warning.

All these facts must inevitably cause all anti-colonial forces to feel concern for the fate of the population of Ruanda-Urundi and the cause of peace on the much-tried African continent.

Accordingly, the Soviet delegation considers it essential that all States Members of the General Assembly should be furnished at the earliest possible date with preliminary information on the situation in the Trust Territory and the measures which the United Nations Commission for Ruanda-Urundi has taken or intends to take in order to ensure the proper implementation of the relevant General Assembly decisions, including those providing for the democratic conduct of the national elections.

I hope, Mr. President, that you will take the necessary prompt steps to obtain such information and to circulate it to all States Members of the United Nations.

I would appreciate the publication of this letter as an official document of the General Assembly.

(Signed) V. ZORIN
Permanent Representative of the USSR
to the United Nations

* Incorporating document A/4865/Corr.1.

DOCUMENT A/4970

Letter dated 11 November 1961 from the Chairman of the United Nations Commission for Ruanda-Urundi to the President of the General Assembly transmitting a communication from the Commission concerning the investigation of the circumstances of the tragic death of the Prime Minister of Burundi

*[Original text: French]
[15 November 1961]*

I have the honour to transmit to you herewith a communication concerning the investigation of the circumstances of the tragic death of the Prime Minister of Burundi which the United Nations General Assembly, in resolution 1627 (XVI), requested the United Nations Commission for Ruanda-Urundi to carry out.

(Signed) Max H. DORSINVILLE
*Chairman, United Nations Commission
for Ruanda-Urundi*

COMMUNICATION FROM THE UNITED NATIONS COMMISSION FOR RUANDA-URUNDI CONCERNING THE INVESTIGATION OF THE CIRCUMSTANCES OF THE TRAGIC DEATH OF PRINCE RWAGASORE, PRIME MINISTER OF BURUNDI

1. On 23 October 1961, at its 1041st plenary meeting, the General Assembly adopted resolution 1627 (XVI) entitled "Assassination of the Prime Minister of Burundi", of which the operative paragraphs read as follows:

"1. Expresses its sense of shock and abhorrence at the murder of the Prime Minister of Burundi;

"2. Requests the United Nations Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay an investigation of the circumstances of the Prime Minister's tragic death and to submit a preliminary report to the General Assembly as soon as possible."

2. The Commission left Geneva on 28 October for Usumbura, where it arrived on 29 October and from which it departed for Geneva on Saturday, 4 November. Its task was greatly facilitated by the knowledge which it already had of the Territory and of the background of the problem.

3. The Commission considered it desirable, in order that it might better carry out its task and for reasons of courtesy, to pass through Brussels so that it could inform Mr. Spaak, the Belgian Minister for Foreign Affairs and Minister for Ruanda-Urundi, of its plan of work and ensure that the necessary instructions would be given to the Trusteeship authorities in the Territory. Both in Brussels, at the Ministry of Foreign Affairs, and at Usumbura on the occasion of its first interview with Mr. Harroy, the Resident-General, and Mr. Georges Carlier, Ambassador and personal representative of Mr. Spaak in the Territory, the Commission was assured of the full co-operation of the Belgian authorities.

4. During its stay at Usumbura the Commission, in addition to its frequent contacts with members of the Administration, interviewed various important figures in Burundi, including the Mwami Mwambutsa, father of Prince Rwagasore, Mr. André Muhirwa, Prime Minister and Minister of the Interior of Burundi, Mr. Thaddée Siryuyumunsi, President of the Legislative Assembly, and Mr. Claver Nuwinkware, Minister of Justice. It received a visit from the mother of Prince Rwagasore and from other members of the family. It heard different personages of the previous Government,

including the former Prime Minister. It also had occasion to interrogate some persons at present held in custody; this was done in the presence of a magistrate, in accordance with the requirements of penal procedure. Private individuals also gave evidence. The Chairman of the Commission was visited by several consular representatives. Finally, the Commission received documents concerning the matter, both from the indigenous authorities and from various private individuals.

5. Thanks to these varied sources of information the Commission was able, within the legal and juridical limits and the material and technical framework in which it had to function, to carry out its investigation pursuant to resolution 1627 (XVI).

6. Nevertheless, the Commission was obliged to take into account the references in resolution 1627 (XVI) to resolutions 1579 (XV) and 1605 (XV) as also to the provisions of the Trusteeship Agreement between the United Nations and Belgium. It noted in this connexion that article 5 of the Trusteeship Agreement, approved by the General Assembly on 13 December 1946, provides that the Administering Authority:

"1. Shall have full powers of legislation, administration and jurisdiction in the Territory of Ruanda-Urundi and shall administer it in accordance with Belgian law as an integral part of Belgian territory, subject to the provisions of the Charter and this Agreement".

7. There being no reservation in either the Charter or the Trusteeship Agreement concerning judicial legislation, it follows that in penal matters the preliminary investigation of an offence or a crime and the procedure to be followed in the courts must be governed by the legislation enacted by the Administering Authority.

8. The Commission is mindful of the General Assembly's request that it should submit a preliminary report as soon as possible. It notes, however, that, as the preliminary investigation has not yet been completed, the premature submission of its report, as also the debate which might follow in these circumstances, might on the one hand hamper the action of the law and, on the other hand, give undesirable publicity to certain information of a confidential nature which, for obvious reasons, should not be revealed until the preliminary investigation has been completed. According to official estimates, it might be completed towards the end of November.

9. The Commission therefore hopes that the Assembly will appreciate the delicate and exceptional situation in which it finds itself and which impels it, in all conscience, to await the end of the preliminary investigation before submitting its report to the General Assembly.

10. In the meantime, the Commission wishes to assure the General Assembly that the competent judicial authority is continuing to carry out its preliminary investigation of the matter in accordance with the regular penal procedure established by the Administering Authority.

DOCUMENT A/5086

**Report of the United Nations Commission for Ruanda-Urundi on the
assassination of the Prime Minister of Burundi**

[Original text: French]
[26 January 1962]

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LETTER DATED 26 JANUARY 1962 FROM THE CHAIRMAN,
UNITED NATIONS COMMISSION FOR RUANDA-URUNDI,
TO THE SECRETARY-GENERAL

In accordance with the provisions of paragraph 2 of resolution 1627 (XVI), adopted by the General Assembly on 23 October 1961, and further to paragraph 9 of my communication of 11 November 1961 (A/4970), I have the honour to transmit to you herewith the report of the United Nations Commission for Ruanda-Urundi on the circumstances of the tragic death of Prince Rwagasore, Prime Minister of Burundi.

This report was adopted unanimously by the Commission on 11 November 1961.

(Signed) Max H. DORSINVILLE
*Chairman, United Nations Commission for
Ruanda-Urundi*

INTRODUCTION

1. At its 1041st plenary meeting, on 23 October 1961, the General Assembly adopted resolution 1627 (XVI), entitled "Assassination of the Prime Minister of Burundi", the operative part of which reads as follows:

"The General Assembly,

"...

"1. Expresses its sense of shock and abhorrence at the murder of the Prime Minister of Burundi;

"2. Requests the United Nations Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay an investigation of the circumstances of the Prime Minister's tragic death and to submit a preliminary report to the General Assembly as soon as possible."

This resolution was adopted unanimously on the recommendation of the Fourth Committee, whose agenda included the following item:

"49. Question of the future of Ruanda-Urundi: report of the United Nations Commission for Ruanda-Urundi".

2. The United Nations Commission for Ruanda-Urundi, established pursuant to resolutions 1579 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961, after supervising the legislative elections in Ruanda-Urundi and the referendum in Rwanda in accordance with its terms of reference, went to Geneva for the purpose of preparing its report to the Assembly (A/4994 and Add.1 and Corr.1). It is recalled *pro memoria* that the Commission was composed of Mr. Max H. Dorsinville (Haiti), Chairman, and Mr. Ernest Gassou (Togo) and Mr. Majid Rahnema (Iran), Commissioners.

3. On 16 October 1961, the Commission received from the Chairman of the Fourth Committee a telegram reading as follows:

FOURTH COMMITTEE DEEPLY DISTURBED NEWS ASSASSINATION PRINCE RWAGASORE PRIME MINISTER BURUNDI HAS ASKED ME TO REQUEST COMMISSION FOR RUANDA-URUNDI TO INVESTIGATE IMMEDIATELY AND THOROUGHLY ON THE SPOT AND REPORT URGENTLY TO FOURTH COMMITTEE.

4. The Commission replied to this telegram by a radiogram reading as follows:

THE COMMISSION THANKS YOU FOR YOUR TELEGRAM NO. 16 STOP IN ACCORDANCE WITH PARAGRAPH 9 C OF RESOLUTION 1579 (XV) THE COMMISSION HAD ALREADY TAKEN THE NECESSARY MEASURES IN ORDER TO FOLLOW ON THE SPOT THE DEVELOPMENT OF THE SITUATION IN THE TERRITORY AFTER THE ELECTIONS STOP THE COMMISSION IS EXPECTING AT ANY MOMENT TO RECEIVE INFORMATION AND DETAILS OF THE ASSASSINATION OF PRINCE RWAGASORE PRIME MINISTER OF BURUNDI STOP THE COMMISSION WILL NOT FAIL TO SUBMIT A REPORT AS SOON AS IT HAS THE FULLEST INFORMATION POSSIBLE.

5. It should be recalled that when the Commission left Usumbura on 30 September it left in the Territory a group of three observers with instructions to follow, in accordance with operative paragraphs 9 (c) and 6 of resolution 1579 (XV), the progress of events after the elections and after the Commission's departure.

6. The Commission, which was awaiting a report on the tragic occurrence from Mr. Antonin Obrdlik, United Nations observer in the Territory, accordingly expressly requested him to carry out as thorough an investigation as possible into the assassination of Prince Rwagasore.

7. In order to implement resolution 1627 (XVI) adopted by the General Assembly on 23 October 1961, the Commission left Geneva for Usumbura on 28 October 1961 as described in section I of this report. It was accompanied by Mr. Miguel A. Marin, the Principal Secretary, and Mr. Hubert Noël, formerly observer at Usumbura.

8. On its return to Geneva the Committee drew up a communication addressed to the General Assembly and entitled: "Communication from the United Nations Commission for Ruanda-Urundi concerning the investigation of the circumstances of the tragic death of Prince Rwagasore, Prime Minister of Burundi". This communication, which was transmitted to the President of

the General Assembly by the Chairman of the Commission on 11 November 1961, was issued as document A/4970 on 15 November 1961.

9. This report, which was announced in paragraph 9 of the above-mentioned communication, contains: first, a chronological account of the Commission's movements and actions and of the interviews it held in the course of its work; secondly, a statement of the scope and limitations of the terms of reference received from the General Assembly; thirdly, an account of the facts and circumstances surrounding the occurrence; and lastly, a summary of the opinions collected on the spot.

10. Finally, the complete text of certain documents communicated to the Commission is annexed. These communications, some of which deal with more than one matter, are preceded by a summary or by extracts relevant to the Commission's terms of reference. The records of interviews which the Commission had with various persons, including several prisoners, are also annexed.

I. CHRONOLOGICAL ACCOUNT OF THE COMMISSION'S MOVEMENTS, ACTIONS AND INTERVIEWS

11. As soon as it learned of the recommendation by the Fourth Committee of the General Assembly that the United Nations Commission for Ruanda-Urundi should visit the scene immediately in order to carry out without delay an investigation of the circumstances of the tragic death of Prince Rwagasore, the Prime Minister of Burundi, the Commission made all necessary arrangements to set out as soon as the General Assembly adopted the draft resolution which was to be submitted to it on the subject. That resolution was adopted on 23 October 1961 and communicated to the Commission the following day.

12. Rather than leave directly for Usumbura by the flight of Wednesday, 25 October, the Commission preferred to call at Brussels in order to inform Mr. Spaak, the Belgian Minister for Foreign Affairs and Minister for Ruanda-Urundi, of its plan of work and to ensure that the Trusteeship authorities in the Territory were given the necessary instructions.

13. Since the Minister for Foreign Affairs was away from Brussels until the Thursday evening, the Commission arranged to take the first aircraft leaving Brussels for Usumbura after that date, i.e., on the Saturday evening. It accordingly left Geneva on the Saturday morning in order to have an interview with Mr. Spaak in the afternoon. The Minister was, however, unwell and the Commission was received by Mr. Fayat, Mr. Spaak's assistant, who was accompanied by Mr. Ruppert, Ambassador, Director of the Africa Section of the Ministry of Foreign Affairs. The Chairman of the Commission explained the working procedure which the Commission proposed to follow and requested the Belgian Government's co-operation for that purpose.

14. Mr. Fayat told the Commission that his Government was prepared to give the Commission its full co-operation. He added that he agreed with the procedure proposed; that the Trusteeship authorities in the Territory would receive instructions accordingly; and that Mr. Georges Carlier, Ambassador, personal representative of Mr. Spaak, was already on the scene. Mr. Carlier had already represented Mr. Spaak during the Commission's stay in the Territory in connexion with the legislative elections and the referendum.

15. The Commission left Brussels the same evening for Usumbura, via Leopoldville, where the scheduled flight was held back to enable the Commission to make a quick connexion. In the afternoon of Sunday, 29 October, the Commission arrived at Usumbura, where it was welcomed by Mr. J. P. Harroy, the Resident-General, Mr. Georges Carlier and various officials of the Administering Authority, Mr. André Muhirwa, Prime Minister and Minister of the Interior of Burundi, accompanied by members of the Government, and Mr. Thaddée Siryuyumunsi, President of the Legislative Assembly of Burundi, with several deputies.

16. Next morning, in an initial discussion, the Commission informed the Resident-General and Mr. Carlier of the procedure which it proposed to follow, and which it had already explained at the Ministry of Foreign Affairs at Brussels. The Resident-General and Mr. Carlier assured the Commission of their full co-operation and that of the Trusteeship officials. They pointed out, however, that the judicial investigation was in progress and that, since judicial independence of the executive was a constitutional principle to which the Belgian Government could make no exception, they considered their sincere intention of helping the Commission to be limited only by the inalienable independence of justice. The Commission then heard the official account of the facts and circumstances surrounding the occurrence, as set forth in section III below.

17. At 3 p.m. the Commission was received by the *Procureur général* who, while emphasizing the traditional secrecy of judicial investigation, also assured the Commission of his co-operation. At 6 p.m. the same day the Commission visited the Mwami, Prince Rwagasore's father, to tender him the condolences of the United Nations. The visit took place at the Rhodain hospital, to which the Mwami had been admitted several days previously. On 2 November the Commission, accompanied by the President of the Legislative Assembly, the Minister of Justice of Burundi and a representative of the Trusteeship Administration, laid a wreath on Prince Rwagasore's grave.

18. Meanwhile, between 1 November and its departure, the Commission held many interviews. It began by hearing members of the Government of Burundi and of the Legislative Assembly; it received a visit from Prince Rwagasore's mother and some of his near relatives; it had discussions with Trusteeship officials and with private individuals in possession of information likely to assist it in its work. It also heard Ministers of the previous Government of Burundi, including the former Prime Minister. Lastly, the Chairman of the Commission received visits from several consular representatives at Usumbura.

19. The Commission wishes to mention that it enjoyed the fullest possible co-operation from the Administering Authority in the Territory, both as regards material arrangements such as accommodation, transport, etc., and in investigating the case which had necessitated its return to Ruanda-Urundi for a further stay. It expresses its thanks to Mr. J. P. Harroy, the Resident-General, to Mr. Georges Carlier, and to the other officials of the Belgian Administration who facilitated its work.

20. The Commission left Usumbura in the afternoon of Saturday, 4 November, and arrived at Geneva at noon on Sunday, 5 November.

II. TERMS OF REFERENCE OF THE COMMISSION

21. In its resolution 1627 (XVI), the General Assembly requested the United Nations Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay an investigation of the circumstances of the Prime Minister's tragic death and to submit a preliminary report to the General Assembly as soon as possible. The Commission accordingly began by seeking to define and delimit its terms of reference and to decide how they should be complied with.

22. The most elementary assumption was that the tragic death whose circumstances the General Assembly asked the Commission to investigate would be the subject of criminal proceedings, and that the case would be under examination when the Commission arrived in the Territory.

23. The references made in resolution 1627 (XVI) to resolutions 1579 (XV) and 1605 (XV) and to the provisions of the Trusteeship Agreement concluded between the United Nations and Belgium were to prove particularly helpful to the Commission in determining and delimiting its general frame of reference. These basic documents led the Commission to the conclusion that, even with every technical and material facility for the thorough investigation which the circumstances required, its activities would inevitably have to be kept strictly within the limits of a legal and political frame of reference defined in advance. The Commission clearly had no authority to pursue the investigation beyond the limits laid down by the provisions of the Trusteeship Agreement, which conferred on the Administering Authority sole responsibility for legislative, administrative and judicial matters in the Territory of Ruanda-Urundi.

24. It noted in this connexion that article 5, paragraph 1, of the Trusteeship Agreement approved by the General Assembly on 13 December 1946 provides that the Administering Authority

"shall have full powers of legislation, administration and jurisdiction in the Territory of Ruanda-Urundi and shall administer it in accordance with Belgian law as an integral part of Belgian territory, subject to the provisions of the Charter and of this Agreement".

It also noted that resolution 1605 (XV), paragraph 3, recognizes that the Government of Belgium is alone responsible for the administration of the Trust Territory of Ruanda-Urundi.

25. As regards the organization of justice, there is nothing elsewhere in the Trusteeship Agreement, or in the provisions of the Charter, to limit the application of the aforesaid article 5, paragraph 1.

26. The position is, then, that the judicial examination and court proceedings in respect of a minor or major offence must be conducted in accordance with the laws enacted by the Administering Authority.

27. The Commission sees no need to discuss in detail the Code of Criminal Procedure applicable in Ruanda-Urundi. It would, however, draw attention to the dual system of jurisdiction—indigenous and non-indigenous—mentioned in the report on Ruanda-Urundi¹ by the United Nations Visiting Mission to Trust Territories in East Africa, 1957, of which Mr. Dorsinville was Chairman. Under that system, jurisdiction in criminal cases is vested in the Trusteeship Administration.

28. The Commission was also mindful of the fact that

¹ *Official Records of the Trusteeship Council, Twenty-first Session, Supplement No. 3, paras. 101-113.*

the principle of separation of powers, and of the consequential independence of the judiciary, had been endorsed both by the 1957 Visiting Mission and by the Trusteeship Council, which, at its twenty-first session, drew attention to "the wisdom of establishing a separate and independent judiciary".²

29. The Commission therefore considered that, although it had every facility for its operations, it should limit its field of action in accordance with the following principles: the Commission, in making its investigation, should take care not to interfere in any way with the course of justice, the legal proceedings should take their normal course, and the independence of the judiciary should be upheld. The Commission regarded these limitations as essential to respect for law and order, to the punishment of the guilty and to the maintenance of the safeguards to which all persons subject to the jurisdiction of the courts are entitled.

30. This was the closely defined political and legal framework within which the Commission had to carry out the Assembly's instructions.

III. FACTS AND CIRCUMSTANCES SURROUNDING THE PRIME MINISTER'S DEATH

31. This section contains an account of the facts and circumstances surrounding the murder of the Prime Minister of Burundi as revealed by the official statements made to the Commission.

A. STATEMENT OF FACTS AND INITIAL RESULTS OF INVESTIGATION ACCORDING TO INFORMATION RECEIVED FROM THE ADMINISTERING AUTHORITY

The facts

(1) At 11.10 p.m. on Friday, 13 October 1961, the authorities of the Territory were warned that an attack had been made on Louis Rwagasore, the Prime Minister of Burundi, while he was dining at the Tanganyika restaurant at Usumbura. Prince Rwagasore was the son of the Mwami Mwambutsa of Burundi.

While the *Parquet* was being notified of the facts, Dr. René Albert Van Bellinghen was called to attend the victim. He at once pronounced the Prime Minister dead. He found that death had been instantaneous; the victim had been hit by a bullet which, entering the neck at the level of the knot in the tie, had followed a horizontal path and emerged at the upper back. After initial examination, the victim's body was taken to Rhodain hospital at Usumbura for a thorough examination.

(2) The *Parquet* carried out initial investigations, made a list of those present at the occurrence, and took photographs. The victim, accompanied by six Burundi personalities—Mr. Muhirwa, now Prime Minister; Mr. Ntiruhwama, Minister of Social Affairs; Mr. Ngunsu, Minister of National Education; Mr. Nimbuna, Mr. Bugubugu and Mr. Léon Ndenzako—had taken a seat on the terrace outside the restaurant, to the right of the entrance. He had been sitting at one end of a long table, facing the terrace and the shrubbery in the garden, and there had been no one opposite him.

Several of the establishment's clientele, including the French Consul at Usumbura, had been behind the victim.

(3) In the course of the initial inquiries, a Belgian soldier in the Ordnance Service came forward and said he had witnessed certain events. He stated that, while

walking in the vicinity of the Tanganyika restaurant, he had noticed that a vehicle had halted on the minor road which circled the restaurant. The bonnet of the vehicle had been raised and there had been two persons standing nearby. As he passed them, he had noticed that no work was being done on the vehicle, and had thought it strange. He had seen three or four black people and one lighter-complexioned person in the vehicle. Not having been able to note the vehicle's registration number, he had intended to walk around the restaurant and come back to it unobtrusively, when he had heard a shot and seen the vehicle move off at a high speed.

He was able to give a description of the vehicle, which was immediately broadcast to all districts with orders to stop any vehicle conforming to that description, identify its occupants and inform the judicial authorities.

While this statement was being taken, a search was made for the fatal bullet, which was found under a tree in the restaurant garden. It consisted of the casing of a bullet from a 9.3 mm sporting rifle.

(4) At midday on Saturday, 14 October, some members of the judicial staff were flown to Kitega by helicopter to investigate the holders of 9.3 mm rifles and to seek certain information about the owners of station wagons. Instructions were also given to fly over Burundi in the hope of locating a vehicle answering the description given by the soldier who had testified at the Tanganyika restaurant.

(5) While the helicopter was in flight it was notified by radio that a light blue Ford station wagon was moving along the Ngozi-Kirundo road. The helicopter followed the vehicle to Kirundo. When it stopped, the helicopter landed and the occupants of the vehicle, Nicodème Kaja and Henri Ntakiyica, were placed under arrest. The vehicle was searched and a cartridge pouch full of 9.3 mm ammunition was found; it was learned that Kaja was the legal owner of a 9.3 mm sporting rifle, and he was asked what had become of his weapon. He replied that his rifle was on board another vehicle, which had been ahead of them and which had gone on towards Mukenke, in the Muhinga district. The helicopter took off again, while Kaja and Henri Ntakiyica were taken by road to Muhinga under arrest. The occupants of the helicopter noticed from the air a Mercedes travelling fast along the Kirundo-Mukenke road, but the ground was too uneven for them to land and stop the car. The helicopter therefore went ahead of the car and landed at Mukenke so as to stop the Mercedes as soon as it arrived there.

(6) The homes of various suspects at Mukenke were searched immediately but without result. At nightfall the suspect Mercedes was halted and its occupants identified. They were Mr. Ntindendereza, Mr. Biroli, Mr. Nsabimana and Mr. Nahimana. There were no weapons in the car and, since it was dark, the aforementioned persons were taken to Muhinga for questioning.

On Sunday morning Ntindendereza's house was searched, and with his co-operation Kaja's weapon, a 9.3 mm rifle, was found. It was then decided that all those under arrest should be taken to Usumbura for questioning. On account of the distance involved and some mechanical troubles, they did not reach Usumbura till 8 p.m.

(7) Questioning began immediately, and late that night some admissions were obtained according to which the murderer had been Jean Kageorgis, a Greek national. Kageorgis was arrested at 5.30 a.m. on Monday. A

² Official Records of the General Assembly, Thirteenth Session, Supplement No. 4, Vol. II, chap. II, para. 68.

search of his house brought to light several sporting and defensive weapons, including a 9.3 mm rifle and ammunition.

(8) After being questioned for several hours, Jean Kageorgis made a full confession.

The investigation

The information which follows is a reconstruction on the basis of verified or corroborated statements. However, it cannot be regarded as more than an account, still subject to correction, of what probably happened. This version of the facts emerging from various statements goes back to 20 September, two days after the elections in Burundi, and may be summarized as follows:

(1) On an unspecified date even earlier than 20 September, Ntindendereza, Biroli, Jean Ntakiyica and Bigirindavyi are said to have met at Kayanza and to have declared that "as long as Rwagasore was alive there would be no safety for them".

(2) On Wednesday, 20 September 1961, Jean Kageorgis dined at the Athénée restaurant, where he was joined by Archaniotis. Accompanied by the latter and by Nahimana and Bigirindavyi, Kageorgis went to the house of Biroli, who asked him, on his own behalf and on behalf of Ntindendereza and Iatrou, to kill Rwagasore. Biroli, Archaniotis and Kageorgis went on to Iatrou's house, where the proposal is said to have been repeated and where Kageorgis was promised, and accepted 1 million francs for killing Rwagasore. The discussion lasted twenty minutes. Iatrou is further said to have given Kageorgis to understand that, when the deed had been done, important German firms would move into the State and a job with good prospects would be open to him.

(3) On Thursday, 21 September, Archaniotis went to the shop La Mascotte, where Kageorgis worked, and asked him to call at Biroli's. He met Jean Ntakiyica there. The agreement on the previous evening's plan was confirmed.

(4) On Friday morning, 22 September, Biroli made a purchase at La Mascotte and saw Kageorgis, giving him an appointment for midday. Kageorgis kept the appointment, at which he met Jean Ntakiyica, Antoine Nahimana, Bigirindavyi, Biroli and Archaniotis. Biroli proposed that the plan should be put into effect at Kitega the same evening.

Kageorgis went to Biroli's at about 7 p.m. The journey to Kitega was made in two cars; Archaniotis drove Bigirindavyi and Nahimana in Ntindendereza's car, while Kageorgis, Biroli and a servant of Biroli's named Bitariho went with Jean Ntakiyica in his Mercedes. They left at about 7.30 p.m., arriving at Kitega between 10 and 10.30 p.m. after one of the cars had had a puncture at kilometre 61. The following weapons were carried: Kageorgis' rifle, a rifle belonging to Biroli, and three sub-machine guns belonging to Nahimana, Jean Ntakiyica and Bigirindavyi.

At 10.30 p.m. they all assembled at Ntindendereza's house at Kitega. Ntindendereza was dining at the residence of Mr. Gassou, the United Nations Commissioner. All the group except Kageorgis walked about Kitega looking for Rwagasore, but in vain. They all—this time including Kageorgis—then walked past the dwellings of Mr. Bamina and Mr. Ntiruhwama. There were some people at Bamina's, and the group walked there in order to put the plan into operation, but there was someone near the house and the party returned to the cars, where

Biroli and Jean Ntakiyica had stayed. Jean Ntakiyica, who was armed with a revolver, had threatened Biroli with it and forced him to stay in the car because he was in such an advanced state of intoxication that the worst might have happened—i.e., any women and children in Bamina's dwelling might have been wiped out.

After that abortive attempt they all returned to Ntindendereza's, first following a car which Rwagasore was thought to have entered. Ntindendereza is said to have suggested that another plan of action should be prepared, and the group, except for Biroli, Bigirindavyi and Ntindendereza, returned to Usumbura during the night.

(5) At about 3 p.m. on Saturday, 23 September, Iatrou came to the shop La Mascotte to question Kageorgis about the results of the trip to Kitega.

(6) On Monday morning, 25 September, Iatrou returned to the shop, called Kageorgis and suggested that he should ask his employer for time off in order to put the plan into operation.

Kageorgis secured his employer's permission to take leave from Tuesday, 26, to Friday, 29 September inclusive. As soon as he finished work he got ready to leave, took his luggage and his 9.3 mm rifle, and met Archaniotis at Jean Ntakiyica's at about 9.30 p.m. They left together for Kayanza, where Archaniotis was to point out to Kageorgis the dwellings of various people with whom he was to get in touch. They arrived about midnight at Bigirindavyi's where they found Biroli and Jean Ntakiyica. They then went on with Jean Ntakiyica to Nahimana's, where the trip to Kitega planned for next day was discussed. Archaniotis and Kageorgis stayed at Bigirindavyi's.

(7) At about 9.30 a.m. on Tuesday, 26 September, Kageorgis, Nahimana, Archaniotis and Jean Ntakiyica went in the latter's car to Baranyanka's. Archaniotis is said to have introduced Kageorgis as the man who was to shoot Rwagasore. Baranyanka is said to have approved and to have made certain promises. Archaniotis stayed at Kayanza to carry out maintenance on Baranyanka's cars, while the others left for Kitega. They reached Ntindendereza's house at about 2 p.m., but he was out; they then went on to Jean Ntakiyica's, where Kageorgis hid; this was because he was supposed to be spending his holiday hunting and did not want to be seen in that area. Having learned that Rwagasore would be at Usumbura, Jean Ntakiyica, Kageorgis and Nahimana, in Ntakiyica's car, and Henri Ntakiyica—who had arrived during the day with Kigoma—in another car left for Usumbura. At 9 p.m. they were at Biroli's house, but he was out. Kageorgis and Nahimana stayed there, while the two Ntakiyica brothers stayed at Jean Ntakiyica's.

(8) At 4 p.m. on Wednesday, 27 September, Ntakiyica, Nahimana, Kageorgis and Ntindendereza met at Biroli's, and Ntindendereza is said to have proposed an ambush on the Usumbura-Kitega road.

At 6 p.m. the Ntakiyica brothers, Nahimana and Kageorgis set off in Jean Ntakiyica's Mercedes, taking Kageorgis' rifle and Jean Ntakiyica's and Nahimana's sub-machine guns. Each had his part to play in the ambush; the plan was to stop Rwagasore's car, which was to pass the spot during the evening.

At 10 p.m., not having seen Rwagasore coming, they decided to go to Kitega. They returned to the site of the ambush during the night; then, after giving chase to a they returned to Ntindendereza's, where there were a vehicle in which they thought they had seen Rwagasore,

servant and Jean Ntakiyica, who had not taken part in the second expedition. They slept at Ntindendereza's.

(9) On Thursday, 28 September, Biroli came to inquire what had happened since they had left Kayanza on 26 September; then he went off to look for Rwagasore. The others did the same except for Kageorgis, who stayed in hiding. At about 9 p.m. Biroli ordered Kageorgis, Nahimana and Henri Ntakiyica to leave and carry on the search, either in the Kitega club, or at Ntiruhwama's, or at Bamina's. They left in a Peugeot with its licence plate plastered with mud, taking with them Kageorgis' 9.3 mm rifle and two sub-machine guns. They were unsuccessful at Ntiruhwama's or Bamina's but saw Rwagasore at the club, and Nahimana and Henri Ntakiyica went inside. When they returned, Henri Ntakiyica showed Kageorgis a window from which he could fire at Rwagasore, but Kageorgis went to reconnoitre the spot and found that there were too many people on the premises. After some discussion they returned to Ntindendereza's, where they found Biroli and Jean Ntakiyica. Biroli said that they would have to await a favourable opportunity but that, come what might, the business must be over and done with as soon as possible. During the night they left for Kayanza, where Kageorgis took over his own car; he went back to Usumbura with Henri Ntakiyica and two unknown young men.

(10) On Friday, 29 September, Kageorgis returned home and rested.

(11) On Monday, 2 October, Iatrou came to the shop La Mascotte and asked Kageorgis why matters were taking so long.

Nothing specific happened until Saturday, 7 October, when Iatrou came to buy two packets of pepper and took the opportunity of asking Kageorgis how matters were going. He arranged to meet him the following day.

(12) On Sunday, 8 October, Iatrou went to Kageorgis' and urged that there should be no more delay, reminding him of the million francs and the promised post in a German firm. Kageorgis said that he was waiting for the right moment.

Nothing happened from 9 to 11 October.

(13) On Thursday, 12 October, Iatrou went to La Mascotte and invited Kageorgis to come and see him that evening. As soon as Kageorgis reached home, at about 7 p.m., a car driven by Archanotis arrived to take him to Iatrou's. In Iatrou's living-room Kageorgis met, in addition to Iatrou himself, Ntindendereza and Nahimana. Ntindendereza is said to have fixed 15 October as the time-limit for the execution of the scheme, but to have given no reason for doing so. Iatrou complained at this meeting that Biroli was drinking far too heavily, and Ntindendereza admitted this. At about 8.30 p.m., without Iatrou, they went to Biroli's.

(14) On Friday, 13 October, Kageorgis went to Biroli's in his own car at about 7 p.m. There he found Ntindendereza, Biroli, Nsabimana, Kaja, Nahimana, Kigoma and Jean Ntakiyica. Ntindendereza took Kageorgis aside and told him that Rwagasore was at Usumbura. Kageorgis felt that, in that case, they should try to put the plan into operation. At that moment Henri Ntakiyica arrived at Biroli's in the Ford station wagon, which belonged to the Parti démocrate chrétien (PDC).

Jean Ntakiyica proposed that they should use this vehicle to go and see where Rwagasore was, because Kageorgis' car was in poor condition. They arranged

to meet at Biroli's at 9 p.m. Kageorgis left in his car and dropped Nsabimana and Jean Ntakiyica at the latter's house. At 9 p.m. he called at Biroli's where no one but Nsabimana (and perhaps Biroli) was left. He went in search of the others, and at Jean Ntakiyica's found the Ntakiyica brothers, Nahimana and Bigirindavyi; the Ford station wagon was also there.

They left in the station wagon with Henri Ntakiyica driving, taking with them a 9 mm rifle belonging to Biroli and Nahimana's sub-machine gun. They followed a car to the Bon Accueil restaurant, then towards Lake Tanganyika. They returned to Ntakiyica's and left again in Kageorgis' car, this time without Henri Ntakiyica and Bigirindavyi. Kageorgis went to the Tanganyika restaurant, parked his car in front of the entrance and left Nahimana and Jean Ntakiyica there. He went into the restaurant alone, saw Rwagasore and had a drink at the bar, staying no more than ten minutes. He went home for his rifle and two rounds of 9.3 mm ammunition. He called back at Jean Ntakiyica's and put his weapon in the Ford station wagon, which also contained Biroli's rifle and Nahimana's sub-machine gun.

They went in the station wagon to the Tanganyika restaurant and stopped behind the building. Kageorgis went to reconnoitre with Nahimana; they found that Rwagasore was dining. The Ntakiyica brothers stayed in the car. At that moment Jean Kigoma drove up in Jean Ntakiyica's car and asked what was happening; he was told to clear off. The Ntakiyica brothers insisted that it was time to finish the job.

Kageorgis took his rifle and Nahimana his sub-machine gun, and they went to take up positions in the restaurant garden. When some waiters came outside and seemed to be having a conversation, they returned to the car. They then went back to their observation-point; Kageorgis, with Nahimana's encouragement, calmly took aim and fired. They fled at once, entered the car, moved off at high speed in the direction of the Astrida road, and had a breakdown at kilometre 25. They were able to restart the car on a slight incline, but it broke down again.

(15) A car came along and was stopped by Kageorgis, who asked the driver to take him to Usumbura. The car belonged to the Mwami Mwambutsa, Rwagasore's father, and the driver was the Mwami himself.

The Mwami dropped Kageorgis at the Stavros restaurant; Kigoma, Ntindendereza and Bigirindavyi were there. Kageorgis went to the bar and had a drink, then left, followed by the others; he told them what had taken place, and that they had run out of petrol on the Astrida road. They went for petrol with which to restart the station wagon that had been left on the road, then brought the vehicle, which was running again, back to town.

Kageorgis then returned to his home after fetching his own car.

B. POSITION OF THE GOVERNMENT OF BURUNDI, AS EXPLAINED AT THE DISCUSSION WHICH THE COMMISSIONER HAD WITH MR. ANDRÉ MUHIRWA, PRIME MINISTER OF BURUNDI, MR. THADDÉE SIRUYUYUMUNSI, PRESIDENT OF THE LEGISLATIVE ASSEMBLY, AND MR. CLAVER NUWINKWARE, MINISTER OF JUSTICE, ON 1 NOVEMBER 1961.

(1) The Prime Minister considered that the Administration had done nothing to avert the incident despite the wealth of information in its possession with regard

to the plot that had been hatched. After the assassination, the Administration had acted quickly to trace the Prime Minister's assailant, but had unfortunately confined its investigation to certain persons whose part in the murder had been direct and who, furthermore, belonged to a particular family. In the Prime Minister's opinion, the investigation in hand should not be limited to a specific family, for the murder had not been a purely family affair but part of a political scheme which should be fully brought to light.

(2) In the Prime Minister's opinion, the main justification for the presumption of complicity by the Administration was the fact that those who, in his view, were behind the plot had not been arrested. In that connexion he mentioned Chief Baranyanka, who was said to have promised the murderer money and whose name was said to have been mentioned several times during the questioning. Mr. Muhirwa added that, in that connexion, the Administration claimed not to have sufficient evidence on which to arrest Mr. Baranyanka, and that it was pleading reasons of public interest which were really no more than pretexts.

(3) The Prime Minister's own view was that the real reasons, far from being those adduced by the Administration, were of a political nature, and that the Resident-General's complicity in the matter was sufficient explanation. In reply to a question, Mr. Muhirwa explained that that complicity lay in the fact that Chief Baranyanka had not been arrested and that the Resident-General was in touch with those who had been arrested and who appeared to be receiving privileged treatment. As to the possibility of direct collusion between Belgian nationals and the murderers, reference could be made to the fact that in the course of a conversation some Belgians were said to have stated that people who were "nuisances" must be got rid of; it should be added, however, that in the course of the same discussion other Belgians were said to have expressed the opinion that when a political party had been victorious in an election it should be allowed to keep what it had won.

(4) The President of the Legislative Assembly, for his part, corroborated the views expressed by the Prime Minister but drew the Commission's attention to the dangerous situation which had prevailed since the murder. He expressed concern at certain rumours to the effect that the weapons which the Administering Authority had just ordered seized on security grounds would be placed at the disposal of agents of the Parti du mouvement de l'émancipation hutu (PARMEHUTU), who would send them to Rwanda. He added, in reply to a question, that he could refer to no specific facts in that connexion, as the seizure of weapons had begun only three days previously.

(5) According to the Minister of Justice, the circumstances leading to the murder could ultimately be traced back to the Administration's sedulously pursued policy of support for the Front commun. In his view, the guilty should be classified in three categories: the actual perpetrators, the instigators and the organizers. Mr. Nuwinkware felt that the action taken by the Administration after the incident had affected only the first two categories. The investigation had begun well but had not been followed up in the right direction, i.e., so as to unmask those who were really behind the plot. It was known, for instance, that the murderer had been promised one million Belgian francs in blood-money. Such a sum obviously could not have come from an indigenous inhabitant; furthermore, even if an indigenous inhabitant

had a sum of that size, he would never think of using it for such a purpose or under such conditions. In an attempt to remedy the defects in the current judicial investigation, he had asked the *Procureur du Roi* to permit a representative of the Government and of the Legislative Assembly to take part in those proceedings.

(6) Lastly, the Minister of Justice mentioned some officials of the Administration and certain Belgian nationals who, in his view, should be questioned. In particular, he named Mr. Cimpaye, the former Prime Minister's adviser and permanent secretary, who was said to have resigned and to have left the Territory on 16 October 1961, and a certain Mrs. Belva, who was said to have resigned from her post in the Ministry of the Interior some ten days previously.³

IV. VARIOUS OPINIONS COLLECTED IN BURUNDI

32. During its stay at Usumbura and in addition to frequent contact with the members of the Administering Authority and of the Government of Burundi, the Commission had discussions with various personalities such as the Mwami Mwambutsa—Prince Rwagasore's father—the deceased Prince's mother and other members of his family. It also received various members of the previous Government, including the former Prime Minister, and heard the views of private individuals.

33. From these discussions with a wide range of persons representative of public life in Burundi, and from the statements made by the Government leaders of Burundi, the following main trends of opinion may be said to emerge:

(a) That the crime was the result of a political plot involving several assassinations. The Prime Minister's murderer, according to this view, had been a mere tool. The plot is held to have been organized by members of the Front commun and, more especially, of the Parti démocrate chrétien (PDC) which had been overwhelmingly defeated at the elections of 18 September by Unité et progrès national (UPRONA), another political party led by Prince Rwagasore. The ultimate aim of the plot was to create disturbances throughout the country, so as to give the Front commun the upper hand while UPRONA, the party in power, would fall into discredit and anarchy.

(b) That the murder was merely one more episode in a long series of crimes marking the course of the age-old rivalry between two opposing clans competing for power in Burundi. The Mwami Mwambutsa, Prince Rwagasore's father, was the head of one of the two clans; some of those arrested were leading members of the other family, which was led by Chief Baranyanka.

(c) That the crime was due to a combination of motives, some political, others of a family or personal nature, and including the mere settlement of old scores.

34. In addition the Commission received from various indigenous personalities, and from several other persons of different ethnic backgrounds, complaints and observations to the effect that: first, the man they regarded as the main instigator of the crime had not yet been arrested; secondly, the prisoners should be guarded by Belgian parachutists, not by the territorial police, some of whom were claimed to be acting as their go-betweens with the outside world; and thirdly, that the prisoners appeared to be enjoying privileged treatment. Lastly, according to the same sources, there had been delay in

³ See annex XVIII.

adopting effective measures to ensure the Mwami's safety notwithstanding the instructions sent from Brussels the day after the incident.

35. According to the same informants, all the circumstances pointed to bias on the part of the Trusteeship Administration, especially the Resident-General.

36. The Commission feels bound to state that it heard no complaints from any one regarding the regularity of the procedure followed by the judicial authority in charge of the case.

37. This report was adopted unanimously by the Commission on 11 November 1961.

(Signed) Max H. DORSINVILLE

Chairman

Ernest GASSOU

Commissioner

Majid RAHNEMA

Commissioner

United Nations Commission for Ruanda-Urundi

ANNEX I

SUMMARIES OF AND RELEVANT EXTRACTS FROM DOCUMENTS SUBMITTED TO THE COMMISSION AND ANNEXED HERETO

In the course of its work the Commission received various documents, the text of which is reproduced as annexes. Interesting though they are, these documents sometimes deal with a variety of subjects; it has therefore been deemed useful to compile a summary of the passages which, directly or indirectly, relate to the Commission's terms of reference.

(a) To begin with, the Chairman of the Commission received from Mr. Thaddée Siryuyumusi an explanatory note concerning the case of Prince Louis Rwagasore, Prime Minister of the Government of Burundi (annex II). At the end of his note Mr. Siryuyumusi lists the following conclusions:

"The Resident-General is clearly implicated in the Rwagasore case on account of:

- "(1) His very close relations with the murderers;
- "(2) His refusal to give orders for the arrest of the persons thought to be guilty;
- "(3) His manifest hatred of the victim;
- "(4) His real intention of making Burundi republican in order to facilitate its union with Rwanda."

He concludes by asking for strong action to be taken against the Resident-General.

(b) In a communication sent from Usumbura, dated 30 October 1961 and addressed to the *Procureur du Roi* (annex III), a copy of which was addressed to Mr. Dorsinville, the President of the Legislative Assembly writes:

"It is the wish of the bereaved people, in their indignation, that the criminals guilty of high treason should receive the same treatment as ordinary prisoners or even more severe treatment".

He then goes on to explain the reasons which lead him to the following conclusion:

"The Parliament of Burundi, conscious of its duties, invites the Authorities and the Judiciary to show greater dynamism and dignity in the conduct and conclusion of the inquiries into this political assassination.

"The Parliament of Burundi unreservedly requests that:

"1. The criminals should be detained in a safe place, guarded by police officers and men known to the Government and to Parliament;

"2. All persons who have participated in any way whatever in the conception and organization of the plot should be held in custody pending trial.

"This applies to:

"(a) The signatories of any document relating to the aforesaid political plot;

"(b) The originators of the iniquitous idea;

"(c) The persons who financed and assisted in the crime;

"(d) The persons who, on the occasion of the crime, showed great joy and relief after the assassination.

"In brief, the Parliament of Burundi demands action that would reach not only the perpetrators of the crime but also, and above all, the root of the evil, the entire revolutionary organization.

"Furthermore, it requests that a commission consisting of the Minister of Justice and two Members of Parliament should participate in the inquiries and the interrogation of the persons in the various categories enumerated above."

(c) On 2 November 1961, the President of the Legislative Assembly of Burundi transmitted to the Commission the text of a report dated 28 October 1961 submitted by the Security Commission to the Legislative Assembly of Burundi" (annex IV).

This report states that the Commission responsible for compiling it was established for the double purpose of helping the Government in obtaining information likely to lead to the identification of the principals and accomplices implicated in the assassination of the Prime Minister, and of submitting to the Government measures to be adopted with a view to restoring and maintaining public security. In the introductory part, the Security Commission speaks of certain groups of Burundi in the Front commun and of foreign mercenaries said to have begun to organize plots against members of the party in power, even within the royal family itself. While noting with satisfaction the arrests already made by the Administering Authority, it expresses surprise at the fact that certain suspects have not been apprehended. It welcomes the arrival of the United Nations Commission and hopes that Belgium and the United Nations will be able to co-operate in bringing the investigation to a successful conclusion.

In the first chapter, dealing with the political nature of the assassination of the Prince, the Security Commission says that it considers that the idea that this murder could be traced to clan rivalry is unfounded and that in point of fact the purpose of the attack was to undermine the monarchy.

In the second chapter, the Security Commission proposes certain measures: arrest of suspects; confiscation of firearms; strict enforcement of the ban placed by the Resident of Burundi on the carrying of local weapons by any Murundi; close and sincere co-operation between the Government and the Administering Authority with a view to the arrest and punishment of the offenders; regulation of the protocol and security arrangements for the Mwami, who should be under the protection of a mixed guard composed of Burundi and Belgians; establishment, for the same reason, of a guard for the protection of Ministers and deputies; various measures against political refugees, without any distinction based on race, who may have taken part in the assassination or sought to stir up troubles. Lastly, with regard to the punishment of the persons guilty of the murder, the Security Commission requests that the Burundi people alone, through their Parliament, should have the right to determine the nature of the sentence and it urges that in the meantime the prisoners should be detained under rigorous conditions. The Commission concludes by pointing out that the unity of the leaders, the confidence of the Burundi people and the co-operation of the Administering Authority are the three criteria on which justice will be based. It adds, however, that from the outset of the ideological struggle between opposing parties, the Administering Authority had been kept informed of the strange way in which certain members of the Front commun possessed and brandished firearms.

(d) In a supplementary note to the previous report submitted by the Security Commission, and transmitted to the United Nations Commission by the President of the Legislative Assembly (annex V), the Chairman of the Security Commission of this Assembly reports a conversation which he apparently overheard in Brussels on 19 September between

Belgian officials, including Mr. de Fays, a former Deputy Resident of Burundi, and Mr. Ntakiyica, whose brothers are accused of having been implicated in the murder of Prince Rwagasore. Mr. de Fays is reported to have expressed, in strong terms, his disappointment at the announcement of the result of the elections, which he described as "faked", and to have replied to Mr. Ntakiyica, who spoke of forming an underground of Front commun members, that in Burundi situations could easily be reversed.

(e) Also annexed to this report is a letter dated 1 November 1961 from the Vice-Chairman of the Parti démocrate chrétien (PDC) addressed to the Commission for transmission to the General Assembly (annex VI). After complaining that the PDC had been given unfair treatment both during and after the elections and that in some provinces its members had been the victims of violent acts of repression, the perpetrators of which had been left undisturbed, the letter states that the murder of Prince Rwagasore and its consequences should be examined in that light.

Indeed, it would seem that the arrests already made have given the investigation the appearance of a campaign of repression against a certain viewpoint, thereby eliminating all possibility of the existence of an Opposition party. Both for the defendants, who will still, in the eyes of the public, bear the stigma of their imprisonment even if they are released or acquitted, and for the country itself, which is now deprived of the necessary balance among parties, the danger is great. The PDC therefore appeals to the United Nations not to let Burundi sink into utter degradation.

ANNEX II

EXPLANATORY NOTE DATED 28 OCTOBER 1961 CONCERNING THE CASE OF PRINCE LOUIS RWAGASORE, PRIME MINISTER OF THE GOVERNMENT OF BURUNDI, FROM THE PRESIDENT OF THE LEGISLATIVE ASSEMBLY, ADDRESSED TO MR. MAX H. DORSINVILLE

The tragic loss of Prince Rwagasore, the Prime Minister, has plunged the whole of Burundi into a state of indescribable mourning. This mourning fills the hearts of the Burundi with unspeakable anguish. The death of the Prince was not an unpremeditated thing but was the result of a carefully thought-out and well executed plot. The following facts will enable you to understand the facts of this tragedy:

1. Prince Louis Rwagasore, being just, dynamic and tenacious, became very popular, and when political parties began to emerge in Burundi he was hated by his political adversaries, both indigenous and European.

2. The political parties which were promoted and financed by the Resident-General strove constantly to destroy first him and then his party. The way of life enjoyed by Mr. Mbuziyonja, Mr. Matuturu, Mr. Harimenshi, Mr. Burigusa, Mr. Cimpaye, Mr. Ruburisoni, Mr. Ntwenga, Mr. Burarame, Mr. Biri-hanyuma, Mr. Nduwabike, etc. affords adequate proof of financing by a very powerful agency and it is generally recognized that it was Mr. Harroy, the Resident-General.

3. The Resident-General always showed that he favoured the Parti démocrate chrétien. He financed it on several occasions, protected it and has supported it to this day (the reports to the United Nations contain detailed information on this subject: see the statements by Mr. Siryuyumunsi and Mr. Nirikana Bernard).

4. The Resident-General ordered the arrest of Prince Rwagasore and had him placed under house arrest at Bururi in spite of the protests of the inhabitants (both European and black).

5. The Resident-General and his Front commun removed Prince Rwagasore from the political scene in order to keep his party in check.

6. The Resident-General always thwarted Mr. Rwagasore in any action which he sought to take and in his journeys throughout the country. The incident at Ruyigi, where parachutists threatened to fire on him if he did not leave within five minutes, is one example of this.

7. The Resident-General prohibited the carrying of local weapons but did not prohibit the carrying of firearms, for the good reason that those who possessed them were his collaborators.

8. The harsh emergency measures affected the members of UPRONA, whereas the Front commun was afforded special protection.

9. In spite of the urgent demands of the Parliament and Government of Burundi, the Resident-General has taken no steps to arrest the chief authors of the crime and has only arrested ordinary mercenaries. It is, however, public knowledge that Mr. Nigane, Mr. Baranyanka, Mr. Bigayimpunzi, Mr. Kiyuku and Mr. Biha are the real authors of the crime, yet the Administrator leaves them at liberty, which implies that they have some task to perform.

10. The above statement will cause no surprise since it is known that Mr. Dag Hammarskjöld, the late Secretary-General, Mr. Lumumba and Mutara Rudahirwa, King of Rwanda, were the victims of the dastardly policy of the Belgians (Kigeri).

11. Numbers of Banyarwanda are invading Burundi under the pretence of being refugees, but everyone knows that the Administering Authority is instrumental in this, the object being to put the country to fire and sword.

12. The Resident-General rejoices at these catastrophic murders in Rwanda and would be only too pleased to get rid of one of his principal adversaries in Burundi. The idea of exterminating the royal family, beginning with Prince Rwagasore, followed by the King and his son Charles, and then killing the main pillars of the country such as Monseigneur Ntuyahaga, the Abbé Makuta, the Ministers Mr. Muhirwa and Mr. Ntiruhwama, and Mr. Siryuyumunsi, the President of the Legislative Assembly, can only be inspired by colonialism.

13. It is an undeniable fact that the existing lawful Government is encountering more obstruction on the part of the Administering Authority than did the provisional Government set up following the unfair elections; an example is the refusal to allow it offices and dwellings at Usumbura, where the Government decided to establish itself.

From the foregoing, the following conclusion is reached: the Resident-General is clearly implicated in the Rwagasore case on account of:

- (1) His very close relations with the murderers;
- (2) His refusal to give orders for the arrest of the persons thought to be guilty;
- (3) His manifest hatred of the victim;
- (4) His real intention of making Burundi republican in order to facilitate its union with Ruanda.

In short, strong action must be taken against the Resident-General if Burundi is not to become the enemy of Belgium despite its wisdom and patience and the cowardly assassination of its conqueror at Usumbura on 13 October 1961.

We appeal to the United Nations, which has the ultimate authority, to relieve our distress, or, failing that, to grant us immediate independence.

On behalf of the Parliament,

(Signed) Thaddée SIRUYUMUNSI
President of the Legislative Assembly

ANNEX III

COMMUNICATION DATED 30 OCTOBER 1961 FROM THE LEGISLATIVE ASSEMBLY OF BURUNDI CONCERNING THE POLITICAL SITUATION IN BURUNDI

It has been repeatedly observed by Members of Parliament themselves and by the general public that the murderers of H.R.H. Prince Louis Rwagasore, the Prime Minister of Burundi, are enjoying privileges which should not be allowed and which are completely at variance with the procedure laid down for such cases.

It should be borne in mind that the victims was:

1. A son of the State;
2. A great political leader of Burundi of international repute;
3. The Prime Minister who formed the first autonomous Government of Burundi;
4. A man who, over and above the aforementioned qualities, was a Prince of Burundi and the son of H.M. King Mwambutsa.

For these reasons it is the wish of the bereaved people, in their indignation, that the criminals guilty of high treason should receive the same treatment as ordinary prisoners or even more severe treatment.

Parliament notes with indignation that murderers are treated better than those who contravene traffic regulations. For we have learnt from reliable sources that at the time of the Cendajuru incidents the suspects, and in particular the local burgomaster, were subjected to appalling treatment from the moment they were taken into custody, the burgomaster even being placed in a barrel of brine where he spent two nights with no means of sustenance other than that beverage. This is only one example out of a thousand.

In their anguish the Burundi people turn their eyes towards a fairer system of procedure and are perpetually clamouring for the names of those who have already been arrested to be announced over the radio. The persons presumed to be the principals, accessories and accomplices, and those who have shown any kind of rejoicing—in other words those who celebrated and continue to celebrate the death of our lamented Minister—must be apprehended without delay. It was in this connexion that a few days ago a joint Parliamentary and Government delegation was received in audience by the Resident-General to discuss some very important questions such as the disarming of all persons except members of the armed forces, etc. It is beyond all doubt that among the owners of firearms there are persons who took part in the plot and who, long before the terrible drama we have witnessed, had conspired to draw up a programme of arson and murder.

Only a heart rent asunder by the infamous plundering of its life-giving element, of its moving force, can fail to resort to action more specific than that of claiming its minimum rights.

Imbued with feelings of justice, yet without wishing to make a legal dissertation, this heart cannot fail to appeal to the apparatus of human justice. And . . . this does not seem to us to be anything more than a simple legitimate appeal. Looking at this case as a whole, the members of the Burundi Parliament are of the opinion that there can be no remedy and no other system except the application of the system of imprisonment on suspicion which can both calm the minds and allay all suspicions. For it is only natural that in a situation in which attacks on and murders of innocent persons are almost as common as in Rwanda, the confidence which the Burundi have had and still have in the Administering Authority will disappear before long.

To illustrate this statement, let us give some specific examples:

I. District of Kitega

At midnight on 5 October 1961, the house in which the President of the Legislative Assembly of Burundi resided was set on fire with petrol, together with the outhouses. During the same night the house of former Sub-Chief Matenga was also set on fire; that of his elder brother, former Sub-Chief Louis Karani, now a deputy, could not be reached because the path was impassable. The group of incendiaries had received instructions from Mr. Emmanuel Nigane, President of the Union des parties populaires (UPP) and former Minister of Social Affairs, who placed his private car at the disposal of the criminals. All the defendants in this case have confessed (cf. *Parquet* at Kitega). The funds for carrying out the programme are administered by Mr. Eleuther Harimenshi, the Provincial Secretary.

To the best of our knowledge the latter could not have such sums entrusted to him without the authorities being privy to the matter.

2. Same district—Province of Karuzi

Several huts were set on fire at night. The victims cannot complain because at the meetings at which this arson is organized, which are usually held in the small hours, the provincial authorities do not hesitate to state that they have received instructions from their superiors.

3. District of Muhinga

Especially in the Province of Kirundo, where the incendiaries are protected by the provincial police during their operations.

4. District of Ngozi—Province of Kayanza

Case of Bernard Niyirikana, a deputy: A letter dated 17 September 1961 describes the arbitrary acts perpetrated against the person and property of Mr. Bernard Niyirikana by Mr. Biroli and Mr. Yebeza, the burgomaster of Kayanza. The acts were committed between 14 and 17 September 1961. These gentlemen, with the aid of Baganzicaha Paul Ntakiyica, organized a murderous gang of 75 Bahutu and 300 pygmies hired by Mr. Pierre Baranyanka for the same purpose.

In the same circumstances, place and time, Biroli and Yebeza fraudulently purloined from Mr. Niyirikana: two woollen suits, one typewriter, three briefcases, some UPRONA membership cards and 10,000 francs in cash. The car in which Mr. Niyirikana was driving was twice attacked by the same gentlemen, who did not however succeed in stopping it; the car was damaged and objects inside it were stolen. Mr. Niyirikana has filed a complaint but so far there has been no action on it.

On the 15th of this month, after the death of the Prince, festivities were organized in the commune of Kabarore by Mr. Pierre Baranyanka. There were also rejoicings in other places, in which Yebeza, the burgomaster of Kayanza, took part. Both of them made statements hurling defiance at the members of the winning party. All these events took place with the assistance of Mr. Jean Nitawe, of the communal police, the Administrator of the Province of Kayanza.

Mr. Niyirikana cannot set foot on his land without courting death.

On 11 September 1961, Mr. Valentin Bankumuhari, Mr. Jean Ndariganiwe and Mr. Côme Bucumi were attacked by Mr. Joseph Biroli, Mr. Antoine Nahimana, Mr. Pie Rurimwindomyi, secretary of the Province of Kayanza, and Mr. Misigaro, the burgomaster of Buriza. They were threatened and forced to turn back although the electoral campaign had been in progress for several days.

A complaint was filed on the same day with Mr. Cabin, the Administrator of the District of Kayanza, but no proceedings have so far been instituted. Mr. Nahimana, armed with a revolver, pursued Mr. Bankumuhari's car but Mr. Bankumuhari managed to escape thanks to the speed and performance of his vehicle.

Considering the sad circumstances in the State of Burundi as a result of the death of Prince Louis Rwagasore, the Prime Minister, who was cruelly assassinated by an entire group of his political opponents, who were most probably supported and financed,

Considering the grief of the Burundi people and the serious threats to His Majesty King Mwambutsa, the royal family, the Ministers, the Members of Parliament and all the collaborators and friends of H.E. the late Prince Rwagasore,

Considering the facts, the acts committed and the documents which prove the guilt of the principals and accessories and of their allies who are under grave suspicion,

The Parliament of Burundi, conscious of its duties, invites the Authorities and the Judiciary to show greater dynamism and dignity in the conduct and conclusion of the inquiries into this political assassination.

The Parliament of Burundi unreservedly requests that:

1. The criminals should be detained in a safe place, guarded by police officers and men known to the Government and to Parliament;

2. All persons who have participated in any way whatever in the conception and organization of the plot should be held in custody pending trial.

This applies to:

(a) The signatories of any document relating to the aforesaid political plot;

(b) The originators of the iniquitous idea;

(c) The persons who financed and assisted in the crime;

(d) The persons who, on the occasion of the crime, showed great joy and relief after the assassination.

In brief, the Parliament of Burundi demands action that would reach not only the perpetrators of the crime but also, and above all, the root of the evil, the entire revolutionary organization.

Furthermore, it requests that a commission consisting of the Minister of Justice and two Members of Parliament should participate in the inquiries and the interrogation of the persons in the various categories enumerated above.

On behalf of the Parliament,

(Signed) Thaddée SIRUYUMUNSI

President of the Legislative Assembly

ANNEX IV

REPORT DATED 28 OCTOBER 1961 SUBMITTED BY THE SECURITY COMMISSION TO THE LEGISLATIVE ASSEMBLY OF BURUNDI ON 28 OCTOBER 1961^a

In view of the political situation in Burundi, marked by the tragic death of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi, the Legislative Assembly of Burundi found it necessary, on 15 October 1961, to set up a commission, known as the Security Commission, to prepare a comprehensive plan and study measures for the solution of national problems. The objectives of this Commission are set out in detail below.

The Commission was established with a double purpose:

1. To help the Government of Burundi to obtain information leading to the identification of those implicated in the assassination of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi, whether as principals, accessories or accomplices;

2. As a study group, to submit to the Government of Burundi through the Legislative Assembly of Burundi the measures it considered should be adopted with a view to restoring and maintaining peace and public security and order, such measures being the only possible means of maintaining or restoring calm and upholding authority in the country.

The Security Commission, after making a painstaking study and careful inquiry into the background of political developments in Burundi and their past, present and future repercussions, and recognizing the urgency of the matter before it, decided to submit certain of its findings to the Legislative Assembly of Burundi for the sole purpose of informing and guiding the Government in its national policy.

It is in fact a matter for the Legislative Assembly of Burundi that certain groups of Burundi in the Front commun and foreign mercenaries, really forming an underground movement, have begun either by direct action or through intermediaries to set fire to dwellings and to organize plots against members of the party in power, even within the royal family itself. Instances of murder and arson, particularly in the Ngozi, Muhinga and Kitega Districts provide unquestionable evidence that a gang of criminals is seeking to spread panic and bloodshed in the State.

^a The text of this report was transmitted to the United Nations Commission on 2 November 1961 by the President of the Legislative Assembly of Burundi.

The Security Commission is aware of the danger which Burundi will face unless drastic measures are adopted to check this clandestine activity. The tragic death of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi, and the attempted assassination of the President of the Legislative Assembly of Burundi at Kitega constitute cogent evidence and should in themselves suffice to lead the Administering Authority to consider the adoption of firm, energetic and prompt measures with a view to the arrest of all suspects.

The Security Commission is gratified to note that the Administering Authority has already arrested the persons responsible for the assassination of Prince Louis Rwagasore and expresses the hope that the machinery of justice may continue to operate as effectively, or even more effectively, which would give great satisfaction to the Burundi people.

The Security Commission is following with close attention the methods applied and notes that while some persons guilty of political and criminal offences have been arrested, there are other persons suspected of playing a part in the assassination or of organizing disturbances in the country who are still at liberty and that no measure involving deprivation of freedom has so far been taken against them, despite the repeated representations of the legitimate, lawful authorities of Burundi.

The Security Commission did not remain indifferent and inactive on the arrival of the United Nations Commission to investigate the assassination of our Prime Minister. It believes and hopes that Belgium and the United Nations will, as they have already shown that they can, co-operate to bring the investigation to a successful conclusion.

The Security Commission, noting that a number of rumours and statements are being circulated which have no foundation in fact, wishes through the Legislative Assembly of Burundi to enlighten both Burundi and foreigners regarding the political nature of the assassination of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi.

The Commission considered it essential to state its opinions and conclusions on these various points in view of their important bearing on any national solution.

The Commission's investigations and conclusions call for a preliminary statement on the political situation, having regard to the decisive part played by the development of the ideological struggle between opposing parties.

1. *The political nature of the assassination of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi*

The late Prince, who was tireless in his efforts for the national cause, always deplored the struggle between the rival Batare and Bezi families. The Security Commission draws attention to the fact that Prince Rwagasore was neither *Mwazi* nor *Mutare*. For him Murundi customary law was the sole criterion. The wild rumours which are being circulated, according to which the death of our esteemed and lamented Prime Minister can be traced to clan rivalry, are unfounded and are a slur on the honour of the late Prince. The Burundi who uphold this erroneous view, which is being methodically circulated, are in many cases persons who are seeking to evade justice or who are seriously lacking in national spirit and national responsibility.

The Security Commission draws attention to the fact that the course of political events in Burundi has provided and will provide evidence which should be reviewed, as pointed out above.

For approximately two years the political parties have been engaged in heated discussions in an effort to find a better solution for the political future of Burundi. As a result of those discussions, which were concluded by free and secret legislative elections with universal suffrage for adult Burundi, the UPRONA party succeeded in entering the political arena.

UPRONA has its objective, "Unity and National Progress of Burundi", graven in the heart of each of its members. Its consciousness of its primary duty, which is to build up Burundi in co-operation with the Belgian Administration, not in blood-

shed and insecurity, but in peace and order in the interest of all the inhabitants of the country, has enabled it to overcome its shortcomings and its pride.

The Security Commission hopes that the Opposition will excuse certain passages which may perhaps have a partisan slant, but the political situation necessitates a reference to certain facts, certain political features. If these were omitted, the Security Commission would find it virtually impossible to submit a realistic, accurate and judicious report.

The Security Commission therefore urges the Legislative Assembly categorically to condemn all the crimes which have been committed and likewise to repudiate all incitement to bloodshed and arson in which certain members of the Front commun still dare to engage, thereby dishonouring their respective political parties.

Thus, the political nature of the assassination of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi, has affected all the institutions of the State. It was an attempt against the monarchy itself, for the Prime Minister was not only a political leader and son of the Mwami, but also a major obstacle to the enemies of the monarchy. To do away with the son was the best means of attaining the objective of eliminating the Mwami, thereby undermining the very institution of the monarchy.

The Government of Burundi has lost the leader of its team. The Parliament has lost its right arm in the struggle for freedom, as the Legislative Assembly was composed almost exclusively of a homogeneous group of members of the party supported by the late Prime Minister.

The Security Commission will be guided by the view that its sole criterion, purpose and function is to assemble the essential data for an impartial and adequately documented report.

Hence, with a view to remedying the extremely critical situation, the Security Commission will endorse certain formulae and will propose certain measures to the Legislative Assembly for adoption or consideration, solely with the national interest in mind.

The measures in question are complex. They are based on existing political realities and on those which inevitably flow from the political situation in Burundi, both internally and externally. In this connexion, the Security Commission is gratified that steps have already been taken to set up the Foreign Affairs Commission, which will have the task of dealing with those critical problems affecting our relations with other countries which require external intervention.

The Security Commission believes it opportune to submit to the Legislative Assembly at this point some of the measures which it deems appropriate for maintaining peace and safeguarding the national institutions of Burundi.

2. Measures to be considered or adopted

1. Steps should be taken at once to arrest and detain persons known to have perpetrated or instigated the incidents in question or persons suspected of having done so. Priority should be given to cases connected with the assassination of Prince Louis Rwagasore, Prime Minister of Burundi.

2. In view of the present political situation in Burundi, all persons, of whatever civil and religious status, race or colour, should be compelled to give up their arms. Arms taken and held by the Administering Authority would be returned as soon as it was clear that calm had been restored and that the political situation in the country had returned to normal.

3. The decision of the Resident of Burundi prohibiting all Murundi from carrying certain indigenous weapons (bows, spears, machetes) should be kept in force and strictly applied. This decision, which was taken before the elections as a result of the Muhinga incidents, should be kept in force for a specified period of time and rescinded only when calm is restored in the country.

4. There should be close and sincere co-operation between the Government of Burundi and the Administering Authority with a view to the arrest and punishment of offenders and suspects. In that connexion, the Territorial Guard should be

placed under the Minister of the Interior; this concession would be strong evidence of the good faith of the Administering Authority.

5. The Government should be asked to give effect to the protocol of the Mwami, and the Legislative Assembly should take a decision concerning the official residence of the sovereign of Burundi. With regard to the former, the Security Commission considers that a mixed guard, composed of Burundi and Belgians, who—particularly the latter—would be designated solely by the Mwami or his agent, is essential. This guard would consist of both military and civilian members, and would form a bodyguard for the protection of the sovereign when travelling and a permanent guard stationed at his residence.

6. A bodyguard should similarly be established at once for the protection of Ministers, and a permanent bodyguard to protect deputies during their parliamentary work.

7. Close vigilance should be maintained in frontier areas, particularly on the Rwanda side, in order to prevent the escape of offenders and suspects. It would therefore be advisable to station a frontier guard there (at the Rwanda, Tanganyika and Congo frontiers).

8. The Administering Authority should be asked to take steps for the extradition of persons who have sought refuge abroad, if their flight was in any way connected with the assassination of Prince Rwagasore or the incidents mentioned above (disturbances, arson).

9. The policy in respect of political refugees should be reviewed. The relevant measures would be applied to all foreigners, without distinction, whether white or coloured, since not only Burundi but also foreign mercenaries in the service of enemies of the people had a hand in the assassination of Prince Louis Rwagasore. It is obvious that the only possible course, and one which we are awaiting with impatience, is close co-operation between the Administration and the Belgian Government. The Minister of the Interior should submit a detailed report to the Legislative Assembly on the political and social situation of the Banyarwanda, particularly those at Usumbura, and the Administration, by virtue of the responsibilities and powers vested in it, should screen, classify and lay down regulations in respect of European or other foreign residents in the country and their means of livelihood. A number of observations are called for by recent instances where PARMEHUTU and APROSOMA cards were seized from Banyarwanda propagandists in the Ngozi District who were advocating a republic and civil war and were passing themselves off as political refugees.

10. The Minister of the Interior should review the existing policy in respect of provincial administrators and the staff of the provincial administrations. There is concrete evidence to show that it does not serve the interests of the nation to retain as heads of provincial administrations or national bodies persons who jeopardize order and security. Urgent and drastic measures should be taken in this connexion, in consultation with the Minister of Justice, for there can be no compromise between good and evil, between order and anarchy. Police measures should be considered and a criminal investigation department should be set up at the provincial level.

11. A regular system of police surveillance should be organized immediately in large centres in order to forestall disturbances. Similar protection should be provided for markets and hotels in order to prevent wrongdoers from seizing the opportunity offered by the presence of certain persons in order to carry out their nefarious intentions.

12. Other ministerial commissions should be set up without delay in order to co-ordinate the bold steps taken by the Government and the Legislative Assembly. The unity of the Murundi people can be maintained and its institutions safeguarded only through co-operation between these two national organs.

13. Existing and future commissions should be guaranteed freedom of action. The commissions should maintain close liaison with the ministries concerned and should have powers of initiative in their work.

14. A start should be made at once on the drafting of a constitution for the country. It is particularly to the basic principles and the legal safeguards laid down in such a constitution that the Murundi people—acting through the Legislative Assembly, the working instrument which that people has created—must look for a better future and for the preservation and defence of national institutions, particularly the institution of the monarchy.

15. Lastly, with regard to the principal matter, the assassination of Prince Louis Rwagasore, the Prime Minister of the lawful Government of Burundi, the Security Commission points out that, owing to the national and international repercussions of that political coup, the Legislative Assembly cannot afford to treat it with indifference. The pacification of the Barundi and the maintenance of good relations with Belgium are at stake. For this reason, the Security Commission considers it essential that the Barundi people alone, through their Parliament, should have the right to determine the nature of the sentence to be imposed upon the Barundi responsible for the death of the Prince. If this approach were adopted, customary law would prevail over written law, thereby giving more leeway for political expedience.

16. The Security Commission considers that Parliament should be informed of the judicial action taken after the attack which resulted in the death of Prince Louis Rwagasore, the Prime Minister. This is a matter of great importance, for certain well-informed Barundi circles are complaining of the treatment of the prisoners and the conditions in which they are being held. However, while the Commission would not wish to see the prisoners treated otherwise than with the elementary decency to which human beings are entitled, all prisoners must nevertheless, now and in future, be detained under rigorous conditions.

17. The Security Commission considers that the Legislative Assembly might make objections to and comments on this report before the return of the deputies for the purpose of pacification.

The foregoing is the report submitted to the Legislative Assembly of Burundi by the Security Commission.

The Ministries of the Interior and of Justice will find in it reference material which may be incomplete in some respects, owing to the delicate nature of the work.

The three criteria on which justice will be based today and in future are the unity of the leaders, the confidence of the Barundi people and the co-operation of the Administering Authority.

Our institutions have been shaken by the death of the Prime Minister. The fomenters of disturbances wish to seize the opportunity to spread bloodshed in the country.

The Commission notes in conclusion that from the outset of the ideological struggle between the opposing parties, the Administering Authority had been informed of the strange way in which firearms were being held, distributed and brandished by certain members of the Front commun.

It is therefore for the Legislative Assembly of Burundi to form its conclusions on the basis of the report submitted to it today by the Security Commission.

The Barundi people have the right to choose their leaders and to have their institutions protected. They must not be deprived of that right by a gang of wrongdoers who seek to undermine established authority, disregarding all rules of dignity and democracy and trampling upon the most elementary principles of democracy and of respect for the human person.

(Signed) Joseph Mbazumutima
Chairman of the Security Commission

Samuel Sindamuka
Vice-Chairman of the Commission

Thomas Ncendabanyanka
Joseph Kandikandi
Secretaries

ANNEX V

NOTE DATED 3 NOVEMBER 1961 SUPPLEMENTING THE REPORT OF THE SECURITY COMMISSION WHICH WAS SUBMITTED TO THE LEGISLATIVE ASSEMBLY OF BURUNDI FOR APPROVAL ON 28 OCTOBER 1961

Statement by Joseph Mbazumutima, Deputy, Chairman of the Security Commission of the Legislative Assembly of Burundi

The sudden death of Prince Louis Rwagasore, Prime Minister of the lawful Government of Burundi and the disturbances which have already occurred or are being fomented in Burundi have led me to make a statement, not only in my capacity as Chairman of the Security Commission of the Legislative Assembly of Burundi but also as a witness who was present when statements were made in preparation for the organization of a clandestine force in Burundi, following the crushing victory of the nationalist party, UPRONA, in the legislative elections on 18 September 1961.

I had left Burundi on 11 July 1961 for Lausanne via Brussels, as private secretary of the Mwami accompanying the Mwami's young son, Prince Charles Ndinzeze, who is at present at boarding school at Lausanne. (The Mwami had been unable to travel because of the political situation in Burundi and particularly the approaching elections.) I was at the office of Mr. R. Minot, at present the representative of the Usumbura administration at Brussels, when I heard the remarks made by Mr. de Fays, former Deputy Resident of Burundi, who had returned from Burundi for good, allegedly because of disagreement with the United Nations Commission concerned with the elections; Mr. Wattar, an official in the Ministry, Mr. Minot and Mr. Edouard Ntakiyica, brother of the two Ntakayica who were responsible for the assassination of Prince Rwagasore.

It was in the afternoon of 19 September 1961 that I met Mr. de Fays, who had apparently come to enquire about the results of the elections.

I found him in the office of Mr. de Schaetzen van Brienon, Mr. Minot's assistant. He was there with Mr. Wattar and Mr. Ntakayica and, of course, Mr. Minot. When I was following their conversation I was in the next office, which was used from time to time by Mr. Ntakiyica—whose appointment to the Ministry all the responsible Barundi leaders were at a loss to understand. Mr. de Fays, after learning of the defeat of the Front commun, began to gesticulate and to inveigh against the electoral system used (based on symbols); he said that the elections were faked in any case, that to vote for UPRONA was tantamount to voting for the Mwami... and that, besides, he had advised the members of the Front commun to boycott those elections, in which they had been bested.

After lengthy and very animated discussions Ntakiyica asked Mr. de Fays what should be done. Ntakiyica also asked—and I am using his actual words—whether an underground of Front commun members should continue to exist. Mr. de Fays replied in the affirmative, saying that in Burundi everything was easy and that situations were easily reversed, with a great many ups and downs. I saw Mr. de Fays, who at that point could no longer contain himself, gesticulate (for the door was not tightly closed).

Mr. de Fays even added that he did not understand why Mr. Bigayimpunzi (former Minister of National Economy in the provisional Government) had not been elected.

When they rose (I pretended to be reading a newspaper), they noticed that I was there. Mr. Ntakiyica (brother of J. B. Ntakiyica) moved towards me and asked me if I had heard what they had said; I replied that I didn't even know that he was there, as I had thought that he was still upstairs.

Shortly afterwards I went to the Ministry of African Affairs to relate all that I had heard: my statements were taken down by Mr. Heuymann (official of the Ministry of African Affairs).

The foregoing is the gist of my statement; the rest will be prepared in the form of a report in the Commission of which I am Chairman.

N.B. The statements actually heard were made by de Fays and Ntakiyica. On my return I spoke about them to the Mwami and to Prince Rwagasore before his death.

(Signed) Joseph Mbazumutima
Deputy and Chairman of the
Security Commission of the
Legislative Assembly of Burundi

ANNEX VI

LETTER DATED 1 NOVEMBER 1961 FROM THE VICE-CHAIRMAN OF THE PARTI DÉMOCRATE CHRÉTIEN ADDRESSED TO THE UNITED NATIONS COMMISSION FOR RWANDA-URUNDI

We have the honour to refer to the various talks and communications held immediately after the elections by the leaders of the Front commun with the United Nations Commission and the Administering Authority.

Events of the last few weeks have merely confirmed, alas tragically, the fears which we expressed.

We shall return to the question of the elections only in connexion with the following points:

Of the appeals which had been lodged, only three were accepted, and we refer in this connexion to our letter of 12 October 1961, a copy of which is attached. We would add that, so far as we know, the candidatures of the Front commun have not been cancelled as requested in this letter. We would like to know the reason for this disregard of a formally expressed wish of the Chairman of the parties making up the Front commun.

The Legislative Assembly and the Government have been established without waiting until the United Nations has decided upon the validity of the elections: here we would refer to the letter on this subject which we sent to the Resident-General and a copy of which is attached.

We also wish to refer to the attached copy of a letter dealing with the incidents in the province of Kirundi. Repression there was violent, apparently because an Administration official was trying to curry favour with the Government by attacking members of the PDC, thus making justice a means rather than an end. These incidents were similar to those which took place in the province of Kayanza and to the murder of a policeman and a commissioner at Cendajuru.

You will recall that at Kayanza measures were taken only after we had lodged a number of complaints. In fact, these amounted only to half-measures: and the guilty, both the murderers and their accomplices, were still at liberty in August, in spite of the arrest warrants which had been issued against them. Once again, the Minister of the Interior had to intervene personally before the authorities shook off their apathy and made several arrests. Similarly, at Cendajuru, while the repression had been more rapid and more severe, no doubt because one of the victims was Belgian, the investigation was confined to a search for those apparently responsible, the underlings who had been incited to murder. No one thought of trying to identify and arrest the real instigators at the top. However, both at Cendajuru and at Kayanza, the statements of the various witnesses clearly pointed to those whose propaganda and instructions had prompted the murderers.

We protest in the most absolute terms against so flagrant an injustice. Who could believe that at Kayanza, Cendajuru and Muzinda certain criminal elements were able to set off disorders and murders almost with impunity, without a proper investigation, without any attempt to find those responsible, without any repression except weak half-measures, while any incident which can rightly or wrongly be ascribed to the Front commun is immediately the signal for an outburst of cruel persecution?

We say "rightly or wrongly" for if it were possible to prove objectively that at Kirundi, for example, one or several of the guilty parties were members of the Front commun, it would still be true that before being guilty they had been victims: victims of the faked elections, victims of threats,

rumours and intimidations spread by propagandists in the absence of official information, victims of the apathy and neglect of the Administration who appeared to think it unnecessary either to observe or enforce the rules.

It is in the light of these considerations that we should examine the question of the murder of Prince Louis Rwagasore and its consequences.

We do not prejudge the results of the investigation. We merely note that the arrests made have given this investigation the appearance of a campaign of repression against a certain viewpoint. The crude imposition of a European judiciary system on Murundi psychology has given rise to an extremely serious and dangerous misunderstanding.

In the European tradition, men can be arrested and as soon as the magistrate or the trial court establishes their innocence, they can return to their affairs without a stain on their character and continue to enjoy their former status without difficulty.

However, according to the Murundi way of thinking, such men, having been proceeded against, arrested and charged, may remain permanently marked with opprobrium, held up to public obloquy, and eliminated not only from the political but also the social life of the country. We therefore vigorously protest against this method of sweeping arrests which may perhaps be justifiable and harmless in European law, but which is extremely dangerous when local idiosyncrasies are taken into account. The Administration might be justified according to the Code, but none the less during this investigation a certain sector of opinion was unjustly condemned in the public mind. We therefore appeal on their behalf to the United Nations, which is responsible for upholding the rights of all and particularly for protecting minorities.

Things have come to such a pitch that everyone feels compelled to deny all friendship, all adherence, all sympathy, however distant, to the Front commun in general and the PDC in particular, not because of disapproval or out of conviction but because the campaign has now assumed the proportions of a systematic crushing of the opposition by arresting some and intimidating others.

We understand very well that when their leader was assassinated, the members of UPRONA demanded that the guilty parties should be swiftly found and given exemplary punishment. But we cannot agree that the Administration should merely give them facile satisfaction by making this affair an excuse for crushing the opposition.

Once again, since we do not know the results of the inquiry, we cannot prejudge the results of the trial. But we wish to stress the fact that, whether found innocent or guilty, the members of the Front commun incriminated in this affair are victims just as much as Prince Rwagasore himself. If they are innocent, they are the victims of a wrong which is difficult to repair. If they are guilty, they are more than ever victims of the atmosphere of neglect, abandonment and deliberate disregard of opposition rights for which the Administration is responsible and which could only end in disaster.

We never envisaged a catastrophe of this kind. However, feeling that disturbances like those of Kirundi and others would become wide-spread, we sent more and more complaints to the Administering Authority. Here again, the Administration is responsible for having neglected these warnings. When men are precipitated into an unjust semblance of defeat, when their most justified protests fall on deaf ears, and they take refuge in the violence of despair, they can be accused of such violence but those who brought them to it should be held even more responsible.

Finally and above all, account must be taken of the disordered state in which our country finds itself.

Bound by its election promises, anxious to establish its power, led astray by the extremist views of some of its members, the Government is trying to renew the national administration. The officials of the former régime are either dismissed or threatened with dismissal. As a result there is total disorganization, either because the old officials have not been replaced or have been replaced too hastily or because

the new officials are afraid to take over for fear that they too might be transferred or even dismissed.

Since we ourselves have directed and administered the country for eight months we know how difficult it is to find able officials. For our part, we did not exclude anybody but made use of all officials, whatever their individual political sympathies. If the present Government is trying to find new men for all the posts, we fail to see how it can do so; and we note that men are being appointed to high administrative posts for reasons of political expediency rather than of administrative competence. Faced with this situation, we remember the speech made by Prince Rwagasore immediately after the elections. "Our victory", he said, "is not that of a party but that of a country." By contrast, we might say "This victory of a party is the defeat of the country."

Things have come to such a pass that, when they see this investigation taking the form of a virulent repression of the Opposition, the able men in our country realize the seriousness of the situation and would like to remedy it but refrain from doing so for fear of being implicated themselves. In this way, no one dares to prevent the shipwreck of the country.

We persist in denouncing the faking of the elections. We also wish to add that the Opposition, stifled by the arrest of some and the intimidation of others, is deprived of any chance of re-establishment. By "re-establishment" we do not necessarily mean the transfer of power from one party to the other; we are thinking mainly of that essential balance between the Government and the Opposition, a balance that has been broken by the arbitrary annihilation of the Opposition, while the Government, basing itself on a majority that resulted from a trick, still does not have the necessary power to assert itself.

The parties of the Front commun had sought a real move towards democracy. This idea had begun to take root in public opinion. Encouraged to vote by references to the Mwami, people are now beginning to realize the lack of real democracy in the present situation. More than ever it appears that the country is returning to a feudal system. In the present African context such a situation is untenable and can only result in disaster.

We appeal to African solidarity. We appeal to all peoples who have experienced the arbitrary rule of a colonial Power, to all those who know that a colony or even a Trust Territory is no more than a pawn on the chessboard of the Administering Authority, to all those who have been able to free themselves from this yoke. Our aim was to free ourselves in orderly fashion. Disorder has arisen in spite of us and against our will.

We therefore urge the United Nations at least to recognize the existence of this disorder and not to let Burundi sink into utter degradation. We demand that the rights of the Opposition, the rights of minorities, be respected, that the country should be carefully prepared for a new consultation, offering real guarantees of impartiality, and that in any event it should not become a second Congo and be given over to a chaotic independence.

For the Committee,

(Signed) C. KYUKU
Vice-Chairman of the PDC

ANNEX VII

INTERVIEW WITH MR. KAGEORGIS
31 October 1961

Jean Kageorgis, born 29 May 1931 at Ruhengeri (Rwanda), Greek national, bachelor, shop assistant in La Mascotte grocery.

The Chairman stated the reasons why the United Nations Commission wanted to hear what he might have to say concerning the circumstances of the tragic death of the Prime Minister and stressed that in no case would any statements he might make be used by the judicial authorities.

Kageorgis stated that he was charged with the murder of Mr. Rwagasore but that he had only acted as an instrument of execution.

In answer to specific questions put by the Commissioners, he stated that his interest in the matter had been purely financial, and that the move had been suggested to him by Biroli and Iatrou. He added that those two men had been afraid that, if Prince Rwagasore were to stay in power, they might be eliminated. As to Iatrou, he had promised Kageorgis the sum of one million francs (\$US20,000 at the official exchange rate) as well as a good position in a German firm which was to be set up in Burundi if the Front commun were to come to power.

Kageorgis affirmed that he had never had any personal dealings with Mr. Rwagasore, whom he knew only by sight. On the other hand, he had known Iatrou since 1949. He had worked for five years with the latter but had never had any social contact with him. He had been on friendly terms with Biroli, and had been far more recently in touch with him than with Ntindendereza, his brother, whom he had known since 1951.

Asked whether other attempts had preceded the murder, he replied that until 13 October, the date of the event, no timetable had been settled. He did not recall any time-limit having been set for the execution. He affirmed that he had had no contact on that question with any other persons than those mentioned above.

Asked who could have been in a position to pay the promised sum, he replied that he thought that the two persons who had suggested the matter to him, and in particular the Baranyanka family, had been in a position to find that money. He added that he had received absolutely nothing.

One of the Commissioners expressed surprise that, as the crime had taken place on 13 October and Kageorgis had been arrested on 16 October, he had not received at least part of his remuneration in the meantime.

Kageorgis replied that on Saturday, 14 October, he had been ill all day and that on Sunday he had met Iatrou but in a public place not well suited for personal discussions. Having been arrested on 16 October, he had seen no one else since the murder.

Asked to describe the events subsequent to the crime, Kageorgis asked the Commission to refer to his judicial deposition. However, he made it clear that it had indeed been the Mwami's car which he had stopped when, after having committed the murder, he had run out of petrol on the Kitega road, and that it had been the Mwami himself who—unaware, of course, of the facts—had brought him back to Usumbura to get some petrol.

He could not say where he himself and those who had participated in the crime were going after having carried it out. He insisted that no plan had been previously agreed upon.

He confirmed that, a few days before the crime, he had been to Mr. Baranyanka's house with a certain Archaniotis and to Mr. Ntindendereza's house at Kitega. He again insisted that he should not be asked any more questions and that the Commission should refer to the statement he had made to the examining magistrate.

ANNEX VIII

INTERVIEW WITH MR. IATROU
31 October 1961

Michel Iatrou, born 18 October 1910 in Greece, Greek national, trader, at present in custody.

He stated that he had left Greece in 1925, that he had first gone to the Congo where he engaged in trade, that he had come to Ruanda-Urundi in 1943 and had set up a hardware business and a bakery at Usumbura. He had leased his bakery to Kageorgis, who had been working there with his friend Archaniotis. Iatrou used to sell them flour and was closely involved in the business. In consequence of the bankruptcy of the bakery, Iatrou considered that he had lost about a million francs.

The Chairman stated the reasons why the Commission wanted to hear what he might have to say on the circumstances of the tragic death of the Prime Minister and stressed that in no case would any statements he might make be used by the judicial authorities.

Iatrou asserted that he knew nothing of the events and that he had been astonished at having been implicated in the matter. He had known Ntindendereza and particularly the latter's brother, Petrosi, who had often come to his house before his tragic death five or six years previously.

On Thursday, 12 October, the day before the murder, Ntindendereza had come to Iatrou's house. He had been accompanied by Archaniotis with whom, although he was his nephew, Iatrou no longer had much contact. On 13 October he had not seen them. On 17 October he had been arrested. Since then he had been in prison, and he suggested that the Commission should take note of the statement he had made to the examining magistrate.

He protested against charges which, he had been told, had been made against him and according to which he had been in the plot and had intended to finance the murder with the sum of a million francs. He asserted that he would never have given a million francs to have a man killed. He added that the assistant *Procureur* had spoken of a compromising letter, but that that letter had not been shown to him. Lastly, he said that although he had seen his lawyer the previous day, he was no better informed as to the reasons for his indictment.

Questioned as to his relations with Kageorgis, he said that not only had the latter's bad management when he was in charge of the bakery cost him a sum of roughly a million francs, but Kageorgis had brought an action against him for wrongful dismissal, and that had cost Iatrou a total sum of about 54,000 francs. The case had been decided in favour of Iatrou, but as Kageorgis had been insolvent at the time, his employer had had to pay all the costs. In 1959 relations between the two men had been particularly strained, and Kageorgis had threatened Iatrou several times, telling him among other things, "One day I shall walk on your corpse". Having learned that Kageorgis was working at La Mascotte, Iatrou had asked his lawyer to obtain an order attaching his wages.

In reply to further questions from the Commission, he said that he used to go to La Mascotte once or twice a week to buy groceries, that he had not on those occasions refused to be served by Kageorgis but that he had not sought him out. He had never, during his visits to the grocery store, spoken to Kageorgis about the outstanding debt. He had left the responsibility for that matter entirely to his lawyer. He stated that it had only been towards the beginning of September of the current year that he had instructed his lawyer to make an application for attachment, and that the reason why he had not previously given those instructions, although Kageorgis had been at La Mascotte for more than a year, was because he had only recently learned that his debtor was earning enough for such action to be instituted.

In reply to a question from one of the Commissioners as to how much Ntindendereza and Biroli had said that they would pay him to organize the murder, Iatrou replied that they had never spoken of that.

The Chairman then asked how the detainee had been informed of the murder.

Iatrou replied that he had learned of it on the Saturday morning in his shop from a neighbouring tradesman. In the general upheaval, all the shops had remained closed and he had heard all the details he knew on the radio at noon. He had stayed at home on the Saturday and on the Sunday, he had opened his shop as usual on the Monday and had been arrested on Tuesday morning. He knew nothing about the affair.

At the request of the Commission, he gave an approximate account of his wealth. He stated that he possessed property at Stanleyville, at Kindu and at Usumbura. He asserted that he had no possibility of obtaining income from his property in the Congo. As to liquid assets, he mentioned his stock of merchandise, a small sum in his bank account at Usumbura and a deposit of 184,000 francs in a Greek bank where he endeavoured to send some of his savings every month. He

estimated the total value of his immovable property at about 9 million francs. He said that his house at Usumbura had for a long time been up for sale with an estate agent, but that he had not found a buyer. Lastly he affirmed that he was not expecting any large sum of money.

Questioned on the possibility of co-operation with foreign firms, he replied that he had been working with German and Austrian firms for some years. They were shippers from whom he obtained all the supplies he needed for his store: padlocks, locks, building materials, tools of various kinds, etc. He said that he had no knowledge of any project for a German firm to come and install itself in Ruanda-Urundi.

Asked about his relations with UPRONA, he said that he had not meddled in politics; in 1956 he had lunched with Mr. Rwagasore in Brussels, and he had known the leaders of UPRONA since everybody knew each other in a small town. Asked whether he had met with difficulties from members of UPRONA, he said that indeed one day a Swahili African had come and asked him to take out a UPRONA card, and he had replied that he was not interested in politics and that he would not take out either a UPRONA card or that of any other party. A few days later, the same African had returned with two other persons and again asked him to take out a card for 1,000 francs. Again he had refused. A few days later, when he was coming out of the Greek Orthodox Church, he had been stopped by a group of young men who had reproached him for having refused to take out a card, asserting that it was because he was a militant of the PDC. Before he had had time to defend himself, he had received a red liquid in his face which had burned his eyes and turned out to be water mixed with pilipili pepper. After the elections, the same canvasser had returned with the card and threatened him with reprisals if he still refused to pay for it. He had again refused, asserting that since UPRONA had said that there were no longer any other political parties, the taxes he paid went directly to UPRONA. The next day, the Secretary of UPRONA had come to his store and told him that he had been right not to pay. The matter had rested there.

He had no idea why Kageorgis and others had implicated him. He stated that after the elections he had hardly seen Ntindendereza or Biroli except between 25 and 28 September. He had then gone to their house one evening at about 5.30; there he had found Mr. Cimpaye, former Prime Minister, accompanied by a rather stout gentleman who spoke very good French. He had gone away again quickly without anyone accompanying him to the door.

ANNEX IX

INTERVIEW WITH MR. ANTOINE NAHIMANA
31 October 1961

Antoine Nahimana was born towards the end of December 1929. He is burgomaster of the commune of Kayanza in the District of Ngozi and is at present in custody in the Usumbura house of detention.

The Chairman explained to Mr. Nahimana why the Commission wished to obtain information on the matter and assured him that nothing that he might say would be used in any way by the judicial authorities.

Nahimana stated that on 13 October he had been at Biroli's house at Usumbura when a "gentleman" had suggested going on a hunt. Those who, like himself, had accepted that proposal had said that before leaving they should tell Mr. Ntindendereza, and had looked for him in various restaurants in the town. At the Tanganyika the "gentleman" had got out of the car and Nahimana had done the same. Suddenly he had heard a shot fired; he had then rushed towards the "gentleman" who had come running back saying that he had had an accident. The "gentleman" had also said "forgive me". The car had then set off again. It had gone along the Kitega road until it had run out of petrol and stopped. The "gentleman" had gone to look for Ntindendereza, Bigirindavyi and Kigoma who had brought some petrol. On returning to Usumbura, the "gentleman" had gone back home.

In reply to a question, he stated that the "gentleman" had been Kageorgis.

Replying to a question from the Commission, Nahimana said that when Ntindendereza had come to get the car moving again, he had told him that Kageorgis had had an accident with his rifle. Ntindendereza had said nothing. Kageorgis had probably already told him in the car.

Upon his return to Usumbura, Nahimana had stayed at Biroli's home and then had left the next morning for Kayanza where he lived. He had called on Mr. Baranyanka, his uncle, who had been informed of the incident over the radio. He himself had only learned that morning over the radio that Mr. Rwagasore had been killed, and everybody had said that it was a loss for Burundi.

In reply to various questions, he said that there had been two guns in the car; he could not explain why they had been transferred to Ntindendereza's car. When the Commission expressed surprise at hearing mention of the hunting trip to which, as far as it knew, there had been no previous reference, he stated that that was by no means the first time he had mentioned the arranging of a hunt on the evening of 13 October; lastly, he stated that he and the other persons concerned in the matter had long comprised a friendly group, except for Kageorgis whom he had met only once, at Biroli's home at Usumbura, together with another Greek called Archaniotis. He had subsequently seen Kageorgis again at Kayanza and at Kitega on 26 September. Kageorgis had then said that he was on vacation. He had finally seen him on 13 October at Biroli's home.

He further stated that on 26 September he had gone to Kayanza in a car belonging to Jean Ntakiyica to get some money. Together with those who had also been in the car, he had gone to Ntindendereza's house where he had seen Biroli and a few other persons.

He asserted that he had not sworn an oath at Mr. Baranyanka's house on 14 October. Henri Ntakiyica had taken him back to Kayanza and, on leaving, he had again called on Mr. Baranyanka. In fact, he had only made use of the car to go to Kayanza and fetch some money from his home. In reply to a question, he stated that in his opinion no one had had anything to gain by causing the death of Mr. Rwagasore.

ANNEX X

INTERVIEW WITH MR. JEAN-BAPTISTE NTAKIYICA 31 October 1961

Jean-Baptiste Ntakiyica, born 5 July 1931, formerly chief and later provincial administrator and Deputy to the interim provisional Assembly. At present in custody in the Usumbura house of detention.

The Chairman told Mr. Ntakiyica that the Commission would like to hear his account of the events and made it quite clear that nothing that he might say would be used in any way by the judicial authorities.

Mr. Ntakiyica said that the circumstances of his first interrogation had prevented him from speaking freely. He had been arrested at Kayanza and later taken to Kitega, where he had been very uncomfortably housed. The next day, on being summoned from his cell, he had been roughly treated by African prisoners in the prison yard. He had been taken back to his cell, again crossing the yard, but on that occasion precautions had been taken to ensure that he would not suffer rough treatment. When he had been taken to police headquarters for questioning, he had been threatened by the local police with various forms of brutality. On the same evening he had been transferred to Usumbura. He had immediately had to submit to interrogation under the threat that he would be turned over to the crowd waiting outside. After a gun had been found at his house, the inspector, to whom he had explained that it was intended to protect his family, had refused to believe him and had reviled him. He had not slept all night and had been beaten with a club. Then, from the next morning on, he had been guarded by Belgian para-commandos and had escaped further ill-treatment. He considered that in the circumstances,

any statement he had made while in the charge of the local police was invalid.

When questioned about the events, he stated that on 13 October, the day of the murder, he had been with Biroli. He had suggested a hunting expedition and had driven off with Nahimana, Kageorgis and Henri Ntakiyica, his brother. He decided to seek out Ntindendereza, whom he had to see before leaving. He had stopped at the Bon Accueil restaurant, and then at the Stravos, and instead of proceeding in the direction of the airport, which was the route he would have taken to go hunting, he had made for the Tanganyika restaurant. On reaching the restaurant, the car had stopped and Kageorgis had got out. Jean Ntakiyica had been wondering where Kageorgis had gone when, just as he was dozing off, he had heard a shot. Nahimana, who had left the car, had come back; then Kageorgis had come running up and had said: "Get going!" Jean Ntakiyica had asked what had happened but had received no reply. As the car started up, Kageorgis had kept saying in Swahili "I am sorry!" then a little later he had said: "I have shot Rwagasore".

The car had continued in the direction of Kitega, without following any fixed route. After driving for several miles they had decided to return to Usumbura and had run out of petrol. Kageorgis had stopped the first car that had passed, which happened to be the Mwami's. He had taken Kageorgis with him to Usumbura. After an hour's interval, Kageorgis had come back with Ntindendereza, Kigoma and Bigirindavyi, bringing enough petrol to get the car back to Usumbura.

When questioned about the possible motives for what he described as an "accident", Jean Ntakiyica stated that the murder could not be considered part of a comprehensive plan to bring off a *coup d'état*; if that had been so, it would have been only natural to take advantage of the fact that all the Ministers had been with Mr. Rwagasore, in order to do away with all of them; similarly, it would have been easy to get rid of the Mwami when he had stopped, all alone in his car, to give Kageorgis a lift.

When asked if he knew Kageorgis, he said that he had known him mainly by sight but had formed a slightly closer acquaintance with him since one day when Kageorgis had asked for leave to go hunting. On that occasion, Kageorgis had wanted to take Nahimana with him; it was about 25 September. Jean Ntakiyica had taken him to Kayanza to see Nahimana, who had declined the invitation.

In answer to a question put by the Commission, he said that on the evening of 13 October he and his fellow-passengers in the car had tried to find Ntindendereza before going hunting, to tell him that they had the car, a Ford station wagon, which belonged to the party. In answer to a further question, he said that he had indeed been going hunting with two fire-arms: a 9.3 mm rifle and a shot-gun.

In answer to a question from the Commission, he said that he was by no means a friend of Kageorgis and that he had disapproved of his deed but had not wished to report it to the police for fear of being pestered himself. In the car as they were speeding towards Kitega, he had been stunned. He could not understand how Kageorgis could have brought off such a "coup" and had no idea how the affair had been "organized".

The Chairman asked him if, then, the affair had actually been "organized". He replied that it might have been planned by Kageorgis because he had subsequently heard that the latter had received a promise of money from Iatrou.

The Commission inquired how it was that persons of such importance as Ntindendereza and Biroli had set off for Kitega in the middle of the night to take petrol to people in trouble with their car. Ntakiyica thought that it was simply the sort of assistance one would normally render to drivers in trouble in the middle of the night.

When asked why he had gone to see Mr. Baranyanka on the day after the murder, he replied that he saw him every week or every other week. Baranyanka was a relation of his, having married his sister. They had merely had a friendly talk that day, especially as the *chef de secteur*, who had been passing by, had stopped and joined in the conversation.

In reply to a question from one of the Commissioners, he said that it was true that on 21 and 22 September he had gone

to Kitega to discuss the election results. He had been with Kageorgis and Biroli, who had gone to visit Ntindendereza at his house, but the latter had been away at a reception given by Mr. Gassou, one of the Commissioners. In answer to a final question concerning a sub-machine gun that other prisoners had said was his, he explained that the sub-machine gun belonged not to him but to a Greek, who was a friend of Kageorgis.

ANNEX XI

INTERVIEW WITH MR. HENRI NTAKIYICA 31 October 1961

Henri Ntakiyica is twenty-eight years old and a member of the Communal Council in the District of Mubinga. He is at present in custody in the Usumbura house of detention.

The Chairman told Mr. Ntakiyica that the Commission would like to hear his account of the events and made it quite clear that nothing that he might say would be used in any way by the judicial authorities.

Henri Ntakiyica said that on the evening of the accident he had been in the car with Kageorgis, Naminana and Jean Ntakiyica, his brother. He had just finished serving a short prison sentence. When he had gone off with the above-mentioned group, he had agreed to drive the Ford station wagon. Following the instructions given to him by the others, he had driven them to the Hotel Bon Accueil, where the others had someone to see, then on to the Hotel Paguidas, and finally to the Tanganyika restaurant, where Kageorgis had got out of the car. At that moment, Kigoma had driven by calling out "how are things"? and Henri Ntakiyica had replied "all right". He had then heard a shot; Kageorgis and Naminana had come running up and one of them had said "drive off". Henri Ntakiyica had immediately started up the car, while Kageorgis kept saying "I am sorry!" He had driven straight ahead, along the road leading to Kitega until the car had run out of petrol. As they drove along Kageorgis had explained that the gun had gone off of its own accord. When—after Kageorgis had come back from Usumbura in Ntindendereza's car, bringing petrol—Henri Ntakiyica had said that he did not want to go back to Usumbura with two fire-arms in the car, Ntindendereza had said that he would put them in his own car. The fire-arms consisted of two rifles, one of which was double-barrelled. The next morning he had left for Kayanza, to see Baranyanka, who had already heard the news over the radio. Ntindendereza had arrived at Baranyanka's house a little later.

Questioned on the subject of an oath, which certain witnesses were said to have mentioned and which had allegedly been taken on the morning of Saturday, 14 October, at Baranyanka's house, Henri Ntakiyica said that it was true that Mr. Baranyanka, who had for some time been very worried about the behaviour of his son Biroli, who was frequently drunk, had decided to make him vow never to get drunk again. In accordance with family custom, the oath had been taken in front of the assembled family. The other members of the family had joined in, so that Biroli would not be too humiliated.

In reply to various questions, he also stated that he had received a sum of money in order to pay off the fine to which he had been sentenced. He also said that all those who had been at Baranyanka's house had promised not to mention the accident that had just taken place. With regard to Kageorgis, he explained that he had seen him for the first time in his brother's car on 26 September. Lastly, he added that he had no idea why Kageorgis had killed Prince Rwagasore.

ANNEX XII

INTERVIEW WITH MR. LIBERIOS ARCHANIOTIS 31 October 1961

Liberios Archaniotis was born on 24 December 1940 and has been a baker. He is at present in custody in the Usumbura house of detention.

The Chairman explained that the interview was being conducted solely for the Commission's own information and that nothing that Mr. Archaniotis might say would be used in any way by the judicial authorities.

Archaniotis said that he had been arrested because he associated with Ntindendereza.

Even before the elections, he had heard members of the Front commun say that Rwagasore had to be got rid of. He suggested that the Commission should look up his statements on the subject, as recorded in the judicial file.

Replying to various questions, he stated that it had been said that Rwagasore should keep out of politics and that unless he disappeared from the political scene the entire country would be in a state of upheaval. He refused to mention any names. He persisted in referring the Commission to his earlier statements. He said that on the morning of 13 October he had been with Ntindendereza, to whom he often acted as chauffeur. He had not seen him after four o'clock. He had had no knowledge of the plot. He said that he knew nothing about Mr. Jatrou's political views.

As to how he earned his living, he stated that he had worked at the Hotel Paguidas and was now living on his savings, which would last for another four or five months, especially as the Greek community was always willing to help its members when they were in difficulties.

When asked about the actual tragedy, he said that he would answer no more questions and asked permission to withdraw.

ANNEX XIII

INTERVIEW WITH MR. JEAN-BAPTISTE NTINDENDEREZA BARANYANKA 1 November 1961

Jean-Baptiste Ntindendereza was born in 1926. He is Chairman of the Parti démocrate chrétien (PDC) and of the Front commun. He is at present in custody in the Usumbura house of detention.

The Chairman stated the reasons why the Commission would like to interview Mr. Ntindendereza Baranyanka. He assured him that nothing that he might say would be used in any way by the judicial authorities.

Ntindendereza said that he had been arrested after a weapon, similar to that used in committing the crime, had been discovered on his property, during his absence. He had no knowledge of the circumstances of the murder. After the election results had been made public, he had worked hard with the leading members of the PDC and the Front commun to prepare a dossier which he intended to send to the United Nations. He protested against his arrest, which was apparently based largely on an alleged antagonism between the Front commun, of which he was Chairman, and UPRONA, as also on the antagonism which really belonged to the past much more than to the present, between his family and that of Mr. Rwagasore.

When questioned on how he had learned of Mr. Rwagasore's death, he replied that he had been at the Stavros restaurant with some friends on the evening of 13 October, when Mr. Kageorgis had come up to him and told him that he had been stranded, together with the two Ntakiyica brothers and Naminana, when they had run out of petrol on the way to Kitega.

When he had left with his friends to attend to the car in question, Mr. Kageorgis, who was travelling with him, told him that he had just fired, by accident, on the group of Ministers who had been dining at the Tanganyika restaurant and that he thought that he had hit Mr. Rwagasore. Ntindendereza had immediately exclaimed that that was a most stupid thing to do. After attending to the car, he had returned to Usumbura and they had all gone to their respective homes. He explained that Kageorgis was only an acquaintance of his, not a friend. He had attended to the car, even after Kageorgis had told him of what he had called an accident, and he had not notified the police, mainly because there had been members of his family in that particular car.

When questioned about what explanation the culprit and his accomplices had given, he said that Kageorgis had always

referred to the murder as an accident and that Ntakiyica, whom he had seen the day after the event, had told him that they had set out on a hunting expedition; that was why they had had fire-arms with them. In reply to various questions, he said that he had known Kageorgis since 1951, that he was not a friend of his, that he only saw him occasionally and that he had practically never been to his house but had seen him several times at the house of Mr. Iatrou and when he had been to buy groceries at La Mascotte. Kageorgis had once called on Ntindendereza at Kitega. There was neither friendship nor enmity between them.

The Commission went on to ask what reasons he thought Kageorgis could have had for implicating him in the affair if he did not harbour any enmity towards him. Ntindendereza replied that he was not aware that he had been implicated by Kageorgis.

The day after the event, he had left with Nahimana, Biroli, Nsabimana and Kaja for Kayanza. He had stopped to see his father and had stayed there for about an hour. The Provincial Administrator had been at his father's house. Ntindendereza had therefore not thought it advisable to tell his father there and then of what he had heard from Kageorgis and the conversation had been confined entirely to the news that had been given out over the radio. After the Provincial Administrator had left, they had stayed on for a while and then Ntindendereza had left with Biroli, Kaja and Nsabimana, while Nahimana had gone to see his family. He had passed through Ngozi and Kirunda and then returned home. In the meantime his house had been searched, and upon his arrival he had been arrested. He said that it was at his request that his wife had gone to look for a weapon that had been placed there during his absence and that she had handed it over to the police. They had not been able to find the weapon during the house search and he considered that his gesture proved that he was ignorant of the crime and had had no part in the affair. The Commission pointed out that since he had driven Kageorgis, with his weapon, on the night of the crime, he must have known that it was not the gun that had been used to kill Mr. Rwagasore. When questioned concerning his relations with Iatrou, he explained that he was a big local tradesman, that he had known him for a long time but could hardly describe him as a friend. Iatrou was interested in the policies of the Front commun, which was a moderate party, but the leaders of the party would not have thought of enlisting his aid. He certainly had more to do with Iatrou than with Kageorgis, who was a mere shop assistant. As for Archaniotis, he was Iatrou's nephew and relatively insignificant. He occasionally visited Ntindendereza and sometimes drove his car, in return for which Ntindendereza sometimes gave him money. Archaniotis could not possibly know of any discussions regarding the policy of the PDC or the Front commun before or after the elections. As for Kageorgis, he had once called at Ntindendereza's house at Kitega and had left immediately. He had been with several other persons.

When questioned about the possible origins of a movement against Prince Rwagasore, he replied that one could only form very flimsy theories, taking into consideration the existence of various sections among the population: the Front commun, the European section, the business section and others. He stressed the fact that the Front commun had no reason for wishing to get rid of Mr. Rwagasore. On the contrary, it was in the interests of the country that everyone should be able to co-operate, especially until the General Assembly could verify the validity of the elections. He could not, of course, speak for the other sections. He said that he had never uttered any threats against the Prince, and, even in his political writings, had never resorted to personal threats. The Front commun had always been in favour of evolution, not revolution, as was proved by the documents which he had sent to or prepared for the United Nations and the Administering Authority. If it was true that Kageorgis had deliberately committed the murder, he had no idea who could have instigated him, nor did he know anything of an alleged promise of money made by Iatrou to the murderer.

When questioned about the state of his bank account, he said that he had some money for the party in the Bank of Ruanda-Urundi, but that there were no funds at present in

the various accounts he had. The only recent banking transaction he could recall had been in connexion with the campaign. He could not give the figures offhand, but could affirm that they had never exceeded 500,000 francs at the most. The salary he received from the party had not been paid since September, the month of the election. He had little personal income and had never engaged in trade.

When questioned about his earlier activities, he stated that he had been appointed Chief two years after leaving school and later a member of the Interim Commission; he had subsequently entered the Provisional Government and had never had time for any activities other than his official duties.

Concerning Mr. Iatrou, he confirmed that the latter was in sympathy with the Front commun, which he considered to be a moderate party, and recalled that he claimed to have been attacked by young members of UPRONA. Iatrou had said that the attack was a bad omen. It was to be connected with the death of Mr. Sum, of another tradesman who had been killed in strange circumstances, and of the old woman who had recently been killed in her house—murders which rumour attributed to the same party.

In reply to a question, he said that the fact that Prince Rwagasore was in power could only be detrimental to the PDC in so far as the latter was now a minority party, prepared to act in that capacity.

When asked by one of the members of the Commission how the *Parquet*, which was normally quite impartial, could have gone to the length of arresting him if he was really innocent, he replied that this particular death was not without consequence and that it was necessary to find the motives for it. It was thus only natural for the inquiry to be directed against those who were in opposition. That was evident from the fact that he had been arrested even before the murderer. Numbers of other people besides himself had seen the murderer before the event. But those who had visited Ntindendereza on the Friday evening had been the first to whom attention had been given.

When asked whether, on the day after the event, when he had been at his father's house with various other persons, an oath had been taken, he replied that his brother, Joseph Biroli, had indeed promised, at his father's request, not to get drunk any more, as he had been in the habit of doing. Ntakiyica too had vowed to behave in a more orderly manner, for he had had several brushes with the police. Similarly he and the others had taken an oath, each undertaking to do his best. The family ceremony had taken place at the request of his father, whose patriarchal authority was profoundly respected.

In spite of repeated questions regarding the names of persons who might have tried to "frame" him, Ntindendereza said that such a thing was quite likely but he refused to mention anyone by name, merely saying that all politicians had their enemies.

ANNEX XIV

INTERVIEW WITH MR. JOSEPH BIROLI BARANYANKA
1 November 1961

Joseph Biroli is the brother of Jean Ntindendereza, Chairman of the PDC and the Front commun. He is at present in custody in the Usumbura house of detention.

The Chairman explained why the Commission wanted information about the affair. He assured Mr. Biroli that nothing that he might say would be used in any way by the judicial authorities.

Biroli said that he had first learned of the accident the following morning, Saturday, both from one of his friends and over the radio. He had been arrested on the evening of Saturday, 13 October. His relations with Kageorgis had been no more than those of simple acquaintance. Before the accident, he had seen Kageorgis at La Mascotte and also at the house of Mr. Iatrou, who was an old friend of the family.

Asked why Kageorgis, who had had nothing against him, should have mentioned his name, he replied that if a member of the Mwami's family was killed, public opinion was always likely to be satisfied if the responsibility was attributed to

someone in the Baranyanka family. That was, incidentally, an additional argument in favour of the Baranyanka family's innocence of that death, for it was quite obvious that a murder of that nature could only complicate things for them. As for the Front commun, it would have meant barring its own way to any chance of political opposition without giving UPRONA the time to encounter the difficulties which it was bound to meet by assuming power in the present circumstances. Neither did business circles stand to gain anything from it, for they took fright whenever violence appeared. Biroli himself, in particular, had nothing to gain by Mr. Rwagasore's disappearance, for the latter had just instructed him to draft a text for the economic commission which he was in the process of setting up. Biroli had been working on that text, which was to have been ready a week later. That was why the murderer's story that it had been some sort of an accident had seemed plausible to him.

As for Mr. Iatrou, he certainly had no political ambition and Biroli said he knew nothing about the alleged promise of a million francs.

The oath which had been mentioned had indeed been taken. Mr. Baranyanka, finding that his sons did not always behave well, had insisted that he, Biroli, should undertake to behave better. As always happened in their family, where paternal authority was highly respected, those who were present and members of the family joined in an oath of that kind. Those who had taken part in the oath had in no way gone to Mr. Baranyanka's house specially on that day. It had simply happened that Mr. Baranyanka had long been meditating the plan and had taken the opportunity of a family reunion to carry it out.

Asked about the plausibility of the argument that the murder had been "an accident", Biroli replied that accidents were often unconvincing and that he himself was not in a position either to substantiate or to invalidate that argument.

He had had no reason to go to the police to report the fact since it had not been until the next morning that he had learned of it from the radio and third parties. Moreover, there had been some people of his family in Kageorgis's car and it was no business of his to report them to the authorities, even for simple investigation. It had in any case seemed obvious to him that once Mr. Rwagasore had been killed, and the group involved included Kageorgis and members of the Baranyanka family, suspicion would automatically fall on the latter.

He denied that on the Saturday morning the members of the Baranyanka family had asked their father's advice on how they should behave with regard to that tragic death; they had simply decided among themselves to refrain from all comment.

In reply to the question who had visited his house during the day of Friday, 13 October, he said that when he had arrived home at about 6 p.m. he had seen Mr. Kaja, Mr. Iatrou, Mr. Cimpaye and Mr. Pincemaille, who was an official in the Administration whom he knew personally.

As for Archaniotis, he was a young man who was known to the family and performed no other services than that of driving the car of one or another of them. He had taken no part in the deliberations on the party's policy. The members of the group to which he had attached himself had distrusted his imagination and his aptitude for making up stories.

ANNEX XV

INTERVIEW WITH MR. PASCAL BIGIRINDAVYI
1 November 1961

Pascal Bigirindavyi, born 24 April 1935, co-operative manager. At present in custody in the Usumbura house of detention.

The Chairman explained to Mr. Bigirindavyi why the Commission wanted an interview with him. He assured him that nothing that he might say would be used in any way by the judicial authorities.

Bigirindavyi said that he had arrived at Usumbura by car on 13 October and had gone to Ntakiyica's house. He had gone to the Stavros café with Ntindendereza. At about 1 a.m. Kage-

orgis had arrived, saying that he had run out of petrol with friends on the Kitega road. Bigirindavyi had left with Kageorgis and Ntindendereza in the latter's car. They had obtained some petrol from a garage. It was after that that Kageorgis had announced that he had been at the Tanganyika restaurant, where he had seen a group of ministers sitting at table; he had "fired on them". When they had got the car going, each of them had returned home to Usumbura.

He had been arrested at Kayanza the following day, 14 October. In the course of the ensuing interrogation, admissions had been extorted from him pointing to the Baranyanka family as having organized the affair. Those statements had been obtained by violence.

In reply to questions by the Commission, he stated that it was he who had driven Ntindendereza's car when they had gone to pick up that of Kageorgis. He had therefore been with Ntindendereza, Kigoma and Kageorgis when they had driven out to the abandoned car. The same passengers had been in the car on the way back, but Kageorgis had taken his rifle with him. When questioned on the afternoon of 16 October, he had not revealed Kageorgis' name, for he had felt that it was not for him to speak; moreover, Kageorgis had been with members of his family when the incident had taken place and the Baranyanka clan would inevitably have come under direct suspicion. The following morning he had gone up to his place at Kayanza and had called on Baranyanka, who had been alone and had already known about the matter. He said that it was possible he might have been at Kitega on 22 September, but that he did not remember exactly. The statements which the authorities had managed to collect on the affair had been extorted by ill-treatment. Questioned about who might have stood to gain by killing Mr. Rwagasore, he said that one could only make conjectures about that, all more or less hypothetical. He mentioned extremist factions, in both the Front commun and UPRONA, or even personal enemies of Mr. Rwagasore. He asserted that nobody had worked out a common defence for all the accused and that the latter had had no contact among themselves.

ANNEX XVI

INTERVIEW WITH MR. JEAN KIGOMA
1 November 1961

Jean Kigoma, born in December 1919, is a former Chief. He subsequently held a post in the Prime Minister's Office, in which he was retained by Mr. Rwagasore when the latter became Prime Minister. He is at present in custody in the Usumbura house of detention.

The Chairman explained why the Commission wanted to obtain information on the matter. He assured Mr. Kigoma that nothing that he might say would be used in any way by the judicial authorities.

Kigoma said that he had arrived at Usumbura on 11 October, where his wife had undergone an emergency operation. He had remained at the hospital until 13 October to look after his wife. On 13 October he had returned to town and that afternoon had asked Ntindendereza to lend him his car to go to the hospital again, to which the latter had agreed. At 7 p.m. that evening Ntindendereza had taken his car back and Ntakiyica had then lent Kigoma his. In the evening Kigoma had driven past the Tanganyika restaurant. He had seen Jean Ntakiyica's car parked there. He had said good evening to the latter, who had answered him. There had been no further conversation and he had left immediately. He had then gone to Jean Ntakiyica's house where he was to spend the night. Together with Bigirindavyi, whom he had met, he had then gone to the Stavros, where he had stayed to have a drink with Ntindendereza. Some time later Kageorgis had arrived and had asked Ntindendereza to come and fetch his car, which had broken down on the Kitega road. They had all left with Ntindendereza and it was after they had obtained some petrol from a garage that Kageorgis had announced that he thought he had shot the Prime Minister. Kigoma had been thunderstruck by the news. He had said nothing further until they had returned and he had then slipped away. When he

had heard that, Jean Ntindendereza had said to Kageorgis: "What you have done is really stupid". The following morning Kigoma had gone back to the hospital to see his wife and had then learned that Mr. Rwagasore's body had been taken to Kitega. He himself had gone up to Kitega and had gone to pay his last respects to the deceased and had then attended the funeral service. He had been arrested the following Friday, 20 October. He had not thought it necessary in the meantime to go and tell the police what he knew, since the latter had seemed to him to be on the right track, having arrested Kageorgis. He was in any case expecting to be interrogated himself.

From the moment when Kageorgis had announced the incident in the car, everybody had remained silent. Subsequently, Kigoma had not seen any of those who had been told about the incident first-hand. His impression was that that act had been an isolated one and not the result of a plot. In reply to the question of what Kageorgis had said when he had announced the incident, Kigoma said that as far as he remembered he had said "I think I have shot Rwagasore". He considered that Mr. Rwagasore's death could be of advantage to no one, least of all to members of the Baranyanka family, who would obviously be the first to be questioned in an affair of that kind.

ANNEX XVII

INTERVIEW WITH MR. JOSEPH CIMPAYE
2 November 1961

Joseph Cimpaye, former Prime Minister in the previous Government. Chairman of UPP, a party affiliated to the Front commun.

Mr. Cimpaye said that he had come from Kitega at the Commission's request.

He had learned of the murder on the very night of the incident; he had been in the Beaulieu restaurant. The news had taken him entirely by surprise. That same morning he had seen Jean Ntakiyica, who had seemed to him completely "as usual".

He had known Louis Rwagasore well and was to have met him the day after the incident and again the day after that, Sunday, 15 October, when a luncheon was to have taken place with the Mwami, the Prince and a Frenchman who was engaged in setting up a radio station at Usumbura. The final agreement on that enterprise was to have been signed that day.

Mr. Cimpaye said that he was to have undertaken the management of that business, in which important interests from different countries such as France, Germany and Belgium were to be represented. Prince Rwagasore had given his full agreement to the appointment of Mr. Cimpaye to that post although he had been his political opponent.

In that connexion Mr. Cimpaye stressed the fact that the political opposition between leaders of UPRONA and of the Front commun was first and foremost political opposition, not personal hostility.

In reply to questions by the Commission, he said he had no idea whatever who could have stood to gain from the Prime Minister's disappearance. The great success UPRONA had had in the elections had assuredly made a successful coup d'état inconceivable, especially one carried out before the United Nations had pronounced on the validity of the election results.

Mr. Cimpaye then said that he knew almost all those who were implicated in the affair. He was most closely acquainted with Mr. Ntindendereza and the PDC leaders. He refused to believe them capable of having instigated the assassination of the Prince. Furthermore, he knew that they had not had the funds at their disposal to pay the sum of which Kageorgis

was alleged to have spoken. Neither did he believe that Mr. Iatrou had had such funds at his disposal.

He had known Kageorgis as a quiet boy without political affiliations. As far as he knew he had never done anything to invite comment, either good or ill.

ANNEX XVIII

INTERVIEW WITH MRS. BELVA
2 November 1961

Mrs. Belva is of Belgian nationality. She was a welfare worker in Belgium, then came to Africa with her husband, who is now in the Congo.

Mrs. Belva said she knew Mr. Ntindendereza and had helped to bring up his children; she had been the secretary of PDC, then of the Front commun on a voluntary basis until eight days previously.

She stated that to her knowledge there had been no programme in existence for a coup d'état and that the murder could not be explained as a planned political act.

She described Ntindendereza as a man of very equal temper, very patient, always ready to help others, starting with his eleven brothers and sisters and continuing with others whose political opinions were sometimes entirely different from his. His opinions had of course differed from those of Mr. Rwagasore, but there was absolutely nothing in Mr. Ntindendereza's character which could lead one to believe that he might have conceived of arranging a murder, political or otherwise, or even of allowing a murder to be committed.

Biroli was a different type of man. He lacked the balance of his brother Ntindendereza. Although he was intelligent and successful in his studies, his character was weaker. He had been through crises of neurasthenia which had led him to drink a great deal. At the request of his family he had already undergone cures for alcoholism in Europe but had taken to drink again since his return. His bouts of drunkenness, however, were never violent; he would cry like a child, complaining that the others were hard on him.

When asked whether the other leaders of the Front commun behaved like Ntindendereza, Mrs. Belva replied that some of them were certainly less calm than Ntindendereza. As for Mr. Baranyanka, he was an elderly man who maintained his family authority to the full but, as he did not speak French and took little part in the public life of the country, he could hardly be regarded as an active political leader.

In reply to questions about the oath which was alleged to have been taken at Mr. Baranyanka's house on Saturday, 14 October, the day after the murder, she stated that she knew that Mr. Baranyanka had for some time had the intention of holding that family ceremony on the first possible occasion. It was a question of trying to stop Biroli, who had been drinking more and more. As custom required in important circumstances, and in order to give the promise greater solemnity, Biroli's promise to stop drinking was to be made before the assembled members of the family. Ntakiyica, who had just been in prison for a minor offence (probably misbehaviour when drunk), had also had to undertake to behave better and the other members present had probably taken part in the oath.

Questioned about the state of the finances of the PDC and the Front commun, which she was in a position to know as secretary, Mrs. Belva replied that their financial situation had totally collapsed.

Lastly, she stated that shortly after the elections an officer of the security police had warned her that she was in danger of being murdered for the purpose of provoking reprisals by members of the Front commun.

DOCUMENT A/C.4/501

Text broadcast over Radio Usumbura at the request of Mr. André Muhirwa,
Prime Minister and Minister of the Interior of Burundi[Original text: French]
[27 October 1961]

1. The Government of Burundi thanks the whole population without distinction for the composure, dignity and calm as well as for the sympathy displayed on the occasion of the funeral of its Prime Minister, the Mungwa Louis Rwagasore. In particular it wishes to thank the Belgian commando soldier and others who helped the judicial authorities to track down the assassins immediately and those who then arrested them, the *Parquet*, the Judicial Police and the Criminal Investigation Department who conducted the inquiry so promptly, all those who took part in organizing the funeral ceremonies, particularly the Territorial Guard which mounted

the guard of honour for several days and the young people of Usumbura who maintained discipline among themselves and among all the crowd present.

2. The Government likewise wishes to thank: their Excellencies the Archbishops and Bishops of Burundi and all the ecclesiastical authorities of Burundi and Rwanda, the diplomatic corps, the Resident-General, the Resident of Burundi and all the authorities of the Administration, the Members of Parliament, Provincial Administrators, Burgomasters, and Councillors who honoured with their presence the various ceremonies of national mourning.

DOCUMENTS A/C.4/516 AND ADD.1-3

Petitions and communications: memorandum by the Secretary-General

Document A/C.4/516[Original text: English]
[12 January 1962]

1. At its 1178th meeting, on 11 January 1962, the Trusteeship Council decided to refer all petitions relating to the Trust Territory of Ruanda-Urundi to the Fourth Committee of the General Assembly for examination.

2. The petitions referred to have already been circulated and are contained in the following documents:

T/PET.3/136-138;
T/PET.3/L.123 and Add.1, L.124-L.135, L.136 and Add.1, L.137-L.140;
T/COM.3/L.53.

Document A/C.4/516/Add.1[Original text: English]
[26 January 1962]

Add the following to paragraph 2 of document A/C.4/516:

T/PET.3/139;
T/PET.3/L.141, L.142 and Add.1, L.143-L.146;
T/COM.3/L.54.

Document A/C.4/516/Add.2[Original text: English]
[14 February 1962]

Add the following to paragraph 2 of document A/C.4/516:

T/PET.3/L.147-L.149, L.150 and Add.1, L.151-L.154.

Document A/C.4/516/Add.3[Original text: English]
[23 February 1962]

Add the following to paragraph 2 of document A/C.4/516:

T/PET.3/L.155.

DOCUMENT A/C.4/517*

Protocols concluded on 21 December 1961 between the Minister for Ruanda-Urundi, representing the
Belgian Government, and the representatives of the Governments of Rwanda and Burundi

Note by the Secretariat

[Original text: French]
[15 January 1962]

I. PROTOCOL CONCLUDED BETWEEN THE MINISTER FOR RUANDA-URUNDI, REPRESENTING THE BELGIAN GOVERNMENT, AND THE PRESIDENT OF THE RWANDESE REPUBLIC, REPRESENTING THE GOVERNMENT OF RWANDA

The Minister for Ruanda-Urundi, representing the Belgian Government, and the President of the Rwan-

dese Republic, representing the Government of Rwanda, have agreed upon the following provisions:

1. The Minister for Ruanda-Urundi recognizes that Rwanda is granted the fullest measure of self-government consistent with the responsibilities that Belgium continues to bear within the framework of the Trusteeship Agreement of 13 December 1946.

Such self-government means that the Government of Rwanda shall exercise not only the powers already

* Incorporating document A/C.4/517/Corr.1.

granted under Legislative Order No. 01/214 of 27 June 1961 and under subsequent Orders, but also all powers formerly exercised by the Administering Authority, with the exception of those enumerated in paragraph 2 below.

2. Until such time as Rwanda achieves independence, Belgium will only retain, by right, the powers relating to the following matters:

(a) External relations, it being understood that: on the one hand, any question involving the future of the State will be the subject of consultations between the two Governments; on the other hand, the Belgian Government will in all circumstances assist the Government of Rwanda to make contact with foreign States with which Rwanda proposes to maintain friendly relations when it attains independence.

(b) The defence of the integrity of the Territory.

(c) Respect for internal public order:

The Police shall be under the authority of the Government of Rwanda; the metropolitan forces shall be under Belgian command; the Government of Rwanda may ask for their intervention and on no occasion shall they be used at the initiative of the Senior Representative of Belgium without prior consultation of the Government of Rwanda; the Government of Rwanda shall decide on the use of the Territorial Guard and shall be responsible for its general administration; its present organization, however, shall not be changed during the period of self-government except by common agreement; the Senior Representative of Belgium may requisition the Guard or forbid its use, within the framework of Belgium's obligations to the United Nations.

(d) Supervision of financial administration of Rwanda in accordance with the terms of annex A.

3. The future of the joint services at present in existence in Ruanda-Urundi shall be determined in an annex to the Protocol.

4. Belgium will henceforth be represented in Rwanda solely by a "Senior Representative" with offices at Kigali.

5. In order to enable Rwanda to attain independence in the best possible circumstances, the Minister for Ruanda-Urundi will associate the Government of Rwanda as broadly as possible, within a framework of permanent collaboration, in the administration of the matters enumerated in paragraph 2 above for which Belgium shall assume full responsibility until the proclamation of the independence of Rwanda.

6. The Minister for Ruanda-Urundi undertakes to revise the relevant legislative instruments as soon as possible in order to bring them into line with this Protocol.

(Signed) P.-H. SPAAK (Signed) G. KAYIBANDA

PROTOCOL ANNEX A

Budgetary and financial matters

Since Belgium is responsible in this field, under the terms of the Trusteeship Agreement, until Rwanda achieves independence, it is agreed, within the framework of Rwanda's self-government, that the following principles shall govern co-operation between Belgium and Rwanda.

1. Preparation of the budget

The Government of Rwanda shall prepare the budget itself. It shall transmit the estimates to the Senior Representative of Belgium so that he may:

(a) Verify that the obligations imposed on Belgium by the Trusteeship Agreement are complied with;

(b) Examine the fields in which the Government of Rwanda wishes to obtain financial assistance from the Belgian Government. Once this assistance has been determined, it shall be included in the budget.

When the Belgian Government has agreed to it, the Government of Rwanda shall submit the budget to the Legislative Assembly for final approval.

2. Implementation of the budget

The budget shall be put into effect by the Government of Rwanda and on its responsibility.

If changes should prove necessary while the budget is being put into effect, they shall be made by agreement with the Senior Representative of Belgium.

The Government of Rwanda shall give the Senior Representative of Belgium full information on the implementation of the budget and on the financial situation of the Treasury.

3. Independence of the Treasury

The Government of Rwanda shall put the budget into effect through an independent Treasury having its own account with the Bank of Issue.

The Bank of Issue shall not allow the account to be overdrawn. Occasionally, however, in order to allow for the normal time-lag between the receipt of revenue and expenditure, the Government of Rwanda may have a certain technical debit with the Bank of Issue up to an amount to be fixed by agreement between the Government of Rwanda, the Belgian Government and the Bank, at the beginning of the financial year.

It is understood that these principles shall govern the implementation of the 1962 budget.

Protocol relating to existing joint services in Ruanda-Urundi

In order to enable the two States to achieve independence in the best possible circumstances and as quickly as possible, this Protocol is intended to determine which of the existing joint services in Ruanda-Urundi shall be operated separately by each State and which might be operated jointly by the two States, after being organized in a new basis to be decided by the two Governments before independence.

1. The existing joint technical services in Ruanda-Urundi shall be administered provisionally by a representative appointed by the Belgian Government. This representative shall be assisted by two officials appointed by the Government of Rwanda and the Government of Burundi respectively.

2. The Governments of Rwanda and Burundi shall decide, subject to article 3, upon the liquidation of the existing joint services in Rwanda and Burundi, and in particular those listed below:

- (a) Post, telegraph and telephone;
- (b) Meteorological office;
- (c) Air service;
- (d) National parks;
- (e) Régideso (water and electric power supplies);
- (f) Mines, geology, hydrology;
- (g) Social security and pensions;
- (h) Savings bank.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, as quickly as possible and by 15 February at the latest, an inventory of the assets and liabilities of the services listed below:

- (1) Mines, geology, hydrology;

- (2) Social security and pensions;
- (3) National parks.

As soon as the inventory is finished, he shall immediately put these services into liquidation and shall endeavour to complete this process by 28 February at the latest.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, by 15 February at the latest, an inventory of the assets and liabilities of the following services, formerly operated jointly, and as soon as the inventory is completed he shall discuss with the two Governments the conditions under which these services may be taken over and operated by each of the States separately:

- (1) Post, telegraph and telephone;
- (2) Meteorological office;
- (3) Air service;
- (4) Régideso (water and electric power supplies);
- (5) Savings bank.

The proposals made in this connexion shall be communicated to the Governments by 15 March at the latest.

When the Governments have received the proposals made by the representative of Belgium with the assistance of the officials appointed by the Government of Rwanda and the Government of Burundi, they shall confirm their provisional decision by an official written document, and the representative of Belgium shall immediately proceed, with the assistance of the officials appointed by Rwanda and Burundi, to liquidate the services in question.

3. The Governments of Rwanda and Burundi agree to continue provisionally the present monetary union; this implies joint administration of the Bank of Issue.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, as quickly as possible and by 31 March 1962 at the latest, a statement of the situation in the monetary and financial fields and in foreign trade. Until this document is ready the Governments of Rwanda and Burundi agree to continue temporarily to apply a joint policy with respect to licences and customs duties.

As soon as the Governments have received the statement in question, they shall hold consultations in order to establish the rules which shall govern their future relations in these fields. A decision shall be reached as soon as possible, and not more than four weeks after the statement is submitted, in order that permanent administrative machinery may be set up in accordance with the wishes of each State before independence.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall temporarily be responsible for the administration of the customs, licence offices and the Office des cafés indigènes du Ruanda-Urundi (OCIRU).

4. The representative of Belgium shall transmit to the two Governments a study of the work and past achievements of the scientific institutions and an inventory of their assets and liabilities.

He shall immediately discuss with the Governments of Rwanda and Burundi the possibility of arranging for the work of these institutions to continue, taking into account the financial contribution which Belgium can make in this field.

5. The Belgian Government, the Government of Rwanda and the Government of Burundi shall appoint the above-mentioned representative and officials before 31 December, so that this Protocol may be put into effect immediately.

6. Belgium shall make every effort to establish what matters are in dispute between the Republic of the Congo (Leopoldville) and Ruanda-Urundi and to settle them all. Belgium shall act as representative of the interests of Ruanda-Urundi and the two Governments shall be associated with the discussions in so far as they so desire.

II. PROTOCOL CONCLUDED BETWEEN THE MINISTER FOR RUANDA-URUNDI, REPRESENTING THE BELGIAN GOVERNMENT, AND THE DEPUTY PRIME MINISTER OF BURUNDI, REPRESENTING THE GOVERNMENT OF BURUNDI

The Minister for Ruanda-Urundi, representing the Belgian Government, and the Deputy Prime Minister of Burundi, representing the Government of Burundi, have agreed upon the following provisions:

1. The Minister for Ruanda-Urundi recognizes that Burundi is granted the fullest measure of self-government consistent with the responsibilities that Belgium continues to bear within the framework of the Trusteeship Agreement of 13 December 1946.

Such self-government means that the Government of Burundi shall exercise not only the powers already granted under Legislative Order No. 01/214 of 27 June 1961 and under subsequent Orders, but also all powers formerly exercised by the Administering Authority, with the exception of those enumerated in paragraph 2 below.

2. Until such time as Burundi achieves independence, Belgium will only retain, by right, the powers relating to the following matters:

(a) External relations, it being understood that: on the one hand, any question involving the future of the State will be the subject of consultations between the two Governments; on the other hand, the Belgian Government will in all circumstances assist the Government of Burundi to make contact with foreign States with which Burundi proposes to maintain friendly relations when it attains independence.

(b) The defence of the integrity of the Territory.

(c) Respect for internal public order:

The Police shall be under the authority of the Government of Burundi;

The metropolitan forces shall be under Belgian command; the Government of Burundi may ask for their intervention and on no occasion shall they be used at the initiative of the Senior Representative of Belgium without prior consultation of the Government of Burundi; the Government of Burundi shall decide on the use of the Territorial Guard and shall be responsible for its general administration; its present internal organization, however, shall not be changed during the period of self-government except by common agreement; the Senior Representative of Belgium may requisition the Guard or forbid its use, within the framework of Belgium's obligations to the United Nations.

(d) Supervision of the financial administration of Burundi in accordance with the terms of annex A.

(e) Questions relating to internal security, immigration and emigration are dealt with in annex B.

3. The future of the joint services at present in existence in Ruanda-Urundi shall be determined in an annex to the Protocol.

4. Belgium will henceforth be represented in Burundi solely by a "Senior Representative" with offices at Usumbura.

5. In order to enable Burundi to attain independence in the best possible circumstances, the Minister for Ruanda-Urundi will associate the Government of Burundi as broadly as possible, within a framework of permanent collaboration, in the administration of the matters enumerated in paragraph 2 above for which Belgium shall assume full responsibility until the proclamation of the independence of Burundi.

6. The Minister for Ruanda-Urundi undertakes to revise the relevant legislative instruments as soon as possible in order to bring them into conformity with this Protocol.

(Signed) P.-H. SPAAK (Signed) P. NGENDANDUMWE

PROTOCOL ANNEX A

Budgetary and financial matters

Since Belgium is responsible in this field, under the terms of the Trusteeship Agreement, until Burundi achieves independence, it is agreed, within the framework of Burundi's self-government, that the following principles shall govern co-operation between Belgium and Burundi.

1. *Preparation of the budget*

The Government of Burundi shall prepare the budget itself. It shall transmit the estimates to the Senior Representative of Belgium so that he may:

- (a) Verify that the obligations imposed on Belgium by the Trusteeship Agreement are complied with;
- (b) Examine the fields in which the Government of Burundi wishes to obtain financial assistance from the Belgian Government. Once this assistance has been determined, it shall be included in the budget.

When the Belgian Government has agreed to it, the Government of Burundi shall submit the budget to the Legislative Assembly for its approval.

2. *Implementation of the budget*

The budget shall be put into effect by the Government of Burundi and on its responsibility. It shall be provided with the necessary staff for the purpose: supervisors, accountants and auditors.

If changes should prove necessary while the budget is being put into effect, they shall be made by agreement with the Senior Representative of Belgium.

The Government of Burundi shall give the Senior Representative of Belgium full information on the implementation of the budget and on the financial situation of the Treasury.

3. *Independence of the Treasury*

The Government of Burundi shall put the budget into effect through an independent treasury having its own account with the Bank of Issue.

As a general rule, the Bank of Issue shall not allow the account to be overdrawn. Occasionally, however, in order to allow for the normal time-lag between the receipt of revenue and expenditure, the Government of Burundi may have a certain technical debit with the Bank of Issue up to an amount to be fixed by agreement between the Government of Burundi, the Belgian Government and the Bank.

It is understood that these principles shall govern the implementation of the 1962 budget regardless of the financial situation of the Treasury resulting from the policy of the previous administration.

PROTOCOL ANNEX B

Security

1. The Government of Burundi shall, if it so desires, establish an internal department of information.

2. With respect to immigration, Belgium, at the request of the Government of Burundi, shall not issue entry visas valid for more than one month, such visas to be renewable by the Government of Burundi; Belgium shall associate the Government of Burundi in the formalities of immigration control.

3. With respect to emigration, the Belgian services will continue to issue passports. If the Government of Burundi wishes to maintain the system of exit passports, the Belgian services will continue to issue them; they will notify the services of the Government of Burundi, which will be required to communicate their objections within three working days.

Protocol relating to existing joint services in Ruanda-Urundi

In order to enable the two States to achieve independence in the best possible circumstances and as quickly as possible, this Protocol is intended to determine which of the existing joint public services in Ruanda-Urundi shall be operated separately by each State and which might be operated jointly by the two States, after being organized on a new basis to be decided by the two Governments before independence.

1. The existing joint technical services in Ruanda-Urundi shall be administered provisionally by a representative appointed by the Belgian Government. This representative shall be assisted by two officials appointed by the Government of Rwanda and the Government of Burundi respectively.

2. The Governments of Rwanda and Burundi shall decide, subject to article 3, upon the liquidation of the existing joint services in Rwanda and Burundi, and in particular those listed below:

- (a) Post, telegraph and telephone;
- (b) Meteorological office;
- (c) Air service;
- (d) National parks;
- (e) Régideso (water and electric power supplies);
- (f) Mines, geology and hydrology;
- (g) Social security and pensions;
- (h) Savings bank.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, as quickly as possible and by 15 February at the latest, an inventory of the assets and liabilities of the services listed below:

- (1) Mines, geology, hydrology;
- (2) Social security and pensions;
- (3) National parks.

As soon as the inventory is finished, he shall immediately put these services into liquidation and shall endeavour to complete this process by 28 February at the latest.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, by 15 February at the latest, an inventory of the assets and liabilities of the following services, formerly operated jointly, and as soon as the inventory is completed he shall discuss with the two Governments the conditions under which these services may be taken over and operated by each of the States separately:

- (1) Post, telegraph and telephone;

- (2) Meteorological office;
- (3) Air service;
- (4) Régideso (water and electric power supplies);
- (5) Savings bank.

The proposals made in this connexion shall be communicated to the Governments by 15 March at the latest.

When the Governments have received the proposals made by the representative of Belgium with the assistance of the officials appointed by the Government of Rwanda and the Government of Burundi, they shall confirm their provisional decision by an official written document and the representative of Belgium shall immediately proceed, with the assistance of the officials appointed by Rwanda and Burundi, to liquidate the services in question.

3. The Governments of Rwanda and Burundi agree to continue provisionally the present monetary union; this implies joint administration of the Bank of Issue.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall draw up, as quickly as possible and by 31 March 1962 at the latest, a statement of the situation in the monetary and financial fields and in foreign trade. Until this document is ready the Governments of Rwanda and Burundi agree to continue temporarily to apply a joint policy with respect to licences and customs duties.

As soon as the Governments have received the statement in question, they shall hold consultations in order

to establish the rules which shall govern their future relations in these fields. A decision shall be reached as soon as possible, and not more than four weeks after the statement is submitted, in order that permanent administrative machinery may be set up in accordance with the wishes of each State before independence.

The representative of Belgium, with the assistance of the officials appointed by Rwanda and Burundi, shall temporarily be responsible for the administration of the customs, licence offices and the OCIRU.

4. The representative of Belgium shall transmit to the two Governments a study of the work and past achievements of the scientific institutions and an inventory of their assets and liabilities.

He shall immediately discuss with the Governments of Rwanda and Burundi the possibility of arranging for the work of these institutions to continue, taking into account the financial contribution which Belgium can make in this field.

5. The Belgian Government, the Government of Rwanda and the Government of Burundi shall appoint the above-mentioned representative and officials before 31 December, so that this Protocol may be put into effect immediately.

6. Belgium shall make every effort to establish what matters are in dispute between the Republic of the Congo (Leopoldville) and Ruanda-Urundi and to settle all of them. Belgium shall act as representative of the interests of Ruanda-Urundi and the two Governments shall be associated with the discussions in so far as they so desire.

DOCUMENT A/C.4/532*

Report of the Conciliation Group to the Fourth Committee embodying an Agreement between the Government of Rwanda and the opposition party, the Union nationale rwandaïse (UNAR)

[Original text: French]
[8 February 1962]

The Conciliation group appointed by the Fourth Committee of the General Assembly to lend its good offices to the representatives of the Government of Rwanda and the representatives of the opposition party, the Union nationale rwandaïse (UNAR), with a view to a broad national reconciliation in Rwanda, was composed of the representatives of Guinea, Liberia, Mexico and Senegal. It was presided over by Miss Angie Brooks, representative of Liberia, Chairman of the Fourth Committee.

The group held four meetings in which Mr. A. Rugira, President of the Legislative Assembly of Rwanda, Mr. C. Habamenshi, Minister of Information of Rwanda, and Mr. Otto Rusingizandekwe, Minister for Foreign Affairs, representing the Government of Rwanda, and Mr. M. Rwagasana, Deputy, General Secretary of UNAR, Mr. M. Kayihura, General Political Adviser of UNAR, and Mr. A. Ruteru, representative of UNAR abroad, representing the opposition party, UNAR, took part.

In the course of the discussions, the following questions were examined: (a) possible participation by the opposition party, UNAR, in the public life of Rwanda; (b) the question of the elections and of the referendum; (c) the question of the refugees.

The parties considered that the elections and the referendum were matters within the competence of the General Assembly. Hence only two points remained for dis-

cussion: (1) possible participation by the opposition party, UNAR, in the public life of Rwanda, and (2) the question of the refugees.

The discussions accordingly began with the examination of the first question.

As a result of the discussions, the representatives of the Government and the representatives of the opposition party, UNAR, concluded the following Agreement:

1. PARTICIPATION BY THE OPPOSITION PARTY, UNAR, IN THE PUBLIC LIFE OF RWANDA

(a) At the Government level

The Government has agreed to offer two ministerial portfolios to UNAR. The representatives of the Government have stated that they are not currently in a position to specify these ministries, but have agreed that they shall be two important ministries, to be determined by negotiation in Rwanda. It has also been agreed that the Government will offer, to the UNAR opposition, posts of Secretary of State in the same proportion as the ministerial posts.

(b) Posts of Prefect and Sub-Prefect

The Government has agreed to offer to the UNAR opposition a number of posts of Prefect and Sub-Prefect proportional to the number of seats held by UNAR in the Legislative Assembly as a minimum, two posts of Prefect and two posts of Sub-Prefect. Since the posts

* Incorporating document A/C.4/532/Corr.1.

in question are administrative ones which must be filled in accordance with the provisions of the Administrative Staff Regulations, it has also been agreed that the UNAR candidates for these posts must fulfil the conditions laid down in the said Regulations and may not, after appointment, claim allegiance to any political party in the performance of their duties.

(c) *Burgomasters and Communal Councillors*

It has been agreed that, as the holders of these posts are elected for a specific term of office, the Government is not in a position to change this situation *de facto* and *de jure*.

The Government has also stated that it is unable to advance the date of the next communal elections, as the opposition party, UNAR, proposed.

2. QUESTION OF THE REFUGEES

The two parties have agreed that they will make every effort to promote a solution of this grave human and political problem, by endeavouring to expedite the repatriation of the refugees in the best possible circumstances.

The Government has agreed that the co-operation of the opposition would be useful for a rapid solution of this problem. It has agreed to offer UNAR a senior post in the Commissariat for Refugees.

3. GUARANTEE AND APPLICATION OF THE AGREEMENT

The Government and the opposition party, UNAR, have agreed to carry out all the provisions of this Agree-

ment scrupulously and in good faith. It has been further agreed that the Agreement will be submitted to the Fourth Committee for its information, and that this will constitute a guarantee.

Signed on 8 February 1962 by the following:

Representatives of the Government of Rwanda

A. RUGIRA

President of the Legislative Assembly

C. HABAMENSHI

Minister of Information

O. RUSINGIZANDEKWE

Minister for Foreign Affairs

Representatives of UNAR

M. RWAGASANA

Deputy, General Secretary of UNAR

M. KAYIHURA

General Political Adviser of UNAR

A. RUTERA

Representative of UNAR abroad

Members of the Conciliation Group

Marof ACHKAR

Representative of Guinea

Angie BROOKS

Representative of Liberia

Jorge CASTAÑEDA

Representative of Mexico

Kane FALLOU

Representative of Senegal

DOCUMENT A/C.4/533

Letter dated 8 February 1962 from the Permanent Representative of Belgium to the United Nations, addressed to the Chairman of the Fourth Committee

[Original text: French]
[8 February 1962]

In the course of the recent work of the Fourth Committee, various delegations have made inquiries concerning the strength of the African personnel serving in Ruanda-Urundi in the national guard and police, excluding Belgian metropolitan troops.

I therefore have the honour to transmit to you the following information:

I. In Rwanda, the following personnel were serving on 1 February 1962:

(a) National guard: 800 Rwandese, including 6 officers, 52 sergeants, 82 corporals; and 50 Belgian officers and non-commissioned officers.

(b) Police:

(1) National: 600 African policemen and 23 African assistant superintendents,

(2) Communal: 1,200 policemen, unarmed (but who could be armed if necessary).

The following programme is also being carried out:

(a) National guard: 9 Rwandese officers and 65 Rwandese sergeants are in training; 500 men are being recruited.

(b) National police: 150 policemen are being recruited; 23 new African assistant police superintendents are in training.

II. In Burundi, the following personnel were serving on 1 February 1962:

(a) National guard: 715 Burundi including 1 chaplain, 9 sergeant-majors who will be promoted to second-lieutenant on 1 March 1962, 82 non-commissioned officers and 19 officer-cadets at Brussels and Usumbura.

(b) Police: 831 Burundi, including 20 superintendents and 71 non-commissioned officers; and 30 Belgian superintendents.

The following programme is also being carried out:

(a) National guard: Its strength will be increased before June 1962 to 991 corporals and men, 179 non-commissioned officers and 51 officers.

(b) Police: Its strength will be increased before the end of June 1962 to 1,010 Burundi, including 39 superintendents.

I would request you, Madam Chairman, in view of the interest displayed by delegations in this matter, to bring these figures to the notice of the Committee over which you preside.

(Signed) W. LORIDAN
Permanent Representative of Belgium

DOCUMENT A/C.4/L.730/REV.2

Congo (Brazzaville), Dahomey, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Ivory Coast, Japan, Liberia, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Tunisia, United Arab Republic and Upper Volta: revised draft resolution

[Original text: English-French]
[21 February 1962]

The General Assembly,

Having considered the report of the United Nations Commission for Ruanda-Urundi and having heard the representatives of Ruanda-Urundi, of the Administering Authority and the petitioners,

Recalling its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961,

Bearing in mind the provisions of its Declaration on the granting of independence to colonial countries and peoples contained in resolution 1514 (XV) of 14 December 1960,

Taking into account the observations of the Commission concerning the pre-electoral conditions and atmosphere prevailing in Rwanda and in Burundi and the physical organization of the electoral operations in both parts of the Territory,

Noting with satisfaction the agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaise (UNAR) contained in document A/C.4/532, and Corr.1,

Considering that the return and resettlement in Rwanda of thousands of refugees have not been possible and a large number of them are still living outside their homeland,

Reaffirming its conviction that the best future of Ruanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi,

Desirous of ensuring that Ruanda-Urundi accedes to independence in the most favourable conditions as soon as possible,

1. Expresses its appreciation to the United Nations Commission for Ruanda-Urundi and to the Special Commission for the Amnesty and their staffs for the performance of the tasks entrusted to them, and congratulates the people of Ruanda-Urundi, the political leaders, the representatives of the Administering Authority, all those who co-operated effectively with the Commissions;

2. Decides to establish a Commission for Ruanda-Urundi—composed of five Commissioners representing five Member States to be elected by the General Assembly—which may, whenever it deems it advisable, invite the representatives of the Administering Authority and of the Governments of Rwanda and Burundi to attend its meetings;

3. Requests the Commission to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering Authority and national authorities, of the following objectives:

(a) The reconciliation of the various political factions in the Territory;

(b) The return and resettlement of all refugees;

(c) The guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions;

(d) The maintenance of law and order;

(e) Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces, to be completed before independence, with the exception of such personnel whose retention, in the view of the Commission in consultation with the authorities of Ruanda-Urundi and the Administering Authority and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification, may be considered necessary as an interim measure;

4. Requests the Commission to convene as soon as possible at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chief of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union, the role of the Commission being to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective; in this task the Commission will, at its request, be provided by the Secretary-General with the assistance of judicial, financial and economic, military and police, and technical assistance advisers;

5. Requests the Commission to see that all powers of internal autonomy are transferred to the Governments of Rwanda and Burundi at a date not later than 30 April 1962;

6. Further requests the Commission to submit a report, before 1 June 1962, to the General Assembly at its resumed sixteenth session in respect of the progress made towards the achievement of the objectives stated in paragraphs 3, 4 and 5 above, such report to include recommendations as to:

(a) The necessary arrangements and modalities for the final transfer of power;

(b) The assistance that the United Nations can provide to deal with the social and economic problems of the Territory;

(c) The time-table for the withdrawal of the personnel, if any, retained as an interim measure under paragraph 3 (e) above;

7. Envisages setting 1 July 1962 as the date for the termination of the Trusteeship Agreement, subject to General Assembly approval upon examination of the report of the Commission at the resumed session which the Assembly decides to call in the first week of June 1962;

8. *Considers* that the implementation of the provisions of the present resolution will ensure the emergence of Ruanda-Urundi to independence in an atmosphere of peace and tranquillity and the termination of the Trusteeship Agreement at the resumed session envisaged in paragraph 7 above;

9. *Requests* the Administering Authority and appeals to the Governments and people of Ruanda-Urundi to co-operate fully with the Commission in the performance of its tasks;

10. *Decides* to maintain this item on the agenda of

the present session without closing the debate thereon and authorizes the Commission, should circumstances so require, to return to United Nations Headquarters and request the President of the General Assembly to reconvene the General Assembly immediately;

11. *Requests* the Secretary-General to provide the Commission with the necessary facilities and assistance in the performance of its tasks, and, in particular, to provide experts and military observers for the purposes envisaged in paragraphs 3 (d) and (e) and 4 of the present resolution.

DOCUMENT A/C.5/892

Financial implications of the draft resolution submitted by the Fourth Committee in document A/4929

Note by the Secretary-General

[Original text: English]
[19 October 1961]

1. The Fourth Committee at its 1177th meeting, on 18 October 1961, adopted a draft resolution that requests the United Nations Commission for Ruanda-Urundi to visit the scene of the death of the Prime Minister of Burundi in order to carry out an investigation and submit a preliminary report to the General Assembly as soon as possible (A/4929, para. 15).

2. This statement of the financial implications of the draft resolution is submitted in accordance with rule 154 of the rules of procedure of the General Assembly. A similar statement has already been submitted to the Fourth Committee in document A/C.4/L.698.

3. This estimate of cost is based on the assumption that the three Commissioners, now at Geneva, will travel to Usumbura and return. It is assumed that they will be accompanied by two members of the Secretariat whose assistance would be supplemented by the three observers and two international secretaries at present stationed in Ruanda-Urundi on behalf of the Commission. The travel costs can be estimated at \$6,000 but all other expenses of the investigation will vary in accordance with the period of time spent on the investigation and, therefore, are shown on a monthly basis as follows:

<i>Object of expenditure</i>	<i>Cost per month United States dollars</i>
(a) Subsistence allowance at rates established pursuant to Staff Rule 107.15 (in Ruanda-Urundi: \$20 for Commissioners and Principal Secretary; \$17 for Secretariat staff).....	6,000
(b) Remuneration of the Commissioners.....	5,500
(c) Salaries of local staff (interpreters, drivers, messengers), local transportation, communications, etc.	3,000
TOTAL	<u>14,500</u>

4. Accordingly the financial implications, as they can be foreseen at this moment, are \$6,000 for transportation and an additional expenditure for other items of \$14,500 a month for whatever period of time is required to fulfil the purpose of the draft resolution. It is intended that the additional requirements, as determined in the light of subsequent developments, be provided for as revised supplementary estimates to be submitted for the financial year 1961.

DOCUMENT A/C.5/917/REV.1

Financial implications of draft resolution I submitted by the Fourth Committee in document A/4929/Add.1

Note by the Secretary-General

[Original text: English]
[21 February 1962]

1. The present note is submitted by the Secretary-General in accordance with rule 154 of the rules of procedure of the General Assembly.

2. The draft resolution submitted by the Fourth Committee on the question of the future of Ruanda-Urundi (A/4929/Add.1, para. 41, draft resolution I) provides, under operative paragraph 2, for the establishment of a Commission for Ruanda-Urundi composed of five Commissioners representing five Member States to be elected by the General Assembly. The Commission may, whenever it deems it advisable, invite the representatives of

the Administering Authority and of the Governments of Rwanda and Burundi to attend its meetings.

3. The Commission is also requested, under operative paragraph 3, to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering and national authorities, of the following objectives:

- (a) The reconciliation of the various political factions in the Territory;
- (b) The return and resettlement of all refugees;

(c) The guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions;

(d) The maintenance of law and order;

(e) Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces, to be completed before independence, with the exception of such personnel whose retention, in the view of the Commission in consultation with the authorities of Ruanda-Urundi and the Administering Authority, may be considered necessary as an interim measure.

4. Furthermore, under operative paragraph 4, the Commission is requested to convene as soon as possible, at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chief of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union; the role of the Commission will be to endeavour to reconcile the points of view of the two Governments and put forward such concrete proposals as would lead to the achievement of the aforementioned objective; in this task the Commission will, at its request, be provided by the Secretary-General with the assistance of judicial financial and economic, military and police, and technical assistance advisers.

5. Consideration of the draft resolution would appear to require at this stage a statement of foreseeable expenditures for the period ending 1 June 1962, when, under operative paragraph 6 of the draft resolution, the Commission is requested to submit a progress report to the Assembly at its resumed session, including recommendations for further action. On this basis the activity involved and related costs are limited to:

(a) The cost of the Commission itself;

(b) The cost of the supporting staff for the Commission;

(c) The servicing of the high-level constitutional conference;

(d) A limited number of fifteen technical, military and civilian advisers to assist the Commission in the fulfilment of its immediate tasks.

6. Consequently, the following expenses might be reasonably contemplated:

(a) *Commission, supporting staff and general expenses*

Since the Commission will comprise five commissioners, and assuming that the latter remain in the field for approximately three months, the cost of related travel and subsistence at appropriate rates, not exceeding \$23 a day, is estimated at \$14,600 for travel and \$10,400 for subsistence. The immediate supporting staff required for the Commission may be tentatively estimated as follows: 1 Principal Secretary; 2 Political Affairs officers; 1 Legal officer; 1 Administrative officer; 4 Bilingual secretaries; 3 Field Service personnel; 10 United Nations staff to assist the Commission in planning for the implementation of the tasks placed upon it under paragraph 3 of the draft resolution 15 Military and civilian experts to assist the Commission in the implementation of paragraph 3 (d) and (e) of the draft resolution.

The Secretary-General would undertake to provide this staff, with the exception of the military and civilian experts, from within existing resources at Headquarters and other United Nations offices. The travel and subsistence expenses for this staff are estimated at \$110,000. It may well be that the Secretary-General would need to replace part of this staff during absence from normal duties in order not to jeopardize priority work programmes, and a contingency of \$15,000 is provided for this purpose. In addition, however, it would be necessary to recruit locally staff to serve as interpreters, typists, drivers and messengers, for which a provision estimated at \$20,000 is made. The cost of fifteen military and civilian experts is estimated at \$97,000 covering salaries and subsistence for three months and travel. General expenses for such items as communications, documentation services, local transportation and other miscellaneous services might be tentatively estimated at a cost of \$45,000.

The latter estimate for general expenses is based on the understanding that the local authorities will grant the Commission and its staff similar assistance as during the 1961 Commission in regard to the provision of office space, local transportation, local communications and living accommodation, as required.

Accordingly, total requirements under this heading are estimated at \$312,000. In the event that a larger number of military and civilian experts than envisaged above prove necessary, additional provision would need to be made on the basis of an average salary and subsistence cost per expert per month of \$1,500, to which must be added \$2,000 for travel and related expenses.

(b) *Servicing of the conference*

The costs for servicing the high-level conference referred to under operative paragraph 4 of the draft resolution would depend on the location and duration of the conference. It is proposed to hold this conference at Addis Ababa; therefore, it might be assumed that costs would accordingly be limited to actual servicing requirements to the extent that existing staff for interpretation, précis-writing, translation, typing and other normal conference servicing purposes needs to be supplemented by temporary assistance. In the absence of an indication of the duration of the conference, provision for these purposes can only be estimated on a contingency basis. Assuming that up to fifteen such temporary staff might be needed, for a period of approximately three weeks, an amount of \$30,000 would be required to cover salaries, subsistence and travel to and from the place of meeting.

To the extent that it is possible, the Secretary-General would meet requests made by the Commission under operative paragraph 4 of the draft resolution for assistance of judicial, financial and economic, military, police and technical assistance advisers from within the supporting staff provided for under paragraph 6 (a) above. However, the assistance envisaged might also require the employment of outside experts, in which case, for short-term employment, the average salary and subsistence costs per expert per month would be \$1,500, to which must be added approximately \$2,000 for travel and related expenses. Subject to the possibility of additional costs for the latter purpose, the minimum requirements for the servicing of the conference, accordingly, is estimated at \$30,000.

Total requirements under sub-paragraphs (a) and (b) above are estimated, therefore, at \$342,000.

7. In addition, a resumption of the sixteenth session of the General Assembly in June 1962, as envisaged in operative paragraph 7 of the draft resolution, while not involving additional expenses in regard to travel of representatives would give rise to other servicing costs estimated at some \$25,000 a week.

8. Should the General Assembly adopt the draft resolution, the Secretary-General would propose to meet the related expenses described in the preceding paragraphs, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, under the terms of paragraph 1 of the General Assembly resolution 1735 (XVI) on unforeseen and extraordinary expenses for the financial year 1962. However, in order to proceed with the implementation of the resolu-

tion without delay, he would request the authorization of the General Assembly to enter into commitments immediately not to exceed \$150,000 pending submission of detailed estimates to the Advisory Committee at the earliest opportunity for its concurrence with the total expenditure envisaged. The necessary budgetary requirements will subsequently be reflected in the supplementary estimates for 1962 under section 18—Special missions, in accordance with normal practice.

9. As regards the cost of the resumed session, the Secretary-General would meet these expenses also under paragraph 1 of General Assembly resolution 1735 (XVI) relating to unforeseen and extraordinary expenses for which the concurrence of the Advisory Committee up to a maximum of \$40,000 a week has already been given.

DOCUMENTS A/4929 AND ADD.1

Report of the Fourth Committee

Document A/4929

Part I: Assassination of the Prime Minister of Burundi

[Original text: English]
[19 October 1961]

1. At its 1018th plenary meeting, on 27 September 1961, the General Assembly allocated to the Fourth Committee the following item on its agenda:

“49. Question of the future of Ruanda-Urundi: report of the United Nations Commission for Ruanda-Urundi”.

2. The Committee had decided, at its 1156th meeting, on 2 October 1961, to begin its consideration of the items before it in the order in which they were allocated in the letter of the President of the General Assembly to the Chairman of the Fourth Committee (A/C.4/497) and to take up this item when the United Nations Commission for Ruanda-Urundi had submitted its report to the General Assembly. However, at its 1172nd meeting, on 16 October 1961, after the representative of Mali had cited the news accounts of the assassination of the Prime Minister of Burundi, Prince Louis Rwagasore, in Usumbura, on 13 October 1961, the Committee decided to consider this item in part, as a matter of great urgency.

3. Statements were made by a number of representatives, including the representative of the Administering Authority, from the 1172nd to the 1177th meetings, inclusive, on 16-18 October 1961.

4. At its 1172nd meeting, the Committee decided to hear at its following meeting the petitioner from the Trust Territory then in New York, if he wished to speak on the point under discussion. In accordance with that decision, the Committee heard the petitioner, Mr. Alexandre Rutera, at its 1173rd and 1174th meetings.

5. Also at the 1172nd meeting, the Committee decided, on a proposal of the representative of Guinea, to request the Chairman to contact, on behalf of the Committee as a whole, the United Nations Commission for Ruanda-Urundi, with a view to its submitting, as soon as possible and in accordance with its terms of reference, a report on the circumstances in which the Prime Minister had met his death. At the 1173rd meeting, on 16 October 1961, the Chairman announced that

she had sent the following telegram to the Commission for the Trust Territory:

“FOURTH COMMITTEE DEEPLY DISTURBED NEWS ASSASSINATION PRINCE RWAGASORE PRIME MINISTER BURUNDI HAS ASKED ME TO REQUEST COMMISSION FOR RUANDA URUNDI TO INVESTIGATE IMMEDIATELY AND THOROUGHLY ON THE SPOT AND REPORT URGENTLY TO FOURTH COMMITTEE”.

6. At the 1176th meeting, on 18 October 1961, the Chairman informed the Committee of the receipt of a radiogram from the Chairman of the United Nations Commission for Ruanda-Urundi the text of which was as follows:

THE COMMISSION THANKS YOU FOR YOUR TELEGRAM NO. 16 STOP IN ACCORDANCE WITH PARAGRAPH 9 C OF RESOLUTION 1579 (XV) THE COMMISSION HAD ALREADY TAKEN THE NECESSARY MEASURES IN ORDER TO FOLLOW ON THE SPOT THE DEVELOPMENT OF THE SITUATION IN THE TERRITORY AFTER THE ELECTIONS STOP THE COMMISSION IS EXPECTING AT ANY MOMENT TO RECEIVE INFORMATION AND DETAILS OF THE ASSASSINATION OF PRINCE RWAGASORE PRIME MINISTER OF BURUNDI STOP THE COMMISSION WILL NOT FAIL TO SUBMIT A REPORT AS SOON AS IT HAS THE FULLEST INFORMATION POSSIBLE.

7. At its 1174th meeting, on 17 October 1961, Guinea introduced a draft resolution, sponsored also by Congo (Leopoldville), Ethiopia, Ghana, India, Indonesia, Iran, Iraq, Liberia, Libya, Mali, Morocco, Nigeria, Senegal, Somalia, Sudan, Togo, Tunisia, the United Arab Republic and Upper Volta. The text of the draft resolution, with the changes mentioned at the 1175th meeting and with Ceylon and Jordan as additional sponsors, was subsequently issued as document A/C.4/L.697.

8. The draft resolution (A/C.4/L.697) read as follows:

“The General Assembly,

“Having learnt with indignation and profound grief of the assassination of the Prime Minister of Burundi, Prince Rwagasore,

“Recalling its resolutions 1579 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961,

“Considering that Ruanda-Urundi is a Trust Territory, and that the accountability of the Administering Authority to the United Nations is involved,

"Considering further that an inquiry and punishment of those responsible for the dastardly act is called for,

"1. Expresses its sense of shock and abhorrence at the murder of the Prime Minister of Burundi;

"2. Requests the United Nations Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay a preliminary investigation of the circumstances of the Prime Minister's tragic death and to submit a report to the General Assembly as soon as possible."

9. At the 1176th and 1177th meetings, on 18 October 1961, the Central African Republic and Niger were added to the list of sponsors.

10. At the 1177th meeting, the representative of Mali proposed an oral amendment to the third preambular paragraph calling for the insertion, after the words, "United Nations", of the words, "in accordance with the Trusteeship Agreement". The representative of Cambodia also proposed an oral amendment, whereby, in operative paragraph 2, the word "preliminary" would be deleted before the word "investigation" and placed before the word "report". The sponsors of the draft resolution accepted those two oral amendments.

11. At the same meeting, the representative of Belgium proposed an oral amendment calling for the insertion of a new fourth preambular paragraph reading:

"Taking note of the statements of the representative of Belgium according to which the persons suspected of having committed the crime have already been apprehended."

12. At the 1176th meeting, the representative of the Federation of Malaya proposed an oral amendment to operative paragraph 2 whereby the words "with the fullest co-operation of the Administering Authority" would be inserted after the word "investigation". The representative of the Federation of Malaya, however, later withdrew his amendment.

13. The Committee also had before it a statement of the financial implications of the draft resolution (A/C.4/L.698).

14. At the 1177th meeting, the Committee voted on the draft resolution (A/C.4/L.697) as orally revised, and the Belgian amendment thereto as follows:

The Belgian amendment calling for the insertion of a new fourth preambular paragraph was rejected by a roll-call vote of 44 to 26, with 17 abstentions. The voting was as follows:

In favour: Australia, Austria, Belgium, Cameroun, Canada, China, Denmark, Dominican Republic, Finland, France, Guatemala, Iceland, Italy, Japan, Netherlands, New Zealand, Norway, Paraguay, Peru, Portugal, South Africa, Spain, Sweden, Turkey, the United Kingdom of Great Britain and Northern Ireland, the United States of America.

Against: Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Central African Republic, Ceylon, Congo (Leopoldville), Cuba, Czechoslovakia, Dahomey, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Jordan, Lebanon, Liberia, Libya, Mali, Morocco, Nepal, Niger, Nigeria, Poland, Rumania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Upper Volta, Yemen, Yugoslavia.

Abstaining: Argentina, Bolivia, Brazil, Chad, Chile, Colombia, Federation of Malaya, Greece, Israel, Ivory Coast, Mexico, Pakistan, Panama, Philippines, Thailand, Uruguay, Venezuela.

The third preambular paragraph of the draft resolution (A/C.4/L.697), with the Malian amendment accepted by the sponsors, was adopted by 84 votes to none, with 1 abstention.

The draft resolution (A/C.4/L.697) as a whole, with the amendments accepted by the sponsors, was adopted by a roll-call vote of 87 to none. The voting was as follows:

In favour: Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Cuba, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ethiopia, Federation of Malaya, Finland, France, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Iran, Iraq, Israel, Italy, Ivory Coast, Japan, Jordan, Lebanon, Liberia, Libya, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Rumania, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Spain, Sudan, Sweden, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Recommendation of the Fourth Committee

15. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolution;

ASSASSINATION OF THE PRIME MINISTER OF BURUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Document A/4929/Add.1

Part II: Report of the United Nations Commission for Ruanda-Urundi

[Original text: English]
[23 February 1962]

1. At its 1018th plenary meeting, on 27 September 1961, the General Assembly allocated to the Fourth Committee the following item on its agenda:

"49. Question of the future of Ruanda-Urundi: report of the United Nations Commission for Ruanda-Urundi".

2. Subsequently, the Fourth Committee submitted part I of its report (A/4929) on this question, which was considered by the General Assembly at its 1041st plenary meeting, on 23 October 1961, when it adopted resolution 1627 (XVI).

3. At its 1258th meeting, on 15 January 1962, the Fourth Committee resumed its consideration of this item.

4. The Committee had before it the report (A/4856) of the Special Commission for Ruanda-Urundi set up under operative paragraph 9 (b) of General Assembly resolution 1605 (XV); the report of the United Nations Commission for Ruanda-Urundi (A/4994 and Add.1 and Corr.1) submitted in accordance with operative paragraph 10 of General Assembly resolution 1579 (XV) and operative paragraph 12 of General Assembly resolution 1605 (XV); a letter from the Chairman of the United Nations Commission for Ruanda-Urundi, transmitting a communication from the Commission concerning the investigation of the circumstances of the death of the Prime Minister of Burundi (A/4970). Subsequently, at the 1278th meeting, on 2 February 1962, the Chairman of the United Nations Commission for Ruanda-Urundi introduced the report of the Commission on the assassination of the Prime Minister of Burundi (A/5086) submitted in accordance with operative paragraph 2 of General Assembly resolution 1627 (XVI).

5. The Committee also had before it a memorandum by the Secretary-General listing petitions and communications concerning Ruanda-Urundi (A/C.4/516 and Add.1-3) which the Trusteeship Council at its 1178th meeting, on 11 January 1962, had decided to refer to the Fourth Committee for examination.

6. Other documents before the Fourth Committee included a letter dated 9 September 1961 from the Permanent Representative of the Union of Soviet Socialist Republics to the President of the General Assembly (A/4865 and Corr.1) and a document transmitted to the members of the Fourth Committee at the request of the Permanent Mission of Belgium to the United Nations (A/C.4/517 and Corr.1) containing the Protocol concluded between the Minister for Ruanda-Urundi, representing the Belgian Government, and the President of the Rwandese Republic, representing the Government of Rwanda, and the Protocol concluded between the Minister for Ruanda-Urundi, representing the Belgian Government, and the Deputy Prime Minister of Burundi, representing the Government of Burundi. The Committee also had before it a letter dated 8 February 1962 from the Permanent Representative of Belgium (A/C.4/533) concerning the strength of the African personnel serving in Ruanda-Urundi national guard and police forces; a letter dated 9 February 1962 from Mr. Amandin Rugira, Chairman of the Legislative Assembly of Rwanda, addressed to the Chairman of the Fourth Committee (A/C.4/534); and a letter dated 8 February 1962 from Mr. Pierre Ngendandumwe, Deputy Prime Minister of Burundi, addressed to the Chairman of the Fourth Committee (A/C.4/535).

7. At the meetings listed below, the Committee granted, without objection, the following requests for hearings submitted by petitioners in connexion with this item (A/C.4/522 and Add.1-4):

<i>Petitioner</i>	<i>Meeting</i>
Mr. Michel Rwagasana, Union nationale rwandaise (UNAR)	1261
Mr. Michel Kayihura (UNAR)	1261
Mr. Alexandre Rutera	1261
Mr. François Rukeba (UNAR)	1264
Mr. Valentin Bankumuhari, Unité et progrès national (UPRONA)	1264
Mr. Mushatsi Kareba, Rassemblement populaire africain du Burundi	1264
Mr. Barnabas Bahizi	1266

<i>Petitioner</i>	<i>Meeting</i>
Mr. Thaddée Siryuyumunsi (UPRONA)	1266
Mr. Jean-Baptiste Ndahindurwa (Kigeli V)	1267

8. At the 1258th meeting of the Fourth Committee, on 15 January 1962, the Chairman of the United Nations Commission for Ruanda-Urundi, Mr. Max H. Dorsinville, introduced the Commission's report (A/4994 and Add.1 and Corr.1). At the same meeting the Committee decided, without objection, to circulate the Chairman's statement as a document (A/C.4/518).

9. At the 1259th meeting, on 16 January, the representative of the Administering Authority made a statement, which the Committee decided, without objection, to circulate as a document (A/C.4/519). He also replied to questions put to him by members of the Committee.

10. At the same meeting, the three members of the United Nations Commission for Ruanda-Urundi—Mr. Max H. Dorsinville, Chairman, Mr. Ernest Gassou and Mr. Majid Rahnema—replied to questions put to them by the representative of Guinea. The Committee decided, without objection, to circulate their statements as a document (A/C.4/521). Subsequently, at the 1264th and 1265th meetings, on 19 and 22 January, Mr. Gassou and Mr. Rahnema made statements which the Committee decided, without objection, to circulate as documents (A/C.4/524 and 525) and, together with the Chairman of the Commission, replied to questions put to them by members of the Committee. A further statement was made by Mr. Rahnema at the 1271st meeting, on 25 January which the Committee decided, without objection, to circulate as a document (A/C.4/529 and Corr.1).

11. At the 1261st meeting, on 18 January, the Committee decided, without objection, to grant hearings, as requested by the representative of the Administering Authority, to Mr. Pierre Ngendandumwe, Deputy Prime Minister of Burundi, and Mr. Amandin Rugira, President of the Legislative Assembly of Ruanda, without deciding in what specific capacity they were to be heard. At the same meeting, Mr. Ngendandumwe and Mr. Rugira made statements, which the Committee decided, without objection, to circulate as a document (A/C.4/523), and replied to questions put to them by members of the Committee. At the 1263rd and 1264th meetings on 19 January, Mr. Rugira made a further statement, following which he and Mr. Ngendandumwe replied to questions put to them by the members of the Committee. At the 1265th meeting, on 22 January, Mr. Ngendandumwe made further statements which the Committee decided, without objection, to circulate as documents (A/C.4/526 and 527). At the 1266th meeting, on 22 January, Mr. Rugira replied to questions put to him by members of the Committee; the Committee decided, without objection, that his reply to a question from the representative of the United States of America should be circulated as a document (A/C.4/528). At the 1293rd meeting, on 16 February, Mr. Rugira made a further statement.

12. At its 1267th meeting, on 23 January, the Committee began the hearing of petitioners with a statement by Mr. Michel Rwagasana, on behalf of the Union nationale rwandaise (UNAR). The hearing of petitioners was continued at the 1268th to 1272nd meetings, on 23 to 25 January, with statements by Mr. Michel Kayihura (UNAR), Mr. Alexandre Rutera, a further statement by Mr. Rwagasana (UNAR), and statements by Mr. Barnabas Bahizi, Mr. Jean-Baptiste Ndahindurwa (Kigeli V) and Mr. Valentin Bankumuhari,

the last on behalf of the *Unité et progrès national* (UPRONA) party. During these meetings the petitioners also replied to questions put to them by the members of the Committee. At the 1272nd meeting, a statement was made by Mr. Rugira whom the Committee had requested, without objection, to be present during the remainder of the period devoted to hearing the petitioners.

13. At the 1275th meeting, on 30 January, the Committee resumed its hearing of petitioners with further statements by Mr. Rutera and Mr. Rwagasana, representative of UNAR. Mr. Rugira also made a further statement. The Committee concluded its hearing of petitioners at its 1282nd meeting, on 6 February, when it heard statements by Mr. Mushatsi Kireba, on behalf of the *Rassemblement populaire africain du Burundi*, by Mr. Thaddée Siruyumunsi, on behalf of UPRONA, and a further statement by Mr. Bankumuhari (UPRONA). The petitioners also replied to questions put to them by members of the Committee. In accordance with a decision taken by the Committee at its 1269th meeting, all statements made by the petitioners during the resumed session were circulated to the members of the Committee.

14. At the 1273rd and 1274th meetings, on 26 and 30 January, the representative of the Administering Authority replied to questions and made a statement which the Committee decided, without objection, to circulate as a document (A/C.4/530).

15. At the 1275th meeting on 30 January, the Committee decided to request the Chairman to appoint a group composed of three members to assist the representative of the Government of Rwanda and the petitioners representing UNAR to resolve their differences. Subsequently, at the 1276th meeting, on 31 January, the Chairman appointed the representatives of Guinea, Mexico and Senegal to serve as members of a Conciliation Group. At its 1287th meeting, on 9 February, the Chairman of the Conciliation Group, Miss Angie Brooks, introduced its report embodying an Agreement between the Government of Rwanda and UNAR, the opposition party (A/C.4/532 and Corr.1) which was discussed by the Fourth Committee at its 1287th and 1288th meetings on 9 February and its 1294th meeting on 16 February.

16. The Committee heard a general debate on this item at its 1275th to 1288th meetings from 30 January to 9 February. In the course of the general debate, the Chairman of the United Nations Commission for Rwanda-Urundi, speaking in his individual capacity, made a statement at the 1284th meeting, on 7 February, concerning the future of Rwanda-Urundi. At the same meeting, the Committee decided, without objection, to circulate this statement as a document (A/C.4/531).

I. QUESTION OF THE FUTURE OF RWANDA-URUNDI

17. At its 1292nd meeting, on 16 February, the representative of Nigeria introduced, on behalf of Dahomey, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Liberia, Madagascar, Mali, Mauritania, Niger, Nigeria, Pakistan, Philippines, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Tunisia, United Arab Republic and Upper Volta, a draft resolution (A/C.4/L.730), later joined by the Federation of Malaya, Gabon, Japan and Morocco (A/C.4/L.730/Add.1) and by Saudi Arabia (A/C.4/L.730/Add.2) and Congo (Brazzaville) (A/C.4/L.730/Add.3). The draft resolution read as follows:

"The General Assembly,

"Having considered the report of the United Nations Commission for Rwanda-Urundi and having heard the representatives of Rwanda-Urundi, of the Administering Authority and the petitioners,

"Recalling its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961.

"Bearing in mind the provisions of its Declaration on the granting of independence to colonial countries and peoples contained in resolution 1514 (XV) of 14 December 1960,

"Taking into account the observations of the Commission concerning the pre-electoral conditions and atmosphere prevailing in Rwanda and in Burundi and the physical organization of the electoral operations in both parts of the Territory,

"Noting with satisfaction the agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaïse (UNAR), contained in document A/C.4/532 and Corr.1,

"Considering that the return and resettlement in Rwanda of thousands of refugees have not been possible and a large number of them are still living outside their homeland,

"Reaffirming its conviction that the best future for Rwanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi,

"Desirous of ensuring that Rwanda-Urundi accedes to independence in the most favourable conditions as soon as possible,

"1. Expresses its appreciation to the United Nations Commission for Rwanda-Urundi for the performance of the tasks entrusted to it, and congratulates the people of Rwanda-Urundi, the political leaders, the Administering Authority, all those who co-operated effectively with the Commission;

"2. Decides to establish a Commission for Rwanda-Urundi—composed of five Commissioners to be elected by the General Assembly—which may, whenever it deems it advisable, invite the representatives of the Administering Authority and of the Governments of Rwanda and Burundi to attend its meetings;

"3. Requests the Commission to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering Authority and national authorities, of the following objectives:

"(a) The reconciliation of the various political factions in the Territory;

"(b) The return and resettlement of all refugees;

"(c) The guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions;

"(d) The maintenance of law and order;

"(e) Rapid replacement of Belgian military and paramilitary forces, to be completed before independence, by indigenous forces and arrangements for the training of the latter with the help of experts or training missions provided by the United Nations;

"4. *Requests* the Commission to convene as soon as possible a high-level conference at _____ presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chief of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union, the role of the Commission being to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective; in this task the Commission will, at its request, be provided by the Secretary-General with the assistance of judicial, financial and economic, military and police, and technical assistance advisers;

"5. *Requests* the Commission to see that all powers of internal autonomy are transferred to the Governments of Rwanda and Burundi at a date not later than 30 April 1962;

"6. *Further requests* the Commission to submit a report, before 1 June 1962, to the General Assembly at its resumed sixteenth session in respect of the progress made towards the achievement of the objectives stated in paragraphs 3, 4 and 5 above, such report to include recommendations as to:

"(a) The necessary arrangements and modalities for the final transfer of power;

"(b) The assistance that the United Nations can provide to deal with the social and economic problems of the Territory;

"7. *Envisages* to set 1 July 1962 as the date for the termination of the Trusteeship Agreement, subject to General Assembly approval on examination of the report of the Commission at the resumed sixteenth session which the Assembly decides to call in the first week of June 1962;

"8. *Considers* that the implementation of the provisions of this resolution will ensure the emergence of Ruanda-Urundi to independence in an atmosphere of peace and tranquillity and the termination of the Trusteeship Agreement at the resumed session envisaged in paragraph 7 above;

"9. *Requests* the Administering Authority and appeals to the Governments and people of Ruanda-Urundi to co-operate fully with the Commission in the performance of its tasks;

"10. *Decides* to maintain this item on the agenda of the present session without closing the debate thereon and authorizes the Commission, should circumstances so require, to return to United Nations Headquarters and request the President of the General Assembly to reconvene the General Assembly immediately;

"11. *Requests* the Secretary-General to provide the Commission with the necessary facilities and assistance in the performance of its tasks, and, in particular, to provide experts and military observers for the purposes envisaged in paragraphs 3 (d) and (e) and 4 of this resolution."

18. At the 1294th meeting, on 16 February, the sponsors of the draft resolution amended the first phrase of operative paragraph 4 by adding the words "Addis Ababa" between the words "conference at" and "presided" (A/C.4/L.730/Add.1).

19. At the 1297th meeting, on 20 February, Cameroon submitted amendments (A/C.4/L.731) to the draft resolution whereby the seventh preambular paragraph would be changed to read as follows:

"*Reaffirming its conviction* that the trend of the future is towards unity and the establishment of large entities, and that, in so far as Ruanda-Urundi is concerned, a mutually acceptable form of political, economic or administrative union would be highly desirable."

It also proposed that, in operative paragraph 4, the words "the closest possible" would be replaced by the word "a" and operative paragraph 7 would be amended to read as follows:

"*Decides* to take note of the results of the conference referred to in paragraph 4 upon resuming its present session in the first week of June 1962 and, this notwithstanding, to set 1 July 1962 as the date for the termination of the Trusteeship Agreement for the Territory of Ruanda-Urundi."

20. At the same meeting, the United States of America submitted amendments (A/C.4/L.732) to the draft resolution calling for the addition at the end of operative paragraphs 7 and 10 of the words "to consider exclusively the question of Ruanda-Urundi".

21. At the 1295th meeting, on 19 February, the representative of Guinea accepted, on behalf of the sponsors of the draft resolution, a suggestion by the representative of France that in operative paragraph 1 the words "and the Special Commission for the Amnesty" should be inserted after the words "the United Nations Commission for Ruanda-Urundi", the words "entrusted to it" should be replaced by the words "entrusted to them" and the word "Commission" should read "Commissions".

22. At the 1297th meeting, Ireland and Sweden introduced an amendment (A/C.4/L.733) to the draft resolution whereby operative paragraph 3 (e) would be changed to read as follows:

"arrangements for the training of indigenous forces with the help of experts or training missions provided by the United Nations in order to achieve as rapidly as possible the progressive replacement of Belgian military and paramilitary forces according to a plan to be worked out as a matter of urgency before independence."

23. At the 1296th meeting, on 19 February, the Union of Soviet Socialist Republics introduced amendments (A/C.4/L.734) to the draft resolution calling for (1) the insertion of a final preambular paragraph reading:

"*Considering* that all Belgian military and paramilitary forces should be withdrawn from the Trust Territory before Ruanda-Urundi attains independence;"

(2) at the end of operative paragraph 3 (e), the addition of the phrase "from among representatives of African States with the approval of the Security Council"; (3) at the end of operative paragraph 6, the addition of the phrase "under existing United Nations technical assistance programmes", and (4) in operative paragraph 11, the insertion of the words "with the consent of the Security Council" after the words "in particular, to provide".

24. At the 1295th meeting, the Chairman of the Fourth Committee drew attention to the note by the

Secretary-General (A/C.4/537) on the financial implications of draft resolution A/C.4/L.730.

25. At the 1297th meeting, on 20 February, the sponsors of the draft resolution amended the first sentence of operative paragraph 2 by the insertion of the words "representing Member States" after "five Commissioners."

26. At the 1298th meeting, on 20 February, the Committee decided, without objection, to circulate statements made at the 1297th and 1298th meetings by the representatives of Nigeria, Ghana and Guinea and by the representative of the Administering Authority as documents (A/C.4/538 and Corr.1 and 539 and Corr.1).

27. At the same meeting the representatives of Ireland and Sweden accepted an oral suggestion by the representative of Mexico, made also on behalf of Argentina and Brazil, to modify their amendment (A/C.4/L.733) to the draft resolution by replacing (1) the words "as rapidly as possible" by "without delay" and (2) the words "to be worked out as a matter of urgency before independence" by the words "which shall be submitted to the General Assembly before independence and in which the arrangements and final date for the withdrawal of all Belgian forces shall be set out". That suggestion was incorporated in a revised amendment by Ireland and Sweden (A/C.4/L.733/Rev.1).

28. At the 1300th meeting, on 21 February, the representatives of Ghana and Guinea, on behalf of the sponsors, introduced a revised text (A/C.4/L.730/Rev.1) of the draft resolution whereby, (1) in operative paragraph 1, the words "and the Special Commission for the Amnesty and their staffs" would be inserted after the words "United Nations Commission for Ruanda-Urundi", the words "entrusted to it" would be replaced by the words "entrusted to them" and the word "Commission" at the end of the paragraph would be replaced by the word "Commissions"; (2) in operative paragraph 2, the words "representing five Member States" would be inserted after the words "composed of five Commissioners"; (3) operative paragraph 3 (e) would be replaced by the following:

"(e) Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces, to be completed before independence, with the exception of such personnel whose retention, in the view of the Commission, in consultation with the authorities of Ruanda-Urundi and the Administering Authority, may be considered necessary as an interim measure;" and (4) a new sub-paragraph "(c) The time-table for the withdrawal of the personnel, if any, retained as an interim measure under operative paragraph 3 (e)" would be added at the end of operative paragraph 6.

29. At the same meeting, Ireland and Sweden withdrew their amendment (A/C.4/L.733/Rev.1) to the original draft resolution (A/C.4/L.730 and Add.1 and 2, Add.2/Corr.1 and Add.3).

30. At the same meeting, Iraq stated that it did not wish to appear on the list of sponsors of the revised draft resolution (A/C.4/L.730/Rev.1).

31. At the same meeting, the Union of Soviet Socialist Republics introduced amendments (A/C.4/L.736) to the revised draft resolution (A/C.4/L.730/Rev.1) whereby (1) at the end of operative paragraph 3(e) the following words would be added: "up till the date on which independence is proclaimed" and in the same

sub-paragraph the words "with the exception of" would be replaced by the word "including"; and (2) at the end of operative paragraph 6 (c), the semicolon would be changed to a comma and the following words would be added: "such withdrawal to be completed by the date on which the independence of Ruanda-Urundi is proclaimed;". The representative of the USSR informed the Committee that he would not press to a vote the second, third and fourth of the amendments (A/C.4/L.734) he had introduced at the 1296th meeting.

32. At the same meeting, the Committee approved, by 43 votes to 34, with 18 abstentions, a motion made by the representative of Cameroon for closure of the debate.

33. At the 1301st meeting, on 21 February, the sponsors of the draft resolution submitted a second revised text (A/C.4/L.730/Rev.2) which incorporated a suggestion, made by the representative of India at the 1300th meeting, whereby in operative paragraph 3 (e) the words "and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification" would be inserted between the words "Administering Authority" and the words "may be considered necessary".

34. At the 1301st meeting, the Union of Soviet Socialist Republics introduced revised amendments (A/C.4/L.736/Rev.1) to the second revision of the draft resolution (A/C.4/L.730/Rev.2) whereby (1) the latter part of operative paragraph 3 (e) from the words "within the exception" would be replaced by the following text:

"and the withdrawal of personnel whose retention, in the view of the Commission, upon consultation with the authorities of Ruanda-Urundi and the Administering Authority, may be considered necessary as an interim measure up till the date on which the independence of Ruanda-Urundi is proclaimed, it being understood that nothing in this resolution shall impair the sovereign rights of the future independent Ruanda-Urundi and that the measures provided for in this paragraph shall take effect only until the Trust Territory is proclaimed independent",

and (2) at the end of operative paragraph 6 (c) the following would be added: "such withdrawal to be completed by the date on which the independence of Ruanda-Urundi is proclaimed;".

35. At the same meeting, Cameroon withdrew its amendments (A/C.4/L.731) to the original draft resolution (A/C.4/L.730 and Add.1 and 2, Add.2/Corr.1 and Add.3).

36. The Committee, at the same meeting, then proceeded to a vote on the revised draft resolution (A/C.4/L.730/Rev.2) and the amendments thereto as follows:

The amendments of the United States of America (A/C.4/L.732) to operative paragraphs 7 and 10 were adopted by 80 votes to 11, with 3 abstentions.

The amendment of the Union of Soviet Socialist Republics (A/C.4/L.734) calling for the insertion of a final preambular paragraph was rejected by a roll-call vote of 50 votes to 24, with 24 abstentions. The voting was as follows:

In favour: Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Libya, Mali, Mongolia, Morocco, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet

Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Federation of Malaya, Finland, France, Greece, Guatemala, Haiti, Honduras, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Sierra Leone, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Cambodia, Cameroun, Central African Republic, Ceylon, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Gabon, Jordan, Laos, Lebanon, Liberia, Madagascar, Mauritania, Nepal, Niger, Nigeria, Saudi Arabia, Senegal, Togo, Tunisia, Upper Volta.

The revised amendment by the Union of Soviet Socialist Republics (A/C.4/L.736/Rev.1, para. 1) to operative paragraph 3 (e) was rejected by a roll-call vote of 45 votes to 12, with 30 abstentions. The voting was as follows:

In favour: Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Against: Argentina, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, Federation of Malaya, Finland, France, Greece, Guatemala, Haiti, Honduras, Ireland, Israel, Italy, Ivory Coast, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Spain, Sudan, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Austria, Cambodia, Central African Republic, Ceylon, Congo (Brazzaville), Cyprus, Dahomey, Gabon, India, Iran, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mauritania, Nepal, Niger, Nigeria, Saudi Arabia, Senegal, Sierra Leone, Syria, Tanganyika, Togo, Upper Volta, Yemen, Yugoslavia.

The revised amendment by the Union of Soviet Socialist Republics (A/C.4/L.736/Rev. 1, para. 2) to operative paragraph 6 was rejected by 46 votes to 13, with 27 abstentions.

Following requests made by the representatives of Cameroun and Bulgaria to vote on the draft resolution by division, the representative of Tanganyika, supported by the representative of Guinea, made objection under rule 130 of the rules of procedure. The representative of Bulgaria withdrew his request before the vote was taken. The request of Cameroun was rejected by 56 votes to 1, with 32 abstentions.

The revised draft resolution (A/C.4/L.730/Rev.2) as a whole, with the amendments of the United States, was adopted by a roll-call vote of 87 to none, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Cameroun, Canada, Central African Republic, Ceylon, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, Ethiopia, Federation of Malaya,

Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Sierra Leone, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Iraq, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

37. The text of the draft resolution is set forth in paragraph 41 below as draft resolution I.

II. QUESTION OF THE MWAMI OF RWANDA

38. At its 1297th meeting, on 20 February, Cyprus, Iran, Liberia, Niger, Nigeria, Philippines, Senegal, Sierra Leone, Sudan and Tanganyika introduced a draft resolution (A/C.4/L.735), whereby the General Assembly would: (1) request the United Nations Commission for Ruanda-Urundi, as a matter of urgency, to engage in talks with the Administering Authority, the Government of Rwanda, and the Mwami and his representatives with a view to reaching agreement, on a mutually acceptable basis, for the peaceful settlement of the question of the future of the Mwami; (2) request the Commission to include as part of its report to the General Assembly at its resumed sixteenth session, the results of the talks envisaged in operative paragraph 1 of the resolution, an assessment of the possibilities, and recommendations, for the peaceful settlement of the question of the future of the Mwami of Rwanda; (3) consider that the implementation of the resolution would further ensure for Rwanda the speedy return of an atmosphere of peace and tranquillity; and (4) request the Administering Authority, and appeal to the Mwami and the Government and people of Rwanda, to co-operate fully with the Commission in the performance of the task entrusted to it.

Subsequently, Niger withdrew as a sponsor (A/C.4/L.735/Corr.1) of the draft resolution.

39. At the 1301st meeting on 21 February, the Committee adopted draft resolution A/C.4/L.735 and Corr.1 by a roll-call vote of 49 votes to 1, with 45 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Canada, Ceylon, Cuba, Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Greece, Hungary, India, Indonesia, Iran, Iraq, Israel, Japan, Jordan, Lebanon, Liberia, Libya, Mongolia, Nepal, Nigeria, Pakistan, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Sudan, Syria, Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Uruguay, Yemen, Yugoslavia.

Against: Niger.

Abstaining: Argentina, Australia, Austria, Belgium, Bolivia, Central African Republic, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Dahomey, Den-

mark, Dominican Republic, Ecuador, Finland, France, Gabon, Guatemala, Guinea, Haiti, Honduras, Ireland, Italy, Ivory Coast, Laos, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Norway, Panama, Paraguay, Portugal, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, Upper Volta, Venezuela.

40. The text of the draft resolution is set forth in paragraph 41 below as draft resolution II.

Recommendations of the Fourth Committee

41. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I

QUESTION OF THE FUTURE OF RUANDA-URUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution II

QUESTION OF THE MWAMI OF RWANDA

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/4932

Financial implications of the draft resolution submitted by the Fourth Committee in document A/4929

Report of the Fifth Committee

[Original text: Spanish]
[20 October 1961]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered at its 860th meeting, held on 20 October 1961, the financial implications of a draft resolution submitted by the Fourth Committee (A/4929, para. 15) under which the United Nations Commission for Ruanda-Urundi was requested to visit the scene of the assassination of the Prime Minister of Burundi immediately in order to carry out without delay an investigation of the circumstances of his tragic death and to submit a preliminary report to the General Assembly as soon as possible.

2. For this purpose, the Committee had before it a note by the Secretary-General (A/C.5/392) and a report of the Advisory Committee on Administrative and

Budgetary Questions submitted orally by the Chairman of that Committee.

3. In the discussion in the Fifth Committee, particular attention was drawn to the urgency of initiating and completing the investigation, as emphasized in operative paragraph 2 of the draft resolution. It was felt that the progress of the investigation should be followed during the current session of the Assembly—its early completion would also minimize the cost.

4. The Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution submitted by the Fourth Committee would entail the expenditure of some \$12,000 on a monthly basis, in addition to travel costs not exceeding \$6,000.

DOCUMENT A/5095

Financial implications of draft resolution I submitted by the Fourth Committee in document A/4929/Add.1

Report of the Fifth Committee

[Original text: Spanish]
[22 February 1962]

1. In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee, at its 911th and 912th meetings, held on 21 and 22 February 1962, considered the financial implications of the draft resolution submitted by the Fourth Committee on the question of the future of Ruanda-Urundi (A/4929/Add.1, para. 41, draft resolution I).

2. For this purpose, the Fifth Committee had before it a note of the Secretary-General (A/C.5/917/Rev.1) containing a statement of foreseeable expenditures in respect to the proposed Commission and related activities for the period to the beginning of June 1962, as well as the estimated costs of a resumption in June of the sixteenth session of the General Assembly.

3. In paragraph 8 of his note, the Secretary-General proposed that he might meet the expenses in question,

with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, under the terms of paragraph 1 of General Assembly resolution 1735 (XVI) on unforeseen and extraordinary expenses for the financial year 1962. However, in order to proceed with the implementation of the resolution without delay, he requested the authorization of the General Assembly to enter into commitments immediately, not to exceed \$150,000, pending submission of detailed estimates to the Advisory Committee at the earliest opportunity for its concurrence with the total expenditure envisaged. The necessary budgetary requirements would subsequently be reflected in the supplementary estimates for 1962 under section 18—Special missions, in accordance with normal practice.

4. As regards the cost of the resumed session, the

Secretary-General proposed, in paragraph 9 of his note, that he might meet the related expenses also under paragraph 1 of General Assembly resolution 1735 (XVI) on unforeseen and extraordinary expenses, the concurrence of the Advisory Committee with expenditure up to a maximum of \$40,000 a week for a resumption of the sixteenth session having already been given prior to adjournment of the Assembly in December last.

5. The Committee decided, by 54 votes to none, with 9 abstentions:

(a) To inform the General Assembly first, that the adoption of the draft resolution submitted by the Fourth Committee would give rise to additional expenditure, prior to the contemplated resumed session in June, estimated at \$342,000; secondly, that, in the event that a

larger number of military and civilian experts than envisaged in the latter estimate should prove necessary, additional provision would need to be made on the basis of an average salary and subsistence cost per expert per month of \$1,500, to which must be added \$2,000 for travel and related expenses; thirdly, that, in addition, costs of the resumed session in June were estimated at a minimum of \$25,000 per week;

(b) To recommend to the General Assembly that, as a matter of budgetary procedure, the proposals contained in paragraph 8 of the note of the Secretary-General (A/C.5/917/Rev.1) should be approved, including the authorization to the Secretary-General to incur commitments for the purposes indicated not to exceed \$150,000, pending the Advisory Committee's examination of, and agreement with, the total expenditure envisaged.

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1041st plenary meeting, on 23 October 1961, the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/4929, para. 15). For the final text, see resolution 1627 (XVI) below.

At the 1106th plenary meeting, on 23 February 1962, the General Assembly adopted draft resolutions I and II submitted by the Fourth Committee (A/4929/Add.1, para. 41). For the final texts, see resolutions 1743 (XVI) and 1744 (XVI), respectively.

At the same meeting, the General Assembly appointed the members of the Commission for Ruanda-Urundi established under the terms of paragraph 2 of resolution 1743 (XVI). The Commission for Ruanda-Urundi is composed of the following Member States: Haiti, Iran, Liberia, Morocco and Togo.

Resolutions adopted by the General Assembly

1627 (XVI) ASSASSINATION OF THE PRIME MINISTER OF BURUNDI

The General Assembly,

Having learnt with indignation and profound grief of the assassination of the Prime Minister of Burundi, Prince Rwagasore,

Recalling its resolutions, 1579 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961,

Considering that Ruanda-Urundi is a Trust Territory and that the accountability of the Administering Authority to the United Nations, in accordance with the Trusteeship Agreement, is involved,

Considering further that an inquiry and punishment of those responsible for the dastardly act are called for,

1. *Expresses its sense of shock and abhorrence at the murder of the Prime Minister of Burundi;*

2. *Requests the United Nations Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay an investigation of the circumstances of the Prime Minister's tragic death and to submit a preliminary report to the General Assembly as soon as possible.*

*1041st plenary meeting,
23 October 1961.*

1743 (XVI). QUESTION OF THE FUTURE OF RUANDA-URUNDI

The General Assembly,

Having considered the report of the United Nations Commission for Ruanda-Urundi (A/4994 and Add.1 and Corr.1) and having heard the representatives of

Ruanda-Urundi, of the Administering Authority and the petitioners,

Recalling its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960, and 1605 (XV) of 21 April 1961,

Bearing in mind the provisions of its Declaration on the granting of independence to colonial countries and peoples contained in resolution 1514 (XV) of 14 December 1960,

Taking into account the observations of the Commission concerning the pre-electoral conditions and the atmosphere prevailing in Rwanda and in Burundi and the physical organization of the electoral operations in both parts of the Territory,

Noting with satisfaction the agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaise (A/C.4/532 and Corr.1),

Considering that the return and resettlement in Rwanda of thousands of refugees have not been possible and that a large number of them are still living outside their homeland,

Reaffirming its conviction that the best future of Ruanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi,

Desirous of ensuring that Ruanda-Urundi accedes to independence in the most favourable conditions as soon as possible,

1. *Expresses its appreciation to the United Nations Commission for Ruanda-Urundi and to the Special Commission for the Amnesty established under General*

Assembly resolution 1605 (XV) and their staffs for the performance of the tasks entrusted to them, and congratulates the peoples of Ruanda-Urundi, the political leaders, the representatives of the Administering Authority, all those who co-operated effectively with the Commissions;

2. *Decides* to establish a Commission for Ruanda-Urundi—composed of five Commissioners representing five Member States to be elected by the General Assembly—which may, whenever it deems it advisable, invite the representatives of the Administering Authority and of the Governments of Rwanda and Burundi to attend its meetings;

3. *Requests* the Commission to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering Authority and national authorities, of the following objectives:

(a) The reconciliation of the various political factions in the Territory;

(b) The return and resettlement of all refugees;

(c) The guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions;

(d) The maintenance of law and order;

(e) Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces, to be completed before independence, with the exception of such personnel whose retention, in the view of the Commission in consultation with the authorities of Ruanda-Urundi and the Administering Authority and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification, may be considered necessary as an interim measure;

4. *Requests* the Commission to convene as soon as possible, at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chief of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union, the role of the Commission being to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective; in this task the Commission will, at its request, be provided by the Secretary-General with the assistance of judicial, financial and economic, military and police, and technical assistance advisers;

5. *Requests* the Commission to see that all powers of internal autonomy are transferred to the Governments of Rwanda and Burundi at a date not later than 30 April 1962;

6. *Further requests* the Commission to submit a report, before 1 June 1962, to the General Assembly at its resumed sixteenth session in respect of the progress made towards the achievement of the objectives stated in paragraphs 3, 4 and 5 above, such report to include recommendations as to:

(a) The necessary arrangements and modalities for the final transfer of power;

(b) The assistance that the United Nations can pro-

vide to deal with the social and economic problems of the Territory;

(c) The time-table for the withdrawal of the personnel, if any, retained as an interim measure under paragraph 3 (e) above;

7. *Envisages* setting 1 July 1962 as the date for the termination of the Trusteeship Agreement, subject to General Assembly approval upon examination of the report of the Commission at the resumed sixteenth session, which the Assembly decides to call in the first week of June 1962 to consider exclusively the question of Ruanda-Urundi;

8. *Considers* that the implementation of the provisions of the present resolution will ensure the emergence of Ruanda-Urundi to independence in an atmosphere of peace and tranquillity and the termination of the Trusteeship Agreement at the resumed session envisaged in paragraph 7 above;

9. *Requests* the Administering Authority and appeals to the Governments and people of Ruanda-Urundi to co-operate fully with the Commission in the performance of its tasks;

10. *Decides* to maintain this item on the agenda of the present session without closing the debate thereon and authorizes the Commission, should circumstances so require, to return to United Nations Headquarters and request the President of the General Assembly immediately to reconvene the Assembly to consider exclusively the question of Ruanda-Urundi;

11. *Requests* the Secretary-General to provide the Commission with the necessary facilities and assistance in the performance of its tasks, and, in particular, to provide experts and military observers for the purposes envisaged in paragraphs 3 (d) and (e) and 4 of the present resolution.

*1106th plenary meeting,
23 February 1962.*

1744 (XVI). QUESTION OF THE MWAMI OF RWANDA

The General Assembly,

Having considered the report of the United Nations Commission for Ruanda-Urundi (A/4994 and Add.1 and Corr.1) and having heard the statements by the Mwami of Rwanda and by the representatives of the Mwami and of the Government of Rwanda,

Recalling its resolutions 1580 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961,

Taking into account the observations of the Commission concerning the conditions and the atmosphere prevailing in Rwanda, under which the referendum on the question of the Mwami and the legislative elections were held, and the physical organization of those operations,

Noting with satisfaction the agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaise (A/C.4/532 and Corr.1),

Convinced that in order that peace and tranquillity may quickly return to Rwanda, a speedy settlement of the question of the future of the Mwami is necessary and that an agreement on this question should be reached as soon as possible between the Government of Rwanda and the Mwami, on a mutually acceptable basis, bearing in mind the referendum and its results,

1. *Requests* the Commission for Ruanda-Urundi established under General Assembly resolution 1743 (XVI) of 23 February 1962, as a matter of urgency, to engage in talks with the Administering Authority, the Government of Rwanda, and the Mwami and his representatives with a view to reaching agreement, on a mutually acceptable basis, for the peaceful settlement of the question of the future of the Mwami;

2. *Requests* the Commission to include, as part of its report to the General Assembly at its resumed sixteenth session, the results of the talks envisaged in paragraph 1 above, an assessment of the possibilities, and recom-

mendations, for the peaceful settlement of the question of the future of the Mwami of Rwanda;

3. *Considers* that the implementation of the present resolution will further ensure for Rwanda the speedy return of an atmosphere of peace and tranquillity;

4. *Requests* the Administering Authority, and appeals to the Mwami and the Government and people of Rwanda, to co-operate fully with the Commission in the performance of the task entrusted to it.

*1106th plenary meeting,
23 February 1962.*

SIXTEENTH SESSION

7-28 June 1962

DOCUMENTS A/C.4/516/ADD.4-6⁴

Petitions and communications: memorandum by the Secretary-General

Document A/C.4/516/Add.4

*[Original text: English]
[5 June 1962]*

Add the following to paragraph 2 of document A/C.4/516:
T/PET.3/140 and Add.1, 141;
T/PET.3/L.156, L.157 and Add.1, L.158;
T/COM.3/L.55.

Document A/C.4/516/Add.5

*[Original text: English]
[15 June 1962]*

Add the following to paragraph 2 of document A/C.4/L.516:
T/PET.3/L.159-L.171.

Document A/C.4/516/Add.6

*[Original text: English]
[22 June 1962]*

Add the following to paragraph 2 of document A/C.4/516:
T/PET.3/L.172-L.178.

DOCUMENT A/C.4/550

Note by the Administering Authority concerning the situation on 15 June 1962 regarding the separation of the administration of Rwanda and Burundi and its financial implications

*[Original text: French]
[15 June 1962]*

Note on the question of administrative services

(A) The inventories of the twenty-seven joint services and administrative units were completed on 31 March 1962:

Medical Service, Education, Labour Service, Police, Mines, Geology, Printing Service, Postal Service, Depharu (Pharmaceutical stores), Public Works,

Mechanization, Agriculture, Cemubac (Centre d'études médicales de l'Université de Bruxelles au Congo), Personnel, Information, Air Services, Telecommunications, Meteorology, Economic Affairs, Customs, Finance, Legal Affairs, FOREAMI (Fonds Reine Elisabeth pour l'assistance médicale aux indigènes), Astrida Veterinary Laboratory, Usumbura Laboratory, National Parks, General Secretariat.

Some difficulties remain regarding the division of

⁴ For documents A/C.4/516 and Add.1-3, see page 42.

the property of these bodies, and it is to be feared that implementation of the Addis Ababa Agreement will give rise to some problems after 1 July, since the allocation, as set out in the annex, was not readily accepted by both Governments and may be questioned after independence. It should be noted in that connexion that Burundi is in a privileged position, since most of the property is in its territory.

(B) The following services have been liquidated:

Legal Affairs	31 December 1961
Information	31 December 1961
Education	3 February 1962
Medical Service	8 February 1962
Labour Service	9 February 1962
Police	12 February 1962
Department of Agriculture	16 February 1962
Mines and Geology	31 March 1962
Public Works and Mechanization	31 March 1962
Postal Service	31 March 1962
Depharu (Pharmaceutical stores)	4 May 1962

(C) The main problem is the restructuring of those services which are to continue as joint services for both countries, because the procedures envisaged at Addis Ababa have not been carried out and also because the services which are to continue as joint services cannot operate after independence unless their statutes are changed: The Administering Authority has felt obliged

to inform the two Governments that it is making legislative orders in respect of the following bodies:

- (1) INEAC (National Institute for Agronomic Studies)
- (2) Régideso (water and electric power supplies)
- (3) Air services
- (4) Telecommunication services
- (5) Customs service
- (6) Tax service
- (7) Savings bank
- (8) The Bank of Issue of Rwanda and Burundi
- (9) OCIRU (Office du Café)

This is a transitional arrangement, which cannot function unless the Governments agree that the present departmental head should retain authority over a service which is to continue as a joint service and that he should work out his policy in consultation with the two Governments to whom he is responsible for his management.

All these solutions have been discussed with the representatives of both Governments, but have not been formally accepted by either of them. For the air, telecommunication and meteorological services, for instance, a convention has been prepared for signature by Rwanda and Burundi. Burundi has signified its agreement in principle, and Rwanda has not replied.

(D) The manner in which reconstructing will be carried out is shown below:

PROVISIONAL STATEMENT

Liquidation of joint services

Name of service	Valuation of the parts allocated to the two countries	
	Rwanda	Burundi
(A) Services the division of which has been approved by the delegations of both Governments		
(a) Agriculture	832,916	894,244
(b) Taxes	1,034,662	1,639,900
(c) Geology	1,930,133	1,922,443
(d) Education	214,774	241,772
(e) Medical Service	1,354,580	578,280
(f) Labour	215,058	234,253
(g) Police	69,587	69,655
(h) Postal Service	792,240	1,400,035
(i) Mines	44,520	39,406
(j) Depharu	656,440	914,860
(k) Public Works (part)	1,458,498	1,835,586
(l) Information	2,680,263	2,672,685
(m) Kagera National Park	934,000	—
	12,217,671	12,443,119
(B) Services the division of which has not yet been finally approved		
(a) Public Works/Mechanization	32,232,000	53,438,203
(b) Public Works (part)	2,633,906	2,442,165
(c) FOREAMI	1,765,000	2,571,810
(d) Astrida Veterinary Laboratory	19,729,000	—
(e) Usumbura Government Laboratory	—	898,100
TOTAL	56,359,906	59,350,278

Liquidation of joint services (continued)

	De facto situation				
	Rwanda	Burundi	Joint		
(C) Services not decentralized					
(a) Customs	1,665,397	124,381	403,189	{ 813,738 322,089	Ivory seized Printed matter
(b) Air services	155,163,947	52,400,641	102,709,690	{ 15,922 37,694	Printed matter Documentation
(c) Telecommunications and meteorology	101,439,049	18,617,414	80,149,814	{ 1,289,082 1,382,739	Supplies Central stocks
(d) Economic affairs	1,534,390	—	—	1,534,390	This material passed to the Bank of Issue of Rwanda and Burundi will be divided later
(e) Finances	501,122	—	—	501,122	Material and furnishings of the joint finan- cial unit
TOTAL	260,303,905	71,142,436	183,264,693	5,896,776	

ANNEX

1. RESTRUCTURING OF THE SERVICES WHICH ARE TO CONTINUE AS JOINT SERVICES FOR BOTH COUNTRIES

The restructuring of the Air, Telecommunication and Meteorological Services is now being worked out. A draft convention concerning the joint management of the air services of Rwanda and Burundi and a draft statute for an Air Services Agency of Rwanda and Burundi have been submitted to both Governments. These draft instruments are based on the opinions expressed during the various meetings held with the delegates of the two Governments and are designed to effect an honest compromise between the formulae of centralization and decentralization put forward by the parties concerned. If these instruments are accepted by those parties, they should provide definitive indications and elucidations concerning a solution to the problems of the Telecommunication and Meteorological Services.

The Government of Burundi made known its views on the draft instruments on 16 May, 1962 signifying its agreement in principle with the proposals and stating its willingness to sign the convention submitted to it and its desire that telecommunications and meteorology should be included in the proposed joint body.

The Government of Rwanda has not yet made known its views.

The Customs Service continues, in accordance with the Brussels Protocols, to be administered provisionally by the Representative of Belgium, assisted by the two delegates of the Governments. At the beginning of May, a Special Commissioner for Customs was appointed with the dual task of establishing a department for the suppression of fraud, which was assuming disturbing proportions, and of organizing two Central Customs Departments, one in Rwanda and the other in Burundi. This new organization is the precursor of the Customs Office, the establishment of which is now being worked out and for which drafts have been submitted to both Governments.

In connexion with taxes, a draft concerning the establishment of a Taxation Office has just been submitted to the Governments.

2. PARASTATAL INSTITUTIONS

Cadeco (Savings Bank of the Congo and Rwanda-Burundi)

The project of establishing a Caderu (Savings Bank for Ruanda-Urundi) which would be the legal successor of Cadeco has had to be abandoned. It is being replaced by a

project for the establishment of a Caderu which would operate alongside the former Cadeco.

The *de facto* situation, particularly the withdrawal of the deposits of the various "bodies", will oblige Cadeco to end its activities in Ruanda-Urundi and to have them carried on by Caderu on its behalf. There will then be a convention concerning the use of personnel and premises.

A statute for Caderu is now being drafted on that basis.

Caderu will be managed by the Bank of Issue, but will be organized as an autonomous department within the Bank.

Régideso (Water and electric power supplies)

A draft edict establishing a Régideso for Burundi and a Régideso for Rwanda as public corporations has been submitted to both Governments. The draft provides that use may be made of the good offices of specialized advisory bodies, particularly in carrying out tasks in the field of engineering and expert accounting, in order to offset the inexperience, at least in the first stages, of the African personnel in charge of the new organization. The comments which accompanied that document suggested various formulae for obtaining the assistance of specialized advisory bodies. It was pointed out, nevertheless, that if the present joint organization was to be replaced by two separate national organizations, certain inconveniences would result, including an increase in administrative expenses and an accentuation of the imbalances of operation due to the division of a market in which the sources of hydro-electrical power and the demand for power are very unequally distributed between the countries. For that reason, the Representative of Belgium suggested to the two Governments that they should make use of a single advisory body for both countries, or better, that they should place the administration of both institutions under a joint general management. To that end, a draft convention between the two Governments for the establishment of such a joint management was also forwarded to them.

After taking note of the draft, the Government of Burundi proposed on 16 May that the documents should be forwarded to the Committee set up under the Addis Ababa Agreement to consider the question of the parastatal organizations and that, in the meantime, two Régideso should be established with a joint management.

The preferences of Rwanda are for the formula providing for national management with a single permanent advisory body.

Ineac

A draft for the establishment in each of the two countries of a national institute for agronomic studies as an incorporated

body and a preliminary draft of a possible convention on technical co-operation in the field of agronomy research were submitted on 18 April 1962 to the Governments of Rwanda and Burundi.

The Government of Burundi, in its statement of 10 May, considered the establishment of a national institute of that type to be premature; it preferred that Ineac personnel should merely be the subject of a technical assistance convention between the Belgian Government and the Government of Burundi.

The Government of Rwanda, in its letter of 23 May, favoured the proposed solutions.

Irsac (Institute for Scientific Research)

It is proposed that the two Governments should hold the establishments situated in Ruanda-Urundi at the disposal of Irsac and should establish management committees with which representatives of those Governments would be associated.

Ociru (Office du Café)

The Administrator of Joint Services, assisted by the delegates of the Governments of Rwanda and Burundi, has been provi-

sionally carrying on the administration of Ociru since the end of February. The existing administrative organs have continued to function.

A Legislative Order making certain amendments to the structure of Ociru in the light of the new political situation which will prevail in the two countries was to have been signed early in June. Its purposes will also be extended to stock-raising products, to those of other crops, and to the picking of the crop, and its activities will go beyond their present limits and will include the marketing of such products and the financing of the operations connected therewith. For instance, it is proposed to transfer to Ociru the functions of COGERCO (Comité de gestion du coton).

Pensions and disability funds

There has been no change in the situation since the end of March.

The draft reform of social legislation covering the activities of the Pensions Fund and the Disability Fund, which involves decentralization from Brussels to Kigali and Usumbura, was submitted in due course to the two Governments but has not yet produced any official reaction from them.

DOCUMENT A/C.4/551

Note from the Permanent Mission of Belgium to the United Nations on the withdrawal of Belgian troops stationed in Ruanda-Urundi

[Original text: French]
[18 June 1962]

GENERAL OBSERVATION

The relevant plans have been drawn up on the assumption that the withdrawal will be conducted in an orderly fashion, to avoid giving the impression that it is an operation likely to cause a panic.

FIRST HYPOTHESIS

Withdrawal of troops from both Rwanda and Burundi.

Phase I

(a) *Rwanda*

The battalion deployed in Rwanda regroups by road on Kigali and Shangugu. The men are then airlifted to Usumbura. The equipment is moved out by overland route Kigali-Usumbura or Kisenyi-Shangugu-Usumbura. Time allowed: 15 days.

(b) *Burundi*

The battalion is already regrouped at Usumbura with the exception of one company, which will withdraw with its equipment from Kitega to Usumbura by road. Time allowed: 8 days.

Phase II

(a) Repatriation of military personnel by DC-6 air-

craft as available, via Khartoum and Tripoli.⁵ Time allowed: 6 weeks.

(b) Military equipment.

1. One hundred tons equipment to be shipped out from Dar es Salaam. Direct air transport from Usumbura to Dar es Salaam. Time allowed: 1 month.

2. Another batch of equipment to be airlifted out in DC-3 and C-119 aircraft via Juba, Fort Lamy, Niamey, Adrar and Boufarik. A movement detachment must remain at Usumbura long enough to maintain and load the aircraft. Time allowed for entire operation: 2½ to 3 months.

SECOND HYPOTHESIS

Withdrawal of troops from one territory only.

This hypothesis has not yet been examined in detail, but the following may be anticipated:

(a) Movement of equipment from one territory into the other: 1 month.

(b) Repatriation of 1 battalion from Usumbura; time required: approximately 3 weeks.

Time required for entire operation: 7 weeks.

⁵ This is the most direct route, but can be used only if the requisite transit authorizations are granted.

DOCUMENT A/C.4/553

Financial implications of the draft resolution contained in document A/C.4/L.741 and Corr.1: note by the Secretary-General[Original text: English]
[25 June 1962]

1. This note is submitted by the Secretary-General in accordance with rule 154 of the rules of procedure of the General Assembly.

2. Draft resolution A/C.4/L.741 and Corr.1, which has been submitted for the consideration of the Fourth Committee, requests, under operative paragraph 3, the Secretary-General, without prejudice to the sovereign rights of the Governments of Rwanda and Burundi:

(a) To assist the Governments of Rwanda and Burundi to implement the Agreement on Economic Union concluded by them at Addis Ababa on 19 April 1962 (A/5126/Add.1, annex XVI) and in particular to assist them in the administration of their joint services;

(b) To assist the Governments of Rwanda and Burundi to organize the technical and economic assistance which they need;

(c) To assist the Governments of Rwanda and Burundi to strengthen and train their security forces;

(d) To supervise the withdrawal of the Belgian troops in strict accordance with the wishes of the Governments of Rwanda and Burundi.

3. Subject to the wishes which the two Governments may express, the Secretary-General would estimate the additional cost of carrying out these obligations to be, potentially, of the same order as that indicated in paragraphs 3, 4 and 5 of document A/C.4/544 relating to the draft resolution contained in document A/C.4/L.740.

DOCUMENT A/C.4/554

Financial implications of the draft resolution submitted by the Fourth Committee in document A/5142: note by the Secretary-General[Original text: English]
[25 June 1962]

1. This note is submitted by the Secretary-General in accordance with Rule 154 of the rules of procedure of the General Assembly.

2. Draft resolution A/C.4/L.740, which has been submitted for the consideration of the Fourth Committee, contains the following provisions having financial implications for the United Nations:

(a) In terms of operative paragraph 4, the Secretary-General would be requested to send immediately to Rwanda and Burundi a representative and supporting staff and a team of experts to perform a stated series of functions;

(b) In terms of operative paragraph 5, the General Assembly would authorize the Secretary-General, in accordance with the provisions of operative paragraph 1 of General Assembly resolution 1735 (XVI) on unforeseen and extraordinary expenses for the financial year 1962, to enter into commitments, not exceeding \$2 million, for the purpose of such emergency measures as may be required to ensure the continuation of essential services in the two countries, pending the consideration by the General Assembly of a report by the Secretary-General, as called for in operative paragraph 4 (c), on the requirements of the two countries for technical and economic assistance.

3. In respect of the requirements under operative paragraph 4, it would appear necessary to establish the following staff in the area without delay:

Detailed from regular establishment

A Special Representative of the Secretary-General
3 assistants to the Special Representative
1 Administrative officer
1 Finance clerk, detailed from Field Service (already in the area)
1 Radio officer, detailed from Field Service (already in the area)
4 Secretaries

Specially recruited for the mission

1 Deputy to the Special Representative
12 Military observers, provided in accordance with the normal financial arrangements applicable to other missions (four of whom are already in the area)

Locally recruited staff

20 drivers
10 typists

4. The costs of the above-mentioned personnel are estimated as follows:

<i>Non-recurrent costs</i>	<i>United States dollars</i>
Purchase of 20 vehicles	40,000
Purchase of typewriters and other office equipment ..	3,200
Round trip travel of the Special Representative of the Secretary-General and supporting staff	20,000
Eventual return travel of staff already in the area ..	10,000
	73,200

Recurrent monthly costs

Salaries of the specially recruited assistant to the Special Representative and 2 Field Service personnel (replacement cost)	2,600
Wages of local staff	3,000
Subsistence allowances for 12 staff members and 12 military observers	10,500
Rental and maintenance of premises (including radio station and supplies)	700
Operation of vehicles (including gasoline and maintenance)	800
Rental of aircraft (one small aircraft on basis of a fixed charge per flying hour)	3,500
Communications (cables, telephones, and postage) ..	500
Freight	500
Stationery, office, and other miscellaneous supplies....	2,000
	24,100

5. The latter estimates are confined to urgent initial requirements for the establishment in the area of the Secretary-General's representative and his supporting staff, as well as a number of military observers immediately required for the implementation of operative paragraph 4 (a) of the draft resolution. The further important tasks called for under operative paragraph 4 (b) to (e) will entail the employment in the near future of experts in the fields of economic planning, public administration, and training of internal security forces, the number of which cannot as yet be determined.

6. The initial commitments (described in paragraphs 3 and 4 above) would be incurred with the prior con-

currence of the Advisory Committee on Administrative and Budgetary Questions. In respect of any further expenses that may arise in respect of the various activities envisaged under operative paragraphs 4 and 5, it would be the Secretary-General's intention to seek the prior concurrence of the Advisory Committee as soon as reliable estimates can be formulated. In this regard the Secretary-General would interpret operative paragraph 5 to mean that the maximum expenditure of \$2 million authorized thereunder relates to commitments to be incurred for the implementation of the resolution as a whole. Costs so incurred will be the subject, as required, of supplementary estimates for 1962 to be submitted to the General Assembly at its seventeenth session.

DOCUMENT A/5142

Report of the Fourth Committee

[Original text: English]
[26 June 1962]

1. At its 1018th plenary meeting, on 27 September 1961, the General Assembly allocated to the Fourth Committee the following item on its agenda:

"49. Question of the future of Ruanda-Urundi: report of the United Nations Commission for Ruanda-Urundi".

2. Subsequently, the Fourth Committee submitted parts I and II of its report (A/4929 and Add.1) on this question which were considered by the General Assembly at its 1041st and 1106th plenary meetings, held on 23 October 1961 and 23 February 1962 respectively. At its 1041st meeting, the Assembly adopted resolution 1627 (XVI) and at its 1106th meeting it adopted resolutions 1743 (XVI) and 1744 (XVI).

3. In accordance with operative paragraph 7 of resolution 1743 (XVI), the General Assembly resumed its sixteenth session on 7 June 1962 to consider the question of Ruanda-Urundi. At its 1107th plenary meeting, held on this date, the Assembly decided without objection that, in accordance with its past practice and its rules of procedure, the question should continue to be examined by the Fourth Committee. Subsequently, the Fourth Committee resumed its consideration of this item at its 1305th meeting, on 8 June 1962.

4. The Committee had before it the report of the United Nations Commission for Ruanda-Urundi (A/5126 and Corr.1 and Add.1) established under operative paragraph 2 of General Assembly resolution 1743 (XVI), and a memorandum by the Secretary-General (A/C.4/516 and Add.1-6) listing petitions and communications concerning Ruanda-Urundi which the Trusteeship Council at its 1178th meeting, on 11 January 1962, had decided to refer to the Fourth Committee for examination.

5. Other documents before the Fourth Committee included a note by the Administering Authority concerning the situation on 15 July 1962 regarding the separation of the administration of Rwanda and Burundi and its financial implications (A/C.4/550) as well as a note from the Permanent Mission of Belgium to the United Nations on the withdrawal of Belgian troops stationed in Ruanda-Urundi (A/C.4/551).

6. At the 1305th meeting of the Fourth Committee, on 8 June 1962, the representative of Cameroon requested that, in order to accelerate and facilitate the

Committee's work, verbatim records of the meetings should be provided. The Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories stated at the 1306th meeting, on 11 June 1962, that the Secretary-General had suggested in reply to this request that, as an exception and in the present circumstances, an unofficial verbatim record of the Committee's proceedings would be provided in English and French only when no plenary meetings of the General Assembly or meetings of the Security Council were taking place. The summary records would continue to be, however, the official records of the Committee. The Committee accepted this suggestion without objection.

7. At the meetings listed below, the Committee granted, without objection, the following requests for hearings submitted by petitioners in connexion with this item (A/C.4/549 and Add.1):

Petitioner	Meeting
Mr. Christian Mushatsi-Kareba, Rassemblement populaire africain du Burundi	1305
Mr. Harimenshi Nigane, Rassemblement populaire africain du Burundi	1305
Mr. Michel Kayihura, Union nationale rwandaïse (UNAR)	1316
Mr. Michel Rwagasana (UNAR)	1316
Mr. Pappias Gatwa, on behalf of Mr. Jean-Baptiste Ndahindurwa (Kigeli V)	1316

8. At the 1305th meeting of the Fourth Committee, on 8 June 1962, the Rapporteur of the United Nations Commission for Ruanda-Urundi, Mr. Majid Rahnema, introduced the Commission's report (A/5126 and Add.1). Statements were also made by the Chairman of the Committee, speaking as the Chairman of the United Nations Commission for Ruanda-Urundi, as well as by its Vice-Chairman and Rapporteur at the 1305th, 1309th and 1314th to 1317th meetings of the Committee. Members of the Commission for Ruanda-Urundi also replied to questions put to them by members of the Fourth Committee at the Committee's 1307th, 1308th, 1310th and 1312th meetings.

9. At its 1307th meeting, held on 11 June 1962, the Committee decided, without objection, on a proposal of the representative of Iran, to invite the representatives of the Governments of Rwanda and Burundi to make statements and reply to questions put to them by

members of the Committee. Accordingly, at the 1311th meeting, on 13 June 1962, Mr. André Muhirwa, the Prime Minister of Burundi, Mr. Pierre Ngendandumwe, Deputy Prime Minister and Minister of Finance, Mr. Pierre Ngunsu, Minister of Education, Mr. Pascal Bubiriza, Chef de Cabinet of the Prime Minister, Mr. Thadée Siruyumunsi, President of the Legislative Assembly of Burundi, and Mr. Valentin Bankumuhari, Member of the Legislative Assembly of Burundi, took places at the Committee table; and at the 1313th meeting, on 14 June 1962, Mr. Calixte Habamenshi, Minister for Foreign Affairs of Rwanda, and Mr. Amandin Rugira, President of the Legislative Assembly of Rwanda, took places at the Committee table. Statements were made by the Prime Minister of Burundi (1311th meeting) and by the Minister for Foreign Affairs and the President of the Legislative Assembly of Rwanda (1313th meeting) who also replied to questions put to them by members of the Committee at the 1311th to 1315th meetings of the Committee. The President of the Legislative Assembly of Burundi made a statement at the 1316th meeting.

10. On a proposal made by the Union of Soviet Socialist Republics at the 1311th meeting, the Committee decided, without objection, at the 1312th meeting to invite the representatives of the Governments of Rwanda and Burundi to remain at the table, at the disposal of the Committee, during the discussion of this item.

11. In accordance with the decisions which it took at the 1305th and 1316th meetings, the Committee proceeded to hear petitioners at its 1317th meeting, on 19 June 1962. Statements were made by Mr. Mushatsi-Kareba, on behalf of the Rassemblement populaire africain du Burundi, by Mr. Pappias Gatwa, on behalf of Mr. Jean-Baptiste Ndahindurwa (Kigeli V), and by Mr. Rwagasana and Mr. Kayihura, on behalf of UNAR. At this same meeting the petitioners also replied to questions put to them by members of the Committee.

12. The representative of the Administering Authority made an opening statement at the 1309th meeting of the Committee, on 12 June 1962, and he also replied to questions put to him by members of the Committee at the 1307th, 1309th to 1313th and 1315th meetings of the Committee. At the 1322nd meeting, on 21 June 1962, the Committee decided, without objection, to circulate, as a Committee document (A/C.4/552), the statement made by the representative of the Administering Authority in the general debate at the 1321st meeting, on the same date.

13. At the 1315th meeting of the Committee, on 15 June 1962, the representative of the Ivory Coast requested certain information from the Secretariat on the needs of Rwanda and Burundi for technical assistance, taking into account the requests made by their respective Governments. The representative of Ghana, at the same meeting, supported this request and suggested further material which the Secretariat might supply. At the 1318th meeting, on 19 June 1962, the Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories made a statement in reply to these requests.

14. The Committee heard a general debate on this item at its 1316th to 1324th meetings, from 18 to 23 June 1962. Because of special considerations, the Committee permitted the representative of Senegal to make his intervention in the debate at the 1310th meeting, on 13 June 1962.

QUESTION OF THE FUTURE OF RUANDA-URUNDI

15. At the 1324th meeting, on 23 June 1962, the representative of the Administering Authority, Belgium, introduced a draft resolution (A/C.4/L.741 and Corr.1) the text of which read as follows:

"The General Assembly,

"Recalling its previous resolutions concerning the future of Ruanda-Urundi and in particular resolution 1743 (XVI),

"Having studied the report of the United Nations Commission despatched to Ruanda-Urundi in accordance with the terms of resolution 1743 (XVI),

"Having noted the desire of the Governments of Rwanda and Burundi to achieve independence as separate sovereign entities on 1 July 1962,

"Taking note of the formal undertaking given by the Belgian Government that it will not maintain troops either in Rwanda or in Burundi against the wishes of their Governments,

"1. Expresses its satisfaction with the work done by the Commission;

"2. Decides that, in agreement with the Administering Authority, the Trusteeship Agreement approved by the General Assembly on 13 December 1946 shall be terminated, in accordance with Article 76 b of the United Nations Charter, on 1 July 1962, on which date Rwanda and Burundi will achieve independence and become sovereign States;

"3. Requests the Secretary-General, without prejudice to the sovereign rights of the Governments of Rwanda and Burundi:

"(a) To assist the Governments of Rwanda and Burundi to implement the Agreement on Economic Union concluded by them at Addis Ababa on 19 April 1962 and in particular to assist them in the administration of their joint services;

"(b) To assist the Governments of Rwanda and Burundi to organize the technical and economic assistance which they need;

"(c) To assist the Governments of Rwanda and Burundi to strengthen and train their security forces;

"(d) To supervise the withdrawal of the Belgian troops in strict accordance with the wishes of the Governments of Rwanda and Burundi;

"4. Recommends that upon achieving independence on 1 July 1962 Rwanda and Burundi shall be admitted to the United Nations, in accordance with the provisions of Article 4 of the Charter."

16. At the 1325th meeting, on 25 June 1962, the representative of Liberia introduced a joint draft resolution (A/C.4/L.740) submitted by Cameroon, Central African Republic, Congo (Brazzaville), Dahomey, Ghana, Guinea, India, Iraq, Ivory Coast, Liberia, Madagascar, Mali, Mauritania, Niger, Senegal, Sudan, Syria, Tanganyika, the United Arab Republic and Upper Volta. The draft resolution read as follows:

"The General Assembly,

"Recalling its resolution 1743 (XVI) of 23 February 1962 and the other resolutions on the question of the future of Ruanda-Urundi, as well as its resolution 63 (I) of 13 December 1946,

"Having considered the report of the United Nations Commission for Ruanda-Urundi (A/5126 and Corr.1

and Add.1) appointed under paragraph 2 of resolution 1743 (XVI),

"*Noting* that the efforts to maintain the unity of Ruanda-Urundi did not succeed,

"*Welcoming* the Agreement on Economic Union concluded between the Governments of Rwanda and Burundi at the Conference at Addis Ababa held under the auspices of the Commission,

"*Taking into account* the fact that the bulk of the Administering Authority's forces still remain in the Territory notwithstanding the objective of paragraph 3 (e) of resolution 1743 (XVI), of securing the rapid withdrawal of Belgian military and paramilitary forces before independence,

"*Expressing its satisfaction* at the favourable trends towards reconciliation noted by the Commission in its report, in particular, in Rwanda, the participation in the Government of two members of the Opposition,

"*Having heard* the representatives of the Governments of Rwanda and Burundi and the petitioners,

"*Recalling* the Declaration on the granting of independence to colonial countries and peoples embodied in resolution 1514 (XV) of 14 December 1960,

"*Taking note* of the desire of the Governments of Rwanda and Burundi to attain independence as separate States on 1 July 1962, the date envisaged in paragraph 7 of resolution 1743 (XVI),

"*Taking into account* the declaration by the Government of Burundi that from the date of the proclamation of independence it will not agree to the presence of foreign troops on its soil, and the declaration by the Government of Rwanda that the termination of the Trusteeship Agreement will make illegal the presence of Belgian troops on the territory of the Republic,

"*Noting* the declaration of the Administering Authority that it will withdraw its forces from Rwanda and Burundi in accordance with the wishes of the General Assembly and the Governments concerned;

"*Noting further* the statement of the representative of the Administering Authority that after independence the Belgian troops in Rwanda and Burundi will no longer have any role to play and that they will remain in their barracks ready for departure,

"*Bearing in mind* the needs which will confront Rwanda and Burundi in all fields when they accede to independence,

"*Recalling* its resolution 1415 (XIV) of 5 December 1959 on assistance to territories emerging from a trust status and to newly independent States,

"1. *Expresses its warm appreciation* to the United Nations Commission for Ruanda-Urundi, 1962, for the way it has performed its tasks;

"2. *Decides*, in agreement with the Administering Authority, to terminate the Trusteeship Agreement of 13 December 1946 in respect of Ruanda-Urundi on 1 July 1962, on which date Rwanda and Burundi shall emerge as two independent and sovereign States;

"3. *Calls upon* the Government of Belgium to withdraw and evacuate its forces still remaining in Rwanda and Burundi by 1 July 1962; and that as of that date, the Belgian troops in process of evacuation will be confined within their barracks and that the evacuation must be completed by 1 August 1962, without

prejudice to the sovereign rights of Rwanda and Burundi;

"4. *Requests* the Secretary-General to send immediately to Rwanda and Burundi a representative together with a team of experts whose functions shall be:

"(a) To supervise the withdrawal and evacuation of Belgian forces in accordance with this resolution;

"(b) To help the Governments of Rwanda and Burundi to secure the implementation of the Agreement on Economic Union reached between the Governments of Rwanda and Burundi at Addis Ababa on 19 April 1962;

"(c) To study, in consultation with the Governments concerned and in the light of the recommendations made by the United Nations Commission for Ruanda-Urundi, the need for technical and economic assistance in Rwanda and Burundi, so as to enable the Secretary-General to submit a report thereon, together with his recommendation, to the General Assembly at its seventeenth session;

"(d) To assist the Governments of Rwanda and Burundi, at their request, in the organization of their administrative cadres and other related matters;

"(e) To assist the Governments of Rwanda and Burundi, at their request, in the development and training of internal security forces;

"5. *Authorizes* the Secretary-General, in accordance with the provisions of paragraph 1 of General Assembly resolution 1735 (XVI) on unforeseen and extraordinary expenses for the financial year 1962, to enter into commitments not exceeding \$2 million for the purpose of such emergency measures as may be required to ensure the continuation of essential services in the two countries, pending the consideration by the General Assembly of the report of the Secretary-General referred to in paragraph 4 (c) above;

"6. *Requests* the United Nations Special Fund, the Technical Assistance Board and other United Nations bodies, as well as the specialized agencies, to give special consideration to the needs of Rwanda and Burundi;

"7. *Expresses the hope* that all Member States of the United Nations will render such technical and economic assistance as they can to the new States of Rwanda and Burundi;

"8. *Requests* the Secretary-General to report to the General Assembly at its seventeenth session on the implementation of this resolution;

"9. *Recommends* that, after the proclamation of independence on 1 July 1962, Rwanda and Burundi should be admitted as Members of the United Nations under Article 4 of the Charter."

17. At the 1326th meeting, on 25 June 1962, the representative of Liberia presented a revised text of this joint draft resolution (A/C.4/L.740/Rev.1), adding Gabon, Sierra Leone and Somalia to the list of sponsors and modifying operative paragraph 3 to read as follows:

"3. *Calls on* the Government of Belgium to withdraw and evacuate its forces still remaining in Rwanda and Burundi, and that, as of 1 July 1962, the Belgian troops in process of evacuation will be confined within their barracks and that the evacuation must be com-

pleted by 1 August 1962, without prejudice to the sovereign rights of Rwanda and Burundi;”.

18. The Committee had before it a statement (A/C.4/553) of the financial implications of the Belgian draft resolution. A similar statement of the financial implications of the joint draft resolution was submitted in document A/C.4/554. The Chairman of the Committee drew particular attention to paragraph 6 of this document.

19. At the 1327th meeting, Nigeria and the Philippines were added to the list of sponsors of the revised joint draft resolution (A/C.4/L.740/Rev.1).

20. At the same meeting, the representative of Belgium presented the following amendments (A/C.4/L.742) to the revised joint draft resolution:

“1. Replace the twelfth preambular by the following text:

“*Noting further* the statement of the representative of the Administering Authority that after independence, on the assumption that the withdrawal of the Belgian troops is requested, these troops will no longer have any role to play and that the technical arrangements for their withdrawal will be carried out in agreement with the independent Governments;”

“2. Add a new thirteenth preambular paragraph as follows:

“*Recalling* that after independence Rwanda and Burundi will enjoy sovereign rights;”

“3. Replace operative paragraph 3 by the following text:

“Without prejudice to the sovereign rights of Rwanda and Burundi, *calls on* the Government of Belgium to withdraw and evacuate its troops still remaining in Ruanda-Urundi, to effect and complete this withdrawal during the month following the date on which the request is expressed or confirmed and to carry out the arrangements for this withdrawal in agreement with the Governments;”

21. The representative of the Union of Soviet Socialist Republics also presented, at this meeting, an amendment (A/C.4/L.744) to the revised joint draft resolution; the amendment read as follows:

“In operative paragraph 3, after the words ‘evacuate its forces still remaining in Rwanda and Burundi’, reinstate the words ‘by 1 July 1962’, which were in the original text of the draft resolution.”

22. The representative of Iran proposed an oral amendment to operative paragraph 3 of the same draft resolution whereby the words “will be confined within their barracks” would be replaced by the words “will no longer have any role to play”.

23. The representative of New Zealand proposed an amendment (A/C.4/L.745) to the revised draft resolution whereby operative paragraph 3 would be replaced by the following:

“3. *Calls on* the Government of Belgium to withdraw its forces from Rwanda and Burundi and complete the evacuation of these forces by 1 August 1962, unless the independent States of Rwanda and Burundi request that such forces should remain on their soils with their full consent in the interests of these States and without prejudice to their sovereignty;”.

24. At the same meeting, the representative of the Union of Soviet Socialist Republics submitted amendments (A/C.4/L.746) to the New Zealand

amendment whereby the words “1 August 1962” would be replaced by the words “1 July 1962” and the remainder of the paragraph would be deleted.

25. At the same meeting, the representative of Belgium withdrew the amendment contained in paragraph 3 of document A/C.4/L.742. The representative of New Zealand also withdrew the amendment submitted by his delegation in document A/C.4/L.745.

26. At the same meeting, the representative of India proposed orally a sub-amendment to the Iranian oral amendment to operative paragraph 3 of the revised joint draft resolution, whereby after the words “any role to play”, the following would be added: “and will be subject to regulations promulgated by the two sovereign Governments with regard to their movements within the new States”.

27. According to rule 123 of the rules of procedure, the representative of France, at the same meeting, then reintroduced the amendment, contained in document A/C.4/L.745, to the revised joint draft resolution.

28. After further discussion at the same meeting, the representative of India withdrew his oral sub-amendment and the representative of France withdrew his amendment.

29. At the same meeting, the representative of the Administering Authority withdrew the Belgian draft resolution (A/C.4/L.741 and Corr.1).

30. At the 1327th meeting, on 26 June 1962, the Committee decided, without objection, to circulate a statement by the representative of the Administering Authority concerning the role to be played by the Belgian forces after the independence of Rwanda and Burundi (A/C.4/555).

31. The Committee, at the same meeting, then proceeded to vote on the revised joint draft resolution (A/C.4/L.740/Rev.1) and the amendments thereto as follows:

The first seven preambular paragraphs of the revised joint draft resolution were adopted without objection.

The eighth preambular paragraph of the revised joint draft resolution was adopted by a roll-call vote of 101 votes to none, with 2 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Portugal, South Africa.

The ninth, tenth, and eleventh preambular paragraphs of the revised joint draft resolution were adopted without objection.

The second of the Belgian amendments (A/C.4/L.742, para. 2) was adopted by a roll-call vote of 61 to none, with 40 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroon, Canada, Central African Republic, Chad, Chile, China, Colombia, Costa Rica, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Federation of Malaya, Finland, France, Gabon, Greece, Guatemala, Haiti, Honduras, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Luxembourg, Madagascar, Mauritania, Mexico, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, South Africa, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela.

Against: None.

Abstaining: Afghanistan, Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Ceylon, Congo (Brazzaville), Congo (Leopoldville), Cuba, Cyprus, Czechoslovakia, Ethiopia, Ghana, Hungary, India, Indonesia, Iran, Iraq, Liberia, Libya, Mali, Mongolia, Nepal, Niger, Nigeria, Poland, Romania, Senegal, Sierra Leone, Sudan, Syria, Tanganyika, Togo, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yemen, Yugoslavia.

The thirteenth and fourteenth preambular paragraphs of the revised joint draft resolution were adopted without objection.

Operative paragraphs 1 and 2 of the revised joint draft resolution were adopted without objection.

The amendment of the Union of Soviet Socialist Republics (A/C.4/L.744) to operative paragraph 3 of the revised joint draft resolution was rejected by a roll-call vote of 46 to 24, with 33 abstentions. The voting was as follows:

In favour: Albania, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, Ethiopia, Guinea, Hungary, India, Indonesia, Iraq, Mali, Mongolia, Nepal, Poland, Romania, Somalia, Syria, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, Yugoslavia.

Against: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Denmark, Dominican Republic, Ecuador, El Salvador, Finland, France, Gabon, Greece, Guatemala, Haiti, Honduras, Ireland, Israel, Italy, Japan, Luxembourg, Mexico, Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippines, Portugal, South Africa, Spain, Sweden, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Abstaining: Afghanistan, Cambodia, Cameroon, Central African Republic, Ceylon, Chad, Congo (Brazzaville), Congo (Leopoldville), Cyprus, Dahomey, Federation of Malaya, Ghana, Iran, Ivory Coast, Jordan, Laos, Lebanon, Liberia, Libya, Madagascar, Mauritania, Morocco, Niger, Nigeria, Pakistan, Saudi Arabia,

Senegal, Sierra Leone, Sudan, Tanganyika, Togo, Upper Volta, Yemen.

The oral amendment of Iran to operative paragraph 3 of the revised joint draft resolution calling for the replacement of the words "will be confined within their barracks" by the words "will no longer have any role to play" was adopted by 79 votes to 9, with 9 abstentions.

The portion of operative paragraph 3 of the revised joint draft resolution which reads, "Calls on the Government of Belgium to withdraw and evacuate its forces still remaining in Rwanda and Burundi..." was adopted by 95 votes to none, with 7 abstentions.

Operative paragraph 3 of the revised joint draft resolution as a whole as amended was adopted by a roll-call vote of 83 to none, with 20 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Austria, Belgium, Bolivia, Brazil, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Sierra Leone, Somalia, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Tunisia, Turkey, United Arab Republic, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Albania, Australia, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cuba, Czechoslovakia, France, Hungary, Indonesia, Mongolia, New Zealand, Poland, Romania, South Africa, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States.

Operative paragraph 4 (a) and 4 (e) was adopted by 88 votes to 11, with 1 abstention.

Operative paragraph 4, as a whole, was adopted by 89 votes to none, with 11 abstentions.

Operative paragraph 5 was adopted by 84 votes to 12, with 7 abstentions.

Operative paragraphs 6 and 7 were adopted by 101 votes to none.

Operative paragraph 8 was adopted by 91 votes to 1, with 8 abstentions.

Operative paragraph 9 was adopted by a roll-call vote of 103 to none.

The voting was as follows:

In favour: Afghanistan, Albania, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar,

Mali, Mauritania, Mexico, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Romania, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Togo, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

The revised joint draft resolution (A/C.4/L.740/Rev.1) as a whole, as amended was adopted by a roll-call vote of 92 to none, with 11 abstentions. The voting was as follows:

In favour: Afghanistan, Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Cambodia, Cameroon, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Brazzaville), Congo (Leopoldville), Costa Rica, Cuba, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, France, Gabon, Ghana, Greece, Guatemala, Guinea, Haiti, Honduras, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Ivory Coast, Japan, Jordan, Laos, Lebanon, Liberia, Libya,

Luxembourg, Madagascar, Mali, Mauritania, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Philippines, Portugal, Saudi Arabia, Senegal, Sierra Leone, Somalia, South Africa, Spain, Sudan, Sweden, Syria, Tanganyika, Thailand, Tunisia, Turkey, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Uruguay, Venezuela, Yemen, Yugoslavia.

Against: None.

Abstaining: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Togo, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

32. The Committee decided, without objection, at the same meeting, to request the Rapporteur to present the Committee's report directly to the General Assembly.

Recommendation of the Fourth Committee

33. The Fourth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

THE FUTURE OF RUANDA-URUNDI

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/L.388

Union of Soviet Socialist Republics: amendment to the draft resolution submitted by the Fourth Committee (A/5142, para. 33)

[Original text: Russian]
[27 June 1962]

In operative paragraph 3 of the draft resolution submitted by the Fourth Committee (A/5142, para. 33), after the words "evacuate its forces still remaining in Rwanda and Burundi", insert the words "by 1 July 1962,".

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1118th plenary meeting, on 27 June 1962, after rejecting the amendment presented by the Union of Soviet Socialist Republics (A/L.388), the General Assembly adopted the draft resolution submitted by the Fourth Committee (A/5142, para. 33). For the final text, see resolution 1746 (XVI) below.

Resolution adopted by the General Assembly

1746 (XVI) THE FUTURE OF RUANDA-URUNDI

The General Assembly,

Recalling its resolution 1743 (XVI) of 23 February 1962 and the other resolutions on the question of the future of Ruanda-Urundi, as well as its resolution 3 (I) of 13 December 1946,

Having considered the report of the United Nations Commission for Ruanda-Urundi (A/5126 and Add.1) appointed under paragraph 2 of resolution 1743 (XVI),

Noting that the efforts to maintain the unity of Ruanda-Urundi did not succeed,

Welcoming the Agreement on Economic Union concluded between the Governments of Rwanda and Burundi at the Conference at Addis Ababa held under the auspices of the Commission,

Taking into account the fact that the bulk of the

Administering Authority's forces still remain in the Territory notwithstanding the objective, stated in paragraph 3 (e) of resolution 1743 (XVI), of securing the rapid withdrawal of Belgian military and paramilitary forces before independence,

Expressing its satisfaction at the favourable trends towards reconciliation noted by the Commission in its report, in particular, in Rwanda, the participation in the Government of two members of the Opposition,

Having heard the representatives of the Governments of Rwanda and Burundi and the petitioners,

Recalling the Declaration on the granting of independence to colonial countries and peoples embodied in resolution 1514 (XV) of 14 December 1960.

Taking note of the desire of the Governments of Rwanda and Burundi to attain independence as separate States on 1 July 1962, the date envisaged in paragraph 7 of resolution 1743 (XVI),

Taking into account the declaration by the Government of Burundi that from the date of the proclamation of independence it will not agree to the presence of foreign troops on its soil, and the declaration by the Government of Rwanda that the termination of the Trusteeship Agreement will make illegal the presence of Belgian troops in the territory of the Republic,

Noting the declaration of the Administering Authority that it will withdraw its forces from Rwanda and Burundi in accordance with the wishes of the General Assembly and the Governments concerned,

Recalling that after independence Rwanda and Burundi will enjoy sovereign rights,

Bearing in mind the needs which will confront Rwanda and Burundi in all fields when they accede to independence,

Recalling its resolution 1415 (XIV) of 5 December 1959 on assistance to territories emerging from a trust status and to newly independent States,

1. *Expresses its warm appreciation* to the United Nations Commission for Ruanda-Urundi, 1962, for the way it has performed its tasks;

2. *Decides*, in agreement with the Administering Authority, to terminate the Trusteeship Agreement of 13 December 1946 in respect of Ruanda-Urundi on 1 July 1962, on which date Rwanda and Burundi shall emerge as two independent and sovereign States;

3. *Calls upon* the Government of Belgium to withdraw and evacuate its forces still remaining in Rwanda and Burundi, and that, as of 1 July 1962, the Belgian troops in process of evacuation will no longer have any role to play and that the evacuation must be completed by 1 August 1962, without prejudice to the sovereign rights of Rwanda and Burundi;

4. *Requests* the Secretary-General to send immediately to Rwanda and Burundi a representative together with a team of experts whose functions shall be:

(a) To supervise the withdrawal and evacuation of Belgian forces in accordance with this resolution;

(b) To help the Governments of Rwanda and Burundi to secure the implementation of the Agreement on Economic Union reached between the Governments of Rwanda and Burundi at Addis Ababa on 19 April 1962;

(c) To study, in consultation with the Governments concerned and in the light of the recommendations made by the United Nations Commission for Ruanda-Urundi, the need for technical and economic assistance in Rwanda and Burundi, so as to enable the Secretary-General to submit a report thereon, together with his recommendation, to the General Assembly at its seventeenth session;

(d) To assist the Governments of Rwanda and Burundi, at their request, in the organization of their administrative cadres and other related matters;

(e) To assist the Governments of Rwanda and Burundi, at their request, in the development and training of internal security forces;

5. *Authorizes* the Secretary-General, in accordance with the provisions of paragraph 1 of General Assembly resolution 1735 (XVI) of 20 December 1961 on unforeseen and extraordinary expenses for the financial year 1962, to enter into commitments not exceeding \$2 million for the purpose of such emergency measures as may be required to ensure the continuation of essential services in the two countries, pending the consideration by the General Assembly of the report of the Secretary-General referred to in paragraph 4 (c) above;

6. *Requests* the United Nations Special Fund, the Technical Assistance Board and other United Nations bodies, as well as the specialized agencies, to give special consideration to the needs of Rwanda and Burundi;

7. *Expresses the hope* that all Member States of the United Nations will render such technical and economic assistance as they can to the new State of Rwanda and Burundi;

8. *Requests* the Secretary-General to report to the General Assembly at its seventeenth session on the implementation of this resolution;

9. *Recommends* that, after the proclamation of independence on 1 July 1962, Rwanda and Burundi should be admitted as Members of the United Nations under Article 4 of the Charter.

1118th plenary meeting,
27 June 1962.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 49 which are not reproduced in the present fascicle or its addenda.

Document No.	Title	Observations and references
A/4818	Report of the Trusteeship Council (1 July 1960-19 July 1961)	Official Records of the General Assembly, Sixteen Session, Supplement No.
A/4837	Note by the Secretary-General transmitting to the General Assembly the report of the Government of Belgium on the administration of the Trust Territory of Ruanda-Urundi for the year 1959	Mimeographed
A/C.4/497	Allocation of agenda items: letter dated 27 September 1961 from the President of the General Assembly to the Chairman of the Fourth Committee	Official Records of the General Assembly, Sixteen Session, Fourth Committee, prefatory fascicle, agenda
A/C.4/518	Statement made by the Chairman of the United Nations Commission for Ruanda-Urundi at the 1258th meeting of the Fourth Committee	Mimeographed; for summary see Official Records of the General Assembly, Sixteen Session, Fourth Committee, 1258th meeting, paras. 2-12
A/C.4/519	Statement made by the Minister for Foreign Affairs of Belgium at the 1259th meeting of the Fourth Committee	Idem, 1259th meeting, par 1-12

Document No.	Title	Observations and references
A/C.4/521	Replies of the three members of the United Nations Commission for Ruanda-Urundi to questions put by the representative of Guinea at the 1259th meeting of the Fourth Committee	<i>Idem</i> , paras. 14, 15 and 19-24
A/C.4/522 and Add.1-4	Requests for hearings	Mimeographed
A/C.4/523	Statements made by Mr. Pierre Ngendandumwe, Deputy Prime Minister of the Government of Burundi, and Mr. Amandin Rugira, President of the Legislative Assembly of the Rwandese Republic, at the 1261st meeting of the Fourth Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Sixteenth Session, Fourth Committee, 1261st meeting</i> , paras. 19-36
A/C.4/524	Statement made by Mr. Ernest Gassou, United Nations Commissioner for Ruanda-Urundi, at the 1264th meeting of the Fourth Committee	<i>Idem</i> , 1264th meeting, paras. 50-55
A/C.4/525	Statement made by Mr. Majid Rahnema, United Nations Commissioner for Ruanda-Urundi, at the 1265th meeting of the Fourth Committee	<i>Idem</i> , 1265th meeting, paras. 1-23
A/C.4/526	Statement made by Mr. Pierre Ngendandumwe, Deputy Prime Minister of the Government of Burundi, at the 1265th meeting of the Fourth Committee	<i>Idem</i> , paras. 25-29
A/C.4/527	Statement made by Mr. Pierre Ngendandumwe, Deputy Prime Minister of the Government of Burundi, at the 1265th meeting of the Fourth Committee	<i>Idem</i> , paras. 30-32
A/C.4/528	Statement made by Mr. Amandin Rugira, President of the Legislative Assembly of Rwanda, at the 1266th meeting of the Fourth Committee	<i>Idem</i> , 1266th meeting, paras. 4-7
A/C.4/529 and Corr.1	Statement made by Mr. Majid Rahnema, United Nations Commissioner for Ruanda-Urundi, at the 1271st meeting of the Fourth Committee	<i>Idem</i> , 1271st meeting, paras. 13 and 14
A/C.4/530	Statement made by the Minister for Foreign Affairs of Belgium at the 1274th meeting of the Fourth Committee	<i>Idem</i> , 1274th meeting, paras. 1-17
A/C.4/531	Statement made by the Chairman of the United Nations Commission for Ruanda-Urundi, at the 1284th meeting of the Fourth Committee	<i>Idem</i> , 1284th meeting, paras. 21-29
A/C.4/534	Letter dated 9 February 1962 from Mr. Amandin Rugira, Chairman of the Legislative Assembly of Rwanda, to the Chairman of the Fourth Committee	Mimeographed
A/C.4/535	Letter dated 8 February 1962 from Mr. Pierre Ngendandumwe, Deputy Prime Minister of Burundi, to the Chairman of the Fourth Committee	Ditto
A/C.4/537	Financial implications of the draft resolution contained in documents A/C.4/L.730 and Add.1: note by the Secretary-General	Mimeographed; identical in substance with A/C.5/917/Rev.1
A/C.4/538 and Corr.1	Statements made by the representatives of Nigeria and Ghana at the 1297th meeting and by the representative of Guinea at the 1298th meeting of the Fourth Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Sixteenth Session, Fourth Committee, 1297th meeting</i> , paras. 16-18 and 44-46, and 1298th meeting, paras. 20-24 and 31-33
A/C.4/539 and Corr.1	Statement made by the Minister for Foreign Affairs of Belgium at the 1298th meeting of the Fourth Committee	<i>Idem</i> , 1298th meeting, paras. 25-30
A/C.4/549 and Add.1	Requests for hearings	Mimeographed
A/C.4/552	Statement made by the Minister for Foreign Affairs of Belgium at the 1321st meeting of the Fourth Committee	Mimeographed; for summary see <i>Official Records of the General Assembly, Sixteenth Session, Fourth Committee, 1321st meeting</i> , paras. 50-68
A/C.4/555	Statement made by the Minister for Foreign Affairs of Belgium at the 1327th meeting of the Fourth Committee	<i>Idem</i> , 1327th meeting, para. 124
A/C.4/L.697	Ceylon, Congo (Leopoldville), Ethiopia, Ghana, Guinea, India, Indonesia, Iran, Iraq, Jordan, Liberia, Libya, Mali, Morocco, Nigeria, Senegal, Somalia, Sudan, Togo, Tunisia, United Arab Republic and Upper Volta: draft resolution	See A/4929, para. 8
A/C.4/L.698	Financial implications of the draft resolution contained in document A/C.4/L.697: note by the Secretary-General	Mimeographed; identical in substance with A/C.5/892
A/C.4/L.699	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1178th meeting, see A/4929
A/C.4/L.730 and Add.1 and 2, Add.2/Corr.1 and Add.3	Congo (Brazzaville), Dahomey, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Iraq, Ivory Coast, Japan, Liberia, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Tunisia, United Arab Republic and Upper Volta: draft resolution	See A/4929/Add.1, para. 17
A/C.4/L.730/Rev.1	Congo (Brazzaville), Dahomey, Federation of Malaya, Gabon, Ghana, Guinea, India, Indonesia, Iran, Ivory Coast, Japan, Liberia, Madagascar, Mali, Mauritania, Morocco, Niger, Nigeria, Pakistan, Philippines, Saudi Arabia, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, Tunisia, United Arab Republic and Upper Volta: revised draft resolution	<i>Ibid.</i> , para. 28
A/C.4/L.731	Cameroon: amendments to document A/C.4/L.730 and Add.1	<i>Ibid.</i> , para. 28

Document No.	Title	Observations and references
A/C.4/L.732	United States of America: amendments to document A/C.4/L.730 and Add.1	<i>Ibid.</i> , para. 20
A/C.4/L.733	Ireland and Sweden: amendment to document A/C.4/L.730 and Add.1	<i>Ibid.</i> , para. 22
A/C.4/L.733/ Rev.1	Ireland and Sweden: revised amendment to document A/C.4/L.730 and Add.1	<i>Ibid.</i> , para. 27
A/C.4/L.734	Union of Soviet Socialist Republics: amendments to document A/C.4/L.730 and Add.1	<i>Ibid.</i> , para. 23
A/C.4/L.735 and Corr.1	Cyprus, Iran, Liberia, Nigeria, Philippines, Senegal, Sierra Leone, Sudan and Tanganyika: draft resolution	Adopted without change. See A/4929/Add.1, para. 41, draft resolution II
A/C.4/L.736	Union of Soviet Socialist Republics: amendments to document A/C.4/L.730/Rev.1	See A/4929/Add.1, para. 31
A/C.4/L.736/ Rev.1	Union of Soviet Socialist Republics: revised amendments to document A/C.4/L.730/Rev.2	<i>Ibid.</i> , para. 34
A/C.4/L.738	Draft resolution adopted by the Fourth Committee at its 1301st meeting	Mimeographed. For the text of this document, see A/4929/Add.1, para. 41, draft resolution I
A/C.4/L.739	Draft report of the Fourth Committee	For the text of this document as amended by the Fourth Committee at its 1304th meeting, see A/4929/Add.1
A/C.4/L.740	Cameroon, Central African Republic, Congo (Brazzaville), Dahomey, Ghana, Guinea, India, Iraq, Ivory Coast, Liberia, Madagascar, Mali, Mauritania, Niger, Senegal, Sudan, Syria, Tanganyika, United Arab Republic and Upper Volta: draft resolution	See A/5142, para. 16
A/C.4/L.740/ Rev.1	Cameroon, Central African Republic, Congo (Brazzaville), Dahomey, Gabon, Ghana, Guinea, India, Iraq, Ivory Coast, Liberia, Madagascar, Mali, Mauritania, Niger, Nigeria, Philippines, Senegal, Sierra Leone, Somalia, Sudan, Syria, Tanganyika, United Arab Republic and Upper Volta: revised draft resolution	<i>Ibid.</i> , para. 17
A/C.4/L.741 and Corr.1	Belgium: draft resolution	<i>Ibid.</i> , para. 15
A/C.4/L.742	Belgium: amendments to document A/C.4/L.740/Rev.1	<i>Ibid.</i> , para. 20
A/C.4/L.744	Union of Soviet Socialist Republics: amendment to document A/C.4/L.740/Rev.1	<i>Ibid.</i> , para. 21
A/C.4/L.745	New Zealand: amendment to document A/C.4/L.740/Rev.1	<i>Ibid.</i> , para. 23
A/C.4/L.746	Union of Soviet Socialist Republics: amendment to document A/C.4/L.745	<i>Ibid.</i> , para. 24
A/C.5/916	Letter dated 19 February 1962 from the President of the General Assembly to the Chairman of the Fifth Committee	Mimeographed
E/TAC/L.225	Expanded Programme of Technical Assistance for 1961-1962: Supplementary Category I Programme recommended by the Technical Assistance Board	Ditto
T/COM. ./. .		Documents in this series are mimeographed
T/PET. ./. .		Ditto

GENERAL ASSEMBLY

Official Records



ANNEXES

SIXTEENTH SESSION

NEW YORK, 1961-1962

Agenda item 49: Question of the future of Ruanda-Urundi

DOCUMENTS A/4994 AND ADD.1

Report of the United Nations Commission for Ruanda-Urundi

Document A/4994

[Original text: French]
[30 November 1961]

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* It has become current practice to use the vernacular forms RWANDA and BURUNDI instead of Ruanda and Urundi. The Commission has adopted those forms, except where the whole of the Territory is spoken of, in which case it has retained the form RUANDA-URUNDI, employed in the Trusteeship Agreement.

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LETTER OF TRANSMITTAL DATED 29 NOVEMBER 1961, FROM THE CHAIRMAN, UNITED NATIONS COMMISSION FOR RUANDA-URUNDI, TO THE ACTING SECRETARY-GENERAL
Sir,

I have the honour to transmit to you herewith, in accordance with the provisions of paragraph 10 of resolution 1579(XV) and of paragraph 12 of resolution 1605 (XV) adopted by the United Nations General Assembly on 20 December 1960 and 21 April 1961 respectively, the report of the Commission for Ruanda-Urundi on the "Question of the future of Ruanda-Urundi".

This report was adopted unanimously by the Commission.

(Signed) Max H. DORSINVILLE
Chairman, United Nations
Commission for Ruanda-Urundi

Introduction

1. On 21 April 1961, at its 994th plenary meeting, the General Assembly adopted resolution 1605 (XV) on the question of the future of Ruanda-Urundi, a Trust Territory under Belgian administration. This resolution is to be considered in conjunction with resolution 1579 (XV) on the same question and resolution 1580 (XV) on the question of the Mwami, which were adopted by the General Assembly at its 960th plenary meeting on 20 December 1960.¹ Under resolution 1579 (XV), a United Nations Commission for Ruanda-Urundi was set up, composed of three Commissioners: Mr. Max H. Dorsinville (Haiti), Chairman, and Mr. Ernest Gassou (Togo) and Mr. Majid Rahnema (Iran).² Its terms of reference were defined both by the specific instructions given to it by the General Assembly and also indirectly by certain recommendations made by the General Assembly to the Administering Authority.

The General Assembly's instructions to the Commission

2. Under General Assembly resolutions 1579 (XV) and 1605 (XV), the Commission was requested to perform the following tasks:

(a) To follow the progress of events in the Territory, and to lend its assistance to the local authorities and to the inhabitants of the Territory with a view to the implementation of the General Assembly's resolutions;

(b) To supervise all the preparatory measures for the popular consultations;

(c) To supervise also the elections and the referendum in Ruanda, to be held on the basis of direct, universal adult suffrage.

3. Under operative paragraph 10 of resolution 1579 (XV), the Commission was also requested to submit an interim report on the implementation of that resolution to the General Assembly at its resumed fifteenth session.

4. In operative paragraph 8 of its resolution 1605 (XV), the General Assembly which had in the meantime received the above-mentioned interim report,³ requested the Commission to return to Ruanda-Urundi at the earliest possible time, "to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution, and to perform the other tasks entrusted to it".

5. It is clear from the above-mentioned provisions that the Commission was instructed to follow the pro-

¹ Annex I.

² Appointed by the General Assembly at its 960th plenary meeting on 20 December 1960.

³ A/4706 and A/4706/Add.1, 8 March 1961.

gress of events, to supervise the popular consultations and the preparatory measures preceding them, and to assist and advise the Administering Authority. Lastly, under operative paragraph 13 of resolution 1605 (XV), the General Assembly provided for the eventuality that the performance of the Commission's duties might be "hindered through deliberate obstruction or lack of the requisite co-operation from any quarter" and authorized, in such a case, the Commission to return to United Nations Headquarters and to "request the President of the General Assembly to reconvene the Assembly immediately to consider further measures essential to the discharge of the United Nations obligations with respect to the Trust Territory of Ruanda-Urundi".

Responsibilities assigned to the Administering Authority by the General Assembly

6. In its resolution 1579 (XV) of 20 December 1960, the General Assembly addressed a number of recommendations to the Administering Authority concerning, in particular, the following points:

(a) A full and unconditional amnesty and the abolition of the emergency régime so as to enable political workers and leaders who were in exile or imprisoned to resume normal, democratic political activity before the elections (para. 2);

(b) The expeditious return and rehabilitation of refugees (para. 3);

(c) Non-utilization of the Territory as a base for armed forces not strictly required for the purpose of maintaining public order (para. 6).

7. In its resolution 1580 (XV) on the question of the Mwami, the General Assembly, noting "with regret that the Administering Authority has arbitrarily suspended the powers of the Mwami of Rwanda and has not allowed him to return to Rwanda to resume his duties as Mwami", requested

"... the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami, and to facilitate his return to Rwanda to enable him to function as Mwami pending the ascertainment of the wishes of the people on this question" (para. 2).

8. In its resolution 1605 (XV) of 21 April 1961, the General Assembly, regretting the failure of the Administering Authority to implement fully and effectively the terms of resolution 1579 (XV), called upon the Government of Belgium to ensure that the provisions of that resolution were fully implemented by its representatives in Ruanda-Urundi (para. 2) and recognized that it had the following responsibilities:

(a) Exclusive responsibility for the administration of the Territory, the Administering Authority being unable to abdicate its responsibilities to local political bodies and leaders (para. 3), and

(b) The obligation and the responsibility to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly (para. 5). In this connexion, it should also be mentioned that the General Assembly, in paragraph 5 of its resolution 1579 (XV), appealed to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony for the good of the Territory and people as a whole on the eve of independence.

9. In addition to recognizing that the Administering Authority had these general responsibilities, the Assembly also addressed to it recommendations in its resolution 1605 (XV) on the following matters:

(a) The immediate constitution in both parts of the Territory of broad-based caretaker governments to attend to current affairs of administration (para. 4);

(b) The immediate grant of full and unconditional amnesty, as envisaged in resolution 1579 (XV) (para. 9 (a));

(c) The rescission of the Legislative Order No. 221/296 of 25 October 1960 concerning the powers of the Administering Authority (para. 14);

(d) The organization in full consultation with the Commission of the referendum on the question of the Mwami and the legislative elections in Ruanda-Urundi to be held in the month of August 1961 under the supervision of the United Nations on dates to be fixed, after mutual consultation, in the light of the prevailing circumstances (para. 6);

(e) The use of armed forces in strict conformity with the obligations defined in the Trusteeship Agreement (para. 10);

(f) The provision of the material conditions necessary to enable the Commission to discharge its responsibilities, and the full co-operation of the local authorities with the Commissioners (para. 11).

10. Furthermore, certain obligations of the Administering Authority derived indirectly from the tasks that the General Assembly had assigned the Commission in the resolution referred to above.

11. For example, in operative paragraph 9 (c) of resolution 1579 (XV) the Assembly requested the Commission to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi; such a provision could not be implemented without a receptive and co-operative attitude on the part of the Administering Authority.

12. Operative paragraph 8 of resolution 1605 (XV), in which the Assembly requests the Commission to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and resolution 1605 (XV) is even more explicit. In other words, the Administering Authority is indirectly called upon to accept the assistance and advice of the Commission in the execution of the two resolutions.

Relations with the authorities

13. On 27 April 1961, immediately after the adoption of resolution 1605 (XV), the Chairman of the Commission, Mr. Max H. Dorsinville, addressed a letter to the permanent representative of Belgium to the United Nations, Mr. Walter Loridan, in which, after referring to that resolution, he added:

"The Commission would be very grateful if, before its departure from New York, your Government would inform it of the methods of implementation which your Government has in mind in particular for operative paragraphs 2, 4, 5, 6 and 14 of resolution 1605 (XV). These paragraphs concern:

"(a) The full implementation, before the legislative elections, of the provisions of resolution 1579 (XV) by the representatives of the Administering Authority in Ruanda-Urundi;

“(b) The immediate constitution of broad-based caretaker governments in both parts of the Trust Territory;

“(c) The necessary conditions and atmosphere for the proper conduct of the national elections;

“(d) The repeal of Legislative Order No. 221/296 question of the Mwami of Rwanda;

“(d) The repeal of Legislative Order No. 221/296 of 25 October 1960”.

14. The Commission received from the permanent representative of Belgium to the United Nations a letter dated 2 May 1961 informing it that he had transmitted that letter to the Belgian Minister for Foreign Affairs, and adding:

“As soon as I have the Belgian Government's reply to the points raised in the last paragraph but one of your letter of 27 April, I will see that it is sent to you.”

15. On 24 May 1961 the Commission received a letter dated 19 May 1961 from the Belgian Deputy Prime Minister and Minister for Foreign Affairs and for Ruanda-Urundi, Mr. Paul-Henri Spaak. In that letter, after acknowledging receipt of the letter addressed on 27 April 1961 to the permanent representative of Belgium to the United Nations, and mentioning that the Belgian Government had only just taken office, he referred to the Commission's desire to be informed before its departure from New York concerning the methods the Belgian Government had in mind for the implementation of resolution 1605 (XV). He suggested to the Chairman that the two should meet at Brussels on 1 June 1961 for a general discussion of the problems.

16. The Commission proceeded to Brussels on 30 May 1961. From 1 to 6 June it had interviews with Mr. Paul-Henri Spaak, Deputy Prime Minister and Minister for Foreign Affairs and Ruanda-Urundi; Mr. Fayet, Deputy Minister for Foreign Affairs, and with other officials of the Ministry; Mr. J.-P. Harroy, Resident-General for Ruanda-Urundi, and other officials of the Administering Authority.

17. On 7 June the Commission left for Usumbura, where it arrived on 8 June.

18. On the evening of the Commission's arrival its Chairman and the Resident-General addressed the population of Ruanda-Urundi by radio.⁴ Another address was delivered by the Resident-General and the Chairman of the Commission on 4 August when the date of the elections in Rwanda and Burundi was announced.⁵ Statements were also broadcast in Rwanda by Commissioner Rahmema on 28 August⁶ and 21 September;⁷ and in Burundi by Commissioner Gassou on 16 September;⁸ Colonel Logiest, Resident of Rwanda, on 19 September;⁹ and Mr. Regnier, Resident of Burundi, on 16 September. A joint communiqué¹⁰ from the Resident of Burundi and the United Nations Commissioner at Kitega was read over the radio on 17 September 1961. Another similar communiqué from the Resident of Rwanda and the Commissioner at Kigali was read on the radio on 23 September, and 100,000 copies were scattered from aircraft. On 27 September,

when the elections and referendum were over and the Commission was leaving, Mr. J. P. Harroy, the Resident-General, and Ambassador Dorsinville broadcast speeches.¹¹

19. Until the date of the elections the Commission, in constant touch with the Administering Authority, examined the various questions preliminary to the elections, including:

(a) The establishment in Rwanda and Burundi of broad-based caretaker governments;

(b) The amnesty;

(c) Repeal of the Ordinance of 25 October 1960, actually superseded by that of 4 March 1961;

(d) The Mwami of Rwanda;

(e) The refugees from Rwanda;

(f) The electoral laws;

(g) The creation of the necessary conditions and atmosphere for the proper conduct of the elections.

20. The Commission was also in touch with the government of Burundi; with members of the *de facto* government of Rwanda, as representatives of political parties, until that government's suspension by the Administering Authority; and with other political leaders of both countries, notables of the Trust Territory, and private individuals.

21. The General Assembly, in its resolution 1605 (XV), operative paragraph 11, had requested the Administering Authority:

“... to ensure that the material conditions essential to the successful discharge by the United Nations Commissioners of their responsibilities, such as housing, office space, travel facilities, information and the free use of official broadcasting facilities, are provided, and that the local authorities co-operate fully with them;”

22. The Commission is glad to report that the assurances in those respects which it received from the Belgian Government during its stay in Brussels were completely fulfilled, and that the Administering Authority in Ruanda-Urundi co-operated fully in its lodging and travel. Information was exchanged regularly and satisfactorily. The Commission had unrestricted use of the official broadcasting facilities.

23. The Commission received an excellent welcome from the Trusteeship authorities during its stay in the Territory. There is not room in this report for the names of the very large number of persons who helped it to carry out its task. However, it wishes to express particular thanks to Mr. Georges Carlier, Belgian Ambassador, personal representative of Mr. Paul-Henri Spaak, Deputy Prime Minister and Minister for Foreign Affairs and for Ruanda-Urundi; Mr. Jean-Paul Harroy, Resident-General of Ruanda-Urundi; Colonel Logiest, Resident of Rwanda; Mr. R. Regnier, Resident of Burundi; and all Territorial Administrators and officials, for their help to the Commission. It also wishes to mention the courteous and efficient help given by Baron Greindl and Mr. J. Houard, Ambassador Carlier's assistants; and by Mr. J. Castermans, head of the Political Affairs Section, Mr. P. Chotteau, head of the Information Section, and Mr. E. Syts, Liaison Officer.

24. The Commission likewise wishes to pay a tribute to the Territory's customary authorities, especially Mwami Mwambutsa of Burundi, and to the people and

⁴ Annex III.

⁵ Annex IV.

⁶ Annex V.

⁷ Annex IX.

⁸ Annex VI.

⁹ Annex VIII.

¹⁰ Annex VII.

¹¹ Annex X.

leaders of Ruanda-Urundi, for their warm welcome and help.

25. The Commission left Usumbura at the end of September. After visiting Mr. Spaak in Brussels, it proceeded to Geneva to draft its report at the Headquarters of the United Nations European Office. It then, on 28 October 1961, left again for Usumbura, in response to the General Assembly's request in resolution 1627 (XVI) that it visit the scene immediately in order to carry out without delay an investigation of the circumstances of the tragic death of Prince Rwagasore, Prime Minister of Burundi, and returned to Geneva on 5 November to prepare its report on the investigation and finish drafting this report.

26. On 27 November 1961 the Commission unanimously adopted this report concerning the popular consultations called for by General Assembly resolutions 1579 (XV), 1580 (XV) and 1605 (XV).

I. Organization of the Mission

27. In accordance with paragraph 8 of resolution 1579 (XV), the Secretary-General appointed the staff and the observers who were to assist the Commission in its task. The Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories and the Deputy Director of the Trusteeship Division gave the Commission, in the course of various discussions, information on the status and qualifications of the candidates. The Commission finally approved the following list, which comprises thirty-eight officials from different departments of the Secretariat, nationals of twenty-three Member States.

(a) Secretariat of the Commission

Principal Secretary: Miguel A. Marín;

Political Adviser: Myles F. Minchin;

Legal Adviser: Maxime Tardu;

Information: Oswaldo López-Noguerol;

Administration: Jan G. Schumacher;

Field Service officers: Robert Aalders, Virgilio Chávez, Aart van Egmond, Saleh Hamadeh (Radio), Roger Humberstet, Patrick Keane, Rogelio C. Santos (Radio), Nello Tordini (Finances);

Secretaries: Wanda Betton, Françoise de Billy, Simone Gervais, Marianne Teyssier.

(b) Observers

Eugene Adoboli, Claude Benjamin, Eric Brant, Ghelij Chernov, Paulo L. Correa, George R. Fennell, Salih Habal, Abolghassen Hatami, Jean P. Hesse, David Ho, Kai Hylfelt, Luis P. Martin, Karel Naprstek, Hubert Noël, Antonin J. Obrdlik, Felipe Antonio Pradas, Paul de Rodzianko, Herbert M. Sanborn, Bedrich Syrový, Horacio M. Ureta, Shifferaw Zelleke.

28. During a meeting on 25 May 1961, before the Commission left New York, the Principal Secretary introduced the observers to the Chairman of the Commission. The Under-Secretary for Trusteeship and Information from Non-Self-Governing Territories and the Deputy Director of the Trusteeship Division were also present. The Chairman delivered an address in which he described the task which had fallen to the observers and emphasized the impartiality and discretion which the Commission and those accompanying them would be called upon to display. The observers

were then given a list of documents which would be of assistance to them in their work.

29. While the Commission was at Brussels, and later at Usumbura, the Secretariat got in touch with the Administration to discuss the question of offices, transport, accommodation, etc., for the Commission, especially the living conditions and accommodations to be provided for the observers. The Principal Secretary and the Administrative Officer visited the places to which the observers were to be posted.

30. As will be seen below (para. 82, *et seq.*), the Territory of Ruanda-Urundi is divided administratively as follows:

The Resident-General of the Territory resides at Usumbura (Burundi), thus making this town the main administrative centre of the Belgian Administration.

In addition, there is a Resident at Kitega for Burundi and another at Kigali for Rwanda, each State being divided into territorial Districts under the control of a District Administrator appointed by the Administering Authority. These Districts, to each of which the Commission decided to assign an observer, are as follows:

<i>Rwanda</i>	<i>Burundi</i>
Astrida	Bubanza
Biumba	Bururi
Gitarama	Kitega
Kibungu	Muhinga
Kibuye	Muramvya
Kigali	Ngozi
Kisenyi	Rutana
Nyanza	Ruyigi
Ruhengeri	Usumbura
Shangugu	

31. The Commission decided that the Chairman should remain at Usumbura, that Mr. Gassou should establish himself at Kitega (Burundi) and Mr. Rahne-ma at Kigali (Rwanda), it being understood that the three Commissioners would meet, either at Usumbura, Kitega or Kigali, when circumstances required it.

32. Arrangements were made to secure accommodation for the Commissioners and staff at Kitega and Kigali and to set up offices in these two centres.

33. The Commission gave careful consideration to the question of when the observers should arrive. As is indicated in chapter III, the negotiations for setting up broadly based caretaker governments in Burundi and particularly in Rwanda were quite arduous. So there seemed no point in bringing in the observers before these questions had been settled or were at least on the point of being so.

34. The observers arrived in two groups, one on 4 and the other on 11 July, and took up their duties during the first half of July in the various Districts which had been assigned to them by the Principal Secretary.

35. Some changes were made later in the detailed organization of the Commission; a list of the members of the Commission together with their final assignments appears in an annex to the report.¹²

36. Thanks largely to the transport facilities, mainly air, placed at their disposal by the Administering Authority, the Commissioners were able to meet as often as was necessary. In addition, weekly meetings of the observers from each State were held at Kitega (Burundi) and at Kigali (Rwanda), at which the Commis-

¹² Annex II.

sioners, Mr. Gassou and Mr. Rahnama, were present. These meetings, organized with the help of the Principal Secretary, the Political Adviser, the Administrative Officer and, where the agenda required it, the Legal Adviser, proved to be of great value. On a number of occasions the Commissioners and the Principal Secretary visited the observers to make a first-hand study of the problems they were encountering in their Districts.

37. Lastly, it should be mentioned that joint meetings of District Administrators and observers were held, in an excellent spirit of co-operation, in Burundi on 25 August and 15 September, and in Rwanda on 30 August and 22 September. At the last of these meetings, both in Burundi and in Rwanda, the District Administrator and observers all made statements with particular reference to the following questions:

(a) Electoral preparations (registration, candidatures, number, distribution and organization of polling stations, number of polling booths, distance to be covered, and in the case of Burundi the question of the drawing of symbols by lot, etc.);

(b) Respect for public freedoms (of expression, of assembly, of association);

(c) Maintenance of public order (troop movements and their effect on the morale of the population, etc., bearing in mind operative paragraph 5 of resolution 1605 (XV), and paragraph 6 of resolution 1579 (XV));

(d) The general atmosphere (both in a general way and in application of operative paragraph 5 of resolution 1605 (XV)).

These discussions, which, though devoted to particular subjects, were also open to other problems, led to a useful exchange of views and experiences.

38. The text of the instructions issued to the observers appears as an annex to this report.¹³

39. It should be mentioned that when the popular consultations took place in Burundi on 18 September, and in Rwanda on 25 September, the observers and the staff referred to in annex XV left their usual stations and went to assist the observers in the State where the consultations were being held.¹⁴

40. The Commission, for its part, visited the polling stations on the day of the elections, in order to observe the progress of the popular consultations. The following were their itineraries:

In Burundi

For the Chairman of the Commission, accompanied by the Principal Secretary:

Usumbura—Bubanza—Usumbura—Bururi—Muramvya—Kitega

For Mr. Gassou:

Ruyigi—Rutana—Muramvya—Kitega

For Mr. Rahnama:

Ngozi—Muhinga—Kitega

In Rwanda

For the Chairman, accompanied by the Information Officer:

Astrida—Nyanza—Gitarama—Kigali

For Mr. Gassou:

Shangugu—Kibuye—Kigali

For the Principal Secretary:

Kisenyi—Goma (Congo)—Ruhengeri (and the Customs office on the Uganda border)—Biumba—Kigali

Mr. Rahnama visited various polling stations throughout Rwanda by helicopter.

41. Under operative paragraph 9 (c) of resolution 1579 (XV), the General Assembly requests the Commission

“... to follow the progress of events in the Territory before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi, and to report to the Trusteeship Council or the General Assembly, as necessary;”

42. In order to follow the progress of events in the Territory after the elections, the Commission decided, in agreement with the Administering Authority, to keep three observers in Ruanda-Urundi after its departure until this report should be submitted to the General Assembly. Mr. Antonin J. Obrdlik has accordingly remained at Usumbura and Mr. Eric Brant and Mr. Eugene Adoboli have remained at Kigali, assisted by two secretaries, Miss M. Teyssier and Miss S. Gervais.

43. Lastly, with regard to operative paragraph 6 of resolution 1579 (XV), calling upon the Administering Authority to refrain from using the Territory as a base, whether for internal or external purposes, for the accumulation of arms or armed forces not strictly required for the purpose of maintaining public order in the Territory, this question will be dealt with in chapter III.¹⁵ We shall only mention here that the presence of three military observers, from Cambodia, Morocco and Senegal, had been contemplated. In point of fact, only Lieutenant Thach Tuon of Cambodia was appointed; unfortunately by the time he was able to reach Ruanda-Urundi the elections were over and he remained for a few days only.

II. General information on Ruanda-Urundi

A. THE TERRITORY AND ITS INHABITANTS

44. Through the annual reports submitted to it by the Trusteeship Council, the General Assembly is well informed about the Territory of Ruanda-Urundi and its inhabitants. In addition, the last United Nations Visiting Mission gave in its report¹⁶ a detailed account of the political development of the Territory from the period preceding the German occupation down to 1960, the date of its visit. Recent events are recounted in the interim report of the United Nations Commission for Ruanda-Urundi.¹⁷

45. Ruanda-Urundi lies between Central and East Africa and is bordered on the north by Uganda, on the east and south by Tanganyika, and on the west by the Republic of the Congo (Leopoldville). It has a total area of 54,172 square kilometres comprising 27,834 in Burundi and 26,338 in Rwanda.

46. It is a mountainous country, the altitudes varying from 773 metres on the shores of Lake Tanganyika to 4,507 metres in the northern volcanic region; the mean altitude of the central plateaux is 1,700 metres.

¹³ See paras. 272-276.

¹⁴ *Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3.*

¹⁵ A/4706 and Add 1.

¹⁶ Circular No. 4 and Instructions Nos. 1, 2 and 3, annex XI.

¹⁷ Annex XII.

This configuration explains the importance of the "colline" (hill) as a social and political group.

47. The climate is generally temperate, with an irregular rainfall, heavier along the mountain range than in the plain near Lake Tanganyika.

48. Economic activity in the Territory centres mainly on agriculture and stock-raising; it includes some fishing and a limited amount of mining. The agriculture and stock-raising are mostly carried on by the indigenous population.

49. Because of the very irregular climatic conditions of the Territory and the general poverty of its soil, food production at present is sufficient only to meet the local demand and to prevent a recurrence of the famines which occurred frequently in former days. It should be noted, however, that the demographic curve of Ruanda-Urundi shows that the population may double within twenty-five years. Unless this country, already living under the constant threat of famine, is to suffer a relapse, food production will therefore have to increase at the same rate as the population.

50. The country is already one of the most densely populated in Africa, with 99 persons per square kilometre in Rwanda and 77 in Burundi. The total population is approximately 4,860,000, including some 8,000 Europeans and 3,000 Asians. Outside the town of Usumbura, which in 1959 had a population of about 46,000, urban areas are rather small and serve principally as commercial and administrative centres. The great majority of the indigenous population are peasants, whose dwellings, surrounded by their farmlands, are scattered in the hills.

51. Neither in Rwanda nor in Burundi is the population homogeneous. It is made up of the Bantu (or negroid) Bahutu, who constitute the great majority (82.74 per cent in Rwanda and 86.48 per cent in Burundi); the Hamitic or (Ethiopic) Batutsi, comprising 16.59 per cent of the population in Rwanda and 12.39 per cent in Burundi; and the pygmy Batwa, who are only a small minority, 0.67 per cent in Rwanda and 1.13 per cent in Burundi.

52. Before the advent of the Europeans, Rwanda and Burundi were two kingdoms, each with a Mwami at its head and a very complex political system. Below the Mwami, in theory the absolute master of the country, came a hierarchy of customary authorities, the higher ranks of which were composed almost entirely of Batutsi. The régime was based on a social system in which a largely Batutsi aristocracy of stock-raisers and warriors constituted the governing class, while the Bahutu for the most part tilled the soil.

53. Ruanda-Urundi was officially included in the German zone of influence at the time of the Berlin Conference in 1885, and was placed under the administration of a separate Resident in 1897. However, Germany restricted itself in effect to military occupation, and the customary authorities continued to function under an indirect form of administration. Belgium, which occupied the Territory in 1916, adopted the same policy of indirect administration, retaining the whole established structure and turning to the Batutsi *élite* for assistance with those tasks which appeared most urgent, such as the prevention of famine and improvement of the material life of the people. In the customary political structure, Belgium confined itself during the earlier years to abolishing abuses and arbitrary practices. Only later, especially in 1953, when the electoral system was intro-

duced into the various customary councils, did it begin gradually to change the political system.

54. Nevertheless, the policy of indirect administration appears to have affected the development of the two countries. Some commentators believe that Belgian policy, by recruiting the administrative cadres mainly from the customary authorities and the Tutsi *élite*, widened the social division between ethnic groups in Rwanda and enabled certain elements of the Tutsi caste to secure practically all the positions of authority in the country's customary organization. On the other hand, the superimposition of European administration on the customary organization, and the reforms necessitated by social development, gradually undermined the authority of the governing caste. At the same time the progressive spread of education among the Bahutu of Rwanda eventually aroused them to consciousness, which led to demands, increasingly urgent since 1956, for the abolition of social and political inequalities.

55. Tension continued to increase until November 1959, when there occurred the serious events, marked by violence and murder, described in the report of the Visiting Mission of 1960.¹⁸ These were suppressed for a time but continued sporadically throughout most of 1960. A provisional government composed almost exclusively of members of the *Partie du mouvement de l'émancipation hutu* (PARMEHUTU) was set up in October 1960. These changes enabled the leaders of PARMEHUTU, who already controlled the provisional government to carry out in January 1961 the *Gitarama coup d'état*. They thereupon proclaimed a republican régime which was recognized *de facto* by the Administering Authority but which the United Nations declared to have been established by irregular and unlawful means, and not to be regarded as fully representative of all segments of the population in the absence of free and fair elections on the basis of direct universal adult suffrage.

56. No similar violence occurred in Burundi, perhaps partly because the bonds of economic dependence inherent in the system were less rigid than in Rwanda, and partly because many Batutsi also have Bahutu blood. Moreover, the Mwami's power was always less absolute because, in addition to the Bahutu, the Batutsi and the Batwa, there was a fourth social class composed of the Ganwa, or princes of the blood. In Burundi the Mwami, though in theory possessing power as absolute as that of the Mwami of Rwanda, was traditionally regarded rather as *primus inter pares* among the Ganwa.

57. By a peculiar custom the successive Bami (plural of Mwami) of Burundi are given, in exact order, one of the four dynastic names of Ntare, Mwezi, Mutaga and Mwambutsa. These names divided the descendants of the Bami into four "families", whose violent antagonisms were intensified by the tradition that the reigning Mwami removed from power—often by death—the members of the other branches.

58. The Administering Authority has gradually abolished these fratricidal customs. However, keen rivalry has long continued between the clans of the last Bami of the pre-colonial period, Ntare and Mwezi, whose descendants are known as Batare and Bezi.

59. The shortness of the reign of Mutaga IV (1908-1915) explains why his sons, one of whom is the present Mwami Mwambutsa, have continued to style themselves

¹⁸ Op. cit. (T/1551).

Bezi although they are really Bataga, because of the long reign and great prestige of their grandfather Mwezi Gisabo.

B. POLITICAL PARTIES

(1) *Political parties in Burundi*

60. Political parties in Burundi have a very recent origin. At the end of 1959 there were only two, one of which was composed largely of Africans from other countries. When the Commission arrived in June 1961 there were twenty-three, and a twenty-fourth was founded before the elections.

61. This proliferation of parties made the situation fluid. Many of them were based solely on the personal, and often local, influence of their leaders, as could be noted at the time of the communal elections, when comparatively few of them had their candidates elected in more than one region. Moreover, their programmes had many points in common. They all declared themselves champions of a constitutional monarchy, and proposed political, social and economic reforms to democratize the country and improve the living level of the masses. They differed mainly in the importance they attributed to the various points in their programmes, their choice of leaders, their attitude towards the Belgian Administration, and, most of all, on the question whether independence should be immediate or gradual.

62. From the results of the communal elections held in November-December 1960, it may be said that the parties which exercised the greatest influence in the country were the following:

- (1) Unité et progrès national (UPRONA);
- (2) Parti démocrate chrétien (PDC);
- (3) Parti démocrate rural (PDR);
- (4) Five popular parties which combined in March 1961 to form the Union des partis populaires (UPP).

63. These four parties, including the UPP Coalition, reflected three political trends, and most of the other parties were grouped around them. The first trend, represented by UPRONA and three other particularly militant parties, was nationalist and monarchist: it called for the immediate independence of the country and charged the Belgian Administration with using opposing parties to prolong its hold on the country. UPRONA was founded by the Ganwa Rwagasore, eldest son of the Mwami Mwambutsa; many of its members come from the customary cadre, particularly from the Bezi clan, to which the family of the Mwami claimed to belong (see paras. 57-59 above). Using the slogan "God, the Mwami, Burundi", UPRONA proposed reforms, mostly economic and social.

64. The second trend was represented by a group of several parties, the most important of which were the PDC and the PDR. Likewise under the leadership of Ganwa, or princes of the blood, these two parties and their allies also proposed reforms under the monarchy. However, they differed from the UPRONA in their attitude towards the Belgian Administration and in their view that independence should be preceded by a relatively long period of self-government to develop democratic institutions. Their leaders included Mr. Ntindendereza, Mr. Bigayimpunzi, Mr. Baganzicaha and Mr. Zuruzuru, four ministers in the broadly based government.

65. The third trend, which was very close to the second, was represented by the five parties which had

combined in March 1961 as the UPP. Although they were very moderate and affirmed their sincere adherence to constitutional monarchy, their principal aim was to promote the interests of the under-privileged classes. They called for emancipation of the masses, the democratization of institutions, and the participation of all citizens of Burundi in its political, economic and social development. The leaders of the UPP included Mr. Cimpaye and Mr. Ngane, Prime Minister and minister respectively in the interim government and in the broadly based government.

66. However, the parties were divided and their alliances influenced, not only by ideological differences, but also by the personalities of some leaders and by rivalries between clans—the Bezi, to which the present reigning family is related, and the Batare, to which the last reigning family belonged. Just as the founder and most important leader of UPRONA was, as has been seen, the Ganwa Rwagasore, a son of the Mwami and a member of the Bezi clan, the PDC had been founded by two other princes of the blood, members of the rival clan Batare, Mr. J. Biroli and his brother Mr. J. B. Ntindendereza, now chairman of the party.

67. From 1960 onwards the division of the parties hardened into UPRONA, the militant nationalist party, and the parties representing the two remaining trends. The latter then combined in a Front commun against their opponent. The Front commun objected particularly to the political activity of the Ganwa Rwagasore, whose kinship with the Mwami was one of UPRONA's propaganda points, and emphasized that his policy might seriously affect the position of the monarchy by involving it in the political struggle.

68. After the Brussels talks, held in August 1960 in preparation for the communal elections, the Interim Decree of 25 December 1959 reorganizing the institutions of the Territory¹⁹ was amended by insertion of a provision excluding from all political activity relations of the Mwami by blood or by marriage to the second degree. UPRONA contested the legality of the provision.

69. When the Ganwa Rwagasore refused to withdraw from politics the Belgian Administration, under the new provision of the Interim Decree, placed him under house arrest for the period of the communal elections. However, he resumed his activities as adviser to UPRONA immediately after his release.

70. In the communal elections held in November-December 1960 the parties of the Front commun won 1,749 seats out of 2,371 and 117 of the 152 offices of burgomaster. The Administering Authority had given assurances that the communal elections were purely administrative and non-political. However, it was on those results that in January 1961, the Belgian Administration based the interim government in which two ministries were allotted to the PDC, two to the parties belonging to the UPP, and one to the PDR. A sixth ministry was offered to UPRONA, but the party refused to join the government and afterwards expelled a member who had accepted the post. This member then became the moving spirit of a small political party, the Burundi populaire, founded a few weeks before the legislative elections.

71. In addition to the parties representing the three trends described above, mention should also be made of the Union nationale africaine du Ruanda-Urundi

¹⁹ See paras. 92 *et seq.*

(UNARU). Although this party has often allied itself to UPRONA in demanding immediate independence and criticizing the Belgian Administration, its members were mostly Africans from other countries and its policy was manifestly pan-African rather than national.

(2) *Political parties in Rwanda*

72. Although at times there had been as many as seventeen officially recognized political groups and associations in Rwanda, there were only five main parties at the time of the elections. Despite the fact that all of them had been organized within the previous four years, they had a strong hold on the people. In chronological order of establishment these parties were as follows:

(1) Association pour la promotion sociale de la masse (APROSOMA), founded in November 1957;

(2) Union nationale rwandaise (UNAR), founded in September 1959;

(3) Rassemblement démocratique rwandais (RA-DER), founded in September 1959;

(4) Parti du mouvement de l'émancipation hutu (PARMEHUTU), founded in October 1959 and now known as the Mouvement démocratique républicain;

(5) The APROSOMA-RWANDA-UNION, founded in January 1961.

73. These main parties, together with most of the small ones, may be divided into two groups, one with republican, and the other with monarchist, leanings.

74. Both parties with republican leanings, APROSOMA and PARMEHUTU, developed out of the Mouvement social hutu, a non-political organization formed in 1957 to fight for the emancipation of the Bahutu and against the abuses of what its founders called "the economic, social and cultural monopoly of the Batutsi". The objectives of the Mouvement were set out in the Manifesto of the Bahutu,²⁰ the signatories of which include many of the present leaders of the two parties. The Manifesto, which constituted a protest against ethnic discrimination in the customary organization of the State, advocated a series of reforms designed to eliminate the inferior status of the Bahutu and to give them equal treatment with the Batutsi, particularly with regard to education and access to public office, as well as the elimination of the customary compulsory services and land reform.

75. APROSOMA, which was founded a few months later by Mr. Joseph Habyanimana Gitera, one of the most active Bahutu leaders, was originally not a political party but a reform movement designed to promote the evolution of the masses, combat social injustice and, first and foremost, press for economic reforms, particularly in land tenure. The Association, acting as the mouthpiece of the Bahutu and voicing their grievances against the traditional régime, was soon drawn into politics and, in February 1959, proclaimed itself a political party. Though constituting the moderate wing of the republican movement, the party had close links with PARMEHUTU. It joined the latter to form the Front commun at the time of the communal elections in June-July 1960 and its leaders also participated in the *coup d'état* of January 1961 and in the republican

government established as a result. APROSOMA was a party with a relatively small membership, concentrated in the districts of Astrida and Shangugu. In the 1960 communal elections the party's candidates won only 7.4 per cent of the seats; 6.6 per cent of the seats also went to candidates on the lists which it had put forward jointly with PARMEHUTU.

76. PARMEHUTU, founded by Mr. Grégoire Kayibanda, one of the prime movers of the Mouvement social hutu and a signatory of the Manifesto of the Bahutu, set out to achieve the political emancipation of the Bahutu, the democratization of the political and administrative institutions and a greater access to post-primary education for the Bahutu. PARMEHUTU played an important part in the events of November 1959. It later won 70.4 per cent of the councillors' seats in the 1960 communal elections and gained 166 of the 229 burgomaster posts. It was on the basis of those supposedly purely administrative elections that in October 1960 Mr. Kayibanda, the leader of the party, was appointed Chief of the provisional government and that four of the other eight ministerial portfolios were given to members of his party, thus ensuring PARMEHUTU of a dominant position in the provisional government.

77. Its position was further strengthened by the Gitarama *coup d'état* of January 1961. In the *de facto* régime set up as a result of those developments it was Mr. Dominique Mbonyumutwa, one of the party leaders, who was elected President of the "Republic"; the Prime Minister and six of the nine Ministers as well as forty of the forty-four members of the "Legislative Assembly" also belonged to the same party.

78. Following the events of 1959, the party became increasingly hostile to the institution and the person of the Mwami and set out to eliminate all vestiges of what its leaders described as the "feudal-colonialist Tutsi régime" in which they included forced agricultural services and the privileged position held by the Batutsi in the matter of access to higher education.

79. Of the parties with monarchist leanings, UNAR was the most important; this party, which was officially constituted a month before PARMEHUTU, numbered among its founders influential Tutsi notables such as the three chiefs Mr. Michel Kayihura, Mr. Pierre Mungalurire and Mr. Chrysostome Rwangombwa, as well as non-Tutsi such as Mr. François Rukeba, the president of the party, and Mr. Michel Rwagasana, its general secretary, who was Secretary of the State Council.

80. The aim of the party, as stated in its first Manifesto, was to mobilize all Rwandese, regardless of ethnic origin, social position or creed, for the execution of a programme of reforms under a constitutional monarchy and for the achievement of self-government and independence for the State by a specific date. UNAR has described itself as a traditionalist, monarchist and nationalist movement which was neither feudal nor reactionary. It contended that the fact that the ruling classes in Rwanda consisted mainly of Batutsi was due not only to historical reasons but also to the policy of indirect administration pursued by the Administering Authority. According to UNAR the problem was essentially social rather than ethnic and its solution had to be sought in the democratic development of the State. It held that the Belgian Administration had at first relied on Tutsi personnel, had then artificially stirred up Bahutu agitation against them and had, finally, given support to the republican parties in order to stifle the genuine national aspirations of the people and their traditional chiefs.

²⁰ The text is reproduced *in extenso* in annex I of the report of the United Nations Visiting Mission to Trust Territories in East Africa, 1957. See *Official Records of the Trusteeship Council, Twenty-first Session, Supplement No. 3*, document T/1402.

81. Following the events of 1959, many UNAR leaders (including Mr. François Ruketa, its president, and most of the members of the Central Committee) were sentenced to imprisonment or sought refuge abroad, together with many of their followers. During 1960 the attitude of the leaders in exile became increasingly inflexible in the face of what they regarded as a Belgian-inspired revolution. In the communal elections, UNAR won only 1.7 per cent of the councillors' seats and did not win a single burgomaster post.

82. During the period from 1959 until two months before the elections, the leadership of the party was exercised both by the Central Committee in exile and by a provisional committee within the State. After the granting of the amnesty requested by the General Assembly in its resolution 1579 (XV), the members of the Central Committee who had been abroad returned to the State and resumed the leadership of the party.

83. The second monarchist party, RADER, began as a grouping of Batutsi and Bahutu with Mr. Prosper Bwanakweri, a Tutsi chief, as president. The party's aim, as set out in its original manifesto, was "the establishment of a social, economic and cultural order based on authentic democracy in harmonious relationship with the various constituent groupings of the Rwandese people". It was a reform party which clearly supported several of the ideas put forward in the Manifesto of the Bahutu. As a result, some of its members were attacked by UNAR during disturbances of November 1959. Accordingly, RADER, though supporting the principle of a constitutional monarchy, began by drawing closer to the APROSOMA and PARMEHUTU parties with which it co-operated in setting up the Front commun and disavowing Mwami Kigeli V.

84. During the communal elections, however (in which it obtained only 6.6 per cent of the seats and only seven of the 229 burgomaster posts), RADER complained of attacks by PARMEHUTU against its followers and gradually went over to the opposition. In October 1960, it refused to participate in the provisional government and, resuming a definitely monarchist stand, joined UNAR in supporting Mwami Kigeli. At the time of the legislative elections RADER was strongly opposed to PARMEHUTU and to the Belgian Administration whom it accused of supporting the latter party.

85. The last of the five national parties, the APROSOMA-RWANDA-UNION was established two months after the *coup d'état* on January 1961; the founder of the party, Mr. Joseph Habyarimana Gitara, who had already founded the APROSOMA party, had been one of the authors of the Manifesto of the Bahutu. As such, he had at first been one of the most outspoken opponents of the ruling class in the State, and, particularly, of the institution of the Mwami and of Kigeli V personally. Although he was appointed President of the State Council in October 1960 and, later, President of the Legislative Assembly in the republican régime established after the *coup d'état*, he had begun to loosen his ties with PARMEHUTU as far back as September 1960. In May 1961, after hesitating between several solutions, he finally announced the "reconstitution" of the former republican party APROSOMA under the title of the APROSOMA-RWANDA-UNION, with the return of Mwami Kigeli V and the establishment of a constitutional monarchy as objectives. According to him, the issue was not to restore the old feudal system but to eliminate a régime which had been established by PARMEHUTU with the sup-

port of the Belgian Administration and which was as strongly racialist as its predecessor. The leaders of the old APROSOMA party, having refused to endorse this new policy and dissolve their party, APROSOMA-RWANDA-UNION was constituted as a new party. During the discussions between the parties in June 1961 with a view to the constitution of a broadly based government, APROSOMA-RWANDA-UNION formed a coalition with RADER, and the two parties submitted joint lists of candidates in the elections.

86. In addition to the five main parties there were others which had a smaller, and often local following. They included the Association pour le relèvement démocratique des Batwa (AREDETWA), founded at the end of 1960 and allied to APROSOMA; the Parti monarchiste du progrès (PAMOPRO), formed at Astrida in May 1961 for the purpose of fostering national reconciliation and setting up a constitutional monarchy with Mwami Kigeli V at its head; the Mouvement pour l'union rwandaise (MUR), at Shangugu, a small party with monarchist leanings which set out to establish "a healthy democracy and a constitutional hereditary monarch"; the Mouvement monarchiste rwandais (MOMOR) formed at Kisenyi "to defend the cause of constitutional monarchy and the person of the reigning Mwami; the Union des masses rwandaises (UMAR), the Union des Aborozi africains du Ruanda-Urundi (UAARU) and the Association des éleveurs du Rwanda (ASSERU), all three of them conservative and monarchist, in the districts of Kigali and Bniuba; the Parti démocrate chrétien (APADEC) at Nyanza; the Alliance des Abakiga (ABAKI) at Kisenyi; the Association pour la promotion des femmes rwandaises (APROPER); and the Parti pour la réconciliation nationale, also known as the "Modern" Party, founded by a former UNAR leader in 1961 for the purpose of reconciling divergent tendencies.

C. POLITICAL AND ADMINISTRATIVE ORGANIZATION

(1) General

87. Ruanda-Urundi, formerly part of the colony of German East Africa, was placed under League of Nations Mandate and Belgian Administration in 1923. After the Second World War, it became a Trust Territory under the Trusteeship Agreement of 13 December 1946 between Belgium and the United Nations.

88. Up to the end of 1959, the political organization of Ruanda-Urundi was governed mainly by the Act of 21 August 1925 which made the Territory part of an administrative union with the Belgian Congo, of which it formed a separate Vice-Government-General. As in the Belgian Congo, the legislative and executive powers were exercised by the Belgian Parliament, or the King of the Belgians, or persons delegated by the Administering Authority, that is to say, the Government-General of the Belgian Congo and the Governor-General, now the Resident-General, of Ruanda-Urundi. The people took little part in the exercise of these powers. In legislative matters, their vote was of a purely consultative nature. In executive matters, the people participated only in the customary administrations, which in both Rwanda and Burundi, operated at a lower level than, and under the control of, the Trusteeship Administration.

89. However, after 1959 the whole structure was modified, by the dissolution of the administrative union of Ruanda-Urundi with the Belgian Congo, when the

Congo became independent, and by the application of a reform programme, which the Belgian Government had announced in its statement of 10 November 1959.²¹ The purpose of this programme was to ensure the progressive transfer of autonomous powers to new government organs in both States; this process was to bring Ruanda-Urundi to the threshold of independence by about 1962. The formation of definitive governments after the legislative elections was to be one of the last stages of this programme.

90. The Commission therefore arrived in Ruanda-Urundi when the transformation of the political and administrative structure was in full swing. Although the organization functioning under Trusteeship had remained intact, many of its powers had been transferred to the new authorities of the two States. For several months both States had had a provisional government composed of ministers who, although under the control of the Administering Authority, nevertheless exercised most of the powers of an independent government in domestic matters, the main exception being the maintenance of law and order. Each State also had a communal organization as a result of the 1960 elections, and an administrative organization under the State government.

91. However, the Administering Authority still retained fairly broad powers in judicial matters. Firstly, in order to enable it to fulfil its obligations under the Trusteeship Agreement, it still had exclusive competence for foreign affairs, defence, immigration, and the maintenance of law and order. For the same reasons, it had reserved the right to suspend or quash any decisions of the autonomous authorities, on the ground that such action was in the public interest, and, for the same reasons, the right to replace those authorities if they did not carry out their responsibilities. Lastly, the Administering Authority also retained competence for certain matters, particularly economic matters, connected with questions of common interest to both States.

(2) Organization of trusteeship

92. Under the Interim Decree of 25 December 1959²² and the Interim Royal Order of 25 January 1961, Belgium's trusteeship of the Territory was exercised by the Resident-General, the direct representative of the Belgian Government. In each State, the Administering Authority was represented by a Resident, and in each District, the trusteeship powers defined in the preceding section were exercised by a District Administrator, acting under the orders of the Resident-General and the Resident.

93. As before, legislative powers could be exercised by the Belgian Parliament by means of laws, or by the King of the Belgians, by means of decrees countersigned by a minister. However, for about a year, the legislative instruments had usually been promulgated by the Resident-General in the form of ordinances which remained in force for six months.

94. Similarly, the executive power was in principle exercised by the Crown by means of royal orders, or by the Belgian Government through ministerial orders, but it was usually exercised in fact, through ordinances of the Resident-General.

95. Within the framework of these ordinances, the Residents, and, on their instructions, the District Administrators, could make regulations by issuing orders.

²¹ T/1502.

²² T/1501.

(3) Organization of the two States

96. The transfer of legislative and executive powers from the Trusteeship authorities to those of the two States was effected in stages by the promulgation of a large number of legislative instruments. The powers which had already been transferred when the Commission arrived included the following: ministerial responsibility for nearly all the technical services at the State level; political and administrative organization of the Districts; control of the State budget; the population census; administration of penal justice, except for matters relating to breaches of the peace and public security or of the security of the State, and subject to the reservation that penalties involving more than five years' rigorous imprisonment must be approved by the Resident-General; matters relating to criminal records, and so forth.

97. The political and administrative organization was similar enough in the two States for a single description to serve for both. Both States had a Head of State, a Government under a Prime Minister and a Legislative Assembly provisionally elected by the communal councillors. The main difference between the institutions of the two States was that in Burundi, the Mwami was the uncontested Head of State and the Government was nothing more than a transitional body appointed by the Administering Authority for the period preceding the legislative elections, whereas in Rwanda, as the Commission has already explained in its interim report,²³ since the *coup d'état* of January 1961 there had been a republican régime with a president and a Government which had been recognized *de facto* by the Administering Authority.

98. Under the laws in force, the legislative power in both States was exercised jointly by the Head of State and by the Legislative Assembly, which legislated by edict. The executive power was in the hands of the Head of State, who ruled by means of orders countersigned by a minister. The Resident, as the representative of the Administering Authority, had a right to oppose draft edicts or orders.

99. As for the local authorities, the former chiefdoms had been replaced by administrative *circonscriptions*, under the autonomous governments. Rwanda was divided into prefectures which coincided geographically with the Districts of the Belgian Administration and were administered by prefects appointed by the Head of State. Within their *circonscriptions*, the prefects were competent to deal with all matters transferred by the Administering Authority to the customary authorities.

100. In Burundi, the administrative *circonscription* was a province smaller in area than a district. A district usually comprised two and sometimes three provinces. Each province was headed by a provincial administrator appointed by the Resident-General on the advice of the Resident and the Mwami. His competence was the same as that of a prefect in Rwanda. However, it should be noted with regard to the transfer of powers that the District Administrator could decide at his discretion in each case, what powers would be transferred to the provincial administration.

101. At the lower level, the former sub-chiefdoms and extra-tribal centres of both States had been regrouped and transformed into communes. The commune, the basic political and administrative unit, was

²³ A/4706, paras. 93-129.

administered by an elected communal council and a burgomaster, who was appointed by the Head of State from among the members of the communal council (he was usually the member who had obtained the most votes in the communal elections) and could be deposed by him. The communal council had the power to issue local administrative and police regulations and could also impose short terms of imprisonment. The burgomaster was both the agent of the central authority of the State and the representative of the commune. The Commission has already given details of the distribution of communal seats following the elections of 1960 and the political affiliations of the burgomasters in its interim report.²⁴ However, it may be mentioned that in Rwanda, 83.8 per cent of the communal seats went to members of the PARMEHUTU and APROSOMA parties and that 205 of the 229 burgomasters belonged to those two parties. In Burundi, the communal seats were divided among fifteen different parties; the Front commun won 1,749 seats out of 2,371, and 117 burgomaster posts out of 152.

102. Lastly, it must be added that the powers of the local authorities were exercised under dual control of the State Government and the District Administrators.

III. Questions and measures preliminary to the popular consultations

A. ESTABLISHMENT OF BROAD-BASED CARETAKER GOVERNMENTS

103. It should be recalled that in the fifth and sixth preambular paragraphs of resolution 1605 (XV), the General Assembly regretted "the *de facto* recognition by the Administering Authority of governmental bodies in Ruanda which were established by irregular and unlawful means and which cannot be regarded as fully representative of all segments of the population . . .". It also regretted "the setting-up of governmental bodies in Urundi on the basis of communal elections" which had been declared to have no political character.

104. This matter was taken up again in operative paragraph 4 of the same resolution, according to which the General Assembly:

"*Considers it necessary that, pending the establishment of popular governments on the basis of the legislative elections to be held in 1961, broad-based caretaker governments be constituted immediately in both parts of the Trust Territory to attend to current affairs of administration and to act in strict conformity with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly;*"

105. In view of the considerable degree of autonomy already granted to the two governments,²⁵ particularly as far as local administration was concerned, it was clear that the neutralizing of the existing authorities was a prime necessity if the necessary conditions for the holding of free elections were to be created. That question was therefore one of the first to be discussed by the Commission with the Minister for Foreign Affairs of Belgium during its meeting with him at Brussels, on 1 June.

106. The Minister proposed that the problem should be approached by first calling upon the political leaders

of each State to meet in order to reach agreement among themselves on the composition of Governments representing all political views. The Administering Authority should take no part whatever in those negotiations, unless it became evident that the parties would not be able to reach agreement without assistance. The Commission, for its part, gave an assurance that, in conformity with the spirit of its mandate, its good offices would be at the disposal of all the parties concerned, it being clearly understood that responsibility for the implementation of the resolution lay exclusively with the Administering Authority.

107. In accordance with the procedure outlined by the Minister, the Territorial Administration organized separate meetings between the main political parties of Rwanda and Burundi respectively, shortly after the arrival of the Commission in the Territory. Initially, the Commission did not attend these meetings; however, difficulties having arisen, the Commission was invited by the Administration to participate in the capacity of an impartial observer; it was represented at most of the meetings, by Mr. Gassou in the case of Burundi and by Mr. Rahneina in the case of Rwanda.

108. The meetings of political parties in Burundi began at Kitega on 17 June; representatives of three parties of the Front commun (PDC, PDR and UPP) and UPRONA participated. As a result of the communal elections, in which they had presented themselves under individual names, the three above-mentioned parties of the Front commun occupied, on an individual basis, five ministries out of six in the interim government. It was therefore clear that they would not accept a solution which placed UPRONA on the same footing as the Front commun. At first, they proposed that they should keep the ministerial portfolios they already held, creating others in order to give UPRONA representation. That proposal being rejected, agreement was reached on an UPRONA proposal for the distribution of two ministerial posts and two Secretaryships of State to each political party, thus actually giving six seats out of eight to Front commun parties and two to UPRONA.

109. Difficulties arose when it came to distributing the portfolios among the various parties. The Front commun parties wished to keep the ministerial posts which they had held up to that time, whereas UPRONA was not prepared to accept newly created and less important portfolios. After protracted negotiations, it was agreed that UPRONA should be given the portfolios of finance and information, together with the corresponding Secretaryships of State. However, this agreement, reached on 25 June, was called into question on the next day by PDC; the Chairman of that party, who was the Minister for the Interior, explained that when PDC had been asked to give its agreement, it had been unaware that certain functions in the field of information had already been transferred to the Government of the State and fell within the competence of the Ministry of the Interior. The decision to create a Ministry of Information and to allot that Ministry to UPRONA was nevertheless upheld, after several days of discussions, UPRONA accepting the condition that any official communiqué or release of the Ministry would have to receive the prior approval of the Council of Ministers, in the same way as any important decision taken by other Ministries.

110. It should be mentioned that the negotiations were also disturbed by certain serious incidents which

²⁴ A/4706, paras. 12-17 and 54-55.

²⁵ See para. 87 *et seq.*

took place during June in the Kayanza Province (Ngozi District). Several Front commun leaders, in particular the Minister for the Interior, suggested that the formation of the Government should be postponed until order had been restored lest it should lead to increased tension. This argument was not accepted by the Commission. It was decided to continue the negotiations, concurrently with efforts to calm the feelings of the population.

111. Eventually, the formation of a new broad-based caretaker government in Burundi was accomplished in conformity with General Assembly resolution 1605 (XV), and was made public on 6 July 1961. The list of the members of this Government appears in the annexes of the present report.²⁶

112. In Rwanda a series of similar meetings was convened, beginning on 19 June, at Kigali, the Resident having first consulted each party separately. At the request of UNAR, participation in the meetings was initially limited to the leaders of the four main parties: APROSOMA, PARMEHUTU, RADER and UNAR, representing the two main political standpoints, but this gave rise to protests on the part of certain less influential parties. From 22 June on, representatives of APROSOMA-RWANDA-UNION also took part, the latter party having formed a coalition with RADER and UNAR (abandoned later by UNAR when the electoral lists were deposited).

113. It was evident from the start that the negotiations leading to the setting up of a broad-based government would encounter many more difficulties in Rwanda than in Burundi.

114. In the view of the coalition parties, the General Assembly's request for the establishment of a broad-based caretaker government to attend to current affairs of administration was to be interpreted as implying the complete replacement of the governmental and administrative bodies and institutions created at Gitarama in January 1961, including the prefectures and communes.

115. According to the coalition, it was necessary to "abolish the republican régime" and all the institutions connected with it, such as the Government itself, the President of the Republic, the Supreme Court, and lastly the tricolour flag, which symbolized the PARMEHUTU *coup d'état*. The new Government should, in its view, represent a complete neutralization of the two main political divisions, the "republican" and the "monarchist", so as to create an atmosphere of complete impartiality during the preparations for the elections.

116. On the other hand, their adversaries, especially PARMEHUTU and perhaps to a lesser extent APROSOMA, having themselves taken an extreme position in January, were little inclined to make a major concession which might be interpreted against them as a political defeat.

117. Some representatives of the "republicans" even went so far as to claim that the General Assembly had in actual fact recognized that institutions resulting from the Gitarama events, a claim which called for clarification by the United Nations Commissioner at Kigali.²⁷

118. In the circumstances described, the chances of an agreement were very small from the start. On one side the coalition demanded the dissolution of the existing Government and its replacement by a new govern-

ment in which, in addition to the Prime Ministership it laid claim outright to the following four portfolios out of a total of ten: the Interior, Justice, Agriculture, and Social Affairs and Refugees, as well as to the Secretaryships of State for Defence and Information; on the other side, PARMEHUTU and APROSOMA were prepared to accept only an enlargement of the existing Government by the creation of additional secondary ministries, to be allotted to the monarchist parties. They were categorically opposed to the coalition's proposals, which they considered to be inadequate in relation to the overwhelming majority which they claimed to represent in the State, both in ethnical terms and on the basis of the results of the communal elections.

119. After two weeks of negotiations, the positions of the parties had barely changed. On the one hand, the coalition, having agreed in a spirit of compromise that the post of Prime Minister might be retained by its existing incumbent, demanded as a minimum the following three ministries which they considered important: the Interior, Justice, and Social Affairs and Refugees. On the other hand, PARMEHUTU proposed that the coalition should be given only two new ministries, Social Affairs and Refugees and Telecommunications, while APROSOMA was ready to agree to the coalition's having three portfolios, as it demanded, but less important ones.

120. Unable to reach agreement, the parties unanimously expressed a desire for the representative of the Administering Authority to propose a compromise formula. On 3 July, the Resident of Rwanda proposed a collegial form of government in which the principal ministries—Justice, the Interior, Agriculture, Finance and Economic Affairs—would each be headed by two Ministers of differing political tendencies, who would act jointly, while the other ministries would be equally divided between the two tendencies. Only APROSOMA and APROSOMA-RWANDA-UNION agreed to this suggestion. PARMEHUTU declared that it would be ready to accept the suggestion if it had a guarantee that elections would be held and the date of such elections was fixed in advance; but RADER and UNAR demanded exclusive control over the three ministries mentioned above. A final proposal by the Resident for the formation of a government in which every ministry would be headed by two Ministers, one republican and one monarchist, was likewise rejected.

121. Since the Administering Authority was anxious not to impose a government which would be unacceptable to any political school, it considered that the only course open to it was, in pursuance of paragraph 3 of General Assembly resolution 1605 (XV), to suspend the existing Government and temporarily to resume the powers which had been delegated to that Government. This measure, originally suggested by the representatives of the coalition on 24, 27 and 30 June at the Kigali talks, was announced by the Resident-General on 4 August in a broadcast message²⁸ in which he also gave the date of the elections and of the referendum. Three days later, the Resident-General signed Legislative Order 02/260, which provides that:

"The functions of the Government of Rwanda shall be suspended from 4 August 1961, for the duration of the electoral period and pending the formation of a Government as a result of the legislative elections, which shall be held on 25 September 1961."

²⁶ Annex XIII.

²⁷ Annex XIV.

²⁸ Annex IV.

122. The Legislative Order laid down in addition that the functions of the Prime Minister would be exercised by the Resident of Rwanda and those of the Ministers and Secretaries of State by Commissioners appointed from among the officials of the Administration.

123. To assist him in carrying out his duties with regard to the maintenance of order and other preparatory measures for the elections, the Resident of Rwanda set up an Advisory Commission composed of representatives of the Administering Authority and of the principal political parties, to meet at least once a week. In actual fact, the Commission held only one meeting, on 28 August 1961, to which UNAR and RADER alone sent representatives. The second meeting arranged could not be held as only the representative of UNAR arrived.

124. During the period following the suspension of the Government, the United Nations Commission received numerous complaints from the monarchist parties regarding the fact that the republican flag was still flying above the Government buildings. When the Commission drew the Administration's attention to these complaints, the reply was that the recommendation contained in paragraph 4 of resolution 1605 (XV) referred only to neutralizing the political colour of the Government, and did not require the Administering Authority to repudiate the régime which it had recognized *de facto*. The removal of the flag would be prejudicial to certain political parties. It was agreed however that the flag would not be displayed on the day of the elections within a radius of one kilometre from the polling stations and that all references to the Republic of Rwanda would be omitted from documents and cards issued for the purpose of the elections.

125. The monarchist parties had also made the following complaints: (a) the majority of the population did not understand what the suspension of the Government meant, and former ministers were encouraging that lack of understanding by saying that the Government was simply "on holiday". (That term was also used for several weeks in official radio announcements, and was finally abandoned and replaced by "suspension of activities", the term used in the Resident-General's original communiqué.); and (b) the majority of the administrative branch of the Government and of the burgomasters and local councillors were members of PARMEHUTU or APROSOMA, and were still following the instructions of their leaders. The monarchist parties thought that local officials should be considered as belonging to the "government" and should also be suspended.

126. With regard to the second complaint, it became clear that the monarchist parties were interpreting too widely the General Assembly's recommendation that a broad-based caretaker government should be constituted, so as to cover the State's administrative organization as well. Even during the discussions on the composition of the government, they had asked that the posts of prefect and sub-prefect should be shared among the various political groups, and either that the posts of burgomaster should be shared in the same way, or that the burgomasters should be relieved of their duties. The trusteeship administration was not able to accept that interpretation.

127. Yet, in a situation in which almost the whole population belonged to one political group or another, it is not surprising that the administrative organization included a large number of officials with republican

tendencies, since it had been controlled by the republican government. Moreover, the burgomasters, who in practice were the most important officials of the Administration, since they were in daily contact with the masses of the people, considered themselves, although belonging to the administrative staff, as political representatives appointed through communal elections. They therefore assumed a three-fold mandate: they were responsible to the central authorities, to the communal council—a majority of which generally belonged to PARMEHUTU—and to the electorate which had chosen them.

128. The Commission found that, during the period following the suspension of the Government, many local officials, particularly burgomasters belonging to the republican parties, had played an active part in politics. The Commission considered the problem after a large number of complaints had been made by the monarchist parties, and it insisted that the trusteeship administration should take all possible steps to ensure the impartiality of such officials. On several occasions the trusteeship authorities had given specific orders to administrative officials to abstain from all political activities and to burgomasters not to abuse their authority. The problem arose mainly from the activities of burgomasters, since it was very difficult for the Commission to verify the charges made against them, and since the burgomasters, being both public officials and political representatives, were inevitably drawn into politics.

129. However, the Commission found that a large number of burgomasters had abused their powers and had acted to a great extent as agents of their own parties. In each case in which precise charges had been made, the Commission communicated its information to the trusteeship authorities with a request that an inquiry should be held and disciplinary action taken. In most cases, judicial inquiries into the charges were held, but disciplinary action was taken only after long delay. In fact, the Commission did not receive notice of a single case in which the judicial authorities were able to take definitive action before the date of the elections. This delay in taking judicial proceedings has been constantly criticized by the opposition parties, which respected the impartiality of the public prosecutor's office, but accused the Administration of not making the necessary material available to the judicial authorities and of sheltering behind delaying tactics with the sole purpose of appeasing the Commission and the injured parties.

130. No administrative sanctions were taken against burgomasters until the middle of August, when the first proceedings were commenced against the burgomasters of Kigali and Nyanza, who were accused of inactivity during the disturbances which occurred in those territories. The penalties never exceeded the deduction of a few thousand francs from their salaries. The Commission considered these penalties inadequate; nevertheless, it asked that they should be given the greatest possible publicity, and thus serve as a warning to other burgomasters in the Territory to restrain their partisan tendencies. The Administration accepted these suggestions in principle, but in practice confined itself to posting announcements of those decisions in the communal offices concerned.

131. The Commission being fully aware that the activities of excessively political burgomasters endangered the application of operative paragraph 5 of resolution 1605 (XV), has maintained constant vigilance and done everything in its power to advise the Adminis-

tration and to help it to separate such posts as completely as possible from politics. With this in view, it has suggested various measures to the Administration, which and on each occasion has not hesitated to include them in the appropriate circulars. At the request of the Commission, for instance, burgomasters were instructed to hold no administrative meetings in their commune except in the presence of commissions representing the political parties, in order to obviate the use of such occasions for political propaganda.

132. Other steps were also taken to restrict their use of police powers, particularly the power to imprison and the power to restrict freedom of movement. They were also forbidden to take an active part in the electoral campaign or to stand for election unless they had already asked to be relieved of their duties. In certain cases, in which burgomasters had made no such request, although their names were on the electoral lists of their parties, the Resident immediately suspended them from their duties until after the elections. It should be noted, however, that in spite of all these measures the monarchist parties have continued to complain of the activities of burgomasters.

133. The Commission thinks that on the whole, these measures have generally had no real effect except in so far as PARMEHUTU, to which the majority of burgomasters belonged, did not consider them harmful to its election campaign. Experience has shown that, in the present atmosphere in Rwanda, the attitude of party workers has always depended on political expediency and the positions adopted by the political parties rather than on administrative measures, which they have often considered merely as temporary formalities. When expediency required it, certain burgomasters have not hesitated to defy the Administration, as they did, for example in certain cases relating to the erection of barricades to prevent traffic a few days before the popular elections in the territory of Biumba.

B. QUESTION OF THE AMNESTY

134. In operative paragraph 2 of resolution 1579 (XV) of 20 December 1960, the Assembly urged the Administering Authority "to implement immediately measures of full and unconditional amnesty . . . so as to enable political workers and leaders who were in exile or imprisoned in the Territory to resume normal, democratic political activity before the elections". In that connexion, it is useful to recall operative paragraph 9 of resolution 1605 (XV), which states that the Assembly:

"Notes the information given by the representative of the Administering Authority concerning measures of amnesty already implemented, and recommends that:

"(a) Full and unconditional amnesty, as envisaged in resolution 1579 (XV), be immediately granted by the Administering Authority;

"(b) The few remaining cases which, in the Administering Authority's view, are guilty of 'very great crimes' be examined by a Special Commission composed of the representatives of three Member States to be elected by the General Assembly, with a view to securing their release from prison or return from abroad in the full implementation of the Assembly's recommendation concerning amnesty not later than two months before the national elections;"

135. The new recommendation of the General Assembly therefore repeated that the amnesty must be

general, unconditional and immediate, and added another condition: that it must be given full effect at least two months before the national elections.

136. At the meeting of 2 June 1961, Mr. Fayat, the Deputy Minister for Foreign Affairs of Belgium, gave the Commission some information about the Belgian Government's intentions in that respect, and provided statistics relating to the question. He also gave the Commission the text of the amnesty Ordinance, No. 01/188 of 31 May 1961, which has been reproduced as an annex to the report submitted to the General Assembly by the Special Commission for Ruanda-Urundi.²⁹ The Commission observed that the question of the amnesty was covered by the mandate of this Special Commission set up under operative paragraph 9 (b) of resolution 1605 (XV), but that, because of the possible repercussions of the question on its own terms of reference, noted with satisfaction that the Belgian Government was dealing with the matter. Any measure tending to relax political tension in the Territory was welcome.

137. Under the Legislative Ordinance of 31 May 1961, the amnesty related to offences committed between 1 October 1959 and 1 April 1961, the political nature of which had been determined by a Commission of three Belgian judges, known as the Political Amnesty Commission. The only offences to which the amnesty did not apply were cases of assassination, murder or arson causing loss of life, physical torture, or directing assaults, for which a sentence of more than five years' rigorous imprisonment had been passed, and such cases were to be submitted to the United Nations Special Commission for individual consideration.

138. The Political Amnesty Commission of three Belgian judges arrived at Usumbura on 8 June and began work immediately. The first of those still in prison to be amnestied were released on and after 23 June 1961.

139. The United Nations Special Commission, made up of the representatives of Brazil, Mr. Antonio Houaiss, of Canada, Mr. Martial Asselin, and of Tunisia, Mr. Ahmed Ben Arfa, met at Usumbura from 15 to 29 June. After studying the files submitted to it, particularly the files on those who had not been amnestied under the Legislative Ordinance of 31 May, the Special Commission sent the Resident-General its recommendations, together with a list of persons who, in its opinion, should be allowed to benefit by additional measures of amnesty, and a list of those whom it did not think entitled to amnesty. On the conclusion of its work, the Special Commission submitted to the General Assembly the report referred to in paragraph 136.

140. On 18 July 1961, the United Nations Commission for Ruanda-Urundi was informed that the Belgian Government would apply the amnesty to most of those whose cases were still unsettled. On 24 July a second Legislative Ordinance, No. 01/244, complementary to that of 31 May 1961, was issued and covered ninety-seven persons. Of all those whom the Commission had recommended for amnesty, there were only four whose crimes the Administering Authority considered too grave to be covered by this special measure.

141. According to the latest information provided by the trusteeship administration, the numbers of persons eventually amnestied are as follows:³⁰

²⁹ A/4856, Annex II.

³⁰ These figures include those persons who had served their sentences but had not yet been reinstated in their civil rights.

(a) Number of persons amnestied under the Ordinance of 31 May 1961:

<i>Rwanda</i>	
Higher courts	1,385
Police courts	1,048
	2,433
TOTAL (RWANDA)	
	2,433
<i>Burundi</i>	
Higher courts	7
Police courts	94
	101
TOTAL (BURUNDI)	
	101

- (b) Number of persons recommended for amnesty by the Special Commission 101
- (c) Number of persons not recommended for amnesty by the Special Commission 32
- (d) Number of persons amnestied under Ordinance No. 01/244 of 24 July 1961 97
- (e) Number of persons whom the Administering Authority has refused to amnesty 4

142. By a third Legislative Ordinance, No. 01/245 of 24 July 1961, the Administering Authority also extended the amnesty to all cases in the process of preliminary investigation or pending before courts, whatever the nature of the offence committed, provided that the (Belgian) Political Amnesty Commission had declared them to be of a political nature. The number of persons covered by this measure was 562, bringing the total number of persons amnestied to 3,193.

143. The Administering Authority had put forward various reasons to explain why it had found difficulty in giving effect to the amnesty measures requested by the General Assembly. Its position during the period from 20 December 1960 to 8 March 1961, which is described in paragraph 188 of the Interim Report of the Commission (A/4706), is that the persons concerned were not convicted and sentenced political prisoners, but only persons convicted and sentenced under the ordinary law, and that their release might also lead to violent reaction on the part of the population, which might in some cases endanger the lives of the persons amnestied.

144. When the General Assembly subsequently adopted resolution 1605 (XV), the Administering Authority immediately announced that it intended to comply with the resolution and that it accepted the principle of the amnesty recommended by the General Assembly, with certain reservations. Later it stated that the delay in carrying out the recommendation, as finally embodied in the third Legislative Ordinance of 24 July, was due both to the difficulties arising from the change in the Belgian Government and to certain legal difficulties.

145. In any case, as we shall see elsewhere, this delay led between 1 and 24 July, the date on which the amnesty was completed, to a certain inconsistency between operative paragraphs 6 and 9 of resolution 1605 (XV). Operative paragraph 6 provided that the elections should be held in the month of August 1961, the actual dates to be fixed, after mutual consultation between the Administering Authority and the Commission, in the light of the prevailing circumstances, while operative paragraph 9 recommended that prisoners should be released not later than two months before the national elections.

146. Since the Commission was aware of the importance which the General Assembly attached to the fulfilment of these conditions, it then agreed to the Administering Authority's compromise proposal that

the date of the elections in Rwanda should be 25 September, or exactly two months after the proclamation of the amnesty.

147. In conclusion, the Commission thinks that, apart from the delay in carrying out those measures, it can consider itself satisfied with the third Legislative Ordinance of 24 July, since it covers almost all the prisoners referred to in the recommendations of the General Assembly.

C. RESCISSION OF LEGISLATIVE ORDER No. 221/296 OF 25 OCTOBER 1960

148. In its interim report,³¹ the Commission had made certain observations regarding Legislative Order No. 221/296 which the Resident-General had promulgated in consequence of the disturbances of November 1959 shortly before the emergency régime was ended. This Order was designed to define the trusteeship powers of the Belgian Administration during the period which would precede the independence of Rwanda and Burundi. The Commission had pointed out that the Order gave the Resident-General and his subordinates very wide police powers some of which could constitute a threat to the free exercise of public rights. Under those powers they could, for example, order persons to be removed, placed under surveillance or interned, and they could prohibit or suspend meetings, prohibit or limit travel, and prohibit or suspend publications.

149. In its report, the Commission had expressed the view that the Order should be amended in such a way as to eliminate everything which could constitute an interference with or threat to the exercise of public freedoms.

150. The General Assembly took up that suggestion in operative paragraph 14 of resolution 1605 (XV), in which the Assembly

"Calls upon the Administering Authority to rescind Legislative Order No. 221/296 of 25 October 1960, so as to ensure that there is no unwarranted interference with the exercise of public freedom and that no persons may be removed or detained without recourse to due process of law".

151. During its preliminary discussions with the representatives of the Administering Authority, the Commission learned that this Order had been replaced by Legislative Order No. 01/69 of 4 March 1961. However, the main provisions, which had been the subject of the Commission's comments, had been retained in the new Order because, as it was explained to the Commission, the Administering Authority considered it necessary to keep those powers in reserve for the purpose of maintaining order in the Territory.

152. Subsequent to an exchange of views, the Commission received a letter, dated 9 July, by which the Resident-General forwarded to it for comment a draft order to replace the Order of 4 March. This draft substantially altered some of the provisions of the earlier text; it restricted the police powers given to the Resident-General and his subordinates, limited their application to situations involving the maintenance of public order and security and established an appeals procedure under which a court of law could verify both the formal and the substantive legality of any measures taken. The Resident-General added that the Commission would be

³¹ A/4706, paras. 193-195.

kept informed of all cases in which those powers were used.

153. In a letter dated 13 July and during a conversation held on the same date, the Commission expressed the view that the amended provisions of the draft order were not in conformity with the spirit or the letter of resolution 1605 (XV). The Commission considered it desirable that the system of ordinary laws and regulations should be restored, and the emergency powers repealed.

154. As a result of intensive and prolonged consultations with the Commission, the Administering Authority finally saw its way clear to rescind Legislative Order No. 01/69 and to replace it by Legislative Order No. 01/255 of 4 August 1961,³² in which all the provisions concerning emergency police powers were omitted. The Commission considers that this action constituted compliance with the recommendation made by the General Assembly in operative paragraph 14 of its resolution 1605 (XV).

D. QUESTION OF THE RETURN OF THE MWAMI TO RWANDA

155. General Assembly resolution 1580 (XV) of 20 December 1960 states, *inter alia*, that the General Assembly:

"1. *Notes with regret* that the Administering Authority has arbitrarily suspended the powers of the Mwami of Ruanda and has not allowed him to return to Ruanda to resume his duties as Mwami;

"2. *Requests* the Administering Authority to revoke the measures adopted by it to suspend the powers of the Mwami, and to facilitate his return to Ruanda to enable him to function as Mwami pending the ascertainment of the wishes of the people on this question;

"3. *Decides* that a referendum should be held under the supervision of the United Nations Commission for Ruanda-Urundi established under General Assembly resolution 1579 (XV) of 20 December 1960, in order to ascertain the wishes of the people concerning the institution of the Mwami, and if necessary, the present Mwami of Ruanda;"

156. In its resolution 1605 (XV) of 21 April 1961, the General Assembly reaffirmed its previous resolution and specified the manner in which the proposed referendum should be conducted.

157. In requesting the Belgian Government to facilitate the return of the Mwami and to enable him to function pending the result of the referendum, the General Assembly had thus not given the Commission any particular responsibility except perhaps, within the general framework of its terms of reference, that of assisting and advising the Administering Authority in implementing resolutions 1579 (XV) and 1605 (XV). The General Assembly had merely decided that the Commission should supervise the referendum on the question of the institution of the monarchy and the person of Kigeli.

158. The Commission accordingly made it clear to the Belgian Government that the provisions of resolution 1580 (XV) concerning the return of the Mwami to Rwanda before the referendum were addressed specifically to the Administering Authority and that the latter had to take a decision on the matter.

159. Upon his arrival, the Commission received various communications from Mwami Kigeli V concerning the proposed elections and the establishment of a transitional government with wide representation, and requesting that he be allowed to return immediately to Rwanda.

160. On 27 June 1961, the Commission, having due regard to resolutions 1580 (XV) and 1605 (XV), requested the Resident-General to clarify the Belgian Government's position with regard to the return of the Mwami to Rwanda.

161. In a letter dated 28 June 1961, the Resident-General stated that the Mwami had left Rwanda voluntarily in July 1960 and had since taken up residence in exile, neglecting few opportunities to attack the Administering Authority. He also recalled that resolution 1605 (XV) did not prescribe that any particular position should be taken with regard to the Mwami until such time as a referendum had decided the Mwami's fate. In the circumstances, the Resident-General concluded, the Belgian Government preferred a continuation of the exile which the Mwami had voluntarily chosen, and it would be prepared to negotiate the conditions under which he might return only after the referendum and the elections in Rwanda were concluded. The Commission immediately forwarded a copy of this reply to the Mwami in a letter dated 29 June 1961.

162. It thus appeared quite obvious that the Administering Authority, although not declaring itself opposed to the return of the Mwami as a private individual, did not intend to encourage his return in the prevailing political circumstances. Commenting on the Resident-General's letter of 28 June, the Mwami, in a further letter to the Commission, dated 6 July 1961, stated: "The Resident-General formally and explicitly reaffirms that I am in exile, not in response to the wishes of the Administering Authority, but of my own accord. I am glad to note that. Being master of my own exile, I shall terminate it whenever it so pleases me."³³

163. Subsequently, direct contacts took place at Dar es Salaam between the representatives of the Belgian Government and the Mwami. It appears that the Belgian Government led the Mwami to understand that he could return as an ordinary citizen, but that he could not then expect any special measures of protection to be afforded him by the Administering Authority.

164. Throughout the period preceding the elections, the Commission received many appeals for the return of the Mwami and many requests that the Commission should facilitate his return. To all those requests, the Commission replied that the General Assembly of the United Nations had expressed its views on the subject in its resolution 1580 (XV) and that the matter was now in the hands of the Administering Authority and of the Mwami himself. The Commission could only note what occurred and report on it to the General Assembly in due course.

³² Annex XVII:

(1) Letter of 8 June 1961 from the Mwami to the Chairman of the Commission, received on 17 June 1961.

(2) Letter of 27 June 1961 from the Chairman of the Commission to the Resident-General of Ruanda-Urundi.

(3) Letter of 28 June 1961 from the Resident-General to the Chairman of the Commission.

(4) Letter of 29 June 1961 from the Chairman of the Commission to the Mwami of Rwanda, Kigeli V.

(5) Letter of 6 July 1961 from the Mwami to the Chairman of the Commission.

³³ Annex XVI.

165. However, in private talks with representatives of the Administering Authority, members of the Commission drew their attention to the importance of this question for the monarchist parties. It was the view of those parties that the Mwami's return had been regarded by the General Assembly as a prerequisite for the satisfactory conduct of the referendum and that the Administering Authority's continued prevention of the Mwami's return to the Territory constituted a flagrant violation of the provisions of resolution 1580 (XV). According to them, the inhabitants even failed to understand how the idea of having the Mwami's fate depend on a popular referendum had come to be accepted, since that idea was incompatible with the customary traditions of the country. Nevertheless, that decision having been taken, they considered it inconceivable that the referendum should be conducted under the illegal power of the PARMEHUTU and under the new republican flag. They therefore felt that the referendum should be prepared for and held in an atmosphere of strict impartiality and equilibrium, which only the prior return of the Mwami could achieve and guarantee. The United Nations Commissioner at Kigali explained to the conference of political parties what, in his view, had been the reasons which had led the General Assembly to take the measures set forth in resolution 1580 (XV). He pointed out that those measures had been dictated primarily by a desire to bring about a return to normal conditions and, as it were, to restore legality to the executive power until such time as the inhabitants expressed their views on the subject.³⁴

166. In the course of all these talks, whether at Brussels, Usumbura or Kigali, the Administering Authority made it clear to the Commission that it did not wish the Mwami to return to the Territory, as it wanted law and order to be maintained. It did, however, give an assurance that the Mwami's supporters could campaign for him in complete freedom. The suggestion was even made that the Mwami's voice might be heard over the radio and that he might be given access to other information media, but as the Administration had decided to prohibit political broadcasts, this suggestion was not acted on.

167. On 21 September 1961, the Prime Minister of Tanganyika forwarded to the Commission a message from the Mwami requesting a landing permit for a United Kingdom aircraft which he had chartered. The Commission forwarded this message to the Resident-General, who gave a negative reply. This reply was forwarded the same day to the Mwami at his postal address at Dar es Salaam, Tanganyika.³⁵

168. On 23 September 1961, two days before the referendum, the Mwami returned to Rwanda and, on the night of 23-24 September, got in touch with the United Nations Commissioner at Kigali. He showed the Commissioner the text of an appeal which he wished to make to the inhabitants and which he proposed to ask the Special Resident to have disseminated throughout the country and broadcast by radio.³⁶

169. Shortly afterwards, the United Nations Commissioner at Kigali, having been informed by the leaders of UNAR that the Mwami had been arrested, called upon the Resident. He informed the Resident of his conversation with the Mwami. The Resident stated that he could not grant the request for a broadcast in view

of the disturbance which an appeal by the Mwami might cause, particularly after the closing of the electoral campaign. He added that, for the same reason, the printed text of the appeal had been seized by the authorities. The Commissioner drew the Resident's attention to the provisions of General Assembly resolution 1580 (XV) and to the exclusive responsibility which those provisions conferred on the Administering Authority. He pointed out that the Administering Authority was already well aware of the General Assembly's views on the subject and of the Commission's strictly limited terms of reference, particularly with regard to the implementation of resolution 1580 (XV). The Commission could therefore only take note of any decision by the Administration in the matter and report thereon to the General Assembly, to which the Belgian Government would in due course and on its own responsibility give such explanations as might be required. It nevertheless recalled that since the Administering Authority had previously assured the Commission that during the electoral period it would allow the Mwami's supporters complete freedom to campaign for him, the General Assembly might regard as very serious the fact that he had been arrested and precluded from making his broadcast appeal.

170. In response to the Commission's request for information, the Belgian Administration explained that, in order to ensure the Mwami's protection and safety, it had placed him under house-arrest at the Usumbura military camp pending his departure for Tanganyika. The Mwami returned to Dar es Salaam on 2 October 1961.

E. QUESTION OF RWANDA REFUGEES

171. The question of the Rwanda refugees was the subject of operative paragraph 3 of resolution 1579 (XV), which stated that the General Assembly:

"Considers that the expeditious return and rehabilitation of thousands of victims of recent disturbances in Ruanda who were compelled to take refuge away from the homes in Ruanda or abroad will assist the progress of reconciliation, and urges the Administering Authority and the local authorities concerned to adopt all possible means to that end;"

172. It was the General Assembly's hope that the return of those persons would, among other things, enable political workers and leaders who were in exile "to resume normal, democratic political activity before the elections".

173. The essence of that paragraph is reaffirmed in resolution 1605 (XV), and more particularly in operative paragraph 5, in which the General Assembly declares that it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections.

174. The Commission attacked this question vigorously. By frequent approaches to the authorities and the opposition parties, which had gone so far as to announce that they would not take part in the elections unless the refugees were reinstated to the last man, the Commission managed to convince both sides that co-operation was necessary if a start was to be made on solving this problem, which was not merely political but also humanitarian and social. The Administering Authority had replied to the requests made to it for information by stressing the fact that generally speaking

³⁴ Annex XV.

³⁵ Annex XVII, section 7.

³⁶ Annex XVIII.

it had placed no restriction on the return of the refugees and that many of them had already returned home. Others feared to do so, however, for various personal reasons.

175. According to the information gathered from the Belgian Administration, the United Nations observers and the political leaders, it appears that despite the difficulties the return of the refugees presented in the prevailing circumstances, a certain number of refugees have returned to the Territory and resettled in their native districts. Nevertheless, a large number of them are still abroad, particularly in the Congo (mainly in Kivu), Uganda and Tanganyika.

176. The return of these refugees, and the resettlement in their native districts of all those who left their homes but are still in the Territory, present obvious difficulties.

177. In the first place, it is difficult to establish the number of persons concerned. The disturbances and fires which caused them to leave their homes began in November 1959 and continued sporadically until October 1960. In the first months, most of the persons whose homes were destroyed or who left their homes took refuge in other regions of the State or in reception centres such as those in Nyamata, in Kigali district, and Bwiriri, in Kibungu district. By June 1961 the great majority of those refugees, including all those in the Nyamata centre, had been reintegrated or had resettled, mainly in the eastern part of the State.

178. Among those who took refuge outside the State, the largest number are now in the Congo, in Kivu province—especially those who left during the last incidents of June-October 1960—and in Uganda. It is, however, very difficult to obtain exact figures. On the one hand, this expatriation movement is combined with a traditional migration movement, which takes the inhabitants of a relatively poor State to more fertile land or to urban centres, and with a considerable seasonal movement of workers seeking employment. It is probable, on the other hand, that some of those who left their homes for fear of possible violence have settled wherever their flight happened to lead them and, not intending to return to Rwanda, do not wish to make their presence known. Moreover, African respect for hospitality forbids a person who has received a member of his clan as a refugee in his home to mention the fact to the Administration. Such cases are most frequent in Usumbura, where the only persons whose presence has been brought to the attention of the Administration are refugees requesting work permits.

179. In view of the assurances given by the Administering Authority that the return of the refugees was subject to no restriction on its part, the Commission endeavoured to examine every aspect of the problem. It must first be acknowledged that, after the disturbances in Kivu in January 1961, a fairly large number returned without apparent difficulty. As for the rest, the major obstacles in the way of their return are: (a) the prospect of insecurity in regard to their person and property, and the fear of possible reprisals, all of which is accentuated by the biased propaganda of certain political parties; (b) the fact that many of them have lost the goods and chattels they left behind and that their land has been occupied by others; (c) difficulties of transport, currency exchange and removal of belongings, the export of which from the Congo would be forbidden by the Congolese authorities.

180. The Commission gave its attention to those problems in full collaboration with the Belgian authorities. The aim was to facilitate the return of the largest possible number of those who expressed the wish to return in order to participate in the elections and the referendum. The Administration had decided from the outset that, in view of the tension which the approaching elections and the return of amnestied persons had produced in certain areas, each request should be examined in the light of the individual circumstances and with due regard to the atmosphere prevailing in the refugee's home commune. The task was to be carried out by joint commissions of representatives of opposing political parties, which would negotiate with the local authorities with a view to seeing that the refugees were given the assurance that they could resettle in their homes without fear of reprisals. This procedure, however, provided some burgomasters and communal councillors with an opportunity to place obstacles in the way of the return of political adversaries to their native communes.

181. At the same time, the period of one month's residence in a commune which had been fixed as one of the conditions for registration on the electoral rolls was reduced for the benefit of refugees coming from abroad first to fifteen days and then to three days, so that the refugees were finally able to register in the commune where they happened to be, and were not obliged to resettle in the commune where they had formerly resided. Registration was even prolonged beyond 21 September for the benefit of persons who, having presented themselves at the registration office that day, had not been able to register. Another measure that was adopted in order to help the refugees from abroad to vote was the opening of the frontiers on 25 September to all those in possession of electoral cards.

182. At the beginning of August, a joint commission composed of representatives of opposing parties under the chairmanship of a sub-prefect was installed on the Kivu frontier, near the town of Bukavu, where the great majority of the refugees are living. This commission worked closely with a committee representing the refugees in Bukavu.

183. Nevertheless the problem of the return of the refugees from abroad was seriously complicated by the deterioration in the situation which has occurred in several districts since the beginning of August. As the Commission will relate in a later chapter, serious disturbances took place in several regions of the country, including the Districts of Nyanza, Astrida, Gitarama and Kibungu and some communes in Kigali and Kibuye. As a result of the incidents there, tens of thousands of new disaster victims and refugees had to leave their homes and seek refuge in the missions and administrative centres or in other communities. A number of these new refugees went to Kivu and the frontier Districts of Burundi.

184. In most of the districts the joint commissions composed of representatives of the opposing parties were established for the purpose of promoting reconciliation and for negotiating the return of the refugees.³⁷

185. On the whole, the Commission considers that, despite all the helpful arrangements made to that end by the Administering Authority, often in very close consultation with the Commission through both the Commissioners and the observers, the achievement of

³⁷ See chapter V on the development of the situation in the Territory after the elections.

the General Assembly's objectives was hampered by the political conditions and atmosphere of insecurity which surrounded the displaced persons, particularly as the disturbances that occurred affected the very Districts where the problem was most acute, namely the Districts where there were large concentrations of members of UNAR and of Batutsi.

186. It is no more than just to recognize that the Administering Authority not only closely followed all the Commission's suggestions but also took some useful action on its own initiative to help the refugees to go to the polls—as regards both displaced persons within the Territory and refugees who, for one reason or another, had been unable to return to the State. As will be seen elsewhere, arrangements were even made at the last moment for refugees who were living in the missions and administrative centres to be escorted to the voting booths, by the police where necessary, to protect them from any possible attempts at intimidation.

187. Other exceptional measures were taken by the Administration, on the Commission's recommendations, to ensure that almost all the refugees, even those outside the Territory, voted: all those who had crossed the frontier to register three days before the elections and had gone back were authorized to return on the day of the elections to present themselves at the polls. Some representatives of the opposition parties did indeed maintain that a considerable number of refugees—hundreds of thousands, according to them—had been prevented from registering and consequently deprived of their right to vote.

188. While the Commission considers that figures of that magnitude are clearly exaggerated, it thinks that if the opposition parties had been able to organize themselves—despite the real difficulties—they would have drawn the maximum advantage from the exceptional legal provisions that were made for that purpose, in order to enforce respect for the recognized right of all the refugees to vote.

189. The disturbances which occurred in August and September and the impressive exodus of new refugees which immediately resulted, causing the displacement of tens of thousands of persons in the five Districts of Astrida, Kigali, Gitarama, Kibuye and Kibungu, did in fact represent a deterioration in the situation there in comparison with that which had prevailed in spring of the same year. The biased propaganda of the parties had its effect, too, for it helped to increase the unfavourable psychological effect on the hesitant refugees. The stream of new refugees out of the Territory was not calculated to encourage the earlier refugees to return, not to mention the fact that the fate of those who tried to return to their native communes was often far from enviable. It would therefore not be incorrect to say that, even within the perfectly satisfactory legal framework which was set up to ensure the civil and political rights of the refugees and victims of disturbances, in actual fact a substantial number were deprived of the material possibility of exercising them.

190. The fate of those refugees constituted a drama the poignancy of which often seemed to escape the politicians in their electoral fever. To this great mass of victims, most of which were old people, women and children expelled from their homes, often deprived of any means of subsistence and even food, living in perpetual fear and believing that they had lost everything, the immediate solution of their own personal problems

was naturally of paramount importance. They were generally in a state of despair and resignation which left them but one desire: to end their tribulations and to regain their former peace and security as soon as possible, whatever the cost. The political leaders spared no effort to exploit this human drama, each to his own advantage, either throwing the responsibility for the misfortunes on each other or trying to convert the refugees to their own political line by means of promises, false rumours threats and other anti-democratic means. In the circumstances, it can hardly be said that the general atmosphere was propitious for enabling these people of the hills to familiarize themselves with the essential problems of their country and the programmes of the existing parties. In any event, for the refugees and victims of disturbances described above, the atmosphere was far from being that atmosphere of peace and harmony which the General Assembly had envisaged and which was to have enabled them to resume normal democratic activity before the elections.

F. CONDITIONS AFFECTING THE CONDUCT OF THE POPULAR CONSULTATIONS

(1) General

191. In the fourth preambular paragraph of resolution 1579 (XV) the General Assembly had expressed the hope that "the elections, which will furnish the basis for the Territory's independence, are held in proper conditions so that their results are completely free of doubt or dispute". Specifying some of these conditions, it had recommended, in operative paragraph 9 (a) of the operative part of this resolution, that the elections should be held "on the basis of direct, universal adult suffrage" and that the system of balloting should be such as to "ensure complete secrecy".

192. This formula is reproduced in part in operative paragraph 6 of General Assembly resolution 1605 (XV), which reads:

"6. *Decides* that the referendum on the question of the Mwami, contemplated in resolution 1580 (XV), and the legislative elections in Ruanda-Urundi should be held . . . on the basis of direct universal adult suffrage . . ."

193. According to operative paragraph 8 of the same resolution, the Commission was to "assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution". The Commission's task in this respect, then, was to try to persuade the Administering Authority to arrange popular consultations in full conformity with the recommendations of the General Assembly referred to above.

194. In addition, under operative paragraphs 7 and 9 (a) of resolution 1579 (XV), the Commission was required, with the same purpose in view, to supervise not only the conduct of the elections and the referendum but also, according to the text, "the preparatory measures preceding them". In the light of the latter provision the Commission considered that it was its right and its duty to make such suggestions to the Administering Authority as might appear necessary during the drafting or amendment of the electoral laws.

195. In the course of its stay at Brussels from 31 May to 7 June 1961, the Commission noted that the electoral laws then in force—Legislative Order No. 02/16 and Ordinance No. 02/17 of 15 January 1961

for Rwanda; Legislative Order No. 02/18 and Ordinance No. 02/19 of the same date for Burundi³⁸—did not satisfy the General Assembly's principal recommendations. These laws in fact excluded women from the electorate and, in the case of illiterates, maintained the system of scribes, which was criticized during the General Assembly's debate as being contrary to the principle of the secrecy of the ballot.³⁹ Nor, lastly, did they contain certain guarantees which the Commission considered important if the elections were to be free and fair, as prescribed by the General Assembly resolutions. The Commission, as it had already suggested in an interim report, had therefore advised the Administering Authority to undertake a full and detailed re-examination of the electoral laws, indicating what, in its opinion, should be the general nature of the changes that might be made.

196. In this matter the Commission followed a general policy in keeping with its conception of the whole task of supervision. It considered that neither its immediate and material means nor the nature and limits of its responsibility permitted it to ensure the effective supervision required of it by the General Assembly unless that supervision could be based on a comprehensive system of joint control by the opposing parties in accordance with appropriate legislation offering the elector all the necessary guarantees, including those specified in the General Assembly's resolutions.

197. Following this general policy, it attached particular importance to the achievement of the following objectives:

(a) Ensuring the effective and constant participation of all political parties in all phases and aspects of the electoral proceedings, by affording them opportunities for joint control over these proceedings, from the registration of the electors and the organization of polling stations up to the counting of the votes, and in any other matters where such control might be necessary;

(b) Ensuring, by every available means, respect for civil and political rights and the exercise of the public and democratic freedoms of the population (the right of assembly and association, freedom of movement and expression) to the full extent compatible with public order, taking care at the same time that the requirements of the maintenance of public order should in no circumstances be used as a pretext for the arbitrary curtailment of the rights of certain political groups or to facilitate the activities of some individuals at the expense of others;

(c) Ensuring the most favourable conditions for the exercise of the civil and political rights of the whole population—both men and women—to get ready for the elections, present themselves at polling stations and offer themselves as candidates for election, by giving particular attention to special problems such as those of refugees and disaster victims, as well as persons granted a political amnesty, making certain that no

citizen should be hindered by others in the exercise of his rights, either *de facto* or *de jure*, more especially by measures of violence, intimidation or in any other way;

(d) Preventing any possibility of fraud, multiple voting and other such abuses, and providing all the necessary guarantees to that end, in particular by giving close and careful attention to reasonable requests by the opposing parties;

(e) Finally, and above all, ensuring the absolute secrecy of the ballot both in law and in practice.

198. The process of revising the electoral laws, which the Commission hoped might be carried out along the lines indicated above, entailed a great deal of work during a relatively short period of time. The preliminary draft of the new electoral legislation was communicated to the Commission on 6 July. It was followed by revised drafts for Burundi and Rwanda. Many discussions took place between the Commissioners or members of the Secretariat deputed by the Commission and various representatives of the Administering Authority, and written observations were sent to the Administration on 20 and 29 July, on 3, 4, 12, 17 and 23 August and on 3 and 6 September 1961.

199. Furthermore, the Administering Authority considered it advisable to consult the principal parties on various aspects of the electoral legislation, and it sought to secure a general agreement, or at least the assent of the parties it considered to be representative of the majority. In the case of Burundi, meetings were held for that purpose between the Belgian authorities and representatives of the PDC, PDR, UPD and UPROMA parties at Kitega on 18, 20, 22 and 31 July and 8 August, and at Ngozi on 21 August. In the case of Rwanda, similar meetings between the Belgian authorities and representatives of APROSOMA, APROSOMA-RWANDA-UNION, PARMEHUTU, RADER, UNAR and various other parties were held at Kigali on 20, 21, 22, 23 and 26 June and 26 July. The Commission pointed out that under the terms of resolution 1605 (XV), the Belgian Government was "alone responsible for the administration of the Trust Territory" and in particular for the organization of the elections. However, in order to speed up the process of revision, and to help create the harmonious atmosphere desired by the General Assembly, the Commission agreed to lend its good offices, and the Commissioners took part in most of these meetings.

200. During these various consultations, the Commission, acting in accordance with the spirit of the General Assembly's resolutions, not only tried to ensure that the electoral laws fulfilled the conditions specified in those resolutions, but also suggested other guarantees to satisfy the General Assembly's wish that the results of the election should be "completely free of doubt". The most important of the guarantees were: (a) the establishment of mixed commissions consisting of burgo-masters and representatives of the political parties in each commune for the purpose of registering electors; (b) the placing at each polling station of assessors appointed by the candidates; (c) the granting to party "delegates" of the right to be present at the registration and electoral proceedings; (d) the use of indelible ink; and (e) the limitation of the period for voting and counting the votes to a single day in each State. A detailed description of the methods followed in the electoral proceedings will be found in chapter IV below.

201. The Commission also tried to ensure that the electoral laws for Burundi and Rwanda contained as

³⁸Texts reproduced *in extenso* in A/4706, Add.1, annexes XXX-XXXIII.

³⁹The "system of scribes" mentioned in the Interim Report of the Commission (A/4706, para. 210), is necessitated by the fact that the elector, in order to vote, must at least be able to read: he has to check the name of the candidate he has chosen on a ballot paper bearing a number of names. In order that illiterate persons may vote, they are permitted to have the assistance, in the polling-booth, of a person of their choice who is able to read. This system was applied during the communal elections in Ruanda-Urundi.

many common provisions as possible. In fact, although a considerable number of regulations are identical for the two States, divergencies were accentuated in the course of the revision and proved to be of some magnitude in the final texts. Some of these divergencies were no doubt inevitable in so far as they were the outcome of factual circumstances peculiar to one or other State (for example, the problem of voting by refugees, which arose in Rwanda only). It is the Commission's impression, however, that other divergencies are to some extent the result of the objections raised by certain parties.

202. Since there was some delay in embarking on the process of revision and since the work was prolonged through disagreements between the political parties in Burundi, the basic electoral laws were published at a late stage and had subsequently to be supplemented or amended. The various enactments which were applied during the popular consultations are as follows:

For Burundi

Legislative Order No. 02/249 of 1 August 1961 concerning registration, supplemented by Legislative Order No. 02/285 of 25 August 1961;

Legislative Order No. 02/269 of 17 August 1961 concerning the elections, supplemented by Legislative Orders No. 02/286 of 25 August 1961 and No. 02/299 of 12 September 1961;

Ordinance No. 02/270 of 17 August 1961 concerning the elections, supplemented by Orders No. 02/296 of 8 September 1961 and No. 02/298 of 9 September 1961;

Ordinance No. 02/301 of 13 September 1961 concerning additional measures.

For Rwanda

Legislative Order No. 02/250 of 1 August 1961 concerning the registration of electors, supplemented by Legislative Orders No. 02/282 of 25 August 1961 and No. 02/294 of 8 September 1961;

Legislative Order No. 02/262 of 8 August 1961 concerning the elections, supplemented by Legislative Orders No. 02/283 of 25 August 1961 and No. 02/295 of 8 September 1961;

Ordinance No. 02/263 of 8 August 1961 concerning the elections, supplemented by Orders No. 02/284 of 25 August 1961 and No. 02/297 of 9 September 1961;

Legislative Order No. 02/264 of 8 August 1961 concerning the referendum on the question of the Mwami of Rwanda;

Legislative Order No. 02/300 of 13 September 1961 concerning additional measures.

The consolidated texts of these enactments for Urundi and Rwanda are annexed to the present report.⁴⁰

203. In addition, various administrative instructions clarifying certain legislative provisions were published.

(2) *Universal adult suffrage*

204. In deciding that the popular consultations should take place on the basis of universal suffrage, the General Assembly intended to initiate the participation of women in the public life of Rwanda-Burundi. The communal elections in the two countries had taken place on the basis of a suffrage restricted to men, and the

legislation enacted in January 1961 likewise excluded women from the suffrage.

205. During its preliminary discussions with the Belgian authorities, the Commission had been informed that it was thought that there would not be much opposition in the Territory, in principle to the participation of women in the elections, but that there would be problems of a practical kind, owing to the difficulty of registering the women within a fairly short period of time.

206. In fact, during the consultations with the political parties of Rwanda all the representatives agreed that women should be given the vote and no difficulty arose thereafter.

207. In Burundi, the political parties were also in agreement in principle, but the representatives of the Front commun considered that Burundi women were not yet sufficiently advanced to vote and that accordingly it would be preferable to postpone their participation in political life. This opinion was held principally by members of the Front commun parties, whereas UP-RONA had from the outset insisted on the participation of women and had even included this principle in its electoral campaign programme. Another argument was the physical impossibility of registering all the women during the very short interval before the date of the elections. This argument was put forward by a group which would have preferred to limit the suffrage, at least for these first legislative elections—a group which included both Administration officials and political representatives.

208. The technical problem affected both Rwanda and Burundi. However, since voting was not compulsory, a complete registration did not seem essential. All that was necessary was to devise a method acceptable to all parties for checking the identity of persons presenting themselves for registration as electors. The fact that women often possessed no proof of identity ceased to be an obstacle as soon as it was decided that registration should be carried out in the commune by a mixed commission consisting of representatives of the opposing parties. Under the procedure adopted, each member of the registration commission was entitled to question the eligibility of persons presenting themselves, and as the communes covered a relatively small area and the majority of the inhabitants know each other, it was not difficult to obtain adequate proof. Moreover, a copy of the roll was deposited or posted up in the commune office, as prescribed in the electoral regulations, so that anyone wishing to lodge an appeal could do so.

209. It was the Commission's hope that it would be possible for the great majority of adults to register before the elections. That hope was not disappointed, and the participation of women in the popular consultations was at least as great as, if not greater than, that of men in many Districts.

(3) *Direct suffrage*

210. In resolutions 1579 (XV), operative paragraph 9 (a), and 1605 (XV), operative paragraph 6, the General Assembly had recommended that the elections should be not only by universal but also by "direct" adult suffrage. This implies that the General Assembly favoured a system of voting in which the voter chooses his representative or representatives directly, without any intermediate stages.

⁴⁰ See annexes XIX and XX.

211. The electoral legislation in force at the time the Commission arrived in the Territory provided for two different systems of voting: in Rwanda there was a proportional system in which each voter voted for three candidates, while in Burundi there was a system that combined voting for a single candidate with voting by list of candidates, in which each party or association of parties was allowed to put up more than one candidate for each seat to be filled, an arrangement which also made it possible for votes to be transferred from one candidate to another.

212. These systems had two drawbacks. First, they required votes to be cast in writing—which, in view of the fact that a large proportion of the voters was illiterate, did not ensure a secret ballot. Secondly, they seemed to be open to objection as inconsistent with the type of suffrage asked for by the General Assembly.

213. In Rwanda very little difficulty arose in revising the electoral legislation in order to provide a system more acceptable to the Commission. Having decided that voting would be by colours assigned to the various parties, the political leaders accepted the logical consequence, i.e., a system of proportional representation, such as had already been followed in the communal elections, based on voting for the list of a party or association of parties.

214. In Burundi, however, agreement on a system of voting was not reached without difficulty. From the beginning of the consultations on this subject, differences of opinion arose between the parties. UPRONA wanted the voting based on lists of parties—in effect a system of simple proportional voting, as in Rwanda—while the Front commun parties insisted on keeping the old hybrid system, a combination of the one-candidate and proportional-representation systems. They argued that the great majority of voters were not very familiar with the parties and their programmes, and would therefore vote for candidates on the basis of individual qualifications. However, the proportional system would apply at the stage of counting and tabulating the votes. According to UPRONA, such a method would have worked in favour of the Front commun parties by depriving UPRONA of effective means of propaganda, while enabling the Front commun parties, by transfers of votes from one candidate to another, to combine their efforts and obtain a maximum of votes.

215. In spite of the protests of UPRONA, which even considered boycotting the elections, and of the Commission's reservations,⁴¹ it was the system supported by the Front commun parties which prevailed, after long negotiations, and which is provided for in Legislative Order No. 02/269 of 17 August 1961.

216. According to this method, individuals were to present themselves as candidates on lists sponsored by parties or associations. However, the voter would be able to vote for only one individual to fill the single seat in each of the sixty-four *circonscriptions*. So far, the voting would proceed according to the one-candidate method; but in the returning operations, after the number of votes received by each candidate had been counted, the votes of all the candidates on the same list would be added together and the list obtaining the most votes (which may be called the "majority list") would be noted. The seat to be filled would then be given to the candidate of the majority list who had obtained the most votes on that list.

⁴¹ See para. 220, below.

217. The Commission expressed its misgivings concerning this procedure in observations transmitted to the Belgian Administration on 17 August 1961. It noted that a combination of one-candidate voting and list voting of this kind was liable to produce unfair results. Since the voters could vote for only one candidate, the normal thing would have been for the candidate receiving the most votes in the whole *circonscription* to be given the vacant seat; adding together votes by lists and giving the seat to the "majority" candidate of the "majority" list might result in the seat's being taken away from a candidate who had received the most votes in the *circonscription* and given to another candidate who had received fewer votes. In the Commission's view, that method amounted to a kind of two-stage system of election that was inconsistent with the letter and spirit of resolutions 1579 (XV) and 1605 (XV), which referred to direct, universal adult suffrage.

218. In their discussions with the Commission, the representatives of the Administering Authority, while conceding that the method proposed might lead to anomalies, argued that it was the only system likely to be accepted by the various parties. The representatives of the Administration maintained that if any other system were adopted certain parties might refuse to participate in the elections, and might even paralyze the administrative machinery, which was largely in the hands of followers of the Front commun.

219. Nevertheless, the Commission asked the Administration to reconvene the representatives of the parties with a view to arriving at a general agreement on a method of voting that would be more in keeping with the General Assembly's resolutions. Such a meeting was held at Ngozi on 21 August 1961, but the representatives of the Administering Authority and the Commission failed to bring about any change in the positions of the parties.

220. The Order promulgated on 17 August therefore remained unchanged in spite of the Commission's express reservations.⁴²

221. In the results of the elections it is interesting to note that only in four *circonscriptions* did the adoption of this balloting system result in the election of a candidate who had not received the most votes in the *circonscription*. In two cases the method operated in favour of UPRONA and in the two other cases in favour of a Front commun party.

(4) *Secrecy of the ballot*

222. In resolution 1579 (XV), operative paragraph 9 (a), the General Assembly had asked the Commission to supervise, *inter alia*, the organization of a system of balloting which would ensure complete secrecy.

223. As the Commission has already explained in its interim report,⁴³ the system used in Ruanda-Urundi for the communal elections and envisaged for the legislative elections in the electoral provisions of January 1961 was voting by written ballot. Since, however, a large proportion of the voters were illiterate, a voter was allowed to be helped in the polling booth by a person of his choice who could read, such person often being the voter's own child or some other schoolboy. It was obvious that such a system would not ensure the complete secrecy desired by the General Assembly

⁴² Annex XIX, chap. 2.

⁴³ A/4706, para. 210.

and that a method of balloting other than by writing was needed.

224. It was therefore suggested, in the discussions with the political parties, that a system of colours or symbols should be used for identifying the party candidates that would enable any voter, even if he was illiterate, to cast his ballot without assistance and in complete secrecy. The Commission indicated a preference for the use of colours, as the simplest method and one that had already been successfully applied in other countries, in particular in Togo, where elections had also been supervised by the United Nations.

225. In Rwanda, the system of using colours was adopted without objection. It was decided that each party would have its own colour or combination of colours and that the following balloting procedure would be used: before entering the booth, the voter would receive a coloured ballot-paper for each list of candidates and an envelope initialled by the chairman of the polling committee and another member of the committee whose name would be drawn by lot on the morning of the elections. In the privacy of the booth, he would put the ballot-paper of his choice in the envelope and scrap the other ballot-papers, after which he would leave the booth and put the envelope containing his vote in the ballot-box, under the supervision of the polling committee and the observers representing the various lists. The same procedure was adopted for the referendum on the subject of the Mwami: for each question, the voter would receive two ballot-papers of different colours, one representing "yes" and the other "no".

226. The adoption of colours for the balloting very soon led to their use by the parties for purposes of propaganda, and in some cases of intimidation. First the followers of PARMEHUTU and later, to a much less extent, those of other parties began to wear badges or clothing of their party's colour. This practice, legitimate in itself, did not fail to increase tension during the campaign. Accordingly, in order to prevent its having an intimidatory effect, the Commission recommended that the electoral regulations should include a provision making it unlawful to wear any distinguishing mark favouring a political choice on the day of the elections within a radius of one kilometre from the polling station. Such a provision was enacted in both States, and its violation was made punishable with one month's imprisonment.

227. The Commission also felt that inspection procedures and suitable penalties should be established to prevent the fraudulent practice of voters keeping unused ballot-papers on their persons and showing them to others, thereby showing how they had voted. The Commission had received information that certain party leaders and even burgomasters belonging to these parties had decided to evade the secrecy of the ballot guaranteed by law by compelling voters to bring them all unused ballot-papers, or even pieces of ballot-papers, instead of destroying in the booth. In order to prevent this abuse, severe penalties were enacted in the Legislative Order. In addition, official statements signed by the Resident of Rwanda and the United Nations Commissioner at Kigali were distributed, warning anyone who might be tempted not to destroy such ballot-papers. It was also decided that voters could be searched on leaving the polls, in order to make sure that no one took away any ballot-papers.

228. The Commission feels that it spared no effort to combat anything which, in its view, might have been

a direct or indirect manifestation of intimidation or of efforts to violate the secrecy of the ballot. As an illustration of some of the aspects of the electoral campaign, the following incident may be worth mentioning: during the final weeks of the campaign, it was reported to the Commission that certain burgomasters had spread the rumour that the *Muzungu* (the white man) had provided a certain party with special equipment which would enable it to see ballot-papers in their envelopes from a distance. Aware that such rumours might have a serious psychological effect on certain people who might still be influenced by an atmosphere of superstition and magic which had long prevailed in the Territory, the United Nations Commissioner at Kigali immediately took appropriate steps to deny the rumour through all available media. He took the opportunity of his radio broadcast on 21 September to assure the people that there was no technical or other way in which the secrecy of the ballot guaranteed by law could be violated. The same assurances were repeated in the joint leaflet of the Special Resident and the United Nations Commissioner distributed by aircraft in 100,000 copies on the eve of the elections. Kigali Radio also helped in denying such false rumours.

229. In Burundi, the adoption of a balloting system such as to ensure secrecy of the ballot encountered serious difficulties. During the negotiations between the parties the Front commun parties, and even a number of Administration officials, expressed a definite preference for keeping the system of voting by written ballot with scribes. They argued that the large number of parties in Burundi would make the use of colours or symbols very complicated, with the further drawback that symbols and even colours often had an esoteric meaning for the ordinary field worker which might influence his vote. The Front commun parties were particularly opposed to the use of colours, putting forward arguments which while plausible were contradictory. They said for example that the "hill people" were able to distinguish only five colours, and that for some colours, such as green, there was not even a word in the vernacular, *kirundi*. Later they said that these same indigenous inhabitants would feel offended by the introduction of a system of colours, which they would consider "primitive". These, it was felt with some reason, were arguments of intellectuals jealous of their privileges. The Front commun parties also said that according to custom some colours were considered unlucky, and added that it would be quite easy for UPRONA, led by the son of the Mwami, to represent a certain colour as being the colour of the Mwami. A final reason given by these parties was that the use of colours in the electoral campaign might provoke disorders throughout the State.

230. During the negotiations with the parties, a number of solutions, including even voting by whispering in the semi-darkness through a screened window, were suggested and rejected. In the end, the parties agreed on the use of symbols. However, the Front commun parties accepted this arrangement only on the condition that no symbols would be chosen which might have a special meaning or prestige for people, and that the symbols should be assigned not to parties but to candidates.

231. The procedure adopted for the elections in Burundi therefore provided for the assignment of symbols drawn by lot to each candidate individually, and not to lists of candidates. As the number of candidates

could not be known in advance, provision had to be made for a system of voting slightly different from that applied in Rwanda, one in which each candidate would have a separate ballot-box, marked by his symbol, in the polling booth. This complicated the balloting procedure in that it inevitably reduced the number of booths that could be installed in each polling station, and some pessimists thought that it might prove difficult to complete the voting in one day. However, the exemplary order and discipline shown by the voters made it possible for the popular consultations to be held in conformity with the conditions laid down by the electoral legislation.

G. DATES OF THE POPULAR CONSULTATIONS

232. In resolution 1605 (XV), operative paragraph 6, the General Assembly decided that the popular consultations in Ruanda-Urundi should be held in the month of August 1961 and that the Administering Authority should organize them "in full consultation with the United Nations Commission for Ruanda-Urundi, the actual dates to be fixed, after mutual consultation, in the light of the prevailing circumstances".

233. There were therefore two factors to be considered when fixing the exact dates for the consultations: the desire of the General Assembly that they should be held in the month of August and the need to take into account the prevailing circumstances, i.e., to ensure that the prerequisites were fulfilled. These prerequisites included the formation of broad-based caretaker governments, the adoption of a method of balloting which would ensure complete secrecy and the application of the political amnesty which was to be granted at least two months before the elections.

234. Owing to the change of Government in Belgium, the Commission was not able to leave United Nations Headquarters to start its consultations at Brussels until 30 May. Even after this delay, the consultations could have been held in August if decisions on the preparatory measures had been reached speedily. However, it was not until 24 July that the Administering Authority promulgated supplementary amnesty measures taken in compliance with the requests made to it on 27 June by the Special Commission, i.e., three days before the expiry of the time-limit by which the elections could still be held in the month of August; furthermore, the negotiations with the political parties encountered such difficulties that in Burundi the final decision concerning the formation of a broad-based government was taken only on 5 July.

235. So far as Rwanda was concerned, the Belgian Administration, although on 2 July it had already reached the conclusion that it would have to suspend the government, considered that it could not impose this decision on the existing government until it had reached a final agreement on the date of the elections. In point of fact, the government was not suspended until immediately after the announcement of the date of the elections, i.e., at the beginning of August, and the electoral regulations were published only during the course of that month.

236. Another delaying factor was the attitude of the political parties of Burundi, some of which insisted that the date of the elections should be postponed in order, so they alleged, to allow time for a campaign to inform the electors about the new system of voting by symbols. It had been decided to hold elections in the

two States on different dates, as the Belgian Administration considered that it did not have sufficient officials to carry out electoral operations simultaneously in the two States. It therefore proposed that the elections in Burundi should be held towards the end of September, while those in Rwanda could be held as soon as possible.

237. In the face of these various pressures, which were inconsistent with the recommendations of the General Assembly, the Commission had to urge the Administering Authority, if the date of the consultations was to be postponed until September, to comply with the General Assembly's recommendation that the date fixed for the consultations in Rwanda should be not earlier than two months after the implementation of the political amnesty; the elections in Burundi should be held one week before the elections in Rwanda. It is this decision which was finally approved and the Resident-General announced on 4 August that the elections in Burundi would be held on 18 September and the consultations in Rwanda on 25 September.

238. The decision that the elections in each State should last only one day was taken at the Commission's request. A large sector of opinion in the Territory considered that it would be impossible to complete the voting operations in one day and that at least two or three days should be set aside so that all the electorate of both sexes could vote. However, the Commission maintained its position and insisted that the counting should be done on the spot in the polling stations immediately after the close of the ballot. The reason for its insistence was to avoid any possibility of fraud or even of suspicion regarding the safety of the ballot-boxes during the night. In fact, apart from some rare exceptions, all the electorate was able to vote. This success is partly attributable to the efforts of the staff of the polling stations who worked continuously and—what is even more important—partly to the co-operative attitude displayed by the electorate.

H. CREATION OF THE NECESSARY ATMOSPHERE FOR THE PROPER CONDUCT OF THE ELECTIONS

(1) General

239. In resolutions 1579 (XV) and 1605 (XV), the General Assembly emphasized the need to ensure that the elections were held in an atmosphere of peace and calm. Thus, in operative paragraph 5 of resolution 1579 (XV), the General Assembly:

"Appeals to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony for the good of their Territory and people as a whole on the eve of independence."

This concern was again expressed in operative paragraph 5 of resolution 1605 (XV) which states that the General Assembly:

"Declares that it is clearly the obligation and the responsibility of the Administering Authority to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly."

240. However, the atmosphere prevailing in the Trust Territory when the Commission returned in June was not conducive to the implementation of resolution 1605 (XV). Rwanda was still suffering from the

effects of the crisis of November 1959 and the establishment of the government set up following the *coup d'état* at Gitarama had only made the positions adopted by the political parties more rigid. Some thought that the prerequisite for any free election was a return to the *status quo* prior to the *coup d'état*, while others wanted to preserve the advantages won and considered that, even if it had been wise to compromise, their supporters would not have backed them in a withdrawal movement which might have been construed as a defeat.

241. In Rwanda and in Burundi, the postponement of the elections, which had originally been fixed for January 1961 by the Administering Authority, had provoked varying reactions. Some parties had thought that the elections should be held very soon, while others were of the opinion that they should be postponed.

242. In Burundi, the Front commun parties, which were in power, did not want immediate elections. They alleged that the women did not know how to vote and that time was needed to prepare them, that the people, accustomed to voting by scribe, would not understand that they were required to vote in a different way, and that time was also needed to prepare them psychologically to accept voting by symbols, and, finally, it is possible that certain circles may have visualized the possibility of important events similar to those of November 1959 in Rwanda. In that case, some people considered that postponement of the elections was also necessary.

243. In Rwanda, the postponement was a cause of dissatisfaction for the PARMEHUTU which was in power and which, because of the numerical superiority that it enjoyed and the political and administrative machinery at its disposal, felt sure of success. This party, which had never wanted to understand the desire and the concern of the General Assembly that the elections and the referendum should be subject to prior measures and conditions, had always stated that it wanted immediate elections. When the elections had not been held in January 1961, it had felt that it had been betrayed by Belgium and deceived by the United Nations, whose 1960 Visiting Mission had proposed that elections should be held at the beginning of the following year. The opposition parties considered that the considerable delay in complying with the prerequisites, in particular with regard to the amnesty and the return of the refugees and the continuance of former conditions and of an atmosphere unfavourable to their electoral campaign, had placed them in a very difficult position, which could be offset to a certain extent only by a reasonable postponement of the date of the elections. They would thus have had more time to organize themselves and prepare their electoral campaign and to reduce somewhat the lead gained by the party in power.

244. So far as the people themselves were concerned, they appeared to be extremely confused both about the over-all political situation and about the role of the Commission. In Rwanda particularly, rumours had been spread that the Commission had come to replace the Administering Authority, that the United Nations supported the monarchist parties, and even that the Commission was bringing United Nations troops from the Congo to drive out the Administration's troops and put the Mwami back on the throne. In Burundi the function of a Commission of observers was often completely misunderstood. Because of this lack of understanding of the role of the United Nations, the Commission was

constantly requested to act in fields outside its competence where it was quite unable to give satisfaction.

245. The Commission therefore attempted, with the co-operation of the Belgian Administration, to explain to the people by all available information media its role and the provisions of resolutions 1579 (XV) and 1605 (XV). The Chairman of the Commission and the Resident-General made broadcasts on 8 June and 4 August; Commissioner Rahnema did so on 29 August and 21 September and Commissioner Gassou on 16 September. A series of communiqués and comments prepared by the Commission were broadcast or distributed to the Press and, in each commune, the observers tried to explain their mission and requested that calm should be maintained and public rights respected.

(2) *Developments in Burundi*

246. Of the two States, Burundi was the one which presented the fewest obstacles to the creation of an atmosphere conducive to the proper conduct of the elections. In Burundi, there was a large number of small political parties whose strength came much more from the personal influence of local leaders than from their doctrines. Undoubtedly many of them had joined together in the Front commun in order to oppose UPRONA, but that was merely a somewhat loose association which had not prevented each party from running separately in the communal elections. Thus no party could alone dominate the political scene to the detriment of all the others. On the other hand UPRONA, whose political activity had been hindered by the Administration, a situation which resulted in its councillor, Muganwa Kwagasore, being placed in prescribed residence during the communal elections, had won the sympathy of a large part of the population, as could be seen during the last weeks of the electoral campaign.

247. When the Commission arrived in June, the general atmosphere in Burundi was calm; however, a certain tension prevailed in some communes because of the propaganda engaged in by some parties both against the payment of taxes to the interim government and also in order to undermine the authority of certain provincial administrators and burgomasters who were members of the parties in power. When the Commission arrived, serious disturbances had occurred only in some communes of the Province of Kayanza (Ngozi district) where, in May and June, there had been clashes between rival political groups, partly accentuated by land disputes which had not been settled. Calm had been restored in the region at the beginning of July, as a result of the personal intervention of the Mwami and the reconciliation efforts of a committee composed of representatives of the leading political parties.

248. However, a serious incident occurred on 17 August in a commune of the Muhinga district, where two policemen and two local inhabitants were killed in a fight. This incident had occurred following an inquiry into the question whether the local inhabitants, mainly UPRONA supporters, had, as was claimed, refused to allow the representative of the Front commun to sit on the enrolment committee. The security forces immediately intervened. On 30 August, the region had been entirely pacified. Following this incident, the carrying of weapons by local inhabitants was banned throughout the State.

249. Except for these two local incidents, which were rapidly dealt with, the atmosphere remained calm

in the State throughout the pre-electoral period. No breaches of the peace were brought to the attention of the Commission, except for a few isolated and trifling incidents, caused by the tension inevitable during any election period. The Commission was even impressed by the absolute calm and order which reigned among the population both during the electoral campaign and during the elections themselves. However, complaints were received that the presence of troops engaged in training exercises was alarming the population.

(3) *Developments in Rwanda*

(i) *General atmosphere*

250. The situation in Rwanda was quite different. The events of 1959-1960 had left behind, in opposing ethnic and political groups, a residue of bitterness and fear, aggravated by the fact that the fundamental problems had remained unsolved for a year and a half. Having overthrown the internal régime which had been in force for centuries, those who were favoured by the new situation were both suspicious and afraid of the group ousted from power. This fear was further increased by fantastic reports about the number of refugees on the other side of the frontier, by numerous threats and by irresponsible rumours about the possibility of a return to the *status quo*, perhaps even with the aid of the United Nations. Furthermore, the supporters of the monarchist parties, who were also the targets of threats uttered by the republicans, mistrusted everything connected with the new régime and were ready to believe any rumour about the wicked intentions of their opponents. In both cases, the political leaders regarded the popular consultations as the last battle in which they could win or lose all, and were consequently prepared to use all possible means of securing victory. The tense atmosphere thus prevailing throughout the State was further aggravated after the return of the amnestied leaders and refugees, many of whom had found that their homes and possessions had changed hands.

251. This atmosphere of mistrust and antagonism partly explains the Administrating Authority's difficulties in obtaining an agreement between the political parties on the formation of a broad-based government. The parties, republican and monarchist alike, had committed themselves to extreme positions and could not subscribe to compromises without giving the impression of suffering a defeat. Consequently, the discussions on the formation of a broad-based government resulted only in manoeuvres on the part of the different groups, each one trying to win an advantage over the other. These negotiations and the decision finally taken by the Administrating Authority to suspend the government and to resume its powers, resulted only in increased bitterness and mistrust between the two factions.

252. If the efforts to establish a national union government had succeeded, the situation would probably have become easier. The Administrating Authority's decision was regarded by the republicans as a set-back which they tried to minimize by encouraging the population to believe that the government was simply "on holiday". For their opponents, the measure was inadequate; the republican flag continued to fly on official buildings, and the entire political and administrative organization remained, including the prefects and the burgomasters, who mostly belonged to the PARMEHUTU party.

253. During the entire period which followed, the Commission and its observers received numerous complaints from the monarchist parties, accusing the agents of the Administration, the burgomasters and the communal councillors, of biased political activities: misinformation, abuse of administrative meetings for propaganda purposes and even intimidation and brutality. The Commission regularly drew the attention of the Administering Authority to all abuses of which it was notified. In some cases, the representations resulted in disciplinary measures, such as fines or the temporary withholding of salaries from the persons concerned; in many cases, judicial inquiries were begun but could hardly ever be carried to their conclusion. At the Commission's suggestion, the Resident of Rwanda sent the district administrators strict instructions on 14 July to the effect that all agents of the administration, including the burgomasters and the communal councillors, should refrain from any political activity in the exercise of their functions. As these instructions were not always followed, further instructions were issued on 17 August, forbidding the burgomasters to hold information meetings in their communes, except in order to maintain law and order or to explain the electoral process and, in the latter case, prescribing that the electoral committee composed of representatives of the different parties had to be present.

254. Another measure aimed at reducing tension was taken when the disorders, which will be described later, were at their height. This was the decision reached in August to set up an advisory committee composed of representatives of the four main parties. It was to meet every week with the Resident and advise him on certain important questions relating to the political and administrative organization of the country. This committee met only once, and then only two parties attended.⁴⁴ But in certain cases similar bodies, set up at the district level, have played an important role in the restoration of order and in the negotiations and measures aimed at the resettlement of the victims of the disturbances and refugees.

255. Finally, the general atmosphere considerably improved once the two main political parties had defined their positions. On 27 August the PARMEHUTU published its electoral manifesto; on 6 September the Congress of the UNAR circulated a resolution in which it clarified its position and, although deploring the situation existing in the country, announced its decision to take part in the elections.

(ii) *The disorders*

256. A number of factors helped to cloud the atmosphere. Firstly, for reasons explained above, the election date had to be put off. News of the postponement exacerbated the general tension and paved the way for all kinds of rumours. When, in addition, it was decided that coloured ballot papers would be used for the vote, the supporters of the PARMEHUTU, at first, followed by the APROSOMA and, in certain regions only, by the UNAR, began to wear badges with the colour of their party. They were thus able to give a massive demonstration of their numbers and to have frequent opportunities of clashing with those who did not wear their colours. In such an explosive atmosphere it was not surprising that towards the middle of July the Commission began to receive many complaints of attacks and acts of intimidation. These complaints came mainly

⁴⁴ See para. 123 above.

from the monarchist parties who in certain regions said they were being persecuted systematically by the local authorities.

257. The first incidents involving attacks by armed bands began on 26 July in three communes of the Kigali district, three days after a big meeting attended by several thousand people had been held at Kigali by the UNAR. On 30 July, a second meeting took place at Kigali, this time organized by the RADER and the APROSOMA-RWANDA-UNION. For four days, clashes took place and groups of warriors carrying their customary weapons stalked the hills, attacking and looting the huts of their enemies. From 5 to 10 August the military were engaged in operations to restore order. As a result of these disturbances, which lasted two weeks, many people were killed and thousands lost their homes; most of the refugees were housed in a reception centre set up by the Administering Authority near Kigali or in missions. As soon as calm was restored, the Administering Authority began to take steps to resettle them. A conciliation committee consisting of representatives of all parties was set up and Administration officials visited the communes for the purpose of conciliating and pacifying the various sectors of the population. Generally speaking, these methods were successful and by 12 September more than half the refugees had returned home. Furthermore, disciplinary action was taken against two burgomasters about whom complaints had been made. By the middle of September the region was again calm and remained so for more than a month. Then, following the assassination of sub-prefect Kajangwo in the Kibungu district, the disorders which had erupted in that district spread on 14 September to the Buganza-Nord region in the Kigali district. Many huts were burnt down and several people were killed. A few days before the election order was restored but the region was still somewhat tense.

258. As the situation in Kigali was beginning to improve after the disturbances at the beginning of August, serious incidents took place successively in the Nyanza and Gitarama districts. Central and eastern Nyanza had always been a UNAR stronghold, Nyanza being the customary capital of the Mwami. From the time of the Commission's arrival, this district became one of the main breeding grounds of agitation.

259. The arrival of the Commission's observer gave rise to a massive demonstration of sympathy towards him and of hostility towards the Administration. The demonstrations lasted several days. On 10 July, as the crowds refused to disperse, the order was given to use offensive grenades and tear-gas bombs. The official casualty list resulting from these incidents was thirty-one wounded, including three seriously. Since then, there have been many fights and acts of intimidation in the region, and the Commission received a continuous flood of complaints, mainly from UNAR supporters.

260. After a meeting held on 30 July by some 5,000 UNAR partisans, the situation rapidly became worse.

261. All the parties adopted extreme positions. The acts of violence committed by armed bands, the burnings, the looting of dwellings belonging to opponents and the attacks on their occupants multiplied. At the outset, the disturbances took place mainly in the former chiefdoms of Kabagari and Bunyambiriri, whose population is mainly PARMEHUTU, and were carried over only to the neighbouring areas of the Gitarama and Kibuye districts. However, after the assassination of the PARMEHUTU adviser for the Nyanza region,

which took place on 10 August, they spread as far as the western part of the district—a UNAR stronghold—often in the form of reprisal raids by bands from the Astrida district.

262. By 20 August, most of the district had been placed under martial law and the situation began to return to normal; by the end of the month calm had been almost completely restored. According to official estimates, as a result of these disorders, forty persons were killed, 1,000 huts were destroyed and about 5,000 persons rendered homeless; about 90 per cent of the refugees were members of the UNAR and 10 per cent were members of the PARMEHUTU. The establishment of a conciliation committee helped to restore calm in the district and by the election date about a thousand of these refugees had rejoined their communes. The others were authorized to register on the electoral roll in the communes where they had sought refuge.

263. The Gitarama district, an important PARMEHUTU stronghold and the scene of the *coup d'état* of January 1961, borders on the Nyanza and Kigali districts, where UNAR supporters are relatively numerous. The situation was already tense when the Commission arrived there and trouble was expected. Complaints arrived in an almost continuous flood: the UNAR accused its adversaries (including several burgomasters and Administration officials) of intimidating intrigues while the latter accused the UNAR, and particularly returning refugees and amnestied persons, of acts of provocation. On 7 August, several huts were burned down in the commune of Kirengeri, near Nyanza, and on 8 and 9 August disorders broke out in four communes towards Kigali; about 600 people became homeless refugees. Order was rapidly restored and a committee of political parties was set up in order to negotiate the return of refugees to their communes. Here and there sporadic attacks were still carried out against property belonging to known UNAR sympathizers, but towards the middle of August an atmosphere of calm again prevailed in the district.

264. The most serious disorders took place in the Astrida district, one of the most populous regions of the country and one where political allegiances are sharply divided. This district had been the scene of serious rioting during the events of November 1959, when attempts had been made on the lives of APROSOMA leaders. In June 1960, a wave of violence swept over the Bufundu region: more than a thousand huts were burned down, causing a mass exodus of refugees to the Congo. Since then, the territory has remained quiet, although the Commission was warned that disorders were to be expected, specially in the east and south of the district (areas belonging to the former Buhanga-Ndara and Mvejuru chiefdoms) where the Batutsi were relatively strong and where tension between the two groups was high.

265. Another source of conflict was the violent antagonism between APROSOMA members and the supporters of their former Chairman, Mr. Joseph Gitera, the founder of a rival party with monarchist tendencies. Apparently, the disturbances started on 9 August in the commune of Murama, near the Burundi frontier, with an attack against the Town Hall and the burgomaster's house by armed bands from other communes. Similar attacks took place subsequently in other communes, unleashing a wave of reprisals and counter-reprisals. These incidents, which lasted about three weeks, were the most serious of the pre-electoral period. Rival

bands of armed warriors swarmed through the district, particularly the eastern and southern regions, systematically looting and burning the huts of their adversaries.

266. Between 14 and 29 August, 18 out of the 40 communes in the district were placed under martial law and the security forces carried out patrols, disarming and dispersing the groups belonging to the two factions. At the same time, a conciliation committee, composed of representatives of political parties, was set up to help restore calm. According to official estimates, about forty-four persons were killed and more than 2,300 huts burned down. According to the same sources the homeless numbered 22,000 of whom perhaps a thousand fled to the Congo. At the end of August, when calm had finally been restored, the energetic efforts of the Administration and of the conciliation committee resulted in the resettlement of about 14,000 people before the elections. The others, who had remained in the country, were authorized to vote in the communes where they had sought refuge.

267. While these events were taking place in four districts where party meetings or other activities were suspended, the six other districts remained relatively calm except for certain frontier areas in the Kibuye district. Here, between 10 and 12 August, bands from Nyanza destroyed 200 huts, killing twenty persons and wounding one hundred. Order was rapidly restored and there were no further incidents. Except in a few regions, however, August was a month of extreme tension throughout the country. In September, when the attention of the population and of the political leaders was turned towards the preparations for the elections, calm gradually returned to nearly all districts.

268. The District of Kibungu was the only exception to this general improvement. There, as the result of a heavy concentration of UNAR sympathizers and the presence of many refugees from the 1959 disturbances, tension had continually increased. Sporadic incidents due in part to the return of amnestied persons and the active political campaigns conducted in the district by UNAR leaders added fuel to the flames. Several times the United Nations Commissioner at Kigali warned the Administering Authority that disturbances during the last days of the electoral campaign might have serious consequences. He repeated his request that all necessary measures should be taken to avoid trouble, particularly by making burgomasters directly and personally responsible for the maintenance of order in their communes. He stated that the spread of disturbances to the Kibungu district might tend to confirm the accusations of the monarchist parties that their enemies were proposing to eliminate them physically in their last stronghold, so far untouched. The Kibungu district had been considered as a UNAR preserve in view of the impressive number of abstentions which had been registered in certain *circonscriptions* during the communal elections of 1959 and of the marked UNAR influence that these abstentions denoted.

269. In the last week of August there was an incident which resulted in the total or partial destruction of about a hundred huts. On 7 September, an attempt was made on the life of the burgomaster of the Murambi commune and on 12 September Sub-prefect Kajangwe, one of the most popular PARMEHUTU leaders in the district, was assassinated. This crime was immediately followed by a series of hut-burnings in four communes. These burnings were followed by counter-attacks by

members of the UNAR and the disorders spread throughout the district. This situation lasted until 18 September, when the region slowly began to return to calm. Several days before the elections the disorders had ceased. According to official estimates, sixty-seven people were killed and there were 8,000 refugees of whom 2,000 or 3,000 crossed to the neighbouring district of Biumba. In view of the proximity of the elections, special measures were taken to permit the refugees to re-enrol and a police guard was provided to escort them to the polling stations.

270. In the opinion of the UNAR, these disturbances were the result of a systematic campaign undertaken by the PARMEHUTU with the connivance of certain members of the Administration. The aim was to liquidate all opposition, stage by stage and region by region, so as to intimidate the mass of the electors and particularly all those who might try to oppose the ruling parties. According to the UNAR, the fact that the disturbances broke out almost without exception after each large meeting constituted proof of this campaign. The UNAR was convinced that Administration officials connived at this policy of "cleaning up" the opposition before the elections. In its opinion, all the promises made to the Commission, as well as administrative measures or official circulars, remained a dead-letter as long as the Resident, Colonel Logiest, accused by the UNAR of protecting the PARMEHUTU, was in charge of Rwanda.

271. On the other hand, the PARMEHUTU and the Administration officials attributed the disturbances to the desire of the UNAR to boycott the elections and to prevent at all costs the popular verdict they feared.

(iii) *Use of security forces*

272. Mention must be made of the complaints made by the opposition with respect to the partiality shown by the security forces that were sent to put down the disorders. It accused them, firstly, of allowing the disorders to develop in certain places and then of intervening too late; secondly, of acting in support of the ruling parties. The most serious accusations made before the Commission concerned the local district guard which the opposition alleged was a highly organized political force. Confronted with these accusations, the authorities pointed out that in a country where a very numerous population lived scattered about on the hills and where the road network was inadequate, there was great difficulty in re-establishing order with the few troops available. According to information supplied by the Administration, the total number of metropolitan troops, including reinforcements, did not exceed 2,200 for the two States. To this number must be added the local district guard which comprised 700 men in Ruanda and 350 in Urundi. In the Administration's opinion, it would have been impossible to prevent the disturbances even with a much larger force in a territory of 54,000 square kilometres and a population of 4,500,000 inhabitants.⁴⁵

273. With regard to the reinforcements to which the Belgian Government had to make up its mind, it is significant that in July Mr. P.-H. Spaak requested the Secretary-General, Mr. Hammarskjöld, to arrange the dispatch of United Nations forces to Ruanda-Urundi. The Commission considered that under the conditions existing in the Territory a measure of that kind, if it

⁴⁵ Annex XXV gives official information concerning numbers, distribution, etc. of the metropolitan forces in Ruanda-Urundi.

could be achieved, would be very useful. Such a body would help the Administering Authority to maintain the necessary public order and, furthermore, it would allay the serious doubts which the Commission had always expressed concerning the wisdom of increasing the Belgian security forces during the pre-electoral period. Use of United Nations forces could thus constitute an important advantage for the proper execution of General Assembly resolutions without unfavourably affecting the conditions and atmosphere they prescribe.

274. During the first half of August the Commission feared that the disturbances in Ruanda would continue to spread on a scale and at a rate which were alarming and likely to impair most seriously the conditions and atmosphere called for in the General Assembly resolutions. The Commission realized the gravity of the situation and the harmful effects that the continuation of disturbances would have on the results of the electoral operations. It therefore gave its full support to Mr. Spaak's attempt to arrange for the dispatch of the necessary reinforcements by the United Nations. But, apparently, as a result of the slowness and the problematical results of the procedure involved, this idea was not followed up.

275. It was agreed, however, that three military observers would be attached to the Commission to supervise the application of operative paragraph 6 of General Assembly resolution 1579 (XV) and operative paragraph 10 of General Assembly resolution 1605 (XV). As stated in paragraph 43, only the observer designated by the Government of Camodjia arrived in Usumbura. That was on the very day of the Commission's departure.

276. According to the information it received, the Commission had no reason for believing that, generally speaking, the metropolitan troops did not conduct themselves correctly. It has the impression that the military operations were carried out tactfully and discreetly.

(iv) *Freedom of assembly*

277. According to existing regulations, all the political parties were allowed to hold meetings, provided that they requested permission from the District Administrator three full days in advance. This permission was subject to the following general rules: each party could hold only one meeting per district and per day; meetings were prohibited at certain strategic points such as crossroads and business centres; and only one meeting could be held at a given time or place. The opposition parties complained that, as a result of the partial application of these rules, their electoral campaign was sabotaged. Following numerous requests by the United Nations Commissioner at Kigali, these rules were relaxed and the Administration finally abolished the prior authorization for small meetings held at the commune level. The opposition parties also complained about the violence and intimidation to which their supporters were subjected following their meetings. They attributed these cases to the systematic campaign of the PARMEHUTU aimed at frightening all those who were hostile to that party. On the other hand, the PARMEHUTU and the Administration officials attributed these incidents to the provocation of the organizers.

(v) *Freedom of travel*

278. The Commission received from several districts, particularly those of Biumba and Ruhengeri, information that barricades had been set up on the roads by the local authorities in several communes. The Commission immediately drew the Administering Authority's attention to these facts.

IV. Electoral operations

A. LEGISLATIVE ELECTIONS IN BURUNDI

(1) *The role of the voters*

279. Article 1 of Legislative Order No. 02/249 of 1 August 1961 provides that a person may vote provided that "at the time when the electoral registers are closed he has had his habitual residence in the commune for one month, is not less than eighteen years of age and is a national of Burundi". The only persons not permitted to vote in the elections are (a) members of the armed forces on active service and members of the police, and (b) persons whose right to vote has been suspended because they have been sentenced for a criminal offence or remanded in custody for an offence under the ordinary law, or because they have been confined to an institution or hospital by reason of insanity.

280. It should be noted that the provision that every voter must be "a national of Burundi" had the effect of withholding the right to vote from all inhabitants of foreign origin, even those who had lived in the country for a long time or were born there but of non-indigenous parents. The Commission received several protests against this debarment, mainly from the UNAR party acting on behalf of certain Congolese and Swahili groups living at Usumbura and a few other places. The Commission discussed with the Administration the wisdom of such a condition, which in any case did not exist in the electoral laws of Rwanda. The Administration explained that in Burundi most of the political parties were against extending the vote to persons of foreign origin, and that it was reluctant to prejudice the decisions regarding nationality which the sovereign authorities of Burundi would have to take in the near future. The Commission took note of the fact that only a few thousand persons were affected by the question of nationality.

281. Electoral registers had been prepared for the communal elections. The Administration, in agreement with the Commission, decided to start afresh and to draw up new registers to take account of the extension of the franchise to women, and of the other changes involving an increase in the number of voters. Thus, any individuals applying in person to the competent authorities for registration and producing evidence of his qualifications would be permitted to vote.

282. Registration was carried out in every commune, where, at the suggestion of the United Nations Commission, a Registration Board presided over by the Burgomaster or his deputy and consisting of representatives of the political parties had been set up. Each party also had the right to appoint "delegates" to attend the registration operations. An additional guarantee, introduced at the Commission's suggestion, was that the voter's cards had to be signed by the chairman of the Registration Board and by one other member belonging

to a party different from that of the chairman. This arrangement was introduced on 25 August.

283. Because of the time needed to redraft the electoral regulations, the Legislative Order concerning registration was not issued until 1 August. However, in view of the size of the task and the very short time remaining to complete the rolls of voters, the registration operations were begun as quickly as possible. In some communes they began on 3 August. The Commission's observers visited all the communes during the registration period. They found that, with the exception of one incident in the territory of Muhinga (see para. 248 above), as a result of which it was necessary to suspend registration in the commune for six days, the operations took place in a perfectly calm and orderly fashion. In some communes there were a few difficulties in constituting the Registration Boards, either because the representatives of the parties did not appear or because there was only one active party in the region. However, after the Administration took up the matter with the parties, Registration Boards were set up throughout the country.

284. The observers found that at the beginning of the operations voters' cards were frequently being issued without any Registration Board signatures. At the Commission's suggestion such cards were replaced.

285. When registration closed on 10 September, eight days before the date of the elections, a total of 1,058,653 voters had been registered. Under the terms of the Electoral Order, the lists of voters were deposited or posted at every communal office.

286. The time-limit for submitting appeals against registration or non-registration on the electoral registers had been fixed for 12 September. No appeal was received by the authorities.

(2) *Nominations and allocation of symbols*

287. According to the electoral laws, a candidate for election had to be not less than twenty-one years of age, be a national of Burundi, have his habitual residence in the State and have successfully completed two years of post-primary schooling or undergone equivalent training. In agreement with the Commission, the Administration interpreted the last-mentioned condition very broadly so that, even if a person had not completed his primary schooling, his candidature application could be granted on the basis of experience and demonstrated ability.

288. Under the electoral laws the following were declared to be ineligible: (a) persons who had been sentenced to more than one year and less than five years hard labour within the preceding ten years, or to more than five years within the preceding twenty years, an exception being made for persons who had benefited from a political amnesty; (b) persons confined to an institution or hospital by reason of insanity; and (c) persons serving a sentence of imprisonment, unless they were sentenced for the contravention of an administrative regulation. It should be noted that these provisions were more liberal than those of the earlier Order of January 1961, under which, for example, persons sentenced to penal servitude for terms of two to six months during the preceding two years and persons living under a system of prescribed residence would have been declared ineligible.

289. The lists of candidates for each constituency had to be submitted by the parties or groups of parties

not later than twenty days before the beginning of the election, and appeals against nominations could be submitted up to thirteen days before that date. A total of twenty-three nominations were rejected by the District Administrator because they did not satisfy the various electoral conditions. Ten of them were either replaced by other candidates or were reinstated after examination of the appeal. Two candidates, including Mr. André Muhirwa, the present Prime Minister of Burundi, were rejected because, as close relatives of the Mwami, they came under article 24 *bis* of the Interim Decree of 25 December 1959, which laid down that the immediate family and relatives to the second degree of the Mwami were excluded from political activity.⁴⁶ Of the five candidates whose nominations were rejected because they did not meet the conditions for eligibility, one candidate had had no schooling and could not prove that he had the requisite training, and a second had not been nominated under the sponsorship of a political party. The three others, all on the Front commun list in a constituency in the District of Muhinga, were rejected because they did not appear in person for verification and validation of their nominations. Appeals were entered by the Chairman of the Front commun, who alleged that the three candidates had not appeared because of acts of intimidation. Since the persons in question were unwilling to appear, their nominations were rejected. The six others did not enter appeals.

290. The final list of candidates consisted of 507 names presented under the sponsorship of six parties or groups of parties. Except in one constituency, where UPP presented a separate list, all candidates from the Front commun parties appeared on the same list.

291. The allocation of symbols took place in each constituency on the closing date for nominations. A list of thirty-six symbols had been drawn up by the Resident for the whole State and the allocation of a symbol to each candidate was done by drawing lots in the presence of the District Administrator or his delegate and the United Nations observer, each candidate announcing, in the order of drawing, the symbol which he selected. All symbols were familiar objects of no particular significance, such as a banana, a sweet potato, an ear of corn, a basket, the branch of a coffee-bush, a lantern, etc. The Commission heard no complaints about this procedure except from one candidate who, while recognizing that his choice had been free, asked for a change of symbol. His request was refused.

(3) *Information campaign*

292. The official information campaign on the electoral arrangements was conducted both in the form of explanations given directly to the political parties and at administrative meetings at the commune level, and in the form of radio talks, leaflets and press communiqués. In every district and commune the Administration and local officials arranged information meetings, first during the registration period and then after the submission of nominations, i.e., from 29 August onwards. In addition, trial elections consisting of a kind of dress rehearsal in which symbols other than those allocated to the candidates were used, were held in order to familiarize voters with the voting procedure. Whenever possible the United Nations observers were present at these meetings. Furthermore, from the time of their arrival until the day of the election, these observers

⁴⁶ See para. 67 *et seq.*

visited the communes in their district every day, making contact with both the local officials and the inhabitants. In every commune, which they visited they explained their role and answered the requests for information made to them. They were also available for regular periods at the headquarters of the area assigned to them in order to welcome visitors who wished to explain their problems or to ask questions.

293. In addition to the local meetings, which were probably the most important element in the information campaign, information and statements, including one signed by the Mwami, were disseminated by the Administration in the form of leaflets. The Administration also published press communiqués explaining the electoral laws and the voting procedure both in the official newspapers, in French and in Kirundi, and in the unofficial newspapers published in the State. The radio was also used to broadcast a great deal of information in the two languages, as well as talks prepared by the Commission and speeches—such as those given by the Resident-General and the Chairman of the Commission on 4 August⁴⁷ and by the United Nations Commissioner at Kitega on 16 September⁴⁸—the joint communiqué of the Resident and of the Commissioner at Kitega broadcast on 17 September,⁴⁹ and the speeches of the Resident, the Mwami and the Prime Minister of the provisional government on the eve of the elections.

(4) Electoral campaign

294. Under the regulations in force the political parties were free to hold public meetings on the one condition that they applied to the District Administrator for permission to do so three days in advance. Permission was automatically granted except in cases involving a risk to public order and security. For instance, the Administrator refused permission when two meetings were scheduled for the same place at the same time, or when permission was requested to hold a meeting at a main cross-roads or in a market at the busiest hours. The main purpose of the regulations was to ensure that order was maintained and to enable the authorities to take the necessary precautions. In practice the regulations were applied very liberally, and apart from cases, such as those mentioned above, where law and order were involved, no request for permission was refused throughout the electoral campaign, even when, contrary to the provisions of the law, the request was only submitted twenty-four hours in advance. On the other hand, a few meetings convened without prior permission were banned by the authorities. The Commission heard of no incident or disorder during the political meetings.

295. The number of such meetings was nevertheless relatively small, and most of them were held during the weeks immediately preceding the elections. Actually, the electoral campaign took place mainly in the hills, the agents of the parties and the candidates seeming to prefer to appeal for support to small groups or even individuals, and meetings of between ten and twenty persons were held on the spot as they were not subject to prior permission from the Administrator. In a few communes in the Districts of Muhinga and Bururi the Commission received some complaints against the burgomasters, who were accused of having interfered

with the activities of the opposition parties. These complaints were transmitted to the District Administrators. The Commission none the less gained the impression that throughout the electoral campaign the activities of the parties were unimpeded apart from a few inevitable incidents during a pre-electoral political battle.

296. The Commission also noted that in most districts the electoral campaign conducted by the Front commun parties was much less intensive than that of UPRONA, whose active publicity over the whole of the country was based on modern methods and techniques. It might be worth mentioning that both before and after the election the Commission received several complaints from the Front commun parties that UPRONA had posed to the voters as the Mwami's party. The Mwami himself, however, in a communiqué distributed throughout the State and in a broadcast talk on the day before the elections, stressed the fact that he was above the parties and that no party or individual had the right to speak in his name.

297. Finally, the campaign, which had taken place in an atmosphere of calm, ended on 15 September, three days before the balloting, in accordance with the regulations.

(5) Physical organization of the polling stations

298. The building of the polling stations was begun several weeks before the date of the election under the supervision of the Administration staff, whose numbers had been increased by persons specially recruited in Belgium to supervise the stations. In principle, one polling station per commune was to be installed, but additional stations were established in some heavily populated communes and in others where the distances involved were likely to prove a serious drawback. Since voting was to take place on a single day, the Administration decided that the distance to be covered by the voters should not exceed a maximum of three hours by foot. The number of polling-booths in each station varied according to the number of registered voters. The fact that every booth had to contain a rather large number of ballot-boxes called for a relatively substantial amount of space. As it had been found during the trial elections that the number of polling-booths was inadequate, additional booths were constructed at the Commission's request.

299. Some polling stations were built of branches, the entrances to the booths being covered with sackcloth curtains; others were set up in the commune offices or in sheds. The location of each candidate's ballot-box in the booth was decided by drawing lots. The name of the candidate and a sketch of his symbol were placed on each ballot-box; the candidate was also entitled to add an actual specimen of his symbol and a photograph of himself.

(6) Voting procedure

300. The voting procedure, which was established in agreement with the Commission, called for the voting to take place within a single day and for the votes to be counted on the spot immediately in order to avoid any possibility of fraud in case the ballot-boxes had to be guarded at night. This arrangement was criticized by several Administration officials and some political parties on the ground that it would be impossible to complete the voting within the prescribed time.

⁴⁷ Annex IV.

⁴⁸ Annex VI.

⁴⁹ Annex VII.

301. In accordance with the procedure as thus established, the voting took place as follows: as each voter came into the station he deposited his registration card, which was retained until after he had voted, and received a ballot-paper signed by the Chairman and Vice-Chairman of the station. He was then directed to a vacant polling-booth by the assistants. After voting he left the booth, received his registration card, which had in the meantime been stamped, and, before leaving, dipped his thumb in indelible ink. This latter measure was a precaution against fraudulent double voting and was adopted on the Commission's recommendation.

302. All these operations were supervised by one or two inspectors of the Belgian Administration, and representatives of the lists were entitled to be present and to place their observations on record if they wished.

303. The distribution of ballot-papers among the different polling-stations was carried out by inspectors (Administration officials) in the presence of representatives of the lists.

(7) *The voting*

304. On voting day, the United Nations observers assigned to Burundi, assisted by their colleagues from Rwanda and other members of the Commission's staff, visited practically all the polling stations, often more than once. As mentioned in paragraph 40, the Chairman, the Commissioners and the Principal Secretary made their rounds of the greatest possible number of stations according to plan.

305. Voters everywhere cast their ballots in an atmosphere of calm and showed obvious interest in, and even enthusiasm for, the election. Considerable crowds gathered in front of most polling stations well before opening time. Although a good many voters had to wait their turn for hours, they were at all times good-humoured and disciplined. Apart from occasional scuffles at station entrances concerning who was to enter first, no incidents were reported and order was restored simply by admonishment in the few cases of disturbance. In almost all communes women showed particular interest in the voting. At many stations they outnumbered the men and they often waited patiently for hours on end with their babies on their backs. In many places they were given priority so that they could set off for home before nightfall.

306. Under the electoral ordinance, the polling stations were to be open to voters from 6 a.m. to 4 p.m., although they could be kept open for two hours more by decision of the Chairman of the polling committee. In addition, any voter present at the polling station at the closing time was entitled to vote.

307. The opening of stations was delayed in some communes. The delay, which in some places lasted until 8.30 a.m., was sometimes caused by the late arrival of polling officers but more often by such preparatory operations as the receipt of ballot-papers and the sealing of ballot-boxes. As a result of the delay, crowds and other factors of a technical nature, the voting was slow in a number of communes and had to continue into the night, in several places, and occasionally until the following morning. Another cause of slowness was the verification procedure followed at the station entrance, where the number of the voter's card was compared with the corresponding number on the roll. This procedure served the double purpose of preventing fraud and providing a method for the subsequent preparation of a list of voters. But since voting was not compulsory, the

polling committees at most of the stations agreed to abandon the procedure under the pressure of the first hours. The affixing of a stamp to the cards of those who had voted, and the requirement that voters dip their thumb in indelible ink—a measure adopted on the proposal of the Commission—seemed to afford an adequate safeguard against double voting.

308. As night fell, insufficient light caused further delay. A number of stations had only two or three lamps, and the inspectors found it necessary to reduce the number of polling-booths in use.

309. As the observers were able to judge when making their rounds, there were too many polling stations for the Commission and its officials to carry out continued supervision of all operations, but, according to the reports of the polling committees and representatives of the lists, all the voters who were present at polling stations at the time of closing had an opportunity to vote. It should be noted, however, that in one commune of the District of Kitega about a thousand voters arrived to vote after the stations were closed at 4 p.m. The polling staff refused to reopen, basing their position on the provisions of the electoral ordinance. One voter was turned away in the District of Muhinga for the same reason.

310. During their inspection of the various stations, the observers occasionally discovered irregularities, mostly minor ones. Some voters, for instance, had put their ballot-papers alongside or on top of the ballot-box or in the objects exhibited as symbols, e.g., a basket or book. In most cases these ballots were considered valid, but at some stations the polling committees, in agreement with the representatives of the lists, decided that papers deposited on top of ballot-boxes would be regarded as invalid.

311. At a very few stations, some observers noted that the ballot-boxes were not sealed. Elsewhere, two boxes had been broken. There were also cases where objects exhibited as symbols had fallen to the floor. All irregularities reported by an observer to an inspector were immediately corrected. Observers found that at some stations the indelible ink was not being used; the most widely given reason was that voters refused to dip their thumbs into it; but the ink was used successfully at almost all stations.

312. Following the elections, the Commission received complaints from parties of the Front commun. In its replies, the Commission indicated the procedure for lodging appeals as set forth in the electoral regulations.

313. During the elections the Commission observed no instance of the use of military forces which might be deemed a measure of intimidation apt to jeopardize the freedom of the ballot. In the rare case where small troop units were used to maintain order, they always acted with the greatest discretion and never resorted to force. The attitude of the electorate towards the police and the few soldiers employed in such circumstances seemed at all times totally free of fear.

(8) *Counting and totalling of votes*

314. As provided in articles 32 to 40 of Ordinance No. 02/270, as soon as the Chairman of the polling committee declares the ballot closed, counts the unused ballot-papers and draws up, with the other members of the committee, the record of the election, the entire polling committee proceeds immediately to count the votes, in the presence of the representatives of the lists

and under the supervision of the inspector. After the ballot-papers are sorted and counted, the Chairman enters the results of the vote in the record of the count and places the envelopes containing the ballot-papers in a ballot-box which he then seals and sends under escort to the central polling station of the constituency, where the votes are totalled.

315. This procedure was followed in all cases observed by the Commission, which received no complaints regarding the counting and totalling of votes.

Province	No. of seats	Registered voters	Ballots cast	Invalid papers	%	UPRONA	Candidates elected	Front commun	Candidates elected
Kitega	5	77,603	55,362	103	72	33,481	4	18,308	1
Bukirasazi	5	70,769	39,342	112	55	35,687	5	3,470	—
Karuzi	3	44,609	33,023	388	74	13,354	2	16,829	1
Ruyigi	3	44,377	32,292	722	65	22,444	2	9,126	1
Cankuzo	1	16,919	13,111	371	77	11,598	1	1,142	—
Ngozi	5	101,986	70,262	420	68	55,860	4	13,982	1
Kayanza	9	133,903	109,163	716	82	93,865	9	14,582	—
Muramvya	3	52,453	34,821	742	66	32,431	3	260	—
Mwaro	3	56,615	45,826	896	81	42,694	3	2,230	—
Usa-Bubanza	8	150,552	123,172	977	81	98,870	7	22,904	1
Cibitoke									
Mwisale									
Muhinga	4	57,598	40,221	549	69	34,236	4	4,994	—
Kirundo	5	77,129	58,861	263	76	46,267	4	12,331	1
Bururi	4	73,296	52,355	693	71	47,429	4	3,799	—
Makamba	3	46,476	40,572	292	87	30,868	3	8,889	—
Rutana	3	49,368	34,744	900	76	28,369	3	5,554	—
TOTAL	64	1,038,653	783,127	8,144	73	627,453	58	138,406	6

(10) Appeals against the results of the election

318. Under the terms of article 13 of Legislative Ordinance 02/269 of 17 August 1961 concerning the legislative elections in Burundi:

"An appeal shall be examined within fifteen days of receipt by a board consisting of a chairman and two assessors appointed by the president of the court of first instance from among the judges on the local bench. The board shall reach its decisions by majority vote. If the board allows an appeal on grounds of an error of fact, it shall rectify the erroneous result. In all cases it shall annul the election wholly or partly if the irregularities in question could have materially affected the result of the voting."

319. This provision is supplemented by article 12, which states that the appeal shall be sent by registered post to the chairman of the board within the six days following the announcement of the results and must indicate the identity and the place of residence of the appellant, and by article 14, which indicates that if the election is annulled, the chairman of the board shall so inform the Resident General who shall fix the date of the new elections, to be held not later than fifteen days after the decision.

320. The board of three magistrates met for the first time on 26 September 1961 and finished its work on 10 October 1961. On 24 October the Chairman, Mr. Jacques Guffens, Judge of the Court, transmitted the board's report, a copy of which is annexed hereto.⁶⁰

321. The report states that the appeals lodged against the legislative elections covered 113 communes out of a total of 182. It mentions further that among the appeals

(9) Results of the election

316. The election resulted in an incontestable victory for UPRONA. Indeed, that party's only serious rival was the Front commun, as the other parties won no seats and received only 9,024 of the 783,027 valid votes distributed as follows: ACCEB—3,470, UPP—2,452, UNARU—1,641 and Burundi-Populaire—1,461.

317. The following table gives the respective figures for UPRONA and the PDC in each of the provinces:

to the board it was possible to distinguish between (a) a general appeal for the complete annulment of the elections; this appeal was lodged by the chairmen of the PDC, the UPP and the PDR on behalf of the Front commun; and (b) thirty-three separate appeals, of which thirty-two came from leading members of the Front commun and one from local representatives of UPRONA.

322. The authors of the general appeal, invoking the fact that Muganwa Rwagasore had been authorized to carry on electoral propaganda although expressly forbidden to do so in the legislative ordinance of 25 March 1961 and the interim decree of 25 December 1959, considered that the electorate had been deceived by that propaganda which propagated the idea that the purpose of the election was to uphold the monarchic institution in Burundi and not to elect deputies to the Legislative Assembly; they further alleged a series of irregularities committed during the electoral operations and stated that the operations as a whole were vitiated by the non-observance of the legal provisions and the great number of deviations from those provisions.

323. The board, declaring itself incompetent to rule on matters connected with the electoral campaign and not directly related to the electoral operations or the results of the election, rejected the general appeal while observing that the irregularities mentioned generally by the appellants were the subject of separate appeals which the board had to consider, that the electoral operations of 18 September 1961 had been properly conducted in the overwhelming majority of cases and that most of the irregularities cited had not been proved or could not have influenced the outcome of the voting. In the conclusions of its report, however, the board, noting that practically all the appeals deplored the participation in the electoral campaign of a member of the Mwami's

⁶⁰ Annex XXII; see also the calendar of electoral operations, annex XXI.

family, stated that it had gained the impression that a good part of the electorate had considered itself fooled upon learning the results of the election.

324. With regard to the separate appeals, the board examined the voting and counting records. It did not discover any mistakes in the arithmetical totals. The accusations were only considered where they could have influenced the result of the election. The board then examined the charges of fraud either by hearing witnesses or by making an inquiry on the spot. The most obvious frauds were the removal of ballot-boxes in three communes, concealment of the ballot-boxes of the Front commun in the polling booth in one commune, the turning away of some 2,000 to 3,000 electors in one commune at about 4 p.m. on 18 September, and the presence of an assessor in the polling booth in one commune. The board annulled the elections of five communes in all—those of Butambura and Buhinyuza in the Muhinga district, and of Minago, Buyengero and Burambi in the Bururi district. These annulments affected three electoral districts, two in the Muhinga district and one in the Bururi district.

325. After the board had pronounced these annulments, new elections were held on 24 October 1961 in the Buhinyuza-Mwakiro electoral district (Muhinga district), on 25 October in the Mirago-Burambi-Buyengero electoral district (Bururi district), and on 26 October in the Butambuka-Bwambarangwe-Butarugura electoral district (Muhinga district). The candidates elected were in each case those elected in September.⁵¹

B. LEGISLATIVE ELECTIONS IN RWANDA

(1) *The role of the voters*

326. Article 1 of Legislative Order No. 02/250 of 1 August 1961 entitles a person to vote if he satisfies the same residence and age requirements as in Burundi (see para. 279), and if he is:

A national of Rwanda;

A national of Burundi or a Belgian citizen able to furnish proof of two years' residence in the State;

A Congolese able to furnish proof of ten years' residence in Ruanda-Urundi, including two years' residence in the State; or

An alien able to furnish proof of ten years' residence in the State.

327. It will be remembered that the Electoral Order for Burundi excluded all those who were not nationals of the State. This difference between the laws applicable in the two States, which had already appeared in the January Orders, seems to be the direct outcome of differences of opinion among most of the parties in Rwanda and Burundi.

328. As a result of the disturbances which had occurred on various occasions, a considerable number of Rwandese had since November 1959, as has already been explained, sought refuge in another commune of Rwanda, in Burundi or in neighbouring countries. The effect of article 1 of the Legislative Order No. 02/250 was to debar those of them who were outside Rwanda or had resided in a commune for less than one month from registering or voting in the elections or the referendum. Consequently article 2 of the Legislative Order contained a special provision whereby the time-limit of

one month's residence in a commune would be reduced to fifteen days where a person was returning from abroad or from another commune in Ruanda-Urundi to his commune of previous residence.

329. That provision was relaxed little by little. First of all an amendment was introduced on 25 August reducing the fifteen-day period of residence to three days before the elections in cases of *force majeure* (which the Administration interpreted broadly, to include, for example, difficulties of transportation or lodging, or the employer's refusal to give a fifteen-day leave). Later, because of the tension in the country during August and September, and to meet the demand of the opposition parties, who considered that in practice these refugees could hardly ever return to their own communes, the Belgian Administration inserted on 8 September a new provision permitting a refugee to register in any commune in which he was three days before the elections. This allowed refugees living in adjacent countries, such as the Congo, to register in a frontier commune, to which they could return to vote on election day.

330. Owing to the size of the operations and the delay due to the redrafting of the electoral laws, registration in several communes had already commenced on 27 July, several days before publication of the Legislative Ordinance. The beginning of the registration was marked by a certain laxity. Thus it was noted that burgomasters often did the registration single-handed, and that the electoral cards were not signed. Other cards bore the seal of the republican régime, which appeared entirely improper for the referendum on the question of the Mwami. After the Commission had drawn the attention of the Belgian Administration to these facts, registration was suspended pending the establishment of registration boards, and cards that were not signed, or bore the republican seal, were subsequently replaced.

331. The registration boards, composed of the burgomaster and the representatives of the political parties, were often hard to establish. The monarchist parties, especially UNAR, often delayed appointment of their representatives in these boards, and sometimes even did not make any appointment, doubtless on account of the tension in the commune. Thus in Astrida district, for instance, the monarchist parties refused, or were perhaps unable on account of incidents, to designate their representatives, while in the Gitarama district the RADER party was represented only in two communes, and UNAR did not submit its list of representatives until after the official closure of registration on 17 September. This did not, however, prevent some of these representatives from serving, to verify the lists and participate in the registration of refugee voters. Other representatives were named by their parties but did not report for service on the boards. That occurred in Ruhengeri district, where UNAR named sixteen representatives for the twenty-five communes but a number of them refused to serve, some alleging mistake in their cases since they were not members of the party. Some UNAR representatives complained of intimidation and even molestation.

332. In most communes, however, the registration boards included representatives of the opposing parties, and registration, which had been suspended, was resumed on 28 August, this time in compliance with the Ordinance. The first task of these boards was to verify the lists of voters already registered, and to replace those voters' cards by cards initialled, according to law,

⁵¹ See para. 405.

by the chairman of the board and another member of opposite political persuasion.

333. In most districts registration then proceeded normally, except in some where, as a result of the disturbed situation mentioned in paragraphs 256-271, they sometimes had to be temporarily suspended. Special provision was made for refugees living in the Congo. At Shanguu and Kisenyi registration offices were set up at the frontier and refugees could register there until the evening of 21 September. The United Nations Organization in the Congo (ONUC) facilitated the registration of these refugees by providing lorries to take them to the frontier. Some refugees also travelled by lorry from Usumbura to register in the communes closest to the frontier. The problems of registration for these refugees included their identification, and screening to determine whether they were not mere emigrants, ineligible for the special privileges granted to refugees. In general the registration boards demanded documents issued by the Rwanda authorities, especially poll-tax receipts antedating the events of 1959, or, failing these, oral identifications attested by witnesses. Many of those coming from the Congo, however, only had Congolese identity cards, or cards issued by political organizations and therefore not acceptable as satisfactory evidence for fear of falsification. The Administration therefore established at the frontier an identification committee, composed of representatives of the various parties, to decide the doubtful cases.

334. Registration was often complicated by the disorders of August and September. The rule of the law that any refugee could be registered in the commune where he was present was generally applied; but the September incidents in the Kibungu district raised a special problem because a large number of these refugees had already been registered, and their re-registration in other communes might give them two votes. The Administration, however, decided to proceed with that re-registration, and took special additional measures authorizing postponement of the last day for registration, which in some communes was pushed right up to the morning of the day before the elections.

335. The Commission had only a few protests against irregularities during registration. It did, however, receive several complaints that burgomasters of the Nyanza district had registered voters under age and improperly refused to register others, because they were too young or too old. Other persons complained that registration had been closed without registering them, although they had reported for registration two or three days before the closing date. These complaints

were brought to the attention of the District Administrator and decided after examination. Similar complaints made in the Astrida district were examined and settled in the same way. No appeal against the electoral roll was entered in either district.

336. In the Biumba district a number of complaints were made by UNAR against burgomasters for refusing to register a number of refugees and amnestied persons. After intervention by the District Administrator all these persons were registered except about twenty.

337. Except for these complaints in Biumba, the only appeal against the electoral roll came from a UNAR candidate who complained that Rwandese refugees at Goma (Congo) on the Rwanda frontier had not been able to register because they could not return to their country to establish residence in a commune. It should, however, be recalled that this appeal ignored that refugees could register at the registration office established on the frontier itself, where over a thousand refugees at Goma had already registered.

(2) Nominations and allocation of colours

338. Like the suffrage, eligibility was open to nationals of Burundi, Belgians, Congolese, and aliens who could show a certain number of years' residence in the State. With this sole exception the requirements for eligibility were the same in Ruanda as in Burundi (see paras. 287 and 288, *supra*). Refugees or exiles were permitted by the electoral law to stand if they had established residence anywhere in the State at the time the electoral lists were closed.

339. The names of the candidates were submitted on lists, sponsored or not sponsored by parties or associations. These lists could consist even of a single candidate, but could not submit more candidates than double the number of seats to be filled in the *circonscription* (in Ruanda the district), determined by the size of the population. Under the law of January 1961 the system of proportional representation, which had already been used in the communal elections, was also adopted for the legislative elections in Rwanda.

340. The closing date for the filing of candidatures was 17 September. Eleven parties nominated candidates in various *circonscriptions*, and two lists of independent candidates were also submitted. Several candidates withdrew later. No appeal was entered.

341. After examining the question together with the parties, the Resident of Rwanda, by decision dated 9 September, assigned the following electoral colours to each party:

Parties	Electoral circonscriptions	Colour
APROSOMA	Kigali, Astrida, Shanguu	Green
APROSOMA, AREDETWA bloc	Nyanza	Green
APROSOMA-RWANDA-UNION, RADER bloc	Gitarama, Astrida, Shanguu	Blue
APROSOMA-RWANDA-UNION, RADER, APADEC bloc	Nyanza	Blue
PARMEHUTU	All <i>circonscriptions</i>	Red
RADER	Kigali, Ruhengeri, Biumba, Kibugu	Blue
UNAR	All <i>circonscriptions</i>	White
Grey with one to three yellow squares was assigned to other parties and lists of independent candidates.		

(3) Information campaign

342. As in Burundi, the information campaign on the electoral procedures took the form of explanations given directly to the political parties, by administrative

meetings at communal level, or by radio talks, printed bulletins and press communiqués.

343. At the beginning—that is, before the official opening of the campaign—the principal source of in-

formation for the people was the burgomasters and the political parties, which for the most part were well organized and highly active. Whenever District Administrators received new instructions or information on the election or referendum, they called meetings of the burgomasters and other communal officials to inform them. The meetings were supplemented by visits of the administrators or their agents.

344. After the monarchist parties, as mentioned above (paras. 128-132), had made numerous complaints that burgomasters had disseminated political propaganda on the pretext of holding administrative meetings or giving out electoral information, burgomasters were forbidden to hold administrative meetings except to give the inhabitants of the commune information on the elections, and then only in the presence of the registration board, composed of representatives of the various parties. In the Astrida district the administrator had also established an information committee, composed of the representatives of the political parties, which visited the communes to enlighten the public on the elections and the referendum.

345. After the official opening of the information campaign, which in most of the districts lasted from 12 to 22 September, the district administrator and the other agents of the Administration, accompanied by representatives of the parties, made a number of visits to all the communes to explain to the people, often by loud-speaker, the procedure of the elections, and especially the provisions relating to the secrecy of the ballot. These meetings, which were announced in advance, always attracted large crowds.

346. The Administration also employed Radio-Rwanda, the official broadcasting station recently installed at Kigali, and the official news bulletin IMVAHO, to disseminate information in French and Kinyarwanda, the local language. Talks written by the Commission were also broadcast. The Resident of Rwanda broadcast a number of speeches, and the United Nations Commissioner at Kigali made two, one on 28 August 1961,⁵² the other on 21 September.⁵³ A joint communiqué of the Resident and the Commissioner was read over the radio on 23 September, and 100,000 copies of it were distributed by air. A number of printed bulletins and communiqués were issued by the Resident of Rwanda and various district administrators.

(4) *Electoral campaign*

347. The regulations on the organization of meetings by political parties were the same for Rwanda as for Urundi. The political parties were free to organize public meetings if they asked leave of the district administrator three days in advance. This leave was granted automatically except where public security and order might be endangered, especially if two opposing meetings might lead to clashes, or the place and hour chosen (for instance a highway or market at the busiest time) were likely to lead to disorder.

348. The Resident of Rwanda also considered that the exigencies of maintaining order prevented him from authorizing more than one meeting a day in any one district.

349. At the beginning of August, representatives of the opposition parties complained that the restrictions

resulting from the need to apply three days in advance for leave to hold meetings were actually directed against them, since the PARMEHUTU, well before the opening of the electoral campaign, had begun to hold political meetings everywhere and at all times under cover of the administrative meetings organized by its burgomasters.

350. When the Commission brought these complaints to the notice of the Administration, the Resident of Rwanda decided by circular dated 17 August⁵⁴ to forbid unauthorized meetings of any kind, except information meetings held in communes in the presence of members of the electoral registration board.

351. Toward the middle of August the Commission noted that the administrators appeared to have interpreted the decision to authorize one meeting per district in an extremely restrictive manner. If on any given day any party held a meeting, no other party could hold one on the same day in the same district. That idea threatened to put a very dangerous restriction on the right of assembly. The Commission, which had always interpreted this measure as permitting each party to hold at least one meeting a day in a given district, urged the Administration thereafter to follow that interpretation. The Resident of Rwanda agreed to this on 16 August, and spelled it out in detail some days later in appropriate instructions to the district administrators.

352. On 4 September the representatives of UNAR complained to the United Nations Commissioner at Kigali that the regulations continued to prejudice the opposition parties, for three principal reasons: (1) the burgomasters had not stopped holding political meetings under the guise of administrative meetings; (2) each time they requested leave in advance, the burgomasters at once noted their application and arranged to sabotage the meeting, either by a campaign of intimidation beforehand or by violent measures against the participants immediately afterwards; (3) each time more than five or six adherents of UNAR assembled, they were dispersed by the local authorities, who accused them of holding unauthorized meetings. For these reasons they requested permission to hold at least small "spontaneous" meetings, which they said they were ready to limit, for reasons of public order, to one hundred persons, and at which they themselves would be responsible for maintaining order.

353. The Commission immediately submitted this proposal to the Resident of Rwanda, and requested him to give it his full attention. Several days later he rescinded the measures that had been taken against the holding of small unauthorized meetings, and embodied that decision in an appropriate administrative circular.

354. On 23 July UNAR held its first large meeting at Kigali. The attendance was variously estimated at 6,000 to 20,000. From that day onward all the parties held meetings, often with very large audiences, where the speakers could express themselves with entire freedom. Gitarama was the only district where a party—UNAR—complained of inability to hold meetings. In the Kigali district, moreover, it appeared that PARMEHUTU had never organized a meeting by leave in advance. Throughout the State the principal parties of the two opposing trends held a large number of meetings, nearly all without disturbance. In the Biumba District, for instance, PARMEHUTU and UNAR each held fifteen meetings; in the Kibungu district the

⁵² Annex V.

⁵³ Annex IX.

⁵⁴ See para. 131 above.

two parties held daily meetings until disorders started. In the Nyanza district PARMEHUTU held six meetings, UNAR fifteen, and the APROSOMA-RWANDA-UNION and RADER bloc eight. Some duly authorized meetings were cancelled by their promoters, who alleged intimidation; this happened with four UNAR meetings in the Nyanza district and one in the Ruhengeri district. In the Shangugu district, where PARMEHUTU and APROSOMA had held a joint meeting, MUR two and UNAR one, a second meeting organized by UNAR was forbidden by the burgomaster in spite of the Administrator's leave; the case was investigated and the burgomaster fined. The Commission also received several complaints that at the beginning of the campaign burgomasters and communal councillors had used intimidation to prevent persons under their administration from attending meetings of monarchist parties. There had been road blocks, and one complaint even said that a group from the Gitarama area travelling in a lorry to attend a meeting organized by UNAR at Kigali on 23 July were stopped by the communal authorities for alleged traffic offences and detained for several hours.

355. In addition to its public meetings PARMEHUTU, followed to a considerably smaller extent by other parties, made an extensive propaganda effort based on the use of external signs such as insignia and clothing in their party colours. The monarchist party, on the other hand, used a certain form of greeting.

356. Apart from these mass demonstrations, it seemed apparent that a large part of the electoral campaign was being conducted by means of contacts with individuals or small groups. The active members of each party went about the hills distributing pamphlets of various kinds. According to Administration officials, it was these semi-secret activities which more often than not were at the root of the violent incidents.

357. As far as the political pamphlets were concerned, the only cases of interference by the Belgian Administration of which the Commission learned involved the confiscation of a pamphlet published by PARMEHUTU and of the communiqué which the supporters of the Mwani had begun to distribute two days before the elections.⁵⁵ In both cases the Administration explained its action by stating that the distribution of those pamphlets would have jeopardized public order.

(5) *Physical organization of the polling stations*

358. As in Burundi, the construction of the polling stations began several weeks before the date of the election, under the supervision of Administration officials, who had been supplemented by officials specially recruited in Belgium to supervise the stations. All the polling stations were built in accordance with a single plan which had been approved by the Commission. There was usually one polling station per commune, which was nearly always set up near the communal centre. Most of the polling stations were built of branches and included several polling-booths, both for the referendum and for the elections. The entrances to the polling-booths were covered by jute curtains. The fact that the sole purpose of the polling-booths was to ensure secrecy while the voters selected the ballot-paper of their choice and placed it in an envelope made it possible to construct a larger number of polling-

booths than in Burundi, where the ballot-boxes were in the voting booth itself. In each polling-booth, an opening had been dug in the floor and partly closed up, so that voters could throw their unused ballot-papers into it and they could not be recovered afterwards. The ballot-boxes were situated outside the polling-booths under the surveillance of members of the polling committee and representatives of the lists. The polling stations were often double, so that two people could vote at a time without entailing any appreciable increase of staff.

359. In order to enable the vote on the two referendum questions to take place at the same time as the vote for the Assembly, each polling station was divided into three sections, each of which was provided with a ballot-box and a series of polling-booths. The three sections were so arranged that the voter, after completing one operation, moved on to the next, always remaining under the surveillance of the polling committee and the representatives of the lists.

360. During their inspection tours before the voting, and even on the voting day, the observers found irregularities here and there, as for example, the lack of curtains at the entrances to some polling-booths, cases in which the openings provided for unused ballots were not closed up, and sometimes holes in the outside walls which made it impossible to ensure the secrecy of the vote. These various irregularities were brought to the attention of Administration officials and in most cases the necessary action was taken.

(6) *Voting procedure*

361. The voting procedure established in agreement with the Commission provided that the voter would vote first on the two referendum questions and then for the Assembly. Each voter entered the polling station in turn and surrendered his registration card, which was to be kept until after the vote. The Chairman explained the voting procedure and then gave the voter an envelope initialled by himself and by another member of the polling committee belonging to a different party. The voter also received two ballot-papers, one black and the other khaki, in order to reply in the negative or in the affirmative to the question of retaining the monarchy. The voter then entered the first section, where the officers directed him to a polling-booth. He placed the ballot-paper of his choice in the envelope, which he then closed, and he threw the unused ballot into the opening in the floor. He then left the polling-booth and placed his envelope in the ballot-box under the surveillance of an observer and representatives of the lists. Having voted in this way on the first question, he followed the same procedure for the second question and for the election, this time receiving a ballot-paper for each list of candidates. Having completed the three voting operations, the voter then went to the exit desk, where he received his registration card, which had been stamped, and dipped his thumb in indelible ink.

362. As has already been explained (para. 227), the voting regulations provided for the possibility of a search of the voters by the supervisors on their exit from the polling station, in order to ensure that the voters did not take away unused ballot-papers or parts of such ballot-papers which would allow of the violation of the secrecy of the vote.

363. As in Burundi, all these operations were supervised by one or two Administration officials. In addi-

⁵⁵ See para. 168 and annex XVIIII.

tion, the representatives of the lists had every opportunity to include any comments they wished to make in the records.

364. The envelopes and ballot-papers for the polling stations were distributed in each district on the day before the election. The Administrator, after himself recording the quantities received, transferred them to the supervisors (Administration officials), who became responsible for them. In nearly every case this operation took place in the presence of the United Nations observer.

(7) *The voting*

365. As the voting had already taken place in Burundi, the observers who had been assigned there, as also other members of the Commission staff, were able to assist the observers in Rwanda. The Commission was thus able to assign an average of two or three persons to each district, making it possible for nearly all the polling stations to be visited several times on the polling day. As in Burundi, the Commissioners and the Principal Secretary visited a large number of polling stations in accordance with circuits established in advance.

366. The plans made to enable the refugees to take part in the voting were put into operation. In the case of those living in the missions or reception centres, an escort of police or of a few soldiers was often provided to accompany them and protect them in the polling station. In the case of refugees coming from the Congo, arrangements were made in co-operation with the Congolese authorities and ONUC to ensure order at the frontier and to enable all voters to cross without difficulty.

367. In point of fact, the voting generally took place in calm and, apart from purely local incidents, the Commission received no complaint sufficiently well-founded to cause it to believe that freedom of voting had been interfered with. Throughout the State, the voters cast their ballots with discipline, good will and enthusiasm. The presence of three to six policemen in the vicinity of the polling stations always sufficed to maintain order. Moreover, the fact that there were more polling-booths than in Burundi made it possible, with the exception of some communes where the voting had to be continued until the next day, for operations in most of the polling stations to be completed well before nightfall.

368. The Commission wishes to mention, however, that on several occasions it noticed the absence of polling officers or representatives of the lists who were members of UNAR. Various explanations were furnished in different cases: that the person designated was temporarily absent or that he had left as a refugee; in other cases, the party complained to the Commission that its polling officers had been arrested or even driven away. This was the case in particular in the Astrida district and in four communes in the Biumba and Nyanza districts, where it was reported that a polling officer's house had been burned. Another polling officer was said to have been killed the day after the elections.

369. In the Gashora commune, the United Nations Commissioner at Kigali himself noted that a considerable number of voters, estimated by UNAR at more than a thousand, were unable to vote because the polling station was closed at 6 p.m. This incident was immediately reported to the Administration, which promised to make an investigation.

370. In two Nyanza communes, complaints were made against a burgomaster and his communal councillors and against some polling officers who were accused of having attempted to influence voters. The immediate investigation of the latter complaint led to the imprisonment of the guilty polling officers. In a commune of Biumba district, the UNAR representative complained that eight persons had received ballot-papers for one side only. Lastly, as has already been said, in several communes the observers noted that there were holes in the walls of the polling-booths which made it possible to observe the voters. These various irregularities were corrected as soon as they were pointed out to the supervisors. Moreover, it should be mentioned that these irregularities, like all the complaints referred to above, were only exceptions to the general orderliness of the operations.

(8) *Results of the elections*

371. It should be noted that a very high proportion of the population took part in the voting in Rwanda. Of a total of 1,337,096 registered voters, the percentage of those voting amounted to 95.2. The results of the election gave PARMEHUTU an absolute majority of 77.7 per cent of the votes, the other large parties having obtained the following percentages: UNAR 16.8 per cent, APROSOMA 3.5 per cent and RADER 0.3 per cent.

372. The following table gives the figures on the contest in each district:

<i>District</i>	<i>Registered voters</i>	<i>Valid ballots</i>	<i>Blank or invalid ballots</i>	<i>List</i>	<i>Votes</i>
Shangugu	96,468	89,899	1,925	APROSOMA	2,086
				MUR	333
				PARMEHUTU	75,213
				Cartel RADER, RWANDA-UNION ..	357
				UNAR	11,910
Kibuye	85,633	79,367	2,683	PARMEHUTU	63,359
				UNAR	15,039
				Mouvement indépendant ..	969
Kiscnyi	115,678	111,427	405	PARMEHUTU	107,022
				UNAR	4,405
Ruhengeri	144,395	140,524	535	PARMEHUTU	138,857
				RADER	192
				UNAR	1,475

Biumba	118,399	111,774	3,127	PARMEHUTU	93,807
				RADER	295
				Cartel UAARU, APROFER	348
				UNAR	17,324
Kibungu	113,143	99,306	1,617	PARMEHUTU	83,729
				RADER	846
				UNAR	14,731
	<u>TOTAL 1,337,096</u>	<u>1,255,896</u>	<u>22,248</u>		

373. Under the system of proportional representation employed in Rwanda, the Legislative Assembly's forty-four seats were apportioned as follows: APRO-SOMA 2, PARMEHUTU 35 and UNAR 7.

(9) *Appeals against results of the election*

374. No appeal was filed.

C. REFERENDUM ON THE QUESTION OF THE MWAMI OF RWANDA

375. General Assembly resolution 1580 (XV), adopted on 20 December 1960, provides, *inter alia*, that the General Assembly

"3. *Decides* that a referendum should be held under the supervision of the United Nations Commission for Ruanda-Urundi established under General Assembly resolution 1579 (XV) of 20 December 1960, in order to ascertain the wishes of the people concerning the institution of the Mwami, and, if necessary, the present Mwami of Ruanda".

376. In resolution 1605 (XV) of 21 April 1961, the General Assembly

"7. *Decides further* that the questions to be put at the referendum on the question of the Mwami in Ruanda should be the following:

"1. Do you wish to retain the institution of the Mwami in Ruanda?

"2. If so, do you wish Kigeli V to continue as the Mwami of Ruanda?"

377. As has already been explained in this report, the vote on the referendum took place at the same time as the electoral vote, and all the provisions laid down for the latter (such as those on the electorate, registration, organization of polling stations appeals and penalties) were declared applicable to the referendum. The Commission's observations on the electoral operations are likewise applicable to the referendum.

378. It has been explained that in each polling station in Rwanda the voter had to pass through three sections, each provided with polling-booths and a ballot-box. The voting therefore took place in three stages, the first two being concerned with the two referendum questions.

379. When the Administration, considering that it was unable to comply with the desire expressed by the Commission for the referendum to be held before the election, decided to hold the two consultations on the same day, the Commission emphasized that the entirely separate character of the two votes must be maintained. From that point of view, it considered, *inter alia*, that it was necessary to choose the colours to be used for the referendum ballot-papers in such a manner as to avoid any possibility of confusion with those used for

the legislative elections. As a result of that position, the Resident was able to persuade PARMEHUTU to accept black for the "No" reply to the two questions, although that party for a long time insisted on red. A dispute arose later concerning the choice of colours for the monarchist parties. UNAR insisted on keeping the "white" for its electoral lists. The other monarchist parties demanded the same colour for the affirmative vote in the referendum, arguing that white had always been the colour of the Mwami. The final decision taken by the Administration was to leave "white" for the UNAR electoral list and to choose khaki for the affirmative vote in the referendum.

380. With regard to the referendum questions, the opposition parties, on 13 September, produced before the United Nations Commissioner at Kigali an official handbook, published on 27 August, explaining the elections in Kinyarwanda. In it the referendum questions had been changed and constant allusions were made to the choice which the population must make between the Mwami and the President of the Republic.

381. After studying the document, the Commission came to the conclusion that the pamphlet in question had not accurately reproduced the questions formulated by the General Assembly. In the course of an explanation of the referendum, for example, it was said that the question was one of choosing between the monarchy and the republic and of determining whether the Rwandese people wished to vote in favour of the President of the Republic or to place Mwami Kigeli V at its head once more.

382. The United Nations Commissioner immediately took the matter up with the Resident of Rwanda, pointing out to him that the General Assembly's "decision" in this respect had been categorical, that in the questions contemplated there had been no reference to the Republic or to choosing between a President and the Mwami, and that it would therefore be an extremely serious matter if the questions formulated by the General Assembly were changed in any manner whatever in the official documents and, *a fortiori*, on the referendum ballot-boxes in the polling stations. The Resident of Rwanda at once realized the importance of the problem, expressing surprise at the "error" which had been made. He immediately ordered the destruction of all the pamphlets in question.

383. It was found later that even in the notices which were to have been put up in the polling stations the text of the questions had been changed in the same way.

384. After deciding to destroy all the existing notices, the Resident then requested his representative to prepare the new text in complete agreement with the Commission. That consultation also made it possible to make other changes of presentation, in particular with

regard to the order of priority of the party colours, so as to avoid any preferential treatment of any of the parties. The Administration met the Commission's wishes on all these proposals. Many old pamphlets and

old notices were destroyed and burned, in most cases in the presence of United Nations observers.

385. The results of the referendum are shown in the following tables:

QUESTION 1. DO YOU WISH TO RETAIN THE INSTITUTION OF THE MWAMI IN RWANDA?

District	Number of registered voters	Valid votes	Blank or invalid ballots	Affirmative votes	Negative votes
Kigali	170,946	161,600	1,994	51,667	109,933
Gitarama	108,096	104,349	706	13,416	90,933
Nyanza	148,665	141,367	2,299	67,763	73,604
Astrida	235,673	218,615	3,492	51,333	167,282
Shangugu	96,468	90,610	1,319	13,302	77,308
Kibuye	85,879	80,327	1,027	16,982	53,345
Kisenyi	115,678	110,540	476	4,438	106,102
Ruhengeri	144,395	140,514	496	1,439	139,075
Biumba	118,399	113,000	1,392	18,344	94,656
Kibungu	113,143	99,380	1,128	15,279	84,101
TOTAL	1,337,342	1,260,302	14,329	253,963	1,006,339

QUESTION 2. IF SO, DO YOU WISH KIGELI V TO CONTINUE AS THE MWAMI OF RWANDA?

District	Number of registered voters	Valid votes	Blank or invalid voting papers	For	Against
Kigali	170,946	162,576	1,408	51,869	110,707
Gitarama	108,096	103,910	748	13,579	90,331
Nyanza	148,665	141,639	1,522	68,085	73,554
Astrida	235,673	219,208	2,138	52,818	166,390
Shangugu	96,468	91,183	1,050	13,763	77,420
Kibuye	85,879	79,962	1,193	17,013	62,949
Kisenyi	115,678	110,677	303	4,500	106,177
Ruhengeri	144,395	140,528	459	1,526	139,002
Biumba	118,399	112,338	1,763	18,590	93,748
Kibungu	113,143	100,144	742	15,767	84,377
TOTAL	1,337,342	1,262,165	11,526	257,510	1,004,655

386. The above figures show that 95 per cent of the voters on the electoral rolls actually voted, that the replies to both questions were in the negative and that, in both cases, the negative vote totalled 80 per cent of the valid votes.

V. Progress of events after the elections

387. In operative paragraph 9 (c) of resolution 1579 (XV), adopted on 20 December 1960, the General Assembly requested the Commission:

"To follow the progress of events in the Territory before and after the elections, to lend its advice and assistance, as appropriate, with a view to advancing peace and harmony in Ruanda-Urundi . . ."

388. In order to follow the progress of events in Ruanda-Urundi after the elections, the Commission decided to leave three observers in the Territory from 28 September 1961, the date of its departure, until the submission of the present report. Mr. Antonin J. Obrdlik, assisted by Miss Marianne Teyssier, secretary, therefore remained at Usumbura, to cover developments in Burundi, and Mr. Eric Brant and Mr. Eugene Adoboli, assisted by Miss Simone Gervais, stayed at Kigali, to cover developments in Rwanda.

389. It should also be recalled that, in compliance with resolution 1627 (XVI) on the assassination of the Prime Minister of Burundi, adopted by the General

Assembly on 23 October 1961, the Commission returned to the Territory on 29 October and stayed there until 4 November 1961.

390. Thus, the Commission was able to follow the progress of events in the Territory after the elections both through the reports it received from its observers on the spot and through the contacts it had established on its previous visit.

A. POLITICAL PROGRESS

391. Following the popular consultations held on 18 September in Burundi and on 25 September in Rwanda, progress has been made in both States towards the establishment of the basic political institutions.

(1) Burundi

392. In Burundi, the Legislative Assembly elected on 18 September 1961 held its inaugural meeting on 28 September, at Kitega. After the Mwami and the Resident of Burundi had made the customary speeches, they both left the meeting room, leaving Mr. Kamenge, the senior member of the Assembly, in the Chair. The latter then designated Muganwa Louis Rwagasore to form a government.

393. The Assembly proceeded to elect a President, Mr. Thaddée Siryuyumunsi, and a Vice-President, Mr. André Baredetse.

394. Prince Louis Rwagasore then submitted the names of the members of his Cabinet to the Assembly:

Prime Minister and Minister for Joint Affairs:

Prince Louis Rwagasore;

Deputy Prime Minister and Minister of Finance:

Pierre Ngendandumwe;

Minister of the Interior and of Information:

André Muhirwa;

Minister of National Education:

Pierre Ngunsu;

Minister of Economy and Commerce:

Félix Katikati;

Minister of Agriculture and Stock-raising:

Albin Nyamoya;

Minister of Public Health:

André Baredetse;

Minister of Justice:

Claver Nuwinkware;

Minister of Social Affairs:

Jean Ntiruhwama;

Minister of Public Works:

Ignace Ndimanya.

This Government immediately received a vote of confidence.

395. Lastly, as Mr. André Baredetse was now a member of the Cabinet, Mr. Bamina was elected to replace him as Vice-President of the Assembly.

396. Next day, on 29 September, the Ministers, led by Prince Louis Rwagasore, took the oath before the Mwami faithfully to carry out their duties and to respect the laws of the Territory and of the State of Burundi.

397. A very serious development then occurred: on the evening of 13 October, Prince Louis Rwagasore, the Prime Minister, was killed by a rifle shot while dining in a restaurant with several of his Ministers and principal private secretaries. Because no one knew what motives had prompted the murderer, who had succeeded in escaping, the State was plunged into an atmosphere of uncertainty, each section of the population suspecting the others or fearing popular reprisals against itself.

398. On 14 October, the Mwami and the Resident-General broadcast an appeal for calm to the population. The Mwami emphasized that no one can be a judge in his own cause and urged that the task of finding the criminal should be left to the judicial authorities. The Resident-General expressed the horror which the crime had aroused in Belgium and assured the people of Burundi that no stone would be left unturned in the effort to trace those responsible.

399. On 18 October Muganwa Louis Rwagasore was buried at Usumbura in the presence of his father, the Mwami, the Resident-General, all the leading personalities in the civilian and religious life of the State, and a large crowd of spectators.

400. On 19 October, Mr. Thaddée Siruyumunsi, the President of the Legislative Assembly issued a communiqué stating that, following the death of the Prime Minister, the Legislative Assembly had held a meeting on 15 October 1961 to decide who was to replace him. The communiqué announced that Mr. André Muhirwa had been elected by fifty votes to two in the voting which had then taken place. It announced further that the new Prime Minister would also act as Minister for

Joint Affairs (that is to say, Burundi's relations with Rwanda) and Minister of the Interior.

401. On 22 October, the Legislative Assembly of Burundi was formally installed at Usumbura in the presence of the Resident-General, the Mwami and other authorities. After the President of the Legislative Assembly had underlined the significance of the meeting and called for a minute of silence in memory of Muganwa Louis Rwagasore, the deputies and ministers took the oath of allegiance to the Mwami and Burundi.

402. The new Prime Minister and Minister of the Interior, in a broadcast message, thanked the people and specifically all the authorities for the sympathy they had displayed on the occasion of Burundi's loss and for the way in which they had helped the judicial authorities to take prompt and effective action. The text of this message was published as a United Nations document (A/C.4/501).

403. As we have already mentioned, it was at this time that the General Assembly adopted resolution 1627 (XVI), of 23 October 1961, in which it requested the Commission for Ruanda-Urundi to visit the scene immediately in order to carry out without delay an investigation of the circumstances of the tragic death of Prince Louis Rwagasore, the Prime Minister. The Commission undertook this investigation in response to the Assembly's request; it left Geneva, where it had started to draft the present report, and travelled via Brussels to Burundi, where it remained from 29 October to 4 November. On 11 November, after completing the investigation requested, it dispatched a communication to the President of the General Assembly.⁶⁶

404. Since then, the judicial investigation has been in progress. The general atmosphere in the State is calm.

405. Lastly, as stated in paragraph 325 above, on 24, 25 and 26 October, the new elections authorized by the appeal board were held in the five communes of Buhinyuza (District of Muhinga), Burambi, Buyengero and Minago (District of Bururi) and Butambuka (District of Muhinga). The results of the new elections fully confirmed those obtained in the same communes on 18 September 1961.

(2) Rwanda

406. In Rwanda, the Legislative Assembly elected on 25 September 1961 was installed on 2 October. The Resident of Rwanda opened the meeting and then called upon Mr. Grégoire Kayibanda, the leader of the PARMEHUTU party, which had been victorious in the elections. After the customary speeches, the Resident invited the Assembly to elect its President (*Précepteur*). PARMEHUTU (thirty-five seats) proposed Mr. Amandin Rugira. As this candidate was supported by APROSOMA (two seats), and as UNAR (seven seats) stated that it would not submit a candidate, Mr. Rugira was elected unanimously by the forty-two members who took part in the voting. The Assembly then proceeded to elect a Vice-President, and APROSOMA nominated Mr. Aloys Munyanju. This candidate, who had the support of both PARMEHUTU and UNAR, was elected by acclamation.

407. On 4 October, the main question discussed by the Legislative Assembly was that of the constitutional

⁶⁶ A/4970.

régime of the new Republic. It may be of some interest to give a brief account of what occurred at this meeting.

408. Mr. Makuza (PARMEHUTU), Rapporteur, explained that the Assembly was called upon to choose between a presidential régime in which the powers of the Chief of State and Head of Government were exercised by the same person, and a parliamentary régime. He was in favour of the former. Mr. Rwagasana (UNAR) proposed that, before any further action was taken, a parliamentary committee should be appointed to draw up a code of procedure for the Assembly's guidance; any other method might lead to the minority being overwhelmed by something in the nature of a *coup d'état*. Mr. Munyangaju (APROSOMA), Vice-President, felt that a code of procedure was unnecessary, as the Assembly had its rules of procedure. There could be no possibility of a *coup d'état*, as the Assembly was entitled to set itself up as a constituent assembly. He suggested, however, that the opinion of a jurist should be sought on the question of whether, under the existing laws, the measures of self-government granted to Rwanda was such as to allow it to opt for a régime of its choice. Mr. Makuza, Rapporteur, replied that, in the present instance, that was a domestic issue, and it therefore lay within the Assembly's competence. He endorsed the view that there could be no question of a *coup d'état*, as the elections had conferred legality on PARMEHUTU and the republican institutions. Mr. Rwangomba (UNAR) said that, in order to avoid miscalculations, time should be taken to study the characteristics of the two régimes proposed in more detail. Furthermore, he felt that it was essential to study the draft constitution, with which the UNAR members of the Assembly were not familiar, before choosing a régime. Mr. Bicamumpaka (PARMEHUTU) felt, on the contrary, that it was necessary first to decide on the régime to which the constitution would apply. The President decided to put to the vote the question of whether the Assembly was in favour of a republican régime of the presidential type.

409. The result of the voting was as follows: 37 in favour, none against and no abstentions, the UNAR representatives not having taken part in the voting.

410. At the same meeting and by a similar vote, the Legislative Assembly adopted a resolution on the establishment of a republican régime in Rwanda, proclaiming, *inter alia*, that: (1) the régime of the Mwami and its institutions should be abolished; (2) the Mwami Kigeli V and his dynasty should be divested of all their customary prerogatives; (3) Rwanda should be a democratic and social republic to be known as "the Rwandese Republic"; (4) the Rwandese Republic should be governed by a presidential type of government, the conditions of which would be defined by a fundamental law entitled "Constitution of the Rwandese Republic". This resolution also states that the Legislative Assembly shall elect by secret ballot and by a two-thirds majority of the members present a President of the Republic who shall act as both Chief of State and Head of Government and shall be responsible for forming a government which must be invested by the Legislative Assembly. The President shall exercise the executive power in agreement with his government, the powers of which shall be defined in the future constitution. Lastly, this resolution, dated 3 October 1961, provides that the Legislative Assembly shall become a constituent assembly as from 4 October 1961.

411. On 26 October, the Legislative Assembly elected the President of the Republic of Rwanda at Kigali, in the presence of the Resident-General. The votes were counted by the President of the Assembly in the presence of four witnesses, and the result was as follows: 36 votes for Mr. Grégoire Kayibanda (PARMEHUTU), 1 for Mr. Gasingwa (APROSOMA), and 7 abstentions.

412. President Kayibanda made a speech outlining his programme in which he pointed out that, if the State was to be prepared for independence, four problems would have to be considered: the currency, relations with Burundi, the re-establishment of peace, including the problems of the refugees and of relations with Belgium. He added that the date for independence would be considered by the Legislative Assembly on the proposal of the Government. He went on to stress the need for raising the level of living of the population by solving the problem of land reform and developing the economy, national education and the training of cadres. In conclusion, he requested the Administering Authority to assist Rwanda in establishing relations with the regional and international organizations and with other nations.

413. The President then announced the composition of his Cabinet, under his direct authority, which is as follows:

Finance and Economic Affairs and Plan:

Mr. Gaspard Cyimana;

Agriculture and Land Settlement:

Mr. Balthazar Bicamumpaka;

Public Works:

Mr. Theodore Sindikubwabo;

Interior and Civil Service:

Mr. Lazare Mpakaniye;

National Education:

Mr. Jean-Baptiste Bwasibo;

Social Affairs:

Mr. Thaddée Bagaragaza;

Information and Postal and Telecommunications Service:

Mr. Callixte Habimenshi;

Justice:

Mr. Anastase Makuza;

Public Health:

Mr. Germain Gasingwa;

Foreign Relations:

Mr. Otto Rusinginzandekwe;

National Guard:

Mr. Calliope Mulindahabi.

414. The Assembly passed a vote of confidence in the Government by 37 votes, with 7 abstentions.

415. To mark the occasion of the election of the President of the Republic and the installation of the Government, the President of the Republic and the President of the Legislative Assembly sent a number of telegrams, including one addressed to Mr. Max H. Dorsinville, Chairman of the United Nations Commission for Ruanda-Urundi, as follows:

"On the occasion of appointment President Rwanda Republic and installation independent Government Stop President, Government, Legislative Assembly elected twenty-five September and Supreme Court present their respects to you Stop Thank you sincerely for constructive attitude shown by you and

Commission of which you Chairman during stay Rwanda Stop Request you kindly make known in Assembly true situation Rwanda Stop Highest consideration. Signed: Kayibanda, President, Rwanda Republic; Rugira, President, Legislative Assembly."

B. QUESTION OF RWANDA REFUGEES

416. This delicate question, which is dealt with in paragraphs 171-184 above, is unfortunately, still a matter of moment after the general elections. UNAR, which claims most of the Rwanda refugees as adherents, has signified its interest in their situation, both to the new Government and to the Administration. This party's position, as stated in a note dated 2 November 1961, from its President to the Resident of Rwanda, is that it supports the Administration's move to assemble refugees in missions and reception centres close to their communes of origin as likely to facilitate their gradual resettlement through the contacts they will undoubtedly resume. On the other hand, it is opposed to any over-simple and hasty solution and, in particular, to mass reintegration of refugees until the Parliament and Government, in agreement with the Administering Authority, have taken the requisite measures of every kind entailed by such a delicate operation. The UNAR spokesman stressed that any mass reintegration would merely result in delivering these defenceless refugees into the hands of those who had driven them out.

417. The Administering Authority, for its part, whilst desirous of seeing the new Government and Legislative Assembly, which placed the question on its agenda on 25 October but apparently has not yet considered it, take urgent steps in the matter, has made no secret of its urgent wish to settle this situation which is heart-rending, politically dangerous and costly.

418. According to information received, the number of Rwanda refugees in the Territory at the beginning of November amounted to approximately 40,000 in Rwanda and 32,500 in Burundi, as follows:

<i>Rwanda</i>	
Astrida	8,186
Biumba	4,400
Gitarama	600
Kibungu	2,500
Kibuye	2,500
Kigali	13,000
Kisenyi	1,000
Nyanza	7,100
Ruhengeri	None
Shangugu	300
<i>Burundi</i>	
Bubanza	3,000
Muhinga	3,000
Ngozi	20,000
Usumbura	6,500

419. Although more recent complete official figures are lacking for the comparison with those given above, it may be assumed that the number of refugees has declined considerably over the past month. For instance, about half the refugees in Kigali are reported to be resettled already in their places of origin.

420. The beginning of November when resettlement began to reach certain proportions was marked by several incidents the most serious of which occurred in Kigali and led to three deaths (one African soldier and two refugees). The action taken by the Administration, however, even before the return of the President of the

Republic and various Ministers from their tour of visits which they insisted on taking in order to persuade the population to give a friendly welcome to returning refugees, undoubtedly bore fruit. For instance, some 8,000 out of 11,000 refugees in the Kibungu district returned home during the month of October, as a result of the personal intervention of the Administrator and the burgomasters. This proved possible because the Administrator, in an attempt to clarify the position, was able to obtain from the burgomasters the names of families that might return to their villages without fear of ill-treatment. In addition, the building of new dwellings to replace the huts that were destroyed had gone on apace.

421. It would seem that, in practice, there are difficulties in the way of resettling three categories of refugees: (1) former chiefs, sub-chiefs and discredited political leaders; (2) refugees owning property that was looted by neighbours following their departure; and (3) refugees involved in disorders where one of their family was killed or is alleged to have killed someone else.

422. In addition to its action on the spot, the Administration is attempting to settle the situation by two other methods. Firstly by financial means: Belgium has estimated its expenditure up to the beginning of the month under this heading alone at 45,367,000 francs, or approximately \$907,340, and is now considering a total expenditure for the year 1961 of 73,850,000 francs, or approximately \$1,477,000; secondly, through external relations with adjacent countries to which Rwanda refugees fled. Thus, a meeting of Uganda and Rwanda representatives, attended by the Resident-General and the British Consul, was held at Kigali on 26 October 1961, to study the question of the Rwanda refugees now in Uganda.

423. It should be noted that the Governments of Uganda and Tanganyika have approached the United Nations High Commissioner for Refugees, through the representative of the Technical Assistance Board, asking him to study the possibility of granting assistance to Rwanda refugees. The High Commissioner has sent out a representative who is to report to him on the situation.

C. GENERAL SITUATION

424. The situation in Burundi has remained quiet, despite the tension caused by the murder of the Prime Minister, to which reference is made above. A certain uneasiness is apparent, however, among the European population, as a result of the arrival of European refugees from Albertville and other parts of the Congo, seeking refuge, temporarily at least, in Usumbura.

425. Since the elections, the gravity of the situation in Rwanda seems to have followed a rising and, subsequently, a descending curve. Attacks by one side or the other gained in intensity after the elections, particularly in the Astrida and Kigali districts, where many huts were burnt down, inhabitants were killed and some UNAR members or Batutsis were forced to flee the country. The military, chiefly the Territorial Guard, took steps to put an end to these disorders which were sufficiently serious to cause the Assembly of archbishops and bishops of Rwanda to launch an appeal on 24 October asking the constituted authorities, the Legislative Assembly and the population to take all legal means to stop all acts of violence and to give energetic support to the resettlement of refugees.

426. Subsequently, the situation appears to have quietened by degrees. Disorders were still occurring at the end of October, particularly in the Nyanza area and near Kibungu, and during the first week of November in Kigali, where three African civilians and a soldier of the Territorial Guard were killed. At the time of drafting this report, the whole country is apparently quiet, except for sporadic excursions across the border by bands of looters.

427. It may be interesting to note that according to the latest official information received from the Territory the military establishment in Ruanda-Urundi has developed since the election as follows:

The strength of the metropolitan forces at the time of the legislative elections stood at 2,190 men. One battalion, about 450 men, returned to Belgium in October, and a second battalion followed in November. Neither of these two units has been replaced. The present strength for the whole Territory is about 1,250 men. The strength of the Rwanda Territorial Guard, namely, 700 men, has remained unchanged since September, the election month. As a result of recent recruitment, the strength in Burundi has gone up from 350 to 600 men.

428. The ratio of troops, Territorial Guard included, to population would therefore be about one to every 2,000 civilians. It remains to state that the Administering Authority intends to reduce the metropolitan forces to 1,100 men in January 1962.

Conclusions

429. In the preceding chapters the Commission has endeavoured to set forth the various aspects of its mission and how it has fulfilled its task. It believes that in itself this account, which is as objective as possible, contains the analytical data which it would be hard to separate from the description of the circumstances and facts.

430. When the General Assembly adopted resolution 1605 (XV), which laid down the new terms of reference of the United Nations Commission for Ruanda-Urundi, it clearly did so in full awareness of the political situation prevailing in the Territory.

431. That situation, which was described in all its complexity in the interim report of the United Nations Commission for Ruanda-Urundi (A/4706), was characterized in Burundi by the tension due to the formation of an interim government based on the results of the communal elections and by the hurried procedure that had been used for the elections to the Interim Council.

432. In Rwanda there was a political situation which the Commission had described as "distinctly disquieting". PARMEHUTU had just consolidated its political supremacy by means of a *coup d'état* which was the culmination of its struggle for power since October 1959, had recently eliminated the opposition parties from the political scene, and was proclaiming the end of the monarchic régime. That *coup d'état*, the circumstances of which were described by the Commission in its interim report, and which constituted overt defiance of the United Nations, had immediately been supported by the Administering Authority, which, for that matter, had not been entirely a stranger to its execution. In general, the Administering Authority showed itself unable to cope with the situation which it attributed mainly to popular reaction against what it called United

Nations interference in the domestic affairs of the Territory.

433. In these circumstances, and despite the new Belgian Government's promptness, subject to certain reservations, in showing its desire and determination to remedy the situation in a manner consonant with resolution 1605 (XV), real and serious obstacles arose which it was difficult, if not impossible, to overcome with the limited time and means to be put at the Commission's disposal. The Commission's work proved to be even more difficult owing to the fact that the institutions created and gradually consolidated for the past two years felt more confident with the approach of independence and in the atmosphere created by an apparent failure of the Administering Authority to maintain full control.

434. The United Nations Commission, conscious of these real and serious difficulties, did its utmost to try to improve the political atmosphere in such a way as would best facilitate the full and regular implementation of the General Assembly's resolutions.

435. So far as both the Administering Authority and the population are concerned, the Commissioners addressed themselves with unremitting energy to their task, which was largely rendered possible by the dedication and tireless industry of the staff which the Secretariat had made available to the Commission and to which the Commission wishes to pay a special tribute. Moreover, this task was most fortunately understood by the Belgian Government, which abandoned the policy of the previous Government and displayed a general willingness to appreciate what was being aimed at and to act in a spirit of comprehension and sincere co-operation which also deserves the Commission's gratitude.

436. Thanks to this co-operation, the results of which are described in greater detail in the body of the present report, the Commission was able to operate up to the full limits of its terms of reference as laid down by the General Assembly, in persuading and helping the Administering Authority to implement the resolutions in question and in organizing the most effective possible system for supervising the popular consultations.

437. As was to be expected, the Commission's activities, limited as they were by its terms of reference and by the nature of its powers, could not radically alter the existing situation. The most that could be hoped for was that the co-operation of the Administration would enable it to lessen the existing obstacles as far as possible.

438. The following paragraphs contain an appraisal of the scope of these activities in the two parts of the Trust Territory.

BURUNDI

439. In Burundi, owing to some resistance by the local authorities to the measures advocated by the Commission and to the somewhat intransigent attitude of what were then known as the "majority" parties, it was not possible to promulgate an electoral law that was entirely satisfactory to the Commission, which accordingly had to express serious reservations regarding provisions of that law which could have distorted the results of the poll.

440. It should be added, however, that the apprehensions expressed by the Commission in its letter of 23 August 1961 turned out to be somewhat theoretical.

441. The Commission had feared that the electoral law finally promulgated on 17 August 1961 might re-introduce through the back door a system of indirect suffrage and also leave the way open for the electoral fraud that must always be reckoned with. As indicated above, these shortcomings in the law did not have the over-all effect of distorting the expressed will of the people. In fact, it might even be said that, despite the then "majority" parties' violent opposition to the simpler voting system proposed by the Commission, those very parties were the ones that were handicapped by the system that they had so fiercely defended.

442. Except for a few incidents, the atmosphere in which the preparations and the election campaign were carried out was calm on the whole, and all the political parties were able to organize their election campaigns under conditions of law and order and with an equally fair chance for each.

443. On 18 September, the day on which UPRONA gained its overwhelming victory, there were no serious incidents. The population was able to express its opinion freely and calmly. The discipline and enthusiasm shown on that historic day by the electorate of Burundi were in themselves a tribute to the goodwill of all the men and women who contributed to make those elections a resounding success.

RWANDA

444. In Rwanda, where political and social conditions were more difficult from the outset, the situation, as can be seen from what has already been stated above, was at all times so complex that an objective and more detailed examination of its various aspects appears essential to any honest and conscientious appraisal of the results obtained.

445. What now concerns the General Assembly is to find the reply to two main questions in which it seems to have been especially interested when it was considering the problem of these consultations, and which seems to be, in a sense, the guiding principle behind resolutions 1579 (XV), 1580 (XV) and 1605 (XV).

446. These questions are:

(1) During the pre-electoral period, was the "atmosphere of peace and harmony" referred to in resolution 1579 (XV) achieved, and were the requisite conditions created enabling political workers and leaders to resume what resolution 1579 (XV) refers to as "normal, democratic political activity"?

(2) Was the organization of the actual voting operations conducted in such a way as, firstly, to enable every voter to deposit the ballot of his choice in the ballot-box under conditions of absolute secrecy, and secondly, to enable the total of these votes to be determined with every necessary safeguard?

447. Before attempting to give an answer to the first question, it would perhaps be appropriate to say at once that it would have been naively optimistic to imagine that, given the narrow scope of the whole operation and the very limited time and particularly slender means contemplated in the General Assembly's resolutions, the situation in the Territory could be transformed to the point of bringing it into absolute conformity with the wishes expressed in those resolutions. The political development of the Territory since the events of October 1959 had degenerated to such an

extent that even the Belgian Government, with every good intention, could not have brought it entirely back to normal and into line with the wishes of the General Assembly.

448. This report has clearly shown that in Rwanda, except for the question of the Mwami which is the subject of resolution 1580 (XV), the Belgian Government has, on the whole, been willing to co-operate to the full in adopting the legal provisions necessary for achieving to a greater or lesser degree, the preliminary conditions envisaged by the General Assembly resolution and designed to create a satisfactory pre-electoral atmosphere. As a result of these provisions, the activities of the government set up in consequence of the Gitarama *coup d'état* have been suspended, a general amnesty has been proclaimed, women have been given the franchise, all legal obstacles to the return of the refugees have been removed, and special measures taken to give them the vote, a greater measure of freedom of assembly, expression and movement has been given to the opposition parties, certain sanctions have been imposed on burgomasters disinclined to abandon their partisan attitude, and so on.

449. The Commission considers, however, that in spite of these and the many other legal and administrative measures taken by the Administration, in close daily consultation with the Commission itself, and in spite of the sincere desire of the Belgian Government to remedy the situation described in the interim report (A/4706), serious obstacles have continued to arise up to the very eve of the consultations and to impede the task to be accomplished. It may be reasonably assumed that neither the large volume of legislation introduced during this period, nor the administrative dispositions taken by the Administering Authority, nor the constant vigilance and moral pressure exerted by the United Nations Commission on the Administration as well as on the people and the political parties, were finally able to establish all the conditions which the General Assembly wanted to be realized before the elections.

450. While refraining from attributing too much importance to the effects of this unfavourable pre-electoral atmosphere on the ultimate result of the voting, the Commission cannot help noting that this atmosphere was still further aggravated by a series of grave incidents that sporadically disturbed the peace in certain regions of the State during the two months of August and September, and by systematic attempts at intimidation and violence on the part of certain irresponsible bands. On the whole, this atmosphere of tension and insecurity was of a nature to prejudice rather substantially the action of the monarchist parties, whose rights to the exercise of civil liberties (more specifically those relating to freedom of assembly, expression and movement), while recognized and protected by law, could not be safeguarded to the same extent as for the parties that had traditionally enjoyed the support of the Administration.

451. Under these conditions, and taking into account all the factors mentioned above, it is difficult for the Commission to reply affirmatively to the first question.

452. That is not, however, the case with regard to the second question relating to the physical organization and the conduct of the voting operations themselves.

453. On this plane, where the action of the Commission, like that of the Administration, was less hindered by the contingencies of such a highly compli-

cated political situation, a careful examination of the present report will show that concrete and satisfactory results have been achieved. It has been shown above that in so far as the physical organization of the elections and the voting operations themselves are concerned, the unquestionable co-operation of the Administering Authority and the regular and fruitful contacts between the officials of the Administration and those of the Commission made it possible, in spite of the very short time available, to place this operation within a legal framework which, on the whole, was able to afford the necessary safeguards for the voters.

454. The law thus provided for the participation, on equal terms, of all sectors of public opinion and of all the political parties in the various phases of the operation from the registration of the voters to the counting of the ballots; it eliminated all possibility of fraud through multiple voting or other means; it guaranteed the secrecy of the ballot in spite of the difficulties due to wide-spread illiteracy; it enabled universal suffrage to be introduced for all adults over eighteen years of age, including women, who for the first time went to the polls in an orderly and dignified manner worthy of the highest praise; it went to the utmost possible limit to guarantee the legal right of refugees, uprooted from their homes, to vote; it provided a whole system of mutual control by the parties over the voting operations; and, finally, it introduced practical measures for combating attempts at intimidation to the extent of the laws and regulations in force.

455. As to the construction and arrangement of the polling stations, the Commission is likewise able on the whole to state its satisfaction. It was able to follow closely all the work that was done in this connexion, and it is grateful for the co-operation of the Administration and for the extent of the Administration's receptiveness to the very numerous suggestions that were continuously made by the Commission.

456. These efforts made it possible, *inter alia*, to build well-equipped polling stations and voting booths which, on the whole, were well protected, and to carry out other technical details that ensured the secrecy of the ballot and protected the polls from any attempt at intimidation.

457. The day of 25 September, in spite of the serious misgivings that it had inspired throughout the pre-electoral period, thus passed, on the whole, in an atmosphere of order and calm which are to the honour of the people of Rwanda.

458. It is true that in a fairly large number of polling stations, more especially in the regions entirely dominated by the PARMEHUTU, the arrangements to ensure the mutual control of the parties could not be realized, owing to the absence of the polling officers or representatives of the opposition parties. Those parties asserted that the degree of intimidation and violence in those districts was such that their representatives could not afford to risk their lives and property. The parties in power, on the other hand, claimed that the reason for this situation was simply that the opposition parties lacked adherents in those regions. The truth is, of course, more complex than that, and this explanation would not in any case hold for certain communes where the active members of the opposition suffered from arson and violence.

459. It is none the less true that in certain voting places, shortcomings were observed in the organization

of the voting operations, both in relation to the voting booths and to the impartiality of the voting officials, for the greater part indigenous personnel, who had been charged with making the necessary arrangements.

460. Notwithstanding all these reservations, and disregarding the conditions and atmosphere which prevailed up to the actual date of 25 September, the Commission considers that the physical organization of the popular consultations and the voting operations proper were, on the whole, calculated to enable the mass of voters representing 95 per cent of the electorate to vote according to their rights.

461. This finding is significant in so far as the Commission can affirm, firstly, that these popular consultations were not falsified, and secondly that, all things considered, and without going into the conditions in which the people's final choice was evolved and decided, the people as a whole were given the opportunity on 25 September to register their views as they wished, with adequate material and legal safeguards.

462. Thus, the Commission cannot give an affirmative answer to the first of the two basic questions raised by the implementation of the General Assembly resolutions with respect to Rwanda, but can give such an answer to the second question.

463. The reason why the Commission is unhappily unable to set forth a clear-cut conclusion on the operations as a whole, covering the various points which occupied its attention as a body, is that it is itself divided between two equally defensible points of view, one stressing the fact that the day of 25 September was a success in that the people were given the opportunity to go to the polls and register their wishes, and the other attaching more importance to the conditions prevailing prior to that date.

464. The first point of view is based on the principle that the very notion of electoral democracy should be regarded as proof in itself of the people's maturity, and that, constituting in some sort the very foundation of the people's right to independence, it presupposes a degree of consciousness in the voter such as can and must raise him to the level of events. Therefore, when that voter is provided with the legal safeguards and the material and physical means he requires in order to express his wishes in the secrecy of the polling-booth, it is ultimately up to him to register his convictions.

465. The second point of view stems from an analysis of freedom in its organic and more complex relation to the facts of life in the world in which that freedom has to develop. From this angle, and particularly in view of the general conditions characteristic of societies profoundly marked by domination, it is held that the fact alone of providing for the physical exercise of the right to vote loses its real significance when the voter's will and freedom of choice have been alienated by external and intrinsically corrupt forces.

466. For these reasons, with regard to Rwanda in particular, the Commission has thought it best to leave the complete and objective record of the case in the Assembly's hands and to rely on the Assembly, in full knowledge of the facts, to make the final judgement which is its prerogative.

467. The personal view of Mr. Dorsinville, Chairman of the Commission, is that a positive attitude to the elections would undoubtedly bring Burundi and Rwanda an element of stability that would be of direct benefit to the people of the two States.

468. His feeling is that, as a result of the legal safeguards afforded the political parties and the information campaign which was carried on, and as a result of the considerable interest which the population of both States consistently took in these popular consultations as a consequence, they were in a position to vote according to their lights.

469. It is true that the atmosphere prevailing before the elections was not exactly what the United Nations General Assembly had in mind when it appealed to all parties and political leaders of Ruanda-Urundi to exert their efforts to achieve an atmosphere of understanding, peace and harmony on the eve of independence and

reminded the Administering Authority of its obligation to create the necessary conditions and atmosphere for the proper conduct of the national elections.

470. However, he considers that it would be in the higher interest of the peoples of Burundi and of Rwanda for the fact of these elections to be accepted, so that those peoples may be given the status of legitimacy necessary to their accession to independence.

(Signed) Max H. DORSINVILLE
Chairman
Ernest GASSOU
Majid RAHNEMA

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Annexes

[Original text: French]
[30 November 1961]

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ANNEX I

Text of the General Assembly resolutions

RESOLUTIONS 1579 (XV). QUESTION OF THE FUTURE OF
RUANDA-URUNDI

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16.*]

RESOLUTION 1580 (XV). QUESTION OF THE MWAMI

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16.*]

RESOLUTION 1605 (XV). QUESTION OF THE FUTURE OF
RUANDA-URUNDI

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16A.*]

ANNEX II

List of the staff and observers of the Commission showing
the duties to which they were finally assigned

USUMBURA

Chairman of the Commission: Mr. Max H. Dorsinville;

Principal Secretary: Mr. Miguel A. Marin;

Political Adviser: Mr. Myles F. Minchin;

Legal Adviser: Mr. Maxime Tardu;

Administrative Officer: Mr. Jan G. Schumacher;

Field Service Officers: Mr. Aart van Egmond, Mr. Saleh Hamadeh (radio),^a Mr. Roger Humberst, Mr. Patrick Keane, Mr. Rogelio Santos (radio),^b Mr. Nello Tordini (finances);

Secretaries: Miss Wanda Betton,^c Miss Françoise de Billy;

Observer for the Usumbura District: Mr. Hubert Noël.

RWANDA: KIGALI

Commissioner: Mr. Majid Rahnema;

Office of the Commissioner: Mr. Claude Benjamin;

Field Service: Mr. Virgilio Chavez;

Secretary: Miss Simone Gervais;

Observers for the Districts of:

Astrida, Mr. George R. ffennell;

Biumba, Mr. Ghelij Chernov;

Gitarama, Mr. Abolghassen Hatami;

Kibungu, Mr. Eric Brant;

Kibuye, Mr. Luis F. Martin;

Kigali, Mr. Paulo L. Correa;

Kisenyi, Mr. Felipe A. Pradas;

Nyanza, Mr. Saleh Habal;

Ruhengeri, Mr. Horacio M. Ureta;

Shangugu, Mr. Paul de Rodzianko.

BURUNDI: KITEGA

Commissioner: Mr. Ernest Gassou;

Office of the Commissioner: Mr. Antonin J. Obrdlik;

Field Service: Mr. Robert Aalders;

Secretary: Miss Marianne Teyssier;

Observers for the Districts of:

Bubanza, Mr. Herbert M. Sanborn;

Bururi, Mr. Jean P. Hesse;

Kitega, Mr. Karel Naprstek;

Muhinga, Mr. Kai Hylfelt;

Muramvya, Mr. David Ho;

Ngozi, Mr. Bedrich Syrový;

Rutana, Mr. Shifferaw Zelleke;

Ruyiga, Mr. Eugène Adoboli.

^a See note ^b below.

^b Replaced by Mr. Saleh Hamadeh on 19 August 1961.

^c Left the Mission on 5 September 1961.

ANNEX III

Addresses broadcast on 8 June 1961 over Radio Usumbura
by Mr. Jean-Paul Harroy, Resident-General of Ruanda-
Urundi, and Mr. Max H. Dorsinville, Chairman of the
Commission

ADDRESS BY THE RESIDENT-GENERAL

People of Ruanda-Urundi,

After a comparatively long absence I am happy to be in touch with you again over the radio.

The length of my stay in Brussels was due to the magnitude of the three-fold problem which the new Belgian Government has just found itself faced with: the action to be taken in response to resolution 1605 (XV) adopted by the United Nations General Assembly on 21 April of this year; the problems which the accession of Ruanda-Urundi to independence will present for Belgium; and the consequences which the abolition of the Ministry of African Affairs entails for the administration of our Territory.

The last of these three questions has now been solved in principle. Mr. Spaak, the Minister for Foreign Affairs, has just been officially appointed to the additional office of Minister for Ruanda-Urundi. All the responsibilities which Belgium will exercise on behalf of its Trust Territory until the latter attains independence are thus once again concentrated in the hands of one single Minister. And although there are certain administrative changes still to be carried out and some difficulties yet to be overcome, the present organization will have the advantage over the past of a much greater simplicity, which is obviously important now that independence is at hand.

The determination of the general attitude Belgium will adopt towards Ruanda-Urundi when it accedes to independence and during the years to follow is naturally in the first instance a Government matter. The question has just been clearly stated in Brussels in its broad outlines. We may expect to see a first formulation of the official position in the not too distant future, whereupon the necessary negotiations can be started, on the basis of these Belgian intentions, with the local autonomous authorities, in liaison with the United Nations and certain of its specialized agencies.

Lastly, having learnt from qualified representatives how the present Governments of Rwanda and Burundi feel on this subject, Mr. Spaak has informed the members of the United Nations Commission for Ruanda-Urundi in Brussels of Belgium's firm intention to comply with the various provisions of General Assembly resolution 1605 (XV), to the fullest extent to which such implementation is practicable.

During the past week we have had important talks in the Rue de la Loi with the members of the United Nations Commission about the main problems presented by the provisions of resolution 1605 (XV) and the Belgian Government's intention of endeavouring to carry them out. These talks showed a willingness on both sides to co-operate, as also the very important and encouraging idea that the Commission is willing to lend its good offices in the conduct of certain delicate negotiations which lie ahead.

This assistance, which Belgium is glad to accept, will be all the more valuable in that certain difficult operations envisaged in resolution 1605 (XV) will require the co-operation of the people and of their leaders.

The plane which brought me back amongst you on Thursday morning also brought to Usumbura His Excellency Mr. Dorsinville, Chairman of the Commission, and one of his two colleagues, Mr. Ernest Gassou; the second, Mr. Majid Rahnema, is not due to arrive in Ruanda-Urundi until the beginning of next week.

This joint return is a sign that the moment has now arrived for us to set to work on our last great common task.

I invite you all to join with us to ensure its final success.

The chief spokesmen will be the Barundi and Banyarwanda leaders, the members of Governments or leaders of political parties; these are the men who most of all must strive to display understanding, good will and realism throughout the days of hard work which lie between us and the general elections scheduled for next August.

In these negotiations and arrangements, whose ultimate goal is harmonious accession to independence with the full assent of the United Nations, it is natural that the first initiative should be left to the local *élites*, the Administering Authority confining itself to its basic role, which is to stimulate, advise, conciliate, on rare occasions to prevent, and sometimes to serve as a substitute. In some of this work of mediation, it will have, I repeat, the help of the good offices of the United Nations Commission. But its most important and most delicate function, the one to which it will devote all the requisite material means and all the necessary vigour, will be the strict maintenance of law and order. It is in the interests of all of you who are listening that order should be protected to the utmost, everywhere and in all circumstances. You may rest assured that the representatives of the Administering Authority will keep a careful watch on this.

I also appeal to the officials, from whom such great efforts have already been asked for over a year. The special tasks that the implementation of the provisions of resolution 1605 (XV) will entail will fall mainly in the interior of the country. These executive officers will shortly be informed, through their various Residents, of the details of what more is expected of them. I thank them of behalf of Belgium.

I also urge the representatives of the business world to have confidence in the future. Their legitimate anxiety may, I hope, be dispelled as a result of the efforts which will be multiplied at the political level to lead Ruanda-Urundi, without undue internal or external shocks, towards an independence for which as much preparation as possible has been made. For the rest, no effort will be spared to keep those actively concerned in the Territory's economy promptly and honestly informed of the arrangements which will be contemplated by the indigenous leaders and the Belgian Government, as also by the United Nations, or indeed by other international or foreign organs, for the creation, immediately upon independence, of conditions necessary for the strict maintenance of law and order, for sound local administration, for a general upsurge of the economy and for a structurally sound balance in the public finances of the newly independent Rwanda and Burundi.

People of Ruanda-Urundi,

The United Nations Commission sends you its most cordial greetings.

I now have the pleasure of introducing His Excellency the Ambassador Max Dorainville, Chairman of the United Nations Commission for Ruanda-Urundi, who arrived with me this morning from Brussels.

First of all I should like on behalf of you all to extend a warm welcome to him, his two colleagues and all his advisers on their arrival in Ruanda-Urundi. A moment ago I told you of the assistance which the Commission has kindly promised us, the good offices which it has agreed to lend us if necessary. At this time, when the future of the Territory is really at stake, may I also express to him all our good wishes for complete success.

ADDRESS BY THE CHAIRMAN OF THE COMMISSION

People of Ruanda-Urundi,

The Commission has just been having important talks at Brussels with the Belgian Government, represented by Mr. Spaak, Minister for Foreign Affairs and Minister for Ruanda-Urundi, and Mr. Fayat, Deputy Minister. These talks bode well for the implementation of the resolutions of the United Nations General Assembly.

This is an opportunity for the Commission to address an urgent appeal to everybody, no matter what ethnic group they belong to or what their social status, whatever their work or profession, whether they work in private business or for the Government, to all the political leaders, whatever their party or their present position, whether or not they are members of the Governments of Burundi and Rwanda, to unite their efforts so that we may come to the forthcoming popular consultations, which are of such vital importance, in peace and good order.

The Commission is appealing not only to the good will of all, but to the willingness of each one, conscious of his civic responsibilities, to make the effort a joint one, and above all to

you, the people of Ruanda-Urundi, who are called upon to bear the whole and exclusive responsibility for your destiny.

The Commission is certain that the Administering Authority will be careful to help you to take the last steps in complete understanding of the problems of the moment, for which practical solutions must be found.

Finally, I am glad to state that the United Nations Commission, which of course can never play a "partisan" role, will be accessible to all and will lend its good offices where necessary in the interests, of course, of the success of a mission to which we are all called upon to make our contribution.

On behalf of the United Nations Commission I wish to thank Mr. Jean-Paul Harroy, the Resident-General, for the opportunity which he has given me this evening of sending you this message of friendship and hope.

ANNEX IV

Addresses broadcast on 4 August 1961 over Radio Usumbura by Mr. Jean-Paul Harroy, Resident-General of Ruanda-Urundi, and Mr. Max H. Dorainville, Chairman of the Commission

ADDRESS BY THE RESIDENT-GENERAL

People of Ruanda-Urundi,

The United Nations Commission for Ruanda-Urundi has now been with us for more than a month and a half, and it seems to me that the time has come to submit to you, in full agreement with the Commission, the results of those first weeks of co-operation.

The Belgian Government felt that, in order to enable Rwanda and Burundi to have political institutions recognized by the United Nations, the provisions of General Assembly resolution 1605 (XV) had to be carried into effect.

This process of implementation entailed two categories of preliminary arrangements.

The Administering Authority had to comply with certain demands laid down by the resolution in the matter of an amnesty and police powers. Furthermore, broad-based governments were to be constituted in the two States, in which agreements between the parties were needed—especially in Rwanda—to create an atmosphere of political calm suitable for the holding of the important popular consultations contemplated by the United Nations resolution for August 1961.

The Belgian Government, for its part, has faithfully carried out the requirements of paragraph 9 and 14 of resolution 1605 (XV) with regard to the amnesty and the police powers.

The amnesty was arranged pursuant to a Legislative Ordinance of 31 May last, which established a Commission of three Belgian judges to determine the political nature of the offences for which an amnesty might be granted. That Commission, which worked in Ruanda-Urundi from 7 June to 12 July, examined several thousand cases and finally submitted to the United Nations Special Commission established under resolution 1605 (XV), which arrived in Ruanda-Urundi on 13 June, a total of 130 cases which, under the provisions of the Legislative Ordinance of 31 May, were deemed to constitute the "very grave crimes" referred to in operative paragraph 9 (b) of the United Nations resolution.

Of those 130 cases, about thirty were judged by the United Nations Special Commission not to deserve a special supplementary measure of leniency. On the other hand, it requested an extension of the amnesty for 101 of them, and this request was granted with only four exceptions.

Belgium has thus carried out the United Nations requests with regard to the amnesty. It hopes that those who benefited from those measures, and have thus been enabled, as stated in resolution 1579 (XV), "to resume normal, democratic political activity before the elections", will avoid behaving in such a way that their release might disturb public order.

Further, in compliance with the provisions of operative paragraph 14 of resolution 1605 (XV), the Administering Authority has rescinded the Legislative Order of 25 October 1960 concerning the trusteeship police powers or, more correctly, the Legislative Order of 4 March 1961 which replaced it.

By thus deliberately repealing a series of provisions previously regarded as essential to ensure the maintenance of public order and to guarantee normal standards of political life in the two States, the Trusteeship Authority took a risk.

But it knows that the political parties and the inhabitants of the two States in general will show their maturity and will consider themselves bound by this repeal of the Legislative Order of 4 March, and hence under an obligation to make every effort to ensure the conditions and atmosphere necessary for the forthcoming popular consultations to take place in an atmosphere of peace and harmony.

The Administering Authority, as well as the United Nations Commission, solemnly appeals in this connexion to all the Banyarwanda and Burundi that the coming electoral campaign be conducted without any violent incidents.

In agreement with the political parties, it is endeavouring to ensure acceptance and respect for a code of electoral conduct, the willing implementation of which by all concerned would be the best guarantee of calm and also of the validity of the imminent consultations.

A calm atmosphere for the conduct of the elections and of the referendum is sincerely desired by the Belgian authorities, by the United Nations Commission and by all men and women of good will in this country. But Belgium, which is alone responsible for the administration of Ruanda-Urundi, has, by virtue of the text of the ordinary laws of the Territory, all the powers necessary to ensure the proper conduct of the forthcoming popular consultations and intends to see that the law is respected by all, whoever they might be: private individuals, local authorities or political parties. It will use those powers where necessary with firmness in the interests of all. And a detachment of forces for maintaining order is stationed throughout the Territory, ready to face any eventuality.

The second series of preliminary arrangements which had to be made before the electoral campaign could begin was the creation in the two States of broad-based caretaker governments, to replace the Governments previously in power and responsible for attending to current affairs of administration pending the general elections.

The Administering Authority and the United Nations Commission agreed at an early stage that the most favourable solution would undoubtedly have been the formation of such ministerial teams, augmented in conformity with agreements spontaneously reached between the political parties after deliberating among themselves without outside interference.

Two weeks of the month of June were devoted to such deliberations, but with no more result in Burundi than in Rwanda.

In view of that failure, the local Trusteeship authorities offered their good offices. They were soon followed in that direction by the United Nations Commissioners. Thus Mr. Gassou and Mr. Rahnema took up their posts at Kitega and Kigali, respectively, where they attended a number of meetings and approached representatives of the parties with a view to recommending a spirit of concession or proposing formulas for an agreement. I take this opportunity to thank the three members of the Commission sincerely for the most valuable assistance they continuously gave to the Trusteeship authorities during the negotiations, which were often long and difficult.

At Kitega the negotiations ended, towards 7 July, with the agreement of which you are aware: the formation of a Government of eight ministers and eight secretaries of state, two of each from the four parties or party groups in Burundi.

At Kigali, on the other hand, the negotiations for an enlargement of the present Government did not succeed, and the Administering Authority had to resume temporarily the exercise of the powers which had been delegated.

Those, my dear listeners, were the first results of the seven weeks of joint efforts, devoted, I repeat, to creating the proper conditions demanded by resolution 1605 (XV) for the preparation, on the one hand, of the legislative elections in the two States and, on the other hand, of a referendum in Rwanda on the institution of the Mwami and on the person of Kigeli V.

The way is now open for those decisive consultations.

It goes without saying that the material preparation for the consultations did not wait for the completion of all the preliminary arrangements which I have mentioned.

As you know, two important innovations were prescribed by the United Nations with regard to the voting methods so far used in Ruanda-Urundi: the women's vote and the use of a system of balloting which will ensure complete secrecy. The new system will involve, in Rwanda, the use of coloured voting papers and in Burundi the use of symbols.

Preparations have been under way for several weeks, a considerable amount of material has been ordered, additional administrative personnel is arriving in the Territory, and the registration of voters, and particularly of nearly a million new women voters, has begun. The date of the elections in Burundi has been fixed for Monday, 18 September. The date of the elections and referendum, which will both take place on one day, in Rwanda will be Monday, 25 September.

The electoral campaign is declared open today; it is being supervised by the nineteen observers entrusted by the United Nations with the task of following the progress of events in the Territory, supervising the preparatory measures for the popular consultations and then supervising the conduct of the elections and the referendum.

I again appeal to everyone to ensure that this electoral campaign is conducted without disturbance, so that the elections and the referendum may lead in tranquillity to the establishment of those democratic institutions which the General Assembly envisages as the basis for the national independence of Ruanda-Urundi in accordance with the Principles and Purposes of the Charter of the United Nations.

ADDRESS BY THE CHAIRMAN OF THE COMMISSION

People of Ruanda-Urundi,

You will no doubt remember that, on 8 June last, on the evening of my arrival in this beautiful town of Usumbura, I made an appeal asking you to unite your efforts so as to approach the forthcoming popular consultations in order and peace. If I may be permitted to quote myself, I said this:

"The Commission appeals not only to the good will of all but also to the determination of each individual, in the discharge of his civic responsibilities, for a joint effort; this is indeed a primary necessity, peoples of Ruanda-Urundi who are called upon to bear the entire and exclusive responsibility for your destiny."

Since then we have sought, in co-operation with you, the best ways of implementing the General Assembly recommendations. I am delighted to be able to tell you that after more than a month and a half of patient labour, positive results have been obtained. The important steps taken by the Trusteeship Administration which the Resident-General, Mr. Harroy, has just described to you, give every indication that the referendum on the question of the Mwami and the legislative elections which are to take place in Rwanda, as well as the legislative elections to be held in Burundi, will go through in the peaceful conditions and constructive atmosphere which are indispensable to the proper conduct of those operations, which the United Nations Commission is responsible for supervising. I draw your attention to the word "supervise"; for—I insist on this point—it is not the Commission's task to organize popular consultations, the arrangement of which remains the exclusive responsibility of the Trusteeship Administration, acting in close consultation with the Commission.

As you know, the General Assembly of the United Nations did not restrict itself to sending a Commission to Usumbura. It recommended that the Commission should be accompanied by observers who would be in a sense its eyes and its ears, showing by their presence among you how much importance it attached to the coming consultations. Furthermore, in a desire to ensure for all the inhabitants of Rwanda and Burundi the opportunity of expressing their choice freely, the General Assembly has recommended that both the referendum and the legislative elections should be held under the system of direct, universal adult suffrage. This means that, for the first time in the Territory, women will vote as well as men.

I know that you, inhabitants of Rwanda and Burundi, will justify this confidence in your political maturity. I know that you will not underestimate the importance of a popular consultation in which all those of an age to choose, will be able to choose freely. At a time when your country is advancing rapidly towards a major turning-point of its history, at a time when this country is to make a vital choice: through the free expression of its people, to deny the African woman the right of expressing her view would have been unworthy of the respect we have for her.

I spoke to you just now of the observers attached to the Commission who have taken up their respective posts in Rwanda and Burundi. Many of you have seen them and spoken to them and even, where necessary, told them of your problems. As you know, they are the local representatives of the Commission; they come without preconceptions and (do I need to remind you of this?) have no other interest in the result of the coming consultations than that of taking part in this exciting experience facing a country which has arrived harmoniously at the threshold of maturity.

These observers are your best friends, and you will give them your confidence; whether you are civil servants harassed by your delicate task, political leaders aware of your heavy responsibilities, or any other group of inhabitants of Rwanda or Burundi, they will help you to overcome your understandable hesitation in the face of the new road that lies ahead.

The terms of reference of these observers are precise, their role is clear and specific. It is not within their competence to take over any of the functions of the Administration; on the other hand, it certainly is their task to follow developments in their area. They are anxious to assist both the local authorities and the population of the area to ensure the implementation of the General Assembly resolutions. They will supervise all the preparatory measures for the popular consultations as well as the actual electoral operations and the referendum. The presence of these observers as impartial spectators is a guarantee of the protection of the right of each one of you to express his views in complete freedom. You will not, however, forget that, owing to the very fact of their impartiality, they will in no way espouse the quarrels of any party; and I know that the Commission is justified in believing that the good sense of the political leaders will not permit them to place those observers in embarrassing situations which would only complicate their task. And, since I am addressing the political leaders, I would add this:

It is of course understandable that in a pre-electoral period the strong feelings aroused by any competition may become intensified. But is it too much to ask politically responsible people to neutralize this latent danger of disturbance by recommending their adherents to observe calmness of language, moderation in gestures and control over actions? There is no doubt that, in the present circumstances, it is in your country's interest not to be rent by personal quarrels or clan rivalries, but to open the way for a clear expression of the popular will through the normal exercise of civil liberties and the free demonstration of individual choice. You, the political leaders, will give proof of your maturity and your understanding of the public welfare, by working above all for peace, knowing that you will thus be working for the greater good of your dear country.

In the final analysis, people of Ruanda-Urundi, I speak to you all. For it is in your hands that your destiny lies. It is you yourselves who will choose the governments who are to guide your steps.

In dignity, with calm and scrupulous respect for the opinions of each individual, you will carry out the basic function of exercising the right to appoint those who are to care for the supreme interests of the country. I know that I am not appealing in vain today to the legendary African wisdom. On behalf of the United Nations, I congratulate you in advance and thank you for it.

ANNEX V

Address by the Commissioner at Kigali broadcast on 28 August 1961

Men and women of Rwanda,

The United Nations is here to ensure in co-operation with Belgium, that you prepare for independence in the best possible circumstances.

The referendum and legislative elections to be held on 25 September constitute the most important step you have to take in this preparation for independence. These consultations are the foundation on which you will be invited to build your future and your institutions, in full freedom and with due regard for your people's deep aspirations.

In order that this independence may be real and effective, may enjoy the respect and support of the international community and may serve to cement the building of a national State harmoniously incorporating all its ethnic components, these elections must take place in order and in peace, enable every citizen, without exception, to enjoy all the safeguards provided, and particularly those envisaged in the recommendations of the United Nations General Assembly.

On the fourth of this month the Administering Authority outlined for you the series of constructive steps it has taken to that end during the past few months. These steps, together with the Legislative Orders of 8 August relating to the referendum and the elections, today constitute the framework within which the electoral campaign will be waged.

In the supervisory operations the United Nations has carried out in the past, it has been animated above all by its concern to ensure: (1) the propitious atmosphere necessary to the normal democratic activities of the whole population during the pre-election period; (2) the objectiveness and impartiality of all electoral operations, and in particular the participation of all sections of opinion in the preparatory work and in supervision of the actual voting operations; and (3) the absolute secrecy of the vote.

The Legislative Orders promulgated on 8 August are designed, *inter alia*, to ensure at the legal level both the secrecy of the vote and the participation of all parties, without exception, in the various phases of these operations.

The absolute secrecy of the vote is thus ensured and protected by law. And the population may also exercise its legal power of supervision over all the electoral operations, from registration to the emptying of the ballot boxes.

Those two guarantees alone should provide great encouragement to all those who would like to brave the verdict of the people in a democratic fashion and in conditions of peace and quiet. Likewise, they should provide food for reflection for all those who might be tempted to distort the meaning of these elections by resorting to anti-democratic methods of intimidation and incitement to disturbance and disorder.

Need I point out that, with the secrecy of the vote ensured, only those who manage to gain the good will and the trust of the electors will be successful. In such circumstances, intimidation and violence produce effects which are quite contrary to what their instigators intended, so much so that they sometimes even serve the interest of their intended victims. For the secrecy of the polling-booth is such as to give the voters the necessary time, and the unique and long-awaited opportunity, to reply at last, by the force of their votes, to the illusory and short-lived power of those who by their irresponsible behaviour would have shown themselves to be unworthy of the people's trust. The secrecy of the vote thus ensures the triumph of maturity and reason over the desperate attempts of blackmail and violence.

You must, therefore, keep calm and serene in the face of any possible trouble makers, or any irresponsible elements from one side or the other that may try to stir up disorder and panic. Experience has shown that, with the secrecy of the vote ensured, the miracle of democracy has been repeated everywhere, despite vain attempts to prevent it. When the secrecy of the vote is ensured, it is only conscience and the heart that speak; and you may be sure that it is this plain and unequivocal language which, in the confines of the polling-booth

and free from all external pressure, will finally bring about the triumph of true and worthy representatives of your people, to whatever ethnic group they may belong.

You who believe in the force of democracy must therefore prepare the heart and conscience of the people for the historic day of 25 September. You must make your voters understand the full importance of the ballot-paper they will be required to deposit in the box on that day. This ballot-paper, tell them, represents in itself alone a much more powerful force than the machetes, the knives, the cudgels and the fire that today might frighten or discourage some of them. It is this ballot paper that will decide their lives, their freedom and their future. This paper is their conscience: point out to them that it is by far the greatest force that has ever been placed in their hands throughout their history. It is for you who believe in the force of democracy to make your voters understand these elementary truths. You, the political leaders, must explain to them your position and your programme in order and in peace, and I can assure you that those of you who win their conscience and their heart, those of you who in the next few days demonstrate to them your political maturity and your sense of tolerance and responsibility, will by that very fact have paved the way for victory.

With those considerations in mind, I venture, four weeks before the elections, to address to you this urgent appeal on behalf of the United Nations. You have started along the road to independence, a glorious road as full of promise as of dangers. The whole world is watching you and, through the United Nations, is seeking to help you through these most difficult first stages. Bear well in mind, however, that this sacred right to freedom, which you are rightly seeking to exercise, imposes greater responsibilities and new obligations upon you. The right to freedom imposes on you, amongst other duties, that of tolerance, of respect for the law and for the opinion of others, of good relations with your neighbours and of maintaining peace. It therefore behoves you, in the weeks ahead, to show the world the full maturity, wisdom, good sense and sense of responsibility that characterize your people and that must constitute the very conditions for your independence.

I am convinced that the overwhelming majority of the peaceful and hard working people of Rwanda have condemned and deplored the recent acts of violence that in some places have disturbed the peace of your splendid hills and brought tragedy to many innocent homes. Whilst hoping from the bottom of my heart that these incidents will soon be nothing but a sad memory of the past, I should like on behalf of the United Nations Commission to express my deepest sympathy with the unfortunate victims of the incidents. At the same time, I venture on this occasion to recall the great precept of our Charter, whereby WE THE PEOPLES OF THE UNITED NATIONS solemnly call upon you "to practice tolerance and live together in peace with one another as good neighbours". It is in this lofty spirit that all men of good will must make a most serious effort, not only to succour the victims of these incidents, and more especially to bring about the speedy resettlement of all refugees in their native hills, but also to use all peaceful means in order to ensure in advance the failure of any further attempts at disorder and violence.

There is no need for me to remind you, who understand the true significance of the day of 25 September, that disturbances of this kind benefit no one, and that, now that you have the great opportunity offered by free elections, the virtues of patience and tolerance will soon triumph over the short-lived force of a few trouble-makers. This principle may sometimes, I know, try your patience and impose hard sacrifices on some of you. But believe me, you will very soon be the first to gather its marvellous fruits, as many other peoples have done before you throughout the great history of the world.

The United Nations is here to ensure, in co-operation with the Trusteeship Authority, the smooth conduct of the elections, and to see that they may take place free of any pressure and with absolute voting secrecy. It is your duty, men and women of Rwanda, to make these elections a complete and undeniable success, a proof of your right to independence and a striking victory for all the democratic and national forces that are seeking to build your future free and independent State in

order and in peace, a State in which all ethnic groups and all beliefs will live together in brotherly unity.

The historic day of 25 September is still four weeks ahead of you. These weeks will determine your freedom, your happiness and the future of your brothers, sisters and children. During these weeks you must be animated more than ever by the spirit of our Charter which, I repeat once again, calls upon you "to practice tolerance and live together in peace with one another as good neighbours". Animated by this spirit, take each other by the hand so that you may prepare yourselves in peace and tolerance, may prevent any disturbance of the proper atmosphere for the normal conduct of the electoral campaign, and, lastly, may in calmness and dignity ensure the triumph of the forces of democracy and the true and profound aspirations of your people.

With all my heart, I wish you good luck.

ANNEX VI

Address by the Commissioner at Kitega, broadcast on 16 September 1961

Citizens,

Three and a half months ago, the Administering Authority and the political parties of Burundi set to work, in co-operation with the United Nations Commission for Ruanda-Urundi, to implement the resolutions of the United Nations General Assembly concerning your country. The first result of that joint and patient effort has been the setting up in your country of a broad-based government of national union. Today we are on the eve of the popular consultations which you have rightly been awaiting with so much interest.

I do not think I need emphasize the importance and significance of these elections, which are intended to enable you to select, in complete freedom and without compulsion, those who will be called upon to form your first Legislative Assembly elected by universal suffrage, and to set up a definitive government, which will preside over the destinies of your country.

All these efforts that have been made, have been designed to guarantee freedom for all and the absolute secrecy of the vote. Each one of you is free to express his views publicly without any interference from anyone. This freedom, which each individual citizen enjoys, must be respected by all. That is the very essence of a sound democracy which accords to all the same political rights. All forms of pressure and intimidation must therefore be ruled out.

Peace-loving men and women of the hills, workers and dwellers in the towns, you hold the future of your country in your hands. By your vote you will trace the path to be followed in the future.

Action of such importance must be taken with the same calm and dignity as is displayed by a judge who must render a verdict and who must heed only the dictates of reason and of conscience. You will therefore remain calm and controlled; you must refrain from committing any acts of violence, which will serve only to discredit you in the eyes of the world.

Women of Burundi, you are about to take part in legislative elections for the first time, side by side with your husbands, sons and brothers, as a result of the application of the principle of direct universal adult suffrage. The role which women play in the family and in the nation no longer needs to be demonstrated and it is only just that you should be allowed to have your say in the conduct of public affairs. You are now fully-fledged citizens; you will not fail to take this opportunity which is offered to you to express your will and to show that you are fully capable of assuming the ever increasing responsibilities you are called upon to exercise in modern society, in addition to the important traditional role which you already perform in the home.

Political parties of Burundi, you are witnessing an important and decisive period in the history of your country, which will soon be called upon to guide its own destiny. Together with the Administering Authority and the United Nations Commission for Ruanda-Urundi, we have worked patiently during the last few months in order to establish conditions in which the legislative elections that will lead to the establishment of

democratic national institutions and provide the basis for independence may take place in an atmosphere of peace and harmony. Thanks to the spirit of understanding, and frequently of compromise, which many of you have shown during these long discussions and negotiations, it proved possible, on 6 July, to form a Government of national union in which all the political trends in your country are represented. The success of this first attempt at mutual understanding between the various political parties of the country and the maintenance of this coalition despite the tension and difficulties with which your Government was inevitably beset, are an undeniable indication of the keen sense of responsibility which you feel at a time when a large part of humanity is deeply disturbed, when rivalries between factions and individuals are undermining the very foundation of certain nations, and when expansionist ambitions divide nations and bring them into fierce conflict. Heirs of noble traditions and African wisdom, you have succeeded in overcoming personal ambitions and in some instances you have even disregarded your own party interests and have thus risen to the level of the interest of the entire national community. Only such denial and self-sacrifice, where necessary for the common weal, will enable your nation to be built on a solid foundation.

The United Nations Commission appeals to all political leaders to make a personal effort to ensure that the atmosphere which now prevails may not be disturbed. It is inevitable that, as everywhere else in the world, political tension should increase on the eve of the elections. It is even normal that the battle of words should be heated, but all this excitement must of necessity be the prelude to a general relaxation of tension, just as the most violent storms are the precursors of fair weather. It is your duty to advocate calm on election day. Voting is something that must be done in an orderly and peaceful manner, albeit with enthusiasm. Order, peace and tranquillity—those are the essential conditions if the electorate is to give its verdict in all freedom on that day. Intimidation and pressure are always negative factors which inevitably recoil upon those who practise them. The magic of the ballot has always triumphed over such base manoeuvres and, implacably, the people have always done justice to those who respected and trusted them. In this grave hour, the eyes of the whole world are upon you. You will be judged according to the degree of seriousness with which you take this step. It will be a demonstration of your political maturity, which we have never doubted.

There are hundreds of you parliamentary candidates who are canvassing the votes of the people and you owe it to yourselves to respect the processes of democracy. Whatever may be the result of the struggle which has been going on for the last few weeks, each one of you must bow to the verdict of the people. The losers (for some there will inevitably be) must accept their defeat with good grace. There will be other elections and next time you may have better luck. You who are victorious will become representatives, not only of those who voted for you but of all, including your political adversaries. We must bear in mind the words of Renan, which I quote from memory: "Do not believe that you are so much in the right that your opponent is not right at all." As representatives you will be called upon to legislate for all, scrupulously to safeguard the interests of the entire national community and to preserve in a worthy manner the sovereignty conferred upon you by the trust of the people.

It is very much to your interest, as the possible leaders of tomorrow, that the balloting should take place in such a way that your election will not be contested: this will serve to increase your authority and prestige among your people and may also assure you the support and assistance of the United Nations.

To all you citizens and inhabitants of Burundi, peace-loving men of the hills and townsmen, to all of you who are listening to me this evening, to all of you whose interests are linked with the future of this country, I say: mankind has entered an era in which men are condemned to live together regardless of their race, their ethnic group or their creed. As the contemporary writer, Gaston Berger, has so rightly stated: "The whole of mankind is engaged in a great adventure in which all are shoulder to shoulder when they believe they are facing

each other in combat." Your country is no exception to this implacable law.

You live in a country which is to achieve independence in the very near future. The elections which will take place in two days' time are the final step in its preparation for assuming, for better or for worse (and we think it will be for better), full responsibility for the conduct of its affairs. It behooves you, all of you who to a greater or lesser degree are responsible for the evolution of your country, to bring all your good will to bear, so that the transformation which is now taking place may be effected in the best possible conditions, without friction and without any unnecessary waste of the energy which will be so much needed for the building of the country.

When the elections are over, you owe it to yourselves to forget your differences of opinion, to discard everything that divides you and to unite in the task of building your nation and consolidating its independence. The solution to the problem of under-development with which you will be faced in spite of the foreign aid your country may receive, and which indeed most of the new nations have to face, is to be found primarily in unity and in the mobilization of all the moral and human forces of the nation. That mobilization can be effective only to the extent to which you feel that you are embarked upon a common destiny.

Citizens and inhabitants of Burundi, there are so many reasons why you should all do your best to ensure that the elections on 18 September may be a link or a bond uniting you rather than a factor of hatred or division. This can and must be so if the rules of democracy are observed by all. Then, and then only, will you have laid a sound basis for the common edifice and then only will you be able to face with confidence a future full of promise.

The United Nations Commission for Ruanda-Urundi, which has followed all your efforts during these last few months with interest and sympathy and has endeavoured to understand all your difficulties, wishes to assure you that you have the full support of the international Organization.

I thank you and I wish you all good luck.

ANNEX VII

Joint communiqué of the Resident of Burundi and the Commissioner at Kitega, broadcast on 17 September 1961^a

Inhabitants of Burundi,

The Administering Authority and the United Nations invite you to go to the polls on Monday, 18 September to make a completely free choice of your representatives to the Legislative Assembly of Burundi.

This choice determines your future. In the interests of your people, it must be made freely, conscientiously and without pressure from any quarter. Think long and carefully before deciding. This choice is yours alone. You must choose candidates in whom you have complete confidence. This choice is therefore fundamental. Your own happiness and that of your children depend on it.

In the privacy of the polling-booth, where you will be protected from prying glances and external pressures, consult your conscience. You should think the matter over for the last time before making your final choice and placing the voting paper in the ballot-box corresponding to the candidate of your preference.

When you have received your voting paper from the presiding officer at the polling station, you will go into the polling-booth and you will place this voting paper in the ballot-box corresponding to the candidate of your choice. In each polling-booth there will be the same number of ballot-boxes as there are candidates, and the ballot-boxes will bear the names and symbols of the candidates. No one will know for which candidate you have voted.

^a A similar communiqué of the Resident of Rwanda and the Commissioner at Kigali was broadcast on 23 September 1961.

The secrecy of the vote is guaranteed by law. Take advantage of this fearlessly to delegate your sovereign powers solely to the candidates of the party of your choice, solely to those whom you consider worthy to represent you in all circumstances. It is these elected candidates who, as a result of your vote, will tomorrow decide your future.

Courage and good luck.

ANNEX VIII

Address by the Resident of Rwanda, broadcast on 19 September 1961

People of Rwanda,

In a few days' time—on 25 September 1961—you will go to the polls.

Through free elections by universal and direct suffrage, you men and women will together take an irrevocable and final decision on the future of your country.

Your decision will relate to three main points, of whose capital importance you are all aware.

You will tell the Rwandese nation and the whole world whether or not you wish to retain the institution of the Mwami in your country.

You will give a final verdict on Kigeli V personally by replying to the question "Do you wish Kigeli V to continue as the Mwami of Rwanda".

Finally, you will choose from the candidates presented by the different political parties, the forty-four men who will guide your country and preside over its destiny for four years.

Through the eyes of the United Nations observers who will be present during the voting operations a hundred nations are watching you closely and will pass judgement upon you. You will give these nations proof of your political maturity, you will show by your calmness and dignity that you are fit to occupy among them the place they are ready to offer you in the ranks of the independent nations. You have a civic duty to your country. You have a duty to Belgium which has given you everything and which asks from you nothing but the proof that it has brought you to a stage of political development which makes you worthy to take your place at its side, among civilized and democratic peoples.

During the last few weeks, public tranquillity and order have been disturbed in several communes. Extremists bent on destruction have committed crimes and thus provoked general outbursts of indignation and acts of retaliation.

The people responsible for these crimes will be traced by the police, brought to justice and punished as they deserve, but I would urge you all in the strongest possible terms not to take justice into your own hands. Do not play the game of the enemies of your freedom by countering their acts of provocation with force. The burgomasters are responsible for order and calm in the communes and they will be called to account.

The Administering Authority has dealt with the situation successfully everywhere and has never lost control anywhere. It has restored order wherever, and whenever, it has been threatened. The security forces have intervened impartially, energetically and rapidly where the circumstances required. It has been possible to carry out this thankless task because of the complete devotion of our Banyarwanda and Belgian soldiers, to whom I take this opportunity of expressing my admiration and my gratitude.

The Belgian authorities and the United Nations Commissioners and observers have been working continuously since the beginning of June in the fullest agreement and in the desire to co-operate in preparations for the referendum and the legislative elections.

The United Nations and Belgian attach major importance to these popular consultations. Together they have patiently and untiringly sought ways and means of achieving the implementation of resolution 1605 (XV) of the United Nations. Everything has been done to ensure that all of you, men and women of Rwanda, can express your opinion freely, protected from all coercion and in complete secrecy, through a universal and direct ballot.

In this connexion, I should like to pay a public tribute to Mr. Rahnema, United Nations Commissioner. During the weeks in which we have worked together, I have learnt to appreciate and admire his vast capacity for work, his extraordinary devotion and his scrupulous professional honesty. Day after day, and sometimes also at night, Mr. Rahnema has untiringly received innumerable visits, heard hundreds of requests, and listened to countless complaints and grievances. Without ever taking sides, but always concerned with the successful accomplishment of the task entrusted to him by the United Nations, he has given me great help in accomplishing my own.

I feel I must rapidly review the measures which have been taken by mutual agreement to ensure complete compliance with the provisions of the United Nations resolution, because I wish to make it absolutely clear that everything has been done to give the people of Rwanda the valid elections prescribed by the United Nations and that no stone has been left unturned to set them on the path to independence.

A full amnesty has been granted to more than 2,000 persons who committed political offences between 1 October 1959 and 1 April 1961. All these individuals were released by 24 July 1961, or two months before the elections. They all enjoy full political rights, including the right to vote or to stand for election.

The political parties of Rwanda met at Kigali and discussed, over a period of several weeks beginning on 19 June, the possibilities of creating a broad-based government to attend to the current affairs of administration. As it proved impossible to reach agreement, a formula was unanimously accepted under which the autonomous government of Rwanda would be recessed and current administration would be entrusted to the Secretaries of State acting under the order of the Resident of Rwanda. This measure took effect on 4 August 1961, at which date the Secretaries of State lost all their political prerogatives and were given the title of commissioners.

Two important prerequisites for the elections were thus satisfactorily met. All those who left the country at the time of the disturbances in Rwanda in late 1959 and in 1960 have had an opportunity to return. The Administration has given them every facility for returning and has aided their resettlement. They all enjoy full civil rights.

In order to make matters as easy as possible for them, legislation was enacted reducing from one month to fifteen days the period of residence required for voting.

Shortly after the requirement was further eased, and voters were permitted to register up to 21 September in the commune in which they happened to be living.

All steps have been taken to ensure that the pre-electoral operations and the operations on 25 September will be carried out correctly, with complete impartiality, and will provide all the guarantees to which the political parties and citizens are entitled.

With those ends in view, registration boards composed of the burgomaster and a representative of each party concerned were set up in every commune. These boards have performed a very important function in providing an assurance of fair play.

The electoral operations on 25 September will take place under the supervision of chairmen appointed by the District Administrator. They will be aided by polling officers designated by the candidates heading the lists, and the electoral operations will be supervised by officials of the Administration and representatives of the lists.

These practical control measures, combined with the electoral laws and regulations, provide a system of safeguards which should satisfy everyone.

The Administration has also made every effort to prevent pressure and intimidation in any form.

Very severe penalties are prescribed for those guilty of such practices.

In order to ensure that the Administration remains outside inter-party struggles and preserves its impartial nature, all officials wishing to take part in political activities have been officially instructed to take leave of absence until after the elections.

The leaders of the political parties have had ample opportunity to explain their programmes to you and to conduct their political campaigns. The Administration has allowed all schools of thought and trends of opinion the maximum freedom in the organization of public meetings.

With a view to ensuring liberty for all, it has been decided that none of the symbols used by the parties in their campaigning shall be displayed in the vicinity of the polling stations and individuals may not wear such symbols on their clothing.

Considerable military precautions will be taken to ensure to all the free exercise of their right to vote. The civilian officials responsible for the practical organization of the elections will be heavily reinforced, thus guaranteeing that the elections will be conducted in an orderly and proper manner, with respect for everyone and for all opinions.

Finally, to ensure that nothing can jeopardize the organization of your elections, it has been decided in agreement with the United Nations Commissioner that the frontiers of Rwanda will be closed to all traffic from midnight on Saturday, 23 September until midnight on Monday, 25 September. Within the country freedom of movement is guaranteed to all. All inhabitants of Rwanda may go where they wish. Any obstructions to such free movement is forbidden, identity checks are prohibited and no passes or travel warrants will be used. No barriers will be erected on any road or thoroughfare.

In closing this statement, I will make one more urgent appeal for understanding and mutual respect. Any manifestation of anger or hatred, any act of violence will achieve no purpose and will only harm your country. Voting alone matters—only by voting will your problems be solved. Vote, then, with a sense of responsibility, and when the outcome is announced during the evening of 25 September, let the victor show himself magnanimous and extend a hand to the vanquished so that they may build the future together.

Kigali, 19 September 1961
Colonel B. E. M. LOGEST

ANNEX IX

Address by the Commissioner at Kigali, broadcast on 21 September 1961

Four weeks before the elections scheduled for 25 September, I spoke to you about the importance of the historic days we are passing through together. In view of the encouraging reactions I received from all sides, I decided to renew our friendly discussion four days before the date for which we are all impatiently waiting.

The voting on 25 September will be for you an act of will, courage and intelligence. Hence the need to go about it in full awareness of its importance and hence your responsibility for performing it in such a way that you will later be able to answer to your children and to your own conscience.

During the last few months your political parties have tried to acquaint you with their programmes and, despite certain very real difficulties, I have the impression that, if only thanks to that natural system of communication among you poetically known as the bush telegraph you today all know more or less what those programmes are. You have been assailed from all sides by contradictory proposals and, like everywhere else during election periods, you have been subject to all kinds of pressure. Some may have appealed to you because of their air of truth and sincerity. Others may have succeeded in making an impression on you by reprehensible acts of pressure and intimidation. Still others, unfortunately, have even gone so far as to commit acts of violence and barbarity in the hope of destroying your freedom of choice and the courage of your convictions.

But, whatever attempts may have been made to influence you in one direction or another, it seems to me that their authors, the adventurers just as much as the honest men, have, though in different ways, helped you to a better understanding. They have certainly all helped to ensure that, today, you possess the means of upholding your convictions in the full knowledge of the facts. They have all, each in his own way, put you in a better position to make your choice.

And that indeed is the true significance of the consultations in which you are being called upon to participate. What matters is that on that day, you should freely express your choice, in the full knowledge of the facts and in the full realization of the importance of your decision, by means of the ballot-paper you will put in the envelope during each of the three operations you will have to perform. During the first operation you will indicate by choosing one of the colours khaki or black, i.e., by a YES or by a NO, whether or not you wish to retain the institution of the Mwami in Rwanda. Then, in the second operation you will determine by a choice between the same colours of khaki or black, i.e., again by a YES or by a NO, whether or not you wish Kigeli V to continue as the Mwami of Rwanda. During the third and final operation you will be called upon to make a completely free choice of your deputies to Rwanda's first Legislative Assembly. From among the hundreds of candidates who are standing, you must choose—and I repeat, the choice is completely free—those persons in whom you believe you have every reason to put your trust, persons who are capable and worthy of defending your interests and of helping you to live as you think best in your great national family. The men or the women whom you choose will thus be your representatives, your agents and, so to say, your personal advocates. And through the irrevocable mandate which you will give them, it will be they who tomorrow will speak in your name and will decide your problems and your future. It is they who will have to provide your children with the bread, the books and the medicines they need, and they, too, who will be called upon to protect you, you and your families, against fear and need, and to help you to live in a better world, in a world of happiness and freedom.

The historic ballot-paper which you will be called upon to drop into the ballot-box, free of all outside pressure, means all that. And it is because of the importance of that ballot-paper that we of the United Nations have done everything possible, in co-operation with the Administering Authority, to protect that ballot-paper and to ensure that it is the faithful expression of your own free will.

To that end, additional measures have been taken to strengthen the guarantees already provided for in the electoral law.

The polling station will also be a sanctuary within which everything has been done to ensure impartiality and an atmosphere of security. It is for the representatives of your candidates to see that operations run smoothly. The area within a radius of one kilometre from the polling station will be guarded and, within that area, nothing will be allowed to disturb the calm needed for the conscientious exercise of your choice. For instance, the exhibiting of badges, placards, slogans, emblems or any other sign favouring one particular political party, candidate, list or referendum option will be prohibited within a radius of one kilometre of the polling stations and any infringement of that provision will be severely punished.

You will thus go to your polling station calmly and resolved to listen only to the voice of your own conscience. Both the Belgian authorities and the political parties have already explained the voting procedure. However, the staff at the polling stations, which also includes representatives of your own candidates, will if necessary give you a final explanation of the voting operation. You will then take the ballot-paper and go into the polling-booth. And there, where you can be sure that nothing can disturb your freedom of choice, far from prying glances or outside pressure, you will reflect one last time before choosing the ballot-paper of your preference. When you have made your choice freely and after due consideration, you will put your ballot-paper in the envelope and you will immediately destroy the others by putting them into the opening which you will find at your feet, before going to drop your envelope in the ballot-box.

Whatever happens, you must destroy the unused ballot-papers and throw them away in the polling-booth itself. Do not on any account believe those who, for dishonest reasons, may ask you to break the law and to give them the unused ballot-papers. Not only will those who have made such an illegal request be severely punished themselves, but the Administration's officials may search you on your way out and if by any mischance,

either there or later on elsewhere, unused ballot-papers are found on your person, you, too, will be liable to severe penalties.

As I have already told you, the impartiality of the operations and the maintenance of order within the polling stations will be ensured by a joint system of control established by the representatives of the Administering Authority and representatives of the parties concerned.

But, wherever possible, the observers and whole staff of the United Nations Commission will also be present. Like your Commissioners, they will visit as many polling stations that day as it is humanly possible to reach. So your friends of the United Nations who, within the limits of their possibilities, have worked unremittingly to make a modest contribution to your national effort, will that day come and supervise more closely the voting machinery that has been installed, so that they can later provide the General Assembly with objective information.

Let us then make an appointment for the morning of that crucial day of 25 September. I do so in the hope that it will result in the orderly and peaceful establishment of the solid and unshakable foundations of your first free and independent State.

Once again courage and good luck!

ANNEX X

Addresses broadcast on 27 September 1961 over Radio Usumbura by Mr. Jean-Paul Harroy, Resident-General of Ruanda-Urundi, and Mr. Max H. Dorsinville, Chairman of the Commission

ADDRESS BY THE RESIDENT-GENERAL

The United Nations Commission, whose honoured hosts we have been for nearly four months, is leaving Ruanda-Urundi.

Its presence has been a token of United Nations interest in our Territory and of the importance attached to it by the community of nations. It has also been a pledge of the authenticity of the elections that have just been held, first in Burundi and subsequently in Rwanda.

You will all agree with me when I say that certain misgivings which arose out of resolution 1605 (XV) were speedily dissipated by the activity and impartiality of the members of the Commission, who strove untiringly to create an atmosphere of peace and justice. All of us have found in their guides and counsellors and we have gained friends. Tomorrow, in New York, it will be the Chairman and members of the Commission and the outstanding staff who accompanied them who, having learned to know and appreciate our hills and their people, will be the best friends of Rwanda and Burundi and the ones to whom the Banyarwanda and the Burundi will be able to address themselves in confidence, sure of understanding and help.

My friends, the elections that have just concluded were conducted in an atmosphere of order and discipline of which we can be justly proud. Burundi and Banyarwanda alike have carried out their duties as voters in a worthy manner and have shown themselves aware of their present and future responsibilities.

The personnel of the Administration, the veterans of these hills and the officials from Brussels, have performed magnificent and fruitful work, for which I thank them. This would have been impossible without the collaboration of the Belgian forces, whose discretion and intelligence have filled me with pride.

These popular consultations will pave the way for the future. They will enable the responsible Governments to lead both States towards their destinies. You are now sure of the assistance and co-operation of the United Nations, which will be a powerful factor for success.

I wish all those who are leaving today, Mr. Dorsinville, the Chairman of the Commission, his fellow-Commissioners Mr. Rahnema and Mr. Gassou, and the United Nations staff under the impeccable direction of Mr. Marin, a very good journey. I should like them to preserve from their visit to this country of a thousand hills a souvenir of the friendship and esteem

which we bear towards them, and to leave with our sincere thanks for the work we have done together.

ADDRESS BY THE CHAIRMAN OF THE COMMISSION

People of Ruanda-Urundi,

On 16 March 1954, in my capacity as representative of Haiti on the Trusteeship Council, I closed my speech in the general debate on the situation in the Territory of Ruanda-Urundi with the following words:

"I should like to believe that the aim in view is noble enough, and the development of other parts of Africa significant enough, for the Administering Authority to make it a point of honour to make up for lost time, so that Ruanda-Urundi is not the last to inscribe its name on the roll of History."

More than seven years have gone by since I spoke those words. Two United Nations missions have visited the Territory of Ruanda-Urundi, in 1957 and 1960 respectively, in order to survey its progress towards the achievement of its destiny.

In the meantime, several African territories have become independent and most of them have been admitted to the United Nations, thus giving the Organization that sense of universality envisaged by its founders, one of which was Belgium, the Administering Authority of Ruanda-Urundi.

There have been distressing events in the Territory since 1959 which have left grief and destruction in their train. The tension arising out of those events, the social revolution now in progress and already taking shape, the difficulties of adaptation to a new way of life and political organization, have hardly helped in the search for a formula which will enable the Trust Territory to arrive harmoniously at the final stage in the achievement of its destiny.

Yet it was in these circumstances and in this atmosphere that the United Nations General Assembly's resolutions on the popular consultations in the two States were adopted.

Since its arrival on 8 June 1961, the United Nations Commission has striven to carry out its duties to the best of its ability. There can be no doubt that the accomplishment of this task depended to a very great extent on the co-operation of the Belgian Administration. Tonight, therefore, on behalf of my colleagues and myself, I should like to express my very sincere gratitude to Mr. Georges Carlier, the representative of Mr. Paul-Henri Spaak, the Belgian Minister for Foreign Affairs, Mr. Jean-Paul Harroy, Resident-General of the Territory, Colonel Logiest, Resident of Rwanda, and Mr. Robarto Regnier, Resident of Burundi, for their generous hospitality and for all the facilities which they gave the Commission, as also for the warm co-operation which they extended to us, thus enabling us to carry out our duties. Our thanks also go to the officials of all ranks of the Administration and the customary authorities, whose every devoted act was a vital element in the common undertaking.

In my address on 4 August, announcing the date of the popular consultations, I said that I was sure that you, the people of Rwanda and Burundi, would not disappoint the confidence which the United Nations had shown in your political maturity.

I am glad, and may I say also that I am proud, that my predictions were justified by the facts.

The popular consultations have shown that the people of Ruanda-Urundi were able to express their wishes in a calm and dignified manner and with respect for each other's opinions. In Rwanda, the people have chosen their basic institution for themselves. In Rwanda and Burundi, the legislative elections, once they have been validated, will open the way for responsible governments which will lead the country forward in the pursuit of its destiny.

I have no doubt that the most important result of these popular consultations has been that at this juncture in history you have provided yourselves with legitimate institutions to which you will be able to cling in the difficult times ahead.

In the natural evolution of a people, having sound and lawful institutions to lean upon is a guarantee of collective security which makes it possible to look forward to the future

with faith and optimism. Regardless of the unavoidable political tensions which arise in days such as these, the legitimacy of your institutions will always be the most important element of that stability without which no political problem can truly be solved.

Yes, these days which we are proud to have lived through with you, are days of memory and of hope: of memory, because during this time you have turned a great page in your history; of hope, because this is the moment at which you enter upon a new life, full of uncertainty but also full of responsibilities, which you as your own masters will have to guide and direct so that your future may be joyful. This is a heavy responsibility and we hope to see you rise nobly to it.

We are about to leave you. As you know, the United Nations Commission must report on the accomplishment of the task assigned to it by the General Assembly. It will be the responsibility of the Assembly to make a final decision on this subject. We cannot, of course, know what the decision will be, but out of the friendship that we bear you we hope whole-heartedly that it will be the best possible one for the future of your country.

In taking leave of you tonight, I want to convey to you all our good wishes for your happiness, prosperity and success.

Thank you for your welcome!

Thank you for your understanding!

Good luck, peoples of Ruanda-Urundi!

ANNEX XI

Text of instructions given to observers

I. Circular No. 4 of 6 July 1961

INSTRUCTIONS TO OBSERVERS

1. The observers are the local representatives of the United Nations Commission and are entrusted with the following tasks:

(a) To follow the progress of events in the Trust Territory and to lend assistance to the local authorities and the inhabitants of the Territory with a view to the implementation of the General Assembly's resolutions;

(b) To supervise all the preparatory measures for the popular consultations;

(c) To supervise also the elections and the referendum in Rwanda, to be held in August 1961 on the basis of direct, universal adult suffrage.

2. Apart from their special responsibilities in connexion with the elections and the referendum, observers shall, in their official or personal relations with officials and inhabitants of the Trust Territory, display the utmost discretion, respect for local customs and understanding of political and social conditions in the Territory. The nature of the observers' personal relations with those around them will be no less important than the scrupulous manner in which they discharge their tasks. In this connexion, care shall be taken to ensure that the need for frequent contact with officials of all kinds, in the course either of work or of social relations, in no way prejudices the correctness of the observers' judgement. Similarly, observers shall, in their relations with the authorities, parties or political leaders, avoid any action which might be regarded as other than strictly impartial. They shall bear in mind that independence is essential to the success of their mission.

3. Observers may attend public political meetings—but not party congresses—simply as spectators. They need not remain at such meetings from the beginning until the end. They shall take care to alternate between such meetings and not to attend the meetings of a single party repeatedly. At such meetings, observers shall direct their attention particularly to matters relating to freedom of assembly and expression and not to the substance of the political questions discussed there. They shall refrain from making speeches and shall not accept the place of honour. The Trusteeship authorities may, if deemed appropriate,

introduce them at such meetings as United Nations observers. Observers shall not consent to be introduced by political leaders.

4. If speakers try to involve observers in the discussion, the latter shall at once cut them short. They shall leave the meeting immediately in order to signify their disapproval, and shall make this known to the responsible party leaders. They shall warn them against the repetition of such conduct. They shall immediately report the matter to the District Administrator.

5. Except in cases of *force majeure*, observers shall use only their own automobiles and shall not allow anyone to ride in such automobiles. So far as possible, drivers shall be chosen who know the local language. Observers shall, however, exercise discretion in their relations with drivers or with anyone serving as an interpreter. They shall try, wherever possible, to verify through another person the correctness of interpretations.

6. Press correspondents will probably be present during this period. Observers shall refrain from saying anything which might jeopardize the Commission's task, and shall not allow themselves to be quoted or let opinions be attributed to them.

7. Observers shall not intervene in the organization and conduct of the elections and the referendum, which are exclusively within the competence of the Administering Authority. Observers shall, however, supervise all phases of the elections and the referendum in order to make sure, in person, that the material organization is functioning smoothly and to satisfy themselves with regard to administrative regularity, the impartiality of the authorities of the Trust Territory towards all, and the free exercise of the rights of assembly and expression throughout every phase leading up to the elections and the referendum. They shall supervise the counting of the votes.

8. Whenever they note deficiencies in the material organization, or irregularities in the course of the operations, observers shall immediately report them to the competent local authorities and to the United Nations Commissioner. They shall receive all persons who wish to submit to them written or oral statements concerning the conduct of the electoral operations or the right of assembly. If they feel that there is reason to do so, they shall discuss with the District Administrator possibilities of finding a satisfactory solution for the problems raised in such statements. In any event, they shall transmit the substance of such statements, *in extenso* or in summary form, in their weekly reports or, if the matter is urgent, in special reports.

9. Observers shall report, as often as may be necessary, on the general situation relating to the refugees and politically annexed persons.

10. Observers shall meet once a week, at Kigali in the case of those in Rwanda and at Kitega in the case of those in Burundi, with the Commissioners stationed at those two capitals. The first meetings shall take place at Kigali on Thursday, 20 July and at Kitega on Saturday, 22 July, both at 11 a.m. At those meetings, observers shall give an oral account of the situation in their constituencies. Observers, by the day in the week on which they are visited by the member of the Field Service, shall have completed a written report, in French or in English, addressed to their respective Commissioners. A copy shall be sent to the Commission at Usumbura.

11. Important matters shall be taken up by the Commissioners with the competent authorities. It is therefore necessary that observers should make reports to their respective Commissioners concerning every matter which, in their opinion, should be brought to the latter's attention. If for any reason, however, an observer thinks that the normal procedure might entail loss of time and might consequently be ineffective, he himself may make his observations to the proper quarter and immediately inform his Commissioner of such action.

12. Observers shall also exercise discretion with regard to minor matters of detail. They shall report their observations orally to the district Administrators. Any other matter shall be reported in writing, a copy being sent to the Commissioner together with the regular reports. The reports shall, if necessary, include accounts of any oral observations made.

13. More detailed instructions will be communicated as necessary, particularly concerning each phase of the electoral operations.

2. Instruction No. 2 of 4 September 1961NOTE CONCERNING JOINT MEETINGS OF ADMINISTRATORS
AND OBSERVERS

1. As we expected, it emerges from almost all the reports of the observers that they maintain very satisfactory relations with the Administrators of the districts to which they are assigned. I have from the outset considered it desirable, however, to supplement these individual contacts by general meetings between Administrators and observers.

2. To my great regret, the first meeting, which I had had in mind since July, had for a variety of reasons to be postponed. The first meeting has therefore only just been held, both at Kitega and at Kigali, and the results appear to have been satisfactory to all concerned.

3. Second meetings are now scheduled, that at Kitega to be held on Friday, 15 September and that at Kigali on Wednesday, 20 September, both at 10 a.m. Following the meetings, we shall be guests of the Administering Authority at luncheon.

4. We expect a great deal from these meetings, which will be the last before the elections, and we think it desirable that on that occasion the Administrators and observers should make oral reports, as sincerely and objectively as possible, on the general atmosphere in their districts during the current pre-electoral period.

5. The Administering Authority has agreed to this procedure.

6. As far as Burundi is concerned, consideration might be given, in the reports in question, to the following among other matters:

(a) Preparations for the elections (registration, nominations, the drawing of symbols by lot, the number, distribution and organization of polling stations, the number of polling-booths, the distance to be covered, etc.);

(b) Respect for public freedoms (of expression, assembly, association);

(c) Maintenance of public order (troop movements and their effects on the morale of the population, etc., in the light of resolution 1605 (XV), operative paragraph 5, and resolution 1579 (XV), operative paragraph 6);

(d) General atmosphere (both as a whole and in relation to the implementation of resolution 1605 (XV), operative paragraph 5);

(e) Other problems.

3. Instruction No. 3 of 12 September 1961

FINAL REPORT, AND MOVEMENTS OF OBSERVERS

1. The elections are at hand, which means that our mission will soon be completed.

2. During the pre-election period, observers have received the documentation referred to in Instruction No. 1. They have had the opportunity to follow the progress of events in their respective constituencies, to lend assistance to the local authorities and inhabitants, and to supervise the measures taken.

3. Both in their periodic reports and in their weekly meetings, on Wednesdays at Kigali for those in Rwanda and on Fridays at Kitega for those in Burundi, they have been able to record their observations and to compare them, as necessary, with those of their colleagues.

4. During the final phase, which is now beginning, observers will be expected not only to continue following closely the development of the general atmosphere and supervising the final preparatory measures but also, at the end, to supervise the actual electoral and referendum operations.

5. There is no need to dwell on the importance which the Commission attaches to the information which the observers will supply to it in their final reports. Accordingly, with a view to deriving the maximum benefit from them, it has drawn up a model report, a copy of which is attached hereto. In the interests of facilitating the work of the Commission, observers are asked to conform to this model.

6. When the popular consultation takes place, observers shall proceed as follows:

(a) *Those in Burundi:*

They will remain at their posts until 21 September and will proceed to Usumbura on 22 September, where they may submit the above-mentioned reports. They will spend the night at Usumbura and on Saturday, 23 September, will reach their assigned posts in Rwanda, in accordance with Administrative Circular No. 16. They may return to Usumbura on the 26th. If it is considerably easier for them to reach their assigned posts in Rwanda without passing through Usumbura they may do so, but they must in that case take steps to ensure that their reports reach Usumbura by 22 September.

(b) *Those in Rwanda:*

After their return from Burundi pursuant to Administrative Circular No. 14, they will remain at their posts in Rwanda until 27 September. On the 28th they will return to Usumbura, where they will submit the above-mentioned reports.

7. Thus the mission of the observers will be completed. As Principal Secretary, I should like to take this first occasion of expressing to all of them my thanks for the way in which they have discharged their task.

ANNEX TO INSTRUCTION NO. 3

Model of final report

(1) *Administrative organization:*

(a) Information campaign;

(b) Registration stations;

(c) Registration operations*;

(d) Complaints and appeals against the roll;

(e) Registration of parties and deposit of nominations;

(f) Drawing of symbols by lot (Burundi);

(g) Polling stations (number of polling-booths and ballot-boxes, distance to be covered, etc.);

(h) Trial elections with blank ballots;

(i) Supervision of the distribution of ballot-papers;

(j) Conduct of the voting; hours during which stations will be open; supervision of polling stations and surrounding areas; conduct of party officials and representatives; conduct of voters; incidents; special problems.

(2) *Electoral campaign:*

(a) Intensity of the campaign;

(b) Respect for fundamental freedoms shown by the public authorities (recognition of parties, permits for meetings, freedom of expression, etc.);

(c) Respect for fundamental freedoms shown by the parties in relation to each other (cases of intimidation, violence, sabotage of meetings, etc.);

(d) Respective activities of the different parties.

(3) *Incidents and troop movements* (resolutions 1605 (XV), operative paragraph 5, and 1579 (XV), operative paragraph 6):

(a) Summary of incidents in the Territory (number of huts burnt, number of dead and number of refugees);

(b) Reintegration of refugees, number, etc.;

(c) Action of the armed forces;

(d) Extent and frequency of troop movements;

(e) Effect of these movements on the morale of the population.

(4) *General atmosphere* (resolution 1605 (XV), operative paragraph 5):

(a) Interest shown by the population in the electoral campaign;

* Including number of voters inscribed, number of inhabitants of each commune, irregularities and difficulties in the operations, and establishment and functioning of registration committees.

- (b) Rumours and false alarms;
 (c) Conduct of agents of the autonomous Government during the electoral period;
 (d) Maintenance of public order.
 (5) Other miscellaneous problems.
 (6) Conclusions.

ANNEX XII

Assignments of observers and other staff during the elections

1. ELECTIONS IN BURUNDI

In order to provide the observers in Burundi with the additional assistance which they needed in order to perform their tasks on Monday, 18 September 1961, the day of the elections, the following assignments were made:

Constituency	Observer	Staff assigned
Bubanza	H. M. Sanborn	} N. Tordini
Usumbura	H. Noël	
Bururi	J. P. Hesse	
Rutana	S. Zelleke	L. F. Martin
Muramvya	D. Ho	V. Chavez
Kitega	K. Naprstek	R. Humberset
Ruyigi	E. Adoboli	M. Tardu
Muhinga	K. Hylfelt	A. J. Obrdlík
Ngozi	B. Syrový	R. Aalders
		G. Chernov
		P. L. Correa
		H. M. Ureta
		G. R. Fennell
		A. Hatami

2. ELECTIONS AND REFERENDUM IN RWANDA

In order to provide the observers in Rwanda with the additional assistance which they needed in order to perform their tasks on Monday, 25 September 1961, the day of the elections, the following assignments were made:

Constituency	Observer	Staff assigned
Kigali	P. L. Correa	C. Benjamin
Gitarama	A. Hatami	V. Chavez
Nyanza	S. Habal	D. Ho
Astrida	G. R. Fennell	A. J. Obrdlík
Shangugu	P. de Rodzianko	K. Hylfelt
Kibuye	L. F. Martin	R. Aalders
Kisenyi	F. A. Pradas	B. Syrový
Ruhengeri	H. M. Ureta	N. Tordini
Biumba	G. Chernov	R. Humberset
Kibungu	E. Brant	H. M. Sanborn
		M. Tardu
		H. Noël
		J. P. Hesse
		—
		E. Adoboli
		S. Zelleke
		A. van Egmond

ANNEX XIII

List of members of the broad-based caretaker Government of Burundi established on 6 July 1961

Prime Minister: Mr. Joseph CIMPAYE (UPP)
 Minister for Social Affairs: Mr. Emmanuel NIGANE (UPP)
 Minister for Technical Affairs: Mr. Paul BAGANJICABA (PDC)
 Minister for the Interior: Mr. J. B. NTINDENDEREZA (DPC)
 Minister for Information: Mr. Thadé SIRUYUYUMUNSI (UPRONA)
 Minister for Finance: Mr. Pierre NGENDANDUMWE (UPRONA)
 Minister for Agricultural Land and Livestock: Mr. Pierre BIGAYIMPUNZI (PDR)
 Minister for Economic Affairs and Co-operatives: Mr. Laurent ZURUZURU (PDR)
 Secretary of State for Justice: Mr. Urbain BANUYA (UPP)

Secretary of State for Health: Mr. Antoine NZOHABONA (UPP)
 Secretary of State for the Civil Service: Mr. J. B. NTAKIYICA (PDC)
 Secretary of State for Mechanization: Mr. Mathias NGOMIRAKIZA (PDC)
 Secretary of State for the Budget: Mr. Joseph BAMINA (UPRONA)
 Secretary of State for Information: Mr. Félix KATIKATI (UPRONA)
 Secretary of State for Land Titles, Surveying and Mines: Mr. Gérard BITORIROBE (PDR)
 Secretary of State for Veterinary Affairs and Co-operatives: Mr. Pascal KASHIRAHAMWE (PDR)

ANNEX XIV

Explanatory statement made by Mr. M. Rahnema, Commissioner at Kigali, on 26 June during the conference of the political parties of Rwanda

The representative of the Administering Authority has been good enough to let me hear the tape-recording of the discussions which took place the other day. Certain opinions were voiced at that meeting, in my absence, about the position of the United Nations with respect to certain problems and, in particular, the recognition or non-recognition of the governmental bodies set up at Gitarama, the different methods of conducting the elections and, finally, the date of the referendum and the elections. In order to avoid any misunderstanding on these questions, particularly as regards the recognition or non-recognition by the United Nations of the governmental bodies set up at Gitarama—and although these questions were not really on the agenda of that conference, that being the very reason why I had avoided raising them—I feel obliged to make an explanatory statement.

Resolution 1605 (XV) clearly states, and I quote from the preamble, that the General Assembly regrets "the *de facto* recognition by the Administering Authority of governmental bodies in Ruanda which were established by irregular and unlawful means and which cannot be regarded as fully representative of all segments of the population in the absence of free and fair elections on the basis of direct universal adult suffrage as envisaged in resolution 1579 (XV)".

The representative of Tunisia in the Fourth Committee, speaking on behalf of the sponsors of the draft resolution, made the matter quite clear at the 1140th meeting of that Committee when he said that "since the sponsors had regretted the *de facto* recognition by Belgium of those bodies, they obviously did not themselves recognize them".

It is thus incorrect to say that the General Assembly has recognized tacitly or indirectly the institutions set up at Gitarama. It is none the less true that it has not requested their complete abolition, because, as stated in operative paragraph 3, the Assembly considers that the Belgian Government is, after all, "alone responsible for the administration of the Trust Territory of Ruanda-Urundi and accountable to the United Nations, and that its responsibilities as Administering Authority cannot in any way be abdicated to local political bodies and leaders until after appropriate democratic institutions have been set up and the Trusteeship Agreement has been terminated, all with the approval of the United Nations".

It is also the Belgian Government which, according to paragraph 5, has "the obligation and the responsibility... to create the necessary conditions and atmosphere for the proper conduct of the national elections and not to permit any local authorities to impede the implementation of the resolutions of the General Assembly".

Nevertheless, as I said the other day, the General Assembly, being motivated solely by a desire to prevent the internal *status quo*, as it has been accepted by the Administering Authority, from having an unfavourable influence on the conditions necessary for the proper conduct of the elections, considers it necessary for Belgium to constitute immediately, in the words of the resolution, broad-based caretaker governments in both parts of the Trust Territory, whose functions would be

limited to attending to current affairs of administration and which would act, as operative paragraph 4 says, "in strict conformity with the obligations of the Administering Authority for the implementation of the resolutions of the General Assembly".

The Commission notes with regret that these governments, which ought to have been set up by the beginning of May, have not yet been established and that at this late hour the parties have still not been able to reach any agreement in this regard. It was therefore in this context and in order to find a way out of the deadlock, that the Commission urged the Administering Authority to assume its full responsibility and, if necessary, to take action on its own initiative to meet the pressing obligations imposed on it by the Trusteeship Agreement and resolution 1605 (XV).

The Commission is thus forced to remind the representative of the Administering Authority and the parties here present once more of the serious nature of this deadlock, which may have unpleasant consequences for the future of your country. It considers that the Administering Authority, by agreeing to put into effect the General Assembly's latest resolution on the future of Ruanda-Urundi, has undertaken to constitute broad-based caretaker governments such as I described to you the other day. In our view, these governments should represent the various political trends on a basis of complete equality so that, by cancelling each other out, none could influence the proper conduct and the result of the national elections to its own advantage or to the disadvantage of the others. Any other government which did not fulfil these conditions might, in the Commission's opinion, constitute an obstacle to the implementation of the resolutions of the General Assembly and might perhaps be such as to prejudice the success of the electoral operations as envisaged by the United Nations. If the political parties, to which the Administering Authority has rightly turned first for help in discharging its responsibilities, prove unable to reach a satisfactory agreement on the matter, it will then be for Belgium to decide, with full authority, to meet its obligations either by constituting *ex officio* a caretaker government in accordance with the conditions set forth above, or, as a last resort, by assuming direct responsibility for the administration of the Territory until appropriate democratic institutions have been set up.

I turn now to the second point I want to explain, that is, the questions relating to the compilation of the electoral rolls, the organization of a ballot system which will ensure absolute secrecy, women's suffrage, etc. The very constructive debate at which I was unable to be present the other day because of my journey to Kitega seemed to me of obvious importance. Many worth-while suggestions and proposals were made which the Administering Authority, I am sure, will take into account in reaching the decisions it will have to make in the days ahead.

However, I am obliged to clarify one aspect of this matter also, because of certain remarks made at that meeting, and at other meetings at which I have been present, concerning the role of the United Nations in these decisions. I have often repeated to the leaders of the political parties who have been good enough to discuss the matter with me that the Administering Authority alone is responsible for conducting and establishing the procedure for the forthcoming elections. In discharging this responsibility, it is free to consult the political parties concerned as well as the United Nations Commission or Commissioners. Thus the role of the United Nations Commission and Commissioners is merely an advisory one. It is not for the Commission or the Commissioners—and I would stress this—to propose solutions or to seek to share the Administering Authority's responsibility for conducting the elections or for any measures adopted for that purpose. The Commission is there to ensure that the resolutions in question are duly put into effect and, as is stated in operative paragraph 8 of resolution 1605 (XV), "to assist and advise the Administering Authority in the full and proper implementation of resolution 1579 (XV) and the present resolution, and to perform the other tasks entrusted to it".

Accordingly, the Commission is not, and will not be, in any way responsible for the decisions taken by Belgium in fulfilling

its obligations and in ensuring the proper conduct of the electoral operations. On the other hand, while seeking to "assist and advise the Administering Authority in the full and proper implementation" of the resolutions and giving its own opinion on the decisions taken in pursuance of those resolutions, it must in all conscience evaluate those decisions in the light of the General Assembly's recommendations, and make an objective compilation of the evidence so that the General Assembly will be able to reach a decision on the result of the electoral operations with a full knowledge of the facts.

As for the detailed methods which were discussed by you the other day in a constructive manner, the Commission has never taken a rigid attitude. It considers that the first aim should be to find methods on which all the parties concerned would be in a position to agree. If such agreement cannot be reached, the best solution will always be the one that is reasonable, is in accord with the principles of the Charter and is based on the need for fairness, order and respect for the rights of all without any distinction. It is in the light of these considerations and of your various constructive views that the Commission, you may be sure, will lend its good offices both to the representatives of the Administering Authority and to the parties concerned.

Applying these principles to the questions you debated, the Commission is in favour, for example, of any ballot system which would ensure absolute secrecy and which had the agreement of the political parties. It is in favour of women's suffrage, which, moreover, has been advocated by all the parties in a general agreement which, in my view, does honour to your sense of progress and political maturity. It is in favour of any procedure that would simplify the voting operations, and in particular of the system of colours, which has already been adopted in several countries in similar circumstances.

I nevertheless repeat once more that it does not have any final formula on which it would maintain a rigid and uncompromising position. The solution it would prefer above all would be one supported by the Administering Authority and accepted and approved on the basis of a general agreement between all the participants.

I should like, finally, to say a word or two about the question of the referendum and the date of the elections. The Resident, Colonel Logiest, told you the other day that the Commission would have liked the referendum to be held before the elections. I must say that it is not the practice of the Commission to divulge the nature of its talks with the Administering Authority or to put its intentions or preferences on record, since its aim is, understandably, to do nothing which would hinder the Administering Authority in fulfilling its responsibilities. However, since Colonel Logiest has seen fit to reveal certain views held by the Commission on this matter, I should also like to say something about it to you.

The Commission does indeed prefer that the referendum should be held before the legislative elections and has expressed that preference. Its reasons are based on the fact that the Commissioners closely followed the General Assembly's debates on this subject and that they have tried to analyse them and to discover the essential ideas which most delegations had in mind when considering this problem.

The General Assembly's discussions revealed the full extent of its concern over measures which it considered arbitrary and illegal. A régime which existed in the Trust Territory was abolished by irregular methods. Another régime was proclaimed and declares that it acted in accordance with the wishes of the people. This last assertion is nevertheless contested by part of the population, and the Administering Authority, which admits that this state of affairs exists, has done nothing to ascertain the true situation by putting the question to the people.

The General Assembly therefore wanted a return to the rule of law. In other circumstances, the United Nations might perhaps have called for the unconditional restoration of the legally constituted authority as it had previously existed, but after studying the realities of the internal political situation more carefully, it arrived at a solution which accorded still more closely with the spirit of our times. That was, quite simply, to put the matter to the people of Rwanda, as the sole custodians of the national sovereignty, so that they could make

their views known on the constitutional structure of their country. It is thus quite natural that constitutional legality should be re-established before the people go to the polls to choose their representatives.

It would be neither logical nor just to hold the elections in a constitutional framework whose legality had been questioned. You will therefore understand why we were pleased when the Administering Authority promised to tackle the problem of obtaining the agreement of the Banyarwanda to the referendum's being held fifteen days before the legislative elections.

I have considered with great care the arguments put forward by the parties, and the Administration's new misgivings about there being a gap of fifteen days between the referendum and the elections. I immediately informed my colleagues of the position even while you were debating this problem on Saturday. I am glad to be able to tell you that the Commission was very receptive to certain arguments put forward by the Resident and certain political parties. It accordingly decided that, as far as it was concerned, a shorter period of perhaps only a few days, that is, just enough time for the country to learn of the results of the referendum, might be regarded as perfectly justified and acceptable. The essential thing, in our view, is that a legally constituted authority should be established, or re-established, before the people go to the polls.

I think that I have now finished with the three important problems which I wished to raise. There remains the question of the procedure to be followed for the referendum and other questions apart from the referendum and the elections. I repeat once more that it is for the Administering Authority to take the decisions on these various questions, and I believe that it has acted very wisely in choosing this method of arriving at its decisions after consultations with the parties concerned. My role will be limited to offering my good offices if I am consulted. I would ask you, however, to leave me out of any consultations that might involve the Commission's responsibility, for the Commission has merely an advisory function which it is quite ready to perform; there can be no question of its sharing the responsibility for its decisions with the Administering Authority. It is not allowed to do so by its terms of reference.

ANNEX XV

Text of the draft protocol submitted by the Resident on 3 July 1961 to the conference of the political parties of Rwanda

I. PREAMBLE

The Administering Authority of Rwanda has, since 19 June 1961, gathered together the main national parties in order to discuss with them the best way of putting into effect the recommendations contained in United Nations resolution 1605 (XV).

It hoped that the political leaders, once they were brought together, would succeed in reaching agreement on common solutions to all the problems before them.

It has constantly encouraged them to do so.

It wishes to thank Mr. Rahnema, the United Nations Commissioner, for the help he has given both to the parties and to the Administering Authority by explaining to them the spirit behind the resolutions and by assisting them with his advice so that an atmosphere of peace and understanding might be maintained and that the electoral operations might proceed smoothly to the satisfaction of all concerned.

It is unfortunately compelled to recognize that although the parties quickly agreed on a number of questions, there were others, which are of great importance, on which it was not possible to reach unanimous agreement. The main issues are the establishment of a broad-based caretaker government and the order in which the elections and the referendum are to take place.

The Administering Authority, being conscious of the obligations incumbent upon it, particularly under operative paragraph 5 of the resolution, is creating the necessary conditions and atmosphere for the proper conduct of the national elections and is not permitting any local authorities to impede the implementation of the resolutions of the General Assembly.

In accordance with the resolutions adopted by the United Nations, the Administering Authority has made provision for the amnesty. The process of putting the relevant decisions into effect is far advanced, and all convicted and detained persons eligible under the amnesty are benefiting from the very far-reaching measures decreed by the Belgian Government.

The Administering Authority continues to favour and will encourage the return of refugees from abroad.

All persons freed under the amnesty and all refugees who return to the country will be able to stand for election and to vote.

The Administering Authority had thus given proof of its willingness to put the General Assembly's resolutions into effect.

It will take this decision further and give it concrete form during the next few weeks in conformity with its general attitude and that of its agents.

It wishes, however, to draw the attention of the parties to the fact that it must also take into account the aspirations of the people of the country.

It draws the attention of the political parties to their own responsibility for maintaining the conditions necessary for the proper conduct of the elections and the referendum.

The maintenance of the atmosphere of calm which is essential for the successful conduct of the electoral campaign, the legislative elections and the referendum will depend mainly, and even essentially, on the attitude of the political parties and their leaders. It is the duty of the leaders of the political parties, above all, to give the necessary orders and instructions to their members so that the latter will refrain from violence or intimidation.

The Administering Authority, for its part, is determined to respect the right to free expression of opinion.

It will nevertheless react firmly against any abuses which may result from this very tolerant attitude. It cannot allow inflammatory speeches or malicious charges against the Administration or its agents, or against individuals.

It will react firmly and quickly wherever law and order or the public peace are disturbed.

It draws the attention of the officers of the political parties to the fact that it can provide protection for individual persons and their property only in a general context of law and order and of respect for the convictions of others. It is the responsibility of the party leaders to prevent political antagonisms being aggravated by irresponsible party members or by calls to violence. The Administering Authority will take its decisions on an essentially pragmatic basis: if order is disturbed it will take action against those responsible for the disorder, wherever and whenever that may be necessary, with the utmost firmness.

The Administering Authority is determined not to allow any local authority, any political party or any party member to impede the implementation of the United Nations resolutions. It will give strict orders to that effect to the district staff, to the forces responsible for maintaining order and to the burgomasters of the communes.

II. PROVISIONS

A. Principles

1. The political parties assembled in conference at Kigali solemnly declare that they will co-operate to the full in the implementation of the resolutions of the United Nations.

2. They undertake to refrain from any action of a kind likely to disturb public order and tranquillity.

B. The elections and the referendum

At the meetings held between the parties in the presence of the Administering Authority, various opinions were voiced. Some parties asked that the referendum should be held before the elections, and others wanted it to be held afterwards.

Whichever of these operations takes place after the other, the Administration wishes to prevent it from being influenced by the results of the first.

It is important that the people should be able to express their views on the question of the monarchy and on their choice of leaders as freely as possible.

The announcement of the first, chronologically speaking, of these operations would probably lead to a certain state of excitement, which would prejudice the conduct of the second and might even provoke disturbances or disorders which would prevent the latter from being held.

The Administration considers that it would be preferable to avoid a situation where thousands of voters, both men and women, would have to go to the polls twice, within a few days, at polling stations which in some cases may be very far from where they live.

1. As a compromise between the opposing viewpoints and in order to ensure that the elections and the referendum proceed as normally as possible, the parties agree that the two operations should take place simultaneously, if possible on 27 August.

2. The electoral constituency shall be the district. There shall be one polling station for each commune. The number of deputies to be elected shall be that specified in article 2 of Legislative Ordinance No. 02/16 of 15 January 1961.

3. Voting shall be for lists of candidates, with proportional representation. Seats shall be allocated to each list in the order of presentation established in advance by the parties.

4. The parties adopt identifying colours for purposes of voting.

For legislative elections:

The Cartel adopts white as its colour.

The Parmehutu party adopts red as its colour.

The Aprosoma party adopts green as its colour.

For the referendum:

The parties adopt the following colours for replies to the two questions:

White to signify "yes".

Black to signify "no".

C. The constitution of a broad-based caretaker government to attend to current affairs of administration

The major political parties of Rwanda, which have been gathered together at Kigali since 19 June 1961, have been examining a pattern of government which would comply with the spirit of resolution 1605 (XV). In eleven days of debate, nothing was agreed upon, but the various parties stated their positions and advanced arguments in support of them.

Noting that no agreement could be reached, the parties unanimously expressed the desire that the representative of the Administering Authority should present a draft scheme of government.

The Administering Authority, desiring on the one hand to ensure the immediate implementation of the United Nations resolutions and, on the other, to help the parties to reach agreement, and bearing in mind the various points of view and the legitimate aspirations of the inhabitants, declares its willingness to propose a compromise formula. The Administering Authority notes that many different opinions are involved, which might be summed up, in a list which does not claim to be exhaustive, as follows:

(a) Some parties regard ethnic representation and the results of the communal elections as realities which cannot be ignored.

Others consider that no value should be attached to the results of the communal elections, which they regard as having been purely administrative.

(b) Some hold that a government which enjoys the allegiance of the majority of the inhabitants exists, that this government, enjoying *de facto* recognition, has actually governed the country and assumed responsibilities and is obeyed by the people, and that, consequently, its dissolution would give rise to discontent which might lead to disturbances.

Others consider that the government should be dissolved in order to give an equal opportunity to all, since its continuation at the head of a local administration which it set up would weigh the balance in its favour. Hence, they consider that

broadening the government would not suffice to overcome this obstacle unless there was a thorough reorganization.

(c) Some appear to interpret operative paragraph 4 of resolution 1605 (XV) to mean that in order to constitute a broad-based government, a new entity must be created, whereas their opponents consider that a broadening of the existing government would satisfy the spirit of the resolution.

(d) Even if the government is merely to be broadened, some consider that parity is the only possible solution, whereas others consider that it would suffice to include a number of opposition elements.

(e) The view held by one group, which would exclude the heads of political parties from the government, is opposed by another group.

The parties agree on the following composition of this Government: The transitional Government will be composed of nine ministries. They will be classified as principal ministries and secondary ministries. The principal ministries will be:

The Ministry of Justice;
The Ministry of Internal Affairs;
The Ministry of Agriculture;
The Ministry of Finance;
The Ministry of Economic Affairs.

The secondary ministries will be:

The Ministry of Technical Affairs;
The Ministry of Public Health.

Two new departments will be added:

The Ministry of Social Affairs and Refugees;
The Ministry of Communications.

In the case of the principal ministries, each department will be under the direction of two ministers of equal rank but of different party affiliation. These shall act jointly, and no decision taken separately shall be valid. In the case of the secondary ministries, each department shall be under the direction of only one minister.

There will be no changes in the case of the two existing departments, whereas the two new departments will be headed by representatives of the opposition.

Mr. Kayibanda will remain Prime Minister of this Government.

ANNEX XVI

Legislative Order No. 01-255 of 4 August 1961 concerning the trusteeship powers over decisions of the States and the communes

Article 1. Belgium shall exercise trusteeship over the districts, the States and the subordinate authorities through the Resident-General.

The Resident-General shall be represented in each State by the Resident.

In respect of the territories or provinces and the communes, he shall be represented by a delegate from the Administering Authority.

Article 2. Without prejudice to the legal provisions governing the administrative trusteeship of the communes, the trusteeship officer may, in the public interest, suspend decisions by the authorities and councils of the prefectures or provinces and of the communes.

The Resident shall immediately be notified of any such suspension together with the reasons for it.

The suspension shall come to an end after thirty days, or earlier if the Resident so decides.

Article 3. The Resident-General and the Resident may, in the public interest, annul decisions by the authorities and councils of the prefectures or provinces and of the communes.

Article 4. The Resident may, in the public interest, suspend decisions by the authorities and councils of the State.

The Resident-General shall immediately be notified of any such suspension together with the reasons for it.

The suspension shall come to an end after thirty days, or earlier if the Resident-General so decides.

Article 5. The Resident-General may, in the public interest, annul decisions by the authorities and councils of the States.

Article 6. Where the public interest so requires, the Resident-General may take the place of the authorities and councils of the States, of the prefectures or provinces and of the communes and, either personally or through special commissioners appointed by him, take all the decisions within the competence of those authorities or councils.

Article 7. The same power shall vest in the Resident as regards decisions by the authorities and councils of the prefectures or provinces and, if he is delegated to act on behalf of the Resident-General, of the States.

Article 8. In cases of emergency, the same power shall vest in the delegate of the Administering Authority as regards the authorities and councils of the prefectures or provinces and of the communes.

The Resident shall be immediately notified of measures taken under the preceding paragraph.

Such measures shall become null and void unless confirmed by the Resident within three months.

Article 9. This Legislative Order shall enter into force on 4 August 1961.

ANNEX XVII

Correspondence concerning the Mwami Kigeli V of Rwanda

1. Letter of 8 June 1961 from the Mwami Kigeli V to the Chairman of the Commission

Allow me to take this opportunity to address to you and to the other members of the Commission my hopes for your success in the important task which has again been entrusted to you: the task of guiding the Trust Territory of Ruanda-Urundi to democratic and peaceful independence.

For my part, I can assure you of my loyal collaboration in the work of remedying the scourge of political suffering which now afflicts the Trust Territory, and particularly my country, Rwanda.

It is in this spirit that I am writing to you today. While I do not know what plans the new Belgian Government may have with regard to the problems which have arisen owing to the shortsighted colonial policy of the former Belgian Government, I cannot regard this as a reason for pessimism. Accordingly, I hope that contacts will be established without delay between all parties interested in the faithful and complete implementation of resolutions 1579 (XV) and 1580 (XV) and of the resolution adopted by the United Nations General Assembly on 21 April 1961, all of which resolutions relate to the future of Ruanda-Urundi.

I place myself at the disposal of the Commission and of all who desire to restore peace and public order in the country, in order that the problems which have arisen may be solved with a minimum of conflict.

I am convinced:

(a) That Ruanda-Urundi is at last about to enjoy a period of public freedom for the free elections of August 1961;

(b) That a caretaker government based on a broad national coalition will be formed without delay in order to ensure the neutrality essential for the conduct of the electoral campaign and for democratic elections;

(c) That I shall be enabled to return to Rwanda immediately in conformity with General Assembly resolution 1580 (XV);

(d) That lastly, an atmosphere of mutual trust will be established between the new Belgian Government, the United Nations, the inhabitants of the Trust Territory and myself.

It is only in such an atmosphere of trust that Ruanda-Urundi will be able to attain its peaceful and democratic independence at the earliest possible date.

(Signed) KIGELI

2. Letter of 27 June 1961 from the Chairman of the Commission to the Resident-General

As I wish to reply to a communication dated 8 June 1961 sent to me from Dar es Salaam by the Mwami Kigeli V, a copy of which communication he has sent to you and to Mr. Spaak, Minister for Foreign Affairs, I should be grateful if you would inform me, having regard to resolutions 1580 (XV) and 1605 (XV), of the present position of the Belgian Government concerning the Mwami's possible return to the country.

(Signed) MAX H. DORSINVILLE

3. Letter of 28 June 1961 from the Resident-General to the Chairman of the Commission

I have the honour to refer to your letter of 27 June, in which you ask me what is the position of the Belgian Government concerning a possible return of the Mwami Kigeli V to Rwanda.

As you know, the Mwami Kigeli V left Rwanda voluntarily last July and has remained in exile since that date, taking every opportunity to attack the Administering Authority.

May I add that General Assembly resolution 1605 (XV) does not call for any specific position with regard to the Mwami until his future status is decided by a referendum.

In the circumstances, my Government prefers that the exile which the Mwami Kigeli V has voluntarily chosen should continue, and is not prepared to discuss the conditions of his return until the referendum and the elections in Rwanda have taken place.

(Signed) J. P. HARROY

4. Letter of 29 June 1961 from the Chairman of the Commission to the Mwami Kigeli V

I have the honour to acknowledge receipt of your letter of 8 June 1961, which did not reach me until 17 June.

I have noted with great interest the desire which you express that a spirit of understanding may prevail on all sides, with a view to ensuring the order and calm necessary for the proper conduct of the coming popular consultations under the supervision of the United Nations Commission for Ruanda-Urundi.

I have no doubt of the sincerity of your feelings in this respect and I hope that you will continue to be guided in all your actions by the higher interests of your country.

I am attaching hereto a copy of a communication¹ which I have received from the Resident-General of Ruanda-Urundi regarding one of the matters with which you were concerned.

(Signed) MAX H. DORSINVILLE

5. Letter of 6 July 1961 from the Mwami Kigeli V to the Chairman of the Commission

I have the honour to acknowledge receipt of your letter of 29 June, which reached me today accompanied by a copy of a letter from Mr. Harroy, Resident-General of Ruanda-Urundi, for which I thank you.

I am glad to know that you have no doubt regarding my feelings, which are, indeed, sincere. In accordance with the hope which you expressed, I will always be guided in my actions by the higher interests of my country, as is evidenced by the fact that I myself requested a referendum, which my people did not demand, solely in order to dispel the doubts raised by a foreign Power interested in the exploitation of Rwanda.

My present demand for the implementation of the United Nations resolutions, so far as concerns my return to Rwanda, is also motivated by the higher interests of my country, for which I remain responsible until such time as the people of Rwanda may decide otherwise.

My views regarding the communication which you have received from Mr. Harroy, Resident-General of Ruanda-Urundi, are as follows. The Resident-General claims that "... the Mwami Kigeli V left Rwanda voluntarily last July

¹ See this annex XVII, No. 3.

and has remained in exile since that date, taking every opportunity to attack the Administering Authority”.

I have set out the reasons for and the circumstances of my departure in such detail, in my statements to the United Nations, that there should be no need for me to repeat them. I left to defend the higher interests of my country, as is attested by the resolutions adopted by the United Nations.

In claiming that I went into exile voluntarily, Mr. Harroy is going too far. Has he forgotten the statement made by the Minister for Foreign Affairs, Mr. Aspremont-Lynden? To refresh his memory, I refer him to paragraph 1 of United Nations resolution 1580 (XV), where he can read that the General Assembly: “Notes with regret that the Administering Authority has arbitrarily suspended the powers of the Mwami of Rwanda and has not allowed him to return to Rwanda to resume his duties of Mwami”. It seems to me that that speaks for itself.

So far as attacking the Administering Authority is concerned, I do not deny it; I have done so. Has a ward not the right to attack his guardian when the latter has been remiss in his duty? The United Nations has judged us, and judgement was given for the ward against the Administering Authority. Let the Resident-General carry out the United Nations resolutions, or let him simply open his eyes and see the United Nations Commission beside him. Why would it be there, if not because the Administering Authority no longer has the full confidence either of its wards or of the United Nations? Have I been guilty of any wrong in denouncing this state of affairs? Rather, I should have been seriously delinquent in my duty to my people if I had remained silent concerning the shortcomings for which the local Administration has made the Administering Authority responsible.

If the new Belgian Government should by misfortune repeat the errors of the preceding Government I would attack it just as strongly, if not more so, just as I am fully prepared to collaborate with it sincerely if it renounces the attitude by which Belgian colonial policy has been guided in recent times.

The Resident-General goes on to say: “... General Assembly resolution 1605 (XV) does not call for any specific position with regard to the Mwami until his future status is decided by a referendum”. I wonder if the Resident-General read the entire resolution. The General Assembly, in the second pre-ambular paragraph, begins by “Recalling its resolutions 1579 (XV) and 1580 (XV) of 20 December 1960 concerning the future of the Trust Territory of Ruanda-Urundi”, and it refers to those resolutions elsewhere in the text.

Even if these resolutions had not been cited, would they not nevertheless remain binding upon the Administering Authority? Must everything the United Nations recommends be repeated at each session or meeting if it is to remain valid? If that were the case, Belgium would be relieved of many responsibilities—including perhaps even the Trusteeship Agreement itself.

I firmly believe that every resolution which is not rescinded remains in force and must be carried out.

The Resident-General continues: “... my Government prefers that the exile which the Mwami Kigeli V has voluntarily chosen should continue...”. If I understand him correctly, the Resident-General reaffirms officially and in clear terms that it is not by the will of the Administering Authority but by my own will that I am in exile. I note this with satisfaction. Being responsible for my own exile, I shall end it whenever I see fit. I regret that I cannot satisfy the Government's preference that I should continue my voluntary exile; the interests of my country come first.

Nevertheless, I should be glad if the Government, in co-operation with the United Nations Commission, would ensure the implementation of all the resolutions adopted by the United Nations, including resolution 1580 (XV). I consider that the non-implementation of this resolution constitutes an example of the obstruction referred to in operative paragraph 13 of resolution 1605 (XV).

I hope to receive a definite reply as soon as possible.

(Signed) KIGELI

6. Telegram of 21 September 1961 from the Prime Minister of Tanganyika to the Chairman of the Commission

Following message is from Mwami Kigeli begins informed all airfields closed nonscheduled aircraft until September 26. I wish to return immediately accordance General Assembly resolution 1580 20/12/60. Most grateful secure immediately permission to land for British registered charter aircraft.

7. Telegram of 21 September 1961 from the Chairman of the Commission to the Mwami Kigeli V

Have honour acknowledge receipt of your message. Have communicated it to Resident-General who, after confirming Rwanda airfields closed, adds following: “I was unaware intentions of Mwami Kigeli who, since his conversations with Ambassador Carlier in June, has had no contact with Belgium. In view of this silence and lack of interest I am not inclined to rescind in his favour the measures adopted, particularly as his return three days before elections, without our being able to take adequate security measures, could only contribute to deterioration public order which Administering Authority has had to exert great efforts to maintain, as on occasion of recent Kibungu incidents.”

ANNEX XVIII

Text of an appeal by the Mwami Kigeli V prepared for distribution in Rwanda on the eve of the popular consultations

TO ALL BANYARWANDA:

I am entering Rwanda; “PEACE” is my greeting.

Rwanda has just experienced two years of fire and bloodshed and has seen the destruction of all its property.

The perpetrators of these misdeeds have been none other but you, the Banyarwanda, yourselves.

There is a limit to everything. Those of you who do not realize that in destroying Rwanda you are destroying yourselves are totally blind. Awaken, children of Rwanda, subjects of the Mwami. Let there be an end to all that has been done in darkness and blindness and let us build a new Rwanda.

ERASE THE PAST.

All of you who seek vengeance, all of you who wish to begin killing again or to commit any other misdeeds, are wrongdoers; do not be surprised if you are prosecuted and punished severely. Love one another, Banyarwanda, and redouble your efforts for the development of the country of your birth.

Unity and strength: this is the motto which should fill your hearts.

And you, foreigners in Rwanda, Rwanda will become your homeland if you love it.

FOR PEACE, LIBERTY AND THE PROSPERITY OF RWANDA

(Signed) KIGELI V
Mwami of Rwanda

ANNEX XIX

Amended orders concerning the popular consultations in Burundi

1. Legislative Order No. 02/249 of 1 August 1961 concerning registration for the legislative elections, as amended

SECTION I. VOTERS AND REGISTRATION

Article 1. A person may vote in the elections for members of the Assembly, provided that at the time when the electoral registers are closed, he has had his habitual residence in the commune for at least one month, is not less than eighteen years of age, and is a national of Burundi.

Article 2. Members of the armed forces of Ruanda-Urundi on active service, and members of the police force, shall not vote in the elections.

Article 3. The right to vote shall be suspended in the case of:

(1) A prisoner sentenced for a criminal offence or remanded in custody for an offence under the ordinary law; a person under detention for non-payment of taxes shall vote at the polling station nearest to his place of detention;

(2) A person confined to an institution or hospital by reason of insanity.

Article 4. Persons who satisfy the conditions laid down for the franchise shall be registered on the roll of the commune in which they have their main residence, i.e. that declared at the last census or on registration in the population register or, failing that, on registration on the roll.

Article 5. A roll of voters in a form prescribed by the Resident shall be kept in each commune.

Article 6. Every applicant for registration on the roll must furnish proof that he satisfies the conditions laid down for the franchise.

Article 7. If it is disputed that a voter has reached the age of eighteen years, his receipt for, or certificate of exemption from, the minimum personal contribution for the financial year 1961 shall be accepted as proof in the absence of other evidence.

Article 8. The right of a person to vote in the elections shall be established by his registration on the roll and the delivery of a voter's card in a form the model of which shall be prescribed by the Resident. If a card is lost or destroyed, a duplicate may be issued.

(Legislative Ordinance No. 02/285 of 25 August 1961—in force 1 August 1961)

Every voting card shall be signed at the time of its delivery by the chairman and one other member of the registration board as provided in article 11 below; the two signatories should, where possible, be members of different political parties.

Article 9. A board composed of representatives of the parties and presided over by the burgomaster shall register the voters, draw up the roll and issue the voters' cards at the time of registration. The absence of one or more representatives of the parties shall not affect the validity of the board's proceedings. The names and addresses of such representatives shall be communicated to the burgomaster not later than twenty-four hours before the start of operations.

Article 10. The roll of voters shall be closed eight days before the date fixed for the beginning of the elections in the constituency.

A copy of the roll shall be deposited or posted in the commune on that date.

It shall remain there until the date fixed for the elections in the constituency and may be consulted there by any person concerned.

Article 11. A record of closure of the roll shall be drawn up by the board provided for in article 9.

A copy of the record shall be sent to the district administrator.

SECTION 2. APPEALS AGAINST THE ROLL

Article 12. Any person may appeal to the administrator of the district to which the commune belongs, not later than six days before the elections, against registration or non-registration on the roll.

Article 13. The district administrator shall rule on every appeal not later than three days before the elections.

A copy of his ruling shall be sent to the burgomaster, the appellant and the person concerned.

Article 14. The rulings of the district administrator concerning registration or non-registration on the roll of voters shall be entered on the roll by the burgomaster within two days of the date on which they are made.

SECTION 3. PENALTIES

Article 15. Any person who by the use of violence disturbs or attempts to disturb the proceedings of a registration board with a view to hindering the registration operations shall be liable to hard labour for a term not exceeding two years and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 16. If a member of a registration board, while the board is in session, resorts to insults or violence towards one or more of the registration officers, or by assault and battery or threats delays or prevents the registration operations, he shall be liable to hard labour for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 17. If a person, with a view to having his name entered on a register of voters, knowingly makes false statements or produces documents which he knows to have been forged, he shall be liable to a fine not exceeding 200 francs.

If a person knowingly commits the acts aforesaid for the purpose of causing another person's name to be entered on or removed from a register of voters he shall be liable to the same penalty.

If a person knowingly causes his name to be entered, or presents himself for the purpose of having his name entered, on more than one electoral roll he shall be liable to the same penalty.

Article 18. Any person responsible in any capacity whatsoever for the preparation or compilation of electoral rolls who, in the performance of such duties and with a view to removing a voter's name from such a roll or to securing the franchise for a person, knowingly uses papers or documents which have been falsified by alteration, mutilation or addition or have been counterfeited, or who, for the same purpose, wilfully makes inaccurate entries in the electoral rolls through the alteration, addition or omission of data provided in such papers or documents as may be used in the compilation of the said rolls, shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

Article 19. This legislative Ordinance shall enter into force on 1 August 1961.

2. Legislative Order No. 02/269 of 17 August 1961 concerning the legislative elections, as amended

SECTION I. ELIGIBILITY

Article 1. A person shall be eligible for election if, at the time when the electoral registers are closed:

He has his habitual residence in the State;

He is not less than twenty-one years of age;

He is a national of Burundi;

He has successfully completed two years of post-primary schooling or undergone equivalent training.

Article 2. The following shall not, however, be eligible:

(1) A person who has been sentenced to hard labour for terms amounting in all to

(a) More than one year and less than five years within the preceding ten years;

(b) More than five years within the preceding twenty years.

These periods shall be calculated up to the closing date for the filing of candidatures.

These provisions shall not apply to any person who has benefited from an amnesty or who has been sentenced for the contravention of an administrative regulation (*décision de police administrative*) or of an act of negligence (*délit d'imprudence*);

(2) A person confined to an institution or hospital by reason of insanity;

(3) A person serving a sentence of imprisonment, unless he was sentenced for the contravention of an administrative regulation.

Article 3. The persons referred to in article 2 of Legislative Ordinance No. 02/249 of 1 August shall not be eligible.

SECTION 2. CANDIDATURES AND ALLOCATION OF SEATS

Article 4. Burundi is divided into sixty-four constituencies. The said constituencies are determined by Ordinance No. 02/21 of 17 January 1961.

Article 5. The names of candidates shall be submitted on lists sponsored by parties or associations.

There need be no more than one candidate on a list.

The number of names on a list shall not exceed four.

Article 6. The entry of a list of candidates must be accompanied by a deposit of 2,500 francs, regardless of the number of candidates on the list.

The deposit shall not be refunded if the list fails to receive one-tenth of the votes cast in the constituency.

Article 7. A candidature shall be null and void if the candidate:

Fails to secure acceptance;

Is not eligible;

Is entered on more than one list;

Has been presented in more than one constituency.

Article 8. In each constituency the seat shall be assigned to the list which obtains the highest number of votes.

Article 9. Whenever two or more lists are equally entitled to the seat, it shall be assigned by drawing lots.

Article 10. The seat won by a list shall be assigned to the candidate on the list who has obtained the highest number of votes.

Whenever two or more candidates are equally entitled to the seat, it shall be assigned by drawing lots.

SECTION 2 bis. THE ELECTORATE

(Legislative Order No. 02/286 of 25 August 1961—in force 25 August 1961)

Article 10 bis. The persons referred to in section 1 of Legislative Ordinance No. 02/249 of 1 August 1961 concerning registration shall be voters. A person under administrative detention, or serving a sentence of hard labour for the contravention of an administrative decision (*décision de police administrative*), or under detention (*contraint par corps*), shall vote at the station nearest to his place of detention. A person placed in supervised residence shall vote at the station nearest to his prescribed place of residence.

SECTION 3. ELECTIONS

Article 11. The Resident-General shall determine:

The procedures for verifying the qualifications of candidates and the grounds for disqualification, and procedures for the application of the relevant provisions;

The procedures for the presentation of candidates;

The technical procedures for organizing and conducting the elections.

Appeals from the results of an election and penalties for electoral offences shall, however, be governed by the following provisions:

A. APPEALS

Article 12. An appeal against the results of an election shall, under penalty of disqualification, be lodged within the six days following the announcement of the results.

The appeal shall be sent by registered post to the chairman of the board referred to in the next article.

The appeal shall in every case indicate the identity and the place of residence of the appellant.

Article 13. An appeal shall be examined within fifteen days of receipt by a board consisting of a chairman and two assessors appointed by the president of the court of first instance from among the judges on the local bench.

The board shall reach its decisions by majority vote.

If the board allows an appeal on grounds of an error of fact, it shall rectify the erroneous result. In all cases it shall annul the election wholly or partly if the irregularities in question could have materially affected the result of the voting.

Article 14. If the election is annulled, the chairman of the board shall inform the Resident-General immediately thereof by registered post.

The Resident-General or his deputy shall fix the date of the new elections. The new elections shall be held not later than fifteen days after the decision of the board. No new candidates may be presented.

B. PENALTIES

Article 15. If a person gives, offers or promises directly or indirectly to one or more persons who shall be specified any money, valuables or property in return for a vote or for abstaining from voting, or makes such gift, offer or promise contingent on the results of the election, he shall be liable to hard labour for a term not exceeding one month and to a fine not exceeding 500 francs, or to one of these penalties only.

Any person who accepts any such offer or promise shall be liable to the same penalties.

Article 16. If a person, in order to compel a voter to abstain from voting or to influence his vote, resorts to assault and battery, violence or threats, causes him to fear loss of employment, injury to his person or family or damage to his property, he shall be liable to hard labour for a term not exceeding six months and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 17. If a person knowingly provides funds for the commission of any one of the offences specified in the two preceding articles, or orders any offer, promise, threat or assault and battery, as therein referred to, to be carried out on his behalf, he shall be liable to punishment as principal in the first degree.

Article 18. If in the cases provided for in the three preceding articles the offender is a civil servant, the maximum penalty shall be imposed, and the length of the term of imprisonment and the amount of the fine may be doubled.

Article 19. Any person who employs, assembles or stations individuals, even unarmed, in a manner likely to intimidate the voters by exerting moral or physical pressure or to disturb the peace, or who himself acts with those aims in view, shall be liable to hard labour for a term not exceeding six months and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Any person who knowingly joins any band or group so organized shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

Article 20. Persons who, by means of unlawful assembly, or the use of violence or threats, prevent one or more voters from exercising their political rights shall be liable to penal servitude for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 21. If a person by the use of violence disturbs or attempts to disturb the proceedings of an electoral board with a view to hindering the election operations he shall be liable to hard labour for a term not exceeding two years and to a fine not exceeding 2,000 francs, or to one of these penalties only.

If the ballots have been tampered with, the maximum penalties as laid down shall be imposed, and the length of the term and amount of the fine may be doubled.

Article 22. Any member of an electoral board who, while the board is in session, resorts to insults or violence towards one or more of the electoral officers, or who by assault and battery or threats delays or prevents the election operations, shall be liable to hard labour for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

If the ballots have been tampered with, the maximum penalties laid down shall be imposed, and the length of the term and amount of the fine may be doubled.

Article 23. If a person affixes the signature or fingerprint of another person or of a fictitious person to any document whereby a person is put up for election or agrees to be a candidate he shall be liable to the penalties prescribed for forgery.

Article 24. If a person is found guilty of counterfeiting ballot-papers he shall be liable to the penalties prescribed for the forgery of public documents.

Article 25. If a person who is required in his official capacity to participate in the organization, supervision and, more generally, the proper conduct of the electoral operations, betrays the secrecy of the ballot he shall be liable to penal servitude for a term not exceeding two months and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 26. If a person votes or presents himself for the purpose of voting in the name of another voter he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

If a person votes or presents himself for the purpose of voting at more than one polling station he shall be liable to the same penalties.

If a person, in any manner whatsoever, abstracts one or more ballot-papers he shall be liable to the same penalties.

Article 27. If a person, while the votes are being cast or counted, fraudulently alters, suppresses or adds any ballot-paper, or who knowingly records a number of ballot-papers or votes lower or higher than the real number of those for the count of which he is responsible, he shall be liable to hard labour for a term of not less than three months nor more than two years and to a fine of not less than 50 nor more than 2,000 francs, or to one of these penalties only.

Any other person found guilty of any of the offences referred to in the preceding paragraph shall be liable to hard labour for a term of not less than one month nor more than one year and to a fine of not less than 50 nor more than 1,000 francs, or to one of these penalties only.

(Legislative Order No. 02/286 of 25 August 1961—in force 25 August 1961)

Article 27 bis. If a person places any means of transport belonging to the public authorities at the disposal of any person for the purpose of conveying him to the polling station he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only, unless the person conveyed is entitled to use the vehicle in question.

(Legislative Order No. 02/299 of 12 September 1961)

Article 27 ter. If a person displays any badge, writing, slogan, emblem or other sign in favour of any political party, candidate or list in any public place or place open to the public within one kilometre of a polling station on the polling day he shall be liable to penal servitude for a term not exceeding one month and to a fine not exceeding 200 francs, or to one of these penalties only.

(Legislative Order No. 02/286 of 25 August 1961)

Article 27 quater. If a person convenes, assembles or attends on the polling day a public meeting concerning the elections, or if he distributes any non-official written or printed matter concerning the same, or speaks in a public place concerning any party, list or candidate he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

SECTION 4. SUBSTITUTION

Article 28. The appointment of alternates to replace members of the Assembly shall be carried out in the following manner:

The candidates on each list who have not received the number of votes required for a seat shall be called upon, in the order

of the number of votes obtained, to replace the person on their list who was elected but who has been suspended from office, or whose seat has fallen vacant.

Whenever two or more candidates are equally entitled to the seat, it shall be assigned by drawing lots.

In the absence of an alternate on a given list, a by-election shall be held.

Article 29. An alternate who is called upon to sit shall serve the unexpired term of the regular member whom he replaces.

SECTION 5. REASONS FOR THE WITHDRAWAL OR SUSPENSION OF A MANDATE

Article 30. The mandate of a member or alternate member of the Assembly shall terminate in the event of:

- (1) Resignation;
- (2) Appointment to one of the offices specified in article 4 of Legislative Order No. 02/235 of 15 July 1961, subject to the provisions of article 31, paragraph (1), of this Order;
- (3) Loss of the qualifications specified in article 1;
- (4) Sentence upon conviction to one of the penalties enumerated in article 2, paragraph (1);
- (5) Death.

Article 31. The mandate of a member shall merely be suspended in the event of:

- (1) His appointment as a Minister or Secretary of State;
- (2) His call to the colours;
- (3) Loss of qualifications under article 2, paragraphs (2) and (3).

SECTION 6. GENERAL PROVISIONS

Article 32. Chapter II of Order No. 02/235 of 15 July 1961 is hereby repealed.

Article 33. This Legislative Order shall enter into force on 17 August 1961.

3. Ordinance No. 02/270 of 17 August 1961 concerning the legislative elections as amended

SECTION 1. GENERAL

Article 1. The legislative elections in the State of Burundi shall be held on 18 September 1961.

SECTION 2. NOMINATIONS

Article 2. Nominations shall be received by the district administrator or his representative not later than twenty days before the beginning of the elections in the district.

No nomination may be withdrawn after that date.

Article 3. The deposit of each list of candidates shall be entered in a record drawn up by the district administrator or his representative. A standard record form is annexed to this Ordinance.

Within four days after each record is drawn up, a copy thereof shall be deposited or posted in every commune in the constituency and may be consulted there by any interested person.

A copy shall be given immediately to each candidate as a receipt.

A copy shall be posted at the district office.

Article 4. Any list bearing the names of more than four candidates shall be null and void.

Article 5. Each candidate shall be given a symbol.

The Resident shall draw up a list of symbols, from which the symbols to be given to each candidate in each constituency shall be drawn by lot. The district administrator or his representative shall draw lots for this purpose on the closing date for the deposit of nominations.

SECTION 3. APPEALS AGAINST NOMINATIONS

Article 6. Not later than thirteen days before the date of the elections, an appeal may be made against a nomination to

the Resident through the district administrator, who shall forward his opinion and the necessary documents with the appeal.

Article 7. The Resident shall rule on appeals against nominations not later than ten days before the elections. A copy of his ruling shall be sent to the district administrator, to the district burgomasters, to the appellant and to the person concerned.

Article 8. The final list of candidates for the constituency shall be drawn up by the district administrator.

The list shall be posted at the communal office and at the district office.

Article 9. If a nomination is rejected, the symbol of the candidate concerned shall not be given to any other person in the constituency. If a new nomination is accepted following an appeal, the new candidate shall immediately be given a symbol drawn by lot from among the unused symbols of the constituency.

SECTION 4. ORGANIZATION OF POLLING STATIONS

Article 10. There shall be at least one polling station for each commune.

One polling station in each constituency shall be the central station. The Resident shall draw up the list of such stations.

Article 11 (Ordinance No. 02/296 of 8 September 1961, which came into force on that date). Each polling station shall be provided with one or more polling-booths each containing one ballot-box for each candidate of a type which shall be uniform throughout the State and which shall be determined by the Resident.

Each ballot-box shall bear the name and symbol of the candidate.

In addition, each candidate may, before the voting begins, place his photograph on his ballot-box in each booth.

Article 12. The place of each ballot-box in the booths shall be decided by the Chairman of the polling committee by drawing lots. The ballot-boxes of candidates on the same list shall be grouped together.

Article 13. Before the polling station opens, the Chairman of the polling committee shall seal the ballot-boxes with wax and a seal in the presence of the attending polling officers and representatives of lists of candidates.

The Chairman shall ensure that the seals remain unbroken throughout the electoral operations.

SECTION 5. COMPOSITION OF THE POLLING COMMITTEES

Article 14. Each polling committee shall consist of a Chairman, one or more Vice-Chairmen, and polling officers. The district administrator shall also appoint one or more inspectors, who shall ensure that the electoral operations are properly conducted.

Article 15. The Chairman and Vice-Chairmen of the committee shall be appointed by the district administrator from among the personnel who belong to the administration or who have been placed at the latter's disposal for the elections.

The polling officers and their substitutes shall be chosen from among the inhabitants of the constituency by the candidate at the head of each list and shall represent the lists in the committee. The names and addresses of such persons shall be communicated to the Chairman at least twenty-four hours before the polling station is opened.

Article 16. If one or more polling officers or substitutes are missing at the time fixed for the opening of the ballot or when voting is in progress, the Chairman shall replace them *ex officio*, by drawing lots, with persons resident within the jurisdiction of and present at the polling station.

Article 17. The Chairman shall be responsible for the conduct of all electoral operations and for the maintenance of law and order in the polling station.

He shall take all necessary steps to preserve order and the freedom of the ballot.

He may apportion among the Vice-Chairmen and the polling officers the tasks conferred on him by this Ordinance.

Article 18. In his absence from the polling station, the Chairman shall be replaced by such Vice-Chairmen as he may appoint.

Article 19. Before taking office, the Chairman, the Vice-Chairmen and the polling officers shall take the following oath: "I swear to ensure the proper conduct of the electoral operations and to preserve the secrecy of the ballot".

Article 20. The oath shall be taken, in the usual language of the person concerned, by the Vice-Chairmen and the polling officers before the Chairman and by the Chairman before the assembled committee.

Article 21. The polling officers may submit requests and observations to the Chairman of the committee. Such requests and observations, together with the Chairman's decision and the reasons therefor, shall be entered in the record of the election record.

Article 22. The Chairman, the Vice-Chairmen and the polling officers shall be entitled to attendance vouchers at the rate of sixty francs a day for the Chairman, forty-five francs a day for the Vice-Chairmen and thirty francs a day for the polling officers.

The said vouchers shall be honoured in cash by the district administrator or his representative at the close of the electoral operations in the constituency.

SECTION 6. REPRESENTATIVES OF THE LISTS

Article 23. One representative of each valid list of candidates may attend all the electoral operations.

Article 24. The representatives of the lists may address observations only to the Chairman of the committee. The said observations shall be entered in the record of the election.

SECTION 7. THE ELECTION PROPER

Article 25. The polling station shall be open to voters from 6 a.m. to 4 p.m. Should the need arise, however, the Chairman may decide that the station shall stay open until 6 p.m. at the latest. Voters present at the station at closing time shall be allowed to vote after that time. The Chairman's decision, accompanied by a statement of reasons, shall be entered in the record of the election.

Article 26. On entering the polling station each voter shall lay on the table his voter's card. The Chairman of the committee, having verified that the person in question has the franchise, shall hand him a ballot-paper of the kind prescribed by the Resident. The ballot-paper shall be initialled by the Chairman.

Article 27. Each voter shall then proceed directly to a polling booth and deposit the ballot-paper in the ballot-box of his choice.

Article 27 A (Order No. 02/298 of 9 September 1961, which came into force on that date). A voter who because of a physical disability is unable to enter the polling booth alone or to cast his vote himself may, with the permission of the Chairman, be accompanied by a person of his choice. The names of both shall be entered in the record.

If a polling officer or list representative doubts that the alleged disability is genuine or sufficiently serious, the committee shall give a ruling thereon, which shall be entered in the record together with a statement of reasons.

Article 28. After voting, each voter shall take back his voter's card, to which a stamp of a kind prescribed by the Resident has been affixed, and shall then dip his right thumb in indelible ink, or, if he has none, his left thumb, or, if he has neither, an unmutilated finger.

SECTION 8. CLOSURE OF THE BALLOT

Article 29. At the hour fixed in accordance with article 25, the Chairman of the committee shall declare the ballot closed.

Article 30. He shall count the unused ballot-papers and place them in a sealed envelope bearing a note of its contents.

Article 31. He shall then draw up, with his Vice-Chairmen and polling officers, the record of the election.

SECTION 9. THE COUNT

Article 32. When the electoral operations are completed, the Chairman, assisted by the Vice-Chairmen and the polling officers, shall proceed to count the votes.

The count shall take place in the presence of the representatives of the lists and under the supervision of the inspector.

Article 33. The Chairman shall perform, for each ballot-box in turn, the operations described in articles 34 to 38.

Article 34. After satisfying himself that the seals are intact, the Chairman shall open the ballot-box and withdraw and count the ballot-papers.

Article 35. He shall then sort the ballot-papers into the following categories: valid and invalid.

The following ballot-papers shall be invalid

- (1) Any ballot-paper other than those prescribed for use;
- (2) Any ballot-paper which is torn or which bears marks or entries.

The remaining ballot-papers shall be valid.

Article 36. The Chairman shall write on each invalid ballot-paper the letter N, followed by the figure 1 or 2, as the case may be, to indicate the grounds for invalidity stated in the preceding article.

The Chairman shall count the invalid ballot-papers and place them in a sealed envelope bearing a note of its contents.

Article 37. The Chairman shall count the valid ballot-papers.

Article 38. He shall place the valid ballot-papers in a sealed envelope bearing a note of its contents and shall indicate the candidate and the list in whose favour they were cast.

Article 39. When the above operations have been completed, he shall enter the result of the vote in the record of the count, a copy of which shall be deposited at the communal office where it may be consulted by any interested person.

The record shall indicate:

- (a) The number of persons on the electoral roll;
- (b) The total number of invalid ballot-papers and valid ballot-papers;
- (c) The total number of votes obtained by each candidate;
- (d) The total number of votes obtained by each list.

Article 40. The Chairman shall place the sealed envelopes containing the valid and invalid ballot-papers in a ballot-box.

The ballot-box shall be sealed by the Chairman and sent on his responsibility to the Chairman of the central polling station of the constituency together with the sealed envelope containing the unused ballot-papers and the records.

SECTION 10. DISTRIBUTION OF SEATS

Article 41. By adding together the results from the different stations, the Chairman of the central polling station, assisted by two Co-Chairmen, whose names shall be drawn by lot, and by one polling officer for each list, shall determine, for the constituency as a whole:

- (a) The number of persons on the electoral roll;
- (b) The total number of invalid ballot-papers and valid ballot-papers;
- (c) The total number of votes obtained by each candidate;
- (d) The total number of votes obtained by each list.

Article 42. He shall assign the seat in accordance with articles 8 to 10 of Legislative Ordinance No. 02/269 of 17 August 1961.

Article 43. He shall enter the results in a record, which shall also contain the observations of the polling officers and representatives referred to in articles 14, 23 and 41 and the decisions taken concerning the same.

A copy of the record shall be deposited at the district office and may be consulted by any interested person.

Article 44. The name of the candidate elected shall be made known to the population forthwith, by proclamation and posting.

Article 45. The ballot-papers shall be kept at the district office for six months. On the expiry of this period they shall be destroyed by the district administrator, who shall draw up a record of this operation.

SECTION 11. ENTRY INTO FORCE

Article 46. This Order, which shall apply to the State of Burundi, shall enter into force on 17 August 1961.

ANNEX TO ORDER No. 02/270 OF 17 AUGUST 1961

Record of deposit of nominations

In the year one thousand nine hundred and sixty-one, on the ... day of the month of

We,, being duly authorized by the (1) district administrator of

Have, in accordance with article 3 of Order No. 02/270 of 17 August 1961, received the nominations of the following persons:

Who are standing as candidates in the legislative elections of 18 September 1961 in the constituency of, being sponsored by the party/association (1)

In witness whereof we have drawn up this record, of which a copy has been remitted to the above-mentioned persons as a receipt.

....., on
District Administrator

(1) Strike out if not applicable.

4. Legislative Order No. 02/301 of 13 September 1961 containing supplementary provisions

Article 1. Voters who are unable to vote at the polling station of the commune where they are registered because they have been appointed to perform functions at another station may vote at the station to which they have been assigned.

Article 2. This Legislative Order shall enter into force on the date of its signature.

ANNEX XX

Amended Orders concerning the popular consultations in Rwanda

1. Legislative Order No. 02/250 of 1 August 1961 concerning registration for the legislative elections, as amended

SECTION 1. VOTERS AND REGISTRATION

Article 1. A person may vote in the elections for members of the Assembly, if, at the time when the electoral registers are closed, he has had his habitual residence in the commune for at least one month, is not less than eighteen years of age, and is either:

- A national of Rwanda;
- A national of Burundi or a Belgian citizen, able to furnish proof of two years' residence in the State;
- A Congolese able to furnish proof of ten years' residence in Ruanda-Urundi, including two years' residence in the State; or
- An alien able to furnish proof of ten years' residence in the State.

(Legislative Order No. 02/294 of 8 September 1961—in force 8 September 1961)

Article 2. The time-limit of one month's residence specified in the preceding article shall be reduced to fifteen days in the

case of a person returning from abroad or from another commune in Ruanda-Urundi to his commune of previous residence.

Any such person who is unable for reasons of *force majeure* to satisfy this condition may nevertheless vote if he goes to his commune of previous residence and registers there in person at any time up to three clear days before the elections. The registration boards shall for this purpose remain in operation until that date.

Any person who, following the disturbances, sought refuge in a commune in or outside Rwanda on or after 1 November 1959 may either return to his commune of previous residence in Rwanda in accordance with the two preceding paragraphs or register, at any time up to three clear days before the elections, in the commune in Rwanda where he now resides.

Article 3. Members of the armed forces of Ruanda-Urundi on active service, and members of the police force, shall not participate in the elections.

Article 4. The right to vote shall be suspended in the case of:

(1) A prisoner sentenced for a criminal offence or remanded in custody for an offence under the ordinary law.

A person under detention for non-payment of taxes shall be registered with the registration board nearest to his place of detention.

(2) A person confined to an institution or hospital by reason of insanity.

Article 5. Persons who satisfy the conditions laid down for the franchise shall be registered on the roll of the commune in which they have their main residence, i.e. that declared at the last census or on registration in the population register or, failing that, on registration on the roll.

Article 6. A roll of voters in a form prescribed by the Resident shall be kept in each commune.

Article 7. Every applicant for registration on the roll must furnish proof that he satisfies the conditions laid down for the franchise.

Article 8. If it is contested that a voter has reached the age of eighteen years, his receipt for, or certificate of exemption from, the minimum personal contribution for the financial year 1961 shall be accepted as proof in the absence of other evidence.

Article 9. For the purpose of determining residence qualifications in the district or State, absences of less than one year have a suspensory and absences of one year or longer have an interruptory effect.

Article 10. Registration on the roll and the issue of a voter's card in a form prescribed by the Resident shall confer the franchise. If a card is lost or destroyed, a duplicate may be issued.

Every voting card must be signed at the time of delivery by the chairman and one other member of the registration board as provided in article 11 below; the two signatories should, where possible, be members of different political parties.

(Legislative Order No. 02/282 of 25 August 1961—in force 1 August 1961)

Article 11. A board composed of representatives of the parties and presided over by the burgomaster shall register the voters, draw up the roll and deliver the voters' cards at the time of registration. The failure of one or more representatives of the parties to appear when duly summoned shall not affect the validity of the board's proceedings. The names and addresses of such representatives shall be communicated to the burgomaster not later than twenty-four hours before the start of operations.

Article 12. The roll of voters shall be closed eight days before the date fixed for the beginning of the elections in the district.

A copy of the roll shall be deposited or posted in the commune on that date.

It shall remain there until the date fixed for the elections in the constituency and may be consulted there by any person concerned.

Article 13. A record of closure of the roll shall be drawn up by the board provided for in article 8.

A copy of the record shall be sent to the district administrator.

SECTION 2. APPEALS AGAINST THE ROLL

Article 14. Any person may appeal to the administrator of the district to which the commune belongs, not later than six days before the elections, against registration or non-registration on the roll.

Article 15. The district administrator shall rule on every appeal not later than three days before the elections.

A copy of his ruling shall be sent to the burgomaster, the appellant and the person concerned.

Article 16. The rulings of the district administrator concerning registration or non-registration on the roll of voters shall be entered on the roll by the burgomaster within two days of the date on which they are made.

SECTION 3. PENALTIES

Article 17. Any person who by the use of violence disturbs or attempts to disturb the proceedings of a registration board with a view to hindering the registration operations shall be liable to hard labour for a term not exceeding two years and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 18. Any member of a registration board who, while the board is in session, resorts to insults or violence towards one or more of the registration officers, or who by assault and battery or threats delays or prevents the registration operations, shall be liable to hard labour for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 19. Any person who, with a view to having his name entered on a register of voters, knowingly makes false statements or produces documents which he knows to have been falsified, shall be liable to a fine not exceeding 200 francs.

Any person who knowingly commits the aforementioned acts for the purpose of causing another person's name to be entered on or removed from a register of voters shall be liable to the same penalty.

Any person who knowingly has his name entered, or who presents himself for the purpose of having his name entered, on more than one electoral roll shall be liable to the same penalty.

Article 20. Any person responsible in any capacity whatsoever for the preparation or compilation of electoral rolls who, in the performance of such duties and with a view to removing a voter's name from such a roll or to securing the franchise for a person, knowingly uses papers or documents which have been falsified by alteration, mutilation or addition or have been counterfeited, or who, for the same purpose, wilfully makes inaccurate entries in the electoral rolls through the alteration, addition or omission of data provided in such papers or documents as may be used in the compilation of the said rolls, shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

Article 21. This Legislative Order shall enter into force on 1 August 1961.

2. Legislative Order No. 02/262 of 8 August 1961 concerning the legislative elections, as amended

SECTION 1. ELIGIBILITY

Article 1. A person shall be eligible for election if, at the time when the electoral registers are closed, he has his habitual residence in the State, is not less than twenty-one years of age, and is either:

A national of Rwanda;

A national of Burundi or a Belgian citizen, able to furnish proof of two years' residence in the State;

A Congolese able to furnish proof of ten years' residence in the State; or

An alien able to furnish proof of ten years' residence in the State.

Article 2. The following shall not, however, be eligible:

(1) A person who has been sentenced to hard labour for terms amounting in all to

(a) Not less than one year nor more than five years within the preceding ten years;

(b) More than five years within the preceding twenty years.

These periods shall be calculated up to the closing date for the filing of candidatures.

These provisions shall not apply to any person who has benefited from an amnesty or who has been convicted of a contravention of an administrative regulation (*décision de police administrative*) or of an act of negligence (*délit d'imprudence*);

(2) A person confined to an institution or hospital by reason of insanity;

(3) A person serving a sentence of imprisonment, unless he was sentenced for the contravention of an administrative regulation.

Article 3. The persons referred to in article 3 of Legislative Order No. 02/250 of 1 August 1961 shall not be eligible.

SECTION 2. CANDIDATURES AND ALLOCATION OF SEATS

Article 4. The district shall constitute the constituency.

Article 5. The names of candidates shall be submitted on lists, which may or may not be sponsored by parties or associations.

There need be no more than one candidate on a list.

The number of names on a list shall not exceed twice the number of seats to be filled.

Article 6. A candidature shall be null and void if the candidate:

Has not accepted;

Is not eligible;

Is entered on more than one list;

Has been presented in more than one constituency.

Article 7. Voting shall be for lists of candidates, with proportional representation.

Article 8. In each constituency the number of seats to be assigned to each list shall be established in the following manner:

First operation: determination of the electoral divisor for the constituency by the following method:

Division of the total number of valid votes cast in the constituency, excluding blank ballots, by the number of seats to be assigned. The quotient shall be rounded off to the next higher integer.

Second operation: assignment to each list of a number of seats equal to the number of times the electoral divisor will go into the total number of valid votes cast for the list;

Third operation: determination of the number of seats remaining for allocation by subtracting the number of seats assigned in the second operation from the total number of seats for the constituency;

Fourth operation: classification of the lists in the descending order of the votes for which no seats were assigned in the second operation;

Fifth operation: assignment of the remaining seats at the rate of one per list, in the order of classification resulting from the fourth operation.

Article 9. If, during the second operation as provided in article 8, it should be impossible, for lack of a sufficient number of candidates, to assign to a given list all the seats to which it is entitled, the distribution of seats shall be begun

afresh among the remaining lists in accordance with the operations described in article 8 as aforesaid. In the first operation, a new electoral divisor shall be determined, leaving out of account the votes cast for the list with too few candidates and the seats assigned to all the candidates on that list.

If the situation described in the preceding paragraph arises in the fifth operation, the allocation of the remaining seats shall likewise be made in accordance with the procedure set out in article 8. In that case, however, the electoral divisor shall be determined solely on the basis of the votes taken into account in the fourth operation, exclusive of those cast for the list which has no more candidates.

If all the lists but one have obtained as many seats as there are candidates, the remaining seats shall be assigned to the list which still has non-elected candidates.

Article 10. Whenever two or more lists are equally entitled to the seat, it shall be assigned by drawing lots.

Article 11. The seats won by a list shall be assigned to the candidates on the list in the order of their presentation.

SECTION 2 bis. THE ELECTORATE (LEGISLATIVE ORDER No. 02/283 OF 25 AUGUST 1961—IN FORCE 25 AUGUST 1961)

Article 11 bis. The persons referred to in section 1 of Legislative Order No. 02/250 of 1 August 1961 concerning registration shall be voters. A person under administrative detention, or serving a sentence of hard labour for the contravention of an administrative regulation (*décision de police administrative*), or under detention (*contraint par corps*), shall vote at the polling station nearest to his place of detention. A person under a system of prescribed residence shall vote at the polling station nearest to his place of prescribed residence.

SECTION 3. ELECTIONS

Article 12. The Resident-General shall determine:

The procedures for verifying the qualifications of candidates and the rounds for disqualification, and procedures for the application of the relevant provisions;

The procedures for the presentation of candidates;

The technical procedures for organizing and conducting the elections.

Appeals against the results of an election and penalties for electoral offences shall, however, be governed by the following provisions:

A. APPEALS

Article 13. An appeal against the results of an election shall, under penalty of disqualification, be lodged within the six days following the announcement of the results.

The appeal shall be sent by registered post to the chairman of the board referred to in the next article.

The appeal shall in every case indicate the identity and the place of residence of the appellant.

Article 14. An appeal shall be examined within fifteen days of receipt by a board consisting of a chairman and two assessors appointed by the president of the court of first instance from among the judges on the local bench.

The board shall reach its decisions by majority vote.

If the board allows an appeal on grounds of an error of fact, it shall rectify the erroneous result. In all other cases it shall annul the election wholly or partly if the irregularities noted could have materially affected the result of the voting.

Article 15. If the election is annulled, the chairman of the board shall inform the Resident-General immediately thereof by registered post.

The Resident-General or his deputy shall fix the date of the new elections. The new elections shall be held not later than fifteen days after the decision of the board. No new candidates may be presented.

B. PENALTIES

Article 16. If a person gives, offers or promises directly or indirectly to one or more persons who shall be specified any

money, valuables or property in return for a vote or for abstaining from voting, or makes such gift, offer or promise contingent on the results of the election, he shall be liable to hard labour for a term not exceeding one month and to a fine not exceeding 500 francs, or to one of these penalties only.

If a person accepts such an offer or promise he shall be liable to the same penalties.

Article 17. If a person in order to compel a voter to abstain from voting or to influence his vote, resorts to assault and battery, violence or threats, or causes him to fear loss of employment, injury to his person or family or damage to his property, he shall be liable to hard labour for a term not exceeding six months and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 18. If a person knowingly provides funds for the commission of any one of the offences specified in the two preceding articles, or orders any offer, promise, threat or assault and battery, as therein referred to, to be carried out on his behalf, he shall be liable to punishment as principal in the first degree.

Article 19. If in the cases provided for in the three preceding articles the offender is a civil servant, the maximum penalty shall be imposed, and the length of the term of imprisonment and the amount of the fine may be doubled.

Article 20. Any person who employs, assembles or stations individuals, even unarmed, in a manner likely to intimidate the voters by exerting moral or physical pressure or to disturb the peace, or who himself acts with those aims in view, shall be liable to hard labour for a term not exceeding six months and to a fine not exceeding 2,000 francs or to one of these penalties only.

If a person knowingly joins any band or group so organized he shall be liable to hard labour for a term not exceeding two months or to a fine not exceeding 500 francs, or to one of these penalties only.

Article 21. Persons who by means of unlawful assembly, or the use of violence or threats, prevent one or more voters from exercising their political rights shall be liable to penal servitude for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 22. If a person by the use of violence disturbs or attempts to disturb the proceedings of an electoral board with a view to hindering the election operations he shall be liable to hard labour for a term not exceeding two years and to a fine not exceeding 2,000 francs, or to one of these penalties only.

If the ballots have been tampered with, the maximum penalties as laid down shall be imposed, and the length of the term and amount of the fine may be doubled.

Article 23. Any member of an electoral board who, while the board is in session, resorts to insults or violence towards one or more of the electoral officers, or who by assault and battery or threats delays or prevents the election operations, shall be liable to hard labour for a term not exceeding one year and to a fine not exceeding 2,000 francs, or to one of these penalties only.

If the ballots have been tampered with, the maximum penalties laid down shall be imposed, and the length of the term and amount of the fine may be doubled.

Article 24. If a person affixes the signature of fingerprint of another person or of a fictitious person to any document whereby a person is put up for election or agrees to be a candidate he shall be liable to the penalties prescribed for forgery.

Article 25. If a person is found guilty of counterfeiting ballot-papers and envelopes he shall be liable to the penalties prescribed for the forgery of public documents.

Article 26. If a person who is required in his official capacity to participate in the organization, supervision and, more generally, the proper conduct of the electoral operations, betrays the secrecy of the ballot he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 2,000 francs, or to one of these penalties only.

Article 27. If a person votes or presents himself for the purpose of voting in the name of another voter he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

If a person votes or presents himself for the purpose of voting at more than one polling station he shall be liable to the same penalties.

If a person in any manner whatsoever, abstracts one or more official ballot-envelopes he shall be liable to the same penalties.

Article 28. If a person, while the votes are being cast or counted, fraudulently alters, suppresses or adds any ballot-paper, or knowingly records a number of ballot-papers or votes lower or higher than the real number of those for the count of which he is responsible, he shall be liable to hard labour for a term of not less than three months nor more than two years and to a fine of not less than fifty nor more than 2,000 francs, or to one of these penalties only.

Any other person found guilty of any of the offences referred to in the preceding paragraph shall be liable to hard labour for a term of not less than one month nor more than one year and to a fine of not less than fifty nor more than 1,000 francs, or to one of these penalties only.

Article 28 bis (Legislative Order No. 02/283 of 25 August 1961—in force 25 August 1961). If a person plans any means of transport belonging to the public authorities at the disposal of any person for the purpose of conveying him to the polling station he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only, unless the person conveyed is entitled to use the vehicle in question.

Article 28 ter (Legislative Order No. 02/295 of 8 September 1961—in force 8 September 1961). If a person displays any badge, writing, slogan, emblem or other sign in favour of any political party, of a candidate on a list or of an option in a referendum in any public place or place open to the public within one kilometre of a polling station on the polling day, he shall be liable to hard labour for a term not exceeding one month and to a fine not exceeding 200 francs, or to one of these penalties only.

Article 28 quater. If a person convenes, assembles or attends on the polling day, a public meeting concerning the elections or the referendum, or if he distributes any non-official written or printed matter concerning the same, or speaks in a public place concerning any party, list or candidate or the referendum, he shall be liable to hard labour for a term not exceeding two months and to a fine not exceeding 500 francs, or to one of these penalties only.

Article 28 quinques (Legislative Order No. 02/295 of 8 September 1961—in force 8 September 1961). Any voter who, in the course of the operations connected with the legislative elections and referendum, fails to leave the unused ballot-papers in the polling-booth as prescribed in article 25 of Ordinance No. 02/263 of 8 August 1961 and article 9 of Legislative Order No. 02/264 of 8 August 1961, and who is found by a supervising officer to be removing or attempting to remove from the polling station any unused ballot-paper or ballot-papers, shall be liable to hard labour for a term not exceeding fifteen days and to a fine not exceeding 200 francs, or to one of these penalties only.

Any voter who, contrary to the provisions of the first paragraph, removes from the polling station any unused ballot-paper or ballot-papers and shows the same to another person shall be liable to the same penalties.

Any person who incites a voter to commit any of the offences described in the first and second paragraphs of this article shall be liable to hard labour for a term not exceeding one month and to a fine not exceeding 500 francs, or to one of these penalties only.

SECTION 4. SUBSTITUTION

Article 29. The appointment of alternates to replace members of the Assembly shall be carried out in the following manner:

The candidates on each list who have not received the number of votes required for a seat shall be called upon, in the order of their presentation, to replace the members on their list who were elected but who have been suspended from office, or whose seats have fallen vacant. In the absence of an alternate on a list, a by-election shall be held.

Article 30. An alternate who is called upon to sit shall serve the unexpired term of the regular member whom he replaces.

SECTION 5. REASONS FOR THE WITHDRAWAL OR SUSPENSION OF A MANDATE

Article 31. The mandate of a member or alternate member of the Assembly shall terminate in the event of:

- (1) Resignation;
- (2) Appointment to one of the offices specified in article 4 of Legislative Order No. 02/234 of 15 July 1961, subject to the provisions of article 32, paragraph (1), of this Order;
- (3) Loss of the qualifications specified in article 1;
- (4) Sentence upon conviction to one of the penalties enumerated in article 2, paragraph (1);
- (5) Death.

Article 32. The mandate of a member shall merely be suspended in the event of:

- (1) His appointment as a Minister or Secretary of State;
- (2) His call to the colours;
- (3) Loss of qualifications under article 2, paragraphs (2) and (3).

SECTION 6. GENERAL PROVISIONS

Article 33. Chapter II of Order No. 02/234 of 15 July 1961 is hereby repealed.

Article 34. This Legislative Order shall enter into force on 8 August 1961.

3. Ordinance No. 02/263 of 8 August 1961 concerning the legislative elections, as amended

SECTION 1. GENERAL

Article 1. The legislative elections in the State of Rwanda shall be held on 25 September 1961.

SECTION 2. NOMINATIONS

Article 2. Nominations shall be received by the district administrator or his representative not later than eighteen days before the beginning of the elections in the district.

No nominations may be withdrawn after that date.

Article 3. The deposit of each list of candidates shall be entered in a record drawn up by the district administrator or his representative. A standard record form is annexed to this Ordinance.

Within four days after each record is drawn up, a copy thereof shall be deposited or posted in every commune in the constituency and may be consulted there by any interested person.

A copy shall be given immediately to each candidate as a receipt.

A copy shall be posted at the district office.

Article 4. Any list containing a number of candidates more than double the number of seats to be filled in the constituency shall be null and void.

Article 5. The Resident shall assign to each list one or more distinguishing colours.

SECTION 3. APPEALS AGAINST NOMINATIONS

Article 6. Not later than eleven days before the date of the elections, an appeal may be made against any nomination to the Resident through the district administrator, who shall forward his opinion and the necessary documents with the appeal.

Article 7. The Resident shall rule on appeals against nominations not later than eight days before the elections. A copy of his ruling shall be sent to the district administrator, to the district burgomasters, to the appellant and to the person concerned.

Article 8. The final list of candidates for the constituency shall be drawn up by the district administrator.

The list shall be posted at the communal office and at the district office.

SECTION 4. ORGANIZATION OF POLLING STATIONS

Article 9. There shall be at least one polling station for each commune.

Article 10. Each polling station shall be provided with not less than ten polling-booths and with at least one ballot-box of a type which shall be uniform throughout the State and which shall be determined by the Resident.

Article 11. Before the polling station opens, the chairman of the polling committee shall seal the ballot-box with wax and a seal in the presence of the attending polling officers and the representatives of lists of candidates.

The chairman shall ensure that the seal remains unbroken throughout the electoral operations.

SECTION 5. COMPOSITION OF THE POLLING COMMITTEES

Article 12. Each polling committee shall consist of a chairman, vice-chairmen and polling officers. The district administrator shall also appoint one or more inspectors, who shall ensure that the electoral operations are properly conducted.

Article 13. The chairman and vice-chairmen of the committee shall be appointed by the district administrator from among the personnel who belong to the administration or who have been placed at the latter's disposal for the elections.

The polling officers and their substitutes shall be chosen from among the inhabitants of the constituency by the candidate at the head of each list and shall represent the lists in the committees. The names and addresses of such persons shall be communicated to the chairman at least twenty-four hours before the polling station is opened.

Article 14. If one or more polling officers or substitutes are missing at the time fixed for the opening of the ballot or when voting is in progress, the chairman shall replace them *ex officio*, by drawing lots, with persons resident within the jurisdiction of and present at the polling station.

Article 15. The chairman shall be responsible for the conduct of all electoral operations and for the maintenance of law and order in the polling station.

He shall take all necessary steps to preserve order and the freedom of the ballot.

He may apportion among the vice-chairmen and the polling officers the tasks conferred on him by this Ordinance.

Article 16. In his absence from the polling station, the chairman shall be replaced by such vice-chairman as he may appoint.

Article 17. Before taking office, the chairman, the vice-chairmen and the polling officers shall take the following oath: "I swear to ensure the proper conduct of the electoral operations and to preserve the secrecy of the ballot".

Article 18. The oath shall be taken, in the usual language of the person concerned, by the vice-chairmen and the polling officers before the chairman, and by the chairman before the assembled committee.

Article 19. The polling officers may submit requests and observations to the chairman of the committee. Such requests and observations, together with the chairman's decision and the reasons therefor, shall be entered in the record of the election.

Article 20. The chairman, the vice-chairmen and the polling officers shall be entitled to attendance vouchers at the rate of sixty francs a day for the chairman, forty-five francs a day for the vice-chairmen and thirty francs a day for the polling officers.

The said vouchers shall be honoured in cash by the district administrator or his representative at the close of the electoral operations in the constituency.

SECTION 6. REPRESENTATIVES OF THE LISTS

Article 21. One representative of each valid list of candidates may attend all the electoral operations.

Article 22. The representatives of the lists may address observations only to the chairman of the committee. The said observations shall be entered in the record of the election.

SECTION 7. THE ELECTION PROPER

Article 23. The polling station shall be open to voters from 6 a.m. to 4 p.m. Should the need arise, however, the chairman may decide that the station shall stay open until 6 p.m. at the latest. Voters present at the station at closing time shall be allowed to vote after that time. The chairman's decision, accompanied by a statement of reasons, shall be entered in the record of the election.

Article 24 (Legislative Order No. 02/284 of 25 August 1961, which came into force on that date). Immediately after voting in the referendum, in accordance with Legislative Order No. 02/264 of 8 August 1961, each voter shall receive an envelope and a complete set of ballot-papers.

The envelopes and ballot-papers shall be of a type prescribed by the Resident.

Each envelope shall be initialled by the chairman at the time when it is handed to the voter.

Article 25. Each voter shall then proceed directly to a polling-booth, place the ballot-paper corresponding to the list of his choice in the envelope, leave the unused ballot-papers in the booth, go out of the booth and deposit the envelope in the ballot-box provided for the purpose.

Article 25 A (Ordinance No. 02/297 of 9 September 1961, which came into force on that date). A voter who because of a physical disability is unable to enter the polling-booth alone or to cast his vote himself may, with the permission of the Chairman, be accompanied by a person of his choice. The names of both shall be entered in the record.

If a polling officer or list representative doubts that the alleged disability is genuine or sufficiently serious, the committee shall give a ruling thereon which shall be entered in the record together with a statement of reasons.

Article 26. Only one ballot-paper may be placed in each envelope.

Article 27. After voting, each voter shall dip his right thumb in indelible ink, or, if he has none his left thumb, or, if he has neither, an unmutilated finger.

Article 28. Before leaving, each voter shall submit his voter's card, to which a stamp of a kind prescribed by the Resident shall be affixed.

SECTION 8. CLOSURE OF THE BALLOT

Article 29. At the hour fixed in accordance with article 23, the chairman of the committee shall declare the ballot closed.

Article 30. He shall count the unused ballot-papers and place them in a sealed envelope bearing a note of its contents.

Article 31. He shall then draw up, with his vice-chairmen and polling officers, the record of the election.

SECTION 9. THE COUNT

Article 32. When the electoral operations are completed, the chairman, assisted by the vice-chairmen and the polling officers, shall proceed to count the votes.

The count shall take place in the presence of the representatives of the lists and under the supervision of the inspector.

Article 33. After satisfying himself that the seals are intact, the chairman shall open the ballot-box, withdraw the envelopes and count the same.

Article 34. He shall take the ballot-papers out of the envelopes and sort them into the following categories: valid, invalid and blank.

The following ballot-papers shall be invalid:

- (1) Any ballot-paper other than those prescribed for use;
- (2) Any ballot-paper placed in an envelope other than that prescribed by this Ordinance;
- (3) Ballot-papers placed together with one or more others in the same envelope;
- (4) Ballot-papers bearing, or placed in envelopes bearing, a sign, erasure or mark.

On invalid ballot-papers the word "nul" ("invalid") shall be entered, followed by the figure 1, 2, 3 or 4, as the case may be, to indicate the grounds for invalidity.

When the reason for invalidity is a sign, erasure or mark made on or affixed to an envelope, the envelope shall be attached to the invalid ballot-paper.

The same procedure shall be followed when the ballot-paper has been placed in an envelope other than that prescribed by this Ordinance.

The chairman shall count the invalid ballot-papers and place them in a sealed envelope bearing a note of its contents.

Envelopes of the type prescribed for use but not containing a ballot-paper shall be regarded as blank votes. The chairman shall mark them with the letter "B", count them and place them in a sealed envelope bearing a note of its contents.

The remaining ballot-papers shall be valid.

Article 35. The chairman shall count the valid ballot-papers.

Article 36. He shall add up the number of votes cast at the station in favour of each list.

Article 37. He shall place the valid ballot-papers in a sealed envelope bearing a note of its contents.

Article 38. He shall enter the result of the vote in the record of the count, a copy of which shall be deposited at the communal office where it may be consulted by any interested person.

The record shall indicate:

- (a) The number of persons on the electoral roll;
- (b) The total number of invalid ballot-papers, valid ballot-papers and blank ballot-papers;
- (c) The total number of votes obtained by each list.

Article 39. The chairman shall place the sealed envelopes containing the valid, invalid and blank ballot-papers in a ballot-box.

The ballot-box shall be sealed by the chairman and sent on his responsibility to the district administrator at the same time as the sealed envelopes containing the unused ballot-papers and the records.

SECTION 10. DISTRIBUTION OF SEATS

Article 40. By adding together the results from the different stations, the district administrator, assisted by three chairmen, whose names shall be drawn by lot, and by one polling officer for each list put to the vote, shall determine, for the constituency as a whole:

- (a) The total number of voters on the electoral roll of the constituency;
- (b) The total number of invalid ballot-papers, blank ballot-papers and valid ballot-papers;
- (c) The total number of votes obtained by each list;
- (d) The total number of votes obtained by all lists and, on the basis of this, the electoral divisor.

Article 41. He shall assign the seats in accordance with articles 8 to 11 of Legislative Order No. 02/262 of 8 August 1961.

Article 42. He shall enter the results in a record, which shall also contain the observations of the polling officers and representatives referred to in articles 12, 21 and 40 and the decisions taken concerning the same.

A copy of the record shall be deposited at the district office and may be consulted by any interested person.

Article 43. He shall draw up the list of members of the Legislative Assembly elected in his district and of their alternates.

The names of the candidates elected shall be made known to the population forthwith, by proclamation and posting.

Article 44. The ballot-papers shall be kept at the district office for six months. On the expiry of this period they shall be destroyed by the district administrator, who shall draw up a record of this operation.

SECTION 11. ENTRY INTO FORCE

Article 45. This Order, which shall apply to the State of Rwanda, shall enter into force on 8 August 1961

4. Legislative Order No. 02/264 of 8 August 1961 concerning the referendum on the question of the Mwami of Rwanda

Article 1. In accordance with resolutions 1540 (XV) and 1605 (XV) of the General Assembly of the United Nations, a referendum on the question of the Mwami shall be held in Rwanda.

The said referendum shall be held concurrently with the legislative elections on 25 September 1961.

Article 2. Persons who have the franchise by virtue of articles 1 to 4 of Legislative Order No. 02/250 of 1 August 1961 shall participate in the referendum.

Article 3. The questions to be put at the referendum shall be those set forth in operative paragraph 7 of resolution 1605 (XV), namely:

(1) Do you wish to retain the institution of the Mwami in Rwanda?

(2) If so, do you wish Kigeli V to continue as the Mwami of Rwanda?

Article 4. The provisions of section 3 of Legislative Order No. 02/262 of 8 August 1961 concerning electoral appeals and penalties shall apply to the referendum.

Article 5. The provisions of articles 5 to 20 of Legislative Order No. 02/250 of 1 August 1961 concerning registration shall apply to the referendum on the question of the Mwami.

Article 6. The following provisions of Order No. 02/263 of 8 August 1961 concerning the legislative elections in Rwanda shall apply to the referendum on the question of the Mwami:

Section 4 on the organization of polling stations; save that the ballot-boxes provided for in article 10 of Ordinance No. 02/263 of 8 August 1961 shall be marked with the question in the referendum for which they are to be used;

Section 6 concerning the representatives of the lists;

Section 7, article 23, concerning the elections proper;

Section 8 concerning the closure of the ballot.

Article 7. The form of the ballot-papers, in different colours for affirmative and negative votes, shall be prescribed by the Resident.

Article 8. On entering the polling station each voter shall lay on the table his voter's card. When it has been verified that he has the franchise, and before he casts his vote in the legislative elections, each voter shall be handed an official envelope, initialled by the chairman or a vice-chairman, and two different ballot-papers with which to vote on the first of the questions in the referendum set forth in article 3.

Article 9. After receiving his envelope and two ballot-papers, the voter shall proceed to a polling-booth, insert in the envelope the ballot-paper signifying an affirmative or negative vote, throw the unused ballot-paper into a receptacle provided for the purpose in the polling-booth, leave the polling-booth and place the envelope in the ballot-box.

Article 10. The operations described in articles 8 and 9 shall then be repeated for the purpose of voting on the second question in the referendum set forth in article 3.

Before each such operation, the polling officer shall explain orally, especially to illiterates, what questions are asked in the

referendum, what colour has been assigned to the affirmative and the negative ballot-papers, and which ballot-box is to be used in answering each of the two questions. Such explanations must be unaccompanied by any comment, expression of opinion or encouragement, even indirect, to vote in a particular way. Any person who contravenes these provisions shall be liable to imprisonment for a term not exceeding one month, as principal penalty, or to a fine not exceeding 500 francs, or to both these penalties.

Article 11. After the closure of the electoral operations, the chairman, assisted by the vice-chairmen and polling officers, shall proceed to count the votes in the presence of the representatives of the lists and under the supervision of the supervising officers.

Article 12. The chairman shall carry out, for each ballot-box in turn, the operations described in articles 13 to 17.

Article 13. After satisfying himself that the seals are intact, the chairman shall open the ballot-box, withdraw the envelopes and count the same.

Article 14. He shall remove the ballot-papers from the envelopes and sort them into the following categories: valid, invalid and blank votes.

The following ballot-papers shall be invalid:

- (1) All ballot-papers other than those prescribed for use;
- (2) All ballot-papers inserted into an envelope other than those prescribed by this Ordinance;
- (3) The contents of any envelope containing more than one ballot-paper;
- (4) Any ballot-paper bearing, or inserted into an envelope bearing, any sign, erasure or mark.

A ballot-paper shall be marked invalid by writing on it the word "nul", followed by the figure 1, 2, 3 or 4, as the case may be, to indicate the grounds for invalidity.

Where the ballot-paper is invalidated by a sign, erasure or mark made on or affixed to the envelope, the latter shall be attached to the invalid ballot-paper.

The same shall apply where the ballot-paper has been inserted into an envelope other than that prescribed by this Order.

The chairman shall count the invalid ballot-papers and place them in a sealed envelope bearing a note of its contents.

Envelopes prescribed for use which contain no ballot-paper shall be treated as blank votes. The chairman shall write on them the letter B, count them and place them in a sealed envelope bearing a note of its contents.

The remaining votes shall be valid.

Article 15. The chairman shall count the valid ballot-papers.

Article 16. He shall count the affirmative and negative votes.

Article 17. He shall place the valid ballot-papers in a sealed envelope bearing a note of its contents.

Article 18. He shall enter the results of the ballot in the record of the count, a copy of which shall be placed in the communal office, where it may be consulted by any interested person.

The record must show, for each of the two questions asked:

- (a) The number of voters registered on the roll;
- (b) The total number of invalid ballot-papers, blank ballot-papers and valid ballot-papers;
- (c) The total number of affirmative votes and negative votes.

Article 19. The chairman shall place in a ballot-box the sealed covers containing the valid, invalid and blank ballot-papers.

The chairman shall seal the ballot-box and send it, on his own responsibility, to the district administrator, together with the sealed covers containing the unused envelopes and the records.

Article 20. By adding together the results from the different polling stations, the district administrator, assisted as provided in article 40 of Ordinance No. 02/263 of 8 August 1961 by three chairmen drawn by lot and by one polling officer

for each list entered for the poll, shall determine for the constituency as a whole, and for each question:

- (a) The total number of voters registered on the rolls;
- (b) The total number of invalid ballot-papers, blank ballot-papers and valid ballot-papers;
- (c) The total number of affirmative and negative votes.

Article 21. He shall enter the results of the count in a record which shall also show the observations of the polling officers and representatives and the decisions taken thereon.

The record shall be placed under sealed cover and sent, on the district administrator's responsibility, to the Resident.

A copy of the record shall be placed in the district office, where it may be consulted by any interested person.

Article 22. The ballot-papers shall be kept at the district office for six months. On the expiry of this period they shall be destroyed by the district administrator, who shall draw up a record of this operation.

Article 23. By adding together the results from each district, the Resident, assisted by three officials whom he shall appoint and by a representative of each party which entered lists for the legislative elections in one or more constituencies, shall determine, for the State of Rwanda as a whole:

- (a) The total number of voters registered on the rolls;
- (b) The total number of invalid ballot-papers, blank ballot-papers and valid ballot papers for each of the two questions;
- (c) The total number of affirmative and negative votes on each of the two questions.

Article 24. He shall enter the results in a record which shall also show the comments of the polling officers and representatives referred to in article 23 and the decisions taken thereon.

A copy of the record shall be placed in the office of the Residency, where it may be consulted by any interested person.

Article 25. The results of the operations shall be made known to the population by proclamation and posting.

Article 26. This Legislative Order shall enter into force on 8 August 1961.

5. Legislative Order No. 02/300 of 13 September 1961 concerning the legislative elections and containing supplementary provisions

Article 1. Voters who are unable to vote at the polling station of the commune where they are registered because they have been appointed to perform functions at another station may vote at the station to which they have been assigned.

Article 2. This Legislative Order shall enter into force on the date of its signature.

ANNEX XXI

Calendar of electoral operations

Burundi

Time-limit for receipt of nominations.....	29 August
Time-limit for submission of appeals against a nomination	5 September
Time-limit for decisions on appeals against nominations	8 September
Closure of the electoral roll.....	10 September
Time-limit for submission of appeals against the roll	12 September
Time-limit for decisions on appeals against the roll	15 September
Date of the elections.....	18 September
Time-limit for submission of appeals against the results of the elections.....	26 September [¶]

[¶] The appeal must be submitted "within the six days following the announcement of the results". The results could be announced on 20 September.

Time-limit for decisions on appeals against the results of the elections.....	11 October
Time-limit for new elections in the event of partial annulment by the board of magistrates....	26 October

Rwanda

Time-limit for receipt of nominations.....	7 September
Time-limit for submission of appeals against a nomination	14 September
Time-limit for the Resident's decision on appeals against nominations.....	17 September
Closure of the electoral roll (except for refugees in cases of <i>force majeure</i>).....	17 September
Time-limit for submission of appeals against the roll	19 September
Time-limit for the District Administrator's decision on appeals against the roll.....	22 September
Time-limit for refugees in cases of <i>force majeure</i> .	21 September
Date of the referendum and the elections.....	25 September
Time-limit for submission of appeals against the results of the elections or the referendum..	2 or 3 October [¶]
Time-limit for decision of the board of magistrates on appeals against the results of the elections	17 or 18 October
Time-limit for new elections in the event of partial annulment by the board of magistrates	1 or 2 November

ANNEX XXII

Report of the Board for appeals against the legislative elections in Burundi

The legislative elections in Burundi, provided for in Legislative Order No. 02/269 of 17 August 1961, began on 18 September 1961 and were concluded on 18 and 19 September; the Board for Appeals against the Elections in Burundi instituted by articles 12 to 14 of the aforementioned Legislative Order, appointed by an order dated 26 September 1961 by the President of the Court of First Instance of Burundi, and composed of Mr. J. Guffens, Chairman, and Messrs. L. De Clerck and P. Knaepen, Assistants—met for the first time on 26 September 1961 at Usumbura.

The Board, consisting of three officers, held all its proceedings in the Usumbura law courts.

Appeals were received on 26, 27 and 30 September 1961. The Board recorded reception of a total of 34 registered letters, for which separate files were immediately opened, numbered from 1 to 34; files Nos. 7, 18 and 30 were subsequently combined with files Nos. 32, 29 and 2 respectively, either because the appeal in question had been duplicated or because it concerned the same electoral constituency as the other appeal.

Except for appeal No. 34 concerning the first electoral constituency of Bubanza-Kihanga, submitted late and by un-registered letter missive, all the appeals were submitted by registered letter within the time-limit of six days after announcement of the results of the vote, as required by law, and were consequently judged admissible by the Board.

The appeals against the legislative elections involved 113 out of the total of 182 communes in Burundi.

Two sets of statistics are attached¹ to the present report:

- (a) A list of the files established by the Board for Appeals showing the decision given in each case;
- (b) A table showing the number of communes whose elections were appealed against.

The appeals made to the Board may be classified as follows:

(a) A general appeal for the quashing of all the electoral operations of 18 and 19 September 1961 in Burundi. It was

[¶] The appeal must be submitted "within the six days following the announcement of the results". It may be presumed that the results will be announced on 26 or 27 September.

¹ Documents in the files of the Commission.

submitted by the residents of the following parties: PDC, UPP and PDR, on behalf of the Front commun. This appeal was rejected on 5 October: a copy of the Board's decision, stating the grounds on which it was based, is contained in the present report;⁴

(b) Thirty-three individual appeals, 32 of which were submitted by prominent members of the Front commun, and one (Bubanza, Board for Appeals file No. 34, referred to above) by local representatives of UPRONA.

Given the substantial amount of work and the large number of communes criticized, the Board, which had only fifteen days in which to consider the appeals, decided to strengthen itself with a secretariat of three members, Messrs. Creten, Van Den Bossche and Zels.

The functions of the Board were:

1. To rectify any material errors discovered in the voting results;
2. To quash the election in all cases where the irregularities established might have influenced the result of the vote.

The Board decided to obtain possession, as promptly as possible, of all records of the election and records of the count, held both by the polling stations of the communes and by the main polling stations of the electoral constituencies. On receiving those records, the Board proceeded as follows:

(a) The arithmetical accuracy of the totals was checked. No errors were discovered.

(b) Where the facts alleged in an appeal could in no way have influenced the result of the election, the appeal was rejected, either partially or wholly.

(c) Where the facts alleged might have influenced the result of the elections, the Board decided to investigate the alleged acts of fraud, either:

- (i) Through the hearing of witnesses, or
- (ii) Through an inquiry on the spot.

In the large majority of cases, the Board summoned and heard the European observers who had directly supervised the electoral operations in the field. Almost all of them were heard before they returned to Europe. A record of the interrogation was drawn up in each case and placed in the file.

The Board also decided to go to Muhinga on 9 October 1961 in order to examine in greater detail the appeals against the elections held in the communes of Buhinyuzi, Cendajuru and Vumbi.

On 10 October, the Board paid a visit to the district of Bururi in order to examine the appeals from Minago-Burambi-Buyengero (Rumonge province) and Kigwere-Bururi.

The Board terminated its work on 10 October 1961, exactly a fortnight after it had received the first appeals. In all, the Board quashed the elections in five communes—those of Butambuka and Buhinyuzi in Muhinga District, and those of Minago, Buyengero and Burambi in Bururi District. This action affected three electoral constituencies, two of which were in Muhinga District. The three communes of Minago, Buyengero and Burambi together form a single constituency in Bururi District.

The appellants, as well as the Resident-General of Ruanda-Urundi and the Resident of Burundi, were advised by registered letter of each decision by the Board for Appeals, whether it involved the rejection of an appeal or the quashing of an election.

CONCLUSIONS

The Board for Appeals would be exceeding its competence if it attempted to assess the intrinsic value of the requests for quashing which it received, or to pass judgement on or evaluate the manner in which the legislative elections of 18 and 19 September took place.

However, having had occasion to examine the entire electoral operation, the Board can, in the interests of historical truth, here describe the principal complaints voiced by the appellants and summarize the most typical frauds encountered in the course of its work.

A. The general appeal

The copy of the rejecting decision attached to this report is sufficiently explicit. By that decision, the Board defined the limits of its competence in interpretation of articles 12 to 14 of Legislative Order No. 02/069 of 17 August 1961 whereby the Board for Appeals was established, and set judicial precedents in the matter. The Board, in its own view, was not competent to pass judgement on the manner in which the electoral campaign took place, or to quash all the elections held in Burundi. The Board's powers of annulment were limited to quashing the results of the voting in a given commune or electoral constituency.

It is nevertheless the fact that the appeals were almost unanimous in deploring the participation, in the election campaign, of a member of the family of the Mwami of Burundi—participation which, they claim, completely distorted the issue of the elections, literally making them into a referendum on the institution of the monarchy instead of an expression of opinion by the voters regarding the installation of a parliament. The same assertion is found in the only appeal lodged by members of UPRONA, in which protest is made against the election of an obscure figure who, although a member of their party, was imposed upon them, as a representative of the Mwami, by the party's executive.

Many appeals contain similarly worded statements to the effect that "we have been deceived, we have voted for the Mwami, and now we find that a stranger has become our deputy".

The Board received the impression that very many of the voters felt that they had been cheated, once they had learnt the results of the elections. It would accordingly appear that most of the electorate lacked the political maturity which might have been hoped for on the occasion of so important a decision.

B. The most obvious frauds

The Board's investigations proved the following:

(a) Removal of two ballot-boxes of the Front commun in the communes of Minago, Buyengero and Burambi. The elections were quashed in that constituency.

(b) All the ballot-boxes of the Front commun were hidden for the space of two hours, under a cloth, in a polling-booth in the commune of Butambuka, in Muhinga District; since the difference between the number of votes obtained by the Front commun and by UPRONA in that constituency was very small, the Board decided to quash the elections in that commune.

(c) In the commune of Buhinyuzi, the chairman of the polling committee sent away two or three thousand voters on 18 September, at about 4 p.m. As a result, that election was quashed.

(d) A polling officer was found in the company of a woman voter in a polling-booth in Ruyigi District.

(e) It was not possible to prove any other fraud.

C. Principal complaints

In the aggregate, the complaints received relate to:

(a) Failure to check, or inadequate checking of, the identity of voters.

(b) Failure to tick off voters' names on the rolls.

(c) Impossibility of completing the voting operations in a single day. At several polling stations the voting had to be suspended at nightfall, for lack of light, until the following morning. Even where Coleman lamps were used, the task of supervising the operations was apparently a difficult one.

(d) Poor drafting of records of the elections and records of the counts.

(e) Propaganda activities by UPRONA in front of the polling stations.

(f) Over-weak construction of certain polling stations, which were often knocked over by impatient crowds.

(g) Inadequate supervision of voters leaving the polling station—which enabled propagandists waiting outside to recover

ballot-papers and place them *en bloc* in a ballot-box of their choice.

(h) During the voting, certain symbols were removed from ballot-boxes and placed on others.

Findings of the Board for Appeals concerning section C above

(a) In the vast majority of cases, the voting procedure took place quite normally. It is true that, on the very day of the elections, administrative instructions were received enabling certain legal provisions of the Legislative Order of 17 August 1961 to be departed from. However, such departures were rendered necessary by the slowness of the operations and were approved by the United Nations Commission for Ruanda-Urundi. As they were of general application, the Board considers that they cannot have affected the result of the voting.

(b) In point of fact no fraud was proved or detected in the matter of verifying the identity of voters or keeping the rolls.

(c) With two exceptions, all the staff taking part in the electoral operations (Chairman, polling officers, party representatives, European supervisors, etc.) carried out their tasks most conscientiously and with complete impartiality.

(d) As regards the other irregularities alleged by the appellants, either the Board was unable to obtain conclusive evidence in the course of its inquiries, or the irregularities were not such as to affect the results of the voting.

(Signed) Jacques GUFFENS,
Judge of the Court of First Instance
of Burundi

Usumbura, 24 October 1961

The Chairman of the Board for Appeals
against the Elections in Burundi

ANNEX XXIII

List of candidates elected to the Legislative Assembly of Burundi

District	Province	Constituency	Name	Party		
Bururi	Bururi	1	Seheye	UPRONA		
		2	Kandikandi	UPRONA		
		3	Biyorero	UPRONA		
		4	Sindamuka	UPRONA		
	Makamba	1	Ndabashinze	UPRONA		
		2	Mugunyira	UPRONA		
		3	Hajayandi	UPRONA		
Kitega	Bukirasazi	1	Ntagabo, Th.	UPRONA		
		2	Bucumi, E.	UPRONA		
		3	Nkirabanko, M.	UPRONA		
		4	Ntacorigira	UPRONA		
		5	Butabo, A.	UPRONA		
	Karuzi	1	Mbazumutima, J.	UPRONA		
		2	Siryuyumunsi, Th.	UPRONA		
		3	Kasimbo	Front commun		
	Kitega		1	Nibirantiza, P.	Front commun	
			2	Ntayega, A.	UPRONA	
			3	Karani, L.	UPRONA	
			4	Buname, S.	UPRONA	
Muhinga	Kirundo	5	Nkeshimana, G.	UPRONA		
		1	Mbazamihigo	UPRONA		
		2	Kameca, A.	Front commun		
		3	Ngendandumwe	UPRONA		
		4	Bimpenda, G.	UPRONA		
	Muhinga		5	Ndenzaka, M.	UPRONA	
			1	Nyamoya, A.	UPRONA	
			2	Kibwa, B.	UPRONA	
Muramya	Muramya	3	Bizimana, S.	UPRONA		
		4	Nyizigiwe	UPRONA		
		1	Bamina, J.	UPRONA		
		2	Barumpozako	UPRONA		
Muramya	Mwaro	3	Benyaguye	UPRONA		
		1	Kabura	UPRONA		
		2	Ntamagara	UPRONA		
	Ntagwarara		3	Ntagwarara	UPRONA	
			1	Bankumuhari, V.	UPRONA	
			2	Ndariganiwe, J.	UPRONA	
Ngozi	Kayanza	3	Bucumi	UPRONA		
		4	Nirikana, B.	UPRONA		
		5	Kamenge, V.	UPRONA		
		6	Ntigacika, M.	UPRONA		
		7	Manirambona, A.	UPRONA		
		8	Ndikumagenge	UPRONA		
		9	Ndoricimga	UPRONA		
		Ngozi		1	Ziruburye, Z.	UPRONA
				2	Hatungimana, A.	UPRONA
	3			Rubamba, M.	UPRONA	
	Rutana	Rutana	4	Mbisagakuku	Front commun	
			5	Ndikuryayo, M.	UPRONA	
1			Ngunzu, P.	UPRONA		
Rutana		2	Ndikariyo	UPRONA		
		3	Nyaruguru	UPRONA		

District	Province	Constituency	Name	Party
Rutana (<i>continued</i>)		4	Barandigiye	UPRONA
		5	Nyankiye	UPRONA
Ruyigi	Cankuzo	1	Kahurura	UPRONA
	Ruyigi	1	Mukoma	UPRONA
		2	Kashirahamwe	Front commun
		3	Kayabo	UPRONA
Usumbura	Usumbura-	1	Siniremera	UPRONA
Bubanza	Bubanza-	2	Kayabu	UPRONA
	Cibitake-	3	Ngendabanyanka	Front commun
	Mwisale	4	Kibinakanwa	UPRONA
		5	Harusha	UPRONA
	6	Baredetse	UPRONA	

ANNEX XXIV

List of candidates elected to the Legislative Assembly of Rwanda

Constituency	Name	Party
Astrida (8 seats)	GASINGWA, Germain	APROSOMA
	KOZIVUZE, Deogratias	PARMEHUTU
	MUNYANGAJU, Alois	APROSOMA
	NKERAMUGABA, André	PARMEHUTU
	REBERO, Côme	UNAR
	RUCIRA, Amandin	PARMEHUTU
	RWASIBO, Jean-Baptiste	PARMEHUTU
	SEZIRABIGA, Laurent	PARMEHUTU
Biumba (4 seats)	CYIMANA, Gaspard	PARMEHUTU
	NBASEKA, Lucien	PARMEHUTU
	NSENGIYUMVA, François	PARMEHUTU
	RWANGOMBWA, Chrisostène	UNAR
Gitarama (4 seats)	KAYIBANDA, Grégoire	PARMEHUTU
	MULIZANO, Benoît	PARMEHUTU
	MULINDABABI, Calliope	PARMEHUTU
	SENTAMA, Godefroid	PARMEHUTU
Kibungu (4 seats)	HABIMANA, Chrisante	PARMEHUTU
	KAREMA, Etienne	UNAR
	MUNYAKAZI, Venant	PARMEHUTU
	SEBAZUNGU, Isidore	PARMEHUTU
Kibuye (3 seats)	IYAMUREMYE, Emmanuel	PARMEHUTU
	NDEKEZI, Gaëtan	PARMEHUTU
	NDUTIYE, Onesphore	UNAR
Kigali (5 seats)	BYUNGURA, Charles	PARMEHUTU
	HAKIZIMANA, Jean	PARMEHUTU
	MAKUZA, Anastase	PARMEHUTU
	RUKEDA, François	UNAR
	SEBIHIRE, Christophe	PARMEHUTU
Kisenyi (4 seats)	BANZI, Wellars	PARMEHUTU
	HABAMENSHI, Callixte	PARMEHUTU
	KAMUZINZI, Chadrak	PARMEHUTU
	MBERABIHIZI, Ladislav	PARMEHUTU
Nyanza (4 seats)	MUNYANZIZA, Augustin	UNAR
	RWAGASANA, Michel	UNAR
	SHAMUKIGA, Daniel	PARMEHUTU
	UTUMABAHUTU, Jean-Baptiste	PARMEHUTU
Shangugu (3 seats)	BUSUNYU, Michel	PARMEHUTU
	KALIMA, Vincent	PARMEHUTU
	YAKAGABA, Joseph	PARMEHUTU
Ruhengeri (5 seats)	BICAMUMPAKA, Balthazar	PARMEHUTU
	MPIRANYA, Mathias	PARMEHUTU
	NYIRAMPILIMA, Dominique	PARMEHUTU
	RUSINGIZANDENKWE, Olto	PARMEHUTU
	SERAPOLISI, Festus	PARMEHUTU

ANNEX XXV

Strength and distribution of military forces in Ruanda-Urundi during the election period

The regular strength of the metropolitan forces in Ruanda-Urundi on 15 July 1961 was 1,270 men.

As the election period approached in the two States, their strength was raised between 15 July and 15 September, to 2,190 men.

A Rwandese Territorial Guard of 700 indigenous troops and a Burundi Territorial Guard of 350 recruits should be added to these figures.

A. DISTRIBUTION OF METROPOLITAN FORCES DURING THE ELECTION PERIOD IN BURUNDI**1. Forces stationed in Burundi****(a) Land forces:**

3rd parachute battalion: 355 men;
1st and 2nd companies, 1st parachute battalion: 330 men;
Company 5 Li: 111 men;
Company 1 Cy: 144 men;
Company 1 Gr: 153 men;
Company 3 Cy: 143 men;
Supply service: 50 men.

(b) Air forces:

Five helicopters; six Harvards; five Pipers; one Tripacer;
Service corps and maintenance personnel: 60 men.

TOTAL: 1,266 men.

2. Distribution by regions**(a) Usumbura-Bubanza region:**

Personnel: 257 men;
Equipment: 1 helicopter, 1 Tripacer, 1 Harvard.

(b) Kitega region:

Personnel: 332 men;
Equipment: 1 helicopter, 3 Harvards.

(c) Muramvya-Kayanza region:

Personnel: 177 men;
Equipment: 1 Piper, 1 helicopter.

(d) Ngozi-Muhinga region:

Personnel: 208 men;
Equipment: 1 Piper, 1 helicopter.

(e) Ruyigi region:

Personnel: 120 men;
Equipment: 1 Piper.

(f) Lake Nyanza-Bururi-Rutana region:

Personnel: 172 men;
Equipment: 1 helicopter, 1 Piper, 1 Harvard.

3. General reserve at Usumbura (Burundi)**(a) Land forces:**

EM F/METRO: 80 men;
1st parachute battalion (—): 154 men;
Supply Service: 150 men.

(b) Air forces:

Personnel: 38 men;
Equipment: 4 C 47, 4 C 119.

TOTAL: 422 men.

4. Metropolitan forces in Rwanda

4th CDO battalion: 367 men;

1st company ChA: 135 men.

TOTAL: 502 men.

Equipment: 1 helicopter, 1 Harvard.

B. DISTRIBUTION OF METROPOLITAN FORCES IN RWANDA DURING THE ELECTION PERIOD**1. Forces stationed in Rwanda****(a) Land forces:**

4th CDO battalion: 367 men;
3 companies, 1st parachute battalion (—): 335 men;
4 infantry companies: 543 men;
Reconnaissance platoon 3 Para: 25 men;
Supply services: 50 men.

(b) Air forces:

Service corps and maintenance personnel: 60 men;
Aircraft: 6 helicopters, 6 Harvards, 5 Pipers L 18.

TOTAL: 1,380 men.

2. Distribution by sectors**(a) Kigali District:**

Personnel: 250 men;
Equipment: 2 Alouettes, 1 Harvard.

(b) Biumba District:

Personnel: 160 men;
Equipment: 1 Alouette, 1 Piper L 18.

(c) Kibungu District:

Personnel: 150 men;
Equipment: 2 Pipers L 18.

(d) Kisenyi District:

Personnel: 125 men;
Equipment: 1 Piper L 18.

(e) Kibuye District:

Personnel: 100 men;
Equipment: 1 Alouette.

(f) Shangugu District:

Personnel: 160 men;
Equipment: 1 Harvard.

(g) Nyanza District:

Personnel: 185 men;
Equipment: 1 Alouette, 1 Piper L 18.

(h) Astrida District:

Personnel: 190 men;
Equipment: 3 Harvards, 1 Alouette.

(i) Gitarama District:

Personnel: 40 men.

TOTAL: 1,360 men.

3. General reserve at Usumbura (Burundi)**(a) Land forces:**

EM metropolitan forces: 80 men;
1st parachute battalion (—): 151 men;
Supply services: 80 men;
3rd infantry company Cy: 143 men.

(b) Air forces:

Personnel: 46 men;
Equipment: 1 helicopter, 1 Tripacer.

TOTAL: 500 men.

4. Metropolitan forces in Burundi**Land forces:**

3rd parachute battalion (—): 310 men.



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Document A/4994

PAGES 1 AND 2

Under Contents: chapter II, sub-heading C (2) *should read* Organization of the Trusteeship Administration; chapter IV, sub-headings A (1) and B (1) *should read* The electoral rolls.

PAGE 4

In paragraph 13, line 6 *should read* "(d) The organization of the referendum on the; line 8: *for* "(d) *read* "(e);

Paragraph 16, line 5: *for* Fayet *read* Fayat;

In paragraph 18, lines 6-7 *should read* dates of the elections in Rwanda and Burundi were announced;

Paragraph 22, lines 4 and 5: *for* Administering Authority *read* Administration.

PAGE 5

Paragraph 30, line 1: *for* 82 *read* 92.

PAGE 6

Paragraph 37, line 7: *for* Administrator *read* Administrators;

Paragraph 39, line 4: *for* annex XV *read* annex XII;

Footnote 13 *should read* Circular No. 4 and Instructions Nos. 2 and 3, annex XI.

PAGE 8

In paragraph 64, line 12, and in paragraph 65, the last line, *add* caretaker *before* government.

PAGE 10

Paragraph 86, line 20: *for* Bmiuba *read* Biumba; line 24: *for* APROPER *read* APROFER.

PAGE 11

Paragraph 90, line 4: *for* organization functioning under Trusteeship *read* apparatus of the Trusteeship Administration;

Paragraph 91, line 2: *for* in judicial matters *read* from the legal point of view; line 8: *for* on the ground that *read* if;

The next sub-title *should read* (2) *Organization of the Trusteeship Administration*;

Paragraph 93, line 6: *for* ordinances *read* orders;

In paragraph 97, line 14, the last word *should read* president.

PAGE 13

Paragraph 117, line 3: *for* that *read* the.

PAGE 14

Paragraph 130, lines 5-6: *for* territories *read* districts.

PAGE 15

In paragraph 133, the second and third sentences *should read* Experience showed that, in the atmosphere prevailing in Rwanda, the attitude of party workers always depended on political expediency and the positions adopted by the political parties rather than on administrative measures, which they often considered merely as temporary formalities. When expediency required it, certain burgomasters did not hesitate to defy the Administration, for example in certain cases relating to the erection of barricades to prevent traffic a few days before the elections in the district of Biumba.

PAGE 16

Paragraph 145, line 2: *for* led between 1 and 24 *read* from 1 to 24; line 3: *for* to *read* created.

PAGE 18

Footnote 34 *should read* Annex XIV;

Footnote 35 *should read* Annex XVII, sections 6 and 7;

Paragraph 171, line 7: *for* the first the *read* their.

PAGE 20

Paragraph 190, line 4: *for* which *read* whom.

PAGE 21

Paragraph 199, line 9: *for* UPROMA *read* UPRONA;

Paragraph 200, lines 12-13: *for* appointed *read* designated.

PAGE 23

Footnote 41 *should read* See para. 217, below.

PAGE 24

In paragraph 227, line 11, *add* them *after* destroying;

Paragraph 229, line 11: *for* field worker *read* peasant; line 14: *for* while plausible were *read* were specious and.

PAGE 27

In paragraph 251, line 4, *add* caretaker *before* government;

In paragraph 256, lines 10-12 *should read* their party, thereby giving a massive demonstration of their numbers and creating many occasions for clashes with those who did not wear.

PAGE 28

In paragraph 264, line 10 *should read* the Congo. Thereafter the district remained quiet,

PAGE 29

Paragraph 272, lines 8 and 19: *for* local district guard *read* territorial guard.

PAGE 30

Under IV. Electoral operations, the sub-title (1) *should read* (1) *The electoral rolls*.

PAGE 31

Paragraph 292, line 9: *for* nominations *read* candidatures.

PAGE 32

Paragraph 293, last line: *for* provisional *read* caretaker;

In paragraph 295, the last two lines *should read* parties were unimpeded apart from a few incidents which were inevitable during a pre-electoral contest.

PAGE 33

Paragraph 301, line 6: *for* station *read* polling committee; line 7: *for* assistants *read* assessors;

In paragraph 309, lines 1 to 5 *should read* In so far as the observers were able to judge when making their rounds (there being too many polling stations for the Commission and its officials to carry out continued supervision of all operations), and according to the reports of the polling committees and representatives.

PAGE 34

Paragraph 319, line 1: *for* is supplemented by *read*

follows; line 6 *should read* appellant, and is supplemented by article 14, which indicates that if the; Paragraph 320, line 1: *for* magistrates *read* judges.

PAGE 35

Paragraph 324, line 15: *for* Butambura *read* Butambuka;

Paragraph 325, line 4: *for* Mirago *read* Minapo; Sub-title (1) after B. Legislative elections in Rwanda *should read* (1) *The electoral rolls*.

PAGE 36

Sub-title (2): *for* (2) *Nominations read* (2) *Candidatures*;

Paragraph 339, line 4: *for* submit *read* include.

PAGE 37

Paragraph 347, line 3: *for* Urundi *read* Burundi.

PAGE 38

Paragraph 361, line 13: *for* officers *read* assessors; line 18: *for* observer *read* assessor.

PAGE 39

Paragraph 368, lines 2-3 and 8: *for* polling officers *read* assessors; line 5: *for* case *read* cases; line 11: *for* a polling officer's *read* an assessor's; line 12: *for* polling officer *read* assessor;

Paragraph 370, lines 3 and 6: *for* polling officers *read* assessors.

The table at the bottom of the page should be replaced by the following text:

District	Registered voters	Valid ballots	Blank or invalid ballots	List	Votes
Kigali	170,946	161,398	3,071	APROSOMA	614
				PARMEHUTU	111,907
				RADER	2,123
				UNAR	45,967
				Others	787
Gitarama	108,090	104,079	1,241	PARMEHUTU	93,762
				RADER	716
				UNAR	9,601
Nyanza	148,665	140,108	3,849	APROSOMA/AREDETWA Bloc	910
				CONCORDIA	1,016
				PARMEHUTU	75,350
				RADER/RWANDA-UNION/APADEC Bloc	709
				UNAR	62,123
Astrida	235,675	218,014	3,795	APROSOMA	42,130
				PAMAPRO	1,179
				PARMEHUTU	131,323
				RADER/RWANDA-UNION Bloc	14,028
				UNAR	29,354
Shangugu	96,468	89,899	1,925	APROSOMA	2,086
				MUR	333
				PARMEHUTU	75,213
				RADER/RWANDA-UNION Bloc	357
				UNAR	11,910
Kibuye	85,633	79,367	2,683	PARMEHUTU	63,359
				UNAR	15,039
				Independent movement	969
Kisenyi	115,678	111,427	405	PARMEHUTU	107,022
				UNAR	4,405

District	Registered voters	Valid ballots	Blank or invalid ballots	List	Votes
Ruhengeri	144,395	140,524	535	PARMEHUTU	138,857
				RADER	192
				UNAR	1,475
Byumba	118,399	111,774	3,127	PARMEHUTU	93,807
				RADER	295
				UAARU/APROFER Bloc	348
				UNAR	17,324
Kibungu	113,143	99,306	1,617	PARMEHUTU	83,729
				RADER	846
				UNAR	14,731
TOTAL	1,337,096	1,255,896	22,248		

PAGE 42

Paragraph 406, line 15: *for* Mr. Aloys Munyanju *read* Mr. Aloys Munyangaju.

PAGE 43

In paragraph 408, lines 19-20 *should read* laws, the measure of self-government granted to Rwanda such as to allow it to opt for a régime of; line 27: *for* Rwangomba *read* Rwangombwa;

Paragraph 413, under *National Education*: *read* Mr. Jean-Baptiste Rwasibo; under *Social Affairs*: *read* Mr. Thaddée Bagaragara.

PAGE 45

In paragraph 433, lines 7-8 *should read* within the limited time and with the limited means at the Commission's disposal;

Paragraph 434, line 4: *for* regular *read* correct.

PAGE 48

Item XVI in Contents *should read* XVI. Legislative Order No. 01-255 of August 1961 concerning the powers of the Trusteeship Administration.

PAGE 63

The title of annex XVI should read as above. Article 1, line 6: *for* territories *read* districts.

PAGE 66

Article 3, line 7: *for* personal *read* person.

PAGE 69

Articles 14 to 22: *for* polling officers *read* assessors; Article 27 A, line 7: *for* a polling officer *read* an assessor.

PAGE 70

Article 43, line 2: *for* polling officers *read* assessors.

PAGE 74

Articles 12 to 20: *for* polling officers *read* assessors.

PAGE 75

Article 25 A, line 7: *for* a polling officer *read* an assessor.

Articles 31 and 32: *for* polling officers *read* assessors.

PAGE 76

Article 10, line 4, and article 11, line 2: *for* polling officers *read* assessors;

Article 20, line 4: *for* polling officer *read* assessor.

PAGE 78

Under B., sub-paragraph (d): *for* A polling officer *read* An assessor.

PAGE 79

Sub-paragraph (c), line 2: *for* polling officers *read* assessors.

PAGES 4 TO 76

In paragraphs 19 (c); 136, line 6; 137, line 1; 139, line 7; 140, line 5; 141 (a); 142, line 1; 144, line 8; 147, line 4; 195, line 4; 202, lines 17, 20 and 31; 314, line 1; in annex IV on page 50, sixth paragraph, lines 1 and 10; in annex XIX on page 66, article 8, line 6 and article 19, line 1; in the bold title 3 on page 68; in article 11, line 1 on page 69; in the bold title 3 on page 74 and in article 25 A, line 1 on page 75; in article 6, line 5, and article 20, line 3, on page 76: *for* Ordinance *read* Order.



Agenda item 49: Question of the future of Ruanda-Urundi

DOCUMENTS A/5126 AND ADD.1

Report of the United Nations Commission for Ruanda-Urundi, 1962

Document A/5126*

[Original text: French]
[30 May 1962]

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* Incorporating document A/5126/Corr.1.

LETTER OF TRANSMITTAL DATED 26 MAY 1962, FROM THE CHAIRMAN, UNITED NATIONS COMMISSION FOR RWANDA-URUNDI, 1962, TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith, in accordance with the provisions of paragraph 6 of resolution 1743 (XVI) and of paragraph 2 of resolution 1744 (XVI), adopted by the United Nations General Assembly on 23 February 1962, the report of the United Nations Commission for Rwanda-Urundi (1962) on the "Question of the future of Rwanda-Urundi".

This report was today adopted unanimously by the Commission.

(Signed) Angie Brooks

Chairman, United Nations Commission for
Rwanda-Urundi, 1962

Introduction

1. During its sixteenth session, the General Assembly resumed consideration of the "Question of the future of Rwanda-Urundi". The main document before it on the subject of this Trust Territory under Belgian administration was a report of the United Nations Commission for Rwanda-Urundi.¹

2. At its 1106th plenary meeting, on 23 February 1962, the General Assembly adopted two resolutions on the question.

3. The first, resolution 1743 (XVI),² is entitled "Question of the future of Rwanda-Urundi". In that resolution the Assembly decided to establish a Commission composed of five Commissioners representing five Member States to be elected by the General Assembly and requested the Commission to proceed to the Territory with a view to ensuring the achievement of various objectives, which will be discussed later in the report, to convene a conference at Addis Ababa in which the Governments of Rwanda and Burundi would participate and which would be presided over by the Chairman of the Commission, and to submit, before 1 June 1962, a report which should include recommendations on the questions set forth in operative paragraph 6. The General Assembly devised and prescribed the above-mentioned measures in a desire to ensure "that Rwanda-Urundi accedes to independence in the most favourable conditions as soon as possible", the date for the termination of the Trusteeship Agreement having been envisaged for 1 July 1962, subject to subsequent approval by the General Assembly.

4. The second resolution, 1744 (XVI),³ is entitled "Question of the Mwami of Rwanda". In it the Assembly referred to the conditions and the atmosphere prevailing in Rwanda at the time of the referendum on the question of the Mwami and expressed its conviction that in order that peace and tranquillity might quickly return to Rwanda, a speedy settlement of that question on a mutually acceptable basis, bearing in mind the referendum and its results, was necessary. It requested the Commission for Rwanda-Urundi, as a matter of urgency, to engage in talks with the Administering Authority, the Government of Rwanda, and the Mwami and his representatives, with a view to reaching agreement for the peaceful settlement of the question of the future of the Mwami.

¹ *Official Records of the General Assembly, Sixteenth Session, Annexes*, addendum to agenda item 49, documents A/4994 and Add.1 and Corr.1.

² Annex I.

³ Annex II.

5. At its 1106th plenary meeting, the General Assembly proceeded to elect the members of the Commission for Rwanda-Urundi, established in accordance with operative paragraph 2 of resolution 1743 (XVI). As a result of the vote, Haiti, Iran, Liberia, Morocco and Togo were elected members of the Commission.

6. During the next few days those States appointed Mr. Ernest Jean-Louis (Haiti), Mr. Majid Rahnema (Iran), Miss Angie Brooks (Liberia), Mr. Dey Ould Sidi Baba (Morocco) and Mr. Ernest Gassou (Togo) to be their representatives.

7. The Commissioners met on 8 March 1962. In the absence of their officially designated representatives, Iran was represented by Mr. Mohied Din Nabavi and Morocco by Mr. Mohamed Tabiti. Miss A. Brooks was elected Chairman of the Commission at the first meeting. At later meetings, Mr. Gassou and Mr. Rahnema were elected Vice-Chairman and Rapporteur, respectively.

8. On 17 May 1962, Mr. Dey Ould Sidi Baba was entrusted with a special mission by the Government of H.M. the King of Morocco, which then appointed Mr. Abdellah Lamrani, Ambassador, to represent it on the Commission. Mr. Sidi Baba rejoined the Commission on 26 May.

Chapter I

Terms of reference of the Commission and its plan of work

A. TERMS OF REFERENCE

9. Under resolutions 1743 (XVI) and 1744 (XVI), the Commission's terms of reference comprised three distinct parts:

(1) Objectives to be achieved in the Territory in accordance with operative paragraphs 3 and 5 of resolution 1743 (XVI) and operative paragraph 1 of resolution 1744 (XVI);

(2) The convening of the Addis Ababa Conference in accordance with operative paragraph 4 of resolution 1743 (XVI);

(3) The submission to the General Assembly, before 1 June 1962, for its resumed sixteenth session, of a report including the conclusions and recommendations referred to in operative paragraph 6 of resolution 1743 (XVI) and operative paragraph 2 of resolution 1744 (XVI).

10. In accordance with the second preambular paragraph of resolution 1743 (XVI) and the second preambular paragraph of resolution 1744 (XVI), the Com-

mission, in carrying out its task, was to bear in mind resolutions 1579 (XV) of 20 December 1960 and 1605 (XV) of 21 April 1961 on the future of Ruanda-Urundi and resolution 1580 (XV) of 20 December 1960 on the question of the Mwami.⁴ The Commission also took account of the fact that in the third preambular paragraph of resolution 1743 (XVI) the General Assembly had borne in mind the provisions of the Declaration on the granting of independence to colonial countries and peoples contained in resolution 1514 (XV) of 14 December 1960.

11. The three parts of the Commission's terms of reference, as set out above, may be further sub-divided as follows:

(1) *Objectives to be achieved in the Territory in accordance with operative paragraphs 3 and 5 of resolution 1743 (XVI) and operative paragraph 1 of resolution 1744 (XVI)*

(a) Under this heading may be included, in the first instance, the five objectives mentioned in operative paragraph 3 of resolution 1743 (XVI), whose achievement the Commission was to ensure with the full co-operation of the Administering Authority and national authorities:

(i) *The reconciliation of the various political factions in the Territory.* This provision should be read in conjunction with the fourth preambular paragraph of the same resolution, in which the General Assembly takes into account "the observations of the [1961] Commission concerning the pre-electoral conditions and the atmosphere prevailing in Rwanda and in Burundi and the physical organization of the electoral operations in both parts of the Territory". Moreover, it should be noted in this regard that in the fifth preambular paragraph of the same resolution the General Assembly notes "with satisfaction the agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaise". The latter provision is repeated word for word in the fourth preambular paragraph of resolution 1744 (XVI), operative paragraph 3 of which states that the General Assembly "considers that the implementation of the present resolution will further ensure for Rwanda the speedy return of an atmosphere of peace and tranquillity".

(ii) *The return and resettlement of all refugees.* In this connexion, account should be taken of the sixth preambular paragraph of resolution 1743 (XVI), in which the General Assembly considers "that the return and resettlement in Rwanda of thousands of refugees have not been possible and that a large number of them are still living outside their homeland".

(iii) *The guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions.*

(iv) *The maintenance of law and order.*

(v) *Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces.* Paragraph 3 (e), which specifies that the withdrawal of Belgian forces must be completed before independence,

"with the exception of such personnel whose retention, in the view of the Commission, in consultation with the authorities of Ruanda-Urundi and the Administering Authority and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification, may be considered necessary as an interim measure", should be considered in conjunction with operative paragraph 6 (c) of the same resolution. In that paragraph, the Commission is requested to include in its report "the time-table for the withdrawal of the personnel, if any, retained as an interim measure under paragraph 3 (e) above". It should be emphasized that it was the generally expressed view during the debates in the Fourth Committee that foreign troops should never be authorized to remain on the territory of an independent State except at the express request of the Government of that State.

(b) The work the Commission was to perform in the Territory included also the talks referred to in operative paragraph 1 of resolution 1744 (XVI), in which the General Assembly requested "the Commission for Ruanda-Urundi established under General Assembly resolution 1743 (XVI) of 23 February 1962, as a matter of urgency, to engage in talks with the Administering Authority, the Government of Rwanda and the Mwami and his representatives with a view to reaching agreement, on a mutually acceptable basis, for the peaceful settlement of the question of the future of the Mwami".

(c) Among the main tasks which the Commission was to carry out in the Territory there was also that envisaged in operative paragraph 5 of resolution 1743 (XVI), in which the General Assembly "requests the Commission to see that all powers of internal autonomy are transferred to the Governments of Rwanda and Burundi at a date not later than 30 April 1962".

(2) *The convening of the Addis Ababa Conference in accordance with operative paragraph 4 of resolution 1743 (XVI)*

In operative paragraph 4 of resolution 1743 (XVI) the Commission is requested "to convene as soon as possible, at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chiefs of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union". The same paragraph states that the role of the Commission would be to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective. In that regard account should be taken of the seventh preambular paragraph of the same resolution in which the General Assembly reaffirms its conviction "that the best future of Ruanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi". The Commission also bore in mind the debates on the question in the Fourth Committee and in the General Assembly, in the course of which a clear opinion had emerged to the effect that it would be to the best advantage of the Territory of Ruanda-Urundi to gain independence as a unitary State.

⁴ Annexes III, IV and V.

(3) *Submission to the General Assembly, for its resumed sixteenth session, of a report including the conclusions and recommendations referred to in operative paragraph 6 of resolution 1743 (XVI) and operative paragraph 2 of resolution 1744 (XVI)*

(a) Operative paragraph 6 of resolution 1743 (XVI) states that the Commission's report should include recommendations as to:

(i) The necessary arrangements and modalities for the final transfer of power;

(ii) The assistance that the United Nations can provide to deal with the social and economic problems of the Territory;

(iii) The time-table for the withdrawal of the personnel, if any, retained as an interim measure under paragraph 3 (e) of the same resolution.

(b) Moreover, in operative paragraph 2 of resolution 1744 (XVI), the General Assembly requests the Commission "to include, as part of its report to the General Assembly at its resumed sixteenth session, the results of the talks envisaged in paragraph 1 above, an assessment of the possibilities, and recommendations, for the peaceful settlement of the question of the future of the Mwami of Rwanda".

In interpreting its terms of reference, the Commission constantly bore in mind the statement in the eighth preambular paragraph of resolution 1743 (XVI) that the General Assembly was "desirous of ensuring that Ruanda-Urundi accedes to independence in the most favourable conditions as soon as possible". This objective is clearly stated in operative paragraphs 7 and 8 of the same resolution, according to which the Assembly "envisages setting 1 July 1962 as the date for the termination of the Trusteeship Agreement, subject to General Assembly approval upon examination of the report of the Commission at the resumed sixteenth session, which the Assembly decides to call in the first week of June 1962 to consider exclusively the question of Ruanda-Urundi" and "considers that the implementation of the provisions of the present resolution will ensure the emergence of Ruanda-Urundi to independence in an atmosphere of peace and tranquility and the termination of the Trusteeship Agreement at the resumed session envisaged in paragraph 7 above".

B. PLAN OF WORK

12. In order to carry out its task under the terms of reference set forth in section A above, the Commission required, in addition to the Secretariat and advisers usually assigned to missions, supplementary assistance to cover the provisions of operative paragraphs 3 (d) and (e), 4, 5, and 6 (a) and (b) of resolution 1743 (XVI). The Secretary-General accordingly provided it with military, police, economic and financial experts.

13. In preparing its plan of work, the Commission considered it necessary to stop at Brussels on its way to the Territory, in order to get in touch with the Belgian Minister for Foreign Affairs, both as a matter of courtesy and in order to obtain information which might be useful to it in carrying out its mission.

14. Taking into consideration the fact that, in accordance with operative paragraph 6 of resolution 1743 (XVI), it was to present its report to the General

Assembly before 1 June 1962, the Commission arranged provisionally for the Addis Ababa Conference to open some time between 5 and 10 April, the precise date to be fixed later.

By that time the Commission would have made preliminary contact with the Governments of the two parts of the Territory, to which it would have occasion to return after the Conference before leaving on or about 10 May in order to draft its report at a place to be determined at a later stage.

Chapter II

Organization of the Commission, movements and relations with the authorities

A. ORGANIZATION OF THE COMMISSION

15. The Commission held several meetings in New York to organize its plan of work. On several occasions it conferred not only with the Principal Secretary and the political and legal advisers who from the outset helped it in its work but also with the technical assistance, financial and police experts who were likewise to assist it.

16. In accordance with the provisions of operative paragraph 11 of resolution 1743 (XVI), the Secretary-General designated the following staff members to assist the Commission in carrying out its work:

(a) *Secretariat of the Commission*

Principal Secretary: Mr. Miguel A. Marín

Political Adviser: Mr. Hubert Noël

Legal Adviser: Mr. Stephen Landau

Political Adviser: Mr. Antonin J. Obrdlik

Assistant Political Advisers: Mr. Eugène Adoboli,
Mrs. Estelle Hammond

Information: Mr. Sinan Korle

Administration and Finance: Mr. Theodore Trisciuzzi

Administrative Assistant: Mr. Jean-Pierre Labelle

Financial Assistant: Mr. Nello Tordini

Radio Specialist: Mr. Ortensio Miggiano

Interpreters: Mr. Robert Algazi, Miss Catherine Erschoff

Translators/Précis-writers: Mr. James F. Hendry,
Mr. Arthur Wills

Secretaries: Miss Audrey Defriez, Mr. Raymond Hogarth, Mrs. Jacqueline Lambert, Mrs. Lucy Marinace, Miss France Rondot

(b) *Experts*

Technical Assistance, Economy and Finance: Mr. Taghi Nasr, Mr. Edmond Janssens

Military: Lt-Col. E. J. J. Dartnell, Major M. Kolesar

Police: Inspector N. J. Y. Dubé, Deputy Inspector R. J. F. S. Duchesneau

(c) *Observers*

Mr. Jean P. Hesse, Mr. Paul de Rodzianko, Mr. Shifferaw Zelleke

17. In addition to the personnel listed above, the Commission used the services of Mr. Norman Nehmert and Mr. A. R. Werner, interpreters, and Mrs. Hélène Hufschmid and Mr. Yves Mocaer, translators/précis-writers, during the Addis Ababa Conference.

B. MOVEMENTS OF THE COMMISSION AND RELATIONS WITH THE AUTHORITIES

18. The Commission received the warmest welcome wherever it went and it wishes to express its sincere thanks to those who so kindly facilitated its task.

19. On 18 March the Commission arrived at Brussels, where it was received by representatives of the Belgian Government, and on 21 March it departed for Usumbura, where it was welcomed by representatives of the Administering Authority in the Territory. For lack of space the Commission cannot name here all those to whom it would like personally to express its gratitude, but it wishes in particular to thank Mr. Paul-Henri Spaak, Deputy Prime Minister and Belgian Minister for Foreign Affairs and Minister for Ruanda-Urundi, Mr. Georges Carlier, Ambassador of Belgium and Mr. Spaak's personal representative in the Territory, Colonel Hennequiau, Senior Representative of Belgium in Burundi, and Colonel Logiest, Senior Representative of Belgium in Rwanda. It would like also to mention the courteous and efficient help which it received, *inter alia*, from Mr. J. Castermans, political adviser.

20. Upon its arrival at Usumbura the Commission was also received by the members of the Government of Burundi and it would like to take this occasion to thank the Mwami Mwambutsa, Mr. André Muhirwa, the Prime Minister, and the members of the Government of Burundi.

21. On 24 March the Commission went to Kigali to pay its respects to the Government of Rwanda. It returned to Usumbura, where it took up various problems with the Government of Burundi on 26 and 27 March, and then went back to Kigali to hold working meetings on 28, 29 and 30 March. It would like to take this occasion to thank President Kayibanda for the welcome he gave the Commission and for the facilities which were placed at its disposal.

22. On 31 March, the Commission went to Kitega, where the Mwami Mwambutsa of Burundi had expressed the desire to receive it.

23. On 2 April, the Commission left Usumbura for Addis Ababa, where it arrived on 4 April, returning to Ruanda-Urundi on 20 April. During its stay in Ethiopia the Commission was received by His Imperial Majesty Haile Selassie I.

24. On its return to Usumbura the Commission had further talks with the representatives of the Administering Authority, the Mwami Mwambutsa and the members of the Burundi Government. On 27 April, it went to Kigali, where it met President Kayibanda and members of his Government. The Commission continued to maintain the necessary contacts with the authorities and other persons in the Territory until 6 May 1962, the date of its departure. It left seven observers in the Territory to follow developments there and report to it, at Tangier while its report was being drawn up, and subsequently in New York.

25. On 29 April the Chairman, accompanied by Mr. Taghi Nasr, a technical assistance expert, proceeded to New York. She rejoined the Commission at Tangier, where on 10 May the five Commissioners and the secretariat staff gathered to draw up the Commission's report.

26. The Commission would like to take this occasion to express its warm thanks to the Moroccan Government for the invitation to Tangier and for the generous and cordial hospitality its received from the Government of

H.M. the King of Morocco and the local authorities at Tangier.

27. On 16 May, the Chairman went to Brussels to meet the Belgian Minister for Foreign Affairs. She returned from Brussels on 19 May.

28. This report was adopted unanimously by the members of the Commission on Saturday, 26 May 1962.

Chapter III

Addis Ababa Conference
(9-19 April 1962)

29. As may be seen from the records of the debate in the Fourth Committee and the General Assembly, the general opinion expressed by the States Members of the United Nations was that the Territory of Ruanda-Urundi should accede to independence as a single, united and composite State. Nevertheless, the statements made by the petitioners speaking on behalf of the Government of Burundi and the Government of Rwanda had caused the United Nations to realize that there was a strong likelihood that such a solution would not be adopted by the Governments concerned. In those circumstances the General Assembly included in its resolution 1743 (XVI) a seventh preambular paragraph and an operative paragraph 4 reading as follows:

"The General Assembly,

"...

Reaffirming its conviction that the best future of Ruanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi,

"...

"4. Requests the Commission to convene as soon as possible, at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chiefs of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union, the role of the Commission being to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective; in this task the Commission will, at its request, be provided by the Secretary-General with the assistance of judicial, financial and economic, military and police, and technical assistance advisers".

30. After consulting the two Governments concerned the Commission decided to open the Conference on 9 April at Africa Hall, Addis Ababa, the headquarters of the Economic Commission for Africa. The Conference met from 9 to 19 April 1962. It held twelve plenary meetings.

31. In addition to the United Nations Commission, whose Chairman, in accordance with operative paragraph 4 of resolution 1743 (XVI), was also Chairman of the Conference, delegations of the two Governments composed of the following persons took part in the Conference:

For the Government of the Kingdom of Burundi: Mr. André Muhirwa, Prime Minister, accompanied by

Mr. Siryuyumunsi, President of the Legislative Assembly, Mr. Ngendandumwe, Deputy Prime Minister, Mr. Nturuwama, Minister of the Interior, Mr. Bankumuhari, Member of Parliament;

For the Government of the Republic of Rwanda: Mr. Grégoire Kayibanda, President of the Rwandese Republic, accompanied by Mr. Rusingizandekwe, Minister for Foreign Affairs, Mr. Mpakaniye, Minister of the Interior and Civil Service, Mr. Cyimana, Minister of Finance and Economic Affairs, Mr. Habimenshi, Minister of Information and Postal and Telecommunications Service.

32. Mr. Miguel A. Marín, Principal Secretary of the Commission, acted as Secretary of the Conference. During the Conference assistance was given as follows by the experts referred to in the text of the resolution: for political questions, Mr. Hubert Noël; for legal questions, Mr. Stephen Landau; for economic, financial and technical assistance questions, Mr. Taghi Nasr and Mr. Edmond Janssens; for military questions, Lieutenant-Colonel E. J. J. Dartnell and Major M. Kolesar; and for police questions, Inspector N. J. Y. Dubé and Deputy Inspector R. J. F. S. Duchesneau.

33. It should be pointed out that the Conference gave the Commission an opportunity not only to consider the objective outlined in operative paragraph 4 of resolution 1743 (XVI) but also to take up with the representatives of the two Governments certain other problems touched upon in operative paragraphs 3, 5, 6 and 7 of that resolution.

34. As regards its method of work, the Commission, taking into account both the letter and the spirit of its mandate, felt that it was essential to stress the advantages of the closest possible form of political, economic and administrative union between the two countries. The exchanges of views which the Commission had had with the two Governments at Usumbura and Kigali had given it reason to hope that perhaps some form of political union, even if only a loose one, could be worked out.

35. In her address at the opening of the Conference on 9 April 1962,⁵ the Chairman, after welcoming the two delegations and appealing to the spirit of solidarity of the African peoples, drew the attention of the participants to operative paragraph 4 of resolution 1743 (XVI). She pointed out that the fact that the General Assembly had requested that the delegations of Burundi and Rwanda should be headed by their Chiefs of Government showed the importance of the mandate entrusted to the Commission. She stressed that the preservation of the unity of Ruanda-Urundi was desirable for a number of reasons, including the following:

(i) Having regard to geographical and historical factors, it would be paradoxical if the two parts of the Territory were to separate at a time when all the peoples of the world were aspiring to unity;

(ii) A close association would enable the two countries to tackle their economic and financial problems more effectively. Economic weakness on their part would simply invite neo-colonialist manoeuvres designed to secure advantages for certain foreign States on the pretext of providing technical or other assistance;

(iii) Despite certain difficulties which everyone recognized, a centralized administration would make it pos-

sible to plan and co-ordinate the economy at the national level and to prevent duplication of programmes;

(iv) With regard to the question of common defence, the cost of defence would be out of all proportion to the means at the disposal of two small separate countries;

(v) With regard to foreign policy, it would be to the advantage of Ruanda-Urundi to have a joint diplomatic service. Developing countries, in Africa or elsewhere, always found themselves, sooner or later, with the same objectives as far as foreign policy was concerned. Any initial differences of attitudes proved to be completely superficial.

36. Turning to the arguments that had been advanced against the unity of Ruanda-Urundi, the Chairman stressed the following points:

(a) The allegations according to which the policy following by the United Nations, with its insistence on the question of unity, was designed to impose a new form of colonialism on the Territory were too fantastic to merit consideration.

(b) The thesis that it was better to form a political union after rather than before independence was fraught with grave dangers.

(c) With regard to the suggestion of a division of the Territory into two small States which might later federate with larger entities to ensure their future, the Commission considered that the idea of federation with such entities was one which deserved consideration but that an association of that kind should always be well prepared in advance.

(d) As for the argument that a monarchy and a republic could not coexist within a single State, that objection, too, seemed to be a very superficial one.

37. In conclusion the Chairman emphasized that neither the United Nations nor the members of the Commission desired to impose any formula whatsoever on Ruanda and Burundi. It was possible, however, to envisage a union of autonomous States, each retaining its own identity but both converging their efforts towards a common goal. Such a formula might, moreover, be the prelude to a union of free but closely linked States, a new kind of union which would be open to other neighbouring countries and could thus constitute the nucleus of a still larger entity. Ruanda-Urundi could thus become an example for other countries of Africa in the realization of the great idea of African unity.

38. The economic and financial expert then submitted a statement⁶ on the Territory's economic situation, stressing the importance of economic co-operation between the two parts of the Territory and supporting, by technical arguments, various points made by the Chairman concerning unity. Next the military expert⁷ and the police expert⁸ made statements in the same vein.

39. The initial position of the two Governments was set forth at the meeting held on 12 April 1962. Mr. Grégoire Kayibanda, President of the Rwandese Republic, made a statement⁹ in which he declared that Rwanda was not opposed to the principle of unification of the two countries in one form or another at such time as the unification procedure would be opportune, would satisfy the real aspirations of the two peoples

⁵ Annex VII.

⁷ Annex VIII.

⁸ Annex IX.

⁹ Annex X.

⁶ Annex VI.

and would be carried out democratically. Rwanda was, however, opposed to any artificial political bodies not based on the real aspirations and the will of the inhabitants.

40. In regard to economic union he added that the Rwandese Government not only had it in mind to give practical encouragement to the possible development, in full freedom, of political unification but had proposed that from now on Rwanda and Burundi should maintain the following joint institutions so that the two countries could derive greater benefit from international co-operation: the Bank of Issue, exchange control, customs co-operation and the validation of licences together with certain fiscal arrangements, the Office du café and the Institute for Research and Scientific Documentation (INEAC, IRSAC, Statistics).

41. On the same day the Prime Minister of the Kingdom of Burundi made a statement¹⁰ in which, *inter alia*, he indicated that the Burundi Government was ready to seek a formula for sincere co-operation between the peoples of Rwanda and Burundi in order faithfully to defend and to give expression to the deep aspirations and interests of the people of Burundi; such a formula should provide for the safeguarding of the respective freedoms, rights and sovereignties of the two peoples, as well as their progress in the modern world, particularly in the economic, commercial, financial and technical fields. The Prime Minister stated by way of example that agreements could be sought on various matters such as freedom of movement of persons, goods and capital, internal trade, credit, price control and a policy of public investment. In addition, a monetary union and a joint customs and fiscal organization could be negotiated. Finally, conventions could also be drawn up on technical and scientific matters. The institutions and bodies whose task it would be to put those agreements into effect should begin their operations on 1 June.

42. At the meeting on 13 April 1962, the Chairman pointed out that the Conference had only a limited time in which to reach a solution. She recalled the statement of the Governments of Rwanda and Burundi concerning the political and administrative union of the Territory. The Commission also stressed that it was the goal of the Conference to enable Ruanda-Urundi to accede to independence in the most favourable conditions, in accordance with resolution 1743 (XVI), and that the Commission had no intention of exceeding its mandate or imposing a solution. What it sought to do was to find a formula, following conversations between the two delegations, which would reflect their own decision.

43. The Commission pointed out that while it was fully prepared to lend its good offices, it would be for the two Governments to choose the method to be followed. It emphasized that there were points in common in the statements of both delegations and that a basis for agreement might be found, especially in the economic and financial spheres. For example, the proposals made by the Government of Rwanda concerning the five essential points corresponded to the position adopted by the Head of the Government of Burundi. The Commission therefore considered that if the necessary goodwill were manifested in the cause of the fundamental interests at stake, it would be quite possible to

find flexible formulae for putting into practice the principle of union, the desirability of which was recognized by both delegations. Lastly, the Commission stated that since the General Assembly had unequivocally expressed the wish that Ruanda-Urundi should attain independence in a unitary form, it was necessary in defining the problem to determine the guarantees that each delegation considered necessary for the preservation of its complete internal autonomy and the obstacles that would have to be surmounted in order to obtain the desired end.

44. At this point the two delegations asked for an opportunity to exchange views, possibly with the co-operation of the experts. Before the suspension of the debate which followed in order to enable the two Governments to compare their positions with regard to operative paragraph 4 of resolution 1743 (XVI), the Chairman stated that if the two Governments were unable to reach agreement the Commission would be ready to lend its good offices. In the meantime, at the express request of the two delegations, the Commission prepared the draft of a specific formula of union to be submitted to the two delegations as a basis of discussion.

45. At a plenary meeting on 14 April 1962 the delegation of Rwanda submitted a report on the meeting between the two delegations held the previous day.¹¹

46. In addition both the delegation of Burundi and that of Rwanda submitted notes or stated orally their views on the subject.

47. In its note of 14 April 1962¹² the Government of Burundi, referring to operative paragraph 4 of resolution 1743 (XVI), stated that: (1) Burundi meant to attain independence as a sovereign State and hence did not contemplate a federal union with Rwanda; (2) it did not contemplate a confederacy with Rwanda either and therefore rejected the idea of a union in the fields of defence and external relations.

48. The Government of Burundi based its position on what it called historical facts, the colonial past and the recent political evolution of the two countries. On the subject of recent political evolution the note added that the two countries had developed in diametrically opposite directions, democratization having progressed in one of them by "revolutionary methods" and in the other by "peaceful methods". The note concluded that the result of that divergence was a mutual hostility which left no room for any hope of political union in the immediate future.

49. The Rwandese delegation, in a statement signed and dated 13 April, declared:

"That a political union between Rwanda and Burundi is impossible in the present circumstances;

"That agreements for political co-operation between sovereign States will be negotiated whenever necessary."¹³

50. This political attitude does not apply to economic co-operation, for the purpose of which the Rwandese delegation suggested the establishment of five bodies for economic, financial and technical co-operation.

51. The Commission endeavoured to persuade the two delegations to adopt a less rigid attitude, and Mr.

¹¹ Annex XII.

¹² Annex XIII.

¹³ Annex XIV.

¹⁰ Annex XI.

Rahnema, the Rapporteur, summing up the Commission's views, stated *inter alia* that before submitting the preliminary general draft of a federal constitution for the United States of Rwanda-Burundi he would explain the spirit in which the document had been drawn up. He would not conceal the fact that a whole complex of reasons and circumstances had combined to aggravate the psychosis of distrust which was observable in both Governments. There was no doubt, however, that a more thorough and rational examination of the facts of history would show that the fears expressed by the two Governments were baseless when considered against the larger background of the long-term interests of both parts of the Territory. The psychosis from which the two Governments appeared to be suffering arose from causes which were certainly not unconnected with colonialism. It was the tree which hid the wood. Rwanda and Burundi would not necessarily cease to be viable States if they failed to preserve their unity, but it was clear that the task of shaping their future and developing their full potentialities on the basis of the ruins of colonialism would be much more difficult if they were divided. Unity alone would enable them to achieve favourable conditions for such development and to guarantee their peoples that which they had the right to expect in an era when all peoples were justified in cherishing the most fantastic dreams. He strongly urged the two Governments to overlook their superficial differences and to realize the heavy responsibility towards their country's history that they were called upon to assume.

52. He then read out the preliminary draft drawn up by the Commission¹⁴ and emphasized the flexibility of the proposed formula. That formula would enable the two States to maintain complete internal sovereignty while benefiting from the undoubted advantages of unity. He realized how difficult it was for the two Governments to re-examine the problem from a fresh angle but he expressed his conviction that their duty towards their people and their serious historic responsibilities obliged them to make every effort. It would be, he said, an effort to shake off a mass of prejudices and unfounded fears, but if it were to result in preventing the artificial division of two sister peoples and laying the basis of their future unity it would do honour to those who made it conscientiously and in a spirit of dedication. He added that the preliminary draft in question was merely a working document intended to enable the delegations, with the assistance of the Commission, to reach a final and mutually acceptable formula of agreement.

53. On 15 April both delegations stated that in the present circumstances it would be premature to consider the preliminary draft constitution submitted to them the previous day. Both expressed the view that the document could be used as a basis of discussion when the question was raised at the appropriate time, i.e., after the achievement of independence by both countries.

54. After both Heads of Government had reaffirmed that attitude, the Chairman, with the support of the four Commissioners, expressed deep disappointment at the position taken up by the two delegations. The members of the Commission unanimously regretted that the two Governments had not seen fit to make an additional effort in the long-term interests of their

people. They expressed the hope that the Governments would reconsider their attitude, bearing in mind the fact that unity did not exclude diversity.

55. Mr. Rahnema said that it would be for history and future generations to judge of the manner in which the participants in the Conference had approached their heavy responsibilities. The Commission could only take note of the serious decision which had just been reached and hope that its apprehensions with regard to the future of the Territory would prove to be unfounded.

56. Turning to administrative and economic questions, the Commission asked the delegations if they were prepared to agree to an economic union. Both delegations assured the Commission that practical solutions could easily be found to the problems arising from the establishment of an economic union. A small committee on economic questions was therefore set up, consisting of representatives of both delegations, two members of the Commission and the economic and financial experts, under the chairmanship of Mr. Gassou, Vice-Chairman of the Commission.

57. At the ninth meeting of the Conference, on 18 April, Mr. Gassou and Mr. Rahnema, who had been members of the Economic Committee, reported to the Conference that agreement had been reached on a number of important points.¹⁵ In particular it had been decided:

(1) To form an Economic Union covering the following spheres:

(a) A monetary union which would be administered by the Bank of Issue of Rwanda and Burundi and would also cover foreign exchange control and the administration of the import licensing system;

(b) A customs union, with a joint customs office responsible for the administration of the customs services for both countries on the basis of a common tariff;

(c) A limited fiscal union involving the establishment of a joint service for the administration of taxes on the income of commercial companies and individual enterprises operating in both countries;

(d) The joint maintenance of the Office des cafés indigènes du Ruanda-Urundi (OCIRU);

(e) The scientific research services: Belgian Congo National Institute for Agronomic Studies (INEAC) and the Institute for Scientific Research in Central Africa (IRSAC). Both Governments expressed the wish to maintain these services on a joint basis, but they asked the United Nations Commission for Ruanda-Urundi to request the Belgian Government to state its intentions with regard to them.

(2) To set up a parity technical committee to study the respective advantages and disadvantages of both the joint management and the decentralization of the following services:

(a) Telecommunications;

(b) Meteorology;

(c) Aeronautics;

(d) Water and electric power supplies (REGIDESO).

(3) To establish a Council of the Economic Union of Rwanda and Burundi to assist the Governments to co-ordinate the main lines of their economic and financial

¹⁴ Annex XV.

¹⁵ Annexes XVI and XVII.

policy, to ensure the implementation of joint decisions taken by the two Governments with regard to common services and the supervision of the execution of those decisions, and to maintain liaison between the two Governments and the common services.

58. The delegation of Burundi stated that at a meeting of the Economic Committee it had raised the question of guarantees of the political stability of the contracting countries and it deplored the fact that the Committee had not considered itself competent to settle that question. The delegation also regretted that, having noted the existence of certain bodies, such as INEAC and IRSAC, set up by the Administering Authority, the Committee had not seen fit to take note of the pending litigation concerning the public debt, the Savings Bank and the Pension and Disablement Fund, questions which should have been settled when the Congo became independent and to which no solution had yet been found. Lastly it suggested the addition of a supplementary clause to the effect that the contracting States undertook not to admit foreign troops to their territory, which it considered would constitute an essential guarantee for the implementation and proper functioning of the economic agreements.

59. The Commission stated that these questions did not appear to be directly connected with the necessary conditions or the purpose of the proposed agreement, but that the experts, on their arrival in Ruanda-Urundi, would endeavour to obtain information about the Congolese disputes.

60. The Agreement on Economic Union between the Governments of Rwanda and Burundi was formally signed on 19 April 1962 by the two contracting parties under the auspices of the Chairman of the Conference, Mr. Grégoire Kayibanda, President of the Republic, and Mr. Otto Rusingizandekwe, Minister for Foreign Affairs, signed for Rwanda. Mr. André Muhirwa, Prime Minister, and Mr. Pierre Ngendandumwe, Deputy Prime Minister and Minister of Finance, signed for Burundi.

61. The Conference closed after the customary speeches had been made.

Chapter IV

Implementation of operative paragraphs 3 and 5 of resolution 1743 (XVI)

62. Upon its arrival in the Territory, the Commission endeavoured to fulfil the tasks assigned to it in operative paragraphs 3 and 5 of resolution 1743 (XVI). Its desire to secure the implementation of those provisions was stressed, particularly in the statements made by the Chairman during the initial meetings held respectively with the Government of Burundi at Usumbura on 23 March 1962 and with the Government of Rwanda at Kigali on 24 March 1962.¹⁶

A. TRANSFER OF POWERS OF INTERNAL AUTONOMY

63. For practical reasons, the problem of the transfer of the powers of internal economy will be examined first.

64. In operative paragraph 5 of resolution 1743 (XVI) the General Assembly "Requests the Commission to see that all powers of internal autonomy are trans-

ferred to the Governments of Rwanda and Burundi at a date not later than 30 April 1962".

65. During its first official meeting with the representatives of the Administering Authority, which took place at Brussels on 20 March 1962, the Commission informed itself of the situation.

66. The representatives of the Administering Authority stated that, following the signature of the Brussels Protocols on 21 December 1961¹⁷ and of the texts promulgated in application of those Protocols, particularly Legislative Order No. 01/7 of 18 January 1962 concerning decentralization,¹⁸ the transfer in question had been virtually effected, the only question left pending being that of the joint services for the two countries, which were still operated by the Administering Authority. However, this transfer had been effected on the basis of the following two principles laid down by the Administering Authority: first, the responsibility for exercising power up to the date of independence rested with Belgium, under the Trusteeship Agreement of 13 December 1946; secondly, the Administering Authority, by virtue of its obligations, was bound to retain supervisory power in the main spheres, particularly finance. With regard to the joint services, the representatives of the Administering Authority emphasized that the effective transfer before 30 April 1962, referred to in operative paragraph 5 of resolution 1743 (XVI), might be delayed by circumstances beyond the control of the Belgian authorities.

67. As soon as it arrived in the Territory, the Commission raised the question of the transfer of powers of internal autonomy directly with the local Governments and requested their views on the situation.

68. The Government of Rwanda submitted its reply in a note dated 28 March 1962.¹⁹ The main points covered were as follows:

(i) With regard to immigration, emigration and State security, the Government requested the effective transfer of all powers;

(ii) Non-African (Belgian) staff should be wholly subject to the Government's authority;

(iii) The Government recognized that decentralization in the field of education had been completed;

(iv) Transfer of control over pensions was being effected at the time of writing;

(v) With regard to telecommunications and aeronautical and meteorological services, the Government requested "means of independence and viability compatible with its internal autonomy";

(vi) In the sphere of defence, the Government requested that the entire National Guard should be placed under its control and that negotiations should be started regarding Belgian troops;

(vii) The Government again urged the abolition of the Belgian *Parquet* so that a judiciary compatible with the principle of autonomy could be set up;

(viii) With regard to external relations, the Government requested "autonomy at least so far as contacts with the African countries are concerned".

69. Finally, the Government of Rwanda requested "that the existing provisions of the Brussels Protocol

¹⁷ Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 49, document A/C.4/517.

¹⁸ Annex XX.

¹⁹ Annex XXI.

¹⁶ Annexes XVIII and XIX.

should be exceeded and that the control exercised by the Administering Authority should be limited to the Belgian contribution to the budget of Rwanda".

70. The reply from the Government of Burundi arrived in the form of a note dated 4 April 1962.²⁰ In this note, the Government complained that, after the signature of the Brussels Protocol of 21 December 1961, the Administering Authority had promulgated Legislative Order No. 01/20 of 30 January 1962 by which the Constitution of Burundi had been only partially put into effect. It protested in particular against the stipulation contained in the Legislative Order that articles 23, 57 and 106 of the Constitution were not applicable before the date of independence.²¹ Furthermore, the exercise of the powers specified in articles 24, 27, 55, 86, 87, 103 and 105 was temporarily suspended by the Order.²²

71. The Government of Burundi also drew the Commission's attention to the judgement pronounced by the Tribunal of First Instance of Usumbura on 8 March 1962 and to the decision rendered by the Court of Appeal of Usumbura on 10 March 1962 concerning the murder of Prince Louis Rwagasore, the former Prime Minister. In these decisions the two courts had declared that article 85 of the Constitution of Burundi, requiring trial by jury in all criminal cases and for political offences, was not applicable.

72. In this connexion, the Commission deems it useful to point out the following:

(i) The Brussels Protocol does not reserve judicial powers to the Administering Authority.

(ii) Legislative Order No. 01/7 of 18 January 1962 decentralizes *inter alia* competence in penal matters, except for "matters relating to currency offences, contumacy, abuse and acts of violence against persons in authority, and acts prejudicial to public safety and the security of the State".

73. In conclusion, the Government of Burundi felt that the best way of giving effect to the Brussels Protocol was to promulgate a single Order legalizing its regular application.

74. The position of the Government of Burundi was reiterated in a note dated 13 April 1962.²³

²⁰ Annex XXII.

²¹ Article 23:

"All powers emanate from the nation. They shall be exercised in the manner provided by law."

Article 57:

"The Mwami shall command all the armed forces of the kingdom, declare war and conclude treaties of peace, alliance and commerce. He shall bring such treaties to the attention of the Chamber as soon as the interests and security of the State allow, attaching to them any appropriate communications.

"Treaties of commerce and those which may bind the State or impose individual obligations on the Burundi shall not take effect until after they have received the consent of the Chamber. No territory may be ceded, exchanged or acquired except by a law. In no case may the secret articles of a treaty nullify non-secret articles."

Article 106:

"No foreign troops may be enrolled in the service of the State, occupy or cross the Territory, except by virtue of a law."

²² These powers are: legislative power; executive power; power to appoint military staff, civil servants and magistrates; administrative powers with regard to the army and the gendarmerie.

²³ Annex XXIII.

Comments of the Administering Authority and of the Commission

75. The views of the Governments were communicated to the Administering Authority during the meeting on 1 April 1962 between the Commission and Mr. Georges Carlier, Ambassador of Belgium.

76. According to Mr. Carlier, the Administering Authority considered that the provisions of resolution 1743 (XVI) concerning the transfer of powers of internal autonomy had already been implemented since the Brussels Protocols had in a sense anticipated the wishes of the Assembly. In seeking to transfer to Ruanda-Urundi the powers specified in those Protocols Belgium had reached the very limits imposed on it by the exercise of its responsibilities as Administering Authority; it did not believe it could or should exceed those limits in order not to violate the Trusteeship Agreement.

77. The Commission then drew Mr. Carlier's attention to the fact that according to the actual terms of the Protocols "self-government means that [the two Governments] shall exercise not only the powers already granted under Legislative Order No. 01/214 of 27 June 1961 and under subsequent Orders, but also all powers formerly exercised by the Administering Authority, with the exception of those enumerated in paragraph 2" of the relevant Protocol. These exceptions were grouped under the following headings: external relations, defence of the integrity of the Territory, respect for internal public order, and supervision of the financial administration of the two countries. In the light of article 5, paragraph 1, of the Trusteeship Agreement, this provision could therefore mean that the Administering Authority had agreed in principle to transfer, with the reservations indicated above, the "powers of legislation, administration and jurisdiction in the Territory" formerly exercised by it. By the same token, it had presumably recognized that this transfer of powers could be effected as part of its responsibilities as Administering Authority.

78. The Commission inquired whether, as the Government of Burundi had requested, the Administering Authority could not promulgate a single Order embodying the recognized principle that all powers of complete internal autonomy should be transferred, except the powers mentioned above.

79. Mr. Carlier considered that such a measure could not be envisaged, particularly with respect to legislative and judicial powers. He pointed out that there existed in Belgium a Colonial Charter, still in force, which prevented any transfer of powers of autonomy without the prior adoption of an Act of Parliament. In his view, Belgium was responsible for the administration of justice in the Territory so long as it maintained its responsibilities there. Moreover, the Administering Authority could not hand over the administration of justice or of other similar sectors until the establishment of a new structure. Such a structure existed at the present time only in the form of a bill. It was in order to meet such situations that article 3 of Legislative Order No. 01/7 of 18 January 1962 stipulated that, on a temporary basis, the decentralized matters should continue "to be governed by the legislation generally applicable thereto in so far as they are not regulated by the competent authorities of the country concerned".

80. The Commission noted with satisfaction the intention expressed by the Administering Authority to

await the conclusion of the Addis Ababa Conference in order to effect the transfer of control over non-decentralized joint services.

81. Mr. Carlier observed that the Government of Burundi had never submitted specific requests to the Administering Authority, while most of the grievances voiced by the Government of Rwanda seemed to derive from a confusion between the concept of internal autonomy and that of the sovereignty of an independent State.

82. On 27 April 1962, in accordance with the suggestion made to him by the Commission the previous day, Mr. Carlier transmitted to the Commission a note accompanied by a list of the powers transferred to the Government of Burundi in accordance with the Protocols signed at Brussels on 21 December 1961.²⁴ Mr. Carlier considered that the transfer of powers was thus complete.

83. *Powers in the economic field and joint services.* Before leaving the Territory the Commission was unable to study in detail the question of the transfer of powers in the economic field and the question of the administration of joint technical services. The Agreement on Economic Union reached at Addis Ababa on 19 April 1962 makes provision for a number of parity committees which are to submit their reports within six months. During the meeting of 26 April 1962, Mr. Carlier stressed that, so far as the Administering Authority was concerned, that Agreement was *res inter alia acta* and that, consequently, Belgium must reserve its position on it; he added that it was difficult to see what measures the Administering Authority could take in those fields for the execution of its own projects before the new institutions had been set up and were ready to function.

B. RECONCILIATION OF POLITICAL FACTIONS; APPLICATION OF THE NEW YORK AGREEMENT OF 8 FEBRUARY 1962

84. According to operative 3 (a) of resolution 1743 (XVI), the first objective whose achievement the Commission was requested to ensure, with the full co-operation of the Administering Authority and national authorities, was the reconciliation of the various political factions in the Territory.

85. The summary records of the Fourth Committee make it quite clear that this provision was inserted in the text of the resolution more particularly for the benefit of Rwanda. Nevertheless, several speakers referred to both countries and the provision as worded in no way excludes Burundi.

86. During its stay in the Territory, the Commission did not observe any real activity on the part of the opposition in Burundi. Apparently, the overwhelming victory of the *Unité et progrès national* (UPRONA) party in the legislative elections produced considerable confusion among the opposition. Subsequently, the assassination of Prince Rwagasore dealt it a severe blow, particularly as the top leaders of the *Front commun* were implicated.

87. With regard to Rwanda, the Fourth Committee considered the question of internal division sufficiently important to warrant the appointment of a Conciliation Group which would lend its good offices to the repre-

sentatives of the Government of Rwanda and the representatives of the opposition party, the *Union nationale rwandaise* (UNAR), with a view to a broad national reconciliation in Rwanda. This group, which was presided over by Miss Angie Brooks, representative of Liberia and Chairman of the Fourth Committee, secured an Agreement between the Government of Rwanda and the opposition party, the *Union nationale rwandaise*, which was signed at New York on 8 February 1962.²⁵ In it the representatives of the Government of Rwanda and those of the opposition party, UNAR, agreed to offer two ministerial portfolios to UNAR and a number of posts of Secretary of State in the same proportion as the ministerial posts. The Government also agreed to offer to UNAR two posts of Prefect and two of Sub-Prefect. Recognizing also that the co-operation of the opposition would be useful for a rapid solution of the refugee problem, the Government of Rwanda agreed in addition to offer UNAR a senior post in the Commissariat for Refugees.

88. The implementation of the New York Agreement was discussed at several separate talks between members of the Commission, the Government of Rwanda and UNAR representatives. During these discussions it transpired that the reconciliation of the political factions was closely linked with two other questions mentioned by the General Assembly, namely, the return and resettlement of all refugees, referred to in resolution 1743 (XVI), operative paragraph 3 (b), and another matter, dealt with by the General Assembly in its resolution 1744 (XVI), entitled "Question of the Mwami of Rwanda". This matter will be taken up later.

89. The Commission received from the Rwandese Government a note, dated 16 March 1962, entitled "Position of the Rwandese Government with regard to resolution 1743 (XVI) on the future of Ruanda-Urundi adopted by the United Nations General Assembly on 23 February 1962".²⁶ This communication noted with satisfaction that the United Nations discussions had persuaded the opposition party to participate in the Government, as President Kayibanda had requested it to do during the formation of the present Government in October 1961, with a view to promoting better co-operation between the various political factions.

90. It also warned UNAR that the Government of the Republic would come to terms only with conduct that was candid, loyal to the Republic and in the interests of the public welfare, and that consequently the Government wanted to obtain unmistakable signs of a firm determination to help make an independent Rwanda into a democracy in an Africa that was truly rid of colonialism in all its forms.

91. The note also announced the establishment of a "negotiating commission" which would be responsible for making further contact with the opposition party in order to promote greater co-operation between the parties and to consider, *inter alia*, the question of bringing UNAR into the Government and the administration of the prefectures.

92. According to a letter dated 16 March 1962, a copy of which was sent to the Commission, Mr. Kayi-

²⁵ *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 49, document A/C.4/532.

²⁶ Annex XXV.

²⁴ Annex XXIV.

banda, the President of the Rwandese Republic, proposed to the President of UNAR that discussions should be entered into in the course of the week with a view to giving effect to the General Assembly resolution. He also asked him to inform any members of UNAR who happened to be abroad that if they wished to return, they would be given the necessary assistance by the Office for Displaced Persons. In a letter of 20 March, the President of UNAR acknowledged receipt of President Kayibanda's invitation and announced that he would visit him in two days' time. According to a letter sent by UNAR to the Commission on 29 March, the meeting amounted to no more than an exchange of information on the question and had apparently not been repeated as of that date.

93. When, on 24 March, the Commission went to Kigali to pay a courtesy visit to the Government of Rwanda, the Chairman in her address referred, among other urgent questions, to the problem of reconciling the various political factions and implementing the Agreement concluded on 8 February 1962 under the auspices of the United Nations.

94. On the same day, the Government of Rwanda had various documents transmitted to the Commission, including a note, dated 23 March 1962, entitled "Attitude of the Legislative Assembly of the Republic of Rwanda regarding resolution 1743 (XVI) adopted by the United Nations General Assembly".²⁷ This note stated *inter alia* that the Legislative Assembly noted with satisfaction that UNAR had reconsidered its decision not to participate in the Government. It nevertheless advised the Government not to make any cabinet changes without guarantees of full and loyal co-operation, such guarantees specifically to include an oath of loyalty by deputies to the Republic and an undertaking by them to disband the Inyenzi terrorist gangs and to remain in the country with their families in order to give the refugees confidence.

95. In a note, dated 28 March 1962, entitled "Reply by the Government of Rwanda to the statement of the United Nations Commission for Rwanda-Urundi",²⁸ the Government of Rwanda—after noting that as a result of the popular consultations held in September 1961, the various political factions had worked side by side in the Parliament and had exercised their rights in complete freedom—recalled that the President of the Republic had invited the opposition to take part in the Government in October 1961 and that as a result the delegation sent to New York had been able to sign the Agreement of 8 February 1962. The note went on to say that since then the President had held consultations with the opposition regarding the application of the Agreement and that discussions were in progress, as was evidenced by the exchange of letters previously referred to (para. 92). The Government pointed out, however, that it was obliged to insist on the necessary guarantees stipulated by the Legislative Assembly and also referred to above. In this reply, the Government of Rwanda also indicated that as regards the administration of prefectures, the Ministry of the Interior and Civil Service was examining the question in the light of the existing rules and regulations. It added that the operation would be easier in that a large number of UNAR members held posts in the Civil Service and

that the relevant rules were quite explicit on the subject of promotions.

96. For its part, UNAR protested to the Commission against the attitude of the Rwandese Government, which it accused of being seriously remiss in the task of national reconciliation, and it asked the Commission to use its good offices in the matter. In a letter of 29 March,²⁹ the party also asked the President of the Rwandese Republic to take measures to stop the reprisals being carried out against the Tutsi population as a result of the attack made at Biumba and mentioned below (paras. 158 ff.) It stated that dozens of people had been killed and hundreds of houses burnt and that, in addition, a number of arrests had been made and prisoners had been tortured in the Kibungu prefecture. In the same letter, UNAR called for the immediate implementation of the New York Agreement so as to enable the opposition to take part in the Addis Ababa Conference. The same request was made in a letter of the same date addressed to the Chairman of the United Nations Commission for Rwanda-Urundi.

97. In this connexion, the Commission drew the attention of the Government of Rwanda to the serious reservations expressed on a number of occasions regarding conditions in Rwanda since the events of 1959 and the atmosphere in which the popular consultations had been held. Those reservations had been reflected both in the report of the United Nations Commission for Rwanda-Urundi (1961)³⁰ and in the statements of a considerable number of delegations during the debates on the future of Rwanda-Urundi. While those considerations, which, moreover, were mentioned in the preamble to resolution 1743 (XVI), had not in the end led the Assembly to adopt a negative attitude concerning the actual validity of the popular consultations, its decision had been largely due to the fact that the Government of Rwanda appeared to have embarked on a new course. Thus, in the eyes of the General Assembly, the Agreement was of the greatest importance in that it marked a turning point after which problems could be considered in terms of the future and not just in terms of the past. Hence, resolution 1743 (XVI) as a whole, and particularly the provisions and conditions laid down by way of preparation for the country's attainment of independence on 1 July 1962, could not be applied without reference to the New York Agreement.

98. Having drawn the attention of the Government of Rwanda to the crucial importance of the Agreement signed between the parties concerned on 8 February, the Commission went on to express its serious concern over the fact that it had not yet been carried out. The Commission stressed the urgent need for putting it into effect. That would certainly provide the most tangible evidence of the goodwill which the Government of Rwanda was constantly proclaiming to the Commission. Indeed, since the question of reconciliation was the key to the successful completion of the tasks laid down in resolution 1743 (XVI), the Commission failed to understand why it could not be achieved before the Addis Ababa Conference. It was quite clear that a settlement of the question would affect the entire atmos-

²⁹ Annex XXVII.

³⁰ *Official Records of the General Assembly, Sixteenth Session, Annexes*, addendum to agenda item 49 (A/4994 and Add.1 and Corr.1).

²⁷ Annex XXVI.

²⁸ Annex XXI.

phere of the Conference and that by achieving such a settlement the prestige and authority of the Rwandese delegation would be greatly enhanced.

99. In conclusion, while again stressing the need to apply the New York Agreement as a means of giving effect to operative paragraph 7 of the resolution concerning the date for independence, the Commission stated that it was quite prepared to lend its good offices to the two parties in order to facilitate their task and thus help them, as far as possible, to achieve the main objective, which was reconciliation.

100. The Government replied that discussions were taking place. It stated that, in its view, the problem was not simply one of respecting the letter of the Agreement by making fictitious appointments, but to seek a genuine accord whereby, in a spirit of mutual good will, a course of action could be worked out for the solution of basic problems. Efforts towards that end—which, it added, the Government of Rwanda would do its utmost to further—would require time, persistence and a great deal of patience. They would only succeed and yield the results desired by the General Assembly if all the necessary conditions were present and the time was ripe. President Kayibanda expressed regret at having to interrupt his efforts to that end during the Addis Ababa Conference, which was soon to open, but he assured the Commission that he would leave instructions with his representative that the matter should be settled in the meantime or, at any rate, in the course of three weeks, which would coincide approximately with the duration of the Addis Ababa Conference.

101. When the Commission returned to Kigali on 27 April, it asked the Government of Rwanda to report on developments in the matter of reconciliation between the political factions and the application of the Agreement of 8 February 1962. President Kayibanda replied that to his great regret the problem had not been solved in his absence and that the Conference had lasted for a much shorter period than he had expected when estimating the chances of early success for the consultations. He wished to assure the Commission that he would be in a position to inform it of the positive results of his efforts before the Commission drafted its report, if not before its departure from the Territory.

102. For its part, UNAR, in a letter sent from Kigali on 26 April 1962³¹ to President Kayibanda—a copy of which was sent to the Commission for its information—stated the following: "... negotiations between your delegate, the Minister of Agriculture and Land Settlement, and the UNAR delegates, which were to lead to the implementation of the Agreement, have been at a standstill since 29 March, when the only contact with your delegate took place. Since then, despite specific proposals transmitted to him, no discussion for the purpose of finding a definitive solution to this problem has been permitted". In the same letter, the President of UNAR reiterated his desire for the Agreement of 8 February 1962 to be implemented in the near future and deplored the reluctance of the Rwandese Government in the matter.

103. When the Commission was finishing the drafting of the present report, it received a cable, dated 20 May, from its observers who had remained behind in Ruanda-Urundi, stating that, as a result of the dis-

cussions between the Rwandese Government and UNAR, the latter had been given the two ministerial portfolios of Public Health and Stock-raising. This cable confirmed an earlier cable of 13 May announcing this action of the Government and indicating that it would be submitted to the Legislative Assembly for ratification at its meeting on 14 May.

104. The cable of 20 May stated that the decision had, in fact, been approved by the Legislative Assembly, in a vote that had been unanimous apart from three abstentions, and that the new Ministers had taken office on 15 May. The cable stated further that the new spirit of co-operation had been reaffirmed in the declaration which the President of UNAR had read out at the Legislative Assembly's meeting of 17 May 1962.³²

105. This declaration, the cable went on to say, placed particular emphasis on the support which the opposition intended to give the Government in its efforts to eliminate colonialism from Rwanda, and the agreement between the Government and the opposition on that specific point had had the immediate result of reconciling hitherto dissenting groups. The cable concluded by saying that peace now reigned in the hills of Rwanda and that all serious strife had come to an end.

C. RETURN AND RESETTLEMENT OF REFUGEES

106. The question of the refugees from Rwanda has been a matter of continuing concern to the General Assembly ever since the events of 1959 started the exodus. As early as its fifteenth session, the Assembly emphasized, in operative paragraph 3 of resolution 1579 (XV) of 20 December 1960, that "the expeditious return and rehabilitation of thousands of victims of recent disturbances in Ruanda who were compelled to take refuge away from their homes in Ruanda or abroad" would assist the process of reconciliation.

107. At its sixteenth session, the General Assembly again showed its concern about this problem. The Agreement of 8 February 1962 between the Government of Rwanda and UNAR, the opposition party, included the following clause:

"2. *Question of the refugees:* The two parties have agreed that they will make every effort to promote a solution of this grave human and political problem, by endeavouring to expedite the repatriation of the refugees in the best possible circumstances.

"The Government has agreed that the co-operation of the opposition would be useful for a rapid solution of this problem. It has agreed to offer UNAR a senior post in the Commissariat for Refugees."

108. In the same spirit, the General Assembly adopted the sixth preambular paragraph and operative paragraph 3 of resolution 1743 (XVI), under which the General Assembly,

"*Considering* that the return and resettlement in Rwanda of thousands of refugees have not been possible and that a large number of them are still living outside their homeland,

"...

"3. *Requests* the Commission to [ensure] the achievement, with the full co-operation of the Administering Authority and national authorities, of the

³¹ Annex XXVIII.

³² Annex XXIX.

following objectives: ... (b) The return and re-settlement of all refugees."

109. In the course of its discussions with the Government of Rwanda and the representatives of the opposition party, UNAR, the Commission realized that the question was closely linked to the problem of reconciling the political factions, which has been discussed above, and to the question of the Mwami of Rwanda, which will be examined later.

110. According to the Rwandese Government, the personality of Kigeli V crystallized all the UNAR representatives' hesitancy regarding loyal co-operation with the Government in developing the new Republic, and the UNAR party was exploiting the refugee problem for purely political ends.

111. For its part, UNAR, declared that the refugees could have no adequate assurances of personal safety until the factions had been reconciled. In its view, a resettlement programme should be drawn up immediately in co-operation with all the parties concerned, including UNAR.

112. In its note of 16 March entitled "Position of the Rwandese Government with regard to resolution 1743 (XVI) on the future of Ruanda-Urundi adopted by the United Nations General Assembly on 23 February 1962",⁸³ the Government of the Rwandese Republic said that it was renewing its appeal to all Rwandese citizens abroad to return, if they so wished, "from their roving" and to take part in the democratic upsurge of their homeland. In a personal letter of the same date to the President of UNAR, the President of the Rwandese Republic reiterated his appeal. The President of Rwanda also assured the Commission that his Government, for its part, had all along done everything in its power to facilitate the return of the refugees and their peaceful participation in the normal life of the country. In addition the Rwandese Government would continue its efforts in that direction by making psychological and other conditions as favourable as possible to the attainment of that objective. It asked for the Commission's moral support in so doing, and reiterated its intention to submit to the United Nations High Commissioner for Refugees an official request for all possible material and financial assistance to that end. It emphasized the need for such outside assistance, which was essential to a speedy solution of the problem.

113. On its arrival in the Territory, the Commission also received a note entitled: "Statement of position by the permanent office of the Executive Committee of UNAR". In this note, dated 26 February 1962, UNAR made, *inter alia*, "a solemn appeal to those responsible for the destinies of Rwanda to strive for a just and expeditious solution to the distressing problem of the more than 300,000 people who are now refugees in Burundi, Uganda, the Republic of the Congo and Tanganyika". This note also urged that a resettlement programme should be drawn up immediately, so that the people in question might return to their homeland before independence.

114. The Commission learned that according to the most reliable information, subject to a more accurate check, there were approximately 5,000 Rwandese refugees in Tanganyika, 30,000 in Uganda, 60,000 in the Kivu province of the Congo (Leopoldville) and 40,000

in Burundi, or some 135,000 refugees altogether, and that resettlement programmes were under way in both Tanganyika and Uganda.

115. It is reported that in Tanganyika a number of refugees have found shelter with friends or relations, who are helping them to settle down, but that more than 5,000 are dependent on direct Government assistance. It is understood that temporary camps have been set up in some areas, and that the Government has spent more than £25,000 on aiding the refugees and implementing a resettlement programme. It should be noted that the attempt to integrate these refugees with the population of Tanganyika seems to be going well, particularly in the Karagwe area, where the population is said to be both able and willing to absorb the new-comers.

116. Of the approximately 35,000 refugees who are estimated to have crossed the frontier directly from Rwanda into Uganda since September 1961, it is understood that about 25,000 have drawn on the local authorities for assistance, that 10,000 of these have been settled in the Orichinga valley, and that another 1,000 are waiting for a second resettlement programme to get under way in another area. It should be noted that, because Rwanda and Uganda have a common frontier, an average of 300 to 1,000 refugees a week were estimated to be crossing the frontier into Uganda, whereas, at the time the Commission received this information, some forty persons per week were entering Tanganyika. The administration of Uganda is so far reported to have spent about £100,000 on aid to refugees.

117. In Burundi it is reported that the Administering Authority, with the help of various international organizations, is assisting about 40,000 Rwandese refugees, of whom 13,000 are in and around Usumbura, with the remainder scattered along the frontier with Rwanda in groups of varying size. It is understood that many of the latter have found shelter with the religious missions; including 5,000 who have received grants of land in the eastern part of Burundi, where a resettlement programme is in progress. According to the same source, the Administering Authority spent about 18.5 million Belgian francs on assistance to refugees in 1961 and has included in its 1962 budget an appropriation of 8.4 million Belgian francs which will remain available for assistance to refugees even after the proclamation of independence.

118. It should nevertheless be stressed that, despite everything that is being done, the refugee situation will continue to be extremely precarious, even alarming, until an over-all plan has been put into effect. In this connexion the Commission was happy to learn that on 21 April the Office of the United Nations High Commissioner for Refugees had sent the Government of Tanganyika a cheque for \$20,000 as a contribution to its effort.

119. At Usumbura the Commission was visited by a great many refugees and by the representative of the Office of the United Nations High Commissioner for Refugees, whom it wishes to thank for some useful information. The Chairman of the Commission also had several interviews with delegations of women refugees, who described to her the particularly tragic nature of their situation and, *inter alia*, the degrading and humiliating treatment to which they were subjected.

120. These people's lot is certainly far from enviable, as was pointed out in the report of the United

⁸³ Annex XXV.

Nations Commission for Ruanda-Urundi (1961).³⁴ Indeed, the Commission learned that there was an acute food shortage among them in spite of the assistance provided by Belgium (about 50 Rwanda-Burundi francs per refugee per week) and by private and public international organizations. According to some reports which the Commission was unable to verify, the refugees in Kivu were dying of hunger at the rate of fifty a day, while the calorie intake of those in parts of Burundi had, for a time, been down to 350 calories a day. Health conditions for the refugees are equally adverse, and there is a risk of epidemics in some camps unless assistance is planned on a much larger scale.

121. The Commission several times drew the attention of the Belgian Government and the authorities of Rwanda and Burundi to the seriousness of this situation and asked them to do everything they could to solve this problem, bearing in mind that it is essentially a humanitarian question.

122. The Administering Authority said that it had constantly concerned itself with the problem. It regretted that, in spite of the assurances given by the Government of Rwanda, the Government of Burundi had for various reasons opposed the return of the refugees. With regard to the medical assistance requested, it explained that, because of the "instability of the present situation", the Belgian authorities were no longer sending medical aid to certain areas of Burundi. Lastly it expressed the view that the Commission could do a great deal to help the refugees by "persuading the refugees now in Burundi to return to their country, as the refugees would certainly find living conditions better in Rwanda than they were in Burundi."

123. The Government of Burundi, for its part, admitted that the situation of the refugees from Rwanda was extremely serious. The Prime Minister said that the Government had organized reception camps, had sent medical assistance, nurses, etc., to various parts of the Territory, including Kitega, Muhinga and elsewhere, and had co-operated with the Administering Authority on the problem.

124. During an interview with the Commission on 1 April, the Prime Minister added that the Government of Burundi was on the point of submitting an official request to the United Nations High Commissioner for Refugees, through the Administering Authority, for assistance in solving the problem.

125. The Administering Authority has requested the High Commissioner to turn his attention to the problems of Ruanda-Urundi refugees. The High Commissioner is considering whether he will be able to co-operate.

126. The Commission learned further that an official request had been received at the High Commissioner's Office directly from the Government of Rwanda but that, "in the circumstances, he had been unable to act on it".

127. It should also be noted that, in view of the complexity of the different aspects of the refugee problem, the Commission drew the special attention of Mwami Kigeli V to the humanitarian aspect of the question and asked him to do what he could to persuade

the refugees to return to their country. In his reply to the Commission, dated 5 April 1962, the Mwami stated *inter alia*:

"As to the resettlement of the refugees, a distressing problem if ever there was one, I am prepared to co-operate with the Commission in ensuring that this is done successfully. However, genuine and reliable safeguards will be required.

"The first is, in my opinion, the withdrawal of the Belgian troops and Administration officials.

"The second would be the recruitment, from the monarchist parties, of a National Guard contingent equal to the current strength of the PARMEHUTU troops. The tragic massacre of the refugees who returned for the elections last September is so vivid a memory that everything possible should be done to prevent any further catastrophes of the kind.

"The third would be the formation of a Government of national unity worthy of the name.

"The fourth is material assistance to the refugees from the local Government and the United Nations, without prejudice to possible compensation for loss of property.

"The above list of guarantees is not meant to be limitative. I would ask the Commission to supplement it in order to afford the refugees every assurance of safety."³⁵

128. The Commission drew President Kayibanda's attention to the position of the Mwami. Mr. Kayibanda assured the Commission that Rwanda was now calm and that the National Guard was being recruited on a country-wide scale. He added that the refugees could return immediately, the only obstacle to their resettlement being the political manoeuvre of UNAR, which was using the refugee question as a political weapon.

129. During the second series of meetings at Kigali, President Kayibanda stated that the refugees were now returning in increasing numbers, a fact which confirmed that stability had been restored. He promised to give the Commission figures, but they had not reached it at the date of writing. He denied that the refugees had been persecuted on their return to the country. He added that the provincial Prefects had been instructed to assist in resettling them. Lastly, he repeated that his Government had no other desire than to see the refugees return, and was doing its best to facilitate their resettlement in the country.

130. The whole question of the refugees outside Rwanda is clearly a complex matter. The General Assembly will certainly recall that there are three traditional ways to deal with refugee situations: repatriation, integration in the country granting the right of asylum, and resettlement in another country.

131. As stated at the beginning of this chapter, the Commission was directed in its terms of reference to give special attention to the first of these solutions, namely, the return and resettlement of the refugees. It should be remembered that the Commission was given no executive function to perform. Moreover, it bore constantly in mind that any solution to the problem must take into account the voluntary nature of the operation. On considering these various aspects of the problem, the Commission gained the impression that the return

³⁴ Official Records of the General Assembly, Sixteenth Session, Annexes, addendum to agenda item 49 (A/4994 and Corr.1, paras. 171-190 and 416-423).

³⁵ Annex XXX.

and resettlement of the refugees depended on a whole series of factors which must be taken into consideration in order to reach a better understanding of the problem.

132. The future of Mwami Kigeli V is, of course, one of the most important facets of the problem. Many refugees would view the Mwami's return as a guarantee that their property and person would not again be threatened. So long as they have no assurance of such a guarantee, they feel that their return would again expose them to the very dangers which they fear both as a result of recent experiences and because of the situation prevailing in the country.

133. If, as a result of the steps taken to implement the New York Agreement, a true climate of peace and reconciliation were established, and particularly if a representative of the refugees who was also a member of the opposition party were to assume a position of high responsibility in the Commissariat for Refugees, there would of course be grounds for believing that the question of the Mwami's return would be less crucial. The return and resettlement of the refugees would then be facilitated by the fact that they would be encouraged by their own representative and would be assured, from the experience of the first repatriates, that such resettlement would really be possible without disturbances or difficulties.

134. In any event, the Commission, on the basis of information from varied sources, does not feel that it can share the optimistic view of governmental circles at Kigali that the refugees are returning in large numbers. Indeed, the Commission believes that, in the circumstances which have existed in the country for the past two years, the problem is far from being solved at the present time.

135. It would not be wrong to say that the general feeling that the situation is only temporary and the propaganda in the refugee camps to the effect that a change in the situation is still possible largely account for the fact that the problem remains, as it were, in abeyance. The Commission has the impression that if the debate in June, more particularly on the question of the Mwami, were to stabilize the situation one way or the other, or if the people at least felt that the die was irrevocably cast, it would be possible to establish a serious basis for a real solution. It would then be easier for the refugees to choose between repatriation, integration in the host country and resettlement in another country, in the light of the existing situation and their judgement of their own interest. It is to be hoped that assistance by the interested international agencies, and especially the participation of the Office of the United Nations High Commissioner for Refugees in seeking lasting solutions, would then make it possible to institute a programme designed to bring this grave human problem to its longed-for end.

D. THE GUARANTEEING OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS

136. The third objective of which the General Assembly, in its resolution 1743 (XVI), operative paragraph 3 (c), requested the Commission to ensure the achievement is "the guaranteeing of human rights and fundamental freedoms, including freedom of expression and association and political activity in peaceful conditions".

(1) *The situation in Rwanda*

137. Immediately after its arrival in the Territory, the Commission took cognizance of a note dated 18 February 1962 from the Chairman of UNAR to the Ministers of Justice and of the Interior of the Rwandese Government, a copy of which had been sent to the *Procureur de la République* at Astrida. This note alleged that mass arrests, aimed exclusively at members of UNAR, including their deputies in the Legislative Assembly, had been ordered by the Security Service, and that brutal treatment and torture had been inflicted on the persons arrested. UNAR claimed that the name "Inyenzi"³⁶ (an organization held responsible for terrorist murders) had been gratuitously applied to any member of the opposition "where excuses had to be found for his shameful treatment (arrest, torture, discrimination, removal from office, etc.)".

138. In the prefectures of Biumba and Kibungu, more than 100 members of UNAR had allegedly been arrested. The Chairman of the party had already had occasion to denounce "the refined tortures . . . inflicted on the victims" in a letter to the *Procureur du Roi* on 19 November 1961. The note mentioned, among other specific cases, that of Kagande Georges, Commissioner General to the Executive Committee of UNAR, who, "having been arrested on 18 January and taken to the prison at Kibungu, was from then on subjected daily to frightful torture, which finally caused his death. He died on 18 February 1962 in his foul dungeon, without having received any medical attention. One of his fellow prisoners had already died the previous day."

139. After citing examples of wanton shootings and tortures, the note concluded that all these acts of brutality were directed against the opposition party and were designed to eliminate it systematically. I asked that a judicial inquiry should be opened immediately and that a special medical commission should be set up for the dual purpose of "establishing the causes of the deaths and the physical condition of those who had not yet succumbed to torture". Lastly, the note expressed gratification at the Agreement signed in New York, and at the draft edicts on the amnesty and on the rehabilitation of persons under sentence, which had been laid before the Legislative Assembly.

140. On 23 February, UNAR, in a policy statement by the permanent office of its Executive Committee, protested against the police measures taken under Ministerial Decree No. 1/Int. of 11 January 1962³⁷ and under other regulations now in force which, the Committee stated, "interfere with the exercise of public liberties, particularly freedom of movement and freedom to carry on political activities in the case of members of UNAR, preventing that party from convening its Executive Board". In the same document, UNAR, while taking the view that the Rwandese Government "may take temporary measures to forestall possible disturbances or incidents, but that such measures should be extremely flexible and democratic", requested the Rwandese Government "to annul, without delay, its Ministerial Decree No. 1/Int. of 11 January 1962 concerning the movement of persons by motor vehicle and to rescind all measures resulting in deprivation of liberty which have been taken under that Decree or under other regulations".

³⁶ In Kinyarwanda, "Inyenzi" means "cockroach".

³⁷ Annex XXXI.

141. From its very first contact with the Government of Rwanda, the Commission pointed out to the Rwandese leaders how important it was for the future of the country and for a people's right to freedom that all its citizens should be guaranteed human rights and fundamental freedoms.

142. The Government of Rwanda stated that it fully appreciated the importance of this and had informed the Commission of its position in the matter in its note of 28 March,³⁸ the main points of which are as follows:

(i) The draft constitution of the Republic of Rwanda, at present under consideration, expressly prescribes respect for the rights in question. Pending adoption of the constitution, the Rwandese Government is applying Trusteeship legislation, which provides the same guarantees;

(ii) The Rwandese Government declares its intention, in its future laws, to enact the most liberal legislation possible, taking as its golden rule the safeguarding of the common good and of public order;

(iii) The Rwandese Government, applying these principles, points out that the opposition party, UNAR, operates in complete freedom, occupies an office in the centre of the capital city, publishes its newspaper and circulates it without interference. This freedom, enjoyed by the largest opposition party, is also the prerogative of other political parties like the Association pour la promotion sociale de la masse (APROSOMA) and any other association.

143. The members of the opposition did not appear to share this view. In a note to the Commission dated 29 March, UNAR asked the United Nations Commission "to request the Rwandese Government and the Administering Authority to put an immediate end to all measures of harassment against the opposition parties". "We are well aware", the note went on, "that some officials are deceiving the Commission by assuring it that these freedoms exist. Yet Decree No. 1/Int. of 11 January 1962 is an illustration of this lack of freedom."

144. Unfortunately, the various reports which reached the Commission, both through its own observers and through individuals, were not calculated to allay the Commission's misgivings in the matter. It was reported that the Government, under the pretext of combating the terrorist bands known as "Inyenzi", had taken extreme security measures which "brought it close to a police state, if not a reign of terror". Road-blocks were seen almost everywhere, especially on the main roads. It was said that travel permits were required by any person or vehicle going from one prefecture to another, and that such permits were not granted readily to members of the opposition. Citizens entering a commune have to register at the office of the commune on their arrival and cannot reside there unless they have a residence permit, in the granting of which many irregularities have been reported. It was said that there was a curfew throughout Rwanda from 6 p.m. onwards.

145. Among the notes received by the Commission were some from the opposition referring to a whole series of actions and incidents which constituted serious interference with the exercise of human rights and fundamental freedoms. One note, received on 25 April,

set out what the document called "some facts showing the racial persecution directed against the Tutsi minorities in Rwanda". This document gives an account of three cases which, the writer says, "can be checked" (the case of V. Gatabazi; the case of P. Gasore; and the treatment of persons arrested following the Runyinya affair) and considers these three examples to show that "the ruling authorities are systematically organizing racism bordering on nazism". "This persecution", the note goes on, "is not the work of a few members of the Government or of its administration, but is openly supported and organized by the highest Rwandese authorities, backed in this dismal task by the Trusteeship authorities".

146. Even leaving aside some still more alarming reports which, *inter alia*, would estimate the number of persons killed since the reprisals at Biumba, which will be dealt with below, at between 1,000 and 2,000, the fact is that the situation, at it was, appeared alarming to all experienced observers. The wide-spread climate of fear in which both the indigenous inhabitants and the Europeans are living, a certain morbid defensiveness brought on by the dread of possible imminent dangers, the increased independence and influence of the burgo-masters who, in some cases, are said to be beyond the control even of the higher authorities of the Parti du mouvement de l'émancipation hutu (PARMEHUTU)—all these seem to be factors which have served to poison any atmosphere conducive to the full exercise of human rights and have encouraged, for instance, the settling of personal scores and a tendency in people to take the law into their own hands.

147. The Government of Rwanda sought to convince the Commission that feudal—and, indeed, foreign or colonialist—interests were working to create a problem where none existed. The Government was at pains to assure the Commission that the established authorities respected the opposition, so long as it was prepared to operate in a democratic way, and that all the alleged restrictions of freedoms were legitimate measures by the community to defend law and order, which were necessary if the people were to exercise their democratic rights.

148. The Commission made a point of mentioning to the Rwandese Government the existence of road-blocks, on the roads and at the entrances of different localities, which had been reported to it, and asked the Government for the necessary explanations. In actual fact, there are road-blocks at the entry to each prefecture, where the identity of travellers is checked.

149. In reply to the Commission's request for an explanation, the Government of Rwanda strongly reiterated its assertion that the road-blocks and similar measures were for the defence of the people, whom bands organized abroad were seeking to terrorize. In the Rwandese Government's view, the road-blocks, which it claimed were found in many other countries, were not designed in any way to restrict the right of free movement; the only reason for them was public security.

150. As has been mentioned above, the opposition believed, on the contrary, that the true purpose of such measures was gradually to paralyse the parties hostile to the Government, in order finally to destroy them at the proper time.

151. In any event, before taking leave of President Kayibanda, the Commission took care to emphasize yet

³⁸ Annex XXI.

again to his Government the vital importance attached by the international community and the United Nations Charter to respect for fundamental human rights. In the eyes of the civilized world, that principle constituted the very basis and justification of a people's right to independence. It was not without reason that the Declaration on the granting of independence to colonial countries and peoples, appearing in General Assembly resolution 1514 (XV), began by reaffirming the faith of peoples in fundamental human rights and mentioned as the first justification of the independence of peoples the fact that the subjection of a people constituted "a denial of fundamental human rights". The Commission expressed the hope that the Government would pay particular regard to those considerations and would act in such a way that the study of the final report on the question would not tend to increase the existing misgivings or seriously to affect the final decision of the General Assembly concerning the future of the country.

(2) *The situation in Burundi*

152. In Burundi, despite the fact that, as in Rwanda, there is a small number of opposition deputies sitting in Parliament, there is apparently no political party representing any substantial opposition. The Commission can only repeat the two contradictory explanations which were given to it. The first is that following the victory of UPRONA in the elections the majority of voters who had supported the opposition went over to the winning party. Moreover, as has already been stated, it would appear that the assassination of Prince Rwagasore, the son of the Mwami and Prime Minister of the Government, endowed UPRONA with such moral prestige that all other political groups were eclipsed. Thus the opposition simply ceased to exist.

153. The second explanation given by some petitioners and other sources, including an opposition deputy, is that the opposition has been crushed. Leaders of the opposition parties came to the Commission to complain that they had been prevented from exercising fundamental freedoms. An important member of the opposition complained of perpetual harassment; he protested that there was no freedom of the press and no right of assembly and association for parties other than UPRONA. He accused the Jeunesse nationaliste UPRONA of having instigated murders at Kamenge and of having invented a story of the desecration of the tomb of Prince Rwagasore with a view to eliminating Mr. Jean Kandeke, one of the leaders of the opposition.

154. A complaint was addressed to the Commission concerning the *de facto* seizure by the Government of Burundi of cattle and a flock of 400 sheep belonging to Mr. Ntindendereza, former Minister of the Interior, who was sentenced to death and subsequently on appeal to twenty years' imprisonment for taking part in the assassination of Prince Rwagasore. In a letter dated 27 April, addressed to the Chairman of the Commission, Colonel Hennequiau, the Senior Representative of Belgium, recalled operative paragraph 3 (c) of resolution 1743 (XVI) and the fact that to infringe the liberties guaranteed by the Constitution would be "to depart from legality, violate the Universal Declaration of Human Rights and open the door to arbitrary action" and requested the Chairman to "approach the Government of Burundi with a view to the lifting of the sequestration imposed on Ntindendereza's property in

order that the parties concerned or his representatives can dispose of them freely".

155. Following a request for information by the Commission, the Government of Burundi explained that in its opinion the step was not illegal and that it had been taken with a view to preventing the defendant from evading payment of his debts. It added that there were three sentences outstanding against him and that even the total value of his property would be insufficient to cover all the costs and pay the damages due to the legal heirs of Prince Rwagasore.

E. MAINTENANCE OF LAW AND ORDER

156. The maintenance of law and order was the fourth objective mentioned by the General Assembly in operative paragraph 3 of resolution 1743 (XVI).

157. During its stay in the Territory the Commission did not hear of any major difficulties in this respect anywhere in Burundi.

158. In Rwanda, on the other hand, the Commission's observers reported a state of tension largely caused by two particularly unfortunate incidents, at Biumba and Runyinya (Kigali).

159. The district of Biumba borders on Uganda, where there are a great many Rwandese refugees. Shortly before the Commission's arrival there had been attacks, apparently from outside the Territory, which had resulted in a number of deaths. During the first half of March there were a series of incidents of the same kind which caused deaths, mostly of Bahutu, and which led to reprisals against the Tutsi population. By a note dated 26 March 1962, the Administration informed the Commission, through its observers, that during the previous night there had been an attack by "Inyenzis" (described as "Tutsi terrorists") in the commune of Nkana (Biumba prefecture). The note stated that four men, including a policeman and two employees of the commune, and one woman had been killed. The terrorists had taken the communal cash box.

160. About a month earlier, there had been a similar attack in the same area, in the communes of Mugira and Gatunda, during which two communal policemen had been murdered. A still earlier attack, again in the region of Biumba, had occurred on 8 January; the Belgian warden of the Nagera National Park had been murdered in his house.

161. The latest incident at Biumba, that of 26 March, caused feeling to run high and the Commission immediately requested its observers to report on the question. According to the information they obtained, following a raid by Batutsi coming from outside the Territory the Hutu population had risen against the Batutsi in the area. This reaction gave rise to countless incidents of atrocities: murders, thefts, arson and violence of every kind. Most of the victims, who numbered between 1,000 and 2,000, appeared to have been buried on the spot. A large number of huts were said to have been burned or pillaged. According to the observers, there was a vicious circle in which refugees from outside the Territory wished to avenge those of their race and in which the Bahutu, being unable to seize the raiders themselves, punished those who had remained in the country and who were believed to be accomplices of the attackers. The observers who went to the spot heard statements, which could not be verified, to the effect that "the

Belgians allowed the massacres to take place or even instigated them”.

162. *Unité*, the opposition paper which appears at Kigali in mimeographed form, stated in its issue of 1 April that the incidents at Biumba had formed “the most agonizing drama of the two nightmare years through which Rwanda has just passed”. In its issue of 15 April it stated that according to “a well-informed source” over 1,000 people, men, women and children, had been massacred during those incidents.

163. In two notes from the Executive Committee of UNAR concerning the incidents, the opposition party stated that “those guilty of these cowardly murders are no longer extremists coming from abroad but gangs of assassins organized in the hills” and that the authorities of both communes and prefectures “had a hand in the preparation and execution of these criminal plans”. It was even stated that in the commune of Burenga “the communal authorities gave instructions that each member of the opposition party should be shadowed so that on ‘D’ day each of our members was accompanied by his executioners”.

164. In its note of 4 April, UNAR described the situation as particularly appalling because, it said, “we are witnessing the systematic and deliberate extermination of some of our members who, trusting in the statements made by the authorities of the prefecture, returned to the prefecture after the elections”. Lastly, referring to the attacks by what were called “Inyenzi” gangs, UNAR, while protesting at the confusion which it alleged was being deliberately fostered between that movement and the opposition parties, made the general statement that “this shameful affair is being grossly exaggerated for the sole purpose of justifying the maintenance of Belgian troops.... It is even possible that Belgian agents are responsible for some of the deeds attributed to the Inyenzi in the prefecture of Biumba”.

165. A further incident took place about forty kilometres from Kigali during the night of 13-14 April. A number of people were killed, including one Belgian. This man’s wife, a Tutsi, and his sister-in-law were injured. The brother of the burgomaster of the commune and a communal councillor were also killed during this attack. According to the information given to the Commission these acts, unlike those of Biumba, would seem to have been committed by a small number of well organized party militants and not by a gang coming from outside the Territory.

166. In a note from the Executive Committee of UNAR to the Commission, dated 25 April, concerning “the progress of the disturbances in the Runyinya (Kigali) area” there is a chronological account of the events following the incident of 13 April, the object of which is to prove that the authorities were responsible for these disturbances.

167. According to this document calm reigned on the day following the incident, when military reinforcements (police, National Guard and Belgian paracommandos) were sent to the spot. “The statements of those who escaped, who formally asserted that they had recognized Rwandese and Belgian soldiers, meant in the people’s eyes that the crime should be attributed to Belgian mercenaries who had engaged in such actions for political reasons.... The presence of United Nations observers on the scene of the crime helped to calm the people, who might have feared reprisals like those at

Biumba, and, furthermore, prevented the authorities of the prefecture from carrying out their customary round-up operations”.

168. During the day of 15 April, which was quiet on the whole, a funeral oration was delivered by leading officials at the burial of the burgomaster and the councillor. The document describes this oration as “a public and direct incitement to vengeance”.

169. The UNAR note added that at the same time, and before the opening of the judicial inquiry, the Prefect of Kigali, with the assistance of Belgian paracommandos and soldiers of the National Guard, had made the first arrests, for which the only criterion appeared to be that the person arrested should be “an influential member of the opposition or a Tutsi”.

170. The apprehensions aroused by the arrival of the troops, the fear “of being surprised by a possible attack to which the arrests seemed to be the prelude” and the fact that the opposition felt itself threatened, caused a panic. The panic spread rapidly because “these people realized that the forces of law and order were hunting them down and regarded them *a priori* as Inyenzi gangs which must be destroyed, so that they feared a massacre like that of Biumba”. The document continued that “on 16 April there were a number of incidents which showed that the real purpose of the prefectural authorities, both Rwandese and Belgian, following the lines of the general policy of the Government and the Administering Authority, was to continue to wipe out centres of opposition. The incidents in question have shown that Belgian mercenaries are attempting to create a situation in the country which would justify the presence of Belgian troops in Rwanda after independence”.

171. During the following day, which was very disturbed, armed gangs coming from the prefecture of Kibungu were said to have laid waste part of the commune of Ruiyenya, while other gangs meeting at Musha, having with them supplies for several days, prepared to attack in the presence of the Prefect of Kigali. This action was presumably prevented by the intervention of the United Nations. During the next few days the authorities were said to have arrested not only all influential members of the opposition but also all influential Batutsi in the region.

172. Undoubtedly, with the limited means and time at the disposal of any United Nations Commission visiting the Territory, it is difficult, if not impossible, to discern the truth among the accusations and counter-accusations which are always brought before the Commission when such incidents occur. Nevertheless, this is evidence of the state of tension which continues to exist in the Territory, and which could not be alleviated earlier owing to the delay in the implementation of the Agreement signed in New York. The two incidents which took place during the Commission’s stay are a striking illustration of the uneasiness felt by a large part of the population, both indigenous and European, regarding the maintenance of law and order so long as there has not been a definite reconciliation between the Government and the opposition.

173. The Commission regrets the methods used by the authorities in tackling the general problem of what is called the maintenance of law and order, but at the same time it is obliged to note that the situation does not appear to be entirely unrelated to the activities of

certain extremist elements outside the Territory, more particularly in Uganda and the Congo. It is a fact that terrorist raids are organized from these territories. For example, the Commission has been informed that some fifteen kilometres from Goma, in a region where there are about 5,000 Rwandese refugees, and only two kilometres from the place at which the second regiment of the Congolese National Army is stationed, some fifty "Batutsi militants" are receiving military training and have been issued weapons which, according to certain sources, are intended to be used in "a possible invasion of Rwandese territory".

174. Lastly, it is difficult to ascertain the exact scope and effectiveness of the steps taken by the authorities to remedy this situation. The opposition party has protested against these steps, which it describes as aimed against itself, and has stated that the Belgian troops closed their eyes to these "partial" steps.

F. TRAINING OF INDIGENOUS FORCES, RAPID WITHDRAWAL OF THE BELGIAN FORCES AND QUESTION OF PERSONNEL

175. Operative paragraph 3 (e) of resolution 1743 (XVI) requests the Commission to ensure the achievement, with the full co-operation of the Administering Authority and national authorities, of the following objective:

"Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces, to be completed before independence, with the exception of such personnel whose retention, in the view of the Commission in consultation with the authorities of Ruanda-Urundi and the Administering Authority and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification, may be considered necessary as an interim measure."

176. In addition, operative paragraph 6 (c) of the same resolution requests the Commission to include in its report recommendations as to:

"The time-table for the withdrawal of the personnel, if any, retained as an interim measure under paragraph 3 (e) above."

177. The tasks assigned to the Commission included the under-mentioned points, each of which will, for the sake of clarity, be enlarged upon in a separate section:

(a) Arrangements for the training of indigenous forces with the help of experts or a training mission provided by the United Nations;

(b) The withdrawal of Belgian military and paramilitary forces;

(c) The possible retention of some necessary military personnel as an interim measure;

(d) The time-table for the withdrawal of any such personnel which may be retained.

(1) Arrangements for the training of indigenous forces

178. In order to be able to carry out its mission with a full knowledge of the various factors involved in the problem, the Commission considered that its first duty was to investigate the present state of the indigenous forces in the two parts of the Territory. On the basis of the report prepared by its military observers from

information obtained in the Territory from the Administering Authority and the local governments, its views on the present position of the indigenous forces may be summarized as follows:

(a) In Rwanda

179. Rwanda has a National Guard, the formation of which began in July 1960 with the recruiting of the first indigenous personnel. As at present organized it is designed to meet the initial objective fixed by the Administering Authority, namely the constitution of a force totalling 1,300 men whose primary function will be to ensure the internal security of the country.

180. The National Guard is being trained according to Belgian methods and its organization is essentially modelled on that system. Instruction is given in French and in Kinyarwanda. The Government of Rwanda has accepted French as the official language of the National Guard. Taking into account the objective pursued, i.e., the formation of a guard of 1,300 men of all ranks, the approximate requirements in officers and men are as follows: fifty officers, 207 non-commissioned officers (sergeants and upwards) and 1,042 corporals and soldiers.

181. The National Guard is at present commanded by fifty-two Belgian officers and non-commissioned officers, eight of whom were due to leave on 10 May 1962. All these officers and non-commissioned officers are to be replaced by Rwandese under a plan submitted by the Senior Representative in August 1961 and approved by the Rwandese Government. The plan is expected to be in full operation by 1 January 1965.

182. The training courses provided for in the plan usually take seventeen months and are followed by a three-month period of training in Belgium. Allowing for a certain wastage, which is always possible, these courses should supply a total of fifty officers by 1 January 1965.

183. Of the required total of 250 commissioned and non-commissioned officers there are likely to be, after 10 May 1962, only forty-four Belgian officers and non-commissioned officers in charge of the organization and training of the National Guard. Thus it would be 1 January 1965 before all the foreign personnel now serving would no longer be needed.

184. The total initial cost of turning the National Guard into an organized force, complete with its full strength of 1,300 men and standard equipment, has been set by the Administering Authority at 142,841,000 francs. The National Guard budget for the current year covers a strength of forty-seven Belgian commissioned and non-commissioned officers and 1,271 Rwandese of all ranks. The cost is estimated at 71,601,000 francs.

185. In December 1961 the Government of Rwanda drew up a new plan for the rapid expansion of the National Guard, whose strength was to be increased to 3,000 men of all ranks. So far it has not been possible to put this plan into effect. The initial cost of the proposed organization is about 450 million francs, most of which would be spent on new buildings, the purchase of vehicles and new weapons, and on building up stocks. A variation of this plan, providing for a different basic organization of the units but with the same total strength, would result in a saving of about 80 million francs.

186. The organization of the National Guard corresponds to the dual role assigned to it, namely the

maintenance of internal security and the protection of the Territory's frontiers.

187. The National Guard, with its present numbers and basic organization, is reported to be ready to assume limited responsibility for maintaining internal security. Units are stationed in nine prefectures. Those units have not yet, however, been put to the test. They are commanded by Belgian officers and sergeant-majors. As yet there is only one Rwandese non-commissioned officer to pass on orders, whereas three at least would be needed for each platoon. An adequate number of indigenous non-commissioned officers will not be available before 1963.

188. To guard the frontiers in the event of a threat from outside the National Guard would have to be fully organized and to have adequate means of transport at its disposal. It appears unlikely that this can be achieved before 1965 at the earliest.

189. Taking into account both the wish of the Rwandese authorities to train skilled and competent indigenous commissioned and non-commissioned officers and the need to speed up Africanization, it seems unlikely that the National Guard can be fully Africanized under the present plan before 1 January 1965.

190. Lastly, since the National Guard, as noted above, has been organized and trained in accordance with the Belgian system and to a precise plan, the military experts consider that if the Government of Rwanda decided to replace the Belgian instructors by instructors from other countries, it would be better to do so with a homogeneous group. If consideration is given to the establishment of a mission to train this army, the group should therefore preferably be recruited from a single country, or from a group of countries whose military forces are organized along lines similar to the Belgian system; otherwise a certain delay in the training of instructors would have to be envisaged.

(b) *In Burundi*

191. Burundi has an indigenous army which also originated in July 1960 as an integral part of the Territorial Guard established for the Territory of Ruanda-Urundi. Recruits for this national army sign on for an initial period of three years. The army consists at present of a total of 789 men, including forty-one Belgian officers and non-commissioned officers. Its organization is based on an ultimate strength of fifty-one officers and 1,121 non-commissioned officers, corporals and privates.

192. As in Rwanda, training of the national army is on Belgian lines. Instruction is given in French, which has been accepted, with Kirundi, as an official language.

193. The national army is at present rather poorly equipped. Apart from transport for training and the administrative services, it is notably short of troop-carrying vehicles.

194. The officers are recruited direct from civilian life, and all candidates must have completed their general secondary studies. The basic training at present lasts for fifteen months, plus three months' probationary service. The present officers, however, have had only seven to nine months of training. The level of instruction is that of a platoon commander. The non-commissioned officers are also recruited direct from civilian life and must have had at least five years' primary education: their training takes from five to seven months.

Corporals and privates have a basic training of four months. In their case, too, a minimum of five years' primary schooling is required. Under a directive of the Government of Burundi the Africanization of the national army is to be completed by 1 January 1965.

195. At present only nine indigenous officers have completed their basic training and are on probation with their units. In view of the length of the courses of instruction needed for the training of non-commissioned officers, seventeen indigenous officers will be available to command the troops by 1 July 1962 and only forty-seven by 1 December 1964. Of indigenous non-commissioned officers, ultimately to number 179, there are now only seventy-two. This number will rise to 107 by mid-September 1962.

196. The national army is financed through an ordinary budget and an extraordinary budget. The ordinary budget provides for an allocation of about 86 million francs when the national army has reached its full strength, including the salaries of the Belgian personnel. For 1962 the ordinary budget provides for an expenditure of 60 million francs, divided as follows: Burundi, 85.5 per cent, Belgium, 14.5 per cent. The extraordinary budget amounts to about 120 million Belgian francs. It is expected that this sum will have to be provided through foreign aid in the form of financial assistance. It could be reduced if the Belgian military forces, on their departure, handed over their equipment to the national army.

197. From the purely military point of view it is impossible accurately to assess the efficiency of a force which has never been in action. The national army was formed only recently and has no military experience.

198. On the whole the military experts consider that the national army may be regarded, from a strictly military point of view, as being moderately well trained and capable of maintaining order in a normal situation if led by competent commissioned and non-commissioned officers.

199. In view of the financial limitations, the weapons and equipment proposed for the national army are regarded as adequate. It is, however, very important that the national army should receive those weapons and equipment as soon as possible, so that training can begin. As in Rwanda, such training is based entirely upon Belgian organizational methods. The present instructors have some years' experience of the country. If the Government of Burundi tried to replace them by a special training mission from other countries, the military experts are of the opinion that, for Burundi also, such a mission should preferably be made up of soldiers from a single country or from a group of countries whose military forces are organized according to the same system as that adopted by the Government of Burundi. Otherwise a certain delay in the training of instructors would have to be envisaged here, too.

200. With regard to the plan now being carried out for the training of national forces, the Administering Authority, in a note of 19 April 1962, stated, *inter alia*, the following:

"Every effort is being made to strengthen the local police and *gendarmerie* forces within the shortest possible time so that they can take over the maintenance of order as soon as possible. In conformity with resolution 1743 (XVI), military training plans have been

prepared and their implementation is being delayed only by the discussion of certain points with the local Governments.”³⁹

201. The Commission requested the Governments concerned to inform it of their intentions with regard to possible assistance from the United Nations in this field, as referred to in operative paragraph 3 (e) of the resolution.

202. From the first reactions of the two Governments, the Commission realized that they did not intend to modify the present plans for the time being. The two Governments asked, however, what offers would be open to them if they desired to replace the present training personnel, if only in part, by personnel provided by the United Nations. They added that they would state their views on the matter as soon as they had received the relevant information. The Commission immediately made the necessary arrangements to provide the Governments with the information they had requested.

203. In the meantime, it noted that almost all the Belgian instructors in the two national armies performed a dual function: that of training and that of commanding the troops. For reasons of economy, the two Governments preferred that this dual role should be filled by the officers who would probably replace the Belgian instructors.

204. In examining resolution 1743 (XVI) and studying more especially the explanations given to the Fourth Committee by the sponsors of the draft resolution, the Commission realized that the resolution limited the role of such instructors to the single task of training, and excluded all command duties. The Commission therefore advised the two Governments of the limits of the provisions relating to the duties of instructors and the training mission provided by the United Nations, as indicated in operative paragraph 3 (e) of the resolution. It requested them to inform it of their needs accordingly and, if necessary, to submit an official request.

205. On 16 May 1962 the Commission was advised through the military experts that the two Governments had come to a decision with regard to their immediate needs for United Nations experts or instructors for the training of their national forces. The Government of Rwanda stated that it had no urgent need for such personnel. The Government of Burundi submitted a request which has been transmitted to the Secretary-General of the United Nations.

(2) *Withdrawal of Belgian military and paramilitary forces*

206. With regard to the problem of the withdrawal of Belgian forces before independence, the Commission was guided by the following considerations in carrying out its task.

207. Resolution 1743 (XVI) reiterates the principle of the rapid and complete withdrawal of Belgian forces before the Territory's accession to independence, subject to the General Assembly's re-examining the whole problem in the light of the question of "personnel" and the views of the Commission on the matter after consultation with the authorities of Ruanda-Urundi and the Administering Authority.

208. Apart from the different interpretations that could be given to the word "personnel", the debate in

the Fourth Committee had, however, shown complete unanimity of opinion on the principle of withdrawal itself. That unanimity had been reinforced by Mr. Spaak, the Belgian Minister for Foreign Affairs, when he explicitly stated, at the 1300th meeting of the Fourth Committee, that there was no question of Belgium's retaining its troops in the Territory unless Rwanda and Burundi so requested.

209. The Commission therefore considered the position of the Governments of Rwanda and Burundi on the retention of Belgian troops to be the most important element to be determined before the problem was examined as a whole. Accordingly, the Commission preferred not to touch on this problem with the Belgian Minister for Foreign Affairs during its visit to Brussels on 18 March before ascertaining the position of the Governments of Rwanda and Burundi on the matter.

210. Nevertheless, when on 1 April, Mr. Carlier, Ambassador and representative of the Administering Authority, expressed the wish to have the Commission's views on the interpretation of the word "personnel", referred to above, the Commission seized the opportunity to define its general understanding of its task with respect to the whole problem of the withdrawal of the Belgian troops.

211. Thus, on 2 April, in a statement to the representative of the Administering Authority,⁴⁰ the Chairman of the Commission made the following points, *inter alia*:

"Resolution 1743 (XVI) lays down the general principle, accepted by all the Members of the Assembly and solemnly proclaimed by the Belgian Minister for Foreign Affairs, of the withdrawal of Belgian military and paramilitary forces before the Territory's accession to independence . . .

"It is, however, clear that the general question of the retention of foreign troops after the first week of June will be discussed by the General Assembly at its resumed session and it will be for the Assembly alone to decide the question whatever the situation may be."

212. In addition, the statement described the Commission's terms of reference as follows:

"While supervising arrangements 'for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces', it will consult the authorities of Ruanda-Urundi and the Administering Authority on their final positions regarding the maintenance of law and order in general and the circumstances in which Belgian forces will be withdrawn before independence, and it will inform the General Assembly accordingly in its report.

"Naturally, its recommendations on the matter will take into consideration, firstly, the positions of the respective autonomous Governments; secondly, the manner in which the training of indigenous forces is proceeding; thirdly, the position of the Administering Authority and the time-table it has drawn up in connexion with this matter; and, finally, the general conditions prevailing in the Territory at this time."

213. The Governments of Burundi and Rwanda defined their positions in the following way:

³⁹ Annex XXXII.

⁴⁰ Annex XXXIII.

(a) *Burundi*

214. First, it should be noted that the Constitution of Burundi of 22 November 1961 provides in article 106 that "no foreign troops may be enrolled in the service of the State, occupy or cross the Territory, except by virtue of a law".⁴¹

215. On its arrival at Usumbura, the Commission was notified of a decision adopted on 11 March 1962 by the Government of Burundi,⁴² by which, in response to Mr. Carlier's question whether or not the Government of Burundi intended to retain Belgian troops after independence, the Council of Ministers of Burundi had replied:

(i) That it accepted the resolution adopted by the General Assembly of the United Nations, including Belgium, with regard to Belgian military and paramilitary forces;

(ii) That it therefore abstained from any undertaking, even in principle, to conclude military agreements with any country before the accession of Burundi to independence;

(iii) That it would like to know how the Belgian Government intended to apply operative paragraph 3 (e) of the above-mentioned resolution.

216. In part II of a note⁴³ entitled "Withdrawal of Belgian military and paramilitary forces" sent to the Commission on 4 April 1962, the Government of Burundi, recalling its above-mentioned reply of 11 March 1962 to the Senior Representative of Belgium in Burundi, affirmed its unshakable determination to apply both the letter and the spirit of General Assembly resolution 1743 (XVI).

217. As to the maintenance of law and order, the Government of Burundi made its position clear in a letter from its Prime Minister dated 19 April. After reiterating that the Burundi people were unanimous in their support for Mwami Mwambutsa, he stated that in case of disturbances Burundi would have sufficient forces at its disposal to restore order. At the present time, the letter continued, Burundi had an army consisting of an indigenous force of 789 men which it hoped to increase shortly to 1,300, and a *gendarmérie* corps of 825 indigenous personnel which it also hoped shortly to increase to 1,300. Training, arms, equipment and transport were, however, still inadequate. That was why the Government of Burundi requested the United Nations, by the same note, to arrange for the early dispatch of instructors for the purpose of training and officering its army and national *gendarmérie*. He also asked the Chairman of the Commission to help to obtain substantial financial assistance from the United Nations in order to provide the two forces for the maintenance of order with the appropriate means for the efficient performance of their task.⁴⁴

218. Finally, the Government of Burundi sent the Commission a document dated 27 April 1962,⁴⁵ by which the Ministers of the Autonomous Government of Burundi, in Council assembled:

"1. *Decide* that from the date of the proclamation of its independence, Burundi will no longer agree to the presence of foreign troops on its soil;

"2. *Request* the United Nations Commission to take all steps necessary for the withdrawal of Belgian troops before independence, in accordance with resolution 1743 (XVI)."

219. In the preamble to this document, the Government affirmed that Burundi had sufficient effective means for the maintenance of internal order after independence; it reaffirmed its intention of entrusting the protection of the frontiers of Burundi to the international security system and reiterated its conviction that the Agreement on Economic Union concluded between the Governments of Burundi and Rwanda at the Addis Ababa Conference could not survive if foreign troops remained stationed on the territory of Rwanda after independence.

(b) *Rwanda*

220. The Commission had its first meeting with the Rwandese Government on 24 March 1962. The Chairman of the Commission read out the statement of the Commission and President Kayibanda arranged for various documents to be given to the Commission, one of which was a policy statement adopted in February by the Legislative Assembly in the light of the General Assembly resolution.⁴⁶ In this policy statement the Legislative Assembly recommended the Government, *inter alia*, to enter into negotiations, on the one hand with the United Nations Commission and on the other with the Administering Authority, with a view to retaining only a strict minimum of foreign soldiers for the purpose of aiding in the maintenance of law and order until such time as the indigenous forces had the necessary training, equipment and manpower to carry out that task. It was specified that this foreign force should:

(i) Be placed under the direct authority of the Government;

(ii) Be stationed in barracks at a specified place;

(iii) Equip the national forces of Rwanda;

(iv) Strictly refrain from any interference in the internal political affairs of Rwanda and from any action liable to disturb the security of neighbouring States;

(v) Not exceed the manpower level fixed by common accord;

(vi) Leave the country, peacefully when the Government expressed the desire that it should do so;

(vii) Pay all the costs resulting from its being stationed in the country and its operations.

221. In another document, dated 28 March 1962, entitled "Reply of the Government of Rwanda to the statement of the United Nations Commission for Ruanda-Urundi",⁴⁷ the Government insisted that the whole of the National Guard—soldiers, general staff and instructors—should be entirely under the authority of the Government of the Republic.

222. In a letter dated 14 April 1962, the Government of Rwanda made the following statement:

(i) The presence of Belgian troops in Rwanda is linked to the presence of the Administering Authority, and both presences are justified, for the time being, by the Trusteeship Agreement;

(ii) The termination of the Trusteeship Agreement will make illegal the presence of Belgian troops on the territory of the Republic;

⁴¹ Legislative Order No. 01/20 of 30 January 1962.

⁴² Annex XXXIV.

⁴³ Annex XXII.

⁴⁴ Annex XXXV.

⁴⁵ Annex XXXVI.

⁴⁶ Annex XXVI.

⁴⁷ Annex XXI.

(iii) If the United Nations and the Administering Authority agree on the withdrawal of Belgian troops, the Government will not interfere in any way;

(iv) The Government of Rwanda wishes to make it clear that the question at issue is not only that of Belgian troops but the very principle that the stationing of foreign troops is not conducive to the self-determination of an independent territory;

(v) The Government of Rwanda is of the opinion that any move to establish non-Rundi military forces on the territory of Burundi would only be a neo-colonialist manoeuvre constituting an obstacle to close co-operation between the two States.⁴⁸

(c) *Position of the Belgian Government*

223. The Belgian Government, in its note⁴⁹ of 19 April 1962 to the Commission concerning the retention of Belgian troops, recalled that Belgium continued to exercise responsibility for the maintenance of order up to the date of the termination of the Trusteeship. Nevertheless, in the spirit of resolution 1743 (XVI), it had decided to withdraw 300 officers and men at the end of May, thus leaving only 450 men in each country. That, the note continued, was a minimum force which Belgium could not consider reducing further so long as it continued to exercise in the Territory its responsibilities under the Trusteeship Agreement.

224. Therefore, the note concluded, if the date for independence was set as July 1, and if either or both of the Governments officially requested the Belgian Government to withdraw its troops, Belgium would take the necessary steps to evacuate them as rapidly as possible, as soon as it had been relieved of its responsibility for maintaining law and order. The evacuation should therefore take place after the date for independence and, if the local Governments expressed the wish that United Nations observers should supervise the withdrawal, Belgium would see no objection to that.

225. In the same note, the Belgian Government also said that, as it had already announced on several occasions, it was willing to give substantial technical assistance to both Governments after the Territory's attainment of independence, and that that assistance would be placed entirely under the authority of the sovereign Governments.

226. However, the note continued, Belgium could not provide that assistance and maintain the desired technicians unless their safety was assured after independence. The note mentioned the plans for military training and for reinforcing the police and *gendarmerie*, the procedure for the application of which was being discussed with the two Governments. The Belgian Government, however, considered that on 1 July those local forces would not be able to deal with all contingencies and it would therefore be necessary, if the Governments agreed to keep an additional emergency force in reserve. In the absence of such a guarantee, the Belgian Government felt that it could not ask its nationals to serve the local Governments at least during the initial period.

227. On its side, the Commission made a statement⁵⁰ during a meeting with Mr. Carlier at Usumbura on 26 April, which was read out by the Chairman of the Commission, and in which the Commission commented

on the various aspects of the above-mentioned note from the Government of Belgium. On the question of technical assistance, the Commission stated that such assistance should not be made dependent on any conditions that might affect the sovereignty and independence of the two Governments. The Commission added that the question of security and political stability, which were indispensable for such assistance, could not be envisaged except within the framework of that sovereignty, on the strict understanding that it was for the local Governments to take all the necessary steps for the maintenance of that security.

228. That point led the Commission to deal with the views expressed by the Belgian Government on the question of Belgian troops. In that connexion, the Commission stated the following:

"The Commission agrees with the Belgian Government that the responsibility for the maintenance of law and order rests exclusively with Belgium until the date of the termination of Trusteeship. It feels, however, that Belgium, by approving resolution 1743 (XVI), particularly paragraph 3 (e), showed that it did not consider the exercise of that responsibility incompatible with the principle of a rapid and, if necessary, progressive withdrawal of those troops before independence.

"Moreover, on this point, contrary to what seems to have been suggested in part 3 of the note, concerning the retention of Belgian troops (annex XXXII), the Commission has never said that 'Belgium should begin to evacuate its troops on 1 May, so that the evacuation may be completed by 1 July.' It merely pointed out to Mr. Carlier that his instructions were to make arrangements for the rapid withdrawal of Belgian military and paramilitary forces before independence, the final decision on the retention of Belgian troops after the resumption of the session of course being for the General Assembly to take.

"In addition, in the course of the same interview of 2 April, the Commission stressed—as does the Belgian note itself—the importance it attached to the positions of the Governments concerned on the general problem of the retention of foreign troops.

"In this connexion, it ventures to draw the attention of the Administering Authority to the fact that the two Governments have now defined their final positions on this subject.

"From the official letters addressed to the Commission and the additional verbal explanations given to the members of the Commission by the representatives of the two Governments it is clear that both Governments have categorically stated their wish not to retain foreign troops on their territory after independence.

"In the light of these policy statements and considering the point of view expressed by the Belgian Government in the penultimate paragraph of its *note verbale*, the Commission would be happy to learn what arrangements the Belgian Government intends to make to implement paragraph 3 (e) of resolution 1743 (XVI).

"As regards the plans for the military training of indigenous forces, the Commission considers that resolution 1743 (XVI), particularly when considered in the light of the Fourth Committee's rejection of the amendment submitted by Sweden and Ireland,

⁴⁸ Annex XXXVII.

⁴⁹ Annex XXXII.

⁵⁰ Annex XXXVIII.

does not link the two problems of the training of indigenous forces and the withdrawal of troops. However, the Commission would be glad if it could be informed of the Belgian Government's precise intentions regarding its plans in this regard, and of its opinion regarding 'the ability of these Governments to assume responsibility for the maintenance of law and order with the means at their disposal'.

"Lastly, as regards the military personnel required to officer and train the indigenous military forces, the Commission would be grateful if you would give it any precise information pertinent to the matter."

229. When the present report was drafted, the Commission had still not received an official answer to its request for information on what the Belgian Government intended to do as a consequence of the decisions of the Governments of Rwanda and Burundi in the matter of the withdrawal of Belgian troops.

230. Nevertheless, in the information bulletin of the National Press Office of Burundi, *Info-Burundi*, No. 19, of 14 May 1962, the following item appeared:

"The Belgian troops in Ruanda-Urundi"

"The Minister for Foreign Affairs announced in Brussels on 9 May that the Belgian troops stationed in Ruanda-Urundi comprised, on 1 May 1962, two paratroop battalions and two infantry companies, or 1,380 men in all.

"The two infantry companies will be repatriated during May and replaced by local gendarmerie forces.

"As regards the paratroopers, the communiqué states that they will remain in Ruanda-Urundi as long as Belgium has to assume responsibility for the maintenance of law and order in the two territories.

"Their retention in Ruanda-Urundi after independence will depend on the decisions taken by the United Nations General Assembly next June."

231. It would seem, therefore, that the Administering Authority has not changed its attitude, which it has explained to the Commission on several occasions, namely, that under present conditions, it is not possible for it to withdraw all its troops before independence. It considers that the figure of 900 men, the strength of its present force in the Territory, is the minimum required, below which it cannot go if it has to continue to assume responsibility for the maintenance of law and order in the Territory under the terms of the Trusteeship Agreement.

232. In the course of the interview which the Chairman had on 17 May in Brussels with the Minister for Foreign Affairs of Belgium, Mr. Spaak reiterated his determination not to retain Belgian troops in Rwanda and Burundi against the wishes of the two Governments. However, he reminded the Chairman of the Administering Authority's responsibilities in the matter of the maintenance of law and order until independence.

(3) *Question of personnel*

233. The interpretation of the word "personnel" gave rise at the outset to a divergency of views between the Administering Authority and the Commission. Although subsequent events have made the subject of this divergency a somewhat academic question, the Commission considers it desirable to inform the General Assembly of it for the sake of clarity.

234. When the problem was raised for the first time at the Commission's discussions with the representatives of the Administering Authority on 1 April 1962, Mr. Carlier told the Commission that, in the opinion of Belgium, resolution 1743 (XVI) in its final form could be interpreted as accepting the possibility of Belgian troops being retained after the date of 1 July fixed for independence.

235. The Commission immediately replied that it was of course for the General Assembly to decide that point at the resumed session in June. In the meantime, it felt that, on the basis of the text of resolution 1743 (XVI) and of all the debates which had preceded it, it was difficult to interpret the word "personnel" so broadly. Following a request for additional explanations, to which the Administering Authority said that it attached great importance, the Commission made the following statement the very next day:

"In the spirit of the resolution, there can be no question of regarding this 'personnel' as on the same footing as the military and paramilitary forces themselves. For, if that was the case, not only would it have been possible to draft the resolution without introducing the word 'personnel' and therefore to say 'with the exception of those whose retention, etc.', but the Fourth Committee could simply have adopted the draft amendment proposed by Ireland and Sweden on 19 February.

"This amendment reads as follows:

'arrangements for the training of indigenous forces with the help of experts or training missions provided by the United Nations in order to achieve as rapidly as possible the progressive replacement of Belgian military and paramilitary forces according to a plan to be worked out as a matter of urgency before independence.'⁵¹

"But Mr. Carlier was able to see that all the sponsors of the draft of resolution 1743 (XVI) were opposed to that draft amendment and that, in a spirit of compromise, they finally agreed to consider the possibility of the retention of 'personnel' whose presence might be considered necessary when the Commission had examined the situation thoroughly.

"In the light of the many interpretations put forward in the Fourth Committee and of the explanations given by the sponsors of resolution 1743 (XVI), the Commission considers that the broadest possible interpretation of this word would be, at the most 'supervisory personnel and experts', excluding Belgian military and paramilitary forces.'⁵²

236. Furthermore, the Commission asked both Governments to inform it of their intentions with regard to the Belgian military personnel whose retention might be considered necessary by them as an interim measure for carrying out the plans for the training and Africanization of the officer grades of their armies.

237. The two Governments defined their positions as follows:

(a) *Burundi*

"(1) The necessary personnel to be retained as an interim measure is now on the spot;

⁵¹ *Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 49, document A/4929/Add.1, para. 22.*

⁵² Annex XXXIII.

"(2) In order to meet its needs, the Government of Burundi wishes to receive from the United Nations a group of fifteen *gendarmerie* experts . . . ;

"(3) For the national army, we shall have to have fifty officers, whose qualifications will be determined by the United Nations experts."⁵³

(b) *Rwanda*

"(1) There are fifty-two Belgian 'instructors' for our National Guard;

"(2) We consider that we need forty-seven instructors;

"(3) We do not know to what extent this personnel will remain or will be withdrawn, whether partly or entirely, in view of the different interpretations of resolution 1743 (XVI);

"(4) We should like to know what personnel, if any, the United Nations might be able to place at our disposal;

"(5) This is necessary to enable us, if necessary, to take steps to make other contacts. The number of personnel we need at present is forty-seven;

"(6) As regards the time-table, for us it is a question of having a technically reliable group of officers willing to work under an independent Government."⁵⁴

(4) *Time-table for the withdrawal of the personnel, if any, retained*

238. As this question forms part of the recommendations that the Commission is to make under operative paragraph 6 (c) of resolution 1743 (XVI), it will be discussed later in this report.⁵⁵

Chapter V

Resolution 1744 (XVI). Question of the Mwami of Rwanda

239. Resolution 1744 (XVI)⁵⁶ adopted by the General Assembly on 23 February 1962 during its debate on the "Question of the future of Ruanda-Urundi" is entitled "Question of the Mwami of Rwanda".

240. After referring to the conditions and the atmosphere prevailing in Rwanda at the time of the referendum on the question of the Mwami, and after expressing its conviction that in order that peace might return to Rwanda, agreement on this question should be reached as soon as possible on a mutually acceptable basis, the General Assembly adopted the following provisions:

"The General Assembly,

" . . .

"1. *Requests* the Commission for Ruanda-Urundi . . . , as a matter of urgency, to engage in talks with the Administering Authority, the Government of Rwanda, and the Mwami and his representatives with a view to reaching agreement, on a mutually acceptable basis, for the peaceful settlement of the question of the future of the Mwami;

"2. *Requests* the Commission to include, as part of its report to the General Assembly at its resumed sixteenth session, the results of the talks envisaged in paragraph 1 above, an assessment of the possibilities,

and recommendations, for the peaceful settlement of the question of the future of the Mwami of Rwanda."

241. In keeping with the letter and spirit of this resolution, the Commission engaged in talks with the Administering Authority, the Government of Rwanda and the Mwami and his representatives.

A. THE ATTITUDE OF THE ADMINISTERING AUTHORITY

242. When the Commission met the representatives of the Belgian Government at Brussels, on 20 March 1962, it expressed the wish to take up the question of the future of the Mwami of Rwanda. The Belgian Government replied that, in its desire to comply with the decisions of the General Assembly, it was prepared to consider with the Commission the question raised by resolution 1744 (XVI). It pointed out, however, that Belgium had abstained in the voting on that resolution in the General Assembly. The Belgian Government considered that the question had been settled by the result of the referendum of September 1961, at least so far as the Administering Authority was concerned.

B. THE ATTITUDE OF THE GOVERNMENT OF RWANDA

243. The attitude of the Government of Rwanda on the question raised in resolution 1744 (XVI) was expressed to the Commission both in documents submitted to it by the Rwandese Government and during the discussions between the Commission and the Government.

244. In the document of 61 March 1962 entitled "Position of the Rwandese Government with regard to resolution 1743 (XVI) on the future of Ruanda-Urundi adopted by the United Nations General Assembly on 23 February 1962", the Rwandese Government stated as follows:

"The Government of the Republic of Rwanda,

" . . .

"9. *Call upon* Citizen J. B. Ndahindurwa, formerly Mwami Kigeli, totally to renounce all claims which are not in conformity with the laws of the Republic and with the fundamental rights of the human person;

"10. *Declares* its willingness to assist Mr. Ndahindurwa in honourably adjusting his status, without prejudice, however, to the justice and tranquillity essential to the citizens of Rwanda, in particular the refugees."⁵⁷

245. As a result of the conversations which took place, the Government of Rwanda informed the Commission of its position, which may be summarized as follows:

(a) The Government of the Republic protests against the use by the United Nations of the title "Mwami of Rwanda", there having been no Mwami in Rwanda since the 1961 referendum. Furthermore, Mr. Ndahindurwa, the former Mwami, is absent from the country, and the Rwandese Government requests the good offices of the United Nations to prevent him from coming to disturb the order and security which prevails in the country.

(b) If Mr. Ndahindurwa wishes to return to Rwanda, the Government requires of him a statement renouncing all claims in respect of any privileges whatsoever. He must also return by the same route as other refugees

⁵³ Annex XXXIX.

⁵⁴ Annex XL.

⁵⁵ See paras. 330 and 331.

⁵⁶ Annex II.

⁵⁷ Annex XXV.

and will be subject to the same reclassification regulations.

(c) If Mr. Ndahindurwa does not wish to return to Rwanda, the Government asks that he should make a statement renouncing all privileges whatsoever, in order to remove any doubt from the minds of certain refugees who may wish to return to their country. The Government also requests him for the same reason, not to remain in countries bordering on Rwanda, since his presence might prevent the speedy return of the refugees.

(d) In any event, the Government requests Belgium or the United Nations to obtain personal means of subsistence for Mr. Ndahindurwa and, if he prefers to live abroad, a residence outside the countries bordering on Rwanda.⁵⁸

246. The President of the Republic added that he personally was prepared to engage in negotiations on that basis with the former Mwami if he would come to Rwanda for discussions.

C. THE ATTITUDE OF THE MWAMI

247. In accordance with its terms of reference, the Commission endeavoured to get in touch with the Mwami, whom it believed to be in Tanganyika. On 27 March the Chairman sent the Mwami the following telegram:

"The United Nations Commission has just arrived in the territory of Ruanda-Urundi to implement the resolutions adopted by the General Assembly Stop I have the honour to bring to your attention operative paragraph 1 of resolution 1744 (XVI) and request you to inform me of your views on the possibility of establishing as a matter of urgency the contacts with you and your representatives which are necessary for the fulfilment of the terms of reference conferred on the Commission under the aforementioned paragraph Stop"

248. This telegram could not be delivered and was returned to the Commission. It was redispached by the Commission, this time care of the Government of Tanganyika. No reply was received.

249. At Addis Ababa, where it had gone for the Conference, the Commission received a visit on 4 April from Mwami Kigeli V, who was there for "personal reasons". The Mwami informed the Commission of his intentions concerning his future plans.

250. On the following day the Mwami, in a letter dated 5 April 1962,⁵⁹ informed the Commission that he was entirely at its disposal to consider any constructive solution relating to the future of Rwanda. He added, in particular, that he confirmed his position, as expressed previously in New York and elsewhere, on the part he should play in the national reconciliation of Rwanda and the resettlement of the refugees and on his personal role as Mwami of Rwanda. He emphasized that it had not been possible for the elections to reflect the true aspirations of the people and that the consultations should be held again under fair conditions. Nevertheless, since the United Nations had not been able to bring about such conditions, he would agree to remain outside Rwanda for two years, during which a government of national unity should be established to be responsible for the Regency, which would be terminated by a referendum and by free and demo-

cratic elections. He also stated that he had no intention of abdicating and refused to accept a pension.

251. On 18 April 1962, the Commission forwarded the text of the aforementioned letter of 5 April 1962 to the Government of Rwanda, requesting it to inform the Commission of its views on the subject.

Chapter VI

Economic and social questions

A. BACKGROUND INFORMATION

252. The characteristics of the economy of Ruanda-Urundi have been repeatedly described in various reports to the Trusteeship Council and the General Assembly,⁶⁰ and there is accordingly no need to dwell on them here. Attention should be drawn, however, to certain aspects of the present economic situation in the Territory and to the particularly urgent economic and financial problems confronting the Governments of Rwanda and Burundi on the eve of independence.

253. According to a study completed in 1961 by the Association européenne des sociétés d'études pour le développement at the request of the Government of Ruanda-Urundi,⁶¹ the essential factors in the Territory's situation are:

- (i) Very high population density;
- (ii) Very high rate of population increase;
- (iii) Shortage of fertile land;
- (iv) Overstocking with badly kept cattle;
- (v) Industry still in embryo;
- (vi) Predominantly subsistence economy;
- (vii) Social and political structures in ferment.

254. As has often been said, Ruanda-Urundi is a poor and over-populated country. With a population estimated at 5 million on 31 December 1960 and an area of 54,000 square kilometres, the mean density of population exceeds 90 inhabitants per square kilometre.

255. The gross domestic product of Ruanda-Urundi is estimated at about 10,000 million francs (\$200 million), of which only about 40 per cent represents production for the market, and income *per caput* is thought to be about 2,000 to 2,500 francs (\$40 to \$50) a year, among the lowest in the world.⁶² The economies of Rwanda and Burundi are essentially agricultural; 90 per cent of the population work on the land, and agriculture accounts for 80 per cent of all exports. There has been very little industrialization in Ruanda-Urundi, and industrial production contributes an estimated 5 per cent of domestic gross product.

256. There is a chronic deficit in the Territory's balance of trade, but exports cover a fairly high proportion—normally 80 to 90 per cent—of the value of imports. In 1961 exports totalled 1,300 million francs,

⁶⁰ See, in particular, United Nations Visiting Mission to Trust Territories in East Africa, 1957: report on Ruanda-Urundi; *Official Records of the Trusteeship Council, Twenty-first Session, Supplement No. 3*, chap. II, paras. 118-127.

⁶¹ *Etude globale de développement du Rwanda et du Burundi*, Association européenne des sociétés d'études pour le développement, Brussels, 1961.

⁶² Before the accession of the Congo to independence (30 June 1960) there was a *de facto* union between the Congo and Ruanda-Urundi. Since that union was administered from Leopoldville, no separate statistics were kept for Ruanda-Urundi. Hence it is only since 1960 that systematic efforts have been made to compile the data required for an analysis of economic and financial conditions in the Territory.

⁵⁸ Annex XXI.

⁵⁹ Annex XXX.

while the value of imports was 1,600 million francs, leaving a deficit of some 300 million francs in the balance of trade. Over the years 1959-1961, coffee exports represented on the average more than 70 per cent of the total value of exports. An austerity import programme with a ceiling of approximately 1,300 million francs has been adopted for 1962. However, as export earnings for the current year are estimated at about 950 million francs, a trade deficit of some 400 million francs is to be expected. The main reason why the deficit is likely to increase is that the coffee crop is expected to be poor.

257. The Territory's balance of payments also shows a deficit; the shortfall in 1961 was about 300 million francs. On account of the administrative, technical and financial assistance rendered by Belgium the deficit is less than might be expected in the light of economic and financial conditions in the Territory. However, it is difficult to make a valid analysis of the balance of payments for 1961 inasmuch as, being the first balance ever drawn up for the Territory, it is not open to comparison with previous years.

258. The currency system now used in Ruanda-Urundi was introduced in September 1960. Until that time the Territory had no separate currency of its own but formed a full monetary union with the Congo. The Bank of Issue of Ruanda and Burundi was established in August 1960 following the liquidation of the Central Bank of the Congo and Ruanda-Urundi. The monetary system of Ruanda-Urundi is beset with numerous difficulties connected with the narrowness of the monetary base and the reserve situation. A further complication is that the monetary situation in the Territory is subject to major seasonal fluctuations linked with the coffee and cotton crops, which are the population's main sources of cash earnings.

259. In the light of the existing monetary situation, the Commission deems it essential that, upon the attainment of independence, immediate efforts should be made to safeguard the stability of the currency without jeopardizing the economic development of the two countries. In agreeing that the Monetary Union should be maintained after independence, and with it the Bank of Issue, as the joint body which is to administer that Union, the Governments of Ruanda and Burundi have taken a first step in that direction and have, indeed, established a firm foundation for further efforts on the same lines.

260. The Territory's budgetary situation has been characterized by a chronic and growing deficit since 1954. The deficits in the regular budget have since 1958 been covered by subsidies from Belgium: 125 million francs in 1958, 270 million francs in 1959, 500 million francs in 1960 and 360 million francs in 1961 (the final figure for the financial year 1961 will be known at the closing date, which is the end of October 1962).

261. The budgets of the two countries and of the central services for 1962 have not yet been approved, and the current budgetary proposals are an unreliable guide in view of the prevailing uncertainty regarding the situation after independence. It may be estimated, however, that revenue for 1962 will cover barely 50 per cent of expenditure.

262. For the past ten years the development programmes have been paid for out of special budgets financed almost exclusively by reimbursable interest-free advances from the Belgian Government (see para. 267 below). In recent years, however, large sums have been diverted from the special budgets to cover the

annual deficits in the regular budget. In this connexion it should be noted that no special budget has been prepared for the current year.

263. Unless a considerable amount of foreign aid is forthcoming it is difficult to see how Ruanda and Burundi can solve the economic and financial problems described in the foregoing paragraphs. At all events, ways and means of improving the situation should be explored as soon as possible. The two Governments have already asked the United Nations for the services of a group of economic, social, monetary, banking, customs and administrative experts.⁶³ The Administering Authority has approved these requests, and the Commission hopes that the United Nations will be able to recruit the experts in question very shortly. At the same time the two Governments should take all possible steps to increase the rate of economic and social progress. In doing so they will be able to utilize certain basic factors, which are described in the following paragraphs.

B. ECONOMIC DEVELOPMENT

264. Over the years 1949-1960 the Administering Authority made a special effort to promote the Territory's economic development. The scope of that effort, which from 1952 onwards formed part of the Ten-Year Economic and Social Development Plan for Ruanda-Urundi,⁶⁴ prompted the United Nations Visiting Mission to Trust Territories in East Africa, 1957, to describe the achievements of those years as "spectacular". In that connexion the Mission noted that it was referring not only to the excellent achievements in the struggle against erosion, the expansion of crops and the reforestation, which were by that time taken for granted in Ruanda-Urundi, but above all to the vigorous efforts to equip the country.

265. The Mission drew attention to certain aspects of that development which had particularly impressed it: the road construction programmes; the construction of airports; the construction of an inland port at Usumbura, school buildings, hospitals and sanatoria; the agricultural and veterinary stations of the Belgian Congo National Institute for Agronomic Studies (INEAC); the scientific centre of the Institute for Scientific Research in Central Africa (IRSAC); and the works of the Hydrological Mission.

266. The United Nations Visiting Mission to Trust Territories in East Africa, 1960, in its report on Ruanda-Urundi,⁶⁵ listed the following developments as examples of impressive progress: the introduction of new food crops less susceptible to drought; the efforts made to diversify export crops; the extension and improvement of traditional food crops; the cultivation of marsh land; the protection of land from erosion; reforestation; the establishment of peasant settlements (*pay-sannats*); the success obtained in the control of animal and cattle diseases; the road works under way; and, in the social field, the good results achieved in both medicine and public health and the network of hospitals, dispensaries and health units.

267. As has been mentioned above (para. 262), investments under the Ten-Year Plan were financed principally from the special budgets of Ruanda-Urundi,

⁶³ Annexes XLI and XLII.

⁶⁴ *Plan décennal pour le développement économique et social du Ruanda-Urundi*. Editions de Visscher, Brussels, 1951.

⁶⁵ *Official Records of the Trusteeship Council, Twenty-sixth Session, Supplement No. 3, paras. 478-481 and 483.*

whose main sources of supply were reimbursable interest-free advances by Belgium. In the period 1950 to 1960 a total of 4,650 million francs (\$93 million) was advanced in this way; for 1961 Belgium made an advance of 245 million francs to the special budget for the Territory and an additional advance of 492 million francs to balance the regular budget. Thus the rate of public investment decreased considerably in the last year of the Ten-Year Plan and the decrease has been even greater in real than in monetary terms, since prices have risen appreciably in the past few years.

268. In addition to this financial contribution from Belgium, Ruanda-Urundi has in recent years received loans from the International Bank for Reconstruction and Development and from the European Economic Community. The loans from the International Bank, totalling 248 million francs, have been allocated to a road building project and to the port of Usumbura.

269. In addition, the Development Fund of the European Economic Community has allocated the sum of 500 million francs (or \$10 million) to Ruanda-Urundi for the five-year period 1958-1962 to finance certain investments of an economic and social nature. Among the projects financed by the Development Fund, the most important are the following: the development of the Mayaga-Bugesera region; plans for building roads and opening up new trails; a plan for the introduction of tea cultivation and for the construction of a pilot factory for processing the crop; a road-works and urban development project; a plan for building an agricultural technical school and another for building two rural hospitals.

270. The role of private investment in the development of the Territory seems to have been slightly smaller than that of public investment. It has been estimated that at the end of 1959 private investment in agricultural, industrial and commercial enterprises amounted to 2,500 to 3,000 million francs (50 to 60 million dollars)⁶⁶ and that it was shared among the main sectors of the economy as follows: agriculture, 15 per cent; industry, 45 per cent; commerce, 40 per cent. Private investment also includes investment made by African farmers from their own resources; this has been estimated at 1,600 million francs (or \$32 million). The total amount of public and private investment at that time would therefore seem to have been about 10,000 million francs (\$200 million), a figure of the same order as the estimated gross national product.⁶⁷

271. No provision has been made for an extraordinary budget in 1962 and at the moment there is no development programme. The rapid evolution of the political situation, uncertainty about the nature of the

⁶⁶ *Etude globale de développement du Rwanda et du Burundi*, Association européenne des sociétés d'études pour le développement (Brussels, 1961), pages 382-383.

⁶⁷ It is estimated that the total investment in the Territory at the end of 1959 was shared among the different sectors of the economy as follows:

Sector	Percentage
Agriculture and stock breeding	27
Water and electricity	13
Industry	14
Commerce and services	12
Transport infra-structure	14
Social investment	7
Construction and miscellaneous	13
TOTAL	100

new system and doubts about the amount of economic co-operation there will be between the two countries have delayed consideration of what the objectives of a new development plan should be.

272. The Survey Mission requested by Ruanda-Urundi prepared the outline of a development plan for the Territory for the years 1962-1971. This plan gives approximate figures for the growth of the national revenue, the rate of investment and the development of the different sectors of the economy. It anticipates that the national revenue in 1971 will be a little more than double what it was in 1960, which would imply a rate of investment of about 10 per cent, that is, a rate of much the same order as that which has obtained during the last decade. Since the population of Ruanda-Urundi, according to demographic estimates, is expected to increase by about 40 per cent during the same period, the *per caput* national revenue would increase by about 45 per cent between now and 1971.

273. The action recommended by the Survey Mission would entail a total investment for the period 1962-1971 of some 14,000 million francs (\$280 million). Annual investment would increase from about 800 million francs in 1960 to 1,600 million in 1972, that is, at a rate of nearly 11 per cent per year.

274. In the Survey Mission's plan, the total investment is made up as follows:

	Millions of francs	Percentage
Investment: labour	6,678	48
Private investment	3,740	26
Public investment and investment using foreign aid	3,709	26
TOTAL	14,127	100

These figures indicate clearly the leading role which investment in the form of labour will have to play in the investment programme.

C. TECHNICAL ASSISTANCE

275. In estimating the amount of technical assistance needed by Rwanda and Burundi, the Commission has had to take into account, first, the lack of sufficient skilled local personnel to meet the needs of the two countries and, secondly, the unfinished and skeleton state of a large part of the Territory's administrative organs. It should be noted in this connexion that during the last two years the political and administrative systems of the Territory have undergone continual modifications, which are still partly unfinished. These difficulties are due to the very fact that two new Governments are replacing a single joint administration.

276. At the end of 1960 there were 1,226 Africans and 1,140 Europeans employed in the Administration. The posts held by Africans, however, were not as a rule of a kind which would prepare them to take on higher responsibilities. Furthermore, the figure for Africans was not made up entirely of nationals of Ruanda-Urundi, but included other Africans as well, especially Congolese. Since 1961, the Administration has taken certain special steps to speed up the training of personnel for Rwanda and Burundi. The Belgian Government also grants a number of scholarships for further study to nationals of the Territory. The sum of 22.3 million Belgian francs is allocated for this purpose in the Belgian budget for 1962.

277. The number of persons with adequate technical and vocational training, however, is very far from sufficient to meet the essential needs. It will, moreover, be another two to four years before a reasonably large number of nationals of the two countries (about 300) complete the education and training programmes which they are at present following outside the Territory.

278. For all the above reasons, the Commission considers that Rwanda and Burundi will need considerable technical aid, at least for the next few years, in order to meet the essential needs of their administrative services.

279. The Belgian Government has informed the Commission that it would, in principle, be prepared to consider granting Rwanda and Burundi technical assistance when they are independent, on terms to be negotiated between the Governments of the two countries and the Belgian Government. Belgium also seems ready to examine the possibility of taking part in a multilateral programme of assistance to the two countries. It does not seem prepared to commit itself beyond these general statements until it knows what decisions will be taken on the future of Rwanda and Burundi.

280. Nevertheless, it appears that for an interim period beginning with the independence of the two countries the Belgian Government would be ready to assist them "given a real expression of interest on the part of the international community" and envisages maintaining the Belgian experts necessary for the operation of the joint services. During this period the Belgian Government would also be prepared to pay part of the salaries of the Belgian experts and technicians who wished to remain in the service of the Governments of Rwanda and Burundi.

281. The two Governments can also call upon the technical assistance programmes of the United Nations and its specialized agencies. In accordance with the recommendations of an economic mission sent to the Territory by the United Nations in 1960, which were officially approved by the Belgian Government, a programme of technical assistance to the Territory for the years 1961-1962 is already in force. This programme, whose estimated cost is \$675,000, is part of the Expanded Programme of Technical Assistance. The sum of \$650,000 has been provisionally proposed by EPTA for the programme still to be drawn up for the years 1963-1964. The two Governments can also take advantage of the regular technical assistance programmes of the United Nations and its specialized agencies. Nevertheless, the aid which the international organization as a whole could provide under their assistance programmes would be far from sufficient to meet the needs of the two countries, even under the most favourable conditions. They could at the very most provide twenty-five to thirty experts a year for the two countries together.

282. Their needs would not even be met fully by Belgian assistance if the Belgian Government decides to continue its assistance to the two countries after the short interim period mentioned above, since it does not seem to be prepared to go on giving aid on the same scale as in recent years.

283. During the five years 1956-1960 the number of European officials in the service of the Belgian Administration rose from 667 to 1,140. This number has since been considerably reduced and had fallen to

586 by 1 March 1962. At the same time, however, quite a large number of Europeans (more than 900) were working for private educational establishments subsidized by the Administration, parastatal institutions such as the Office du café and the Water and Electric Power Supplies, scientific institutions and religious missions fulfilling functions of public interest in the fields of hygiene, education, social services, etc.

284. In submitting their budget for 1962, the two Governments estimated that in the current year they would need 727 experts and technicians (404 for Rwanda and 320 for Burundi). In the course of later exchanges of views with the Commission's experts, it became clear that this number could be reduced considerably without any serious harm to the services concerned. It is not possible in the present state of affairs to give a precise figure for the two countries' requirements, but revised estimates made on the basis of existing data suggest that a total of 350 to 400 experts and technicians would be enough to keep the essential services going.

D. RECOMMENDATIONS

285. On the basis of the considerations put forward in the foregoing paragraphs, and irrespective of any assistance which Belgium may continue to give to Ruanda-Urundi, the Commission recommends that the General Assembly should:

(i) Draw the attention of all the international organizations taking part in the United Nations Expanded Programme of Technical Assistance to the special situation of Rwanda and Burundi and request them to make a special effort to meet the requests of the two Governments within the limits of their resources, including their regular budgets and any other funds at their disposal;

(ii) Request the Executive Chairman of the Technical Assistance Board to appoint a Resident Representative as soon as possible to assist the two Governments in their relations with the international organizations with regard to their activities in the field of technical assistance;

(iii) Consider setting up a special fund for assistance to Rwanda and Burundi and invite Governments of Member States to contribute to it.

Chapter VII

Conclusions and recommendations

A. THE PROBLEM OF THE UNITY OF THE TERRITORY

286. In February 1962, the General Assembly, after re-examining at length the problem of the unity of the Trust Territory of Ruanda-Urundi, simply restated the position it had consistently maintained throughout the history of the Trusteeship régime. It reaffirmed in new terms "its conviction that the best future of Ruanda-Urundi lies in the emergence of a single State with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi".

287. It should be recalled that this position was reaffirmed at the conclusion of a long discussion during which the representatives of the two Governments of Rwanda and Burundi, as also a large number of delegations, had drawn attention to the *de facto* obstacles to

unity which had been created and to the difficulties which seemed to have arisen, particularly in the last few years, to hinder the attainment of that objective.

288. The General Assembly was thus able to examine in detail all the relevant factors, some of which were purely superficial while others reflected highly complex realities. There can be no doubt that the discussions and the great number of views expressed provided the General Assembly with ample means of assessing the true significance of the various aspects of the problem.

289. If, then, the General Assembly ended by repeating its original views on the subject, it may justifiably be thought that its position was dictated by fundamental considerations transcending the immediate obstacles and the secondary difficulties, whose significance some efforts were made to exaggerate.

290. These fundamental considerations are obvious to all who view the problem of unity as part of the problem of the future of the developing peoples and relate it to existing historical circumstances. The African peoples in particular are today more keenly aware than ever before of the advantages which they stand to gain, in laying the foundations for their full development, from union and the systematic and rational co-ordination of their efforts. Considering the enormity of the problem with which they are faced and the difficulties resulting from the backwardness imposed on them, it is obviously in their best interests to avoid dissipation of effort, to foil any new attempt at balkanization, to rid themselves of out-dated ideas of tribalism and regionalism and to move instead in the direction of increasingly broad unions based on their identity of interests.

291. In addition to these general considerations, there were a number of reasons why the maintenance of the unity of Ruanda-Urundi appeared to be desirable. In particular, it seemed paradoxical that the two parts of so small a Territory, parts which are ethnically homogeneous, have limited economic resources and have been united for forty years under a single colonial administration should be separated at the very moment of their accession to independence.

292. The discussions held during the resumed session in January naturally enabled the Assembly to appreciate the special difficulties, some of them serious ones, which had arisen in the course of the past few years, notably those arising after the popular consultations of September 1961. It might be useful, for the sake of the clarity of this account, to recall the most important of those difficulties.

293. Quite apart from the remote origins of the division of the Territory along clan lines into two separate kingdoms, and although the Territory as a whole had been under a single colonial administration for nearly two generations, it had become clear that the separation of its two parts was, by the beginning of the year, to all intents and purposes a political and administrative fact. While recognizing this, the United Nations Commissioners returning from the Territory had no hesitation in affirming their conviction that nothing serious had been done by the Administering Authority in the colonial past to neutralize separatist regional tendencies or to encourage the real possibilities that existed of bringing about a union dictated by the higher interests of the two populations.

294. At the time when the General Assembly took up the examination of the future of Ruanda-Urundi, the

Governments installed in the two parts of the Territory appeared to be moving in two different directions.

295. In Burundi an entirely new Government, resulting from the legislative elections of September 1961, was in power. This Government, composed of members of the UPRONA party, upheld the Mwami and the traditional monarchist form of rule and advocated a political programme opposed to that of the former Front commun Government supported by the Administering Authority.

296. In Rwanda, on the other hand, a Government had been brought to power which had from the outset followed violent methods, and which had been actively supported from its foundation by the Administering Authority. This Government, based on the Parti du mouvement de l'émancipation hutu (PARMEHUTU), which had been in power since the communal elections of October 1960 and which had proclaimed the Republic in the so-called Gitarama *coup d'état*, considered that its status as the legitimate Government had been confirmed by the popular consultations of September 1961.

297. From the purely political standpoint, it was therefore obvious that the accession to power of the UPRONA and PARMEHUTU Governments in Burundi and Rwanda respectively was not likely to reduce the obstacles to the attainment of unity.

298. The General Assembly, however, taking into account the higher interests of the peoples of the Territory, felt that it was its duty to draw the attention of the two Governments once again to the need to realize the great importance of unity, and not to let itself be discouraged by considerations of a local and ephemeral character.

299. Accordingly the General Assembly, affirming its unshaken conviction in this regard, felt it necessary to face the responsible leaders of the two parts of the Territory with their historic responsibilities by asking them to meet at a high-level conference under the auspices of the United Nations Commission for Ruanda-Urundi (1962), with a view to "finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union", the role of the Commission being "to endeavour to reconcile the points of view of the two Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective".

300. On arrival in the Territory, the Commission found that the two Governments continued to maintain the position which had been put before the Fourth Committee at the resumed session in January, namely that in the existing circumstances the question of unity could not be seriously considered until after independence.

301. In Burundi the most important political parties all concur in this view. In Rwanda, on the contrary, the UNAR, an important opposition party, submitted a note⁶⁸ reiterating its support of unity. In the view of this party, "the Governments of Rwanda and Burundi would be betraying the higher interests of the peoples they represent if they continued to press their unjustified refusal to reach an agreement concerning the political union of the two parts of the Trust Territory". In addition, it submitted more specific suggestions envisaging *inter alia* the establishment of co-ordination committees to deal with joint defence and diplomatic representation and with economic, financial and technical matters.

302. Despite the reiteration of their position by the two Governments, the Commission tried to the best of its

⁶⁸ Annex XLIII.

ability to carry out the task entrusted to it, fully aware both of the obstacles in its way and of the imperative need to overcome them by presenting realistic and practical proposals. It was in that spirit that it prepared the Addis Ababa Conference.

303. Before the problems examined during that Conference are analysed, it should be mentioned that the Commission thought it advisable to express to the Government of Rwanda its conviction that the implementation of the New York Agreement before the opening of the Conference and the possible inclusion in the Government delegation of a member of the opposition or any other political figure favouring unity would be highly desirable, since the prospects of success of the Conference might thus be greatly improved. Such action, it held, would have strengthened the authority of the Rwandese delegation, since the latter would then have reflected more fully the different trends of opinion in the country. It is to be regretted that the Government of Rwanda did not see fit to heed the Commission's advice on this point.

304. From the standpoint of economics and finance, the Commission had no difficulty in demonstrating that the economic union of the two countries was an essential necessity without which their independence and their future might be seriously jeopardized.

305. Thus, despite the new difficulties which had been created by certain provisions of the Brussels Protocols, and despite the decentralization of certain joint services which had already been started, the Commission was able to congratulate the two delegations on the praiseworthy efforts which resulted in the drafting and signing of an important Agreement on Economic Union between the two countries. In this connexion, the Commission wishes also to congratulate the United Nations experts, who displayed a creative spirit and whose flexible and constructive proposals made it possible for the positive trends in the two delegations to find expression in practical and mutually acceptable solutions.

306. The establishment of a Council of Economic Union of Rwanda and Burundi, in particular, is a success of which the two delegations may be proud. It is to be hoped that the Governments of Burundi and Rwanda will honour their undertakings in this regard and, guided by their real long-term interests, will spare no effort to ensure that the Council functions effectively. There can be no doubt that this body, whose task it will be to co-ordinate the general economic, financial and commercial policies of the two countries, will then be able to become an important factor in their joint economic development.

307. On the whole, then, the Commission can be satisfied with the results of the Addis Ababa Conference so far as the economic and financial union of the countries is concerned. In this connexion, it earnestly hopes that the agreement reached by the two Governments will find actual expression in the adoption of concrete and positive measures.

308. As regards political and administrative union, on the other hand, the Commission cannot but express its deep disappointment at the fact that the two delegations showed little willingness to appreciate the full importance of the problem of unity in the broader perspective of their historic responsibilities. The Commission feels, to its regret, that despite all its efforts to this end it failed to overcome the psychosis of mutual distrust which has prevented the two sides from taking a clearer view of their long-term interests.

309. A whole complex of historical and social conditions under which their peoples had long been suffering, the unjustified fear that unity might jeopardize what each side had come to regard as a dearly won prize to be defended at all costs, a deep-seated and almost morbid reluctance on both sides to try a new approach to the old problems in the broader context of their historic evolution—these, among others, were the factors which appeared to be compelling the two delegations to try to preserve at any price what they regarded as the future vehicle of their freedom of action and of the identity they had at last regained.

310. It will readily be understood that in such circumstances even the most harmless proposals should have appeared to them to be fraught with dangers of all kinds which they were not prepared to risk, however slight the likelihood of their ever arising might be. Thus the wish to safeguard every element which in any way constituted in their eyes an expression of their freedom of action prevented the two delegations from considering any proposals which might imply any change whatsoever in the situation or involve the risk that one of them might lose its prerogatives as a result of unity.

311. Throughout the Addis Ababa Conference, and particularly in the constant and friendly discussions between the United Nations Commissioners and the members of the two delegations in their individual capacities, the Commission strove untiringly to bring the leaders of Rwanda and Burundi round to the Assembly's views, to show them the unquestionable advantages of unity and the very real dangers of separation, to analyse the superficiality of the arguments against the principle of unity and to help them to view the problems and obstacles which appeared to be causing them anxiety within a broader historical and international perspective, while at the same time lending an attentive ear to their arguments and their respective points of view.

312. The Commissioners patiently tried to analyse the various aspects of the problem, with a view to seeking solutions which would take into account the anxieties and the political circumstances prevailing in the Territory. It appeared to them that those anxieties were connected with certain major problems, such as internal autonomy and joint defence and foreign policy.

313. As regards internal autonomy, the Commission soon realized that if any formula was to be acceptable to both countries, it would have to take account of the definite determination of both Governments to maintain full and unconditional internal sovereignty. The existence in the two parts of the Territory of two apparently incompatible régimes had increased mistrust to such a point that it was essential to provide each with the necessary guarantees to prevent any attempt by either at interference in the affairs of the other.

314. So far as concerns joint defence, there had been a further increase in mistrust during recent months. Burundi, in particular, seemed to feel alarm at the possibility of Belgian troops being retained in Rwandese territory after independence. In addition, it seemed clear that neither party was willing to place its own troops under a single command, for fear that its own defence policy would become closely involved in the other's. The Commission, while repeating to both delegations its conviction that a joint defence system would have undeniable advantages for both parties, if only from the economic point of view, nevertheless reached the conclusion that any practical joint defence formula would have to make due allowance for the fears of both Governments.

315. As regards a joint foreign policy, both delegations felt similar misgivings. Both delegations found it hard to see how, in present circumstances, with each delegation holding to its own ideas on foreign policy, a joint diplomatic approach could be adopted. In this field also, the Commission drew the attention of the delegations to their community of interest. It showed them, *inter alia*, that whatever their initial divergencies, the two Governments would have every interest in co-ordinating their foreign policy and thus avoiding the expense of two separate diplomatic establishments, expense which would in the end be the more unnecessary in that their community of fundamental interests in this field would sooner or later prompt them to pursue the same goals. At the present stage of their development, these goals would be essentially the same as those of the United Nations Charter, and would be, generally speaking, in accord with the system of international co-operation provided for within the framework of the United Nations.

316. At the same time, the Commission strove, both at the official meetings and during private discussions, to make it clear to both delegations that the unity proposed by the United Nations would in no way be tantamount to a new form of colonialism; that it was an illusion to believe that unity would be more easy to achieve after independence; and that with the necessary good will, it would be difficult to find formulae under which a monarchy and a republic would be able to co-exist within a single federal or confederated State.

317. With due regard to the various considerations in the minds of the two delegations, and convinced of the necessity of presenting a formula which, while taking account of existing obstacles, would at the same time offer the necessary safeguards for the preservation of the internal sovereignty of both States, the Commission, on 13 April, submitted to the delegations its preliminary general draft of a federal constitution for the United States of Rwanda-Burundi. In so doing, the Commission's aim was to reconcile, in a realistic and constructive spirit, the principles laid down by the General Assembly with the needs of the actual situation. In submitting this preliminary draft to the two delegations, the Commission earnestly appealed to them to understand the importance of this last effort to bring home to the parties their grave responsibilities on the eve of independence.

318. The Commission's profound disappointment when, on the very next day, both Governments reiterated categorically their determination to maintain their previous position, may readily be imagined. This position, which both delegations tried to justify on grounds of "historical facts", "the colonial past", and "political evolution", seemed to have been taken in disregard of all the arguments put forward both by the General Assembly and by the United Nations Commission. The Commission, of course, drew the attention of the two delegations to the gravity of the decision at which they had arrived. It reminded them of the grave responsibility they had taken upon themselves in the light of their country's history, and of the stern judgement which might be passed on it by future generations.

319. However, whatever the historical causes and conditions which have led the present leaders of both countries to attach greater importance to their differences than to the necessity of maintaining the bonds of friendship between their peoples, the Commission was com-

pelled to admit the regrettable fact that the Territory was divided.

320. That being so, the Commission was obliged to consider the development of Ruanda-Urundi, not on the basis of the unity of the Territory but in the light of the specific circumstances of each of its two parts.

B. PROBLEMS RELATING TO THE MAINTENANCE OF ORDER

(1) *Progress in the application of the measures referred to in resolution 1743 (XVI), operative paragraph 3 (e)*

321. With regard to the application of the measures referred to in operative paragraph 3 (e) of resolution 1743 (XVI), the situation is as follows.

(a) *Arrangements for the training of indigenous forces*

322. It must be stated at the outset that for a number of reasons, including the fact that training programmes for the indigenous forces were already under way and that neither Government had indicated any desire for a change in the plans already in progress, the Commission made no special arrangements for the training of the indigenous forces with the help of experts or a training mission provided by the United Nations. It should also be pointed out:

(i) That the Government of Rwanda felt that there was no urgent need for immediate United Nations assistance in this field. The Government of Burundi, on the other hand, made a request including particulars of the qualifications and types of experts and instructors it would need to carry out its current training plans;

(ii) That the Belgian instructors by whom the indigenous forces are at present officered act as experts and instructors as well as performing command functions. They have been maintained in this dual capacity, it would seem, mainly for reasons of economy and convenience;

(iii) That, under the terms of resolution 1743 (XVI), a training mission provided by the United Nations for the Governments could not be given functions of command.

323. Under these conditions, the Commission feels that if the two Governments expressed a wish for the partial or total replacement of the Belgian personnel now performing the two functions of training and command by United Nations personnel, the latter would have to be able to assume the same functions, under the authority, of course, of the two Governments.

(b) *Withdrawal of Belgian forces before independence*

324. The Commission had hoped that following the adoption of resolution 1743 (XVI) the Administering Authority would submit to it a plan for the rapid withdrawal of the Belgian military and paramilitary forces before independence. It recalled in that connexion, a statement made by the representative of Guinea at the 1298th meeting of the Fourth Committee. Speaking on behalf of the sponsors of the draft resolution, he stated that the effect of the application of paragraph 3 (e) of the resolution would be that when the session was resumed, "the great majority of Belgian troops would have been withdrawn and a plan would be submitted for the withdrawal of the remainder between 1 June and 1 July 1962". However, as has been explained in this report, the Commission realized later that the Administering Authority had not envisaged the application of

the measures set forth in paragraph 3 (e) in the same light.

325. All that the Administering Authority had decided to do in pursuance of resolution 1743 (XVI) was to withdraw, before 30 May 1962, 300 men of the troops it had in the Territory in April 1962.

326. The remaining troops in the Territory, it felt, should stay there until the termination of the Trusteeship Agreement. So long as it was responsible for the maintenance of order, it considered it would need a minimum of 900 men to be able to meet its obligations.

327. In addition, it felt that it would be unable to adopt a plan until the General Assembly had taken a definite decision on the date for independence, which had not yet been fixed—particularly as, in its view, resolution 1743 (XVI) did not preclude the possibility of its being able to maintain its troops in the Territory after independence.

328. Nevertheless, it considered that if the General Assembly adopted 1 July as the date for independence and called for the withdrawal of all Belgian troops by that date, the Administering Authority would then be willing to evacuate those troops within the minimum period technically necessary—which, it thought, would be about two or three months.

(c) *Retention of some military "personnel" as an interim measure*

329. In this field, although both countries have expressed their desire for the replacement of at least some of the military personnel now serving as officers of the indigenous armies, they have felt unable to submit a definite plan without knowing what practical possibilities there are of replacing them, either through the United Nations or through bilateral arrangements with other countries.

(d) *Time-table for the withdrawal of the personnel (resolution 1743 (XVI), operative paragraph 6 (c))*

330. For the reasons indicated above, it proved impossible to draw up any time-table for the withdrawal of personnel whose retention, as provided in operative paragraph 3 (e) of resolution 1743 (XVI), might be considered necessary as an interim measure. As has been explained, this time-table must depend, for the Governments of both Rwanda and Burundi, on a number of factors, including the practical possibilities of replacing such personnel as they do not wish to retain. As the Commission was not in a position to give them any definite information on that point, the local Governments were unable to submit any plan.

331. The Administering Authority, for its part, gave no official indication of its plans in this connexion. However, it hinted that in its opinion the personnel concerned might be obliged to leave the Territory if the Belgian troops were to be withdrawn after independence.

(2) *Observations regarding the internal security of the country*

332. Although the Belgian Minister for Foreign Affairs stated at the 1300th meeting of the Fourth Committee that neither Rwanda nor Burundi were likely to ask for the presence of Belgian troops, and that Belgium had no intention of remaining in the Territory, the Commission felt that the decision of the two Governments to request the withdrawal of Belgian troops

caused grave concern from the outset to the Belgian Government, particularly in its implications for the future of the Territory.

333. Indeed, the Administering Authority did not fail to inform the Commission of its serious doubts about the ability of the local Governments to maintain order in the Territory, in view of the present clearly inadequate standard of training of the national forces and the fact that those Governments will be unable to train the necessary cadres before independence.

334. It further indicated its fear that this decision might entail the mass departure of all the Belgian elements, including the technicians without whom the normal functioning of public life would be almost immediately paralysed. Lastly, it was at pains to point out that the consequences of that decision might also ultimately entail the cessation of the Belgian technical and financial assistance that had been contemplated.

335. Owing to those fears and other considerations which seem to cause certain circles special concern, the Commission feels that it should make a brief analysis of the general situation in the two countries with respect to their security on the eve of independence, in order to enable the General Assembly to gain as complete an idea as possible of its different aspects.

336. It is certain, as has been shown in greater detail in the course of this report, that the national forces of Rwanda and Burundi are at present in an embryonic state and are not now in a position to replace the Belgian troops.

337. It is equally certain that if the departure of Belgian forces were to entail, whether spontaneously or not, the departure of the Belgian technicians, the two countries would be faced with a serious crisis.

338. A more thorough study, however, taking into account the full complexity of the problem from its various angles, led the Commission to make certain observations which it might be useful to set out and which might in any case help to bring about a better understanding of the reasons which caused the two Governments to make their decisions. In this connexion it should be noted that colonial circles very often tend to regard the problem, not on the basis of the ideas of the nationals of the country themselves concerning their own interests, but rather in relation to factors which those circles feel must correspond to the interests of the country in question.

339. Thus, there are a number of considerations which would prompt us to view the problem of security not in relation to military and technical factors alone, but bearing in mind all the historical elements, the interests and the human factors existing in a country at a given time.

340. From that point of view it can be seen that, despite the dramatic feature of its lack of preparation, Rwanda-Urundi is on the whole not a unique case. It is true that it has to face an almost total lack of personnel and facilities, particularly in matters connected with the maintenance of order, but it is determined, in spite of everything, to run the risks of a difficult independence, being convinced that it must at all costs break the vicious circle of colonization without delay.

341. Furthermore, experience of decolonization has shown that as a general rule, and in the absence of interests whose roots, in the last analysis, are abroad, the lack of facilities and personnel has not prevented countries from surmounting the crisis of emancipation

in law and order. Moreover, in all the cases where it has been possible for national power to be consolidated because there was an authority capable of mobilizing and organizing the efforts of the people, the atmosphere of independence has enabled fresh forces of vital importance to be released. It is the freeing of these forces which, paradoxically enough, enables the least prepared peoples to accomplish, in more difficult conditions, what the colonial system, despite its large resources and superior technical efficiency, has shown itself incapable of achieving.

342. These forces are emerging from the human and economic conditions to which those peoples have long been subjected. They appear and develop where the political leaders succeed in becoming aware of their problems, creating and cementing the unity of the people, frustrating the traditional attempts at division and building national power on truly democratic and popular foundations.

343. These forces, far more than armed forces or police, are then able to guarantee the future and the security of the people, not only in order to protect it against internal enemies but also, and above all, to prevent foreign interests, by direct or devious means, from jeopardizing the achievements of their independence.

344. It is true that at the start these forces are themselves in an embryonic state, that they expose themselves, often uselessly and unintentionally, to dangers of which they are not always aware, and that they need to be organized in order to prevent, above all, their own destruction. The spirit of the times, however, must lead us to conclude that, whatever may be thought of those forces, they are already part of history. They are henceforth an objective and ever-present reality which it would be both absurd and dangerous to disregard. It is therefore our duty, not to counteract them in a way which would only diminish their positive aspects, but to help them to find themselves and to develop along democratic lines, and to provide them with all the necessary international solidarity.

345. In any case experience teaches us that it would be a mistake to cling to a purely technical and military notion of order and progress in these countries and to disregard the human and political factors which form their basis.

346. In fact, the experience of Ruanda-Urundi itself may serve as an example to illustrate the bankruptcy of an idea of security based entirely on considerations of that kind. The history of that Territory over the last three years has hardly proved that the best organized military and paramilitary forces could be the most positive factor in maintaining order, with regard either to the prevention of disturbances or to their suppression. While we do not wish to pass any political judgement, it is a fact that the incidents in Rwanda which involved the most bloodshed occurred despite the fact that during the period in question the Belgian security forces had almost doubled their numbers in the Territory. That being said, it must also be borne in mind that the topographical situation of the country is in itself a challenge to any military repressive operation. The 1961 United Nations Commission, and particularly the Commissioner which it appointed to supervise the elections in Rwanda, made it clear during the last session, in January, that, with the best will in the world on the part of the military, operations for suppressing disturbances have always proved extremely difficult. In view of the topographical and strategic conditions of the country, order was not

restored except after a long period of disturbances during which the opposing forces exhausted each other, often following irreparable losses in human lives, the burning down of hundreds of huts and the flight of thousands of refugees.

347. It is therefore more reasonable to consider the problem of security not from a purely military and technical point of view, but on the more general level of the political and social situation in the country.

348. The situation in the two parts of the Territory is as follows.

349. In Burundi, there is a Government in power whose authority was recognized in a rather spectacular manner during the elections which were held last September under United Nations supervision, and it thus had the advantage of indisputable popular support. So long as the Mwami-UPRONA axis remains intact, as seems to be the case at present, and succeeds in rallying the people's confidence round it, this authority may in itself be the best guarantee for security in the country. This authority was severely tested when the most popular Murundi political leader in the country, Prince Louis Rwagasore, the son of the present Mwami, was assassinated. In other circumstances a political crime of that kind might have given rise to mass demonstrations of a violent nature which would have been difficult to control. Nevertheless, the traditional authority of the Mwami and the people's trust in its Government made it possible to keep the people under complete control and to preserve order throughout the Territory.

350. It may therefore be assumed, at least as regards the actual maintenance of order, that, in the present circumstances, so long as the unity of the people is maintained round the existing Government team and so long as the administration has genuine moral authority, that authority will not need to be strengthened by a large military force whose technical skill would necessarily have to equal that of the Belgian troops during the period preceding independence.

351. Moreover, it is essential to bear in mind the misgivings of the Government of Burundi and the reasons which may have prompted its decision to ensure the departure of foreign troops from its national territory. For reasons derived from the past, in particular the active support which the Belgian administration as a whole has openly and habitually given the Front commun party, UPRONA is afraid that the Belgian forces might at any moment incite the new opposition elements to dangerous subversive action. It is because of this mistrust, which was increased by the murder of Prince Rwagasore, that the leaders of Burundi feel that the presence of Belgian troops in their country after independence, far from helping them to maintain order, might simply be a potential cause of tension and disorder. According to them, it is above all after independence, when all possibility of United Nations supervision has disappeared, that those troops may be induced to overthrow the legal authority in favour of their indigenous agents in the Territory.

352. In the circumstances, the Commission feels that there are no serious grounds for supposing that the presence of Belgian troops, maintained after independence against the will of the Government and people of Burundi, could in any way contribute to the maintenance of order in the Territory. On the contrary it has the impression that, provided there is no foreign interference, there are no valid reasons for thinking that

the Government of Burundi would be incapable of ensuring security and order in its territory.

353. In Rwanda, on the other hand, the matter is clearly somewhat different.

354. In the first place, it is a fact that public life in Rwanda has been characterized by increasing tension, serious dissension, and social and political upheavals of a particularly violent nature ever since the events of November 1959.

355. As a result of those events, the traditional authority was replaced by a new machinery of government in whose establishment the Belgian administration had a hand. With action followed by reaction, tension in the country increased and reached its climax in the period preceding the popular consultations of last September. The Tutsi ethnic minority, which had for generations comprised the élite and the ruling class of the country, was brutally expelled from the social and political scene.

356. When the Commission examined the social and political situation in Rwanda upon its arrival in the Territory, it was faced with a number of factors which were not such as to allay its misgivings. The facts which were of constant concern to the Commission with regard to the future of Rwanda and the prospects for its internal security after independence have already been set forth in other chapters of this report.

357. It did not, however, take the Commission long to realize that there was one key factor on which it must concentrate its attention, because that factor alone could enable it to solve the other problems and to contemplate the future without undue pessimism. That factor was national reconciliation, the principle of which had been stated at the last session of the General Assembly in New York and to which, from the moment of his very first contacts with the Commission, President Kayibanda had promised to give all the necessary attention.

358. It is no exaggeration to state that the whole of the Commission's action was directed towards the means which were likely to induce the Government of Rwanda and the opposition to achieve national reconciliation on real and lasting foundations. Hence it sought, in a spirit of understanding, to help the Rwandese Government to assemble all the psychological and political factors which seemed to it essential for that purpose, at the same time encouraging the opposition elements in their desire to carry out the New York Agreement in all sincerity. In that spirit, it endeavoured to show the Government of Rwanda that the real foundations for the stability of a Government lay above all in the democratic links which united it to the masses in the country and in respect for the fundamental rights of the people, regardless of any ethnic or other considerations. It was also in that spirit that it reminded the Government that, in the view of the United Nations, the right to independence was justified primarily by the fact that the subjection of a people constituted a denial of fundamental human rights.

359. The Government of Rwanda has always asserted that it is perfectly capable of maintaining order in the Territory. Nevertheless the Commission, having seen how things really stood in the country, came to the conclusion that, even if Belgian troops assisted the Government in that task, as in the past, the stability and security of the country would be in jeopardy and would be exposed to constant threats so long as national union and reconciliation were not achieved on a lasting basis.

360. It is hardly necessary to say what profound satisfaction it gave the Commission, just when it had reached that conclusion to receive the news that the New York Agreement was being put into effect and that the opposition was participating in a national coalition Government in Rwanda. Similarly, it was not without interest that it learned of the statement made by the General Secretary of UNAR to the Legislative Assembly of Rwanda on 17 May 1962, in which he assured the Government of the Republic and the majority party that henceforth they could count on the collaboration of UNAR and on its support in the work of government.

361. The Commission considers that the formation of the new coalition government team in Rwanda is by far the most important event in the life of the country on the eve of independence. At the same time it offers, in the present circumstances, the most solid basis for the maintenance of stability and the preservation of order and security in the Territory after independence, and every effort should be made to strengthen that basis.

362. The Commission hopes that this historic event will open a new era in the life of the country and will be the starting point for a process which will bring a lasting solution to all the country's problems, including that of the reconciliation of the different ethnic groups, between which hostility has been artificially engendered in the last few years, the achievement of increasing prosperity under conditions of independence and peace and the mobilization of all the human, natural and economic resources of the country for the full development of the Rwandese people.

363. It hopes, also, that this Government of national union will make a new contribution, in particular by strengthening still further the friendly ties which unite the peoples of Rwanda and Burundi, taking practical steps to consolidate the Economic Union for which the basis was laid at the Addis Ababa Conference and, should the occasion arise, establishing the necessary conditions for the reunification of the two parts of the Territory as a single State in the near future.

(3) *Questions relating to external security*

364. While it is true that the problem of maintaining internal order and security in the Territory is bound up with a whole complex of political, social and other factors, there can be no doubt that the defence of the national frontiers depends more particularly, if not essentially, on the military aspect. From this point of view, it has been shown that the embryonic state of the national forces of Rwanda and Burundi creates serious problems, which they cannot solve in their present situation without moral support, and if necessary material aid, from abroad.

365. In Burundi, the highest national leaders have voiced serious concern over this matter, expressing the desire to join a system of collective security which would guarantee the inviolability of their country's frontiers.

366. As far as Rwanda is concerned, in view of what has been said in the course of the report about terrorist raids from abroad and about the possibility of incursions by small armed bands from outside, it is essential that special attention should be given to this problem.

367. In view of the present condition of the national forces of Rwanda and Burundi and the fact that they are unprepared to deal with threats from abroad, it would seem essential that the States bordering on the two

countries should undertake to make all the necessary arrangements to guarantee the national frontiers of Rwanda and Burundi and that the General Assembly as a whole should lend its assistance in order to ensure that the task of the two Governments in solving the problems of their internal security is not further complicated by external threats. The Commission is convinced that any measure to that end adopted either by the United Nations as a whole or by the countries most directly concerned would help to assuage the fears of the people of the two countries and would assist the Governments in their efforts to achieve stability in their countries.

(4) *Observations on the position of the Administering Authority*

368. The Commission has already had occasion to explain the position of the Administering Authority with regard to the withdrawal of Belgian troops before independence, and particularly the fact that it does not consider that it could discharge its responsibilities in the Territory if it had to reduce its forces stationed in the two countries below a strength of 900 men, which it regards as the minimum necessary to maintain order.

369. As was stated earlier, the Commission informed the Administering Authority that in its view, Belgium, in approving resolution 1743 (XVI), and more particularly operative paragraph 3 (e), could not have considered the idea of the withdrawal of its troops before independence—with the exception of military personnel whose retention proved necessary as an interim measure—to be incompatible with its obligation to maintain order in the Territory.

370. It appears, nevertheless, that the conditions in the Territory or the Administering Authority's interpretation of the resolution have led it to take the position indicated above.

371. However that might be, if the Administering Authority were to maintain this position in the General Assembly, the latter would be obliged to consider all the consequences.

372. In that case, and particularly if the General Assembly endorsed the idea of a purely technical operation for the progressive withdrawal of Belgian troops after independence, the Commission considers it its duty to report that, in the opinion of the political leaders of the Territory, such an operation would in any event have to take place under the strict supervision of a responsible United Nations body, whose task it would be to ensure that it was completed within the shortest possible period and to provide all the necessary safeguards. It should be said, moreover, that the Belgian Government seems to take the same view of the operation.

(5) *Economic and other implications of the withdrawal of the troops*

373. The second question which may be raised by the withdrawal of the Belgian troops concerns the consequences which that withdrawal may have if it is followed by the mass departure of Belgian technicians and even, as is possible, by the discontinuation of the technical and economic aid the Administering Authority is at present giving the Territory.

374. As has been said, the Commission has reason to believe—on the basis, in particular, of its most recent talks with the representatives of the Administering Authority—that, contrary to its previous impression, Belgium is now prepared to consider, at all events, giving

technical aid to Rwanda and Burundi. It also seems ready to examine the possibility of participating in a multilateral programme of assistance to the two countries.

375. Nevertheless, if for any reason a situation developed in which Belgian assistance was no longer possible, the people of the two countries expect other nations to help them as far as they are able, whether individually or through multilateral arrangements or collectively through the United Nations, so that they can solve their economic and technical assistance problems during the period following independence. Moreover, as has been stated, even if Belgium continues its assistance to the two countries, that assistance will not entirely meet their need for experts.

376. The Commission, for its part, considers that the United Nations, as the authority which conferred the trusteeship, cannot without impairing its moral prestige, abdicate its special responsibility for a Territory of which it has taken charge for the past fifteen years. The future of these countries as a genuinely independent State will depend in large part on the way in which the United Nations exercises its responsibilities both now and during the first years of the Territory's independence.

377. The Commission considers that that independence will be gravely prejudiced unless a special effort is made, either by the United Nations as a whole or through multilateral arrangements undertaken by those countries which regard the cause of the freedom of peoples as indivisible.

378. An account of the immediate and long-term economic needs of the Territory was given in the last chapter. In view of those needs, it is to be hoped that the General Assembly will give special attention to the recommendations appearing in paragraph 285 of this report. In particular, since ordinary technical assistance programmes are necessarily limited in scope, the Commission would like to draw the General Assembly's attention to sub-paragraph (iii), in the hope that it will consider, among other measures, the possibility of establishing a special fund for the two countries upon terms which could be discussed during the present session.

379. There can be no doubt that the two countries count to a great extent on international solidarity to enable them to meet their various needs in the technical, economic, financial, social and military fields. Assistance to them is certainly more likely to be effective and consistent with their interests if it is channelled through a special fund established under the auspices of the United Nations. It would also be more effective if it were provided through the intermediary of the services common to the two countries—in particular, the Council of Economic Union for which the basis was laid at the Addis Ababa Conference.

C. QUESTION OF THE FUTURE OF THE MWAMI

380. The Commission has already described the efforts it made to find a formula for a peaceful settlement of the question of the future of the Mwami which would be acceptable to both sides. This will have enabled the Assembly to realize the great divergence between the position of the Rwandese Government and that of the Mwami.

381. The talks which the Commission has had with the parties concerned, with a view to finding a compromise formula, have forced it to realize that these positions, which were stubbornly defended, are apparently unshakable in the present circumstances.

382. The Commission wishes, however to express the hope that the process of reconciliation initiated by the formation of the national coalition Government may in the future bring about a friendly settlement of this question.

D. THE PROBLEM OF INDEPENDENCE

383. Throughout its mission, the Commission was always mindful of the provisions of the Declaration on the granting of independence to colonial countries and peoples, which the General Assembly had borne in mind when dealing with the future of Ruanda-Urundi, as can be seen from the third preambular paragraph of resolution 1743 (XVI).

384. In the light of this Declaration and of the particular situation of the two parts of the Territory, as described in this report, the Commission wishes to submit the following conclusions.

385. The General Assembly envisaged setting 1 July 1962 as the date for the termination of the Trusteeship Agreement, subject to General Assembly approval upon examination of this report.

386. The Assembly selected this provisional date after considering a number of factors, including the initial desire of the Governments of Belgium, Burundi and Rwanda for the trusteeship to be ended after the end of April and by 15 May at the latest (the date was finally put back to the end of the first half of 1962), the need to take all the necessary steps to preserve the unity of the Trust Territory, the situation in the Territory, especially in terms of the conditions prevailing in Rwanda, the reservations which had been expressed about the results of the popular consultations in Rwanda, and so forth.

387. Like the Administering Authority itself, the two Governments, while pleased by the compromise achieved in resolution 1743 (XVI), later expressed disappointment that the General Assembly had not seen fit to "set" 1 July as the date for independence. Mr. Spaak, in particular, insisted at the 1296th meeting of the Fourth Committee that the expression "envisages setting" might well have an unfortunate psychological effect on the peoples of Rwanda and Burundi, in view of their urgent desire for independence. He added, moreover, that the disappointment and disillusionment which would be felt in the Territory would make relations between the local Governments and Belgium more difficult.

388. The Commission has since found that the people of the Territory, and more particularly their Governments, attach an almost mystical significance to the date of 1 July, to which the whole life of the two countries seems to be linked.

389. Meanwhile the difficulties of a régime combining trusteeship and self-government, to which the Belgian Minister for Foreign Affairs referred in his statement at the 1259th meeting of the Fourth Committee on 16 January 1962, have grown as the date of 1 July approaches. "One did not have to be a great prophet", said Mr. Spaak on that occasion, "to realize that the combination of the trusteeship authority and the authority of the Governments that emerged from the elections would be difficult to reconcile. I believed that this dual existence of trusteeship, as it existed, and of the legal Governments resulting from the elections could not last very long...".

390. From its experience of the actual situation in the Territory, the Commission gained the impression that

the local Governments' increasingly urgent desire for autonomy, combined with the fact that the Administering Authority continues to bear its trusteeship responsibilities, has today resulted in growing tension in both parts of the Territory.

391. In these circumstances, and taking into account other points mentioned in this report, the Commission considers that it would be in the interests of the people to terminate the Trusteeship Agreement as soon as possible. In addition, in the light of these considerations and of the explanations given at the beginning of this chapter on the problem of unity, the Commission is in a position to make the following comments.

Burundi

392. In the case of Burundi, the Commission considers that, bearing in mind the Declaration on the granting of independence, the results of the elections in September, the provisions of resolution 1743 (XVI) and the political situation in the Territory, it is necessary to comply with the wishes expressed by the Government of Burundi and the Administering Authority, that is, to confirm the date of 1 July 1962 envisaged by the General Assembly for the termination of the Trusteeship Agreement and the proclamation of the independence of Burundi.

393. The people of this country look to the United Nations, to which they have consistently expressed confidence and gratitude for its contribution to the solution of their problems, to fix the date at this session for their independence. They told the Commission of their hopes that the United Nations will go on helping them in the same spirit, especially during the early years of independence, to carry out the tremendous tasks awaiting them, in particular in solving the technical, economic, social and other problems they face.

394. In the opinion of the Commission the granting of independence on 1 July, and the simultaneous adoption of a body of measures designed to make up for the country's lack of preparation in the economic, social, educational and other spheres, will be an essential contribution to Burundi's free and independent development.

Rwanda

395. The problem of Rwanda has always been one of greater complexity. In view of the specific circumstances that have marked the national life of this country in recent years, the General Assembly provided for a number of preparatory steps to be taken with a view to bringing about Rwanda's independence in the best possible conditions.

396. As the present report shows, the situation in this country is not calculated to dispel the many misgivings which the General Assembly has always felt with regard to the conditions in which the people of Rwanda are approaching independence.

397. The General Assembly will thus appreciate that the delay in the implementation of the Agreement concluded on 8 February 1962 between the Government of Rwanda and the opposition party, the Union nationale rwandaise, has not helped to reduce the existing tension. During the past two months further serious incidents have caused bloodshed in the country and enabled extremist elements to fan the flame of racial antagonism. A situation has developed in which the fundamental rights and freedoms of part of the popula-

tion are directly or indirectly in serious danger. Severe measures have been taken by the Government, measures imposed in the interests of the maintenance of order but in themselves indicating a state of tension which is inconsistent with the atmosphere of peace and unity needed if independence is to be achieved in the best possible conditions. Lastly, with regard to the problem of the return and resettlement of all the refugees, the Government's policy had not, at the time when this report was drafted, achieved the results which the General Assembly might have been justified in expecting.

398. There is, however, one fact which in the Commission's opinion should be regarded *a priori* as the most important event in Rwanda's national life on the threshold of independence, i.e., the formation of 14 May of a Government of national coalition, followed by the statement made by the General Secretary of UNAR.⁶⁹

399. This event, which in the eyes of the Government of Rwanda represented the first step on the road towards complete reconciliation, was welcomed by the Commission with particular satisfaction in view of the fact that it had from the outset considered the implementation of the New York Agreement as the keystone of the entire operation envisaged in General Assembly resolution 1743 (XVI).

400. As will be seen from the present report, the Commission has always considered that in view of conditions in the Territory, the future of Rwanda and the solution of all its problems was primarily dependent on the creation of a new atmosphere which would enable the two main parties to bury the hatchet and work together to establish a free and democratic nation in which the two races could at last be reunited after years of fratricidal violence. Such an understanding would be far more likely than police measures or the improvement of means of armed repression to lay the foundation for an independent Rwanda, free from tribal or colonial bonds.

401. Hence, although the formation of the Government of national coalition was merely a preliminary step towards the realization of the objectives of the Agreement of 8 February 1962, and although it is as yet premature to assess its results it remains a fact which should be welcomed. For the people of the hills and the refugees, for the Hutu and Tutsi brothers who had become estranged through force of circumstances and for the whole people living in constant fear, this event may have already had the psychological shock effect which is essential for the creation of a new atmosphere of peace and democratic participation in building the future national State.

402. There may be a tendency in some quarters to look upon the achievement of 14 May with a scepticism and distrust which would in some respects be understandable in view of the events of the past few years.

403. The Commission, while maintaining an attitude of caution based on a number of considerations deriving from past experience, would not wish to belittle the positive aspects of the event. It believes that in present conditions the higher interests of the people of Rwanda require that every effort should be made to encourage constructive tendencies calculated to encourage the process of reconciliation thus initiated.

404. The General Assembly will thus, in the light of the new factors which will in all probability be added to those outlined in this report, be in a better position to appreciate the scope of the Agreement finally reached between the Government and the opposition party.

405. If its examination of this complex of factors leads to the conclusion that the reconciliation has been genuine, that the formation of the Government of national coalition has in fact constituted an important first step on the road towards real pacification and has opened a new chapter in the struggle of the people of Rwanda for independence founded on democracy and the whole-hearted co-operation of all the people, the Commission hopes that the termination of the Trusteeship Agreement on the proposed date will enable the future, with the recovery of independence, to be faced with optimism.

406. The Commission trusts that the tragic lessons of recent years have convinced the leaders of the two main Rwandese parties that the division of a people may have disastrous consequences. It sincerely hopes that, guided by their wisdom and their sense of national responsibility, they will strive whole-heartedly and by every possible means to carry through the paramount task of reconciliation. Only then will it be possible to lay firm foundations for the future independent State uniting all Rwandese of every race and every shade of opinion.

407. It will then be the duty of the United Nations to assist them in tackling the difficult tasks which await them, and in particular to help them to solve the problems confronting them in the technical, economic, social and other fields.

Signed

Angie BROOKS
Chairman (Liberia)

Ernest GASSOU
Vice-Chairman (Togo)

Majid RAHNEMA
Rapporteur (Iran)

Ernest JEAN-LOUIS
(Haiti)

Dey OULD SIDI BABA
(Morocco)

⁶⁹ Annex XXIX.

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Annexes

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ANNEX I

General Assembly resolution 1743 (XVI). Question of the future of Ruanda-Urundi

[For the text of this resolution, see *Official Records of the General Assembly, Sixteenth Session, Supplement No. 17.*]

ANNEX II

General Assembly resolution 1744 (XVI). Question of the Mwami of Rwanda

[For the text of this resolution, see *Official Records of the General Assembly, Sixteenth Session, Supplement No. 17.*]

ANNEX III

General Assembly resolution 1579 (XV). Question of the future of Ruanda-Urundi

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16.*]

ANNEX IV

General Assembly resolution 1580 (XV). Question of the Mwami

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16.*]

ANNEX V

General Assembly resolution 1605 (XV). Question of the future of Ruanda-Urundi

[For the text of this resolution, see *Official Records of the General Assembly, Fifteenth Session, Supplement No. 16A.*]

ANNEX VI

Statement made on 9 April 1962 at the opening of the Addis Ababa Conference by Miss Angie Brooks, Chairman of the Commission

In this sister country of Ethiopia and to this magnificent Africa House dedicated to the progress of the African peoples, you have been invited by the United Nations General Assembly through its 1962 Commission for Ruanda-Urundi, away from your many pressing duties in your familiar surroundings, so that you may calmly reflect upon the vital problems which you must solve together with the Commission in preparing the way for your and our much cherished goal of early independence for Ruanda-Urundi. It is with great satisfaction, therefore, that I welcome you here on behalf of the Commission.

It would not be amiss for me to state at the start how vital is the question of time—in view of the fact that on 1 June, at the latest, the Commission's report has to reach New York so as to be examined by the General Assembly in the following week. In addition, I am sure you will agree that it is necessary that the Commission, once again, should visit your Territory before it departs for New York. It is my sincere hope, therefore, that you will, at all times, adopt a most constructive attitude which would help to facilitate to the utmost the work of the Conference. I ask you then, my brothers, to see that this Conference is placed under the sign of an untiring, stubborn and courageous goodwill, like an African sun, which will cause our efforts to ripen for the greater good of your peoples and of our continent as a whole.

Now let us consider together a question which is of grave concern to the United Nations, covered in operative paragraph 4 of General Assembly resolution 1743 (XVI): the Commission is requested to convene at Addis Ababa a high-level Conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective

Chiefs of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union, and in this respect, the role of the United Nations Commission is to endeavour to reconcile the points of view of the Governments and to put forward such concrete proposals as would lead to the achievement of the aforementioned objective. The importance of this mandate to the Commission is reflected in the fact that the General Assembly required the delegations of Burundi and Rwanda to be headed by their respective Chiefs of Government; for the Assembly, and especially its African-Asian members, believed that these wise men will of necessity be willing to explore and accept, not without sacrifices, reasoned arguments before taking a decision with respect to their homeland, fraught with the most serious consequences.

In this connexion, you are aware that the Trusteeship Agreement for Ruanda-Urundi provides and constitutes Ruanda-Urundi as a single Territory. Through the years the United Nations has examined information presented by the Belgian administration in this light, and the Trusteeship Council, which had had the benefit of a vast amount of specialized knowledge concerning all developments in the area, as well as the General Assembly, reached the conclusion that in view of the essential community of interests and the facts of history and geography, the best future for Ruanda-Urundi lies in the evolution of a single state, united and composite, with economic unity, common defence and external relations, without prejudice to the internal autonomy of Rwanda and Burundi; for indeed, this will not only ensure that Ruanda-Urundi accedes to independence in the most favourable conditions but will also contribute to its future stability.

There is not one Member State of the United Nations that does not share this view, and we, your kinsmen of Africa, Asia and Latin America, are strongly of this opinion because we know that the balkanization of Africa is dangerous to the African cause of unity and solidarity which is extremely needed in the continent of Africa today, if we must ward off outside encroachment and interference by external Powers and maintain our sovereignty.

The preservation of the unity of Ruanda-Urundi is desirable for many reasons. In the first place, it would be paradoxical if the two parts of such a small territory with the same ethnic composition and with such limited economic prospects, having lived under the same colonial administration for forty years, were to separate at a time when all the peoples of the world, and especially those of Africa, are aspiring to unity. Close association between the two parts would enable the problems to be tackled more effectively and would at least allow substantial budgetary economies, for, no matter what pledges you may receive for technical assistance, one thing you should remember is that such assistance will not be given perpetually to two economically weak States unless there is a control which would be the expression of a neo-colonialist policy. The end result would be that you would have no genuine independence. Further, what are the economic results of such technical assistance? Experience has shown that sometimes there develops an unfavourable balance of economic gains to the detriment of the receiving country; these countries are submitted to policies which are dictated by certain States on so-called humanitarian grounds in order to ensure the advantage of these States to the detriment of the receiving country. These are some of the evils, gentlemen, that your sister countries foresee, on the basis of their own experience; they wish you to profit from that experience which has led them to realize that the unity of your territories is in your best interest and they therefore request you to consider seriously the problems posed by the Territory's future.

In examining the objective realities of your country one finds that the important factors which militate and intervene in favour of unity are infinitely more decisive than the superficial differences which seem to separate you at this stage. Thus, the United Nations feels that it should not abdicate its responsibility towards the peoples of Ruanda-Urundi; that explains once again its renewed efforts to fulfil its task in accordance with the aims and principles of the Charter.

As you already know, Ruanda-Urundi is a relatively poor country with a precarious one-crop economy and with little industry. Even as one territory under a single Government, as a single economic unit and with some economic potential in terms of manpower, a few resources and the much-needed savings that would be realized from centralized administration, there would still be grave problems facing the economic future of a united Ruanda-Urundi. However, given a sufficient amount of economic aid, it might be anticipated that united Ruanda-Urundi could develop a diversified economy able to stand on its own feet and maintain its independence. A centralized administration would ensure a national outlook in economic planning and co-ordination and prevent duplication of programmes. Such an administration would give greater impetus to economic growth, for which the existing joint services for the two parts of the Territory would provide a material basis.

From the purely economic and financial viewpoint, it is obvious that political unity could constitute the answer to many of your major problems.

It goes without saying that, today, large economic units can better face the complex problems of development and also better afford to take the independent economic and political stand which alone is a serious guarantee of national independence. Small units, because of their weakness, are bound sooner or later to be absorbed and exploited by more powerful ones.

It is also clear that economic entities should at least be of a certain minimum size in order to attract foreign assistance or investments. Thus Ruanda-Urundi as a single unit would in much greater measure be able to obtain technical, financial and economic assistance of any kind and to use it more rationally than if it were divided into two very small units.

But I shall not dwell more on this matter, as our economic experts will later give you a detailed report on this aspect of the problem.

I now come to the question of common defence. It is clear that nowadays matters relating to the defence of the national territory involve stupendous sums which cannot easily be found in countries with small revenues. There is, of course, the international system of security which allows such countries not to rely solely on their own means of defence. Countries like Togo here represented have in fact thought that they could rely entirely on the international system of security for their defence and therefore completely dispense with expenses of a military nature. It would indeed be encouraging to see other African countries able to follow Mr. Gassou's country in this respect; but however small a part of national revenue one would like to consecrate for military purposes, the cost would still be disproportionate to the economic means at the disposal of little countries, especially if such efforts are scattered. In this field, too, therefore, your peoples have the greatest interest in uniting their efforts in creating a common defence system—a system which could eventually be associated with the general system of security provided by the United Nations. The splitting of your defence expenditures into two would indeed bleed the economy of your country in a most dangerous way.

I come finally to the question of foreign policy. Experience has shown that, sooner or later, developing countries in Africa or elsewhere inevitably find themselves with the same objectives as far as foreign policy is concerned.

The initial differences of attitude, when well understood and analysed, prove to be completely superficial. The principal and essential objectives which correspond to the true and permanent interest of our countries are the same. They are basically those of the United Nations Charter, and a system of co-operation within the United Nations always constitutes the best guarantee of ensuring benefits for our peoples through international solidarity. Fraternal solidarity with the other peoples of the world, and particularly with the peoples of underdeveloped areas who share the same destiny, will provide the most natural means of safeguarding the interests of our countries on the basis of respect for other peoples' sovereignty.

We are living at a time when the great Powers and other foreign interests can no longer draw advantage from the

weakness and needs of the young countries in order to dictate to them a policy inconsistent with the fundamental interest of their populations, with the principle of their independence and with their freedom of action, a policy which we might be forced to accept in exchange for some alleged aid or assistance. We can rely, on the other hand, on the brotherly solidarity of all the peoples of the world and on the whole system of international mutual aid and assistance organized within the United Nations. This is particularly true in the case of your country, which has been placed under United Nations Trusteeship and which therefore engages more directly the collective responsibility of all the Members of the Organization.

It may be of interest at this stage to look into some of the considerations which have been advanced against the unity of Ruanda-Urundi and which have come to the knowledge of the Commission in some form or other, and these are: (a) that the unity proposed by the United Nations for Ruanda-Urundi would mean the imposition of a new kind of colonialism by the United Nations; (b) that unity should come after independence; (c) that Ruanda-Urundi as two separate States would best ensure their future by federating with larger States or countries; (d) that the existence within a single entity of a monarchy and a republic would be unworkable.

(a) The allegations according to which the policy followed by the United Nations with its insistence on the question of unity, is designed to impose a new form of colonialism on the Territory, are too fantastic to merit consideration. Sixteen years of tireless and disinterested efforts by your brother countries should in themselves suffice to demonstrate the concern and devotion with which the United Nations has concentrated on your country's problems. Moreover, how could your brothers from Africa and Asia, who have never ceased to struggle for the emancipation of all peoples and the total liquidation of colonialism in all its forms, ever have had the slightest intention of seeing colonialism perpetuated in your country? This could obviously never be; and I am convinced that you, for your part, have no doubts in the matter.

(b) The thesis that it is better to form a political union after rather than before independence is fraught with grave dangers. In fact, experience shows that in Africa this position has never been right and has led to an almost irremediable balkanization. The analogy which some Powers would like to make by giving the example of the developing economic ties which in Western European countries have led to closer political links is more of an illusion and a fallacy.

The situation and the laws of development of young African countries are indeed totally different from those of more advanced European States at this precise stage of their historic development. In Europe the very nature of the evolution of economic forces in action tends actually towards the creation of closer political ties, whereas here in Africa, a whole complex of causes, namely, those related to changes brought about by the transition from tribal or regionalist concepts to modern nationalist systems of life, is unfortunately of a nature to create serious obstacles to the establishment of such political ties after independence. That is why truly nationalistic statesmen should realize their tremendous historic responsibilities by trying their utmost to create those political ties before independence, and indeed not after, when it will be too late.

(c) The suggestion of a division of Ruanda-Urundi into two small States which later may federate with larger entities or countries to ensure their future is viewed by the Commission as follows.

The Commission believes that the idea of federation with larger entities is one which deserves consideration. But the higher interests of your populations demand that this kind of association be well prepared in advance, so that it will not prove in any way detrimental to the identity of your peoples. And since charity begins at home, it is clear that cementing your own unity in the first place will better enable you to preserve, in much more favourable conditions, your own personality and originality.

(d) Still more questions are being raised regarding the eventual difficulties of creating unity between two different

forms of Government, namely, a monarchist and a republican one.

A closer study of this aspect of the problem would, however, soon show the superficial character of such an objection. When there are basic, fundamental long-range and vital interests involved, and when the future and the happiness of coming generations are at stake, obstacles of a formal nature could easily be removed by the good will and understanding of all concerned.

As an example I could mention your neighbour country which has found a quite original solution for blending a monarchist form of power with a republican one. The Commission is convinced that with a sincere effort and inspired by the great common interests of your peoples, you too could easily find your original way of preserving unity.

In this light, and if one would be permitted to think aloud, one could easily envisage a union of autonomous States, each keeping its complete and specific identity but both converging their efforts towards a common and united goal; a union of free and brotherly linked States which would centralize the liberated energies of two peoples who have such historical and indivisible ties; finally, a most original union of a new kind which would be opened to other neighbours and thus could constitute the nucleus of still greater units in the future. Ruanda-Urundi could then become an inspiring example for other African countries in the realization of the great idea of African Unity, an idea without which it is difficult to conceive a truly dynamic and modern development for our peoples. What a pride, then, for two small peoples to be able to give a living example of unity to other greater brothers of theirs and thus serve as the very conscience of their epoch and that of the whole African continent.

Gentlemen, on behalf of the Commission I have tried to convey the views of the United Nations and especially your sister States of Africa and Asia on the question of unity as it is perceived in your best interest. Neither the United Nations nor the Commissioners here present have any desire to impose anything on you. We seek only to counsel you on what we feel might be your best course of action drawn from our own experience or I might say the knowledge and understanding of the composite whole of a world organization. The technical experts attached to the Commission who have already made some preliminary studies of conditions in your country will speak on their findings; after which the Commission will be happy to hear your observations, and answer whatever questions you may wish to pose, to receive your suggestions and together with you try to determine a course of action towards your final objectives.

ANNEX VII

Statement made on 9 April 1962 at the Addis Ababa Conference by Mr. T. Nasr, economic and financial expert

The problems concerning the economic relations between Rwanda and Burundi may be grouped in three categories:

- I. Co-operation with a view to economic and social development as a guarantee of political independence;
- II. Specific fields of economic co-operation; and
- III. Organization and methods of co-operation.

I. CO-OPERATION WITH A VIEW TO ECONOMIC AND SOCIAL DEVELOPMENT AS A GUARANTEE OF POLITICAL INDEPENDENCE

I shall not need to take up much of your time to explain that in the world of today, independence entails the responsibility of ensuring national progress. Independence without progress would prove to be nothing but a mirage and, indeed, such independence is likely to be highly precarious. The old purely political ideas of independence, though admittedly still important, have come to have a somewhat symbolic value in the modern world which is characterized by the growing demands of the peoples. Those who raise the flag of independence must realize that they are laying the foundations for the prosperity and well-being of their peoples. In other words, the struggle for true independence often just begins on the day political inde-

pendence is won. But if I were to dwell on this subject I should only be preaching to the converted.

The representatives of Rwanda and Burundi stated categorically in the Fourth Committee that they desired to maintain and expand economic co-operation between their two countries. They repeated that statement of policy in similar terms during the consultations which Mr. Janssens and I had with them during the past two weeks.

If we bear in mind the developments of the last two or three years in the Territory and the effects which those events may have had on the feelings and attitudes of the peoples of Rwanda and Burundi, the fact that both Governments are determined to maintain economic co-operation with each other shows that they are not only aware of the long-term interests of their peoples but are even willing to give those interests the precedence they deserve over the immediate but less important problems of the period of transition to independence. Madame Chairman, we were greatly impressed and encouraged by that attitude.

Indeed, how could it have been otherwise when old nations already enjoying a high degree of prosperity have been forced to acknowledge that their future progress will depend entirely on how successful they are in co-operation among themselves. Because of this realization even hereditary enemies have forgotten the past in order to face the future. And in this continent of Africa, the newly independent countries are taking every opportunity to reiterate their conviction of the need for co-ordination and co-operation in the economic and social fields as well as in various political matters. Moreover, as you know, the United Nations Charter itself is based on the principle of ever-increasing co-operation among the peoples of the world.

It would in fact be unthinkable for Rwanda and Burundi to embark upon the path of independence by going counter to that world trend and insisting on complete separation and isolation, even if they were larger, richer and stronger States.

I am fully aware of the differences which exist between Rwanda and Burundi. I know very well that, two or three generations ago, your two countries were separate entities. But since then, at great cost to both your peoples as well as to the Administering Authority, central institutions have been established, joint services have been developed, and over-all planning procedures have been adopted. In the present circumstances, some of those central services together with many common traditions, constitute a valuable asset for the Territory. Can we allow ourselves to neglect or squander that asset?

Of course, in order to organize effective co-operation between the two countries while protecting their respective interests, the Governments of Rwanda and Burundi will have many difficulties to face. Even two brothers working as partners are frequently confronted with a crisis. No one claims that the path of progress is easy or that progress pursues its course automatically. What are automatic and easy are dependence and degradation, which are the fate of those who refuse the sacrifices progress always implies. In this case, fortunately, these considerations are purely theoretical. We have among us today the leaders of both countries, who are firmly resolved to assume the responsibilities of independence and to guide the destinies of their peoples. What we have to consider here is, first of all, which are the fields that offer Rwanda and Burundi the most favourable opportunities of co-operation and, next, how this co-operation should be organized so as to ensure that each country is in a position to benefit by it.

Before passing to another subject, I should like to be permitted to make the following suggestion to the representatives of the two countries. That suggestion is that the representatives assembled here should decide here and now that, whenever a doubt remains concerning the future of an existing joint service, the service in question should be maintained unchanged for a certain time so as to allow experience to dictate ultimately the appropriate decision to take. That seems to me to be logical inasmuch as you, gentlemen, are not here to work out the foundations for co-operation between two States having no previous experience of central services or joint practices. On the contrary, you inherit today a number of central services and of joint practices and procedures; the

essential question is precisely how far you can divide that heritage without harming your own interests.

In more specific terms, among the economic and financial losses which a general decentralization would cause, I might mention the following:

1. *A growing budget deficit.* The budget estimates for 1962 show a total deficit of nearly 800 million francs, which is almost 70 per cent of the total estimated revenue. It should be added that, for this year, current expenditure for a number of services was computed on the assumption that they would be maintained as joint services. It is certain that the budget expenditure relating to those services would increase if they were divided. Moreover, in the years to come it will be essential to provide for increased expenditure on a certain number of decentralized services if they are to be kept at a level of at least minimum operational efficiency. Some of these essential services are already so small that it would be practically impossible to divide them into two operational units unless provision were made for their expansion.

General decentralization could also increase the budget deficit by adversely affecting the collection of duties and taxes. Already in 1961 there was a considerable gap between revenue as it had been estimated in the approved budget and actual revenue, as can be seen from the figures obtained at the end of February 1962. It is true that some taxes and duties can still be collected for the 1961 budget account, but it seems almost certain that this will not substantially reduce the difference between the estimated tax revenue and the actual receipts.

In the budget estimates presented for 1962, tax revenue was estimated at a still higher figure than had been the case for the 1961 budget. Those estimates may prove to be too optimistic. Consequently, the budget deficit for 1962 at the end of the financial year may well be even greater than the figure of 800 million francs which is being suggested today.

2. *Decentralization will create further needs for foreign experts and advisers.* This, too, will entail additional expenditure, but actually the problem is even more serious than that of finding funds to finance that expenditure. I consider it my duty to draw the attention of delegates to the fact that, even if all the necessary funds were available, it would be virtually impossible to find all the experts and skilled technicians required to meet the Territory's needs as assessed in the budget estimates. Despite the fact that the United Nations and the associated specialized agencies have developed a highly efficient system of recruitment over the last ten years, the possibilities of expansion of the various technical assistance programmes of those organizations are in fact limited, in the short run, at least by the plainly inadequate number of qualified candidates for the various posts of expert or technician.

Moreover—and I venture to draw the attention of delegates particularly to this point—the contribution of these foreign experts and technicians will only be really effective when the two countries are in a position to furnish the necessary local facilities as well as the counterpart personnel for those experts, and when they are able to assimilate the advice of those experts and technicians within a relatively short period of time, so as to be able, ultimately, to dispense with their services. Otherwise the prolonged presence of a large number of foreign advisers might prove detrimental instead of beneficial to the country's progress towards technical independence. Most of the existing technical services are inadequate, and I am afraid that it will be difficult for them to make wise use of the services of qualified experts if their size is still further reduced as a result of division or decentralization.

In fact, I firmly believe that an effort should be made in the opposite direction, specifically by endeavouring to broaden the basis of some of these technical services in order to create conditions more conducive to technical progress. For example, instead of dividing the Geology, Mines and Hydrology services, I should prefer to see them all combined in one service. If that solution were adopted, administrative expenses could be considerably reduced, the machinery and equipment could be used more efficiently and the experts would be able to help each other to solve a number of joint problems. Furthermore, this

solution would make it easier for the Territory to obtain the foreign assistance essential for the future expansion of such a service. I believe that the Geological service is being decentralized—or has it been already decentralized? To my knowledge, that service had only three specialists and a few technicians at its disposal and only very limited equipment. Now, following the division of that service, one geologist and some of the equipment would be transferred to one of the countries, while two geologists and the balance of the equipment would be allocated to the other. Frankly, I do not see what advantage either country can derive from that solution.

3. *Excessive decentralization could also shake the foundations of the Territory's monetary and banking system.* In order to obtain the short-term advances, needed to make up the seasonal deficits in their budgets, to achieve the most rational utilization of their limited foreign-exchange resources, to develop a credit system suited to their economic needs, and—a particularly important point—to protect the value of their currency, the appropriate solution for Rwanda and Burundi is to maintain a joint central bank—the Bank of Issue, to give it all the necessary support, and if necessary, to expand its functions.

The Territory's issued currency at the end of December 1961 amounted to 1,773 million francs, of which about 900 million represented the total of sums on deposit with the Bank of Issue and the private banks. I find it difficult to conceive of the setting up and functioning of two separate central banks and the creation of two distinct monetary systems, in view of the limited monetary base. That would be even more true if these banks were called upon to play a part in the economic development of the two countries.

4. *The Territory's exports are particularly vulnerable.* During the three years 1959-1961, coffee accounted for almost 70 per cent of the Territory's total exports. It is both necessary and feasible to diversify the export production of the Territory. Nevertheless, even under the best conditions, it will take several years for the results of such diversification to be felt. Meanwhile, it would be essential to avoid any action which might adversely affect the production and export of coffee. The situation has already deteriorated considerably. In 1959, coffee exports had reached a figure of 37,000 tons. It was reasonable to expect that those exports would exceed 40,000 tons for this year, instead of declining as they have done, amounting to only 20,000 tons in 1960 and 24,000 tons in 1961. This year, according to some provisional estimates, coffee exports will not even amount to 20,000 tons.

5. *Excessive decentralization may handicap economic development.* The population density of Ruanda-Urundi is considerably greater than that of its neighbours. It is more than 90 inhabitants per square kilometre in the Territory, whereas it is only about 6 per square kilometre in the Congo and less than 10 per square kilometre in Tanganyika. Moreover, annual per capita income in Ruanda-Urundi, estimated at less than 2,500 francs (under \$50), is one of the lowest there is. If we add to that the fact that the population of the Territory is increasing at the rate of 3.5 per cent—one of the highest rates in the world—it will be realized that it will not even be possible to maintain the present level of living, despite its inadequacy, unless a development programme is launched immediately. The increasing number of unemployed and of persons employed only part time also affects the economic stability of the Territory. That is why, during these discussions at Addis Ababa, as well as on all other occasions, absolute priority over other problems should be given to the factors likely to promote economic and social development. Under present conditions, that requires a maximum of co-operation between the two countries in order to strengthen their economic, commercial and financial position. This operation is a *sine qua non* if the two countries wish to attract foreign aid, from whatever source, whether international regional and bilateral. Such a policy will also encourage existing enterprises to stay in the Territory and even to expand their activities. Only then could foreign capitalists begin to interest themselves in investment opportunities in Ruanda-Urundi.

I venture to advise the delegates to try to tabulate the net advantages offered by such development opportunities and to compare them with the small temporary gains which their

countries might expect to obtain by the division of their joint goods and services. The future of Rwanda and Burundi will not be built with the few million francs which might possibly be transferred from one account to the other as a result of long and arduous negotiations between the two countries.

II. MAIN FIELDS OF ECONOMIC CO-OPERATION

We cannot at present draw up a complete list of all the areas in which co-operation between Rwanda and Burundi would be desirable. In fact, the number of these areas will tend to increase as the two countries realize the practical advantages of such an association. Meanwhile, on the basis of present attitudes in so far as they are known to us, we may distinguish four groups of services which might constitute the foundations of this economic union:

(1) The first group would comprise the joint services which the two countries seem willing to maintain provided that their respective interests are duly taken into consideration. Those services are: (a) the Bank of Issue; (b) exchange control and control of import licences; (c) the customs administration, and (d) the administration of certain duties and fees which affect both countries.

(2) With regard to the second group of services, we do not know the present attitude of the two Governments. However, they are services which practically all the experts and officials who have studied the question recommend should be maintained as joint services. They include: (a) telecommunications; (b) the Air Service; (c) the services responsible for the utilization and development of the main lines of communication, including the harbour facilities at Usumbura.

(3) A third group would comprise other joint services concerning which those who have studied the problem recommend close co-operation between the two countries, but which have already been partially decentralized or in the process of decentralization. That group includes such services as: (a) the Geology and Mines service; (b) the Hydrology service; (c) the Meteorological service, and (d) higher education and research.

(4) The fourth group would comprise certain public or semi-public bodies which it would be specially important to maintain as joint bodies. The most important of these is probably the Office du café (OCIRU); the water and electric power supplies (REGIDESO) also belongs to this group. This does not of course mean that these bodies should be maintained in their present form, and that it would not be advisable to consider certain amendments to their administrative regulations in the light of the new circumstances.

Basic agreements necessary for the retention of the joint services

Co-operation in the areas we have just enumerated presupposes that the Governments will agree at least on the following points:

(a) A common policy with regard to foreign economic relations and, more particularly, with regard to foreign trade;

(b) Some degree of co-ordination with respect to fiscal and financial policy;

(c) Agreement as to the basic objectives of their economic development programmes; and

(d) Unrestricted freedom of movement for individuals and for capital throughout the territory of both States, except for such restrictions as might possibly be justified by emergency conditions.

Central organization

Economic co-operation also requires the establishment of procedures and the setting up of machinery or an agency responsible for planning the work, defining certain objectives, ensuring co-ordination between the various joint services, and maintaining contact with both Governments. This brings me to the third part of my statement:

III. ORGANIZATION AND METHODS OF ECONOMIC CO-OPERATION

Although the Governments of both Rwanda and Burundi are in favour of economic co-operation, they seem to be deeply concerned by two fundamental problems:

The first is that of knowing how far they can proceed in the organization of economic co-operation without jeopardizing their political status.

The second is that of obtaining sufficient assurance as to the protection of their individual lawful interests.

Naturally, the simplest solution of these problems would be for Rwanda and Burundi to agree to implement the General Assembly resolution and to create "the closest possible form of political, economic and administrative union". You have just heard the statement made by our Chairman, Miss Brooks, on this question. It would be presumptuous of me to deal with the political aspects of the problem which are in any case outside my terms of reference and my competence. Nevertheless, with regard to the purely economic and administrative aspect, I venture to make the following comments:

(1) Any form of co-operation between two countries or any accession to an international agreement, even if the countries concerned are completely separate and independent, entails a certain number of restrictions. But restrictions cannot be regarded as encroaching upon the sovereignty of the countries in question if they accepted that co-operation or acceded to those agreements of their own free will. Otherwise, we could not regard any country as being completely independent, because all have agreed, in one form or another, to assume commitments in various spheres—whether military, political, administrative or economic—towards other countries. In fact, very often countries assume these commitments in order to strengthen their independence and protect it better.

By creating an economic union, Rwanda and Burundi will in fact be deriving advantage from their political status. The aim of this Conference is not to impose economic union on you. It is rather to explain that the United Nations General Assembly considers that such a union would constitute the best safeguard for the independence, the future interests and the economic and social development of the Territory. The General Assembly resolution was approved by 88 votes and without opposition. In other words, all those interested in the future well-being of Rwanda and Burundi are convinced that that well-being can only be ensured by union between your two countries.

(2) The most effective method of protecting the political status and the legitimate economic and financial interests of the two countries would be for them to participate direct, at the highest level, in the formation and functioning of a central organization to which the various joint economic services would be responsible. The composition and functions of such a central organization could be discussed in detail in the light of the exchanges of views which are to take place during this Conference. It would be easy at that time to examine the experiences of other countries in this field during recent years. There is today a great variety of formulae for union and economic co-operation, and it would be possible to analyse their respective advantages and disadvantages in relation to the situation prevailing in Rwanda-Urundi.

(3) In order to obtain additional safeguards, some officials of the two Governments have asked us to tell them what possibility there is of obtaining direct assistance from the United Nations and its specialized agencies. United Nations experts could, for example, act as advisers to the officials who will represent each Government in the central organization or in the individual joint services. On the other hand, another possible solution would be to assign the experts directly to the central body or to the various joint services. In some cases, the United Nations can, if the Governments so desire, provide experts who would assume administrative and executive responsibilities. Again, it would be a simple matter to examine the various alternatives during the next few days, when the delegates have had an opportunity to express their views on the fundamental question which is the subject of this Conference.

Gentlemen, your deliberations during the days ahead will determine the destiny of Rwanda and Burundi for many years to come. Indeed, the meeting which has just been opened is of historic importance, and Mr. Janssens and I feel honoured and privileged to have the opportunity to participate in it and to make our modest contribution to its work. Mr. Janssens en-

firely shares the views which I have had the honour to present to you today, and, if there is any service which we can render, we are both completely at the disposal of the Conference.

ANNEX VIII

Statement made on 9 April 1962 at the Addis Ababa Conference by Lieutenant-Colonel E. J. J. Dartnell, military expert

The purpose of this statement is to review the possible consequences for the military forces—that is to say, the National Guard and the National Army—of maintaining the union between the two parts of the Territory of Ruanda-Urundi.

Before going into the question itself, it might be well to consider briefly the present situation of these two forces.

Both were established in July 1960 as part of the Territorial Guard, their main task being the maintenance of internal security. Subsequently, in September 1960, the two forces were separated. They consist for the most part of independent companies or platoons, stationed at various points selected to enable them to go into action at short notice, and a mobile central reserve capable of reinforcing any of these platoons or companies.

The strengths of these forces are as follows: Rwandese National Guard, 858, including fifty-two Belgian officers and non-commissioned officers; National Army of Burundi, 789, including forty-one Belgian officers and non-commissioned officers.

At present, the two forces are for all practical purposes at the same level of organization and training.

Thus the maintenance of the union of the Territory would today entail no major problems so far as the organization of the two forces is concerned.

Let us now consider the advantages, from a military standpoint, of maintaining the union.

In the first place, this would not necessarily lead to any immediate reduction of the forces assigned to the maintenance of internal security. Such a reduction will be possible only at some future date, when political stability has been achieved in both parts of the Territory.

In the case of the external security forces, however, there would be great advantages in maintaining the union.

The first important result would be the abolition of the frontier between the two parts of the Territory. Military forces would then no longer be needed to guard the frontier, and a reduction of personnel would therefore be possible.

Secondly, at their present level of training and organization the two forces can provide only a few isolated companies or platoons. In both cases, part of the central mobile reserve is still at the training stage. At the present moment, the reserve in each country consists of only one company. Thus, if the union were maintained, a strong central mobile reserve of two companies with increased striking power would be available immediately. Furthermore, this central mobile reserve could eventually be reduced to a small force for the whole Territory, with the dual task of maintaining both internal and external security.

It will be seen, therefore, that the maintenance of the union between the two parts of the Territory would permit a reduction of the total military forces needed for both internal and external security to a level more in keeping with the Territory's financial and other means.

Apart from the problem of the size of the military forces needed, there is also the question of their training.

At present, each part of the Territory has its own training centre for recruits and its own schools for officers and non-commissioned officers. The Belgian and indigenous staff suitable for such training work is regarded, at the moment, as inadequate. Consequently, quite apart from the obvious financial benefits which would accrue from ending this duplication, the more advanced level of training that would be possible through the redistribution of instructors and training material would represent an even greater gain, particularly as regards the training of specialists.

From the financial point of view, apart from the reduction in the cost of upkeep of a smaller number of personnel, the special budget of the Territory's military forces could be reduced. This expenditure, which amounts to 142,841,000 francs in the case of Rwanda and 111,343,966 francs in the case of Burundi, and which is to be met by means of a programme of financial assistance, covers purchases of equipment, materials and basic supplies, and construction work. It may be that when the Belgian metropolitan forces leave the Territory, they will hand over their military equipment and supplies to the indigenous military forces. A unified military force would ensure that more practical and prudent use was made of such equipment. Although we do not know the actual figures or the details of the supplies which will be available, we believe that they will provide most of what is needed to modernize the Territory's army and thus to make possible a reduction in expenditure.

In addition, maintaining the union of the Territory will considerably reduce the cost of construction work. The establishment of a single training centre and of one school for officers and one for non-commissioned officers, and the need for a smaller army, will cut down the amount of essential construction.

My conclusion is that very great military benefits will flow from the maintenance of the union of the Territory of Ruanda-Urundi. This will ensure the existence of a small, well-trained army, able to perform its duties efficiently on an ordinary and extraordinary budget more in proportion to the financial means of the two parts of the Territory.

ANNEX IX

Statement made on 9 April 1962 at the Addis Ababa Conference by Inspector Y. Dubé, police expert

1. When speaking of union it is necessary to distinguish from the police point of view between a close union, in which the police forces are completely integrated, and a form of association involving mere co-operation, where each country has its own separate police force, and only the specialized services are pooled in the interest of the two countries.

2. In the case of Rwanda and Burundi, unification of the police is not only possible but would actually be very easy to achieve in the present special circumstances. In both countries the police forces represent what remains of the old Belgian territorial police force which, having been subject to the same legislative provisions, was identical in structure in both parts of the Territory. Even today, when each country is reorganizing its police force in order to give it a local character, the new organization is based on the Belgian system, so that no basic differences are foreseen. It would therefore be easy to have identical police forces in each country and to place over them, at the level of the Central Government, a headquarters responsible for discipline and general administrative problems. Such a union would in no way threaten the control exercised over the local police services by each country at the regional level.

3. The first advantage of such unification would be to ensure co-operation between the operational police units of each of the countries. It need hardly be said that such co-operation is highly desirable in the fight against crime but may never be forthcoming if the police forces are completely separate. The work of the police would also be much more effective, since there would immediately be available a police force twice the size of the forces now at the disposal of each country, and thus the country as a whole would have a larger number of trained men ready to take action in any part of its territory in the event of trouble. A bigger and better trained police force would also have greater prestige and more weight with the police forces of the neighbouring countries; it might even be possible to re-establish the co-operation with those forces that is now withheld from the present small police units. The financial advantages would be greater still, for pooling the funds available for police training and the organization of specialized services, the two countries would effect substantial economies and would acquire a police force of higher quality at a much earlier date.

4. The foregoing enumeration does not by any means represent the only possible advantages of a unified police force. Others can easily be cited. For instance, it would be advantageous to have a broader basis on which to recruit qualified staff for the higher posts; economically, it would be much easier to set up a good personnel division to select recruits, keep the personal files and, in general, improve the standards of the police force at all levels. Finally, there would also be the possibility of acting more impersonally in disciplinary and similar matters.

5. If, despite these advantages, it is decided not to unify the police forces, the only other satisfactory solution would be to find some form of collaboration between the two countries and the two police forces that would encourage the latter to co-operate to the full and might also enable the two countries to share the high cost of specialized services with a view to greater efficiency.

6. By specialized police services is meant here the criminal investigation laboratories and identification services which are nowadays to be found in the principal countries, where they play an important part in most criminal investigations. Such specialized services use the latest scientific methods in the effort to discover the perpetrators of crimes.

7. The main sections of a criminal investigation laboratory usually include a serological section for examining blood-stains and the stains of seminal fluid; a physics and chemistry section; a section for examining documents and identifying handwriting, typewriter characters, counterfeit currency, etc., a section for identifying fire-arms by means of microscopic and comparative tests, the examination of gunpowder, bullet impacts, etc.; and a photographic section for preparing maps and charts for the courts, micro-photographs and infra-red and ultra-violet photographs. This enumeration is by no means a full one, but it does give some idea of the expenses involved in the operation of such a laboratory, not only for the salaries of the scientific experts, but also for the purchase of expensive and complicated equipment. It would be possible to undertake such a venture if the resources of the two countries were pooled, but in the case of a complete separation the expense for each country would be prohibitive.

8. An identification service does not require such costly equipment, but since its task is to collect, classify and disseminate information, its efficiency depends directly upon the number of its files. The main sections of such a service are usually the finger-print section, the photographic section and the records of criminals. However, there may also be others, such as a fraudulent cheque section where such cheques and other documents are identified by comparison with photographs of similar documents already on the files.

9. At Usumbura there is an identification service comprising a photographic section, a finger-print section and a judicial records section. The camera equipment seems adequate, but the material (films, etc.) needed for them are often lacking, no doubt because of their cost. The finger-print files and the records of criminals were received from the Congo at the time of the separation, and they cover both Rwanda and Burundi. However, even today they are incomplete, and if they had to be divided up between separate sections for each country, their usefulness would be still further reduced.

10. It is thus obvious that a division of the police into two separate and unrelated forces would involve serious drawbacks, not only from the financial point of view—since some of the basic services, which are much more effective when pooled, would have to be duplicated—but also from the point of view of the development and efficiency of each force. Furthermore, it is always possible that two entirely separate police forces may never co-operate at all. This would be to the advantage of criminal elements, for they could escape prosecution merely by crossing the frontier. The only protection then would be to keep a close watch on the frontiers, but this in turn would overburden the police and impair their efficiency in dealing with their other tasks. It is therefore obvious that the best solution would be to integrate the police forces or, if that proves impossible, at least to establish some form of union that would assure co-operation and the pooling of available resources for training and specialized services, thus

encouraging and expediting the progress of the police in each country.

ANNEX X

Statement made on 12 April 1962 at the Addis Ababa Conference by Mr. Grégoire Kayibanda, President of the Rwandese Republic

As this Conference begins, the Rwandese delegation wishes first of all to congratulate the distinguished members of this important gathering on the fact that they are meeting in one of the countries of Africa richest in history, oldest in tradition and foremost in freedom, which is the fundamental problem throughout our beloved continent.

Each of us will recall that Ethiopia is one of the rare territories in Africa that have never been colonized; each of us knows this country's eagerness to aid in liberating the various peoples of Africa; each of us knows this country's varied capacities for international co-operation.

This country's history, in fact, prepared it for that role. Its geographical position, the very genealogy of its reigning house, the great success of its ethnic groups in living together—everything was, as it were, designed by Providence to make Ethiopia a meeting-ground on such problems as the one before our Conference.

The United Nations itself echoed history by installing in the capital of Ethiopia this Africa Hall, where the leaders of the African countries gather to seek solutions to the often difficult problems involved in our continent's progress.

One of these problems is that presented to the Rwandese Republic and the country of Burundi by operative paragraph 4 of United Nations General Assembly resolution 1743 (XVI). The Commission here present was requested "to convene as soon as possible, at Addis Ababa, a high-level conference presided over by the Chairman of the Commission and composed of five representatives each of the Governments of Rwanda and Burundi headed by their respective Chiefs of Government, with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union".

The Rwandese President and Government have never ceased to explore every possibility of laying realistic foundations for co-operation that would be as close, as realistic, and above all as effective as possible in serving the peoples' interests.

As a result of our studies of this problem, we have laid down certain principles to be observed in installing the machinery for such co-operation.

I shall mention the main foundations on which, in our view, our endeavours should be based:

1. Respect for the recommendations of the United Nations and the most judicious adaptation of its advice. In this connexion we have also counted on receiving impartial data from the United Nations experts, whom we look upon as embodying in some degree the Organization's experience.
2. Mutual respect between Rwanda and Burundi. Each of the States has had a fundamental choice to make regarding its internal political and administrative structure, and an equally fundamental choice of the way in which it wishes to foster its own development.
3. Realism, which reminds us that any co-operation entails some sacrifices but that those sacrifices must be offset by genuine results in terms of progress for the peoples of the two States.
4. Boldness—but the boldness of wisdom—that will not deceive the people who have given us their confidence by committing them to a venture not backed by reasonably reliable guarantees.
5. Readiness at all times to welcome, and even to create, opportunities for co-operation and union as Central Africa is liberated.

In the light of all these principles, and of a series of events, the Rwandese Government has found it necessary to examine the two aspects of the problem before us.

(a) *Political union.* Rwanda does not oppose the principle of unification of the two countries, in one form or another, as soon as unification would be timely, would correspond to the real aspirations of both peoples, and could be carried through democratically.

This, for the time being, is an ideal, in the haziest sense of the term. Moreover the course of history in these two countries has done little to bring this ideal closer to reality. I shall merely recall a few facts:

- (1) Before colonization, Rwanda and Burundi were two distinct and separately established countries; a trend towards unification might have set in after colonization, but—
- (2) In German East Africa, Rwanda constituted one division and Burundi another;
- (3) Under the Belgian occupation, the two units were treated as two separate entities; the pursuit of its colonial policy obliged Belgium to set up a central, albeit far from centrally situated, office.
- (4) Even the United Nations Trusteeship System was modelled on the Belgian colonial structure and continued to apply the same methods.
- (5) The general elections held last September were themselves conducted under the supervision of two United Nations Commissioners.

All these facts may be considered regrettable when we think now of the advantages unification of the political machinery would have brought. The Rwandese Government would deplore anything so unrealistic as a forced political union and considers it necessary to take the consequences of events that have left their mark on our countries' history.

The present leaders, therefore, had no hand in the matter. It must be our firm resolve to seize every opportunity to forge solid links of political co-operation between our two countries and between those countries and our other African brothers. Moreover we are convinced that, once the two States attain independence, they will be better able to discern opportunities for political co-operation.

The Government of the Rwandese Republic opposes the balkanization of Africa and the placing of undue emphasis on what may seem superficial differences; but is equally opposed to the manufacture of artificial political bodies which are not based on the real aspirations and will of the inhabitants and which might become the disguised tool of a neo-colonialist policy.

Consequently, with all the reservations I have expressed, the Rwandese Government considers that, at this stage in the history of Rwanda and Burundi, the positions taken by our mission of observers during the discussions at the United Nations in February 1962 remain valid.

I hasten to state, however, particularly for the information of our brothers, the leaders of Burundi, that the Rwandese Republic remains ready, and will take every opportunity to prepare itself further, for the closest political co-operation.

(b) *Economic union.* Economic, financial and technical co-operation is the second and, for the Rwandese delegation, more important aspect of the problem before this Conference.

On the sole basis of respect for each other's sovereignty, and with the sole proviso that there should be genuine profits fairly shared, the Rwandese Government has always desired the closest possible co-operation.

We have done more: specific proposals have been made to the existing authorities for the reconstruction of those common services whose preservation seems to Rwanda to be in the interest of the closest economic, financial and technical co-operation between our two countries.

Our proposals have always been designed to secure efficiency and to ensure that neither country becomes the poor relation in the co-operative enterprise and that the reconstruction is no mere tool of economic colonialism, useless for the democratic task of raising the inhabitants' level of living. The Rwandese Government is convinced that we live at a time when no great Powers or other foreign interests can take advantage of the weakness and needs of young countries to impose on them a

policy not in accord with the fundamental interests of their people, the principle of their independence and their freedom of action—a policy which might be forced on us in exchange for a so-called economic union not based on technically sound safeguards.

By way of practical preparation for the possible free development of a political union, and to enable our two countries to derive greater benefit from international co-operation, the Rwandese Government has proposed that the following joint institutions should be kept in being between Rwanda and Burundi: (a) the Bank of Issue; (b) exchange control; (c) customs co-operation, the validation of licences and certain fiscal arrangements; (d) the Office du café; (e) the Institute for Research and Scientific Documentation (INEAC, IRSAC and Statistics).

We take the opportunity afforded by this Conference to reiterate our country's desire that the five joint institutions of economic, technical and scientific co-operation should be preserved, subject only to the possibility that our brothers of Burundi might take a different view, and to any obstacle that only the experts would be qualified to discover.

And here we appeal to the United Nations Commission for Rwanda-Urundi and to its experts to ensure that:

1. No valuable time is wasted in going backwards or in advancing considerations which are unrelated to the real state of affairs in our countries;
2. The experts supply us, not with echoes of the slogans which we have been hearing all along and some of whose motives are more than suspect, but with technically sound and impartial advice on how the five institutions thus retained for co-operation between our two countries can be organized and operated efficiently.

The Rwandese Government's position is not, I suppose, in 100 per cent agreement with the recommendation in resolution 1743 (XVI). We prefer to be realistic in order to ensure a sound and healthy start; this is, in any case, the main consideration, since the economy of the two countries is at stake.

We prefer to keep the Republic open to all forms of union and co-operation with Burundi and with any other African territories which may consider such arrangements desirable.

Moreover, although our connexion with the United Nations is about to end, it is only the colonial connexion, that of trusteeship, which is ending; the Rwandese Government is confident that we shall enjoy effective relations with the United Nations in the future, as a Member of the Organization.

The Rwandese Government believes that the contacts which are being made between African countries today, in the form of groups and conferences, will have an effective future; tomorrow we hope to see them take the more solid form of a common front composed of all States on the African continent; the day after, there will assuredly be an International of the under-developed regions.

Within this general picture we see taking shape not only small inter-country committees—formed before independence as a front for the colonials and those in their pay who want to feather their own nests, with no regard for the interests of the inhabitants—but also genuine international organs of co-operation, planned, born of the people's aspirations, and responding effectively to real needs.

In all this movement in Africa, which independence is so effective in promoting, we see a gradual progress, free from all colonialism, towards union, towards even the fusion of several African countries.

It is against this background that the delegation of the Rwandese Government confirms its proposal that the aforementioned five institutions of economic, financial, technical and scientific co-operation should be jointly maintained as the necessary and effective nucleus round which any form of union or unification must be built.

I have already expressed to the Commission and its experts the Rwandese delegation's two requests in connexion with the position we have taken.

In order to go into the matter in more detail, our delegation will give the Commission and its experts our views on the

statements which have been made so far on the various matters affecting co-operation between Rwanda and Burundi.

Once again, we welcome in advance any proposal calculated to promote a unification that is free, realistic, decolonized and effective in helping to raise, in a democratic manner, the level of living of the peoples of Rwanda and Burundi.

I. CO-OPERATION FOR ECONOMIC AND SOCIAL DEVELOPMENT AS A SAFEGUARD OF POLITICAL INDEPENDENCE

1. The problem of economic co-operation between Rwanda and Burundi first took specific shape at the Ostend Conference between representatives of Rwanda and Burundi in January 1961. The principle of such co-operation was accepted unanimously, and we have constantly given a major share of our attention to ways and means of achieving it in practice. Several courses of action for this purpose have already been considered and are, for the most part, already under way. It follows that, for the immediate future, any serious proposal whose main purpose is to expedite or facilitate the practical application of the contemplated forms of co-operation is assured of spontaneous support from those responsible for Rwanda's social and economic destinies.

Hence it would be a mistake to think that all we have done so far is to determine our position, and that nothing of a practical nature has been done in this connexion.

2. It can be stated categorically that the Government of Rwanda is still resolved to promote economic co-operation with Burundi wherever feasible. However, since what is done now affects what happens in the future, it attaches as much importance to long-term interests as to the immediate interests that some might be tempted to consider less significant. That is why the Government of Rwanda desires the proposed co-operation with its neighbour to be backed, not only for the future but also during this period of transition to national independence, by at least those minimal guarantees which are needed to protect the legitimate immediate and future interests of the people it leads. Having clearly defined the aim to be pursued—namely, the closest possible economic co-operation with Burundi in certain matters essential to the development of both countries—it expects the experts to help us give that co-operation the best possible chance of success.

3. The Rwandese Government remains convinced that to persist in devising an ideal formula for co-operation with its neighbour would be a waste of valuable time, for the theoretically ideal solution is not always the most effective in practice. Consequently it does not propose to act as a testing-ground for this purpose, having neither the means nor the time for such an exercise in the immediate future. It has no ambition to break new ground in these matters; it only wants to be guided by the experience of others. Having rejected the principle of economic isolation as inimical to the best interests of the peoples in its care, it wishes to see carried into practice, by tried and proved methods, the principle it has already accepted: that of economic co-operation, not with Burundi alone, but also with other neighbouring countries.

4. It is no part of the Rwandese Government's intentions to neglect or dissipate the common inheritance from Belgian trusteeship. Our immediate concern is to determine precisely what we are inheriting—to ascertain both the total extent of that inheritance and the share accruing to each heir, and to find effective ways of administering it, either in its existing form or in forms which, though more recondite, are compatible with the sovereign rights of each of the countries about to be independent.

We have always thought and we still think, that in the past comprehensive planning procedures were really designed, not for the harmonious development of the two countries, but for the benefit of a tiny, marginal fraction of the Trust Territory and that they were prompted by certain obvious colonialist motives. To continue on those lines is out of the question; it would be a deliberate disservice to the paramount interests of the peoples in our care. For this reason, while acknowledging the need for economic co-operation between our two countries, we want it to be conducted on a new basis, putting the interests of the Rwandese and Burundi masses first and keeping well clear of yesterday's beaten paths.

5. The Rwandese Government expects from the experts an objective indication of the directions in which co-operation is desirable and of effective ways to achieve it. It also expects the experts to show it how best to organize its own service wherever, for one reason or another, there is nothing to be gained by co-operation in a particular field, and where co-operation does seem desirable, it would like the experts to work out as many safeguards as possible to ensure that such co-operation is pursued in good faith.

6. The Rwandese Government cannot associate itself with the suggestion that, if there is doubt about co-operation in any particular field, the service in question should be jointly maintained. To do this would be merely to postpone indefinitely the solution of the problem. In the opinion of the Rwandese Government, the proper course in such a case is simply to divide the service, try to reconstruct it within the country so far as resources permit and, if the need arises, reconstitute it on a joint basis later on. That course would at least have the merit of not leaving problems unsolved, perhaps for many years, between the two countries. While it is true that we are assembled here, not to make innovations but to decide whether or not an existing inheritance should or should not be jointly administered, there is nothing to be gained by postponing our decisions.

7. It should be noted that no one has ever spoken in terms of general decentralization of all the joint services set up under the Belgian colonial system. On the contrary, there has been talk of complete decentralization of all administrative services, since the very fact of each country's self-government leaves no room for centralization. It was then suggested that some administrative services, albeit of an economic nature, should be decentralized and that each Government could manage them more economically than they had been managed in the past. Lastly, there was talk of localizing some executive organs while keeping certain economic and financial services under joint central control; indeed, it is in connexion with these services that the principle of co-operation between Rwanda and Burundi has been accepted. Hence the Rwandese Government would have preferred the experts to concentrate mainly on these services and to show us, with as many facts and figures as possible, the advantages and disadvantages of their joint operation.

8. A growing budget deficit is a possibility, but not a certainty. There has in fact been such a deficit since about 1952 despite, or perhaps because of, the existence of a *de facto* community between Rwanda and Burundi. The apparent lack of any action to reabsorb the deficit can doubtless be ascribed mainly to the pursuit of a colonial budget policy which, by setting a dangerous precedent, has not made matters any easier for us. At all events the Rwandese Government is not convinced, despite appearances, that even general decentralization would necessarily make matters worse. However, in the light of its 1962 budget estimates and of the size of the expected deficit, and with due regard for various possibilities, it wonders precisely where the deficit figure of approximately 800 million francs, which is far in excess of its budget estimates for 1962, really comes from, unless those who quote it have motives completely unknown to us. Moreover, as everyone knows, the budget estimates for the common services, whose operation and control are not yet in the hands of the autonomous Governments, are still prepared on an unreal basis that pays no heed to a genuine policy of austerity—a policy which our Government intends to carry out successfully. Moreover the Rwandese Government would have liked to see how the grouping of services really helps to overcome the budget deficit.

9. It is also asserted, quite groundlessly, that general decentralization would adversely affect the collection of duties and taxes. To be frank, it is hard to see how the one leads to the other. Furthermore, so far as we know, no budget for the financial year 1961 was ever approved. Lastly, if there is really a difference between estimated fiscal revenue and actual receipts under the 1961 budget, this is due, not to any so-called decentralization, but to completely extraneous—specifically, political—circumstances which, for that matter, are known to everyone.

In any event, in the absence of any proof to the contrary, the Rwandese Government is not as pessimistic regarding the probable deficit for 1962.

10. It has also been argued that decentralization will create a further need for foreign experts and advisers. That may be so, but not necessarily in the near future, and not if a genuine effort is made to make use of the nationals who are now being trained. Moreover, the problem would appear to arise, not so much from decentralization as from the general shortage of experts throughout the world. Finally, the problem of the lack of international experts affects not only Rwanda and Burundi but all the under-developed countries in general, so that all those countries should be asked to centralize their services in order to overcome this difficulty.

11. The suggestion that the basis of certain technical services should be expanded in order to create more favourable conditions for technical progress is an interesting but curious one. We fail to appreciate how a geologist could deal with both the department of mines and the hydrological service, even if he were truly versatile, which can never be the case. We do not see how, by combining in a single department, a geologist, a mining engineer and a hydrologist will really be able to assist each other and thus reduce equipment and machinery costs, even if they have all the desired local facilities. Even if that were possible, moreover, there would be nothing to prevent the attainment of that objective within the framework of each individual Government. For example, the benefit which may be obtained—and in fact was obtained—from decentralization of such a department as the geological service lies in the efficiency that may be achieved, the appreciation of local priorities and the reduction of travel costs, all of which were difficult to achieve in a joint service. Furthermore, experience has led us to assign a different value to the services rendered by a foreign technician, depending on whether he is serving the two countries jointly or only one of them.

12. The Rwandese Government has always desired the maintenance of a common bank of issue for Rwanda and Burundi in order to ensure a sound monetary system by providing a more acceptable economic base. It has always held the view, however, that, while there should be a common bank of issue, certain executive organs should be maintained on a local basis, which would not only be responsible for such local facilities as the granting of credit, the validation of licences and the allocation of the foreign currency quota provided to meet the actual needs of each country, but would also serve as the treasury of each country and be responsible for its monetary circulation. We do not think that such a system would weaken in any way the foundations of the monetary and banking system of Ruanda-Urundi. Furthermore, before considering any extension of its functions, we should like to be certain that the existing machinery is functioning effectively.

13. It is true that the exports of Rwanda and Burundi are vulnerable, but it is rather a bold assumption to suggest that decentralization would only make the situation worse. Moreover, there was never any question of complete decentralization of OCIRU. It was suggested only that certain executive organs should be established on a country basis, in order to provide local facilities wherever possible. Decentralization of certain executive organs has nothing to do with diversification of export production; the two can be effected simultaneously without prejudice to each other.

14. The Rwandese Government fails to see how decentralization of what needs to be decentralized can slow down economic development. On the contrary, it is convinced that economic development could be accelerated if it was carried out on a more regional basis for the famous Ten-Year Plan adequately demonstrated the serious omissions and the impediments to the harmonious development of the country created by a programme conceived on a purely territorial basis. Moreover, there is nothing to prevent the Governments from consulting each other whenever they are contemplating the introduction of development programmes which might have repercussions in the other country as a result of its proximity.

II. PRINCIPAL FIELDS OF ECONOMIC CO-OPERATION

The Rwandese Government considers that it would be unwise to try to achieve economic co-operation in all areas where such co-operation would, ideally, be desirable. It therefore proposes to confine itself, at the outset, to certain fields where it considers co-operation essential in the basic interests of the two countries. For this reason, it maintains that only the following services should continue on a centralized basis and that all the others should be decentralized. These essential services to be maintained in order to ascertain whether they can function on a co-operative basis are: the Bank of Issue, the exchange control and validation of licences, customs co-operation together with some fiscal arrangements, the Office du café of Ruanda-Urundi and scientific and statistical co-operation within the framework of INEAC and IRSAC.

III. ORGANIZATION AND METHODS OF ECONOMIC CO-OPERATION

15. One of our main concerns is to know how far we can go in the organization of economic co-operation without endangering our political status, and only the experts can enlighten us on this point.

We are no less concerned with the problem of organizing a system of safeguards and guarantees to ensure that such co-operation will function normally. In fact, an essential prerequisite for our acceptance of the proposed co-operative formulae is the provision by our partner or by some other party of adequate guarantees that our own legitimate interests will be protected. In view of these various important requirements, we should like to know, before committing ourselves to one particular formula or another, whether we can have any valid assurance that these requirements will be met, what the actual scope of the co-operation will be and how to ensure that it will be effective in practice. We have been repeatedly told that the achievement of a political unification of the two countries would be of great importance in this respect. Apart from the fact that it is difficult to see how this might be effected in the present circumstances, it does not appear very prudent to base a system of economic co-operation in the most vital fields on theories which cannot at present be put into practice. We are certainly prepared to accept a number of restrictions, but we should have to know exactly what they would be and they would have to be limited to what both countries can at present agree to accept, for, whatever may be thought of them, they will always constitute a partial relinquishment of national sovereignty even before we have fully recovered it, an imposition which has rarely arisen in the case of the many other countries which are often quoted to us as examples. It is therefore to be hoped that no one will attempt to impose any formula on us or to exert any pressure on either side by introducing factors which should not in any way affect our basic choice.

16. We, for our part, remain firmly attached to the procedure which we have been advocating ever since we outlined, in clear terms, the problems of economic co-operation between Rwanda and Burundi; namely, that each instrument of co-operation agreed upon should, from a technical point of view, be administered independently, Rwanda and Burundi each providing the same number of executive personnel, by agreement between the two Governments, each of which would provide the funds required for its operation. The actual policy to be applied would always have to be drawn up jointly by the two Governments. Only later, if the need really makes itself felt, could consideration be given to the establishment of a central organization for most of the services which prove to be similarly technical in character. The Rwandese Government would also propose a judicious distribution of the headquarters of the joint services between the two countries, regional offices or regional executive branches being set up in the country in which the headquarters is not situated. Only when real agreement has been reached on the basic principles will it be possible to start discussing the practical details; it would take too long to do so here, before we return to our countries, and in any event such matters will have to be dealt with by experts.

17. The Rwandese delegation listened with interest to the statement made by Lieutenant-Colonel Dartnell, the Commis-

sion's military expert, and has studied it carefully. It proposes to offer a few observations which it thinks will be useful for a proper understanding of that statement.

The statement consisted of two parts, the first one dealing with the present position as regards the forces in Rwanda and Burundi, and the second dealing with the military, financial and economic advantages to be gained from unification of the two forces.

This is a reasonable division, but the exposition has not given us all the information that we, as laymen, should like to have in order to form an opinion in full knowledge of the facts.

In the first part of the statement we were informed that there were two military forces: the National Guard in Rwanda and the National Army in Burundi. The very different concepts of "army" and "guard" must necessarily have influenced both the establishment and training of these two forces.

The two forces are now in existence and are—I presume—functioning effectively or else plans have been made to enable each one to function effectively in its respective country within a few months or within a few years. Therefore, before considering the list of advantages to be gained from unification, the Rwandese delegation would like to be informed concerning the role, the operation and the effectiveness of the Burundi Army on the one hand and of the National Guard of Rwanda on the other. In other words, we should like to know what are the advantages and drawbacks of the present system.

We should then be in a position to appraise the advantages and disadvantages of a unified system and thus to make a choice between the two formulae. Meanwhile, however, let us consider what might be the advantages of the second formula, that of unification.

Just as there is a country of Rwanda and a country of Burundi, there is a National Army of Burundi and a National Guard of Rwanda, i.e., a force dedicated to the service of the Burundi nation and another force dedicated to the service of the Rwanda nation, which forces can co-operate on the basis of a military agreement between their respective countries. To merge the two forces into an army of Ruanda-Urundi, however, would destroy these two spiritual entities and establish an impersonal armed force dedicated neither to the service of Rwanda nor to that of Burundi.

IV. EXTERNAL SECURITY

(1) Security is never ensured by the elimination of frontiers; it is ensured by frontiers being guarded, even if there is a military agreement.

(2) Two forces maintain internal security within each country. Two central reserves are ready to take effective action, each within its own country.

Their being merged into a strong combined force would not increase their effectiveness, since the distances involved would be greater. This delegation would like to know how, from the military point of view, a reduced force would have the same effectiveness.

(3) The Rwandese delegation does not see what financial advantage would be gained by combining the training personnel and equipment.

If one instructor is needed to train twenty soldiers, two instructors are required to train forty or else a single instructor will take twice as long to train them. In neither case does the Rwandese delegation see what financial advantage would be gained.

The Rwandese delegation points out that the expenditure at the level of 142,841,000 francs represents the regular and extraordinary budget expenses for a two-year, not a one-year, period.

The Rwandese delegation is glad to learn from the Commission that, on their withdrawal, the Belgian military forces would place their equipment at the disposal of our National Guard. It would be glad if the Commission could inform it whether it has had any contacts with Belgium on this subject. We should also like the Commission to give us some informa-

tion concerning the amount of equipment involved and the procedure for its take-over.

Furthermore, without prejudice to any eventual political union, the military experts should give us an accurate idea of the cost of maintaining, in Rwanda and Burundi respectively, a well-trained national guard or national army which would be capable of performing its function of maintaining order and would have the essential minimum of equipment necessary to perform that function.

18. Having read and studied the text of the statement submitted by Inspector Dubé (annex IX), we should have liked the police expert to answer the following questions:

(1) Is the present police force sufficient to maintain order? There are at present 600 men for 3 million inhabitants scattered over a vast area. If the present force is not sufficient, what number does he consider necessary?

(2) What type and amount of equipment does he consider necessary for the force to perform its role?

(3) What type of training should the police force be given, bearing in mind the situation in the country?

(4) What are the different ways in which the police force might be organized and which system would be best suited for our own police?

(5) What prospect is there of replacing the present foreign cadres by local personnel in the near future?

(6) What type and amount of assistance can the United Nations provide for the training, as rapidly as possible, of national experts to staff specialized services?

(7) We should like detailed figures of the cost of establishing what he would regard as an ideal rural police force which would meet the local requirements.

With regard to the unification of the police forces of the two countries, the Rwandese delegation sees no need for it if the police force in each country is organized and set up in such a manner as to meet the local requirements.

Apart from the undesirability of a sham puppet central Government of an entirely new type, for which there is no need, we cannot even contemplate the idea of a police headquarters whose sole characteristic would be its impersonality and its lack of a sense of responsibility. The delegation of the Rwandese Republic challenges the statement in this document that it might even be possible to re-establish co-operation with the police forces of neighbouring countries, though such co-operation is now withheld from the present small police units. This statement does not reflect the actual facts of the present situation.

V. CO-OPERATION BETWEEN THE POLICE FORCES OF THE TWO COUNTRIES

19. Recognizing the responsibilities of the two countries in the prevention of crime and convinced that there must be close links between our two countries which history has made brothers, the delegation of the Rwandese Republic assures Burundi that it will give that country all the co-operation it may seek in its efforts to suppress crime and trusts that such assistance will be reciprocated.

The same offer applies to all the other adjacent countries.

In concluding this statement I wish to emphasize the following points once again on behalf of my Government's delegation:

(a) The Rwandese Republic is ready to establish the closest form of union with its brother nation of Burundi.

(b) Rwanda is working towards that end by specifying and agreeing to the five organs to be set up and maintained jointly in the manner we have indicated.

(c) We should like to learn the views of our brother nation of Burundi and to receive the practical technical information necessary for the establishment of joint organization of the five organs under a system comprising two independent States.

(d) If these organs are set up in the manner we have indicated, they will, in our view, constitute the best, most realistic and most effective guarantee of co-operation directed towards the union of the two countries at all levels.

(e) Once they are independent, the two States will be in a better position objectively to seek formulae for a political union, not only between themselves but also with neighbouring States having as strong fraternal ties with each one of us as we have with each other.

(f) Agreement in principle between the two delegations having been reached at this Conference, the Commission should allow us to go home and attend to our work.

The Rwandese delegation welcomes any specific, and above all realistic, proposals for the more effective establishment, on a truly decolonized basis, of the five organs for economic, financial, technical and scientific co-operation, which will constitute a guarantee of political co-operation between the two States from the very first months of our independence.

The whole world, and the African people in particular, are aware that there are problems which cannot be properly solved until independence is achieved.

ANNEX XI

Statement made on 12 April 1962 at the Addis Ababa Conference by Mr. André Muhirwa, Prime Minister of the Kingdom of Burundi

The delegation of Burundi is grateful to the United Nations, which since 1947 has given special and careful study to the future of Rwanda and Burundi.

With the dawn of this new era in our countries, new perspectives, new horizons were opened, and the minds of their inhabitants thereupon entered on the true road to Africa's future.

At the time, few of us knew what Africa was, to say nothing of other continents.

The African in our regions had the most rudimentary notions of general geography, which did not amount to real knowledge. Fortunately, a powerful organ intervened to lift the veil from the eyes, indeed from the very heart of him who today has the honour of collaborating with the United Nations Commission for Ruanda-Urundi.

In 1947, the Africans of this Trust Territory first had the good fortune to be able to express their grievances to the members of United Nations Visiting Missions, and we can say without fear of error that since then many indigenous inhabitants have undoubtedly taken the path of struggle against the common enemy of Africa—"colonialism".

The archives of the United Nations contain documents from the first political leaders of that time, documents which offer sufficient testimony of the fate that awaited those adventurous souls who at the risk and peril of their position and even of their life dared to think in terms of the liberation of the peoples of Rwanda and Burundi.

Some of them were imprisoned, others chose the road of exile in order to escape extermination.

The year 1958, and more particularly 1959, saw the emergence of resolute leaders with the intellectual equipment necessary to enable them to express themselves and to discuss the problems of the future of their country, but lacking the material resources needed to overcome the forces which they had to confront. Nevertheless, in spite of this lack of resources and of freedom, they succeeded, thanks to their tenacious will and their dynamic action, in taking a decisive step forward, and the first political parties were born in direct opposition to the colonial Power's firm intention to stamp them out.

It need hardly be said that it is impossible for us to compare these parties in terms of ideology, structure and operation alone, for some of them, while having a programme apparently similar to that of other parties, have proved in the application of their professed principles and the objectives they pursued to be diametrically opposed to the liberation movements launched by the nationalist parties; in particular, the *Unité et progrès* national party (UPRONA), in Burundi, was a constant target for the activities of these pro-colonialist parties organized in the *Front commun*.

In the period between the communal elections of November 1960 and the legislative elections of September 1961, the United Nations Commission for Ruanda-Urundi, I venture to believe, realized what was the true attitude of the Administering Authority vis-à-vis the two different tendencies, first as regards freedom of opinion and secondly as regards freedom of action.

It was also found that some small parties in Burundi preferred to merge with UPRONA, in order to avoid losing face in the eyes of the people, their objectives being in no way different from those of the nationalist party.

After the Ostend talks of January 1961, followed by the formation of the provisional Government resulting from the illegal elections of 29 January 1961, the leaders of UPRONA plucked up their courage, and the Burundi people discreetly but sincerely showed them that they had its confidence.

At the fifteenth session of the United Nations General Assembly, the representative of UPRONA, speaking in the Fourth Committee, did not hesitate to say that as soon as the legislative elections were over and the people had chosen their true representatives, negotiations could be opened concerning some form of unity between Rwanda and Burundi.

However, during that session, in April 1961, when the work of the General Assembly was proceeding in an atmosphere very favourable to the future of our two countries, a campaign was launched by the *Front commun* parties and the Administering Authority to discredit UPRONA, by means of leaflets and notices posted in public places, and through the local press organ known as *Information de la Résidence du Burundi*. This campaign made use of a single slogan: "Unity is harmful, and those who have proposed it are lunatics and enemies of the people".

This is confirmed in other terms by a 1960 report of the Trusteeship Council in which the Administering Authority clearly stated that it had never attempted to unify the Territory because it was afraid of causing disputes between the two countries, and that actually there existed between these countries particularly deep differences, which were not sufficiently appreciated.

We can affirm at the present time that the campaign carried on from 1960 to September 1961 by the opponents of UPRONA has created an attitude in the minds of the people which is not easy to change; and to venture on a contrary campaign would be a rash step which might well meet with popular disapproval. This is a psychological factor to be considered.

Again, the fact must also be taken into account that a special situation has developed in Rwanda since the revolution of November 1959. This situation has had a psychological effect on Burundi as a result of the exodus of refugees, who are to be found in all parts of the country. It goes without saying that this is a factor which certainly does not operate in favour of the unity of Rwanda and Burundi.

However, as the United Nations Commission for Ruanda-Urundi is concerned *inter alia* with the question of the resettlement of the refugees in their country of origin (operative paragraph 3 (b) of General Assembly resolution 1743 (XVI)) and since the Government of Rwanda is in favour of that policy, we are convinced that within a few days our brothers from Rwanda living in exile will be able to return to their beloved country, where they will be welcomed by their fellow countrymen with open arms.

In accordance with operative paragraph 3 of resolution 1743 (XVI) and more particularly sub-paragraph (e) thereof, and in the light of the decision of the Government of Burundi taken on 11 March 1962 (see annex XXXIV), it should prove possible to settle the question of the withdrawal of Belgian military and paramilitary forces in the Territory of Ruanda-Urundi at this Conference at Addis Ababa.

Various arguments have been put forward regarding the basic problem of the independence, and hence the economic and political future, of Ruanda-Urundi.

It is the sacred and imperative duty of the Government of Burundi to defend faithfully the inmost aspirations and the higher interests of the people of Burundi it represents.

The Government of Burundi is convinced that it is necessary to follow the stream of history, and that the modern world demands a community of the peoples and the progressive development of ever larger communities. It is even more convinced of the need for a new Africa, a unified Africa, and is dedicated to its achievement.

The Government of Burundi is also aware that there is a pattern of historical and cultural, political and economic factors and tendencies which constitute not only the form but also the substance of the countries of Rwanda and Burundi.

The Government of Burundi bears in mind operative paragraph 4 of General Assembly resolution 1743 (XVI), which calls for a meeting of the representatives of the Governments of Rwanda and Burundi "with a view to finding a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union", and which assigned to the United Nations Commission the role of endeavouring "to reconcile the points of view of the two Governments and to put forward such... proposals as would lead to the achievement of the aforementioned objectives".

Accordingly, the Government of Burundi, to which the above imperatives and considerations are a matter both of knowledge and of conscience, wishes to pay tribute to all who helped to produce operative paragraph 4 of resolution 1743 (XVI) and to thank them warmly for the wisdom they showed in leaving it to the qualified representatives of the peoples concerned to find a mutually acceptable formula for union and co-operation.

It declares that, in its desire to express and faithfully defend the inmost aspirations and the interests of the people of Burundi, it will seek a formula of sincere and profound co-operation between the peoples of Rwanda and Burundi which shall serve to safeguard the respective freedoms, rights and sovereignties of the two peoples as well as their progress in the modern world.

It wishes to build a system of co-operation that shall be sound, dynamic, progressive and a spur to development, a system whose forms and structures shall be efficient and shall not carry the germs of its own destruction.

In any case, the Government of Burundi is directing its attention to the factors and the areas which can contribute, under existing conditions, to economic development and social progress. It therefore seeks co-operation between the countries of Burundi and Rwanda in order to maintain, or better still to strengthen, their economic, commercial, financial and technical position.

The Government of Burundi considers that for the stabilization of its economy the new structures and organs—whether joint or separate—should be established for a trial period of one month before independence.

For example, agreements might be sought on such economic questions as freedom of movement of persons, goods and capital; internal trade; credit; price control; and a public investment policy designed to avoid duplication and excessive costs.

In the matter of currency, a monetary union might be negotiated.

In the matter of customs and taxes, agreements could be signed on administrative organization legislation, and the determination, collection and distribution of taxes and duties.

In technical and scientific matters, agreements could be negotiated, for example, on air transport, meteorology, electric power, hydrology, and scientific research.

Thus, success in organizing economic and social co-operation would not prejudice the political status of the two countries, while promising them a future of constantly increasing integration. It would guarantee their legitimate respective interests, their economic development and their social progress within a framework of co-operation between the two peoples. It would ensure the progress necessary in the modern world by associating the energies of the two peoples, and would thereby open a sure path to more extensive integration and association in a new and unified Africa.

The institutions and bodies which would have to administer any such agreements should be installed during the month of May. They should begin their operations on 1 June.

In those spheres in which it has not proved possible to negotiate agreements before 30 April 1962, separate institutions will have to be set up in Burundi during the month of May, and should begin operations on 1 June.

The Burundi delegation wishes to emphasize that the Burundi people are impatiently awaiting the final and solemn proclamation of the date of independence, and asks this United Nations Commission to voice their feelings to the General Assembly at the resumed sixteenth session, so that 1 July 1962 may be maintained as the date of Burundi's independence.

ANNEX XII

Report by the delegation of Rwanda on the meeting between the delegations of Rwanda and Burundi held at Addis Ababa on 13 April 1962

As arranged, the delegations of Rwanda and Burundi met after the suspension of the afternoon meeting of 13 April 1962 with a view to defining their positions regarding the question of political union mentioned in operative paragraph 4 of General Assembly resolution 1743 (XVI).

Various aspects of the question were discussed.

All those present were questioned with a view to ascertaining whether there was anyone who, even as a matter of private opinion, advocated the political union of Ruanda-Urundi, and what were his ideas of the form and procedure to be utilized in the present circumstances to achieve such political unification.

No one could be found to support that idea.

Since, nevertheless, there was a general desire to meet the wishes of the United Nations, most though not all of the participants exchanged views regarding various formulae of political union taken from ancient and modern history, comparing them with the facts of the past, the present and the immediate future of the two countries, but none appeared to be capable of realization in the near future.

There was a return to the original view that it was a waste of time to argue about formulae of political union which appeared to both delegations to be impracticable at the present time.

The participants as a whole even suggested that the present impossibility of realizing political union applied equally to foreign affairs and defence.

It was, however, understood that if necessary inter-State agreements might be concluded between the two sovereign States.

Finally it was decided that each delegation should submit to the United Nations Commission a note setting forth the decisions reached at this meeting of the two delegations.

ANNEX XIII

Note dated 14 April 1962 from the Government of Burundi

POSITION OF THE GOVERNMENT OF BURUNDI WITH REGARD TO OPERATIVE PARAGRAPH 4 OF GENERAL ASSEMBLY RESOLUTION 1743 (XVI), WITH SPECIAL REFERENCE TO THE POLITICAL UNION OF RWANDA AND BURUNDI.

The aim of the Addis Ababa Conference is to find "a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union".

The terms of operative paragraph 4 of General Assembly resolution 1743 (XVI) could not show more respect for the wishes of the people or be more in accordance with the aspirations of the Government of Burundi, formed by UPRONA, the nationalist party, which has constantly proclaimed its sincere desire to promote African unity and to participate in that unity.

Burundi will shortly achieve sovereignty at the international level and its Government hopes to be able to realize its eager desire as soon as possible.

In the present circumstances, the Government of Burundi, which is legally represented here by its delegation, declares that it accepts any form of co-operation with the Republic of

Rwanda as long as the formulae to be agreed upon scrupulously respect the individuality and sovereignty of Burundi.

We feel that we must define our position clearly in the statement below, in the interests both of maintaining public order and tranquillity in Burundi, and of concluding forms of union between Rwanda and Burundi which are likely to last beyond 1 July 1962:

(1) Burundi means to attain independence as a sovereign State. Hence it does not contemplate a federal union with Rwanda.

(2) It does not contemplate a confederacy with Rwanda either, and therefore rejects the idea of a union in the fields of defence and external relations.

The position of the Government of Burundi is based *inter alia*, on the following:

1. *Historical facts:* Since time immemorial, Rwanda and Burundi have been two separate countries, each jealous of its own integrity.

The spirit of conquest kept these two countries in a continual state of war.

To this day, the Munyarwanda still considers himself exclusively Munyarwanda and the Murundi considers himself exclusively Murundi.

The frontier between the two countries is jealously guarded.

Recent events, which are too well known to need to be recalled here, testify to all this.

2. *The colonial past:* The colonial Power did not administer Ruanda-Urundi as a political unit.

Having conquered Rwanda and Burundi, it administered them indirectly, in order to serve its imperialist aims.

The colonial Power merely kept the two countries in juxtaposition, which encouraged rivalry rather than union.

3. The recent political evolution of the two countries has been in diametrically opposite directions, democratization having progressed in one of them by revolutionary methods and in the other by peaceful methods.

The result has been a mutual hostility which leaves no room for any hope of political union in the immediate future.

Furthermore, the presence of refugees from Rwanda all over Burundi cannot but provide a further argument against political union.

The choice of different constitutional régimes has simply created a gap between the two countries which from the political point of view it is impossible to fill.

4. Any formula for hasty political union which disregards what has been said above would bear in itself the seeds of its own destruction.

5. It goes without saying that the country of Rwanda was not in favour of political unity and there is therefore no will for a "collective" existence.

The Government of Burundi is, however, strongly in favour of co-operation with Rwanda in economic, customs, fiscal, monetary and technical matters.

For the delegation of Burundi
(Signed) André MUHIRWA
Prime Minister of Burundi

ANNEX XIV

Statement dated 13 April 1962 by the Rwandese delegation

The Rwandese delegation,

Considering the past and the present of our two countries;

Considering that, before colonization, Rwanda and Burundi were clearly two distinct and separately established countries;

Considering that in German East Africa, Rwanda constituted one *circumscription* and Burundi another;

Considering that under the Belgian occupation the two units were treated as two separate entities;

Considering that the United Nations Trusteeship System was modelled on the Belgian colonial structure and continued to apply the same methods;

Considering that the general elections held last September were conducted under the supervision of two United Nations Commissioners;

Considering the statement of the Burundi delegation contained in document UNCRU/17 (annex XI), and in particular the following passages:

(a) "However, during that session, in April 1961, when the work of the General Assembly was proceeding in an atmosphere very favourable to the future of our two countries, a campaign was launched by the Front commun parties and the Administering Authority to discredit UPRONA, by means of leaflets and notices posted in public places, and through the local press organ known as *Information de la Résidence du Burundi*. This campaign made use of a single slogan: 'Unity is harmful, and those who have proposed it are lunatics and enemies of the people.'"

(b) "This is confirmed in other terms by a 1960 report of the Trusteeship Council in which the Administering Authority clearly stated that it had never attempted to unify the Territory because it was afraid of causing disputes between the two countries, and that actually there existed between these countries particularly deep differences, which were not sufficiently appreciated."

(c) "We can affirm at the present time that the campaign carried on from 1960 to September 1961 by the opponents of UPRONA has created an attitude in the minds of the people which is not easy to change; and to venture on a contrary campaign would be a rash step which might well meet with popular disapproval. This is a psychological factor to be considered."

Considering the following position taken by the Legislative Assembly of the Rwandese Republic at its plenary meeting on 23 March 1962:

"Notes with satisfaction and confirms the positions taken by the representatives of the Rwandese Republic and the State of Burundi in regard to the political unity of Ruanda-Urundi.

"Reaffirms its unequivocal desire for co-operation with Burundi on a realistic basis";

Considering the position taken by the Burundi Government in the Fourth Committee:

"The Government of Burundi wishes to explain its point of view on the question of the union of the Territories of Rwanda and Burundi on the eve of independence. Before considering the union of these two countries, we must glance at the history of these regions before and during the period of trusteeship. It is beyond dispute that Rwanda and Burundi are two distinct countries, although they share some features.

"If the two regions have developed in harmony but without union for more than forty years, it is hardly likely that in January 1962 a union emerging from speeches could materialize. However, optimism is permissible, especially when the future of mankind is being considered, and the representatives of Rwanda and Burundi are not indifferent to this rule. Nor can we deny that they may be inclined to negotiate about union when they have become independent. As things stand now, any steps taken to impose union may in themselves seriously obstruct it.

"With all the due respect which my delegation has for its Rwandese colleagues, although we deplore the situation which is a source of constant worry to some of us, I wish to assert that the Burundi people has friendly feelings for its neighbour, and that as soon as the situation becomes normal again, it is prepared to negotiate freely in order to agree on a system of union".

That position was confirmed in several cables from the Government of Burundi and the UPRONA party.

* Official Records of the General Assembly, Sixteenth Session, Fourth Committee, 1265th meeting.

Considering the subsequent position taken by the observers of the Government of the Rwandese Republic;

Considering that no new factor has so far emerged to change these two positions;

Considering that a colonial structure which has not responded to the wishes of the two countries cannot be used as a basis for further construction;

Considering the desire of the United Nations to take account of the higher interests of the peoples;

Considering the concern of the representatives of the Rwandese people to attain true independence in the best possible circumstances;

Considering that the first step must be in conformity with the example set by our brother Africans, who have preferred in the first instance to regain their political independence in order to be in a better position to co-operate with each other effectively as sovereign States on a footing of equality;

Considering the respect due to the distinctive character of each people;

Aware of our duties as legally and solemnly elected representatives of our people;

Considering the natural right of peoples to self-determination, a principle which has, moreover, been confirmed by resolution 1514 (XV) of the United Nations General Assembly itself, and in particular in the following paragraphs:

"Conscious of the need for the creation of conditions of stability and well-being and peaceful and friendly relations based on respect for the principles of equal rights and self-determination of all peoples, and of universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

"...

"Considering the important role of the United Nations in assisting the movement for independence in Trust and Non-Self-Governing Territories,

"Recognizing that the peoples of the world ardently desire the end of colonialism in all its manifestations,

"Convinced that the continued existence of colonialism prevents the development of international economic co-operation, impedes the social cultural and economic development of dependent peoples and militates against the United Nations ideal of universal peace,

"...

"Declares that:

"...

"2. All peoples have the right to self-determination; by virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development"

"3. Inadequacy of political, economic, social or educational preparedness should never serve as a pretext for delaying independence.

"...

"5. Immediate steps shall be taken, in Trust and Non-Self-Governing Territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations, in accordance with their freely expressed will and desire, without any distinction as to race, creed or colour, in order to enable them to enjoy complete independence and freedom."

Declares:

That a political union between Rwanda and Burundi is impossible in the present circumstances;

That agreements for political co-operation between sovereign States will be negotiated wherever necessary;

That political co-operation must not be confused with economic co-operation, for which purpose the Rwandese delegation supports the five bodies for economic, financial and technical co-

operation and is continuing the negotiations on the procedures for their joint operation.

For the delegation of the Rwandese Republic

(Signed) Grégoire KAYIBANDA
President of the Republic

ANNEX XV

Preliminary general draft of a federal constitution for the United States of Rwanda-Burundi, submitted by the Commission

I. The Government of the Republic of Rwanda and the Government of the Kingdom of Burundi hereby decide to establish a Federal State which shall constitute an entity for purposes of the economy, defence and external relations, without prejudice to the internal sovereignty of Rwanda and of Burundi.

II. The name of this Federal State shall be "the United States of Rwanda-Burundi".

III. The United States of Rwanda-Burundi shall remain open to such other States or territories as may desire association with the Federation, subject to the unanimous consent of the States already members.

IV. Each member State retains its freedom to determine its constitutional form, including the appointment of its Chief of State.

V. The competence of the federal organs mentioned hereunder shall extend only to the matters enumerated in this Constitution and those referred to in the Protocol of Agreement.

FEDERAL ORGAN

VI. Common interests under federal jurisdiction shall be administered by a Federal Council, which is hereby established and which shall be composed as provided hereunder.

VII. Each member State shall designate nine representatives of whom three shall be members of the Government and six shall be members of Parliament.

VIII. This Federal Council shall be presided over by one of its members chosen alternately from among the nationals of either State. The president of this Council shall bear the title of Chancellor. His term of office shall be one year.

IX. Pursuant to article I of this Constitution, the competence of the Federal Council shall extend to matters of common concern to the member States in the following fields: the economy, defence and external relations. The Protocol of Agreement shall contain a limitative list of the matters under federal jurisdiction and shall specify the extent of the said jurisdiction. It shall further specify the procedure to be applied.

X. In order to perform its functions, the Federal Council shall establish three Commissions for its three main spheres of competence.

XI. Each Commission shall be established on the basis of parity. It shall be presided over by one of its members elected for one year under the same conditions as the Chancellor.

XII. The Chancellor and the Chairmen of the three Commissions shall constitute a Committee on which the two States shall be equally represented and which shall be presided over by the Chancellor, to give effect to the decisions of the Federal Council.

XIII. The members of the Federal Council shall vote as groups in the Council, the Commissions and the Committee. The decisions of the federal organs shall be unanimous, subject to the right to abstain.

XIV. The Federal Council shall draw up, adopt and, if necessary, amend its own rules of procedure and those of its subsidiary organs.

XV. The Federal Council may, if it deems this necessary, decide to establish a secretariat and any other organ which it considers useful for the performance of its functions. It may likewise decide to adopt a Federal Flag.

XVI. The expenses incurred in giving effect to this Constitution shall be borne equally by the member States.

XVII. No amendment to this Constitution shall be deemed adopted until it has been proposed by the Federal Council and ratified by the Governments of the member States.

ANNEX XVI

Agreement on Economic Union between the Governments of Rwanda and Burundi, signed at Addis Ababa, on 19 April 1962

1. During the Conference organized by the United Nations Commission for Ruanda-Urundi and held at Addis Ababa, Ethiopia, from 9 to 19 April 1962, the Governments of Rwanda and Burundi, represented by the President of the Rwandese Republic and the Prime Minister of the Kingdom of Burundi respectively, have concluded the following Agreement on Economic Union between Rwanda and Burundi.

MONETARY AND BANKING MATTERS

2. The Government of Rwanda and the Government of Burundi agree to maintain the Monetary Union after the attainment of their independence. This Union shall be administered by a common central banking institution: namely, the existing Bank of Issue of Rwanda and Burundi, situated at Usumbura. For this purpose the two Governments declare that they are in agreement on the following points.

3. The Bank of Issue shall continue to perform its functions in accordance with its existing statute and regulations, subject to such amendments as may be made thereto by agreement between the two Governments.

The Bank of Issue shall perform, *inter alia*, the following functions:

(a) It shall have the exclusive right to issue and administer the common currency of the Monetary Union;

(b) It shall serve as Treasury for each of the two Governments;

(c) It shall organize the exchange service and foreign-exchange control;

(d) It shall administer the import licensing system;

(e) It shall be empowered to submit to the two Governments, at their request, advice or opinions on financial and monetary matters and with reference to the supervision of private banks;

(f) It shall be authorized to make short-term advances to each of the two Governments or to both Governments jointly. Such obligations shall be underwritten by the recipient Government or, where appropriate, by the two Governments jointly. Pending further instructions, the ceiling or permissible advances by the Bank to the two Governments shall be kept at 500 million Rwanda-Burundi francs, or a maximum of 250 million Rwanda-Burundi francs to each Government.

5. With regard to the administrative organs of the Bank of Issue, agreement has been reached on the following provisions:

(a) *Board of Directors:* The Board of Directors shall, as before, be composed of three members. Each Government shall appoint one Director and the two Governments shall jointly appoint the President of the Bank. The present Directors of the Bank shall remain in office until the Governments have appointed their successors.

(b) *Board of Governors:* The Board of Governors shall, as before, be composed of the members of the Board of Directors and six other members, three of whom shall be appointed by each Government. The present Board of Governors shall remain in office until the two Governments have appointed their new representatives.

(c) *The Commissioner (Auditor)* shall be appointed by agreement between the two Governments. He shall have two Deputies, one of whom shall be appointed by the Government of Rwanda and the other by the Government of Burundi. He shall not be a national of the same country as the President of the Board of Directors. The present Commissioner shall remain in office until the two Governments have appointed his successor.

6. The Bank of Issue shall maintain its head office at Usumbura but shall establish a branch at Kigali as soon as

possible. The Kigali branch shall be empowered, by delegation from and under the responsibility of the head office, to perform all day-to-day functions provided for in the statute of the Bank.

7. It is agreed that the essential purpose of the Bank of Issue shall be to give effect to the monetary and banking aspects of the economic, financial and commercial policy of the two countries.

8. The two Governments shall, before 30 May 1962, appoint the members of a technical committee, on which the two Governments are equally represented, to study the principles which should govern the allocation of foreign exchange and import licences. The technical committee's recommendations shall be submitted to the two Governments for approval with a view to application after independence.

9. The existing departments of economic affairs and statistics shall be transferred to the Bank of Issue.

CUSTOMS MATTERS

10. The two Governments agree to maintain the Customs Union between their two countries after independence. For this purpose, they hereby decide to establish a joint Customs Office to administer customs services for the two countries.

11. Rwanda and Burundi shall maintain a common tariff on imports from third countries; this tariff shall be applied at all ports of entry into the two countries. Goods and merchandise crossing the border between the two countries shall not be subject to any customs duty or to any other taxes or restrictions, subject to the provisions of paragraph 4 (c), unless the two Governments agree to impose an excise duty or a consumption tax on particular products.

12. All customs revenue shall be collected by the Customs Office, which shall deduct the cost of collection and divide the balance between the two Governments monthly. A monthly statement of customs revenue shall be prepared for the two Governments.

13. Pending the outcome of the study to be made by the technical committee referred to in paragraph 14, the two Governments agree that the net balance of customs revenue shall be divided in the proportion of 40 per cent for Rwanda and 40 per cent for Burundi, the remainder being paid into a blocked account.

14. A technical committee, half of whose members shall be appointed by each of the two Governments before 30 May 1962, shall be established to study the following points:

(a) The state of customs relations with the Congo;

(b) The principles which should govern the division of customs revenue between the two countries;

(c) The possibilities available to the two Governments for the imposition of consumption taxes and excise duties on imported articles in addition to customs duties;

(d) Possible revision of customs tariffs if such a step should prove necessary.

15. The technical committee shall submit its recommendations to the two Governments not later than six months after its establishment.

16. It is agreed that the two Governments will by common consent approach the Belgian Government with a view to obtaining a financial statement on the collection of customs duties by the Colonial Customs Office at Antwerp on behalf of Rwanda and Burundi, and to negotiating a final decision on the rights and interests of the two Governments in the said Office before independence.

FISCAL MATTERS

17. The Governments of Rwanda and Burundi agree to establish a joint service for the administration of taxes on the income of commercial companies and individual enterprises operating in both countries, and on professional income and salaries derived from activities carried on in both countries. Such taxes shall be levied at the same rates and in accordance with the same regulations in both countries.

18. The revenue from the above-mentioned taxes shall be divided, after deduction of the cost of collection, according to a formula to be determined on the basis of a study prepared by the technical committee referred to in paragraph 20. In the interim, the two Governments agree to divide the net balance of such revenue in the proportion of 35 per cent for Rwanda and 35 per cent for Burundi, the balance of 30 per cent being paid into a blocked account.

19. The Governments of Rwanda and Burundi shall request the Belgian Government to cease collecting on their behalf, not later than the date of independence, taxes on the income of companies doing business in Rwanda or Burundi but having their head offices in Belgium.

20. Each of the two Governments shall appoint, before 30 May 1962, half the members of a technical committee to study, *inter alia*, the following questions:

(a) The division of Fiscal Union revenue between the two countries;

(b) The provisions necessary to prevent double taxation; and

(c) Problems relating to company law and to the possible extension by each of the two countries to the companies of the other country, on a basis of reciprocity, of the treatment accorded to its own companies.

21. This technical committee shall submit its recommendations to the two Governments not later than six months after its establishment.

TECHNICAL SERVICES

22. Each of the two Governments shall appoint, before 30 May 1962, half the members of a technical committee to study the respective advantages and disadvantages of both the joint management and the decentralization of the following services: (a) telecommunications; (b) meteorology; (c) aeronautics; (d) water and electric power supplies (REGIDESO).

23. This technical committee shall submit its recommendations to the two Governments not later than six months after its establishment.

PARASTATAL ORGANIZATIONS

24. The two Governments agree to maintain jointly the Office des cafés indigènes du Ruanda-Urundi (OCIRU). While affirming their desire to maintain jointly INEAC and IRSAC, the two Governments ask the Chairman of the United Nations Commission for Ruanda-Urundi to request from the Belgian Government a statement of its intentions with regard to the future of these two Organizations.

25. The above-mentioned organizations shall continue to function in accordance with their existing statutes and regulations pending study by a technical committee, half of whose members shall be appointed by each of the two Governments before 30 May 1962. These committees shall submit their recommendations to the Governments not later than six months after their establishment.

ADMINISTRATION AND FINANCING OF COMMON SERVICES

26. The two Governments shall appoint a joint Civil Service Commission, on which both Governments shall be equally represented, to study the administrative and budgetary problems involved in operating such common services as are provided for in the preceding sections or as may subsequently be established by agreement.

27. The questions to be decided by the Commission will include the following:

(a) Problems relating to the structure and organization of common services;

(b) Principles which should govern the location of the various offices;

(c) Principles for the distribution of posts in the common services among nationals of the two countries;

(d) Regulations for the personnel of common services; and
(e) Principles for the financing of common services.

COUNCIL OF THE ECONOMIC UNION OF RWANDA AND BURUNDI

28. The Government of Rwanda and the Government of Burundi agree to establish a Council of the Economic Union of Rwanda and Burundi, hereinafter called "the Council".

29. The Council shall be composed of four Ministers from each Government, or their representatives.

30. The Council may, if it sees fit, invite representatives of the common services or private individuals to take part in its proceedings.

31. The Council shall meet quarterly, alternately in Rwanda and in Burundi. The first session of the Council shall take place during the first month after independence. At the request of either Government or at the joint request of both Governments, the Council shall hold special meetings.

32. The Council shall elect a Chairman for a term of one year. The President of the Bank of Issue of Rwanda and Burundi shall act as the Secretary-General of the Council.

33. The Council shall perform, *inter alia*, the following functions:

(a) It shall assist the two Governments in co-ordinating the main lines of their economic, financial and trade policy;

(b) It shall ensure the implementation of joint decisions taken by the two Governments with regard to common services and the supervision of the execution of those decisions;

(c) It shall maintain liaison between the two Governments and the common services.

34. At the beginning of each regular session the Secretary-General shall present a brief report on the most important developments of the past quarter in the various spheres of economic co-operation. At the first session of each year the Secretary-General shall present a detailed annual report on the work of the common services over the past year.

35. At the request of the Council, the Secretary-General shall study problems of economic development which affect both countries.

FINAL PROVISION

36. The two Governments ask the Chairman of the United Nations Commission for Ruanda-Urundi kindly to transmit a copy of this Agreement to the Administering Authority, and to request it to give this Agreement all due consideration.

Done at Addis Ababa on 19 April 1962.

For the Government of
the Rwandese Republic

Grégoire KAYIBANDA
President of the Republic

Otto RUSINGIZANDEKWE
Minister for Foreign Affairs

For the Government of the
Kingdom of Burundi

André MUHERWA
Prime Minister

Pierre NGENDANDUMWE
*Deputy Prime Minister and
Minister of Finance*

Angie BROOKS

*Chairman, United Nations Commission for
Ruanda-Urundi*

ANNEX XVII

Report of the Economic Committee

1. The Economic Committee appointed by the Conference organized by the United Nations Commission for Ruanda-Urundi at its meeting on 16 April 1962 held four working meetings from 16 to 18 April 1962, under the chairmanship of Mr. Gassou.

2. The membership of the Committee was as follows:

Representatives of the Commission:

Mr. Gassou, Chairman

Mr. Rahnema, Rapporteur

Representatives of Rwanda:

Mr. Cyimana, Mr. Habimenshi.

Representatives of Burundi:

Mr. Muhirwa, Mr. Ngendandumwe, Mr. Ntiruhwama.

Experts:

Mr. Nasr, Mr. Janssens.

3. In the course of the Committee's session, the representatives of the Governments of Rwanda and Burundi agreed as follows:

(a) To form an Economic Union in accordance with the terms of the draft agreement annexed to this report (UNCRU/34). [See annex XVI.] The Economic Union will include the following:

(i) A monetary union, which will be administered by the Bank of Issue of Rwanda and Burundi. This union will also cover the foreign exchange control and the administration of the import licensing system.

(ii) A customs union, with a joint customs office responsible for the administration of the customs services for both countries on the basis of a common tariff.

(iii) A limited fiscal union involving the establishment of a joint service for the administration of taxes on the income of commercial companies and individual enterprises operating in both countries and on professional income and salaries derived from activities carried on in both countries.

(iv) The joint maintenance of the Office des cafés indigènes du Ruanda-Urundi (OCIRU).

(v) The scientific research services (INEAC and IRSAC). The two Governments expressed the desire to maintain these services on a joint basis, but they asked the United Nations Commission for Ruanda-Urundi to request the Belgian Government to state its intentions with regard to them.

(b) To set up a parity technical committee to study the respective advantages and disadvantages of both the joint management and the decentralization of the following services:

(i) telecommunications,

(ii) meteorology,

(iii) aeronautics, and

(iv) water and electric power supplies (REGIDESO).

(c) To establish a council of the Economic Union of Rwanda and Burundi, which would be responsible, *inter alia*, for assisting the two Governments to co-ordinate the main lines of their economic, financial and trade policy; for ensuring the implementation of the joint decisions taken by the two Governments with regard to common services and the supervision of the execution of those decisions; and for maintaining liaison between the two Governments and the common services.

4. Apart from the fields on which agreement was reached between the delegations, the representatives of Burundi raised the following problems, which they consider to be of special importance in connexion with the economic and financial agreements:

(a) The matters in dispute between the Congo, Belgium and Ruanda-Urundi,

(b) The public debt, and

(c) The Savings Bank and the Pension and Disability Fund.

5. As the study of these problems would require consultation with the Administering Authority, and as, in the view of the experts, no specific recommendations could be made on them at the time in view of the lack of precise data, the Committee decided to instruct its economic and financial experts to study them after the return to Usumbura, with a view to preparing for the two Governments a plan of joint action on the matters in question.

6. Before giving its final approval to the definitive draft prepared by the Economic Committee, the Burundi delegation raised the question of the guarantees necessary for the application and observance of the economic agreement, in particular those relating to political stability, the question of foreign troops, and freedom of movement.

7. On the ground that the Committee had been asked to study only the purely technical and economic aspects of the agreement, the Chairman felt that it was not competent to study the political aspects of the guarantees, and that if the delegations concerned considered it necessary to do so, they should raise the matter at a plenary meeting.

8. As regards the question of including provisions for the possible termination of the agreement, it was felt that at the present stage it would be preferable not to include such provisions in the agreement, but that the problem could be considered later if necessary.

9. The present report was unanimously adopted by the Economic Committee on 19 April 1962.

ANNEX XVIIII

Statement by Miss Angie Brooks, Chairman of the Commission, on the occasion of the Commission's first meeting with the Chief of Government of Burundi at Usumbura on 23 March 1962

Sir,

First of all, on behalf of the Commission, I would like to greet you, and though you Mwami Mwambutsa and the people of Burundi on the occasion of our arrival in the Territory.

As you are fully aware, on 23 February 1962 the United Nations General Assembly adopted a resolution [1743 (XVI)] in which it established a Commission for Ruanda-Urundi and requested that Commission to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering Authority and the national authorities, of the objectives set out in paragraph 3 of the same document.

I have had the privilege of being elected Chairman of the Commission, and it is a great honour for me to address you on its behalf.

On first thought I would say that our mission is a difficult one; but on reflection I can say it is not as difficult as it seems, for the Commission feels that the main effort towards carrying out the Assembly's resolution must be made by the Governments of Rwanda and Burundi themselves. Our mission is one of good offices and mediation, and in that regard we will do our best to give you our fullest co-operation in your endeavours to reach the desired goal.

We approach our task with good will and with optimism: with good will, for our aim is to help you embark on your new life; and with optimism because the ultimate aim of our mission, for us who are the emissaries of all the nations of the world, is to help the people of Burundi.

First, the Commission wishes to know the details of the present position regarding the transfer of powers of internal autonomy from the Administering Authority to the Government of Burundi.

Next, what is the situation with respect to the various political factions in the Territory—are they reconciled?

And is the exercise of human rights and fundamental freedoms guaranteed?

Lastly—though it is certainly not the least important—comes the question of convening the Addis Ababa conference. We trust that you have already been informed by the Administering Authority that this conference is scheduled to be convened on 5 April. As you remember, the conference is referred to in paragraph 4 of the General Assembly resolution, and its purpose is to find a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union between Rwanda and Burundi.

As you know, the question of the union of the two countries was the main subject of all the statements which were made during the debates in the Fourth Committee. The advantages to be derived from such union from the economic, financial, administrative and technical assistance points of view were all duly stressed, and it is not for me at this juncture to impress them upon you because you are the first to be convinced of their significance. The problem, as we see it, is merely to find the most suitable formula for that union.

The Commission is here to help you in your efforts towards the final achievement of your independence and we hope that you will do your utmost to create the conditions and atmosphere conducive to its speedy realization.

ANNEX XIX

Statement by Miss Angie Brooks, Chairman of the Commission, on the occasion of the Commission's first meeting with the Chief of Government of Rwanda at Kigali on 24 March 1962

Sir,

First of all, on behalf of the Commission, I would like to greet you, and through you the people of Rwanda on the occasion of our arrival in the Territory.

As you are fully aware, on 23 February 1962 the United Nations General Assembly adopted a resolution [1743 (XVI)] in which it established a Commission for Ruanda-Urundi and requested that Commission to proceed immediately to the Territory with a view to ensuring the achievement, with the full co-operation of the Administering Authority and the national authorities, of the objectives set out in paragraph 3 of the same document.

I have had the privilege of being elected Chairman of the Commission, and it is a great honour for me to address you on its behalf.

On first thought I would say that our mission is a difficult one; but on reflection I can say it is not as difficult as it seems, for the Commission feels that the main effort towards carrying out the Assembly's resolution must be made by the Governments of Rwanda and Burundi themselves. Our mission is one of good offices and mediation, and in that regard we will do our best to give you our fullest co-operation in your endeavours to reach the desired goal.

We approach our task with good will and with optimism: with good will, for our aim is to help you embark on your new life; and with optimism because the ultimate aim of our mission, for us who are the emissaries of all the nations of the world, is to help the people of Rwanda.

First, the Commission wishes to know the details of the present position regarding the transfer of powers of internal autonomy from the Administering Authority to the Government of Rwanda.

Next, what is the situation with respect to the various political factions in the Territory—are they reconciled?

Also, what stage has been reached in the implementation of the Agreement of 8 February 1962 between the Government of Rwanda and the Union nationale rwandaise concluded under the auspices of the United Nations?

And is the exercise of human rights and fundamental freedoms guaranteed?

Lastly—though it is certainly not the least important—comes the question of convening the Addis Ababa conference. We trust that you have already been informed by the Administering Authority that this conference is scheduled to be convened on 5 April. As you remember, the conference is referred to in paragraph 4 of the General Assembly resolution, and its purpose is to find a mutually acceptable formula for the creation of the closest possible form of political, economic and administrative union between Rwanda and Burundi.

As you know, the question of the union of the two countries was the main subject of all the statements which were made during the debates in the Fourth Committee. The advantages to be derived from such union from the economic, financial, administrative and technical assistance points of view were all duly stressed, and it is not for me at this juncture to impress them upon you because you are the first to be convinced of their significance. The problem, as we see it, is merely to find the most suitable formula for that union.

You know that a second resolution [1744 (XVI)] concerning the question of the Mwami of Rwanda has also been adopted. For the moment I must confine myself, I think, to recalling that the resolution in question noted the United Nations Agreement concluded on 8 February 1962 between the representatives of the Government of Rwanda and of those of the opposition

party, the Union nationale rwandaise. The Commission, wishing to implement the directives contained in that resolution, would like to know the point of view of the Government of Rwanda on this subject. It is in this same spirit of conciliation and good will that the Commission hopes to be able to carry out that task also.

The Commission is here to help you in your efforts towards the final achievement of your independence and we hope that you will do your utmost to create the conditions and atmosphere conducive to its speedy realization.

ANNEX XX

Legislative Order No. 01/7 of 18 January 1962 Decentralization

IN THE NAME OF THE RESIDENT-GENERAL,
THE SECRETARY-GENERAL,

CONSIDERING the Act of 21 August 1925 concerning the Government of Ruanda-Urundi;

CONSIDERING the Interim Royal Decree of 25 January 1960 concerning the administrative structure of Ruanda-Urundi, and particularly article 15 thereof;

CONSIDERING the Act of 12 July 1960 concerning the administration of Ruanda-Urundi;

CONSIDERING the Act of 18 October 1908, and particularly article 22 thereof;

CONSIDERING Legislative Order No. 01/214 of 27 June 1961 concerning decentralization;

CONSIDERING Legislative Order No. 01/335 of 24 October 1961 supplementing Legislative Order No. 01/214 of 27 June 1961 concerning decentralization;

CONSIDERING the Decree of 31 August 1959 concerning the establishment of an agency for the development of the geographical region of Bugesera-Mayaga;

CONSIDERING Order No. 22/139 of 21 December 1951 concerning the *Groupe scolaire* at Astrida;

CONSIDERING Order No. 555/292 of 25 October 1960 establishing a school for veterinary assistants at Astrida;

CONSIDERING Order No. 41/246 of 8 July 1955 establishing regulations for hotels, made applicable in Ruanda-Urundi by Order No. 41/133 of 26 September 1955;

CONSIDERING Order No. 221/166 of 25 August 1959 establishing regulations for the closing of liquor shops, restaurants and other similar establishments;

CONSIDERING the Decree of 21 January 1950 establishing a bar association in Ruanda-Urundi;

CONSIDERING the Decree of 10 July 1920 concerning the public sale of immovable and movable property, made applicable in Ruanda-Urundi by Order No. 31/T.F. of 20 July 1936;

CONSIDERING Legislative Order No. 388/A.E. of 16 December 1942 concerning the participation of merchants in public sales;

CONSIDERING the Royal Decree of 28 July 1925 concerning the registration of non-indigenous persons, made applicable in Ruanda-Urundi by Order No. 51/JUST of 28 October 1930;

CONSIDERING Order No. 344/APAJ of 28 September 1940 concerning the registration of non-indigenous persons, made applicable in Ruanda-Urundi by Order No. 93/JUST of 4 December 1940;

CONSIDERING the Decree of 19 July 1926 concerning the emigration of indigenous persons from the territory of Ruanda-Urundi;

CONSIDERING the Decree of 22 November 1926 concerning administrative police forces, made applicable in Ruanda-Urundi by Order No. 221/262 of 17 December 1952;

CONSIDERING Order No. 21/22 of 12 February 1949 concerning the territorial police forces;

CONSIDERING Legislative Order No. 06/320 of 29 September 1961 concerning the desertion of members of the territorial police forces;

CONSIDERING the need to take urgent measures,

ORDERS :

Article 1

The matters listed in article 2 are of regional interest and may therefore be regulated by edict to the extent permitted by law and by international conventions.

Where not otherwise decreed, matters of regional interest which are at present regulated by executive act may also be regulated by the executive authority of the country.

Unless otherwise decreed or ordered, decisions in matters of regional importance which are at present within the competence of an administrative agency of the Administering Authority or of the general administration of the Territory, may be taken under delegated authority by the Minister concerned. Decisions on matters falling within the competence of district administrators may also be taken under delegated authority by prefects or provincial administrators.

Article 2

Administrative affairs :

- Public libraries
- Civil Service regulations of the country

Internal affairs :

- Political and administrative organization of the territorial divisions of the country
- Administrative police force
- Territorial police
- Preservation of beauty spots, monuments and works of art
- Registration of non-indigenous persons
- Census
- Emigration of indigenous persons
- Disaster aid
- Advances of funds to indigenous persons
- Residence in extra-tribal centres
- Vagrancy and begging
- Schools of public administration
- Regulations governing bathing places
- Banana plantations
- Official press releases

Legal affairs :

- Civil law
- Law relating to civil status
- Property and various titles of ownership
- Contracts and contractual obligations
- Notarial* (deeds drawn up by notary)
- Notarization and other fees
- Leases
- Monogamic marriage and polygamy
- Law relating to inheritance
- Marriage contracts in the case of merchants
- Trading accounts
- Cheques
- Bankruptcy
- Business security, discounts on promissory notes and pledges
- Commercial invoices
- Bills of exchange, promissory notes and protests
- Corporations
- Bodies corporate
- Co-operative societies
- Mutual societies
- Contracts of carriage
- Warrants
- Criminal law, excluding matters relating to currency, contumacy, insults and acts of violence against persons in authority, and acts prejudicial to public safety and the security of the State
- Collections within the territorial limits of each country

- State police records
- Abandoned, lost or missing property
- Standard time
- Institutions, non-profit organizations, public utility agencies and the granting of corporate status
- Cemeteries, burial, cremation and conveyance of remains
- Cinema, film production, supervision of film showings
- Right of reply
- Penal system
- Bar association

Social affairs :

- Indigenous co-operative societies

Employment :

- Articles of apprenticeship
- Employment contracts
- Work contracts of river workers
- Articles of apprenticeship, employment contracts and work contracts of river workers which are still in force shall continue to be governed by the general legislation applicable thereto, as follows :
 - (a) Fixed-term contracts until termination ;
 - (b) Other contracts until 1 April 1962.
- Disciplinary code for river navigation
- Company regulations
- Illicit payments
- Workers' family allowances
- Reimbursement of workers' family allowances
- Mutual societies
- Occupational and professional associations
- Committees and commissions on indigenous labour and social progress
- Conciliation and arbitration
- Professional unions
- Working hours
- Safety of workers
- Inspection of working conditions
- Portage
- Recruitment and orientation
- Social welfare departments

Taxes :

- Minimum personal assessment
- Personal income tax. However, the following shall continue to enjoy exemption from personal income tax :
 - (a) The Territory of Ruanda-Urundi
 - (b) Consuls and consular agents accredited to Ruanda-Urundi, provided :
 - (1) They are nationals of the State which they represent ;
 - (2) The Governments for which they act grant the same immunity to Belgian consular agents ;
 - (3) They do not engage in any activity other than their consular duties.

Articles 161 and 183 of the Decree of 20 January 1960, the rate of personal income tax and articles 99 and 100 of Legislative Order No. 332/57 of 15 February 1961 may not be amended before the fiscal year 1962.

Sales taxes on fermented beverages other than grape wine and beer within the meaning of the Decree of 5 January 1949

Sales taxes on all other articles not subject to tax under general legislation

Customs :

- Alcoholic beverages
- Industrial alcohol
- Inventory and supervision of stocks of alcoholic beverages
- Ivory

Economic affairs:

Trade:

- Local indigenous non-itinerant trade
- Non-itinerant trade tax
- Itinerant trade
- Trading permits for itinerant traders
- Policing of markets
- Trading at public markets
- Protection of consumers

Barter

Goodwill

Prices:

- Price control
- Posting of prices
- Preparation and issue of invoices

Hotels:

- Operation of hotels, restaurants, boarding houses and liquor shops

Regulations governing hotels

Regulations governing closing hours of liquor shops, restaurants and other similar establishments

Dangerous, unhealthy or noxious establishments

Inflammable liquids:

- Transport, handling and storage of inflammable liquids

Food-stuffs:

- Production, storage, consumption and sale
- Export

Vegetable products:

- Production, sale, storage and processing of agricultural produce, game and fish. However, minimum prices for the purchase of coffee from indigenous growers shall continue to be fixed by the Resident-General.

Carriage of persons in motor vehicles

Water transportation of calcium carbide

Weights and measures:

- Units of measurements
- Establishment and checking of prototypes and standards
- Checking of weights and measures and of weighing devices

Liquid gas;

- Safety precautions

Soap:

- Manufacture, sale and export of locally produced soap

Control of articles of clothing:

- Prohibition on the importation of clothing accessories made of cellulose nitrate, importation of and trade in used articles and used clothing.

Matters relating to real property:

All matters relating to land tenure including:

- Occupancy of land
- Recognition of indigenous rights
- Ownership of land
- Cession and concession of State lands
- Long-term leases and surface rights
- Registration of land
- Regulations governing mortgaging and sale of immovable property adjoining paved roads. However, any rules governing legal mortgages shall require the approval of the Resident-General
- Seizure of immovable property and sale of immovable property in the event of bankruptcy
- Public sales

Regulations governing water rights and easements in connexion therewith

Expropriation in the public interest

Authenticity of documents for which the registrar of land deeds is responsible

The countries of Burundi and Rwanda shall make available to the Resident-General, without charge, throughout the Territory, such lands as are necessary for the functioning of his administrative departments, including land for the residence of staff.

Cadastral surveying:

All matters connected with the measuring and demarcation of land and with the inspection and definition of mining areas.

Mining:

All matters connected with mining, including:

- Mining exploration
- Mining operations
- Mining licence fees
- Supervision of mines
- Petroleum exploration and development
- Protection of mines against theft
- Protection of workers in mines and quarries

Agriculture:

- Hunting
- Game committees
- Honorary game wardens
- Fishing
- Conservation of game and plants
- Game wardens and plant protection officers
- Import of coffee-shrub seedlings and seeds
- Water-hyacinth eradication
- Breeding of silkworms
- Importation of seed or other supplies for the breeding of silkworms
- Measures to prevent famine
- Soil conservation and utilization
- Conservation and preservation of forest and arborescent species
- Eradication of insects and cryptogams
- Export of plantation supplies
- Control of brush fires
- Protection of oil palms
- Afforestation, cutting and sale of lumber
- Farming instruction
- Agency for the development of the geographical region of Bugesera-Mayaga.

Veterinary matters:

- Protection of animals
- Straying of animals
- Health control of domestic animals. However, any public health regulations relating to the import or export of animals or meat shall require the approval of the Resident-General.
- Trade in cattle
- Marking of cattle
- Cattle markets
- Slaughtering of cattle
- Export and import of cattle
- Veterinary training

Public works:

- Contracts given out by the country or communes for carrying out public works projects, supplying materials and transportation

- Fire prevention
- Supervision of road transport
- Town planning
- Classification of roads
- Matters relating to electric power, including power supply concessions, regulations governing distribution, electric power facilities and safety precautions, excluding questions relating to the import or export of electric power and restrictions on its use.
- Construction work
- Harbour police
- Policing and control of navigation
- Regulations concerning water sports
- Registration of vessels
- Tonnage measurement of vessels
- Regulations concerning public performances
- Policing of highways
- Numbering of lots.
- Medical matters:
 - Art of healing
 - Organization of medical services
 - Medical assistance
 - Charges for medical services
 - Medical education
 - Public health
 - Practice of pharmacy

Article 3

The foregoing matters shall continue, on a temporary basis, to be governed by the legislation generally applicable thereto in so far as they are not regulated by the competent authorities of the country concerned.

Article 4

This Legislative Order shall have effect from 27 December 1961.

Usumbura, 18 January 1962
(Signed) TORDEUR

ANNEX XXI

Note dated 28 March 1962 from the Rwandese Government

REPLY BY THE GOVERNMENT OF RWANDA TO THE STATEMENT OF THE UNITED NATIONS COMMISSION FOR RWANDA-URUNDI

In reply to the statement submitted to the Government of the Rwandese Republic by Miss Brooks, Chairman of the United Nations Commission, the Government hereby submits its various arrangements and views concerning the problems raised by the United Nations resolutions of February 1962 on Ruanda-Urundi.

I. Transfer of all powers of autonomy

1. *Finances*: Although it agrees to joint customs for the Rwandese Republic and the country of Burundi, the Rwandese Government wants this service to be decentralized and wants Rwanda to have its own customs office immediately, to be administered by it.

The Rwandese Government requests that the existing provisions of the Brussels Protocol should be exceeded and that the control exercised by the Administering Authority should be limited to the Belgian contribution to the budget of Rwanda.

2. *Economy*: While it agrees to a joint Institute of Issue for Rwanda and Burundi, the Government of the Rwandese Republic asks that a currency quota, the same for both States, should be fixed each year, and that a local licence bureau should be established to meet local needs.

3. *Office du café*: It is being decentralized but the Government would like an expert for this office. We shall ask for

experts in other fields (finances, economy, planning) to be seconded to the Government and paid by the United Nations.

4. *Immigration, emigration, external and internal State security*: The Government asks that all powers be effectively transferred to it, together with *ad hoc* technical and financial facilities. We should like the pertinent Ordinance to be supplemented by provisions on this subject.

5. *Non-African (Belgian) staff* should in all matters be subject to the authority of the Government. This is one of the reasons why we want Belgium to decide as soon as possible the terms of the contract under which it will be ready to second its nationals to Rwanda. This will enable us to have a better idea, even before independence, of the extent to which the Government will also appeal to other countries and to the United Nations.

In this respect, internal autonomy would be a dead letter if the foreign staff who are to work on a programme should regard itself as subject to any authority other than that of the Government.

6. *Education*: A protocol has just been signed between the respective Ministers of Rwanda and Burundi, completing the powers of autonomy granted by the decentralization of this Department.

7. *Pension system*: Control is not yet in the hands of the Rwandese Government which in this field also has to apply its social policy deriving from its austerity régime. The transfer of authority is being effected.

8. *Telecommunications and aeronautical and meteorological services* are still controlled by the Administering Authority, as regards both the actual equipment and the administration and management.

Here too, the Rwandese Government requests means of independence and viability compatible with its internal autonomy, such as the installation of a telecommunications service and the financial means to effect its Africanization.

9. Defence and the use of the armed forces:

(a) The Government asks that the whole of the National Guard (national forces), including soldiers, general staff and instructors (the general staff and instructors are at present all Belgian) should be entirely under its authority;

(b) The Belgian Army is still under the command of the Administering Authority for all matters; there have never been any formal negotiations between the autonomous Government and the Government of the Administering Authority.

10. The Government of the Republic urgently requests the abolition of the Parquet of the Administering Authority, in order to be able, without conflict, to apply the Protocol by setting up a judiciary suited to autonomous Rwanda.

11. With regard to external relations, the Rwandese Government asks for autonomy at least so far as contacts with the African countries are concerned.

II. Situation of the political factions

1. The Government is glad to note that, after the elections and the referendum, the parties have reached an understanding; the different factions work side by side in the Parliament and exercise their rights there without hindrance.

2. The President had already invited the opposition to take part in the Government when it was formed in October 1961.

The mission of observers sent to New York therefore did not hesitate to sign the Agreement in document A/C.4/532 of 8 February 1962.

Since then, the President has consulted the leader of the opposition party either by letter or directly, regarding the application of this Agreement: discussions are now in progress.

At the same time, the Government is bound by the terms of the text approved by the Legislative Assembly on 23 March 1962. [See annex XXVI.]

As regards the administration of the Prefectures, the Ministry of the Interior and Civil Service is examining the question in the light of the regulations of the Statute. Matters will be

facilitated by the fact that the Civil Service has a large majority of UNAR members and the Statute is quite explicit on the subject of promotions.

III. Human rights and fundamental freedoms

1. Our draft Constitution is very clear on this subject. However, we are still applying the legislation of the Trusteeship Administration.

2. Subsequent laws will follow the lines of the Constitution: we want them to be as liberal as possible, our only rule being, as in all countries, to safeguard the common good and public order.

3. Indeed, the UNAR offices are a few yards away and operate in complete freedom. UNAR publishes its newspaper and circulates it without interference. The same applies to other political parties, such as APROSOMA, and any other associations.

4. The Government regrets that the terrorism of the Inyenzi, perpetrated under the auspices of UNAR, is somewhat disturbing public calm. The Government, helped by the leaders of the majority party, has always managed to restrain the people, who might have defended themselves as they have done in other circumstances; and peaceful but effective measures have been taken to help to distinguish between Inyenzi and peaceful refugees returning to the country.

IV. The question of Mr. Ndahindurwa, the ex-Mwami

1. First of all, the Government of the Republic protests against the title "Kigeli, Mwami of Rwanda", used in the Commission's document. This is regrettable after the results of the elections and the referendum.

2. We would point out that he is absent from the country and we request the good offices of the United Nations, to prevent a certain person from coming to disturb the order and security prevailing in the country.

3. If Ndahindurwa wishes to return to the country, the Government requires of him a statement renouncing all claims on respect of any privilege whatsoever. He must return by the same route as other refugees and will be subject to the same reclassification regulations.

4. If Ndahindurwa does not want to return to the country, the Government

Requests from him a statement renouncing all privileges whatsoever and, above all, removing any doubt from the minds of certain refugees who wish to return to their country; and

Requests him not to remain in a country bordering on Rwanda: we think that his presence there would prevent the speedy return of the refugees.

5. In any event, the Government of the Rwandese Republic requests Belgium or the United Nations to obtain personal means of subsistence for Mr. Ndahindurwa and, if he prefers to live abroad, a residence outside the countries bordering on Rwanda.

6. For all refugees, the Government specifies means of entry into the country at fixed frontier points and asks the United Nations for assistance in providing transport from these points to the places where these refugees wish to settle.

V. The question of the union of the Republic and the country of Burundi

1. The Government confirms the replies given to the Fourth Committee by our mission of observers, on the subject of political union.

2. We attach an account of the positions adopted on this matter by the Government and the Legislative Assembly [see annexes XXV and XXVII]; fuller comments will be made at the conference to be held at Addis Ababa on 5 April.

3. In addition, the question must be discussed by the two partners. However, prior to this more detailed discussion which we, for our part, hope will be positive and fruitful, the Rwandese Government would like to ask the Commission whether it has proposals that we could study between now

and the conference, in particular on the advantages and above all the possibilities which, without prejudging the issue, we believe do exist, of economic and technical co-operation.

Kigali, 28 March 1962

(Signed) Grégoire KAYIBANDA
President of the Rwandese Republic

ANNEX XXII

Note dated 4 April 1962 from the Government of Burundi

The Government of Burundi is in a position to make the following reply to the various questions asked in a note^b concerning the transfer to the Government of Burundi of all powers of internal self-government, including judicial powers, which is to take place not later than 30 April.

The Administering Authority had in fact carried out certain decentralization measures under its Legislative Order of 27 April 1961.

Since these measures seemed to Burundi to be inadequate, it prevailed upon the Belgian Government, at the Brussels Conference, to make provision for broader self-government in the Protocol of 21 December 1961.^c That agreement was couched in the following terms:

(1) "The Minister for Ruanda-Urundi recognizes that Rwanda is granted the fullest measure of self-government consistent with the responsibilities that Belgium continues to bear within the framework of the Trusteeship Agreement of 13 December 1946.

"Such self-government means that the Government of Rwanda shall exercise not only the powers already granted under Legislative Order No. 01/214 of 27 June 1961 and under subsequent Orders, but also all powers formerly exercised by the Administering Authority, with the exception of those enumerated in paragraph 2 below."

It was further stated at the end of the Protocol:

(2) "The Minister for Ruanda-Urundi undertakes to revise the relevant legislative instruments as soon as possible in order to bring them into line with this Protocol."

After the resumption of the conference at Usumbura, the Government of Burundi requested Belgium to enact a law giving effect to the Constitution which Burundi had adopted. Yet, in spite of the provisions of the aforementioned Protocol, the only recognition which Belgium was willing to accord the Constitution was that given in a Legislative Order issued on 30 January 1962.

Under the Legislative Order, Belgium completely suspended application of the following articles of the Constitution pending termination of trusteeship:

(a) Article 23, which states: "All powers emanate from the nation. They shall be exercised in the manner provided by law."

(b) Article 57, which relates to the powers of the Mwami with regard to the Army, treaties of alliance and commercial agreements.

(c) Article 106, which relates to the possible occupation of or passage through the country by foreign troops.

The Administering Authority also imposed certain restrictions on the following articles, which could be applied only with its formal approval:

(a) Article 24, which states: "Legislative authority shall be exercised jointly by the Mwami and Parliament."

(b) Article 27, which states: "Executive authority, as defined by the Constitution, shall be vested in the Mwami."

(c) Article 55, which empowers the Mwami to confer military rank and make appointments to posts in the General Administration.

(d) Articles 86 and 87, which specify the conditions under which judges and officers of the *Ministère public* are to be appointed by the Mwami.

^b Note dated 26 March 1962 from the United Nations Commission to the Government of Burundi.

^c *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 49, document A/C.4/517.

(e) Article 103, which relates to the recruitment, promotion, rights and duties of military personnel.

(f) Article 105, which relates to the organizations and functions of the *gendarmerie*.

These suspensions and restrictions, imposed in the Legislative Order of 30 January 1962, which gave partial effect to the National Constitution, served to deprive Parliament and the Mwami of all power or, at all events, to make all their laws and decrees subject to approval by the Administering Authority. The effect of the Order of 30 January 1962 was, indeed, to wipe out the partial self-government granted to Burundi under the Legislative Order of 27 June 1961 and to nullify the principles of self-government enunciated in the Brussels Protocol of 21 December 1961.

It should be noted that this somewhat gloomy view of the situation was borne out by a judgement rendered on 8 March 1962 by the Tribunal of First Instance of Burundi (RMP.26.539-R.P.836) and by an order of the Court of Appeal dated 10 March 1962 (R.P.A.357) in the case of Kageorgis *et al.* v. *Ministère public*, in which H.M. the Mwami and Princess Marie-Rose were civil plaintiffs. In handing down these very recent decisions, in which it was held that article 85 of the Constitution, relating to the jury system, was not in effect even though its application had not been suspended or restricted by the Administering Authority, the courts argued as follows:

(a) That it was not for the courts to judge whether the provisions of the Orders of 27 June 1961 and 30 January 1962 were or were not in keeping with the spirit of the Brussels Protocol of 21 December 1961, since the Protocol did not constitute a document which had to be taken into consideration "in the present instance";

(b) That the Edict of 24 January 1962 concerning the establishment of juries was without legal effect, since it had been issued in contravention of the Legislative Orders just referred to;

(c) That, furthermore (c.f. the Order of 10 March 1962), in giving effect to the Burundi Constitution in his Legislative Order of 30 January 1962, issued under the authority vested in him by article 22, paragraph 4, of the Act of 18 October 1908, "the Resident-General could not delegate the exercise of legislative power to the bodies which he recognized".

It has to be recognized, therefore, that as a result of a final decision handed down by the Court of Appeal, Parliament will not have the right to legislate and the Mwami will not have the right to issue the decrees required for the purpose of enforcing laws until such time as existing legislation is amended. The self-government granted to Burundi at the Brussels Conference of December 1961 is therefore a dead letter.

It will be asked what can be done to rectify this incredible situation, which has been created by the Administering Authority and is quite obviously contrary to the provisions of resolution 1743 (XVI) of the United Nations General Assembly.

The solution is, quite simply, to ensure that Belgium implements article 6 of the Brussels Protocol, which clearly states:

"The Minister for Ruanda-Urundi undertakes to revise the relevant legislative instruments as soon as possible in order to bring them into line with this Protocol".

In view of that article, Belgium should immediately proclaim, in a decree or law and not in a legislative order, that the Burundi Constitution is in effect, except in so far as it is contrary to the Trusteeship Agreement of 13 December 1946. It should accordingly revise the Colonial Charter (Act of 18 October 1908) and, in particular, annul article 22 of that Charter, which states:

"The Executive may delegate the exercise of its rights only to persons and duly constituted bodies which are subject to its authority...".

It is not, however, the responsibility of the Burundi Government to suggest to the Administering Authority the legal instruments that are needed to enable Burundi to attain the self-government which was promised it at the Brussels talks in December 1961. It should be borne in mind that, under the Protocol, it is the Minister for Ruanda-Urundi who has under-

taken "to revise the relevant legislative instruments as soon as possible in order to bring them into line with this Protocol".

I. JUDICIAL POWERS

In its Legislative Order of 8 January 1962 (BORU, No. 1 of 15 January 1962), the Administering Authority amended the Decree of 16 June 1960, which constitutes the Code of Judicial Organization and Competence of Ruanda-Urundi, so as to add to the Tribunal of First Instance and the Court of Appeal, as previously constituted, two Burundi assistant judges having a deliberative voice in criminal matters and an advisory voice in civil matters.

Since the Burundi Government felt that this reform measure failed to implement its right to self-government, as defined in the Brussels Protocol, it never put the measure into effect. As far as the judicial system is concerned, the Government demands complete self-government without supervision of any kind. It should also be pointed out that, since the present judges and other judicial officers of the Usumbura courts have already indicated their intention of leaving the country by 1 July 1962, Burundi will in two or three months find itself in effect without any courts and hence unable to add Burundi assistant judges to them, so that these judges will be completely excluded from the administration of justice.

Here, once again, the Government wishes to affirm its desire to organize the courts, including both the lower courts and the courts of appeal, in accordance with the will of the nation, provision being made for juries in political cases and for all safeguards needed for the sound administration of justice.

It should be mentioned at this point that, although Parliament has enacted a law (Act of 23 January 1962) calling for the use of a jury in courts of ordinary law in criminal and political cases, the Administering Authority refuses to recognize its validity.

It can therefore be stated that no self-government has been granted to Burundi in judicial matters and that so far the Administering Authority has taken no action to confer self-government of any kind in this sphere.

II. WITHDRAWAL OF BELGIAN MILITARY AND PARAMILITARY FORCES

In conformity with its note of 11 March 1962 to the Office of the Senior Representative of Belgium in Burundi, a copy which was furnished to the United Nations Commission on 27 March 1962, the Burundi Government affirms its unshakable determination to apply both the letter and the spirit of General Assembly resolution 1743 (XVI).

III. MEASURES CONTEMPLATED BY THE NATIONAL AUTHORITIES FOR THE PURPOSE OF MAINTAINING LAW AND ORDER

The Burundi Government feels that law and order are in no way threatened at the present time, since recent incidents have been merely isolated occurrences and those criminal offences which have been committed have been the work of individuals or of small groups of criminals.

Nevertheless, the Government is aware of the danger to the country that might result from an influx of refugees or from increased unemployment. It feels that the measures required in order to deal with this situation are, above all, economic ones (the establishment of refugee camps, major public works, reduction of crowding in the cities, measures to organize young people, etc.).

The task of maintaining law and order in the usual sense of the term can certainly be handled by the *gendarmerie* and the national army, which are in process of reorganization.

IV. PROGRAMMES RELATING TO TECHNICAL ASSISTANCE, FINANCIAL AND ECONOMIC MATTERS, AND THE ORGANIZATION OF CADRES

Belgium has always stated its willingness to provide Burundi with the necessary technical assistance. Thus far, however, this assistance has, with rare exceptions, consisted in the maintenance in Burundi of trusteeship officers who seem interested above all in terminating their careers there and retiring on a full pension.

It must be pointed out that Burundi is unable to recruit the necessary experts itself, since it has no funds other than those provided to it by the Administering Authority, which arrogates to itself the right to select the technicians. The Burundi Government therefore wishes to express its concern over the possible consequences of the extreme inadequacy of the technical assistance provided thus far by the Administering Authority. It feels obliged to suggest, in this connexion, that a United Nations commission should remain in Burundi for several months for the purpose of determining the country's technical assistance needs and attempting to meet them by hiring foreign personnel in close consultation with the Burundi Government. These persons should be informed as soon as possible of the conditions under which they would be employed and of the benefits they would receive, as the Burundi Government has been vainly waiting since January 1962 for the Administering Authority to propose a standard contract which could be submitted to applicants for technical positions.

V. GUARANTEES OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, AND RECONCILIATION OF THE VARIOUS POLITICAL GROUPS

Burundi cannot grant its inhabitants broader guarantees of respect for human rights and fundamental freedoms than those contained in its Constitution, which was adopted by Parliament, promulgated by the Mwami, and duly published.

This Constitution, which is dated 23 November 1961, makes specific reference in its preamble to the Universal Declaration of Human Rights and the United Nations Charter.

The Burundi Government wishes to express its earnest desire that the restrictions placed by the Administering Authority on the full application of the Constitution should be removed as soon as possible.

As regards the question of effecting a reconciliation of the country's various political groups, the Burundi Government wishes to draw the United Nations Commission's attention to the fact that such differences of opinion as may have existed among the country's inhabitants were essentially political in nature and were properly settled in the last legislative elections.

After the elections, the UPRONA party formed a Government, and the latter can assure the United Nations Commission that it never has made and never will make any distinction between members of the Opposition and members of its own party when selecting and employing the best-qualified personnel. Ample proof of this is provided by the list attached to letter No. Cab/527/P.M., addressed to the United Nations Commission on 4 April 1962 by the Prime Minister. This list shows that, at the present time, virtually all qualified members of the Opposition hold very important political and administrative positions. All lower-level officials of the Burundi Government are simply being retained in their positions, without regard to their political affiliations.

Furthermore, the five Opposition deputies in Parliament enjoy the same prerogatives as their UPRONA colleagues.

Finally, the Government grants complete freedom of opinion and expression, within the bounds of legality, to the parties of the Front commun. However, it should be noted that, at the present time, those parties are disgraced in the eyes of the people because of the assassination of Muganwa Louis Rwagasore, the Prime Minister of Burundi.

Usumbura, 4 April 1962

For the Government of Burundi

(Signed) André MUHIRWA
Prime Minister

ANNEX XXIII

Supplementary note dated 13 April 1962 from the Government of Burundi

TRANSFER OF AUTONOMOUS POWERS IN BURUNDI

The delegation of Burundi wishes to draw the attention of the United Nations Commission to the following matter:

Legislative Order No. 01/7 of 18 January 1962 (see *Bulletin officiel du R.U.* of 5 March 1962) enumerates the powers to be transferred and specifies in article 1 that:

"The matters listed in article 2 are of regional interest and may therefore be regulated by edict to the extent permitted by law and by international conventions.

"Where not otherwise decreed, matters of regional interest which are at present regulated by executive act may also be regulated by the executive authority of the country.

"Unless otherwise decreed or ordered, decisions in matters of regional importance which are at present within the competence of an administrative agency of the Administering Authority or of the general administration of the Territory, may be taken under delegated authority by the Minister concerned. Decisions on matters falling within the competence of district administrators may also be taken under delegated authority by prefects or provincial administrators."

Twelve days later—on 30 January 1962, to be exact—Mr. J. Tordeur, the General Secretary, signed an order which virtually annulled the foregoing and placed all power in the hands of the Administering Authority as regards certain "decentralized" matters, reserving to it the right of veto in other matters, which had already been decentralized by Order No. 01/7 of 18 January 1962 (see *Bulletin officiel du R.U.* of 6 February 1962—Legislative Order No. 01/20 of 30 January 1962, articles 2 and 3).

Hence the list of powers transferred is completely meaningless, since the right of either the executive or legislative organs to exercise those powers is partially withheld, leaving Burundi under trusteeship as formerly.

Legislative Order No. 01/20 of 30 January 1962 thus denies Burundi autonomous powers and leaves them in the hands of the Administering Authority which can, at its discretion and in certain limited fields, allow the Government and Parliament of Burundi to share in the exercise of certain powers, but only to the extent permitted under such orders as the Administering Authority sees fit to issue.

Thus Belgium is denying Burundi the opportunity to become familiar with the exercise of the powers it will assume fully upon the very imminent proclamation of its independence.

The delegation of Burundi wishes to ask the United Nations Commission for Ruanda-Urundi to see that all the autonomous powers are transferred without delay and unconditionally before its return to New York.

Addis Ababa, 13 April 1962

For the delegation of Burundi

(Signed) A. MUHIRWA
Prime Minister

ANNEX XXIV

Note dated 27 April 1962 from Ambassador Carlier regarding the transfer of the powers of internal autonomy, addressed to the Chairman of the Commission

In accordance with the wish you expressed to me, I have the honour to send you herewith the list of powers which have been transferred to the Government of Burundi in accordance with the Protocols signed at Brussels on 21 December 1961.

In the absence of any specific requests, either from the Commission or from the Governments of Rwanda and Burundi, I consider the transfer of powers thus effected to be complete.

As, moreover, the Fourth Committee of the General Assembly did not at any point in its discussions in January and February last or in resolution 1743 (XVI) define the "powers of internal autonomy to be transferred to the Governments of Rwanda and Burundi", the powers to be transferred are obviously those defined in the Brussels Protocols of 21 December and their annexes.

To reply to a passage in the statement which you made yesterday on behalf of the Commission, I should like to explain that these agreements are the outcome not only "of the conception which Belgium has formed of internal autonomy", but

also of the ideas which the Government: of Rwanda and Burundi had at the time of signature of those Protocols, which they freely accepted.

(Signed) Georges CARLIER
Ambassador of Belgium

I. SUMMARY LIST OF THE LEGISLATIVE ORDERS CONCERNING
DECENTRALIZATION AND PUBLICATION REFERENCES

1. L.O. 01/365 of 27.12.60 (BORU, 1961, p. 129)
2. L.O. 01/48 of 11.2.61 (BORU 1961, p. 509)
3. L.O. 01/83 of 9.3.61 (BORU 1961, p. 523)
4. L.O. 01/121 of 31.3.61 (BORU 1961, p. 589 bis)
5. L.O. 01/131 of 12.4.61 (BORU 1961, p. 590 bis)
6. L.O. 01/132 of 12.4.61 (BORU 1961, p. 590 bis)
7. L.O. 01/133 of 12.4.61 (BORU 1961, p. 591 bis)
8. L.O. 01/134 of 12.4.61 (BORU 1961, p. 592 bis)
9. L.O. 01/135 of 12.4.61 (BORU 1961, p. 593 bis)
10. L.O. 01/97 of 22.3.61 (BORU 1961, p. 640)
11. L.O. 01/100 of 22.3.61 (BORU 1961, p. 642)
12. L.O. 01/106 of 31.3.61 (BORU 1961, p. 650)
13. L.O. 01/108 of 27.3.61 (BORU 1961, p. 651)
14. L.O. 02/109 of 28.3.61 (BORU 1961, p. 652)
15. L.O. 01/111 of 28.3.61 (BORU 1961, p. 654)
16. L.O. 01/96 of 18.3.61 (BORU 1961, p. 754)
17. L.O. 01/131 of 12.4.61 (BORU 1961, p. 764)
18. L.O. 01/137 of 15.4.61 (BORU 1961, p. 767)
19. L.O. 01/138 of 15.4.61 (BORU 1961, p. 768)
20. L.O. 01/145 of 24.4.61 (BORU 1961, p. 777)
21. L.O. 01/99 of 22.3.61 (BORU 1961, p. 845)
22. L.O. 01/146 of 21.4.61 (BORU 1961, p. 868)
23. L.O. 01/147 of 24.4.61 (BORU 1961, p. 869)
24. L.O. 01/161 of 27.4.61 (BORU 1961, p. 886)
25. L.O. 01/164 of 27.4.61 (BORU 1961, p. 889)
26. L.O. 01/174 of 9.5.61 (BORU 1961, p. 936)
27. L.O. 01/175 of 9.5.61 (BORU 1961, p. 937)
28. L.O. 01/181 of 15.5.61 (BORU 1961, p. 943)
29. L.O. 01/182 of 16.5.61 (BORU 1961, p. 944)
30. L.O. 01/192 of 31.5.61 (BORU 1961, p. 999)
31. L.O. 01/196 of 7.6.61 (BORU 1961, p. 1002)
32. L.O. 01/208 of 21.6.61 (BORU 1961, p. 1139)
33. L.O. 01/214 of 27.6.61 (BORU 1961, p. 1140)

This Legislative Order renews and supplements all the previous ones (enumerated under Nos 1 to 32).

It was subsequently supplemented by the following Legislative Order:

34. L.O. 01/355 of 24.10.61 (BORU 1961, p. 1720)

After the Brussels Protocols, Legislative Order No. 01/214 of 27 June 1961 (see No. 33), as amended by Legislative Order No. 01/335 of 24 October 1961 (see No. 34), was renewed and supplemented by the following Legislative Order:

35. L.O. 01/7 of 18.1.62 (BORU 1962, p. 157)

This Legislative Order was supplemented by the following:

36. L.O. 222/29 of 23.2.62 (BORU 1962, p. 166)
37. L.O. 111/34 of 28.2.62 (BORU 1962, p. 172)

The last-mentioned Legislative Order also specified the manner in which the delegation of executive power was

to be adapted to the new administrative structure, adopted by the Parliament of Burundi.

Legislative Order 01/7 of 18 January 1962 (see No. 35), as supplemented and amended, was renewed for a period of six months from 1 March 1962 by article 2, No. 27, of the following Legislative Order:

38. L.O. 111/35 of 1 March 1962 (BORU 1962, p. 173).

The list below comprises the matters which have been decentralized, and specifies in each case the law or regulation governing these matters.

It goes without saying that all the measures of application taken on the basis of these laws and regulations are also within the jurisdiction of the countries. In the present list, only the most important of these measures are mentioned.

The last column contains any pertinent remarks.

II. LIST OF MATTERS DECLARED TO BE OF REGIONAL INTEREST

Under article 1 of the Legislative Order No. 01/7 of 18 January 1962 (BORU No. 4 bis of 1962), these matters can be dealt with by the Legislative Assembly of each country or, if they lie within the competence of the Executive, by the Mwami of Burundi or the President of Rwanda.

Pending the adaptation of the laws or regulations governing these matters at present in force, the powers which they confer on the King of Belgians, the Minister for Ruanda-Urundi, the Governor-General, the Resident-General, the Resident, or a head of department shall be exercised in each country by the Minister responsible for the matter; the powers relating to these matters conferred on the territorial administrators shall be exercised in Rwanda by the prefects and in Burundi by the provincial governors.

In the first column of the list are to be found the matters which have been declared of regional interest, grouped under more general headings.

In the second column there is shown the Legislative Order by which the decentralization was effected; the reference number refers to the numbering on list I.

The third column lists the laws and regulations which have governed the decentralized matters up to the present time and will continue to govern them until the competent authorities of the countries being henceforth responsible for the application of these measures have adopted regulations of their own.

Although they are not specially mentioned, it is obvious that the numerous provisions amending these laws and regulations or constituting measures of application also come within the jurisdiction of the countries.

The fourth column contains the special reservations subject to which some matters have been declared of regional interest. In addition, article 1 of the above-mentioned Legislative Order No. 01/7 of 18 January 1962, contains a general reservation to the effect that in exercising the powers which have devolved upon them, the countries must act within the limits of the laws (in the strict sense) and the international conventions. In practice, the only law which restricts the powers of the countries in any way is the Act of 18 October 1908, which limits the powers of the regular law-maker of Ruanda-Urundi (the King, ruling by Decree), the exceptional law-maker (the Governor-General or the Resident-General, acting by Legislative Order) and the executive power (royal or ministerial decree, Order of the Governor-General or the Resident-General, regulation of the Resident, decision of the Territorial Administrator).

It should, in conclusion, be pointed out that some matters did not have to be declared to be of regional interest, because by their nature they concern only the countries. This is the case, for instance, of the organization of the administrative services of the countries, the publication of decisions or instruments of an authority of the country, and regulations on internal matters affecting the various councils established within the countries. These matters are accordingly not included in the following list.

Matters declared to be of regional interest	Reference	Law or regulation governing these matters	Reservations
<i>Administrative affairs:</i>			
Public libraries	28	Order No. 93/5 of 8.1.59	
Civil service regulations of the country	33	Rwanda: — Burundi: L.O. No. 07/77 of 8.3.61	
<i>Internal affairs:</i>			
Political and administrative organization of the territorial subdivisions	14	Rwanda: L.O. No. 02/45 of 10.2.61 L. O. No. 02/72 of 7.3.61 L.O. No. 02/143 of 18.4.61 Burundi: L.O. No. 02/105 of 14.3.61 L.O. No. 02/43 of 3.2.61	
Census and registration of persons not subject to written law	4	Ordinance No. 21/110 of 10.7.57	
Disaster aid	22	Order of 9.2.91	
Advances of funds to indigenous persons	22	L.O. of 12.7.17	
Residence of minors in extra-tribal centres	22	Ordinance No. 13/369 of 23.11.52 Ordinance No. 21/30 of 6.3.53 Ordinance No. 21/89 of 15.7.53	
Vagrancy and begging	22	Decree of 23.5.96	
<i>Groupe scolaire d'Astrida</i>	35	Ordinance No. 22/139 of 21.12.51	
Schools of public administration	22	Ordinance No. 221/67 of 20.4.59	
Bathing places	22	Ordinance No. 221/116 of 20.5.58	
Limitation of banana growing for the preparation of indigenous fermented drinks	22	Decree of 29.9.42	
Official press releases	22	Ordinance No. 23/113 of 25.4.56	
Preservation of indigenous beauty spots, monuments and works of art	28	Decree of 16.8.39	
Registration of aliens	35	Royal Order of 28.7.25 Ordinance No. 344/APAJ of 28.9.40	
Emigration of indigenous persons	35	Decree of 19.7.26	
Administrative police force	35	Decree of 22.11.26	
Territorial police force	35	Ordinance No. 21/22 of 12.2.49	
Desertion by members of the territorial police	35	L.O. No. 06/320 of 29.9.61	
<i>Legal affairs:</i>			
Personal rights (personal status of aliens; registration; domicile and residence; absence; marriage; divorce and separation; recognition of paternity, adoption, parental authority; guardianship of minors; emancipation; majority; judicial interdiction; administration of estates and all other matters governing the status and capacity of persons and succession to the estates of nationals of the country)	23	Decree of 4.5.95	
Property and various titles of ownership (property; ownership, joint ownership, transfer of immovable property; long leases; area)	19	Decree of 31.7.12 Decree of 30.6.13 Decree of 6.2.20 Decree of 20.7.20 Decree of 25.3.54	
Contracts and obligations (general provisions; agreements without written contract; sale, exchange, hiring; loans, deposits and receivership; power of attorney; security; security for loans, etc. settlements; pledging, prescription; all contracts and obligations not included above, matrimonial régimes, donations <i>inter vivos</i> and bequests)	23	Decree of 30.7.88	
Certified copies of documents and the profession of notary	23	Decree of 17.11.53	
Chancery and legal fees	23	Decree of 16.1.28	
Extension of leases	23	Decree of 10.6.52	
Rent control	23	L.O. No. 356/AIMO of 22.11.45	
Protection of monogamy	23	Decree of 5.7.48	
Prohibition of polygamy	23	Decree of 4.4.50	

<i>Matters declared to be of regional interest</i>	<i>Reference</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Legal affairs (continued):</i>			
Administration and winding up of the estates of aliens	23	Decree of 28.12.88 Order of 31.7.91	Except for offences relating to the currency, contumacy, abuse and acts of violence against persons in authority, and acts prejudicial to public safety and the security of the State. In addition, provisions imposing penalties of more than three years' penal servitude and 10,000 francs fine are subject to the approval of the Administering Authority
Abandoned estates.....	23	Decree of 3.4.54	
Penal Code.....	30	Decree of 30.1.40	
Abandonment of family.....	30	Decree of 15.7.49	
Adultery and bigamy.....	30	Decree of 25.6.48	
Collections	30	L.O. No. 111/144 of 24.4.61	
Offences for which no specific penalty is prescribed by law.....	30	Decree of 6.8.92	
Penalties for offences against general measures....	30	L.O. No. 111/304 of 15.9.61	
Hemp	30	L.O. No. of 22.1.03	
Posters and defacing of posters.....	30	Order of 14.8.90	
Cheques without backing.....	30	Decree of 12.3.32	
Illegal pictures, emblems and performances.....	30	Ordinance No. 153/J of 22.11.32	
Games of chance and lotteries.....	30	Order of 19.1.01 Decree of 17.8.27	
Pools	30	L.O. No. 11/141 of 16.5.51	
Public drunkenness.....	30	Ordinance No. 57/APAJ of 10.6.39	
Disturbance of the peace at night.....	30	Ordinance No. 64/CONT of 16.9.25	
Slave trade	30	Decree of 1.7.91	
Domestic slavery.....	30	L.O. No. 28/128 of 28.3.23	
Soliciting	30	Ordinance No. 221/6 of 7.1.59	
Illegal possession of documents.....	30	Ordinance No. 21/84 of 14.2.59	
Acts of violence committed in connexion with traffic accidents	30	Decree of 3.12.56	
State police records.....	31		
Abandoned, lost or missing property.....	31	Decree of 10.10.1900	
Standard time.....	31	Decree of 20.2.20	
Institutions and granting of corporate status....	31	Decree of 28.12.88	
Non-profit organizations and granting of corporate status	31	Decree of 27.11.59	
Public utility agencies.....	31	Decree of 19.7.26	
Burials and policing of cemeteries.....	31	Ordinance of 14.2.14	
Burial permits.....	31	Order of 16.5.07	
Exhumation and transfer of remains within Ruanda-Urundi	31	Ordinance No. 11/52 of 9.5.49	
Exhumation and transfer of remains abroad.....	31	Ordinance of 26.3.15	
Incineration of human corpses.....	31	Ordinance No. 11/170 of 24.5.40	
Cemeteries in indigenous villages.....	31	Ordinance of 4.9.09	
Protection of children in relation to the cinema....	31	Decree of 25.6.54	
Making of cinematographic films.....	31	Ordinance No. 53/CONT of 1.5.36	
Right of reply.....	31	Decree of 22.10.42	
Prison system.....	31	Ordinance No. 111/187 of 30.5.61	
Traders and proof of commercial contracts.....	34	Decree of 2.8.13	
Traders' marriage agreements.....	34	Decree of 24.4.22	
Commercial books.....	34	Decree of 31.7.12	
Commercial register.....	34	Decree of 6.3.51	
Cheques	34	Decree of 10.12.31	
Cheques without backing.....	34	Decree of 12.3.23	

<i>Matters declared to be of regional interest</i>	<i>Refer-ence</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Legal affairs (continued):</i>			
Bankruptcy	34	Decree of 27.7.34	
Composition (legal settlement with creditors)....	34	Decree 12.12.35	
Pledging of a business, discount and surety on an invoice	34	Decree of 12.1.20	
Bills of exchange, promissory notes and protests..	34	Decree of 28.7.34	
Corporations	34	Decree of 27.2.87	
Bodies corporate.....	34	Decree of 4.5.12	
Co-operative societies.....	34	Decree of 23.3.21	
Mutual societies.....	34	Decree of 15.4.58	
Agents and carriers.....	34	Decree of 13.1.20	
Responsibility of carriers.....	34	Decree of 30.3.31	
False declarations regarding carriage.....	34	Decree of 24.5.39	
Securing by warrant.....	34	Decree of 28.3.23	
Organization of the Bar.....	35	Decree of 21.1.50	
<i>Social affairs:</i>			
Articles of apprenticeship.....	10	Decree of 23.7.57	Current articles of apprenticeship and employment and work contracts remain subject to general legislation until the end of their term if they are for a fixed period, and until 21 March 1962 if they are for an indefinite period
Employment contracts.....	10	Decree of 25.6.49	
Work contracts.....	10	Decrees co-ordinated by Royal Order of 19.7.54	
Work contracts of river workers.....	10	Decree of 1.4.33	
Disciplinary and penal code for river navigation..	10	Decree of 11.5.31	
Company regulations.....	10	Decree of 27.7.55	
Illicit payments.....	10	Decree of 22.10.21	
Family allowances for workers.....	10	Decree of 26.5.51	
Family allowances for employees.....	16	Decree of 8.12.54	
Equalization of family allowances for workers....	10	Decree of 19.5.58	
Mutual societies.....	10	Decree of 15.4.58	
Occupational and professional associations.....	10	Decree of 25.1.57	
Indigenous co-operative societies.....	15	Decree of 24.3.56	
Committees and commissions on indigenous labour and social progress.....	10	L.O. No. 82/AIMO of 17.3.46	
Conciliation and arbitration in collective labour conflicts	10	Decree of 18.5.59	
Professional unions.....	10	L.O. No. 123/APAJ of 16.4.42	
Limitation of hours of work.....	10	Decree of 14.3.57	
Working conditions: safety and health.....	10	Decree of 8.1.52	
Inspection of working conditions.....	10	Decree of 8.1.52	
Portage	10	Decree of 19.3.25	
Recruitment and orientation of workers.....	10	Decree of 30.6.54	
Approval of the social welfare departments.....	10	Decree of 10.9.56	
Work accidents to employees.....	36	Decree of 20.12.54	
Occupational diseases of employees.....	36	Decree of 28.3.87 Decree of 20.12.45	
Work accidents and occupational diseases of workers	36	Decree of 1.8.49	
Workers' pensions.....	36	Decree of 6.6.56	
Employees' pensions.....	36	Royal Order on Co-ordination of 25.1.62	
Disability allowances for workers.....	36	Decree of 19.2.57	
Sickness or disability of employees.....	36	Decree of 7.8.52	
Medical care for employees.....	36	Decree of 7.5.53	
<i>Taxes:</i>			
Minimum personal assessment.....	29	Art. 155-183 of Decree of 20.1.60 concerning income tax	

<i>Matters declared to be of regional interest</i>	<i>Refer-ence</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Taxes (continued):</i>			
Personal income tax.....	29	L.O. No. 332/57 of 15.2.61	With the reservation that the following shall remain exempt: 1. The Territory of Ruanda-Urundi 2. Consuls and consular agents, under the usual conditions
Policing and control of navigation.....	25	Decree of 26.4.67	
Regulations concerning water sports.....	25	Ordinance No. 221/259 of 13.12.58	
Registration of vessels.....		Ordinance No. 48/3 of 3.9.21 Ordinance No. 33/AIMO of 29.1.47	
Tonnage measurement of vessels.....	25	Ordinance No. 252 bis/TP of 21.11.32	
Regulations concerning public performances.....	25	Ordinance No. 660/153 of 27.6.53	
Policing of highways.....	25	Ordinance of 1.12.98 Ordinance of 27.3.11 Ordinance No. 61/145 of 18.2.54	
Numbering of lots.....	25	Ordinance No. 47/TP of 5.5.37	
<i>Medicine, hygiene, pharmacy:</i>			
Organization of medical services.....	9	—	
Art of healing.....	9	Decree of 19.3.52	
Charges for medical services.....	9	Ordinance No. 71/198 of 12.12.57 Ordinance No. 771/258 of 12.12.58	
Medical assistance.....	9	—	
Medical education.....	9	Ordinance No. 4/Hyg of 20.1.39 Ordinance No. 50/Hyg of 29.6.40 Ordinance No. 71/147 of 9.11.49 Ordinance No. 71/10 of 7.1.54 Ordinance No. 71/16 of 30.1.54 Ordinance No. 71/19 of 17.1.59	
Public health and hygiene.....	9	Decree of 19.7.26	
Technical supervision of public health work.....	9	Ordinance No. 38/SG of 10.5.29	
Establishment and organization of public health commissions.....	9	L.O. No. 34 of 25.8.24	
Vaccination against typhus.....	9	L.O. of 1.5.20	
Practice of pharmacy.....	9	Ordinance No. 27 bis/Hyg of 15.3.33	The rules governing foreign trade in pharmaceutical products are subject to the approval of the Administering Authority
<i>Postal matters:</i>			
Postal system.....	37	Decree of 20.1.21 Ordinance No. 69/77 of 17.2.59	
Postal monopoly.....	37	L.O. No. 68/TP of 27.2.43	
Retail sale of postage stamps.....	37	Ordinance No. 66/151 of 12.11.53	
Franking machines.....	37	Ministerial Order of 21.3.59	
Organization and functions of the postal service..	37	Ordinance No. 69/418 of 24.8.59	
Carriage of mail.....	37	Ordinance of 28.7.26	
Private postal dispatches.....	37	Ministerial Order of 30.7.21	
Air-mail service.....	37	Ministerial Order of 30.7.21	
Small postal packages.....	37	Royal Order of 22.2.36	
Reduced postage rates.....	37	Royal Order of 10.9.36 Royal Order of 31.12.57	
Air-letters.....	37	Ministerial Order of 10.6.55	
<i>Telecommunications:</i>			
Wireless tax.....	37	L.O. No. 66/319 of 28.9.61	
<i>Customs:</i>			
Alcoholic beverages regulations.....	1 and 35	L.O. No. 395/Fin.Dou of 26.12.42	
Industrial alcohol regulations.....	26	Decree of 18.8.58	

<i>Matters declared to be of regional interest</i>	<i>Reference</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Customs (continued):</i>			
Inventory and supervision of stocks of alcoholic beverages	26	L.O. No. 5/81 of 8.1.48	
Registration of ivory.....	26	Decree of 31.12.25	
Purchase tax.....	32	Decree of 5.1.49	Except for grape wine and beer
<i>Economic affairs:</i>			
Local indigenous non-itinerant trade.....	21	L.O. No. 441/95 of 20.3.61	
Non-itinerant trade tax.....	21	Decree of 13.8.53	
Itinerant trade.....	21	Decree of 2.4.57	
Trading permits for itinerant traders.....	21	Decree of 13.8.37	
Policing of markets.....	21	Ordinance No. 41/398 of 24.11.52	
Trading at public markets.....	21	Ordinance No. 441/94 of 17.4.58	
Barter	21	Decree of 20.8.16	
Goodwill	21	Ordinance No. 97/AE of 6.9.37	
Price control.....	21	L.O. No. 41/251 of 11.8.49	
Posting of prices and issuing of invoices.....	21	Decree of 3.3.54	
Hotel regulations.....	35	Ordinance No. 41/246 of 8.7.55	
Management of hotels, boarding houses and establishments retailing beverages.....	21	Ordinance No. 41/291 of 2.9.55	
Closing time for establishments retailing beverages	35	Ordinance No. 221/166 of 25.8.59	
Dangerous, unhealthy or noxious establishments..	21	Ordinance No. 41/78 of 28.5.56	
Transport, handling and storage of inflammable liquids	21	Ordinance No. 41/65 of 21.5.57	
Protection of consumers' purchasing power.....	27	Decree of 1.4.59	
Transport of persons by motor vehicle.....	27	L.O. No. 441/24 of 24.1.59	
Production of and trade in food-stuffs.....	27	Decree of 26.7.10	
Stocking and preservation of and trade in food-stuffs	27	L.O. No. 57/AE of 10.5.40	
Export of certain locally produced food-stuffs....	27	L.O. No. 384/AE of 27.12.46	
Decimal metric system of weights and measures; specimens and standards; checking of weights and measures and weighing machines.....	27	Decree of 17.8.10	
Production, stocking and processing of, and trade in, vegetable, live-stock, game and fish products....	27	L.O. No. 41/222 of 17.6.48	
Purchase of coffee from indigenous producers....	27	Ordinance No. 441/71 of 10.3.60	With the reservation that the Administering Authority shall continue to be responsible for fixing the minimum price for producers
Transport of calcium carbide by water.....	27	Ordinance No. 8/AE of 14.1.38	
Liquefied, compressed or dissolved gases: safety measures	27	Ordinance No. 14/AE of 6.3.42	
Trade in and export of provisions.....	27	Ordinance No. 14/AE of 6.3.42	
Manufacture, sale and export of locally-produced soap	27	L.O. No. 173/AE of 27.6.46	
Prohibition against the import of clothing accessories in cellulose nitrate.....	27	L.O. No. 41/160 of 11.5.49	
Import of and trade in used clothing.....	27	Ordinance No. 74/359 of 5.11.57	
Participation of traders in public sales.....	35	L.O. No. 386/AE of 16.12.42	
<i>Land:</i>			
All questions relating to land tenure, including: land tenure; transfers and concessions of State land....	12	Decree of 11.7.60	The countries will make available to the Administering Authority without charge the land necessary for the operation of its services
Occupancy of land and timber rights on State land..	12 and 19	Decree of 30.4.87 Ordinance of 1.7.85	
Illegal occupancy of land.....	—	Ordinance of 12.6.51	
Replacement of provisional occupation contracts by long-lease contracts.....	12	Decree of 26.4.32	

<i>Matters declared to be of regional interest</i>	<i>Refer- ence</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Land (continued):</i>			
Concessions to former civil servants.....	12	Decree of 10.1.40 L.O. No. 303/AET of 10.9.40	
Transfers and concessions to associations and institutions serving the public interest.....	12	Decree of 24.1.43	
Transfers and concessions to encourage settlement	12	Decree of 28.10.42	
Allocation of transferred land and right of recovery	12	Decree of 21.4.53	
Long-term leases and areas	12	Decree of 30.5.22	
Registration of land.....	19	Decree of 14.9.86	
Regulations governing mortgages and forced sale of immovable property in settlement of debt....	19	Decree of 15.5.22	The regulations governing legal mortgages must be submitted to the Administering Authority for approval
Seizure of immovable property.....	19	Decree of 3.5.87	
Public sales of personal and immovable property..	19	Decree of 10.7.20	
Sales of immovable property in the event of bankruptcy	19	Royal Order of 25.9.34	
Concessions of waters.....	19	Decree of 6.5.52	
Easements relating to waters	19	Decree of 6.5.52	
Expropriation on grounds of public utility.....	19	Decree of 24.7.56	
Deeds issued by the registrar of landed property..	19	Decree of 30.5.22	
Fees for registration of landed property.....	19	Decree of 14.2.56	
<i>Cadastral surveying:</i>			
All matters relating to cadastral surveying, including:			
Measurement and demarcation of land.....	2 and 19	L.O. No. 459/353 of 16.12.60	
Measurement and demarcation of private property..	2	Decree of 30.4.87 Ordinance No. 42/12 of 9.1.50	
Cadastral survey charges	2	Ordinance No. 44/143 of 15.5.57 Ordinance No. 449/267 of 14.12.59	
Charges for verification of the boundaries of mining concessions and their inclusion on the survey grid	2	Ordinance No. 42/275 of 23.8.54	
<i>Mines:</i>			
All matters relating to mines, including:			
Mining regulations (prospecting, mining operations, mining royalties)	18	Decree of 24.9.37	
Communication of mining information.....	18	L.O. No. 258/SCM of 2.8.43	
Exemption from transfer duties.....	18	Decree of 21.2.50	
Public mine-prospecting	18	Decree of 24.1.49 Decree of 25.10.49	
Prohibition of certain kinds of prospecting	18	Decree of 16.12.53 L.O. No. 444/512 of 7.8.59	
Prospecting for substances containing radio-active materials	18	Decree of 2.7.55	
Prospecting and exploitation of hydrocarbons.....	18	Decree of 31.3.59	
Protection of mines against theft.....	18	Decree of 20.4.28	
Protection of workers in mines and quarries.....	18	Ordinance No. 87/AE of 4.10.30 Ordinance No. 43/187 of 13.5.55	
Inspection and supervision of mines.....	18	Decree of 13.4.37	
Reporting of serious accidents in mines.....	18	Ordinance No. 43/31 of 10.2.56	
Silicosis	18	Decree of 14.2.52	
<i>Agriculture:</i>			
Planting, cutting and sale of timber.....	5 and 17	Decree of 18.12.30	
Measures to prevent shortages of provisions.....	13	L.O. No. 7 of 20.8.27 Decree of 3.12.27	
Soil conservation and use.....	13	Decree of 26.11.58	
Conservation and preservation of trees and shrubs..	13	Ordinance No. 53/5 of 9.4.15	
Eradication of parasitic insects and cryptogams..	13	Ordinance No. 33/AGRI of 25.3.27	
Export of planting implements.....	13	Decree of 15.3.39	
Burning of standing grass and vegetable crops....	13	Ordinance No. 52/175 of 23.5.53	
Protection of <i>Elaeis</i> palms.....	13	Decree of 19.7.26	

<i>Matters declared to be of regional interest</i>	<i>Reference</i>	<i>Law or regulation governing these matters</i>	<i>Reservations</i>
<i>Agriculture (continued):</i>			
Hunting	16	Decree of 21.4.37	
Hunting Committees.....	24	Ordinance No. 4/AGRI of 11.1.38	
Corps of honorary masters of the hunt.....	24	Royal Order of 27.12.37	
Fishing	16	Decree of 21.4.37	
Imports of saplings or seeds of coffee shrubs....	24	Ordinance No. 95/AGRI of 24.5.52	
Team of officials in charge of the preservation of fauna and flora.....	24	Ordinance No. 432/AGRI of 26.12.47	
Eradication of the water hyacinth.....	24	Ordinance No. 51/162 of 4.5.55	
Breeding of silkworms.....	24	L.O. No. 133/AGRI of 16.5.46	
Importing of silkworms.....	24	Ordinance No. 134/AGRI of 16.5.46	
Incorporated administration for the development of the natural region of Bugesera-Mayaga.....	35	Decree of 31.8.59	
Agricultural education.....	35	Ordinance No. 22/139 of 21.12.51	
<i>Veterinary matters:</i>			
Protection of animals.....	8	Decree of 27.11.34	
Straying of animals.....	8	Ordinance of 22.1.18 Ordinance No. 54 bis/AGRI of 5.5.36	The health control regulations relating to the import and export of animals or meat must be approved by the Administering Authority
Health control of domestic animals.....	8	Decree of 28.7.36	
Trade in live-stock.....	8	Decree of 8.4.52	
Marking and buying of live-stock.....	8	L.O. No. 166/VET of 11.6.43	
Import, export and slaughtering of live-stock....	8	Decree of 16.1.18	
Veterinary training.....	35	Ordinance No. 555/292 of 24.10.60	
<i>Public works:</i>			
Work and supply contracts signed on behalf of the country and the communes.....	11	Decree of 25.2.59	
Fire-prevention measures.....	3	Ordinance No. 6611/165 of 19.7.58	
Traffic regulations.....	3	Ordinance No. 660/206 of 11.9.58	
Urbanism	3	Decree of 20.6.57 Ordinance No. 6601/161 of 14.7.58	
Outside publicity.....	16	Ordinance No. 6601/111 of 17.6.59	The import and export of electric power and the limitations on its use remain within the competence of the Administering Authority.
Electric power.....	6	Decree of 2.6.28	
Classification of public roads.....	6	Ordinance No. 660/189 of 10.8.58	
Concessions for the distribution of electric power..	6	Royal Order of 9.10.56	
Transmission and distribution of electric power, and safety measures.....	16	Decree of 14.7.30 Decree of 16.4.31 L.O. No. 61/61 of 26.2.53	
Construction regulations.....	6	Ordinance No. 127/6 of 15.6.13 Ordinance No. 53/3 of 18.9.19 Ordinance of 13.8.25 Ordinance No. 5/TP of 26.1.29	
Demolition of unsafe buildings.....	6	Order of 28.10.01	
Port regulations.....	25	Ordinance No. 41/336 of 14.10.54	

III

Reproduced below is the list of matters which have remained within the jurisdiction of the Administering Authority.

The category to which each matter belongs is indicated.

The following abbreviations are used:

Reg: Matter which can readily be declared to be "of regional concern".

Provis: Matter which, under the Brussels Protocols, must provisionally remain within the jurisdiction of the Administrator of the joint services, assisted by a representative of each country.

Confir: Matter which, under the terms of the United Nations resolution, must be transferred to the countries. Since it is legally impossible to declare such matters to be "of regional concern" (see below), it will be necessary,

in order that the countries may legitimately exercise the prerogatives ensuing from the total autonomy granted to them, to confirm by means of a legislative order the relevant edicts they will issue, due regard being had to the provisions of the Brussels Protocols.

- Tut: Matter which remain within the jurisdiction of the Administering Authority, because:
- Tut 1: It directly involves the responsibilities assumed by the the Administering Authority under the Trusteeship Agreement;
- Tut 2: It involves foreign relations;
- Tut 3: It concerns the organization of the trusteeship services or the status of their staff, the countries being free, however, to organize their own services and establish the status of their own staff.
- Ind: Matter which will not have significance until after independence.

Some explanation is required regarding the legal impossibility of declaring certain matters to be "of regional concern".

In view of the lengthy procedure involved in amending metropolitan legislation and of the fact that the Act of 18 October 1908 provides in article 22 (3) that "the delegation of legislative powers shall be prohibited", a procedure other than delegation had to be employed in order to give the legislative power of the countries jurisdiction, without undue delay, in matters governed by legislation of the Administering Authority.

Although the Interim Decree of 25 December 1959 established legislative bodies in the countries, the powers of these assemblies were residuary and applied only to matters of purely regional concern.

Since most of the traditionally regulated fields were covered by general legislation, the matters which came within the jurisdiction of the regional legislature were few in number.

Legislative orders were therefore issued for the purpose of declaring an increasing number of matters to be "of regional concern".

Since it was specified in each case that the general legislation continued to apply to these matters only on a transitional basis and only in so far as they were not regulated by the competent authorities of the countries, these legislative orders entailed an implicit abrogation of the general legislation, thus creating the "juridical vacuum" necessary to enable the country's legislature to undertake a valid consideration of the question.

It was impossible, however, to employ this method universally.

The reason for this is that the Act of 18 October 1908 expressly provides that certain matters must be covered by decree.

This applies, *inter alia*, to:

Attacks on the freedoms guaranteed under article 2 of the charter (this matter may, however, also be regulated by "special legislation");

The establishment of customs duties and taxes and of tax exemptions (art. 10);

The grant of certain transfers or concessions (art. 15);

The organization of the civilian and military courts (art. 17).

Other matters even require metropolitan legislation, since only the metropolitan country can approve the budget of Ruanda-Urundi and make up the general account (art. 12 and 13).

The need to resort to decree (so long as the Act of 1908 is unamended) also entails the confirmation by decree (or by legislative order) of any edicts the countries might issue concerning matters reserved for the ordinary legislative bodies of Ruanda-Urundi.

Matter	Category	Remarks
Fundamental law: rights of inhabitants and organization of powers and institutions	Confr	The Constitution of Burundi has already been confirmed by legislative order, subject to certain reservations. The Constitution of Rwanda, proclaimed at Gitarama, is currently being reviewed by the country's authorities
Nationality	Ind	
Civic merit card (Ordinance No. 21/258 of 12.7.47)	Reg	The equality of all citizens before the law, as provided in the Constitution of Burundi and the draft Constitution of Rwanda, precludes the categorizing of citizens according to level of education. In Burundi, therefore, the ordinance in question is void. In Rwanda it will be void when the Constitution comes into force
Ranking of privileged claims (Ordinance of 22.1.96)	Reg	
Traffic in construction yards (Ordinance No. 660/217 of 4.11.59)	Reg	
Serious military offences (L.O. No. 08/392 of 20.10.61)	Reg	
Foreign structures (Decree of 30.4.87)	Tut 2	
External security of the State (L.O. No. 103/APAJ of 7.3.41)	Tut 1	
Judicial organization and competence (Decree of 16.6.60) and indigenous jurisdiction (L.O. No. 384/AIMO of 5.10.43)	Confr	The two countries are drawing up a plan for judicial reorganization. The Mwami of Burundi and the President of Rwanda have been empowered to appoint a number of O.P.J.
Punishment of certain offences in time of war (L.O. No. 276/APAJ of 18.9.42)	Tut 1	
Civil procedure (Ordinance of 14.5.86, ratified by Decree of 12.11.86)	Confr	
Criminal procedure (Decree of 16.6.60)	Confr	
Officials of the judiciary and judicial police, Statute	Tut 3	
Increasing of criminal fines (Decree of 3.1.25 and L.O. No. 111/379 of 18.12.61)	Reg	This matter has not been expressly decentralized. It should be noted that except for a few articles, the entire criminal code has been declared to be "of regional concern"

<i>Matter</i>	<i>Category</i>	<i>Remarks</i>
Judicial representation of the Government of Ruanda-Urundi (Ordinance of 11.2.58).....	Tut 3	No special provision is needed to enable the countries to determine what authorities will represent them in court
Protection of the title of lawyer (Decree of 31.5.46)	Reg	
Extradition (Decree of 12.4.86).....	Tut 2	
Executory formula (Decree of 23.5.09).....	Ind	Article 20 of the Act of 18.10.08 provides that justice shall be administered and its decisions enforced in the name of the King
Legal expenses in non-contentious matters (Decree of 11.7.20)	Confir	
Keeping of court registers (Order of 29.3.91)....	Confir	
Statute of the magistrates of Ruanda-Urundi (Decree of 16.6.60)	Tut 3	
Disposal of objects subject to legal confiscation....	Confir	
Military régime (Decree of 8.11.17).....	Tut 1	
Rehabilitation (Decree of 21.6.37).....	Confir	
Internal organization of the trusteeship administration:	Tut 3	
Administrative organization		
Powers of the authorities		
Commissions and councils		
Functions of the services		
Status of staff		
Pensions of staff		
Publication of the official records of the Administering Authority (Decree of 28.6.60).....	Tut 3	
Official mail (franking privilege), exemption from cable charges.....	Tut 3	
Use of languages.....	Tut 3	
Days for the holding of official ceremonies.....	Tut 3	
Precedences (Royal Order of 11.9.48).....	Tut 3	
Honorary distinctions.....	Tut 3	
District organization.....	Tut 3	
Representation abroad and foreign consulates in Ruanda-Urundi	Tut 2	
Accountancy of Ruanda-Urundi (Decree of 6.10.85)	Tut 3	
Budget and financial control, management of credits, cashier of the Government of Ruanda-Urundi, accountancy regulations, financial supervision of government-controlled undertakings, public debt and portfolio	Tut 3	
Monetary system and institute of issue.....	Prov	
Work and supply contracts on behalf of Ruanda-Urundi	Tut 3	
School medical inspection (Ordinance No. 74/343 of 28.6.59)	Reg	
Comparison of academic degrees (Decree of 25.11.58)	Reg	This would evidently call into question the equivalence of diplomas
Protection of university degrees (Decree of 16.11.49)	Reg	
Military organization.....	Tut 1	It should be noted that L.O. No. 08/32 of 21.2.62 establishes the national army of Burundi under the supreme authority of the Mwami
Immigration (Royal Order on Co-ordination of 22.4.58)	Tut 1	Associating Burundi with the immigration control, pursuant to the Brussels Protocols
Volunteer corps (Ordinance No. 21/226 of 4.5.59)	Tut 1	
Public assembly:.....	Reg	
For Burundi: Ordinance No. 111/6 of 18.1.62		
For Rwanda: Ordinance No. 17/APAJ of 20.1.38		
Ordinance No. 11/55 of 5.5.55		
Ordinance No. 21/96 of 29.6.55		
Supervision of associations not subject to a legally prescribed régime (Ordinance No. 11/234 of 8.5.59)	Reg	

<i>Matter</i>	<i>Category</i>	<i>Remarks</i>
Disorder on public thoroughfares (Ordinance No. 111/65 of 9.4.59).....	Reg	
Maintenance of order in centres inhabited by persons in government service (Ordinance No. 111/91 of 14.2.59).....	Tut 3	
Arrest for disturbing the peace (Decree of 3.6.1906)	Tut 1	The enforcement of this decree was suspended in Burundi under a legislative order of March 1962 of the Senior Representative at Usumbura
Relegation (L.O. of 27.8.24 and Decree of 5.7.10)	Tut 1	
Occupation régime (Decree of 31.7.20).....	Tut 1	
Police and military operations (Decree of 3.6.06)	Tut 1	
Collective reparation of damage from disturbances (L.O. of 24.7.44).....	Reg	
State of siege (L.O. No. 72/FP of 16.5.40).....	Tut 1	
State of emergency (Decree of 20.10.59).....	Tut 1	
Air alerts (L.O. No. 14/FB of 22.1.42).....	Tut 1	
Zones prohibited for over-flight (Decree of 15.3.53)	Tut 1	
Military zones (Decree of 20.6.52).....	Tut 1	
Traffic on military grounds (Ordinance No. 81/220 of 4.10.58).....	Tut 3	
Internment of suspect persons (L.O. No. 62/AP of 14.5.40).....	Tut 1	
Searches, seizures and confiscation (L.O. No. 390/5 of 19.12.42).....	Tut 1	
War sequestration.....	Tut 3	
Requisitions for the police force (L.O. No. 112/FP of 11.6.40).....	Tut 1	
Mobilization; requisition of persons or objects in case of war or internal difficulties (L.O. of 20.5.43).....	Tut 1	
Air navigation (Ordinance 62/321 of 8.10.55).....	Prov	In execution of the Protocols
Radio sets on aircraft (Ordinance No. 64/184 of 24.6.57).....	Prov	In execution of the Protocols
Identification, storage and distribution of aviation fuels (Ordinance No. 68/39 of 17.1.58).....	Prov	In execution of the Protocols
Air facilities (Decree of 16.4.53).....	Prov	In execution of the Protocols
Regulation of irrigated crops for the protection of public health (Ordinance No. 74/569 of 31.12.58).....	Reg	
Fire-arms regulations (Decree of 21.2.50).....	Tut 1	
Life insurance (Act of 21.8.25).....	Confir	By a Belgian Act
Establishment of losses through disaster by the administrative personnel (Ordinance of 21.6.49).....	Tut 3	
Export of cattle hides (Ordinance No. 441/226 of 30.7.61, Ordinance No. 49/AE of 27.9.38).....	Prov	
OCIRU.....	Prov	In execution of the Protocols
Import of petroleum products and lubricants (Decree of 13.12.38).....	Prov	
Control of exchange and foreign trade.....	Tut 1	
Assistance in connexion with the travel costs of settlers.....	Tut 3	
Chambers of commerce (Decree of 1.3.32).....	Reg	
Cotton (Decree of 18.6.47).....	Reg	
Credit to Africans (Decree of 7.3.59, Ordinance No. 221/2 of 2.1.59).....	Reg	
Customs.....	Prov	
Industrial property.....	Reg	
Protection of oil-works (Decree of 20.5.31).....	Reg	
Supplementary tax on profits.....	Confir	
Income tax.....	Confir	
Exceptional surtax.....	Confir	
Butter (L.O. No. 280/VET of 29.9.45).....	Reg	
Motors and boilers.....	Reg	
Disposal of gold produced in Ruanda-Urundi.....	Tut 1	

<i>Matter</i>	<i>Category</i>	<i>Remarks</i>
Press (Decree of 6.8.22).....	Tut 1	
Statistics (Decree of 11.3.48).....	Reg	
Telecommunications (L.O. No. 254/TELEC of 23.8.46)	Reg	
International conventions	Tut 2	

ANNEX XXV

Note dated 16 March 1962 from the Government of Rwanda

POSITION OF THE RWANDESE GOVERNMENT WITH REGARD TO RESOLUTION 1743 (XVI) ON THE FUTURE OF RUANDA-URUNDI ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY ON 23 FEBRUARY 1962

The Government of the Republic of Rwanda,

Concerned for the full and harmonious advancement of the people of Rwanda,

Desirous of seeing increasing collaboration among all strata and groups of the population of Rwanda,

Wishing Rwanda to obtain its independence as soon as possible and under the best possible conditions,

Desirous of seeing our country in a position to make its contribution to the general progress of Africa and the world,

Considering that the United Nations can have no other purpose than to encourage the peoples to make progress in real peace and that the resolutions of the United Nations constitute means which can effectively contribute to progress and peace in our country,

Considering that the Administering Authority is entitled only to adopt positions which are consistent with the will and aspirations of the People under Trusteeship, as expressed by their officially and lawfully established organs:

1. *Reaffirms* to the People of Rwanda its respect for the political maturity they have demonstrated, in particular by the results of the elections and of the referendum on the question of the Mwami;

2. *Reaffirms* its gratitude to the United Nations and the Administering Authority for their resolve to extricate our people from economic, social and political under-development;

3. *Expresses* its satisfaction that the United Nations resolution of February recognizes the validity of the people's vote of September 1961;

4. *Deeply regrets* that the United Nations has not fixed a definite date for independence, although the fixing of such a date could have contributed more than anything else to the rapid establishment of better understanding among political factions;

5. *Welcomes* the Commission and the experts of the United Nations to the territory of the Republic;

6. *Hopes* that the Commission will verify on the spot the validity of the statements made to the Fourth Committee by our mission of observers headed by Deputy Rugira;

7. *Notes* with satisfaction that the United Nations discussions have persuaded the opposition party to participate in the Government, as President Kayibanda had requested it to do during the formation of the present Government in October 1961 with a view to promoting better co-operation between the various political factions;

8. *Warns* the UNAR Party that the Government of the Republic will come to terms only with conduct that is candid, loyal to the Republic and in the interests of the public welfare, and that consequently it wants to obtain unmistakable signs of a firm determination to help make an independent Rwanda into a democracy in an Africa that is truly rid of colonialism in all its forms;

9. *Calls* upon Citizen J. B. Ndahindurwa, formerly Mwami Kigeli, totally to renounce all claims which are not in con-

formity with the laws of the Republic and with the fundamental rights of the human person;

10. *Declares* its willingness to assist Mr. Ndahindurwa in honourably adjusting his status, without prejudice, however, to the justice and tranquillity essential to the citizens of Rwanda, in particular the refugees;

11. *Renews* its appeal to all citizens of Rwanda abroad to return, if they wish, from their roving and to participate in the democratic upsurge of their country;

12. *Decides* to establish a negotiating commission, consisting of the Head of Government, or a person designated by him, and members appointed by the Government, whose functions shall be:

(a) To treat with the United Nations Commission and the Administering Authority regarding the implementation of the provisions of the General Assembly resolution of February 1962;

(b) To make the further necessary contacts with the opposition party in order to promote greater co-operation between the parties.

13. *Requests* this national negotiating commission not only to study the provisions of the February resolution relating to the question of the former Mwami and of bringing UNAR into the Government and the administration of the prefectures, but also to examine in the light of the true prevailing situation and from the point of view of the future of the African States questions of co-operation between Rwanda and Burundi;

14. *Expresses* its well-founded opinion that while the political union of the Republic of Rwanda and the Kingdom of Burundi is very difficult if not impossible to achieve before independence, co-operation in the technical, economic and scientific fields offer more than one area in which collaboration is possible and beneficial, given effective safeguards for the interests of each State;

15. *Decides* to appeal most strongly for technical, and particularly financial, assistance from the United Nations for the rapid and harmonious development of the Republic of Rwanda;

16. *Expresses* its gratitude to the United Nations for the intentions stated in operative paragraphs 5 and 7 of the resolution;

17. *Requests* the Administering Authority to determine in agreement with the United Nations and in conformity with the wishes of the authorities of the Republic of Rwanda, the status of the Belgian nationals who will remain in Rwanda for purposes of technical assistance;

18. *Urges* the United Nations, and in particular its General Assembly at its present session, which is to be resumed in the first week of June 1962, to set 1 July, the date happily envisaged in the February 1962 resolution, as the definite date for the termination of Trusteeship and the independence of Rwanda;

19. *Requests* the United Nations Commission to agree forthwith to become the spokesman of the Government of Rwanda before the General Assembly in asking the United Nations to consider admitting the Republic of Rwanda to membership in the United Nations;

20. *Calls upon* all authorities, the people and the political leaders of Rwanda, as well as all civil servants of the Administering Authority, to co-operate fully with the Commission and the experts of the United Nations with a view to Rwanda's accession to independence as soon as possible under the best conditions.

Kigali, 16 March 1962

(Signed) G. KAYIBANDA

President of the Republic of Rwanda

ANNEX XXVI

Note dated 23 March 1962 from the Legislative Assembly of Rwanda

ATTITUDE OF THE LEGISLATIVE ASSEMBLY OF THE REPUBLIC OF RWANDA REGARDING RESOLUTION 1743 (XVI) ADOPTED BY THE UNITED NATIONS GENERAL ASSEMBLY

The Legislative Assembly,

Having taken note and having carefully examined the resolution adopted by the United Nations General Assembly on 23 February 1962 concerning the future of Ruanda-Urundi;

Having in mind the motives of promoting complete and real independence which dictated that resolution;

Noting with satisfaction that the content of the resolution indicates only a desire for the well-being of the Rwandese people and the strengthening of the legal authority in Rwanda;

1. Welcomes the United Nations Commission for Ruanda-Urundi.

2. Requests the Government of the Republic of Rwanda and the Administering Authority to give a cordial welcome to the United Nations Commission and to facilitate the accomplishment of its mission.

3. (a) Considers that, after the elections and the referendum, there are no further subjects requiring reconciliation, but calls upon the opposition to prove its desire to co-operate by putting an end to its organized terrorism under the name of Inyenzi;

(b) Thanks the Government and people of Rwanda for having settled, in record time and in a peaceful manner, the problem of the displaced persons which was stimulated by reckless and backward demagogues. Reiterates the appeal made several times to the refugees by the President of the Republic: that they return to their homeland;

(c) Recommends that the Government should enter into negotiations, on the one hand with the United Nations Commission and on the other with the Administering Authority, with a view to retaining only a strict minimum of foreign soldiers for the purpose of aiding in the maintenance of law and order until such time as the indigenous forces have the necessary training, equipment and manpower, subject to the following safeguards:

(i) The foreign force shall be under the direct authority of the Government;

(ii) It shall be stationed in barracks at a specified place;

(iii) It shall equip our national forces;

(iv) It shall strictly refrain from any interference in the internal political affairs of Rwanda and from any action liable to disturb the security of neighbouring States;

(v) It shall not exceed the manpower level fixed by common accord;

(vi) It shall leave the country peacefully when the Government states that it so desires;

(vii) It shall pay all the costs resulting from its being stationed in the country and its operation.

4. Notes with satisfaction that the UNAR party has reconsidered its decision not to participate in the Government.

5. Recommends that the Government should not alter its composition without guarantees of full and loyal co-operation including the following points:

(a) An oath of loyalty to the Republic on the part of deputies;

(b) An undertaking to disband the Inyenzi terrorist gangs;

(c) An undertaking to remain in the country with their families, thus giving confidence to the refugees.

6. Reserves the right to decide whether all the necessary guarantees are present.

7. Notes with satisfaction and confirms the positions taken by the representatives of the Rwandese Republic and the State of Burundi in regard to the political unity of Ruanda-Urundi.

Reaffirms its unequivocal desire for co-operation with Burundi on a realistic basis.

Recommends, consequently, that the Government of the Republic of Rwanda should negotiate with a view to:

First, rejecting the idea of a supra-State body which would be imposed and hence have no real authority;

Secondly, agreeing upon joint agencies for economic co-operation provided with real guarantees for safeguarding the interests of each of the two States.

8. Reminds the United Nations of the provisions of the General Assembly's Declaration on the granting of independence to colonial countries and peoples.

Urges the United Nations General Assembly to contribute effectively to the free development and the complete tranquillity of the Republic of Rwanda by confirming the date of 1 July 1962 as the date for the independence of our country.

9. Calls upon the Government of the Republic of Rwanda and the Administering Authority to co-operate with the United Nations Commission on the lines of the present statement of position by the Legislative Assembly.

Done at Kigali, 23 March 1962.

ANNEX XXVII

Letter dated 29 March 1962 from UNAR to President Kayibanda

You are no doubt aware that the situation in the country is rapidly deteriorating. In the Prefecture of Biumba, for example, massacres of our members were resumed five days ago and the dead are to be counted in dozens, the houses burned down in hundreds. In the Prefecture of Kibungu arrests and the torturing of detained persons are continuing and there, too, some of our members have been murdered.

We hope that the Government will take the necessary steps to put an end to these regrettable incidents and evil deeds and will actively seek out and severely sentence those responsible for this state of affairs. We draw your attention to the fact that neither the communal nor the prefectural authorities can claim to have had no hand in this matter.

We are convinced that one of the most effective ways of halting this deterioration would be the immediate implementation of the New York Agreement. That Agreement should be implemented at once and in its entirety, not only so that we may strive together to halt the deterioration of the political atmosphere but also in order to enable the opposition to participate in the Addis Ababa Conference. We accordingly reiterate to you herewith our desire that a representative of our Party, either a member of the Government or a member of Parliament, should take part in that Conference.

The delegates appointed to negotiate with regard to the implementation of the Agreement are Mr. J. N. Rutsindintwarane and Mr. M. Rwagasana, President and General Secretary of the Party respectively.

We venture to hope that you will look with favour on our request and that the negotiations concerning implementation will be initiated immediately.

For the Union nationale rwandaise

(Signed) M. RWAGASANA
General Secretary

J. N. RUTSINDINTWARANE
President

ANNEX XXVIII

Letter dated 26 April 1962 from UNAR to President Kayibanda

I have the honour to remind you of our correspondence of 11 April 1962 concerning specific proposals for the implementation of the New York Agreement.

To my regret negotiations between your delegate, the Minister of Agriculture and Land Settlement, and the UNAR

delegates, which were to lead to the implementation of the Agreement, have been at a standstill since 29 March, when the only contact with your delegate took place. Since then, despite specific proposals transmitted to him, no discussion for the purpose of finding a definitive solution to this problem has been permitted.

The reason I am pressing, on behalf of UNAR, for the settlement of this matter is that my party is a co-signatory to the Agreement and is anxious for reconciliation and national harmony, in the interests of the nation. It was in this spirit, moreover, that the delegates of the party consented to sign the Agreement in question.

The Government, although it too is a signatory to document A/C.4/532, is showing an incomprehensible reluctance to put the terms of that Agreement faithfully into effect. In so doing it is, of course, acting within its rights, as it was at the time when its delegates assumed the undertaking set forth in the above-mentioned document. However that may be, my party is not accustomed to dilatory methods and considers that it is still bound by the undertakings which it freely assumed.

May I venture to ask whether the Government still considers itself, as we do, bound by the Agreement signed in New York and whether it intends to implement that Agreement in the near future?

(Signed) M. RWAGASANA
General Secretary

J. N. RUTSINDINTWARANE
President

ANNEX XXIX

Statement made on 17 May 1962 to Mr. Michel Rwagasana, representative of UNAR, in the Legislative Assembly of Rwanda

My party has asked me to convey to this high Assembly its most sincere thanks for the unanimous expression of confidence that members have just given the new Government team. This team includes two leaders of the opposition who, thanks to the New York Agreement, will now be serving our dear Rwanda.

Mr. President of the Republic, Mr. President of the Legislative Assembly, fellow-members: UNAR is gratified at this initial positive step on the road to national reconciliation, to the cause of which UNAR energetically devotes itself in sincere collaboration with His Excellency the President of the Republic and his Government.

Henceforward, Mr. President and fellow-members, our party can assure you that it will spare no effort in working for the achievement of genuine understanding between the majority and the opposition, which now, by reason of its entry into the Government, can no longer be considered an opposition, but rather a partner.

I shall be careful not to hark back to the stages that have marked the political and social development of Rwanda. However, I cannot refrain from mentioning the painful fact of the dissension which colonialism has introduced among the country's various political groups. Fortunately, this colonial policy has failed thanks to the wisdom of the Banyarwanda and to the comprehension of the Government of Rwanda.

My party has not hesitated, as you know, to embark confidently on the path of understanding. In that connexion, it has published its statement of policy on the present problems of Rwanda. I repeat, the Government of the Republic and the majority party can henceforward count on the collaboration of UNAR. My party will therefore give its support to the Government. It is convinced that progress will surely be made in the implementation of the New York Agreement, and on that score it reaffirms its confidence in the President of the Republic. For it is with such confidence that we must take the path of our national independence.

Together, we will build the Rwandese nation, and defeat the saboteurs who are agents of colonialism.

ANNEX XXX

Letter dated 5 April 1962 from Mwami Kigeli V to the Chairman of the Commission

Further to our conversation this day, I have the honour to confirm to you my position regarding the part that I am to play in the national reconciliation of Rwanda and the resettlement of the refugees, and with respect to what concerns me personally as Mwami of Rwanda.

First, as the referendum and the elections could not, in view of the circumstances under which they were held, reflect the real aspirations of the population of Rwanda, strict justice would demand that they should be held again under fair conditions. However, since the United Nations has not been able to bring about such conditions but has rather adopted a compromise solution, I find myself compelled to define my position accordingly.

I would be willing, therefore, to remain outside Rwanda for a period of two years, during which the Government of national union to be set up would act as a regency, to be terminated by a free and democratic referendum and free and democratic elections held at the end of that period. It is understood that there is no question of my abdication even with a pension.

As to the resettlement of the refugees, a distressing problem if ever there was one, I am prepared to co-operate with the Commission in ensuring that this is done successfully. However, genuine and reliable safeguards will be required.

The first is, in my opinion, the withdrawal of the Belgian troops and Administration officials.

The second would be the recruitment, from the monarchist parties, of a National Guard contingent equal to the current strength of the PARMEHUTU troops. The tragic massacre of the refugees who returned for the elections last September is so vivid a memory that everything possible should be done to prevent any further catastrophes of the kind.

The third would be the formation of a Government of national unity worthy of the name.

The fourth is material assistance to the refugees from the local Government and the United Nations, without prejudice to possible compensation for loss of property.

The above list of guarantees is not meant to be limitative. I would ask the Commission to supplement it in order to afford the refugees every assurance of safety.

In addition, I place myself at the entire disposal of the Commission to consider any constructive solution relating to the future of Rwanda.

(Signed) KIGELI V
Mwami of Rwanda

ANNEX XXXI

Ministerial Decree of 11 January 1962 concerning the movement of persons by motor vehicle in Rwanda

The Minister of the Interior and Civil Service,

Considering Legislative Order No. 02/234 of 15 July 1961 concerning the institutions of Rwanda;

Considering Legislative Order No. 02/334 of 22 October 1961 concerning the institutions of Rwanda;

Considering the Protocol relating to the powers of self-government signed between the Belgian Government and the Rwandese Government;

Considering Order No. 221/109 of 16 June 1959 concerning the movement of persons;

Whereas several acts of terrorism resulting in the deaths of several persons have recently been committed in Rwanda;

Whereas tranquillity and public order are seriously threatened by such actions;

DECREES:

Article 1:

Throughout Rwanda the movement of persons by motor vehicle shall be subject to prior authorization.

Article 2:

Authorizations shall be issued in each *Préfecture* by the Prefect or his deputy.

Article 3:

Infringements of this Decree shall be punishable by a term of penal servitude not exceeding seven days and a fine not exceeding 200 francs, or by one only of these penalties.

Article 4:

This Decree shall be effective immediately.

Kigali, 11 January 1962

(Signed) L. MPAKANIYE
Minister of the Interior

ANNEX XXXII

Note dated 19 April 1962 from the Belgian Government

The Belgian Government believes that it would be useful at this time, when the United Nations Commission is in Ruanda-Urundi to carry out the mission entrusted to it by the General Assembly at its sixteenth session, to state its position on a number of questions.

1. RECENT EVENTS

After the elections of October 1961, the Belgian Government felt that the time had come to reach agreement with the Governments of Rwanda and Burundi on a transitional régime which would facilitate the rapid accession to independence of the two countries.

On 21 December, therefore, Protocols were concluded with both Governments, transferring to them wide powers of internal autonomy without, however, affecting the responsibility assumed by Belgium under the Trusteeship Agreement.

In order to work out exactly how the Protocols were to be applied, a mission was dispatched from Brussels to Rwanda and Burundi in January, and a number of practical measures were taken. The powers vested in the local Governments were enumerated in a Legislative Order of 18 January. Provisional constitutions, proposed by the countries themselves, were promulgated to provide a legal framework for those powers. To enable the Governments to exercise the powers vested in them, the Belgian technicians they asked for were placed under their exclusive authority.

It was arranged that the status of those agents, if they remained after independence, would be regulated by an agreement. Since Belgium, with the consent of the two Governments, has undertaken to administer the joint technical services, the Belgian Government is preparing detailed proposals for administration in accordance with the terms of the Protocols of 21 December, but no final decision will be taken in these matters until the conclusions of the Addis Ababa Conference are known. The Belgian Government is anxious to do nothing which might hamper the Conference in its work or prejudice any decision it might take. It is in this way, in particular, that it intends to co-operate in the faithful implementation of resolution 1743 (XVI).

2. TECHNICAL ASSISTANCE

The Belgian Government has announced on several occasions its intention of continuing to assist the two Governments after independence, in so far as they request such assistance.

A number of missions were sent to Ruanda and Burundi to prepare the agreements which will govern the practical arrangements for such assistance.

The reports of those missions show that the monetary and financial situation is so serious as to be critical.

The regular budgets presented by the two Governments show a deficit of almost 50 per cent.

While it is understandable that there was some measure of economic and financial confusion in the two countries in the

immediate past, it is quite unthinkable that, at a time when they are about to become independent, the two Governments should budget for expenditures amounting to almost twice their revenue. Such a situation would call for intensive foreign assistance and would make true and complete independence an idle dream.

For that reason, the Belgian Government wrote to each of the Prime Ministers on 26 March 1962, pointing out the gravity of the situation. The letter emphasized Belgium's willingness to give assistance to the two Governments in personnel, until the necessary indigenous technical staff has been trained, and in cash, in order to counteract to some extent the difficulties arising from an unfavourable economic situation.

However, Belgium also emphasized that the two Governments must make a serious effort to bring their expenditure into line with their own resources.

In the opinion of the Belgian Government, the two Governments should obtain rather substantial assistance from abroad, failing which, the economy and administrative organization of the countries might finally break down in chaos. Such assistance should be placed entirely under the authority of the two Governments in order to guarantee their full sovereignty.

As the Minister for Foreign Affairs has had occasion to state in the Fourth Committee, Belgium cannot take the responsibility of providing such assistance and maintaining the desired technicians at the disposal of the local Governments unless their safety is assured after independence.

Every effort is being made to strengthen the local police and *gendarmérie* forces within the shortest possible time so that they can take over the maintenance of order as soon as possible. In conformity with resolution 1743 (XVI), military training plans have been prepared and their implementation is being delayed only by the discussion of certain points with the local Governments. The Belgian Government believes, however, that these local forces will not be able on 1 July to deal with all contingencies which might arise.

It would therefore be necessary, if the Governments agreed, to keep an additional emergency force in reserve. In the absence of such a guarantee, the Belgian Government feels that it cannot ask its nationals to serve the local Governments, at least during the initial period. In that case, the assistance Belgium would give to the countries would have to be of another kind, and this question could be discussed with the Commission and the two local Governments. Scholarship and fellowship programmes, for instance, might be considered.

The Belgian Government must say, in all frankness, that it does not believe such a programme would be adequate to prevent a rapid deterioration of the situation in Ruanda and Burundi. It must express the hope that, if Belgian technicians are unable to remain in those countries, their places may be taken by others.

3. RETENTION OF BELGIAN TROOPS

The above remarks concerning the minimum conditions which Belgium considers necessary for the continuation of assistance in the form of personnel leads naturally to the question of the maintenance of order until the date of independence and the possible presence of Belgian troops after independence.

On several occasions during the debates in the Fourth Committee, the Minister for Foreign Affairs has stated that, until the date of termination of the Trusteeship, he retains exclusive responsibility for the maintenance of order and that he will use such means as he deems adequate to meet that responsibility. Nevertheless, in implementation of resolution 1743 (XVI), particularly paragraph 3 (e), Belgium has decided to withdraw 300 officers and men at the end of May, leaving only 450 men in each country. The Belgian Government regards that as a minimum force, which it will retain until the termination of the Trusteeship.

This view does not seem to coincide entirely with that expressed by the United Nations Commission on 1 April to Mr. Carlier, the representative of the Minister for Foreign Affairs of Ruanda and Burundi, according to which Belgium should

begin to evacuate its troops on 1 May, so that the evacuation might be completed by 1 July.

The Belgian Government sees nothing in the resolution requiring such a procedure. The date of independence for Rwanda and Burundi will not be definitely known until the June session of the General Assembly; resolution 1743 (XVI) sets the date only conditionally. Thus it will not be until the June session, when the date of independence will be finally set, that precise measures can be taken concerning the possible withdrawal of the last Belgian troops. The Belgian Government also wishes to point out that the resolution stipulates that the sovereign rights of Rwanda and Burundi must be safeguarded, and that it is for the two countries, in the last analysis, to state their views on this matter, which they have not yet done.

In addition, the resolution requires the Commission to express its views on the ability of the two Governments themselves to ensure the maintenance of order after independence, and the Commission has not yet done so.

For all these reasons, the Belgian Government fails to see how a definite policy on this question can be adopted at this stage. All it can do is to reaffirm its willingness not to keep troops in Rwanda and Burundi after independence, except by agreement with the two Governments.

Therefore, if the General Assembly in June confirms 1 July as the date of independence and if either or both of the Governments officially request the Belgian Government to withdraw its troops, Belgium will take the necessary steps to evacuate them as rapidly as possible, as soon as it has been relieved of its responsibility for the maintenance of law and order. The evacuation should therefore take place after the date of independence and if the local Governments express the wish that United Nations observers should supervise the withdrawal, Belgium would see no objection to that.

In accordance with resolution 1743 (XVI), paragraph 3 (e), the Belgian Government is ready to inform the United Nations Commission of its plans for the military training of local forces and of its opinion concerning the ability of the Governments to assume responsibility for the maintenance of law and order with the means at their disposal.

ANNEX XXXIII

The Commission's interpretation of paragraph 3 (e) of resolution 1743 (XVI), as read by the Chairman to Ambassador Carlier on 2 April 1962

After studying the wording of paragraph 3 (e) of resolution 1743 (XVI) and in the light of the discussion on this subject in the Fourth Committee of the General Assembly, the Commission feels that this paragraph should be interpreted as follows:

Resolution 1743 (XVI) lays down the general principle, accepted by all the Members of the Assembly and solemnly proclaimed by the Belgian Minister for Foreign Affairs, of the withdrawal of Belgian military and paramilitary forces before the Territory's accession to independence.

The exception to this principle mentions "such personnel whose retention, in the view of the Commission in consultation with the authorities of Ruanda-Urundi and the Administering Authority and without prejudice to the sovereign rights of the future independent Ruanda-Urundi and subject to the latter's subsequent ratification, may be considered necessary as an interim measure".

In the spirit of the resolution, there can be no question of regarding this "personnel" as on the same footing as the military and paramilitary forces themselves. For, if that was the case, not only would it have been possible to draft the resolution without introducing the word "personnel" and therefore to say "with the exception of those whose retention, etc.", but the Fourth Committee could simply have adopted the draft amendment proposed by Ireland and Sweden on 19 February.

This amendment reads as follows:

"Arrangements for the training of indigenous forces with the help of experts and training missions provided by the

United Nations in order to achieve as rapidly as possible the progressive replacement of Belgian military and paramilitary forces according to a plan to be worked out as a matter of urgency before independence."

But Ambassador Carlier was able to see that all the sponsors of the draft of resolution 1743 (XVI) were opposed to that draft amendment and that, in a spirit of compromise, they finally agreed to consider the possibility of the retention of "personnel" whose presence might be considered necessary when the Commission had examined the situation thoroughly.

In the light of the many interpretations put forward in the Fourth Committee and of the explanations given by the co-sponsors of resolution 1743 (XVI), the Commission considers that the broadest possible interpretation of this word would be, at the most, "supervisory personnel and experts", excluding Belgian military and paramilitary forces.

It is, however, clear that the general question of the retention of foreign troops after the first week of June will be discussed by the General Assembly at its resumed session and it will be for the Assembly alone to decide the question whatever the situation may be.

The Commission therefore understands its terms of reference with regard to this problem to be as follows:

While supervising arrangements "for the training of indigenous forces with the help of experts or a training mission provided by the United Nations, and the rapid withdrawal of Belgian military and paramilitary forces", it will consult the authorities of Ruanda-Urundi and the Administering Authority on their final positions regarding the maintenance of law and order in general and the circumstances in which Belgian troops will be withdrawn before independence, and it will inform the General Assembly accordingly in its report.

Naturally, its recommendations on the matter will take into consideration, first, the positions of the respective autonomous Governments; secondly, the manner in which the training of indigenous forces is proceeding; thirdly, the position of the Administering Authority and the time-table it has drawn up in connexion with this matter; and, finally, the general conditions prevailing in the Territory at this time.

ANNEX XXXIV

Decision of the Council of Ministers of Burundi, dated 11 March 1962, concerning the Belgian forces

The Ministers of the Autonomous Government of Burundi, in council assembled,

In response to Ambassador Carlier's question of today's date whether or not the Government of Burundi intends to retain Belgian troops after independence,

DECIDE:

1. That the Government of Burundi accepts the resolution adopted at its last session by the General Assembly of the United Nations, including Belgium, with regard to Belgian military and paramilitary forces.
2. That the Autonomous Government of Burundi therefore abstains from any undertaking, even in principle, to conclude military agreements with any country before the accession of Burundi to independence.
3. That the Government of Burundi would like to know how the Belgian Government intends to apply operative paragraph 3 (e) of the above-mentioned resolution.

Usumbura, 11 March 1962

(Signed)

A. MUHIRWA
The Prime Minister

P. NGENDANDUMWE
The Deputy Prime Minister and Minister of Finance

(Signed)

J. NTIRUHWAMA

The Minister of the Interior

P. C. NUWINKWARE

The Minister of Justice

F. KATIKATI

The Minister of Economic Affairs

A. BAREDETSE

The Minister of Public Health

P. NGUNZU

The Minister of National Education

I. NDIRIMANYA

The Minister of Public Works

ANNEX XXXV

Letter dated 19 April 1962 from the Government of Burundi concerning measures for the maintenance of law and order, addressed to the Chairman of the Commission

I have the honour to reply as follows to the question, "What measures are envisaged for the maintenance of law and order by the national authorities?" asked by the Commission over which you preside:

1. *The voice of authority.* The Burundi people unanimously support their Sovereign, H.M. Mwami Nwambutsa, and his democratic nationalist Government. In Burundi this sincere devotion to the Mwami and readiness to obey his wise and just orders is a factor of inestimable value in the maintenance of law and order.

2. *The army and the gendarmerie.* In case of disturbances, Burundi has sufficient forces at its disposal to restore order. At the present time, Burundi has an army consisting of an indigenous force of 789 men, which it hopes to increase shortly to 1,300. Burundi also has a *gendarmerie* corps of 825 indigenous personnel and this too it hopes shortly to increase to 1,300. This *gendarmerie* corps has already proved its worth in the city of Usumbura through its effective work in preventing disorder and enforcing the law.

However, training, arms, equipment, numbers and transport are still inadequate. Accordingly I take the liberty of urging you to request the United Nations to arrange for the early dispatch of instructors for the purpose of training and officering the army and national *gendarmerie* of Burundi. I venture to hope that with your help we shall obtain substantial financial assistance from the United Nations in order to provide our two forces for the maintenance of order with the appropriate means for the efficient performance of their task. Your military and *gendarmerie* experts who are at present at Usumbura can estimate the amount of this financial assistance which my Government requests from the United Nations.

3. *Association of the Kingdom of Burundi with the international security system.* Burundi hereby declares that it associates itself with the international security system for the protection of its territorial integrity. In case of any foreign attack on its borders it will rely entirely on the United Nations. That is why it requests the United Nations to take appropriate steps to ensure the security of the borders of Burundi.

(Signed) André MUHIRWA
Prime Minister of Burundi

ANNEX XXXVI

Letter dated 27 April 1962 from the Government of Burundi concerning foreign troops, addressed to the Chairman of the Commission

I have the honour to transmit to you herewith the statement of the Burundi Government's position with respect to the foreign military and paramilitary forces in Burundi, in accord-

ance with resolution 1743 (XVI) of the United Nations General Assembly.

I trust that you will receive it favourably.

(Signed) A. MUHIRWA
Prime Minister

THE MINISTERS OF THE AUTONOMOUS GOVERNMENT OF
BURUNDI, MEETING IN COUNCIL,

Considering that the Government of Burundi has accepted the letter and spirit of resolution 1743 (XVI) of the United Nations General Assembly with respect to Belgian military and paramilitary forces,

Asserting that Burundi has sufficient effective means for the maintenance of internal order after independence.

Reaffirming their belief that technical assistance is not contingent upon the presence of foreign troops in the territory, but rather on an atmosphere of public calm,

Reaffirming their intention of entrusting the protection of the frontiers of Burundi to the international security system,

Considering the Agreement on Economic Union just concluded between the Government of Burundi and the Government of Rwanda at the Conference of Addis Ababa,

Convinced that that Agreement cannot continue in force if foreign troops remain stationed on the territory of Rwanda after independence,

Desirous of providing all possible safeguards to maintain confidence in that Agreement and of ensuring that Burundi's independence will be genuinely stable,

1. *Decide* that from the date of the proclamation of its independence, Burundi will no longer agree to the presence of foreign troops on its soil;

2. *Request* the United Nations Commission to take all steps necessary for the withdrawal of Belgian troops before independence, in accordance with resolution 1743 (XVI).

Usumbura, 27 April 1962

(Signed)

A. MUHIRWA

Prime Minister

P. NGENDANDUMWE

*Deputy Prime Minister
and Minister of Finance*

P. C. NUWINKWARE

Minister of Justice

J. NTIRUHWAMA

Minister of the Interior

A. BAREDETSE

Minister of Public Health

(Signed)

F. KATIKATI

*Minister of Economic Affairs
(absent)**Minister of Agriculture and
Stock-raising*

P. NGUNZU

*Minister of National
Education*

G. NKESHIMANA

Minister of Social Affairs

I. NDIRIMANYA

Minister of Public Works

ANNEX XXXVII

Letter dated 14 April 1962 from the Government of Rwanda concerning foreign troops, addressed to the Chairman of the Commission

With reference to the document from the United Nations Commission for Ruanda-Urundi replying to Ambassador Carlier, which was remitted to me by the Commission, and to the discussions in Addis Ababa on 14 April 1962 between the members of the United Nations Commission and the two Chairmen of the delegations of Rwanda and Burundi, I have the honour to confirm my replies.

1. In "the question of Belgian military and paramilitary forces" the Rwandese Government distinguishes between two aspects: the instructors and the Belgian troops.

2. With regard to the instructors, kindly refer to my letter replying to your letter of 11 April 1962.

3. With regard to the Belgian troops:

(a) The presence of Belgian troops in Rwanda is, in our view, linked to the presence of the Administering Authority, and both presences are justified, for the time being, by the Trusteeship Agreement;

(b) Termination of the Trusteeship Agreement will make illegal the presence of Belgian troops on the territory of the Republic;

(c) If the United Nations and the Administering Authority agree on the withdrawal of Belgian troops, the Government will not interfere in any way;

(d) The Government of Rwanda requests that it be kept informed of the arrangements for the departure, so that the departure may take place without any intrigues likely to disturb the peace;

(e) The Government of Rwanda wishes to make it clear that the question at issue is not only that of Belgian troops but the very principle that the stationing of foreign troops is not conducive to the self-determination of an independent territory;

(f) The Government of Rwanda will do nothing to obstruct the implementation of United Nations resolution 1743 (XVI) on the above-mentioned subject;

(g) The Government of Rwanda is of the opinion that any move to establish non-Rundi military forces on the territory of Burundi would only be a neo-colonialist manoeuvre constituting an obstacle to close co-operation between the two States.

For the delegation of the Republic of Rwanda

(Signed) G. KAYIBANDA
President of the Republic of Rwanda

ANNEX XXXVIII

Statement made by the Chairman of the Commission at the meeting with Ambassador Carlier on 26 April 1962

The Commission has carefully considered the Belgian Government's note of 19 April, transmitted by the Ambassador of Belgium at Addis Ababa.

1. With regard to the transitional measures taken by Belgium in order to ensure the Territory's rapid accession to independence and referred to in the note in question, the Commission continues to hope that it will be possible for the transfer of the powers of internal autonomy, as provided for by resolution 1743 (XVI), to be completed by the end of this month at the latest.

As was already pointed out to you at our meeting on 1 April, the Commission, on the basis of Belgium's own concept of internal autonomy as expressed in the text of the Brussels Protocols, hopes that all the powers defined by those Protocols as elements of internal autonomy will be transferred to the national Governments. It would, therefore, be grateful if the Trusteeship Authority would clarify the situation in this respect and, more particularly, indicate which specific powers have actually been transferred thus far.

The Commission welcomed the Belgian Government's decision to await the results of the Addis Ababa Conference before preparing its proposals for the transfer of powers with respect to the joint services. Accordingly, now that those results are known, it relies on the special co-operation which Belgium promised, in its note, to provide so that everything possible would be done to carry out paragraph 5 of the resolution with regard to both the decentralized and the joint services.

2. In the field of technical assistance, the Commission shares the anxiety expressed by the Belgian Government regarding the critical character of the monetary and financial situation of the two countries, as well as the urgent need to provide them with economic and technical assistance in the period ahead.

In that connexion, the Administering Authority is no doubt aware of the studies which United Nations experts are now undertaking in order to assess the country's needs and the foreign aid with which it should be provided.

The Commission has taken note of Belgium's position that it "cannot take the responsibility of providing such assistance and maintaining the desired technicians at the disposal of the local Governments unless their safety is assured after independence".

Expressing, further, its complete agreement with Belgium's position that "such assistance should be placed entirely under the authority of the two Governments in order to guarantee their full sovereignty", it considers that this assistance should not be made dependent on any condition that might affect the sovereignty and independence of the two Governments.

The question of security and political stability, which were indispensable for such assistance, cannot therefore be envisaged except within the framework of that sovereignty, on the strict understanding that it is for the local Governments to take all the necessary steps for the maintenance of that security.

This point leads to the question of the Belgian troops which is referred to in section 3 of the above-mentioned note.

3. The Commission agrees with the Belgian Government that the responsibility for the maintenance of law and order rests exclusively with Belgium until the date of the termination of Trusteeship. It feels, however, that Belgium, by approving resolution 1743 (XVI), particularly paragraph 3 (e), showed that it did not consider the exercise of that responsibility incompatible with the principle of a rapid and, if necessary, progressive withdrawal of those troops before independence.

Moreover, on this point, contrary to what seems to have been suggested in part 3 of the note, concerning the retention of Belgian troops [annex XXXII], the Commission has never said that "Belgium should begin to evacuate its troops on 1 May, so that the evacuation may be completed by 1 July." It merely pointed out to Ambassador Carlier that his instructions were to make arrangements for the rapid withdrawal of Belgian military and paramilitary forces before independence, the final decision on the retention of Belgian troops after the resumption of the session of course being for the General Assembly to take.

In addition, in the course of the same interview of 2 April, the Commission stressed—as does the Belgian note itself—the importance it attached to the positions of the Governments concerned on the general problem of the retention of foreign troops.

In this connexion, it ventures to draw the attention of the Administering Authority to the fact that the two Governments have now defined their final positions on this subject.

From the official letters addressed to the Commission and the additional verbal explanations given to the members of the Commission by the representatives of the two Governments, it is clear that both Governments have categorically stated their wish not to retain foreign troops on their territory after independence.

In the light of these policy statements and considering the point of view expressed by the Belgian Government in the penultimate paragraph of its *note verbale*, the Commission would be happy to learn what arrangements the Belgian Government intends to make to implement paragraph 3 (e) of resolution 1743 (XVI).

As regards the plans for the military training of indigenous forces, the Commission considers that resolution 1743 (XVI), particularly when considered in the light of the Fourth Committee's rejection of the amendment submitted by Sweden and Ireland, does not link the two problems of the training of indigenous forces and the withdrawal of troops. However, the Commission would be glad if it could be informed of the Belgian Government's precise intentions regarding its plans in this regard, and of its opinion regarding the "ability of these Governments to assume responsibility for the maintenance of law and order with the means at their disposal".

Lastly, as regards the military personnel required to officer and train the indigenous military forces, the Commission would be grateful if you would give it any precise information pertinent to the matter.

ANNEX XXXIX

Letter dated 15 April 1962 from the Government of Burundi concerning instructors, addressed to the Chairman of the Commission

I have the honour to inform you that the Government of Burundi interprets the implementation of paragraph 3 (c) of United Nations General Assembly resolution 1743 (XVI) as follows:

1. The necessary personnel to be retained as an interim measure is now on the spot.

2. In order to meet its needs, the Government of Burundi informs you that it would very much desire to receive from the United Nations a group of fifteen *gendarmerie* experts, consisting of five advisers, five instructors, three inspectors and two criminal police experts.

3. For the national army, we shall have to have fifty officers, whose qualifications will be determined by the United Nations experts. This proposed figure takes into account the existence in Burundi of four companies, one training school, one base and two companies to be formed this year.

It is important that this training and supervisory personnel should be provided by the beginning of May 1962.

(Signed) A. MURIRA
Prime Minister of Burundi

ANNEX XL

Letter dated 11 April 1962 from the President of the Republic of Rwanda concerning instructors, addressed to the Chairman of the Commission

With reference to your letter of 11 April, I have the honour to inform you that:

1. There are fifty-two Belgian "instructors" for our National Guard;

2. We consider that we need forty-seven instructors;

3. We do not know to what extent this personnel will remain or will be withdrawn, whether partly or entirely, in view of the different interpretations of resolution 1743 (XVI);

4. We should like to know what personnel, if any, the United Nations might be able to place at our disposal.

5. This is necessary to enable us, if necessary, to take steps to make other contacts. The number of personnel we need at present is forty-seven.

6. As regards the time-table, for us it is a question of having a technically reliable group of officers willing to work under an independent Government.

7. The Government of Rwanda would like to know:

(a) What progress has been made in the talks between the Commission and the Administering Authority.

That will enable us to make all other necessary contacts in time. You will understand that the essential point for us is the training of our National Guard.

(b) We should also like to know, with regard not only to this matter, but also to other specializations, the status of the experts and technicians which the United Nations places at the disposal of Governments.

(Signed) Gr. KAYIBANDA
President of the Republic of Rwanda

ANNEX XLI

Letter dated 27 April 1962 from the President of the Republic of Rwanda concerning technical assistance, addressed to the Chairman of the Commission

I have the honour to confirm to you hereby that, in accordance with the Agreement on Economic Union concluded between the Governments of Rwanda and Burundi at Addis Ababa on 19 April 1962, the Government of Rwanda wishes to apply jointly with the Government of Burundi for a number of United Nations experts, as follows:

1. One public administration expert, for a period of one year;
2. One economic expert, for a period of two years;

3. One fiscal expert, for a period of two years;
4. One monetary expert, for a period of three months;
5. One banking expert, specializing in central banking, for a period of three months;
6. One customs expert, for a period of two years;
7. One telecommunication expert, for a period of three months;
8. One aeronautics expert, for a period of three months;
9. One meteorological expert, for a period of three months;
10. One electricity and water supply expert for a period of three months.

The Government of Rwanda agrees that the services of these experts shall be financed from the expanded programme of technical assistance to Ruanda-Urundi for 1961-1962, and that the necessary changes shall be made in the programme approved by the Technical Assistance Board. With regard to the situation of experts whose services are required beyond 31 December 1962, the Government of Rwanda undertakes to provide for those experts, with due priority, in its 1963-1964 programme.

I take this opportunity to express the agreement of the Government of Rwanda to the job descriptions suggested to us by Mr. Nasr for the above-mentioned posts.

I should be grateful if you would transmit this request to the competent departments of the United Nations with all due dispatch, and I thank you in advance for your good offices in this matter.

(Signed) Grégoire KAYIBANDA
President of the Republic of Rwanda

ANNEX XLII

Letter dated 28 April 1962 from the Government of Burundi concerning technical assistance, addressed to the Chairman of the Commission

I have the honour to confirm to you hereby that, in accordance with the Agreement on Economic Union concluded between the Governments of Rwanda and Burundi at Addis Ababa on 19 April 1962, the Government of Burundi wishes to apply jointly with the Government of Rwanda for a number of United Nations experts, as follows:

1. One public administration expert, for a period of one year;
2. One economic expert, for a period of two years;
3. One fiscal expert, for a period of two years;
4. One monetary expert, for a period of three months;
5. One banking expert, specializing in central banking, for a period of three months;
6. One customs expert, for a period of two years;
7. One telecommunication expert, for a period of three months;
8. One aeronautics expert, for a period of three months;
9. One meteorological expert, for a period of three months;
10. One water and electricity supply expert, for a period of three months.

The Government of Burundi agrees that the services of these experts shall be financed from the expanded programme of technical assistance to Ruanda-Urundi for 1961-1962, and that the necessary changes shall be made in the programme approved by the Technical Assistance Board. With regard to the retention of experts whose services are required beyond 31 December 1962, the Government of Burundi undertakes to provide for those experts, with due priority, in its 1963-1964 programme.

I take this opportunity to express the agreement of the Government of Burundi to the job descriptions suggested to us by Mr. Nasr for the above-mentioned posts.

I should be grateful if you would transmit this request to the competent departments of the United Nations with all due dispatch, and I thank you in advance for your good offices in this matter.

(Signed) A. MURIRA
Prime Minister of Burundi

ANNEX XLIII

Note dated 29 March 1962 from UNAR concerning the problem of the political union of Ruanda-Urundi

The Union nationale rwandaïse wishes to draw the attention of those responsible for the future of the Trust Territory of Ruanda-Urundi to the fundamental problem of the separation of Rwanda from Burundi. Many arguments have been advanced and many positions adopted regarding this difficult problem, which is a vital one for the economic and political future of the Territory. It is not our intention to recall them all in this short note.

What is important in this matter is that the Governments of Rwanda and Burundi would betray the higher interests of the peoples they represent if they persisted in their unjustified refusal to reach an agreement for the political union of the two parts of the Trust Territory.

One thing is certain: the peoples of Rwanda and those of Burundi have never been made aware of the separation which efforts are being made to impose on them. For it should not be forgotten that these peoples are ethnically homogeneous and consider themselves brothers; they speak the same language (in Rwanda: Kinyarwanda, in Burundi: Kirundi, the only difference between the two languages being the pronunciation); and they have the same customs.

We believe that the existence of two regions, which are geographically identical, does not warrant the demand for separation and that efforts should be made to find a solution which will guarantee the safety of each of the two partners.

We cannot make definitive proposals but we should like to suggest a provisional solution which would enable the two countries to attain full political union.

Our suggestions are as follows:

1. The specific nature of each country should be respected.
2. Inter-country committees should be set up, consisting of an equal number of representatives of each country.

These committees would be as follows:

- (a) A committee for the joint defence of the Territory;
- (b) A committee for the co-ordination of foreign policy (a common diplomatic corps with a single delegation at the United Nations);

(c) A committee for the co-ordination of economic and financial matters (sections: monetary, financial, foreign trade and economy);

(d) A committee for the co-ordination of technical matters and scientific institutions (since technical matters cannot be classified with economic matters and higher education).

Each committee (or commission) would deal with questions relating to the specific sphere assigned to it. Each, within its province, would be competent to appoint diplomats, military leaders or civil servants.

The members of these different committees would be responsible to the Governments of their country of origin but they could be granted a special status to be determined by negotiation between the two Governments.

3. A consultative assembly should be set up. The number of members should be proportionate to the number of inhabitants in each country, for example, twenty for Burundi and the same for Rwanda.

4. A constitution setting up all these bodies and guaranteeing respect for the institutions of the two countries in co-operation should be drafted and proclaimed. It should be terminated only after the holding of a referendum for that purpose in the two countries.

The United Nations should consider the possibility of giving a moral or material guarantee for the continuity of the union thus begun.

We believe that on such bases, modest though they are, it will be possible to achieve the total political unity of Ruanda-Urundi, for gradually the present separatist tendencies will give way before the evident need for and the loftier purposes of a close political union between the two countries.

We wish the United Nations Commission for Ruanda-Urundi and the Governments of Rwanda and Burundi every success in this noble task.

(Signed) J. N. RUTSINDINTWARANE
President

M. RWAGASANA
General Secretary

GENERAL ASSEMBLY



ANNEXES

SIXTEENTH SESSION

Official Records

NEW YORK, 1961-1962

Agenda item 52: Financial reports and accounts for the financial year ended 31 December 1960, and reports of the Board of Auditors:*

- (a) United Nations;
- (b) United Nations Children's Fund;
- (c) United Nations Relief and Works Agency for Palestine Refugees in the Near East;
- (d) Voluntary funds administered by the United Nations High Commissioner for Refugees

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Document No.	Title	Page
(a) <i>United Nations</i> A/4808	Report of the Advisory Committee on Administrative and Budgetary Questions	1
(b) <i>United Nations Children's Fund</i> A/4809 and Add.1	Report of the Advisory Committee on Administrative and Budgetary Questions	3
(c) <i>United Nations Relief and Works Agency for Palestine Refugees in the Near East</i> A/4810	Report of the Advisory Committee on Administrative and Budgetary Questions	5
(d) <i>Voluntary funds administered by the United Nations High Commissioner for Refugees</i> A/4811	Report of the Advisory Committee on Administrative and Budgetary Questions	6
	* * *	
A/4936	Report of the Fifth Committee	6
Action taken by the General Assembly.....		7
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* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 848th and 863rd meetings; and *ibid.*, *Plenary Meetings*, 1044th meeting.

(a) United Nations

DOCUMENT A/4808

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[29 July 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the financial reports and accounts for 1960, and the related reports of the Board of Auditors, in respect of (a) the United Nations and its trust funds and special accounts (including the United Nations Fund for the Congo), (b) the United Nations participation in the Expanded Programme of Technical Assistance, and the Technical Assistance Board (TAB) secretariat, (c) the United Nations Special Fund (United Nations as executing agency and the administrative budget of and preparatory allocations to the Managing Director), (d) the United Nations Suez Canal Surcharge Operation, (e) the United Nations Emergency Force, and (f) the United Nations operations in the Congo (A/4777).

2. The Advisory Committee has also reviewed, and is reporting separately on, the 1960 accounts and related audit reports in respect of the following extra-budgetary

programmes of the United Nations: the United Nations Children's Fund (UNICEF) (A/4783 and Corr.1 and 2); the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/4782), and the voluntary funds administered by the United Nations High Commissioner for Refugees (A/4781). The Advisory Committee's reports relating to these programmes are contained in documents A/4809, A/4810 and A/4811, respectively.

3. In addition to the reports of the Board of Auditors to the General Assembly, the Advisory Committee had before it a separate memorandum from the Board in which a number of points of detail concerning the financial administration of the Organization were brought to the Committee's attention. Annexed to the memorandum was a special report on the financial results of the various revenue-producing activities of the Organization. The Advisory Committee

wishes to record its appreciation of the special endeavour of the Board in making this informative annex available, which, as in the past, was extremely useful to the Committee in its examination of the 1962 estimates for the activities concerned.

4. The Advisory Committee understands that, pursuant to the undertaking given at the 708th meeting of the Fifth Committee on 25 September 1959, a combined statement of assets and liabilities as at 31 December 1960 and a combined statement of income, expenditure and surplus account for the year 1960,¹ covering all funds in the custody of the Secretary-General, will again be available to the General Assembly at the time the accounts and audit reports are considered.

5. The several accounts and audit reports enumerated in paragraphs 1 and 2 of this report indicate total gross 1960 expenditures (including unliquidated obligations) as follows:

	<i>Approximate expenditure (millions of \$U.S.)</i>
(a) United Nations regular budget.....	65.3
(b) Special Account of the Expanded Programme of Technical Assistance: United Nations participation and TAB secretariat.....	10.3 ^a
(c) United Nations Special Fund, United Nations as executing agency, and Managing Director's administrative budget and preparatory allocations	2.8 ^b
(d) Suez Canal Surcharge Operation.....	6.9 ^c
(e) United Nations Emergency Force.....	19.0
(f) United Nations operations in the Congo.....	48.4
(g) United Nations Children's Fund.....	24.5 ^d
(h) United Nations Relief and Works Agency for Palestine Refugees in the Near East.....	34.7
(i) Voluntary funds administered by the United Nations High Commissioner for Refugees....	16.0 ^e

^a A separate note will be submitted to the General Assembly on the expenditure by specialized agencies and the International Atomic Energy Agency (IAEA) of technical assistance funds allocated from the Special Account, together with a consolidated statement for the Account.

^b A separate note will be submitted to the General Assembly on the expenditures by specialized agencies and the IAEA as executing agencies for Special Fund projects, together with a consolidated statement for the Fund.

^c Consisting almost entirely of refunds of advances from Governments.

^d Including \$1.5 million reserved for approved projects.

^e Including \$3.8 million reserved for approved projects for which the agreements are not yet finalized.

6. In considering the report of the Secretary-General on the United Nations accounts for 1960, the Advisory Committee paid special heed to the grave situation in regard to the over-all cash position of the Organization as indicated by the cash deficit as at 31 December 1960. As at that date, the deficit, including advances of \$24,654,279 from the Working Capital Fund, totalled \$34,633,468. In the present circumstances, the position will further deteriorate. In view of the effect this situation must inevitably have on the general financial administration of the Organization, the Committee intends to keep the matter under scrutiny and, in the light of more recent information, will revert to it in due course.

7. The Advisory Committee also wishes to draw attention to certain of the matters raised in the reports of the Board of Auditors and in its memorandum to the Committee.

¹ Subsequently circulated as document A/C.5/875.

8. In particular, the Board has posed the interesting question of Members' equity in the various capital assets of the United Nations, as shown in schedule 2 of the accounts (A/4777), which indicates credits to Members in accordance with their respective shares of the payments made toward amortizing the costs incurred for the acquisition of the property in question, but makes no provision for the depreciation to which all buildings and other structures are subject. Thus, the assets of the League of Nations were transferred to the United Nations at cost basis and when the credits carried in favour of those Member States which were also members of the League of Nations have been liquidated in 1965, after payment of the final annual instalment by the United Nations, the original cost price of the Palais des Nations will still be in the accounts and all States Members of the United Nations will have a share in this amount, according to their assessment share in the scales of contributions during the years 1951-1965. The same system of crediting the Members' equity is being followed in respect of amortization payments on the loan from the United States Government for the construction of the Headquarters buildings and for appropriations made for additional construction costs both at Headquarters and elsewhere. The Board has observed that the money value, especially of land, but also of buildings, has risen so much in latter years that depreciation is probably more than counter-balanced, at least in terms of money and that this trend will probably continue in future. The Board added that that brought into discussion an element of speculation which should not be used in the study of the problem for a "going concern" such as the United Nations. In the Board's opinion the solution lies in the annual writing off of a certain percentage of the original cost for depreciation, such amount to be deducted from the book value, on the one hand, and from the Member's equity, on the other. The Board suggests also that probably a certain percentage for residual value should be taken into account. In view of the fact that no General Assembly resolutions, including those instituting the Financial Regulations, contain any stipulations regarding, or making reference to, the establishment in the annual accounts of credits for Member' equity in United Nations capital assets, the Advisory Committee would agree that this is an issue which merits future study.

9. On a further subject, the Advisory Committee would recall that in paragraph 7 of its report on the 1959 accounts,² it drew attention to a comment by the Board of Auditors to the effect that Staff Rule 103.22 on the payment of assignment allowances was not as clearly stated as it might have been and that in a number of cases the correctness of the decision to grant such allowances was consequently found to be in doubt. The Advisory Committee has been informed that personnel directives have been issued to clarify the provisions in question. Progress has also been made towards ensuring uniform practice on this point in the United Nations and the specialized agencies. Thus the Administrative Committee on Co-ordination, consisting of the executive heads of the various organizations, has approved a set of policies governing the administration of assignment allowances. It would appear that the problem relates not so much to the rules themselves, but to their practical application in various quarters. The Advisory Committee trusts,

² Official Records of the General Assembly, Fifteenth Session Annexes, agenda item 48, document A/4410.

therefore, that the administration of this allowance will be reviewed at appropriate intervals.

10. The information provided by the Board of Auditors on the disposition of supplies and equipment purchased in 1956 in connexion with the United Nations Observation Group in Lebanon indicates that the operation has now been brought to a close by transfers to a number of United Nations missions during 1960 of all remaining items. The budgets of the missions in question were charged, within the limits of the respective 1960 appropriations, and a corresponding credit has been taken to miscellaneous income.

11. The Advisory Committee inquired as to the action taken in respect to the defalcations in the imprest cash accounts of the United Nations Postal Administration, which contributed to the net shortage in these accounts in the amount of \$20,100. It appears that two embezzlements during the past two years were involved. The two officials involved were summarily dismissed and appropriate legal action has been taken under local laws with regard to prosecution.

Investigations by the Internal Audit Service of the circumstances of the defalcations brought to light the need for a tightening of controls and safeguards, and the Advisory Committee was informed of the steps which have been taken to this effect.

12. In reporting on the accounts of the Suez Canal Surcharge Operation, the Board of Auditors indicated that, at 31 December 1960, surcharges amounting to \$2,494,611 had not yet been collected or were not covered by special agreements. On the same date, advances from Governments for financing the Canal Clearance Operation which had not yet been refunded amounted to \$4,465,737, while a further sum of \$281,498 remained reimbursable to two Governments for supplies and services commissioned by the United Nations. The Advisory Committee has been informed that, as a result of negotiations successfully concluded in the early months of 1961 with the Governments of important users of the canal, it proved possible to terminate the Surcharge Operation as at midnight on 15 March 1961. Steps are currently being taken to liquidate the related activity and a final report on the operation will be submitted in due course.

(b) United Nations Children's Fund

DOCUMENTS A/4809 AND ADD.1

Report of the Advisory Committee on Administrative and Budgetary Questions

Document A/4809

[Original text: English]
[27 July 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the United Nations Children's Fund for the year ended 31 December 1960 and the related report of the Board of Auditors (A/4783 and Corr.1 and 2).

2. On 31 December 1960 the financial position of the Fund was as follows:

	<i>US\$</i>
Principal of the Fund on 1 January 1960.....	33,368,438
Income from all sources during 1960.....	25,767,347
	<hr/>
	59,135,785
Expenditure during 1960.....	23,006,568
	<hr/>
Principal of the Fund on 31 December 1960.....	36,129,217

3. Of the amount of \$36,129,217, a total of \$35,406,641 represented allocations made by the Executive Board but not yet implemented as at 31 December 1960, while \$722,576 remained unallocated. The principal of the Fund shows an increase of \$2,760,779 as compared with the position at the end of 1959. Income from all sources in 1960 increased by \$1,947,559 over 1959, while expenditure decreased by \$777,421. The unallocated resources of \$722,576 represent a substantial decrease from the corresponding figure of \$2.2 million at 31 December 1959 and \$5.2 million at 31 December 1958, reflecting the desire of the Executive Board to achieve more rapid use of UNICEF resources for programme aid.

4. Unfulfilled allocations for programme aid at 31 December 1960 amounted to \$33.1 million as compared

with \$26.7 million at the end of 1959. The increase reflects the change in 1960 of the cycle of Board sessions from March and September to June and December. At its December session, the Board approved programme allocations for more than \$16 million which necessarily form part of the above carry-over of programme allocations of \$33.1 million.

5. In the past, the Advisory Committee has shared the wish of the Executive Board of UNICEF to achieve speedier utilization of funds at its disposal. This requires the introduction of a procedure which would lower the ear-marked funds and increase the value of approved programmes, by basing allocations on contributions announced by Governments for the following year. In its report on the 1959 accounts, the Advisory Committee noted^a that the Executive Board, at its September 1959 and March 1960 sessions, took a number of steps in this direction. At its session in June 1961, the Executive Board considered and approved the following further recommendations by the Executive Director:

(a) To continue to apply the procedure adopted by the Board in September 1959 for approval of the whole project with allocations to cover expenditure for the next twelve months;

(b) To return to general resources all unexpended allocations which during the preceding five years have not given rise to any expenditure;

(c) Beginning December 1961, to base allocations made at the second session of the year (normally December):

(i) On available resources;

(ii) Up to a maximum of \$4 million for 1961, \$8 million for 1962, \$12 million for 1963, and \$16 million for 1964, on the contributions announced for the

^a *Ibid.*, document A/4411, para. 5.

following year, it being understood that these allocations would enter into effect on 1 January of the following year;

(d) Beginning June 1962, to base allocations made during the first session of the Board each year on resources foreseen for the current year;

(e) To present to the Board in June 1963 any necessary recommendations on procedures to be followed in future, taking into account experience of the two preceding years.

6. Administrative costs in 1960 amounted to \$1.6 million, compared to \$1.59 million in 1959. Since there was a lower rate of total expenditure, however, the ratio of administrative costs to total expenditure showed an increase of from 6.78 per cent in 1959 to 7.25 per cent in 1960. Operational services costs rose by \$180,000, from \$1.87 million in 1959 to \$2.05 million in 1960; their ratio to total expenditures was 7.99 per cent in 1959 and 9.03 per cent in 1960. The increased ratio is accounted for by the fact that the costs themselves increased, as well as by the decrease in the total expenditure figure noted above.

7. The Advisory Committee has taken note of an administrative survey of UNICEF⁴ prepared in the course of 1960 by a senior official of the United Nations at the request of the UNICEF Committee on Administrative Budget. This report, which is of a comprehensive nature, deals with all important aspects of the organizational structure and work methods of UNICEF as well as its relationships with collaborating agencies and with other United Nations Offices. The report also refers, in particular, to the question of services and facilities provided to UNICEF from the regular budget of the United Nations. The report was considered by UNICEF's Committee on Administrative Budget at a series of meetings held in the latter half of 1960 and the first half of 1961, and the Executive Director has made a number of proposals to the Executive Board based on the recommendations contained therein. In accordance with its responsibility under operative paragraph 2 of General Assembly resolution 594 (VI) of 4 February 1952 to pay special attention to the administrative practices and expenses of operational programmes under United Nations responsibility financed by voluntary contributions, the Advisory Committee will follow the above developments in UNICEF with interest.

8. The Advisory Committee has also noted the comment of the Board of Auditors, in paragraph 10 of its report (A/4783 and Corr.1 and 2, part III A), to the effect that there is a need to recognize and strengthen the UNICEF Internal Audit Service. The Committee has been informed of a number of proposed improvements and will inquire into the results of these actions on the occasion of its next review of the UNICEF accounts.

9. The Advisory Committee also gave its attention to a number of points raised in a memorandum addressed to it by the Board. These included an observation to the effect that standard regulations should be introduced to govern the administration and opera-

tion of funds and that there should be tighter audit control over the field offices from New York as well as in the field offices themselves. The Committee is informed that during 1960 the process of standardizing and consolidating UNICEF's financial and accounting practices was completed. In February 1961, a comprehensive field manual for the guidance of field offices was issued and standard forms provided. At the same time, measures have been taken for the extension of audit control over field offices, including regular visits by a representative of the UNICEF Internal Audit Service.

10. This year the accounts of the UNICEF Greeting Card Fund were not received in time to allow the preparation of an audit report before the completion of the Board's spring session. With the concurrence of the Advisory Committee, in accordance with financial regulation 12.3, the audit of this account has been allocated to the Colombian member of the Board and will be available at a later date.

Document A/4809/Add.1

[Original text: English]
[28 September 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the UNICEF Greeting Card Fund for the period 1 February 1960-31 January 1961 and the related report of the Board of Auditors (A/4783 and Corr.1 and 2). The Committee also had before it a memorandum from the Board in which a number of administrative matters were raised.

2. The Advisory Committee notes with appreciation that there has been a further substantial increase in the number of cards sold and in the net proceeds of this enterprise as indicated in the following comparative table:

Year	Cards sold	Cost per card sold cents (US)	Net income (US)	Transfer to general resources of UNICEF* US
1958.....	10,898,000	4.99	660,812	400,000
1959.....	14,166,000	3.62	769,892	742,578
1960.....	17,408,000	3.31	1,019,097	900,172

* The balance of net income is used to provide the working capital for the following year.

3. The accounts of the Greeting Card Fund are normally dealt with in conjunction with the main UNICEF accounts. This year, however, the accounts in question were not received in time to allow for the preparation of an audit before the completion of the spring session of the Board of Auditors. In accordance with financial regulation 12.3, the audit of these accounts was allocated to the Colombian member of the Board, with the Advisory Committee's concurrence. While special circumstances may have led to the delayed submission of these accounts this year, the Advisory Committee would stress the desirability of compliance with financial rule 111.12, which provides that all accounts should be submitted to the Board of Auditors before 31 March each year.

⁴ See Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 13, para. 68.

(c) United Nations Relief and Work Agency for Palestine
Refugees in the Near East

DOCUMENT A/4810

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[24 July 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) for the year ended 31 December 1960 and the related report of the Board of Auditors (A/4782).

2. The income and expenditure experience in 1960 may be summarized as follows:

	\$US
<i>Income</i>	
Contributions from Governments.....	32,852,870
Contributions from others.....	1,307,903
Miscellaneous income	483,283
Add: Exchange adjustments.....	837,949
	35,482,005
<i>Expenditure</i>	34,701,276
Surplus of income over expenditure.....	780,729

As a result of this surplus, in addition to adjustments for prior years and unallocated price variations in the amount of \$150,084, the working capital available to the Agency increased from \$22,131,106 at 1 January 1960 to \$23,061,919 at 31 December 1960.

3. In accordance with the request in operative paragraph 2 of General Assembly resolution 594 (VI) of 4 February 1952, the Advisory Committee, as part of its review of the UNRWA accounts, has given special attention to administrative matters, in particular those referred to in the report of the Board of Auditors.

4. In its 1960 report,⁵ the Advisory Committee referred to the fact that the Agency was planning a general review of local salaries. The Committee noted that UNRWA employed more than 10,000 local area staff in categories not comparable to the United Nations system and that the review was therefore being undertaken on an independent basis. The Committee pointed, however, to the need for some degree of consultation with the United Nations, since the decisions of the Agency could be expected to have an impact on local staff employed by the United Nations in the area.

5. The review was conducted in due course by a survey-team of the American University of Beirut and, in the light of its recommendations, a new salary scale was introduced on 1 August 1960. This scale incorporated the cost-of-living bonus previously paid. The new arrangement constitutes an average raise of 15 per cent in the salaries as established in 1955 and additional costs are estimated at some \$1,200,000 a

year. In connexion with the introduction of the new scale, the Agency decided upon a complete reorganization and reclassification of the local area staff in terms of which, *inter alia*, about 1,000 casual labourers were taken up as manning table employees. To facilitate the change-over, it was decided to terminate the appointments of certain categories of local area staff on 31 July 1960 and to reappoint them on 1 August 1960.

6. At the same time certain separation benefits were paid out in a total amount of some \$1,221,800. The Advisory Committee has been informed that this procedure formed part of the general reorganization of local area staff and the introduction of new conditions of service. In view of the fact, however, that in most cases no real terminations were involved, the Advisory Committee wishes to place on record that it has serious doubts about the propriety of paying separation benefits, particularly in view of the precedent created thereby.

7. The Advisory Committee understands that the particulars of the new salary scale were made known to other international agencies operating in the area at the time of their introduction.

8. The Advisory Committee again inquired into the question of losses of supplies. In 1959, these losses were stated to be in the amount of some \$113,000, including a reserve for expected losses on surplus and salvage inventories. For 1960 the comparable figure is \$76,254. In its report last year⁶ the Advisory Committee commented on the substantial nature of these losses and suggested some strengthening of the administrative and financial controls in respect to stores and warehousing. The external auditors report this year that satisfactory action has been taken in this regard, involving staff changes, up-grading of guards, tightening of security arrangements and provisions for frequent stock-taking.

9. The Advisory Committee noted the comments of the Board of Auditors in paragraph 3 of its report in regard to certain changes made by the Agency in the financial statements, after their certification by the Board. The Committee understands that, while the circumstances under which this action occurred may have been fortuitous and may not necessarily recur, the implications for the auditing procedure are clearly undesirable. The Committee trusts, therefore, that the Agency will accept the Board's suggestion that in future the amounts carried forward from one budget year to the next will be included in the statement of budget and expenditures, giving a complete picture of the total commitments in any one year and making it clear that no change in the figures can be made after the Board has certified the statements.

⁵ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 48, document A/4412, para. 6.

⁶ *Ibid.*, para. 7.

(d) Voluntary funds administered by the United Nations High Commissioner for Refugees

DOCUMENT A/4811

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[24 July 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has examined the financial report and accounts of the voluntary funds administered by the United Nations High Commissioner for Refugees for the year ended 31 December 1960 and the related report of the Board of Auditors (A/4781).

2. The consolidated summary operating statement covering all voluntary, restricted and trust funds and the operating statement for current UNHCR programmes indicate the following position for 1960 (*ibid.*, exhibits A and B).

	\$US	\$US
Surplus at 31 December 1959 plus adjustments	428,612	
Contributions and other income in 1960	11,216,874	11,645,486
<i>Less:</i>		
Obligations liquidated by disbursements	2,417,237	
Unliquidated obligations	4,399,485	
Reserves	3,803,584	10,620,306
		1,025,180

3. In paragraphs 5 and 6 of its report, the Board of Auditors deals with the situation, as at 31 December 1960 as regards final financial accounting on United Nations Refugee Fund (UNREF) and UNHCR projects and notes that, while some progress was made during 1960 in respect of better accounting, especially as far as loan projects are concerned,

the follow-up on financial reporting and audit observations is still not satisfactory. Thus at 31 December 1960, excluding projects financed from restricted funds, 536 projects amounting to some \$15.5 million, out of a total of 1,100 projects (\$34.5 million), had been reported on by the Internal Audit Service. Of the remaining 564 projects (\$19.1 million) there are 315 in respect to which no final reporting can be expected as yet. In the case of the balance of 249 (\$7.8 million), however, the Internal Audit Service has not been able to report because final financial reporting is overdue. The corresponding position at the end of 1959 was that financial reporting was overdue on 278 projects (\$10 million) out of a total of 834 (\$27.3 million). This represents a better accounting rate. At the same time it is felt that there would be advantage in seeking a general improvement of arrangements for implementation and follow-up of programmes. In particular, the heavy workload imposed on the Internal Audit Service in Geneva by the increasing number of refugee projects should be taken into account.

4. The Board has also drawn attention to certain delays in answering audit observations, which would seem to indicate that a review of related organization and procedures within the Office of the High Commissioner should be considered.

5. The Advisory Committee has been assured that the various issues referred to above are under active consideration by the responsible officials and that an early improvement is expected.

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DOCUMENT A/4936

Report of the Fifth Committee

[Original text: Spanish]
[24 October 1961]

1. At its 848th meeting, held on 4 October 1961, the Fifth Committee considered the financial reports and accounts and the reports of the Board of Auditors for the United Nations (A/4777), the United Nations Children's Fund (UNICEF), (A/4783 and Corr.1 and 2), the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) (A/4782), and the voluntary funds administered by the United Nations High Commissioner for Refugees (A/4781). The Committee also had before it four reports of the Advisory Committee on Administrative and Budgetary Questions (A/4808, A/4809 and Add.1, A/4810 and A/4811) in which that Committee called attention to a number of points arising out of the accounts and the audit reports and made observations and recommendations thereon. The Chairman of the

Board of Auditors, the Executive Director of UNICEF, and representatives of UNRWA and the High Commissioner for Refugees were present during the discussion.

2. In connexion with the United Nations accounts, reference was made to the comments of the Advisory Committee (A/4808, para. 6) on the grave cash position which the accounts disclosed at the end of 1960. The intention of the Advisory Committee to keep the matter under scrutiny and, in the light of more recent information, to revert to it in due course was welcomed.

3. As regards the UNRWA accounts, the representative of the Secretary-General informed the Committee that the question raised by the Advisory Committee (A/4810, para. 6) regarding the circumstances

in which separation benefits were paid in 1960 to certain categories of local area staff had been fully discussed with that Committee. It was not expected that similar circumstances would arise in the future.

4. The Committee wishes to place on record its appreciation of the services rendered to the United Nations by the Board of Auditors.

Recommendations of the Fifth Committee

5. The Fifth Committee decided to recommend to the General Assembly the adoption of the following draft resolutions. The draft resolutions were adopted by the Fifth Committee as follows: draft resolution I, by 53 votes to none, with 9 abstentions; draft resolutions II, III and IV, unanimously.

Draft resolution I

UNITED NATIONS: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution II

UNITED NATIONS CHILDREN'S FUND: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution III

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

Draft resolution IV

VOLUNTARY FUNDS ADMINISTERED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1044th plenary meeting, on 30 October 1961, the General Assembly adopted draft resolutions I to IV submitted by the Fifth Committee (A/4936, para. 5). For the final texts, see resolutions 1634 (XVI), 1635 (XVI), 1636 (XVI) and 1637 (XVI) below.

Resolutions adopted by the General Assembly

1634 (XVI). UNITED NATIONS: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations for the financial year ended 31 December 1960 and the certificates of the Board of Auditors (A/4777);

2. *Concurs* in the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its third report to the General Assembly at its sixteenth session (A/4808).

*1044th plenary meeting,
30 October 1961.*

1635 (XVI). UNITED NATIONS CHILDREN'S FUND: FINANCIAL REPORT AND ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the financial report and accounts of the United Nations Children's Fund for the financial year

ended 31 December 1960 and the certificates of the Board of Auditors (A/4783 and Corr.1 and 2);

2. *Takes note* of the observation of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fourth report to the General Assembly at its sixteenth session (A/4809 and Add.1).

*1044th plenary meeting,
30 October 1961.*

1636 (XVI). UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the accounts of the United Nations Relief and Works Agency for Palestine Refugees in the Near East for the financial year ended 31 December 1960 and the certificates of the Board of Auditors (A/4782);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its fifth report to the General Assembly at its sixteenth session (A/4810).

*1044th plenary meeting,
30 October 1961.*

1637 (XVI). VOLUNTARY FUNDS ADMINISTERED BY THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES: ACCOUNTS FOR THE FINANCIAL YEAR ENDED 31 DECEMBER 1960 AND REPORT OF THE BOARD OF AUDITORS

The General Assembly

1. *Accepts* the accounts of the voluntary funds administered by the United Nations High Commis-

sioner for Refugees for the financial year ended 31 December 1960 and the certificates of the Board of Auditors (A/4781);

2. *Takes note* of the observations of the Advisory Committee on Administrative and Budgetary Questions as set forth in its sixth report to the General Assembly at its sixteenth session (A/4811).

*1044th plenary meeting,
30 October 1961.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 52 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4770	Budget estimates for the financial year 1962 and information annexes	<i>Official Records of the General Assembly, Sixteenth Session, Supplement No. 5</i>
A/4777	Financial report and accounts for the year ended 31 December 1960 and report of the Board of Auditors: United Nations and its Trust Funds and Special Accounts; United Nations regular programmes of technical assistance and its participation in the Expanded Programme of Technical Assistance, and the Technical Assistance Board; Special Fund: United Nations as executing agency, and the administrative budget of and preparatory allocation to the Managing Director; United Nations Suez Canal Surcharge Operation; Special Account of the United Nations Emergency Force; <i>Ad hoc</i> account for the United Nations operations in the Congo	<i>Ibid., Supplement No. 6</i>
A/4781	Voluntary funds administered by the United Nations High Commissioner for Refugees: accounts for the year ended 31 December 1960 and report of the Board of auditors	<i>Ibid., Supplement No. 6C</i>
A/4782	United Nations Relief and Works Agency for Palestine Refugees in the Near East: accounts for the year ended 31 December 1960 and report of the Board of Auditors	<i>Ibid., Supplement No. 6B</i>
A/4783 and Corr.1 and 2	United Nations Children's Fund: financial report and accounts for the year ended 31 December 1960 and report of the Board of Auditors	<i>Ibid., Supplement No. 6A</i>
A/4814	Ninth Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Supplement No. 7</i>
A/C.5/875	Financial reports and accounts for the year 1960: note by the Secretary-General	Mimeographed
A/C.5/L.675	Draft report of the Fifth Committee	Same text as A/4936

GENERAL ASSEMBLY

Official Records



ANNEXES

SIXTEENTH SESSION

NEW YORK, 1961-1962

Agenda item 53: Supplementary estimates for the financial year 1961*

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PART I OF THE SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

DOCUMENT A/4870

Report of the Secretary-General

[Original text: English]
[16 September 1961]

1. The General Assembly, by resolution 1584 A (XV) of 20 December 1960, voted appropriations total-

* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 848th, 893rd, 900th and 904th meetings; and *ibid.*, *Plenary Meetings*, 1082nd meeting.

ling \$72,969,300. The present revised estimates cover requirements totalling \$73,742,875, an increase of \$773,575. Income other than staff assessment, approved at \$5,531,530, is now estimated at \$5,735,570, an increase of \$204,040; staff assessment income, approved at \$6,730,000 remains unchanged.

2. The revised expenditure estimates do not cover the financial implications of an upward adjustment in 1961 in the post classification for New York which the General Assembly might approve after examining the Secretary-General's separate report on this matter (A/C.5/872). That report indicates that movement to the next higher post adjustment level effective at New York from 1 March 1961 (class 7 to class 8) would require an additional budgetary provision of \$230,000. Neither do they provide for any expenses which would arise in 1961 for preparatory work for the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas which the Economic and Social Council (resolution 834 (XXXII)) has decided should be held in 1962. The financial implications of holding this Conference are contained in a separate report of the Secretary-General (A/C.5/878), to be issued shortly, which estimates the portion of the expenses likely to arise in 1961 in the amount of \$185,000.

3. The additional requirements which lead to the revised estimates may be summarized as follows:

United States dollars

(a) Unforeseen and extraordinary expenses authorized under paragraph 1 of General Assembly resolution 1585 (XV) with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions	174,390
(b) Unforeseen and extraordinary expenses authorized by the Secretary-General under paragraph 1 (a) of resolution 1585 (XV)	276,800
(c) Unforeseen expenses authorized under paragraph 1 (b) (v) of resolution 1585 (XV)	44,650
(d) Expenses arising from the application of the Staff Rules and Regulations	117,450
(e) Other additional requirements (additional expenses arising from the General Assembly and Security Council \$582,000; revenue producing programmes of the Office of Public Information \$64,000; general expenses for the European Office, the Economic Commission for Asia and the Far East, the Economic Commission for Africa, the Economic Commission for Latin America and the information centres \$138,500; others \$180,000)	964,500
TOTAL	1,577,790

4. The supplementary appropriation is presented at approximately \$800,000 below this total by reason of the fact that for certain activities, expenditure is envisaged at a level lower than that provided in the existing 1961 appropriations. Notable among reduced requirements are the following: salaries and wages (section 3: \$472,500); travel of staff to meetings (section 5: \$25,000); architectural and engineering survey and temporary facilities for new Members and improvements to premises at Headquarters (section 7: \$81,000); interim arrangements for the Library (section 10: \$44,000); printing (section 11: \$50,000); United Nations Field Service (section 19: \$71,000); Office of the United Nations High Commissioner for Refugees (section 20: \$42,000); International Court of Justice (section 21: \$19,000).

5. During the year the Advisory Committee has been kept informed of developments affecting the budget. In addition to those unforeseen and extraordinary expenses incurred with the prior concurrence of the Advisory Committee, a report on the status of the appropriations was submitted to and discussed with the Committee early in its 1961 summer session.

6. The following part of this report sets out the revised estimates by sections and there is attached as an annex a draft supplementary appropriation resolution for 1961. The amounts included in the draft resolution are based on the additional requirements specified in the present report.

Expenditure estimates

PART I. SESSIONS OF THE GENERAL ASSEMBLY, THE COUNCILS, COMMISSIONS AND COMMITTEES; SPECIAL MEETINGS AND CONFERENCES

Section 1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies

United States dollars

Revised estimate	1,090,350
Appropriation	1,090,350
Obligations to 31 July 1961 ¹	902,056

7. The revised estimates, by chapter, are as follows:

Chapter	Revised estimate	Approved estimate	Obligations to 31 July 1961
	<i>United States dollars</i>		
I. The General Assembly, commissions and committees	845,450	835,450	711,698
II. The Security Council, commissions and committees . .	—	—	—
III. The Economic and Social Council, commissions and committees	145,900	145,900	116,319
IV. The Trusteeship Council, commissions and committees	32,000	32,000	29,171
V. Administrative advisory bodies	67,000	77,000	44,868
TOTAL	1,090,350	1,090,350	902,056

8. The increase of \$10,000 under chapter I relates to the requirements of the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions. The expenses of both of these bodies, owing to additional meetings and increased travel of Members, are anticipated at a higher level. These increases can, however, be met from within the

total appropriation for section 1 since the requirements under chapter V, particularly in regard to the Committee of Experts on the Review of the Activities

¹ The figures shown in this report as "Obligations to 31 July 1961" represent expenditure and outstanding obligations at that date, with the exception of expenses incurred at smaller field offices which are included as at 30 June 1961.

and Organization of the Secretariat, have been below the provisions made.

9. The admission of new Members by the General Assembly at its sixteenth session will give rise to additional requirements under chapter I for travel of representatives, at an average cost of \$6,000 for each new Member State, not provided for in these estimates.

Section 2. Special meetings and conferences

	<i>United States dollars</i>
Revised estimate	547,400
Appropriation	255,600
Obligations to 31 July 1961	357,247

10. The revised estimates provide for the following requirements:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. United Nations Conference of Plenipotentiaries on Diplomatic Intercourse and Immunities.....	167,800	190,000	134,971
II. Plenipotentiary Conference for the Adoption of a Single Convention on Narcotic Drugs.....	16,000	20,000	15,559
III. United Nations Conference on the Elimination or Reduction of Future Statelessness.....	—	—	—
IV. United Nations Conference on New Sources of Energy [solar energy, wind power and geothermic energy]	66,500	40,300	40,993
V. Commodity conferences—United Nations Sugar Conference	42,000	—	—
VI. Third United Nations Regional Cartographic Conference for Asia and the Far East.....	5,300	5,300	—
— Conference on the Discontinuance of Nuclear Weapons Tests	249,800	—	165,724
TOTAL	547,400	255,600	357,247

11. Some savings are anticipated in regard to printing and temporary assistance expenses for the United Nations Conference of Plenipotentiaries on Diplomatic Intercourse and Immunities and the total expenses for the Plenipotentiary Conference for the Adoption of a Single Convention on Narcotic Drugs are now estimated at a level below the provision made. These savings will offset an anticipated increase in the requirements for the United Nations Conference on New Sources of Energy. The need to use temporary staff to a greater extent than was originally contemplated since only a minimum number of regular staff could be assigned, coupled with the fact that the volume and complexity of the papers prepared for the Conference was far greater than expected, are the main factors contributing to the increase in the total level of expenditure for that Conference.

12. The Conference of Plenipotentiaries on Diplomatic Intercourse and Immunities met in Vienna from 2 March to 18 April 1961 at the invitation of the Austrian Government, and the Conference on New Sources of Energy met in Rome from 21 August to 31 August 1961 at the invitation of the Government of Italy. In accordance with paragraph 2 (e) of General Assembly resolution 1202 (XII) of 13 December 1957, reimbursement to the United Nations of the extra costs involved will be made by these two host Governments in the amounts of approximately \$130,000 and \$30,000, respectively. These amounts are reflected in the estimates for general income.

13. The net additional requirements therefore shown in the revised estimates for section 2 amounting to \$291,800, relate solely to the Conference on the

Discontinuance of Nuclear Weapons Tests and the United Nations Sugar Conference. The former Conference convened at Geneva on 21 March 1961 and remained in session until 9 September 1961. The revised estimates provide for expenses incurred up to that date of adjournment in the amount of \$239,900 and for the consequential expenses covering separation of the temporary staff employed at an estimated cost of \$9,900. The expenses for this Conference have been incurred by the Secretary-General under paragraph 1 (a) of General Assembly resolution 1585 (XV) of 20 December 1960. The revised estimates make no provision for expenses which would arise should this Conference reconvene in 1961.

14. The United Nations Sugar Conference is scheduled to meet at Geneva from 12 September to 13 October 1961 and the expenses are estimated at \$42,000. These expenses will be incurred by the Secretary-General with the prior concurrence of the Advisory Committee under paragraph 1 of resolution 1585 (XV).

PART II. STAFF COSTS AND RELATED EXPENSES

Section 3. Salaries and wages

	<i>United States dollars</i>
Revised estimate	35,887,600
Appropriation	35,702,600
Obligations to 31 July 1961	20,448,538

15. The revised estimates, by chapter, are as follows:

Chapter	Revised estimate	United States dollars	
		Approved estimate	Obligations to 31 July 1961
I. Established posts	33,050,000	33,503,000	18,935,036
II. Temporary assistance for meetings.....	738,600	565,900	361,345
III. Other temporary assistance.....	863,000	635,600	466,917
IV. Consultants and experts.....	496,000	518,500	214,622
V. Special technical posts.....			
VI. Office of the Executive Agent (Lower Mekong River Basin Development Project).....	44,000	44,000	23,585
VII. Overtime and night differential	696,000	435,600	447,033
TOTAL	35,887,600	35,702,600	20,448,538

16. Two main factors have affected the nature and extent of requirements under section 3 in 1961:

(a) The heavy conference programme and related documentation requirements, including carry-over of workload from the fifteenth session of the General Assembly in 1960, the resumed fifteenth session in March and April 1961, the third special session in August 1961, together with an increase in the number of Security Council meetings, and preparatory documentation, beyond that anticipated, for the Conference on New Sources of Energy. This conference programme has resulted in heavy requirements for temporary assistance and overtime.

(b) The further concentration on recruitment of staff from new Member States and other under-represented countries. While there is an acceleration in such appointments, the narrowing of the sources of recruitment has resulted in delays in appointments. The result is, as indicated, that savings have accrued under chapter I—Established posts; these savings have, however, been partly offset by increased requirements for temporary assistance, and, to some degree, by added overtime and night differential costs. This situation, together with the increasing proportion of relatively short fixed-term appointments, has also affected costs under section 4—Common staff costs, in the form of some savings in the chapters of that section directly related to the established posts costs, and by additional costs in the chapters for travel expenses on appointment and separation and for separation payments.

17. The carry-over of workload from the fifteenth session of the General Assembly, and the preparations for the resumed fifteenth session, made it necessary to retain some of the temporary General Assembly staff, more particularly in the Office of Conference Services, through January and February with a consequent effect on the requirements under chapter II—Temporary assistance for meetings. Recorded expenditure on this account at the end of February 1961 amounted to approximately \$52,000, as compared with \$15,000 on the same date in 1960. For the resumed fifteenth session itself the costs of temporary assistance amounted approximately to \$225,000, mainly for the Office of Conference Services (about \$170,000), as compared with an amount of \$118,700 specifically provided for this purpose in the 1961 appropriations. Some part of the extra costs in the Office of Conference Services (and also some of the savings on established posts) are accounted for by the difficulties experienced in recruiting and retaining language staff. The direct costs of additional temporary staff for the third special session

of the General Assembly amounted to about \$13,000. Costs of temporary assistance for the sixteenth session are estimated at slightly above the appropriation provided, while savings of approximately \$10,000 are anticipated under chapter II at Geneva.

18. Under chapter III—Other temporary assistance, almost all departments and offices at Headquarters have required some additional temporary assistance for reasons described above. The notable additional requirements for all established offices under this heading may be summarized as follows:

(a) United Nations Joint Staff Pension Fund—Temporary assistance to establish the new pension system (General Assembly resolution 1561 (XV) of 18 December 1960): \$38,390. These additional expenses, which were foreseen in the report of the United Nations Joint Staff Pension Board to the General Assembly at its fifteenth session² were not, however, carried forward into the appropriation for 1961. The concurrence of the Advisory Committee for these expenditures was obtained in February 1961, pending the submission of supplementary estimates. The amount is recoverable from the United Nations Joint Staff Pension Fund;

(b) Requirements in the Office of the Controller, and in the International Audit Service: \$35,000;

(c) Office of General Services: (i) extra security services—it was found necessary, prior to the resumed fifteenth session, to engage additional security officers who will be required on a continuing basis as explained in the 1962 budget estimates (A/4770): \$40,000; (ii) provision for manual workers for the opening of the gardens to the public for the period April to November 1961: \$12,000, similarly provided for in the 1962 estimates;

(d) Conference Services—additional contractual translation: \$20,000;

(e) Economic Commission for Africa (ECA): \$35,000, offset by a decrease of the same amount in the requirements of ECA under chapter IV.

19. The costs under chapter VII—Overtime and night differential, are affected by the heavy conference programme as well as by vacancies in the establishment. Most of these costs at Headquarters are incurred in the Office of Conference Services and the Office of General Services. As regards the resumed fifteenth session of the General Assembly, overtime and night differential costs for the period March to May 1961 totalled some \$190,000 as compared with \$57,000 in

² Official Records of the General Assembly, Fifteenth Session, Supplement No. 8, para. 30 (f).

the same period in 1960, or a difference of \$133,000 against which an amount of \$41,300 was specifically provided in the 1961 appropriations. Overtime costs related to the third special session of the General Assembly in August 1961 are estimated at \$8,000. Some additional requirements have accrued at established offices other than Headquarters, mainly at the Economic Commission for Latin America (ECLA) (\$10,000) owing to the necessity, at a late date, to change the location of the ninth session of ECLA and the third session of the Trade Committee from Caracas to Santiago, Chile. The revised estimate for overtime and night differential as now presented does not anticipate any special arrangements for the sixteenth session of the General Assembly.

20. Following surveys made by the specialized agencies concerned and the United Nations of the level of salary rates for the General Service and manual worker categories within the Geneva area, a consequential increase of 6 per cent in these rates was authorized by the International Labour Organisation (ILO) and the World Health Organization (WHO) for their personnel; the Secretary-General approved a similar increase, effective 1 May 1961, for the General

Service and manual worker staff of the United Nations at Geneva. The additional costs for 1961 are estimated at \$90,000 under section 3 (and \$10,300 under section 4); these additional costs have been taken into account in the revised estimates shown for these two sections, as well as those under section 20 for the Office of the United Nations High Commissioner for Refugees.

21. The revised estimate for section 3 does not provide for the proposed adjustment of the post classification for United Nations, New York, from class 7 to class 8, effective 1 March 1961, as set out in document A/C.5/872. The estimated additional cost of the class 8 adjustment for the period 1 March to 31 December 1961 is \$230,000.

Section 4. Common staff costs

	<i>United States dollars</i>
Revised estimate	8,213,300
Appropriation	8,213,300
Obligations to 31 July 1961	4,509,544

22. The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Staff allowances (dependency allowances, education grants and related travel).....	1,927,000	1,987,500	1,104,116
II. Social security payments (contributions to the Joint Staff Pension Fund and medical insurance, compensatory payments, retirement allowance for former Secretaries-General)	4,064,500	4,242,250	2,278,583
III. Travel expenses on appointment, transfer and separation (travel expenses, installation allowance)	868,800	728,500	429,018
IV. Removal expenses on appointment, transfer and separation (removal expenses or assignment allowance where removal is not paid).....	511,500	511,500	283,280
V. Separation payments	749,500	631,550	377,162
VI. Staff training and welfare.....	92,000	112,000	37,385
TOTAL	8,213,300	8,213,300	4,509,544

23. It is anticipated that, over-all, the approved appropriation will cover requirements under section 4.

24. The factors which affect the requirements under the several chapters of the section have already been described under section 3 above.

25. With regard to chapter VI, the reduced requirement relates to the estimated actual costs in 1961 of the Junior Professional trainee programme. While savings of \$20,000 are estimated for 1961, owing to the recruitment of trainees later in the year than had been anticipated, arrangements are now well advanced

for the appointment of the full number of trainees provided for in the 1962 programme.

Section 5. Travel of staff

	<i>United States dollars</i>
Revised estimate	2,024,000
Appropriation	2,034,000
Obligations to 31 July 1961	1,469,153

26. The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Travel of staff to meetings.....	301,600	326,600	167,919
II. Travel of staff on other official business.....	551,200	551,200	329,880
III. Travel of staff and dependants on home leave.....	1,171,200	1,156,200	971,354
TOTAL	2,024,000	2,034,000	1,469,153

27. In the expenses for travel of staff to meetings, possible savings of \$25,000 occur as a result of the change in the 1961 meeting place of ECLA from Caracas to Santiago, Chile. In the case of travel of staff and dependants on home leave, an additional requirement of some \$15,000 is foreseen.

Section 6. Payments under annex I, paragraphs 2 and 3 of the Staff Regulations; Hospitality

	<i>United States dollars</i>
Revised estimate	100,000
Appropriation	100,000
Obligations to 31 July 1961	68,385

28. The revised estimates are maintained at the approved levels:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Payments under annex I, paragraphs 2 and 3 of the Staff Regulations	70,000	70,000	52,542
II. Payments to other members of the Secretariat for official hospitality	25,000	25,000	13,913
III. Contributions towards hospitality expenditures for the General Assembly and for receptions honouring Chiefs of State.....	5,000	5,000	1,930
TOTAL	100,000	100,000	68,385

PART III. BUILDINGS, EQUIPMENT AND COMMON SERVICES

Section 7. Buildings and improvements to premises

	<i>United States dollars</i>
Revised estimate	3,872,375
Appropriation	3,872,375
Obligations to 31 July 1961	3,353,305

29. The revised estimates by chapter are:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Amortization of the Headquarters construction loan	2,500,000	2,500,000	2,500,000
II. Transfer of assets of the League of Nations to the United Nations	649,500	649,500	649,466
III. United Nations building in Santiago, Chile.....	382,500	382,500	31,374
IV. Improvements to premises:			
(i) Headquarters	50,000	73,500	124,143
(ii) Geneva	225,000	144,000	
V. Architectural and engineering survey of Headquarters buildings—Temporary facilities for new Members	65,375	122,875	48,322
TOTAL	3,872,375	3,872,375	3,353,305

30. The revised estimates show anticipated savings in the amount of \$81,000 under two items at Headquarters. The approved estimate of \$73,500 for improvements to premises at Headquarters included a provision for repair to refrigeration condensers. These repairs proved to be less extensive than originally expected and, as a consequence, the level of expenditure under this heading is now estimated at \$50,000.

31. The amount of \$122,875 under chapter V contained provision of \$20,000 for the architectural and engineering survey of the Headquarters buildings and \$102,875 for temporary facilities for new Members.³ The holding of the resumed fifteenth session of the General Assembly from 7 March to 21 April 1961 prevented the work, in so far as the General Assembly hall was concerned, from proceeding according to the original plans. As a consequence, the total expenses under this heading are now estimated at \$65,375.

32. The requirements for improvements to premises at Geneva, however, are now estimated at \$81,000

³ *Ibid.*, Fifteenth Session, Annexes, agenda item 50, document A/4678.

above the approved level. This increase relates to additional costs encountered in the programme of modernization of the Palais des Nations which were reported to the Advisory Committee in June 1961. That Committee concurred in the commitment to meet these additional expenses.

33. General Assembly resolutions 1273 (XIII) of 14 November 1958 and 1407 (XIV) of 1 December 1959 authorized the Secretary-General to proceed with the preparation of plans for and with the construction of a United Nations building in Santiago, Chile, at a cost of \$1,550,000.⁴ At the time, it was decided to include in the United Nations budget annual instalments of \$382,500 for 1960 through 1963. Subsequently, General Assembly resolution 1581 (XV) of 20 December 1960 provided that the 1960 appropriation should remain available for use during the financial year 1961. While a separate report⁵ on the progress

⁴ \$20,000 was appropriated in 1959 to meet preparatory expenses of which only \$6,654 was actually expended.

⁵ Subsequently circulated as document A/C.5/887, see *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 54.

of the construction of the building will be submitted to the General Assembly in the course of its sixteenth session, it is now apparent that a substantial surplus will remain in the appropriations. The Secretary-General proposes that at the end of 1961 any unexpended balances from the total funds so far appropriated for this purpose be transferred to a building fund account so that they will remain available for the construction of the building. A provision to this effect

is contained in the draft resolution annexed to the present report.

Section 8. Permanent equipment

	<i>United States dollars</i>
Revised estimate	410,000
Appropriation	400,000
Obligations to 31 July 1961	264,644

34. The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
<i>United States dollars</i>			
I. Furniture and fixtures.....	97,750	87,750	52,037
II. Office equipment	122,000	122,000	72,846
III. Internal reproduction equipment.....	65,500	65,500	41,786
IV. Telecommunications equipment	74,500	74,500	42,395
V. Transportation equipment	26,000	26,000	12,674
VI. Other equipment	24,250	24,250	42,906
TOTAL	410,000	400,000	264,644

35. The increase of \$10,000 shown in the revised estimate for chapter I relates to the requirements of ECA. A consignment of office furniture ordered in 1960 was not delivered until 1961; accordingly payment must be made from within the provisions of the 1961 budget.

Section 9. Maintenance, operation and rental of premises

	<i>United States dollars</i>
Revised estimate	3,327,750
Appropriation	3,279,050
Obligations to 31 July 1961	2,004,243

36. The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
<i>United States dollars</i>			
I. Contractual services	1,866,000	1,838,300	1,045,422
II. Utilities	852,200	824,900	525,950
III. Other expenses for maintenance of premises.....	609,550	615,850	432,871
TOTAL	3,327,750	3,279,050	2,004,243

37. Increased requirements are foreseen under chapter I to meet the additional expenses, estimated at some \$21,000, arising from the holding of the resumed fifteenth session of the General Assembly. Rate and wage increases both at Headquarters and Geneva account for a further \$6,700 under this chapter.

38. The extreme weather conditions prevailing in 1961 during both the winter and summer months have caused higher expenditure for utilities. Furthermore, the additional funds provided, in the amount of \$35,000, to meet the costs related to the resumed fifteenth session of the General Assembly proved insufficient. These two factors combined account for some \$24,500 of the revised estimate; the balance is due to higher costs for utilities at Geneva.

39. Savings amounting to \$6,050 are anticipated at Headquarters and \$10,000 at ECA under chapter III. In the latter case the reduced expenditure is due to delayed full occupancy of Africa Hall. Additional requirements are, however, foreseen for the European Office, ECLA, the Economic Commission for Asia and the Far East (ECAFE) and for the new information centres.

Section 10. General expenses

	<i>United States dollars</i>
Revised estimate	3,816,000
Appropriation	3,469,750
Obligations to 31 July 1961	2,426,598

40. The revised estimates, by chapter, are as follows:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
<i>United States dollars</i>			
I. Communications	1,161,900	993,000	635,769
II. Rental and maintenance of equipment.....	191,600	172,000	162,350
III. Public information supplies and services.....	1,206,000	1,142,000	708,667
IV. Other supplies and services.....	227,800	217,750	181,518
V. Office and internal reproduction supplies.....	827,700	700,000	575,284
VI. Library books and supplies.....	130,000	130,000	110,188
VII. Study and interne programmes.....	61,000	61,000	52,220
VIII. Interim arrangements for the Library.....	10,000	54,000	602
TOTAL	3,816,000	3,469,750	2,426,598

41. The revised estimates under chapters I, II, IV and V provide for additional requirements as follows:

	<i>United States dollars</i>
Headquarters	187,500
European Office	20,400
ECAFE	2,000
ECA	77,000
ECLA	30,100
Information centres	9,250
TOTAL	326,250

42. The increases for Headquarters, reflect estimated additional requirements for communications, \$80,500; for rental and maintenance of equipment, \$14,300; and for office and internal reproduction supplies, \$92,700.

43. The heavy and continuous conference programme at Headquarters in 1961, particularly in regard to the resumed fifteenth session of the General Assembly and the greater number of meetings of the Security Council, is a major contributing factor to the higher level of expenses shown for communications and for internal reproduction supplies. In the case of communications, increased expenditures are anticipated for pouch and freight services, \$43,000, principally for the shipment of documents; for telephones, \$20,000 owing to greater use of the conference facilities; and for cables, \$15,000, also attributable to the increase in activity and the need to use commercial carriers to a larger extent. As regards expenses for office and internal reproduction supplies, the principal increases are for mimeograph paper, \$77,500, and other reproduction supplies, \$11,200. The special provision made to meet the extra costs related to the holding of the resumed fifteenth session of the General Assembly⁶ did not include any funds for general expenses.

44. The additional requirements at Geneva are for communications, \$7,400; other supplies and services, \$3,000, solely related to higher costs for medical services; and for internal reproduction supplies, \$10,000, due to an increase in paper prices.

45. The revised estimates for ECAFE reflect increased costs for the operation, maintenance and repair of vehicles and air-conditioning and other equipment.

46. A higher level of expenditure at ECA is expected for communications, \$52,000; office and internal reproduction supplies, \$23,000; and rental and maintenance of equipment, \$2,000. The increase for com-

⁶ See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 50, document A/4654.

munications includes \$30,000 for cables and telephones of which some \$10,000 is required for the installation of telephone equipment in Africa Hall, and \$22,000 for postage. This total increase is due in part to the expanding activity of the Commission but also because of the extensive area to be serviced. The additional requirements for office and internal reproduction supplies, primarily for the purchase of mimeograph paper, also reflects the expanding work programme. The balance of the total required amounting to \$2,000 is for the rental of additional office equipment.

47. The requirements of ECLA are principally in regard to the additional expenses incurred for communications, estimated at some \$24,000, as a result of the change of meeting place of the ninth session of the Commission from Caracas to Santiago, Chile. Other additional expenses are foreseen for stationery and office supplies, library materials and miscellaneous supplies in the amount of \$7,000; savings of \$900, however, are contemplated in the approved estimate for rental and maintenance of equipment.

48. The opening of eight new information centres this year, three of which are already established at Dar es Salaam, Usumbura and Colombo, requires an increase in the provisions made. The additional requirements in this regard are estimated at \$9,250, mainly for communications—\$5,000; rental and maintenance of equipment—\$2,200; and other miscellaneous supplies—\$2,050.

49. The revised estimate for chapter III—Public information supplies and services, provides an additional \$64,000 for telecommunication engineering services necessary for the implementation of programmes of the Office of Public Information, which amount will be recoverable as miscellaneous income and is shown in the revised estimates of general income.

50. Savings in the amount of \$44,000 are anticipated in the approved estimate for interim arrangements for the Library.

51. The approved estimates for chapters VI and VII are maintained.

Section 11. Printing

	<i>United States dollars</i>
Revised estimate	1,210,750
Appropriation	1,260,750
Obligations to 31 July 1961	663,482

52. The revised estimates, by chapter, are as follows:

Chapter	<i>United States dollars</i>		
	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
I. Official Records	731,100	761,100	279,644
II. Recurrent publications	562,750	562,750	278,354
III. Studies and reports	149,050	149,050	24,978
IV. Office of Public Information	82,200	82,200	56,775
V. Permanent Central Opium Board and Drug Supervisory Body	11,450	11,450	2,786
VI. Other contractual printing	25,000	25,000	20,945
VII. Deduction for internal reproduction	(350,800)	(330,800)	—
TOTAL	1,210,750	1,260,750	663,482

53. The decrease in requirements under chapter I, reflected in the revised estimates, is in part due to the fact that the additional printing costs for the official

records of the resumed fifteenth session of the General Assembly will be lower than was originally estimated and in part due to an anticipated increase in the amount estimated under chapter VII as a deduction for work undertaken internally.

PART IV. SPECIAL EXPENSES

Section 12. Special expenses

	<i>United States dollars</i>
Revised estimate	134,000
Appropriation	134,000
Obligations to 31 July 1961.....	82,404

54. The revised estimates are maintained at the approved levels:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. United Nations Memorial Cemetery in Korea	54,000	54,000	22,404
II. Grant to the United Nations International School Fund	80,000	80,000	60,000
TOTAL	134,000	134,000	82,404

PART V. TECHNICAL PROGRAMMES

*Section 13. Economic development**Section 14. Social activities**Section 15. Human rights activities**Section 16. Public administration**Section 17. Technical assistance in the field of narcotic drugs control*

	<i>United States dollars</i>
Revised estimate	5,955,000
Appropriation	5,955,000
Obligations to 31 July 1961	2,066,039

55. As indicated in the 1962 budget estimates, the Secretary-General intends to propose the reappropriation for 1962 of the unspent balances of the additional 1961 provisions for assistance to newly-independent

and emerging States. Amounts so reappropriated would be surrendered from the 1961 provisions. A separate report on this matter will be submitted in due course;⁷ for the present, the estimates for sections 13 to 17 are maintained at the amounts approved.

PART VI. SPECIAL MISSIONS AND RELATED ACTIVITIES

Section 18. Special missions

	<i>United States dollars</i>
Revised estimate	2,888,750
Appropriation	2,848,750
Obligations to 31 July	1,768,428

56. The revised estimates for the various activities provided for under section 18 are as follows:

⁷ Subsequently circulated as document A/C.5/906.

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. United Nations Truce Supervision Organization in Palestine	1,500,000	1,525,000	885,921
II. United Nations Military Observer Group in India and Pakistan	435,000	430,000	274,989
III. United Nations Commission for the Unification and Rehabilitation of Korea.....	161,000	159,000	89,070
IV. Plebiscites for the Trust Territory of the Cameroons under United Kingdom administration...	82,000	126,000	73,057
V. Expenses arising from General Assembly resolution 1237 (ES-III).....	47,000	50,000	28,415
VI. Plebiscite for the Trust Territory of Western Samoa under New Zealand administration.....	50,000	70,000	46,622
VII. United Nations Conciliation Commission for Palestine	73,000	62,000	49,540
VIII. United Nations Representative for India and Pakistan	33,000	33,000	22,067
IX. United Nations Commission for Ruanda-Urundi..	320,000	240,000	183,280
X. Committee on South West Africa.....	40,000	46,000	26,386
XI. Replacement of staff assigned to field missions...	107,750	107,750	63,631
	2,848,750	2,848,750	1,742,978
— United Nations Sub-Committee on Angola.....	27,000	—	17,253
— United Nations Representative on Hungary.....	13,000	—	8,197
TOTAL	2,888,750	2,848,750	1,768,428

57. The revised estimates for special missions give rise to a supplementary requirement of \$40,000 which can be directly attributed to two activities authorized under the terms of paragraph 1 of General Assembly resolution 1585 (XV) of 20 December 1960 relating to unforeseen and extraordinary expenses. A sum of \$13,000 is required to cover the honorarium, travel and subsistence of the United Nations Representative on Hungary (General Assembly resolution 1454 (XIV) of 9 December 1959). The second unforeseen item, for which a supplementary provision of \$27,000 is needed, is the Sub-Committee on Angola which was appointed in accordance with General Assembly resolution 1603 (XV), adopted at the 992nd plenary meeting on 20 April 1961.

58. The Sub-Committee on Angola, consisting of five members appointed by the President of the General Assembly, was instructed to receive further statements and documents and to conduct such inquiries as it deemed necessary concerning the situation in Angola. As a first step to gaining information, the Chairman, assisted by two staff members, visited Lisbon at the invitation of the Portuguese Government. Subsequently, the Sub-Committee decided to gather first-hand information from Angolan refugees in the Republic of the Congo (Leopoldville). Accordingly, three representatives accompanied by four staff members (principal secretary, précis-writer, verbatim reporter and interpreter) visited the Congo. Administrative services and secretarial assistance were provided locally by the United Nations in the Congo (ONUC). Additional expenditure has been incurred in connexion with local travel of witnesses to Headquarters for hearings. The Sub-Committee is now engaged in preparing its report and, apart from subsistence payments during the completion of that task, provision is not made in the following estimate for further expenditure:

<i>Object of expenditure</i>	<i>Estimated cost United States dollars</i>
Temporary assistance	3,000
Travel and subsistence of representatives	9,000
Travel and subsistence of staff	11,600
Common services (local transportation, travel of witnesses, communications, supplies, etc.)....	3,400
TOTAL	27,000

59. Apart from the two unforeseen activities described above, the total of the revised estimates remains at the same level as the appropriation for the section although there are variations in the individual chapters which are explained below.

60. An appropriation of \$240,000 was made for the United Nations Commission for Ruanda-Urundi established under the terms of General Assembly resolution 1579 (XV) of 20 December 1960. The Assembly was subsequently informed⁹ that a further requirement of \$146,300 would be included in the 1961 supplementary estimates in connexion with resolution 1605 (XV) of 21 April 1961, which enlarged the scope of activities of the Commission on Ruanda-Urundi. How-

⁹ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 45, document A/4741.*

ever, it now appears that the supplementary requirement can be limited to \$80,000 because substantial savings seem possible in three areas: replacement of regular staff detailed to the mission; local transportation (the Government provided cars at the most reasonable rental of \$40 a month whereas past experience had indicated that commercial rental would be 11 to 16 cents a kilometre plus costs of operation); and travel of representatives.

61. Estimated 1960-1961 requirements for the plebiscites for the Trust Territory of the Cameroons under United Kingdom administration were shown in the 1961 budget estimates.⁹ These estimates included provision in a total amount of \$109,000 for rental of cars and aircraft. The mission was able however to arrange for the loan of Land Rovers from the United Nations Children's Fund (UNICEF) paying only the costs of reconditioning, and to make extensive use of commercial aircraft instead of charter flights. Accordingly, it was possible to limit expenditure for local transportation to \$53,000 for the two years, which largely accounts for the saving in the original estimates.

62. On 20 April 1961, the Fifth Committee informed the General Assembly¹⁰ that the adoption of the draft resolution recommended by the Fourth Committee in connexion with the Cameroons would give rise to an additional expenditure in 1961 of \$46,000 which would be included in the supplementary estimates. However, when the draft was adopted as resolution 1608 (XV), the paragraph giving rise to the additional expenditure was not included.

63. The \$20,000 saving reflected in the revised estimates for the plebiscite in the Trust Territory of Western Samoa under New Zealand administration arises again mainly in connexion with local transportation. Since it was found that the commercial rental of cars would be prohibitive, the Government agreed to provide some vehicles free of charge and to make others available for a much lower fee than that of private operators. Use was also made of taxis where feasible.

64. The estimated additional requirement of \$11,000 for the United Nations Conciliation Commission for Palestine is mainly in respect of travel of staff which will require an expenditure of \$12,000 in comparison with the original estimate of \$3,000. This increase arises from a decision taken by the Commission on 22 August 1961 to appoint a special representative to visit the area in pursuance of the Commission's responsibilities under General Assembly resolution 1604 (XV) of 21 April 1961.

Section 19. United Nations Field Service

	<i>United States dollars</i>
Revised estimate	1,224,000
Appropriation	1,295,800
Obligations to 31 July 1961.....	712,110

65. The revised estimates by chapter are:

⁹ *Ibid., Fifteenth Session, Supplement No. 5.*
¹⁰ *Ibid., Fifteenth Session, Annexes, agenda items 13 and 47, document A/4742.*

<i>Chapter</i>	<i>Revised estimates</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Established posts	795,000	860,000	445,717
II. Common staff costs	407,000	409,800	255,030
III. General expenses	22,000	26,000	11,363
TOTAL	1,224,000	1,295,800	712,110

66. The anticipated savings of \$71,800 shown in the revised estimates arise principally from the fact that recruitment of staff to replace Field Service personnel assigned from other missions to the United Nations operations in the Congo has been slower than originally contemplated.

PART VII. OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Section 20. Office of the United Nations High Commissioner for Refugees

	<i>United States dollars</i>
Revised estimate	2,260,000
Appropriation	2,302,275
Obligations to 31 July 1961.....	1,325,606

67. The revised estimates by chapter are:

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Salaries and wages.....	1,449,700	1,469,900	881,276
II. Travel of staff.....	103,000	103,000	53,320
III. Common staff costs.....	340,700	351,275	165,600
IV. Public relations and information activities.....	27,300	27,300	8,438
V. Hospitality	2,000	2,000	1,065
VI. General expenses and supplies.....	159,500	118,000	88,450
VII. Permanent equipment	17,000	17,000	8,648
VIII. Contractual printing	7,800	7,800	2,537
IX. Indemnification of refugees persecuted under the National Socialist régime by reason of their nationality	153,000	206,000	116,272
TOTAL	2,260,000	2,302,275	1,325,606

68. The additional requirements under chapter VI—General expenses and supplies, totalling \$41,500, are attributable to increased expenses on rental and maintenance of premises (\$11,000) arising from necessary alterations and renovations in the Bonn Branch Office and from increased rental costs in some other branch offices; from increased utilities costs (\$600); from increased expenses for communications, postage and freight (\$26,900); and from additional requirements for miscellaneous supplies and services (\$3,000). The adjustments except for the alteration and renovations in the Bonn Branch Office, are in line with the experience for 1960 and the anticipated higher requirements shown in the 1962 estimates.

69. It is contemplated that the increased costs of \$41,500 under chapter VI will be more than offset by savings of \$30,775 under chapters I and III and of \$53,000 under chapter IX as follows:

(a) *Chapter I, Salaries and wages, and chapter III, Common staff costs*

70. By careful administration of these two chapters it is anticipated that savings of \$20,200 and \$10,575, respectively, may be realized, even after taking into account increased costs of approximately \$15,450 and \$1,700 under the two chapters respectively for the 6 per cent increase in General Service salary rates at Geneva, from 1 May 1961, referred to in more detail under section 3 above.

<i>Chapter</i>	<i>Revised estimate</i>	<i>Approved estimate</i>	<i>Obligations to 31 July 1961</i>
	<i>United States dollars</i>		
I. Salaries and expenses of members of the Court....	440,550	401,300	239,314
II. Salaries, wages and expenses of the Registry.....	265,050	277,440	152,877
III. Common services	72,100	72,460	22,733
IV. Permanent equipment	3,900	4,500	1,440
TOTAL	781,600	755,700	416,364

(b) *Chapter IX, Indemnification of refugees persecuted under the National Socialist régime by reason of their nationality*

71. When the Fund for this purpose was established in 1960, it was envisaged that its purposes would be achieved by the end of 1963 and that over the three-year period the related administrative costs to be incurred by the Office of the United Nations High Commissioner for Refugees under the regular budget would be in a maximum amount of \$600,000. It is now anticipated that, owing to certain circumstances beyond the High Commissioner's control, this operation might not be concluded until the middle of 1964. Savings have accordingly been deliberately planned by delayed recruitment in 1961 in order to provide for the additional costs which may accrue in 1964. The estimate of \$600,000 for the total operation is still considered valid.

PART VIII. THE INTERNATIONAL COURT OF JUSTICE

Section 21. The International Court of Justice

	<i>United States dollars</i>
Revised estimate	781,600
Appropriation	755,700
Obligations to 31 July 1961.....	416,364

72. The revised estimate provides for the following requirements:

73. The increase of \$25,900 is accounted for as follows:

(a) By an increase of \$44,650 under chapter I, authorized under paragraph 1 (b) (v) of General Assembly resolution 1585 (XV), of 20 December 1960, relating to unforeseen and extraordinary expenses for the financial year 1961, to cover the payment of pensions and travel and removal expenses of Judges not re-elected to the Court;

(b) By estimated savings on other accounts under chapter I (\$5,400), chapter II (\$12,390), chapter III (\$360) and chapter IV (\$600), for a total of \$18,750.

Estimates of income

PART I. INCOME FROM STAFF ASSESSMENT

Income section 1. Staff assessment income

	United States dollars
Revised estimate	6,730,000
Approved estimate	6,730,000

74. Based upon experience and income received to date, no change is proposed in the approved estimate.

PART II. OTHER INCOME

75. On the basis of actual receipts as at the end of August and additional information to date, the estimates for other income are revised as follows:

Income section	Revised estimate	Approved estimate	Increase or (decrease)
2 Funds provided from extra-budgetary accounts....	1,852,770	1,879,880	(27,110)
3 General income	1,595,100	1,595,100	—
4 Sale of United Nations postage stamps (United Nations Postal Administration)	1,135,000	1,066,500	68,500
5 Sale of publications.....	377,900	358,750	19,150
6 Services to visitors and catering services.....	774,800	631,300	143,500
TOTAL, PART II	5,735,570	5,531,530	204,040

76. *Funds provided from extra-budgetary accounts.* The approved estimate is decreased by \$67,200 in respect of the grant-in-aid from the voluntary funds of the United Nations High Commissioner for Refugees, reflecting the reduction made by the General Assembly at its fifteenth session in the 1961 estimates of expenditures for his Office. The estimate is increased by \$38,390 in respect of additional expenditure for the United Nations Joint Staff Pension Fund (see paragraph 18 above), and \$1,700 in respect of additional reimbursable external audit expenses.

77. *General income.* The revised estimate reflects increases of \$64,000 for revenue from television services (see paragraph 49 above) and \$6,000 additional reimbursement in connexion with the expenses of the United Nations Conference on new Sources of Energy; the increase of \$70,000 is offset by an anticipated shortfall of that amount in respect of income from investments.

78. *Sale of United Nations postage stamps (United Nations Postal Administration).* Increased sales of stamps and the issuance of stamps of higher denomina-

tions indicate that the approved estimate may be increased by \$68,500.

79. *Sale of publications.* Additional revenue of \$19,150 is anticipated.

80. *Services to visitors and catering services.* The approved estimates for the several activities under this section are revised, on the basis of experience to date, as follows:

	Increase or (decrease) United States dollars
Guided tours, Headquarters	95,000
Souvenir shop	75,000
Gift centre	(24,500)
Catering services	(2,000)
Guided tours, Geneva	—
TOTAL	143,500

ANNEX

DRAFT RESOLUTION ON THE SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

[For the text of this draft resolution, as amended by A/4870/Add.1, A/4902, A/4909, A/4919, A/4995, A/5024, A/5025, A/C.5/872, A/C.5/878, A/C.5/898 and A/C.5/906, see A/5040, para. 18.]

DOCUMENT A/4902

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[28 September 1961]

INTRODUCTION

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the supplementary estimates for the financial year 1961 (A/4870). This represents the first instalment of the supplementary estimates since, as indicated in paragraph 8 below, there may be further submissions covering certain other matters.

2. In accordance with established practice, the Advisory Committee had the opportunity during its summer session to review the status of the 1961 budget. However, this review was carried out earlier than usual and the basis used could only be the expenditures and obligations recorded up to the end of April 1961 for Headquarters, the European Office and the International Court of Justice, and up to the end of March 1961 for other offices. Accordingly, the

report to the Advisory Committee at that time indicated that it was too soon to arrive at reasonably accurate estimates of expected variations in the estimates as approved. No actual forecast in monetary terms was therefore attempted.

ANALYSIS OF SUPPLEMENTARY ESTIMATES

3. The supplementary appropriations now requested are in the amount of \$773,575.

4. Unforeseen and extraordinary expenses authorized under the provisions of General Assembly resolution 1585 (XV) of 20 December 1960 amounted to \$495,840 as follows:

(a) *Expenses authorized under paragraph 1 of General Assembly resolution 1585 (XV) with the prior concurrence of the Advisory Committee*

	<i>United States dollars</i>
(i) Commodity conferences—United Nations Sugar Conference to be held at Geneva from 12 September to 13 October 1961 (section 2).....	42,000
(ii) United Nations Joint Staff Pension Fund—implementation of the new pension system, General Assembly resolution 1561 (XV) of 18 December 1960 (section 3).....	38,390
(iii) Improvements to premises at Geneva connected with the modernization programme of the Palais des Nations—General Assembly resolutions 1101 (XI) of 27 February 1957 and 1447 (XIV) of 5 December 1959 (section 7).....	81,000
(iv) United Nations Representative on Hungary—General Assembly resolution 1454 (XIV) of 9 December 1959 (section 18).....	13,000
	174,390

(b) *Expenses authorized by the Secretary-General under paragraph 1 (a) of General Assembly resolution 1585 (XV)*

	<i>United States dollars</i>
(i) Conference on the Discontinuance of Nuclear Weapons Tests (section 2).....	249,800
(ii) Sub-Committee on Angola—General Assembly resolution 1603 (XV) of 20 April 1961 (section 18)	27,000
	276,800

(c) *Expenses authorized by the Secretary-General under paragraph 1 (b) (v) of General Assembly resolution 1585 (XV)*

	<i>United States dollars</i>
The International Court of Justice (section 21)....	44,650

5. Apart from the unforeseen and extraordinary expenses set out in the preceding paragraph, the Secretary-General requests provision for additional costs in the amount of \$132,450 arising from the application of the Staff Rules and Regulations as follows:

	<i>United States dollars</i>
(a) Increase in salary scales for General Service staff and manual workers at Geneva (sections 3, 4, 10)	117,450
(b) Travel of staff and dependants on home leave (section 5)	15,000
	132,450

6. In addition, increased expenditures in a total amount of some \$949,500 are anticipated in respect of the regular budget appropriations, the more important of which are the following:

(a) *Expenses arising as a result of meeting schedules of the General Assembly and Security Council*

(1) Temporary assistance (section 3) for the following:

	<i>United States dollars</i>	
(i) Fifteenth session of the General Assembly	37,000	
(ii) Resumed fifteenth session of the General Assembly	106,300	
(iii) Third special session of the General Assembly	13,000	
(iv) Extra security guards for General Assembly and Security Council..	40,000	
(v) Additional requirements for contractual translation resulting from extra sessions of General Assembly	20,000	216,300
(2) Overtime and night differential (section 3) as a result of:		
(i) Fifteenth session of the General Assembly	62,000	
(ii) Resumed fifteenth session of the General Assembly	91,700	
(iii) Third special session of the General Assembly	8,000	161,700
(3) Increased expenses for maintenance, operation and rental of premises arising from the resumed fifteenth session of the General Assembly (section 9).....		32,000
(4) Additional general expenses arising from the increased conference activity at Headquarters (section 10).....		172,000
		582,000
(b) <i>Revenue-producing programmes of the Office of Public Information</i>		<i>United States dollars</i>
Increased expenditures arising from an expansion in the revenue-producing programmes of the Office of Public Information, which amount will be recoverable as miscellaneous income (section 10).....		64,000
(c) <i>General expenses for overseas offices</i>		<i>United States dollars</i>
Additional requirements for the European Office, ECAFE, ECA, ECLA and the information centres in regard to general expenses (section 10).....		138,500
(d) <i>Other expenses</i>		<i>United States dollars</i>
(i) Increased requirements for the Advisory Committee on Administrative and Budgetary Questions and the Committee on Contributions (section 1).....	10,000	
(ii) Other temporary assistance particularly for the Internal Audit Service, Office of General Services for the grounds and gardens, and ECA (section 3)	82,000	
(iii) Overtime and night differential at Headquarters and at ECLA due to the change of meeting place of the ninth session of the Commission from Caracas to Santiago, Chile (section 3).....	24,500	
(iv) Increased requirements for ECA (section 8)	10,000	
(v) Additional cost of utilities and rate and wage increases at Headquarters and the European Office (section 9)	23,000	
(vi) Increased costs for cables at Headquarters (section 10).....	15,500	165,000
		949,500

7. The additional requirements described in paragraphs 4, 5 and 6 above add up to a total of \$1,577,790. However, this sum would be offset by reduced requirements in the amount of approximately \$800,000 foreseen under a number of sections, notably: Salaries and wages (section 3: \$472,500); Travel of staff to meetings (section 5: \$25,000); Architectural and engineering survey and temporary facilities for new Members and improvements to premises at Headquarters (section 7: \$81,000); Interim arrangements for the Library (section 10: \$44,000); Printing (section 11: \$50,000); United Nations Field Service (section 19: \$71,000); Office of the United Nations High Commissioner for Refugees (section 20: \$42,000); International Court of Justice (section 21: \$19,000). On this basis, the net increase requested, after certain other minor adjustments, is estimated at \$773,575.

8. The Secretary-General has also presented revised estimates of income showing no change in income from staff assessment, but anticipating an over-all increase of \$204,040 in other income, arrived at as follows:

(a) *Funds provided from extra-budgetary accounts.* A decrease of \$67,200 in respect of the grant-in-aid from the voluntary funds of the United Nations High Commissioner for Refugees, reflecting the reduction made by the General Assembly at its fifteenth session in the 1961 estimates of expenditures for his Office offset by an increase of \$38,390 in respect of additional expenditures for the United Nations Joint Staff Pension Fund and \$1,700 in respect of additional reimbursable external audit expenses, leaving a net decrease of \$27,110.

(b) *General income.* Increases of \$64,000 for revenue from television services (see paragraph 6 (b) above) and \$6,000 additional reimbursement in connexion with the expenses of the United Nations Conference on New Sources of Energy; this total increase of \$70,000 being offset by an anticipated shortfall in an equal amount in respect of income from investments.

(c) *Sale of United Nations postage stamps* (United Nations Postal Administration). An estimated increase of \$68,500.

(d) *Sale of publications.* Additional revenue in an estimated amount of \$19,150.

(e) *Services to visitors and catering services.* A net estimated increase of \$143,500 by revision of the approved estimates, as follows:

	<i>Increase or (decrease) United States dollars</i>
Guided tours, Headquarters.....	95,000
Souvenir shop	75,000
Gift centre	(24,500)
Catering services	(2,000)
Guided tours, Geneva.....	—
	143,500

9. The supplementary estimates now submitted do not cover the following elements of cost which will be the subject of separate reports in due course:

(a) The cost of changing the pos. classification for New York from class 7 to class 8, effective 1 March 1961 (A/C.5/872): \$230,000;

(b) The cost of preparatory work for the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas (Economic and Social Council resolution 834 (XXXII) of 3 August 1961) to be held in 1962 (A/C.5/878): \$185,000;

(c) The requirements under chapter I of section 1 for the travel of representatives of new Member States which may be admitted during the sixteenth session of the General Assembly, at \$6,000 per Member State.

COMMENTS

10. While present indications are that the total supplementary appropriations for 1961 will not be as high as in some of the preceding years,¹¹ the Advisory Committee would observe that it has always favoured a strict budgetary approach to expenditures of this description. In essence, the Committee feels that the level of the appropriation under any one section should not be exceeded unless there are compelling and unavoidable reasons for doing so and only on the basis of full explanation and justification. By the same token, expenditures over and above the levels originally envisaged for specific purposes within any one section should be avoided, as far as possible. The nature of the Organization admittedly precludes a completely rigid limitation in this regard, in view of the fact, particularly, that its activity is subject in many respects to the pressure of events. Whenever such unforeseen requirements arise, however, budgetary discipline would call for the largest possible measure of compensation by the application of priorities to, and the achievement of actual savings under, other parts of the sections involved.

11. The Advisory Committee notes that a large part of the present supplementary estimates occur in section 3—Salaries and wages (\$185,000), section 9—Maintenance, operation and rental of premises (\$48,700), and section 10—General expenses (\$346,250). These increases are attributed in the main to costs arising from the heavy and continuous meetings schedule at Headquarters during 1961. The Advisory Committee feels, nevertheless, that certain of the cost areas involved, notably communications (cables, telephones, pouch service and freight), call for the further application of every feasible control, especially in view of the steadily rising level of expenditure under these headings.

12. On a point of detail, the Advisory Committee notes that additional costs in the amount of \$90,000 arose under section 3—Salaries and wages, and section 4—Common staff costs, as the result of the approval by the Secretary-General of a 6 per cent increase for the General Service and manual worker staff of the United Nations at the European Office. The International Labour Organisation and the World Health Organization had approved a similar increase for their personnel. In this regard, the Advisory Committee has become aware of the fact that the procedures for determining movements in the General Service salary scales at Geneva do not appear to be generally agreed among the organizations concerned. In view of the need to maintain a common system for the United Nations and the various other organizations, the Advisory Committee would express the hope that this matter will soon be regularized. It has been informed that a review of joint procedures is being conducted at the present time. The Advisory Committee will therefore give the matter its further attention when the results of the review become available.

¹¹ 1958: \$6,059,050 (including \$3,600,000 for the United Nations Observation Group in Lebanon); 1959: \$854,900; 1960: \$2,585,200.

ADVISORY COMMITTEE'S RECOMMENDATIONS

13. In the light of the considerations and observations set out above, the Advisory Committee recommends that, for the financial year 1961, the amount of \$72,969,300 gross appropriated by the General Assembly by resolution 1584 A (XV) of 20 December

1960 should be increased by \$754,000. This represents a global reduction of \$19,575 in the estimate submitted by the Secretary-General.

14. The Advisory Committee also recommends approval of the estimated increase of \$204,040 under income other than staff assessment.

Supplementary reports

Section 1. Admission of new Member States and resumption of membership by Syria

DOCUMENT A/C.5/898

Report of the Secretary-General

[Original text: English]
[24 November 1961]

[For this report see Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 54.]

DOCUMENT A/4995

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[30 November 1961]

[For this report see Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 54.]

Section 2. United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas

DOCUMENT A/C.5/878

Report of the Secretary-General

[Original text: English]
[21 September 1961]

[For this report see Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 54.]

DOCUMENT A/4919

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[10 October 1961]

[For this report see Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 54.]

Section 3. Post classification for United Nations Headquarters, New York

DOCUMENT A/C.5/872

Report of the Secretary-General

[Original text: English]
[11 August 1961]

1. At its fifteenth session the General Assembly reviewed the post adjustment index for New York and by its resolution 1582 (XV) decided that, as from 1 January 1960, New York should be classified in class 7 of the post adjustment system. The index series on which this decision was based is shown below in table 1 (columns 1 and 2). The General Assembly also decided in this connexion, as was recommended by the Expert Committee on Post Adjustments (ECPA) and the Advisory Committee on Administrative and Budgetary Questions, that the relationship of New York in January 1956 to the Geneva base of January 1956 would be established at 120 and future changes in the post classification of New York would be measured from that point.

2. It will be recalled that the system of post adjustments requires that cost-of-living movements at each duty station be measured by an index appropriate for the professional international staff, and that periodic reviews should take place to ensure that the index movement properly reflected the situation of the individuals at the duty station concerned.¹² In this connexion the Secretary-General wishes to draw the attention of the General Assembly to the report of the third session of ECPA¹³ when the Committee reviewed the rental component of the index which has up to now been used for post adjustment purposes in New York, namely the index compiled by the United States Bureau of Labor Statistics under the title of Consumer Price Index (CPI).

3. The Expert Committee on Post Adjustments had requested the Secretariat to assemble data to measure changes in the rents of international officials in New York, in comparison with corresponding changes shown by the CPI. On the basis of these data the Committee found that for the period June 1959 to June 1960 the upward movement in the rental portion of the CPI index for New York was 3.3 per cent compared to a movement of 6.6 per cent in an index reflecting housing costs for international officials. It thus reached the conclusion that the divergence between the CPI rental index and the index of rents paid by international officials was of such magnitude as to warrant, for post adjustment purposes, substituting in the CPI index a specially computed component appropriate for international officials. Using as a basis the post adjustment index of 120 for New York in January 1956, in relation to the Geneva base, the Committee determined that the post adjustment index for New York for the month of June 1960, calculated on the basis of the movements in the total CPI index during the period from January 1956 to June 1959 and on the basis of the movements in the adjusted CPI index, including a specially computed rental com-

ponent during the period June 1959 to June 1960, was 135.

4. The Committee further agreed that the New York rental index for international officials should be based on single and married staff combined and perhaps need not be calculated more frequently than once a year and that during the intervals between the calculation of this index it would be appropriate to interpolate the changes in the cost of living by use of the CPI total index, including its housing element. The post adjustment index for New York which results from the recommendations of ECPA for the period since June 1960 (i.e., calculated during this period according to movements in the total CPI index) is shown below (columns 3 and 4) in comparison with the unadjusted CPI:

TABLE I
Post adjustment index for New York*
(Geneva January 1956=100)

	Unadjusted		As adjusted by substitution of special rent index	
	(1) Monthly	(2) Nine-month average	(3) Monthly	(4) Nine-month average ^b
1956				
January	120.0	—	120.0	
1960				
January	132.8	132.1	...	
June	133.7	133.1	135.0	
July	133.6	133.3	134.9	
August	134.2	133.4	135.4	
September ...	134.4	133.6	135.6	
October	135.0	133.8	136.3	
November ...	135.4	134.1	136.7	
December	135.2	134.3	136.5	
1961				
January	135.0	134.5	136.3	
February	135.1	134.6	136.4	135.9
March	135.0	134.8	136.3	136.0
April	134.7	134.9	136.0	136.2
May	134.5	134.9	135.7	136.2
June	134.7	135.0	136.0	136.2

* The unadjusted index (column 1) is the Consumer Price Index for New York City compiled by the United States Bureau of Labor Statistics, but transferred from its original base (1947-1949) to the base required for post adjustment purposes (January 1956=100).

^b The nine-month average of this index was not available before February 1961.

5. When ECPA held its third session in April 1961, the above series of adjusted index figures for New York was available for the period June 1960 to February 1961 inclusive. On the basis of these figures, it was clear, according to ECPA, that the post adjustment index for New York had exceeded the requirements for class 8 (a nine-month average index of 135) by the end of February 1961.

6. The Secretary-General would consequently recommend a change in the classification of New York from class 7 to class 8 effective from 1 March 1961,

¹² Official Records of the General Assembly, Eleventh Session, Annexes, agenda item 51, separate fascicle, document A/3209, para. 168.

¹³ Ibid., Sixteenth Session, Annexes, agenda item 65, document A/4823/Add.2.

under the present system of emoluments. The estimated cost of the class 8 adjustment (section 3—Salaries and wages) for the period 1 March 1961 to 31 December 1961 is \$230,000.

7. The schedule of post adjustments as proposed by the Salary Review Committee for areas where the cost of living is higher than the base was limited to class 7 (30 per cent) since the Committee did not feel that it had sufficient statistical evidence to suggest specific figures for higher cost areas. The amounts of post adjustment for each salary level which the Secretary-General has established in accordance with annex I, paragraph 9, of the Staff Regulations, and has normally applied in class 8 field office areas, as compared to class 6 and class 7 areas, are as shown in the attached annex. If class 8 is approved for New York, the Secretary-General proposes to apply the

amounts of post adjustment shown in this annex through the end of the year 1961.

8. With respect to the year 1962 the Secretary-General wishes to draw attention to his report and those of the International Civil Service Advisory Board (ICSAB) and ECPA, which are being submitted separately to the General Assembly.¹⁴ In these documents a change in the base date and in the base salary scales is proposed for the system of emoluments as a whole. If these proposals are approved by the General Assembly, the post adjustment index and the post classification for New York would be realigned as from 1 January 1962 as a result of the consolidation into base salary of the existing class 3 post adjustment at the Geneva base.

¹⁴ *Ibid.*, documents A/4823 and Add.1 and 2, respectively.

ANNEX

SCHEDULE OF POST ADJUSTMENTS FOR CLASS 8 AS ESTABLISHED IN RELATION TO THE POST ADJUSTMENTS FOR CLASS 6 AND CLASS 7^a

	(1) Post adjustments for class 6 (25%)		(2) Post adjustments for class 7 (30%)		(3) Difference between class 6 and class 7		(4) Post adjustments for class 8: column 2 plus column 3	
	S	D	S	D	S	D	S	D
P-1	800	1200	935	1400	135	200	1070	1600
P-2	950	1425	1100	1650	150	225	1250	1875
P-3	1100	1650	1265	1900	165	250	1430	2150
P-4	1215	1825	1400	2100	185 ^b	275	1580 ^b	2375
P-5	1315	1975	1515	2275	200	300	1715	2575
D-1	1450	2175	1635	2450	185 ^b	275 ^b	1840 ^b	2775 ^b
D-2	1650	2475	1865	2800	215	325	2080	3125
Under-Secretary ..	1785	2675	2000	3000	215	325	2215	3325

S=rate of post adjustment applicable to staff members with no primary dependants.
D=rate of post adjustment applicable to staff members with one or more primary dependants.

^a As proposed by the Salary Review Committee.

^b There is an apparent discrepancy in the difference between the post adjustments at class 6 and class 7 for level D-1, as compared to level P-5 and level P-4. A certain amount of smoothing of the indicated figures has, therefore, been introduced to correct this discrepancy in calculating the post adjustment for class 8 (column 4).

DOCUMENT A/4909

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[3 October 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/872) concerning the classification, for purposes of post adjustment, of the United Nations Headquarters, New York.

2. Pursuant to the recommendations of the Salary Review Committee¹⁵ in 1956, as approved by the General Assembly, the system of post adjustments for the professional staff calls for salary adjustments, in accordance with an established scale, when a 5 per cent movement has taken place in the appropriate cost-of-living index. It was laid down also that the following criteria should be met in considering such variation of the post adjustment:

(a) Adjustments should depend on the cost-of-living movement at the duty station concerned, measured on

¹⁵ *Ibid.*, Eleventh Session, Annexes, agenda item 51, separate fascicle, document A/3209, para. 168.

an index appropriate for Professional international staff; such adjustments would therefore be made independently of the position at any other duty station;

(b) The reviewing body should satisfy itself that the index movement properly reflected the situation of the officials at the duty station concerned;

(c) The post adjustment should only be changed if the 5 per cent variation had averaged over a nine-month period.

3. The common base date for the system is 1 January 1956 with the relevant indices fixed at 100 for Geneva and 120 for New York. Of the reclassifications which have been approved since then, the most recent occurred during the fifteenth session of the General Assembly when the latter decided that the post adjustment for United Nations Headquarters in New York should be class 7 (index of 130), with effect from 1 January 1960, and that the post adjustment for the

United Nations Office at Geneva should be class 3 (index of 110), with effect from 1 May 1960.

4. The periodic reviews of post adjustments have been conducted by ECPA consisting of six outside experts, appointed by the Secretary-General in consultation with the executive heads of the various specialized agencies and the International Atomic Energy Agency, through the Administrative Committee on Co-ordination. The index which has been used up to now for post adjustment purposes in New York is the index compiled by the United States Bureau of Labor Statistics under the title of Consumer Price Index (CPI).

5. The most recent review was carried out by ECPA in April 1961. In its report¹⁶ ECPA states that, on the basis of the data it had requested the Secretariat to assemble in order to measure the changes in the rents of international officials in New York, it found that for the period June 1959 to June 1960 the upward movement of the rental portion of the Consumer Price Index (CPI) compiled by the United States Bureau of Labor Statistics for New York was 3.3 per cent compared with a movement of 6.6 per cent in an index reflecting housing costs for international officials. It thus reached the conclusion that the divergence between the CPI rental index and the index of rents paid by international officials was of such magnitude as to warrant, for post adjustment purposes, substituting in the CPI index a specially computed component appropriate for international officials.

6. Using as a basis the post adjustment index for New York in January 1956, in relation to the Geneva base, ECPA determined that the post adjustment index for New York for the month of June 1960, calculated on the basis of the movements in the total CPI index during the period from January 1956 to June 1959 and on the basis of the movements in the adjusted CPI index, which takes into account a specially computed rental component during the period June 1959 to June 1960, was 135. In the light of the adjusted index figures for the period June 1960 to February 1961 inclusive, it was clear, according to ECPA, that the post adjustment index for New York had exceeded the requirements for class 8 (a nine-month average index of 135) by the end of February 1961.

7. In accordance with the findings of ECPA, the Secretary-General has recommended a change in the

¹⁶ *Ibid.*, Sixteenth Session, Annexes, agenda item 65, document A/4823/Add.2.

classification of New York from class 7 to class 8, effective from 1 March 1961, under the present system of emoluments. The estimated cost of the class 8 adjustment for the period 1 March 1961 to 31 December 1961 is \$230,000 which would require a supplementary appropriation under section 3—Salaries and wages—of the 1961 budget.

8. In considering the recommendations of ECPA, in particular the proposed substitution in the CPI index of a specially computed rent component appropriate for international officials, the Advisory Committee has inquired into the methods and results of the rental surveys carried out by the Statistical Office of the United Nations in 1959 and 1960 at the request of ECPA. It appears, in this regard, that only a relatively limited proportion of the staff in the rent-paying category replied to either of the relevant questionnaires. Since an even number answered both questionnaires, the sample used for purposes of comparison is, in the view of the Advisory Committee, hardly adequate to be statistically meaningful.¹⁷ For this reason, the Advisory Committee is of the opinion that, irrespective of the merits of the eventual substitution in the CPI index of a special rental component, such action at this time may be considered premature and would benefit from further study in the light of more conclusive statistical evidence. In order to enhance the significance of any further surveys, steps might be taken to secure a more satisfactory participation from the staff in replying to the further questionnaire.

9. The CPI index, without adjustment for movements in rents paid by international officials, shows that the post adjustment index for New York reached a nine-month average of 135 by the end of May or the beginning of June 1961 (A/C.5/872, para. 4, table 1). In view of its observation in the immediately preceding paragraph, the Advisory Committee recommends, therefore, that the classification for New York should be changed from class 7 to class 8 as from 1 June 1961. If the General Assembly accepts this recommendation, a supplementary appropriation of \$161,000 would be required under section 3 for 1961.

¹⁷ The Advisory Committee understands that a more recent survey, carried out in June 1961, has met with a substantially better response. However, the latter questionnaires have not yet been tabulated: in any event, the Statistical Office would need the results of a further survey among the same sample before any reliable comparison could be made.

Sections 13, 14 and 16. Technical Programmes

DOCUMENT A/C.5/906

Report of the Secretary-General

{Original text: English}
{8 December 1961}

[For this report, see Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 54.]

DOCUMENT A/5025

Report of the Advisory Committee on Administrative and
Budgetary Questions[Original text: English]
[12 December 1961][For this report, see Official Records of the General Assembly, Sixteenth
Session, Annexes, agenda item 54.]

PART II OF THE SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

DOCUMENT A/4870/ADD.1

Report of the Secretary-General

[Original text: English]
[8 December 1961]

1. At its 848th meeting on 4 October 1961, the Fifth Committee examined the supplementary estimates for 1961 on the basis of the report of the Secretary-General (A/4870) and of the recommendations thereon of the Advisory Committee on Administrative and Budgetary Questions (A/4902). Consequent upon its examination, the Fifth Committee recommended that the appropriations voted by the General Assembly for 1961, by resolution 1584 A (XV) of 20 December 1960, and totalling \$72,969,300 gross, should be increased by \$754,000. It further recommended that income other than from staff assessment be increased from \$5,531,530 to \$5,735,570 and that income from staff assessment should remain unchanged at \$6,730,000.

2. At this same meeting, the Fifth Committee considered the report of the Secretary-General (A/C.5/872) and approved the recommendation of the Advisory Committee thereon (A/4909) that the post adjustment for United Nations Headquarters in New York should be changed from class 7 to class 8 as from 1 June 1961, entailing supplementary expenditures in the amount of \$161,000 under section 3—Salaries and wages—of the 1961 budget.

3. At its 855th meeting on 13 October 1961, the Fifth Committee examined the estimates presented by the Secretary-General in his report (A/C.5/878) and the recommendations of the Advisory Committee thereon (A/4919) relating to the holding of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas. The Committee approved at that meeting the recommendation of the Advisory Committee to limit the total expenditure of the Conference to \$2 million, and was informed that this total appropriation would be distributed as follows: for 1961, \$135,000; for 1962, \$1,407,000; and for 1963, \$458,000. A supplementary requirement, therefore, arises in the amount of \$135,000 under section 2—Special meetings and conferences—of the 1961 budget.

4. At its 893rd meeting on 1 December 1961, the Fifth Committee approved the supplementary estimate of \$30,000 under section 1—Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies—of the 1961 budget

estimates as submitted by the Secretary-General in his report (A/C.5/898) in regard to travel expenses of representatives of new Member States, and as endorsed by the Advisory Committee in its report to the General Assembly (A/4995).

5. In his initial report on the supplementary estimates for 1961 (A/4870), the Secretary-General included under section 2 a revised estimate of \$249,800 to provide for the expenses of the Conference on the Discontinuance of Nuclear Weapons Tests, which convened at Geneva on 21 March 1961 and remained in session until 9 September 1961. This estimate made no provision for expenses which would arise should the Conference reconvene in 1961. At its 1049th plenary meeting on 8 November 1961, the General Assembly adopted resolution 1649 (XVI) by which it “*Urges* the States negotiating at the Conference on the Discontinuance of Nuclear Weapons Tests at Geneva to renew at once their efforts to conclude at the earliest possible time a treaty on the cessation of nuclear and thermo-nuclear weapons tests...” and “*Requests* the negotiating States to report to the Disarmament Commission by 14 December 1961 on the progress of their negotiations”. Following the adoption of this resolution, the Conference reconvened on 28 November and is expected to remain in session during December 1961. The servicing requirements of the Conference for the period envisaged above would involve an additional expenditure of \$45,000, including \$41,000 for temporary assistance and related travel, and \$4,000 for travel and subsistence of three staff members detailed from Headquarters. The estimate for temporary assistance is based on the same number of temporary staff recruited for the earlier session of the Conference, with the addition of two verbatim reporters who cannot be detailed from Headquarters at this time owing to the servicing requirements of the General Assembly. It is also based on the assumption that the languages used will be English and Russian. Since the Conference adjourned in September, it has been possible to release the temporary staff recruited at a faster pace than originally contemplated with consequential savings in separation payments of the order of \$20,000. Accordingly, an additional amount of \$25,000 under section 2 of the 1961 budget estimates,

will be required to cover the additional expenses resulting from the reconvening of the Conference on the Discontinuance of Nuclear Weapons Tests.

6. Subsequent to the actions taken by the Fifth Committee or the General Assembly as noted in paragraphs 1 to 5 above, the Secretary-General has advised the General Assembly of other matters which will give rise to additional financial implications during the course of 1961. These other items are as follows:

(a) In accordance with rule 154 of the rules of procedure of the General Assembly, the Fifth Committee considered at its 860th meeting, held on 20 October 1961, the financial implications of a draft resolution submitted by the Fourth Committee¹⁸ under which the United Nations Commission for Ruanda-Urundi was requested to visit the scene of the assassination of the Prime Minister of Burundi immediately in order to carry out, without delay an investigation of the circumstances of his death and to submit a preliminary report to the General Assembly as soon as possible. For this purpose the Committee had before it a statement by the Secretary-General¹⁹ and a report of the Advisory Committee on Administrative and Budgetary Questions submitted orally by the Chairman of that Committee. The Fifth Committee decided, without objection, to inform the General Assembly that the adoption of the draft resolution submitted by the Fourth Committee would entail the expenditure of some \$12,000 on a monthly basis, in addition to travel costs not exceeding \$6,000. At its 1041st plenary meeting on 23 October 1961, the General Assembly adopted the draft resolution contained in the report of the Fourth Committee. The Secretary-General wishes to inform the General Assembly that the actual expenditure incurred in the implementation of that resolution (resolution 1627 (XVI)) amounted to \$7,300 under section 18—Special missions—of the 1961 budget.

(b) At its 1042nd plenary meeting held on 26 October 1961, the General Assembly adopted resolution 1628 (XVI) entitled "An international investigation into the conditions and circumstances resulting in the tragic death of Mr. Dag Hammarskjöld and members of the party accompanying him". In operative paragraph 3 of that resolution, the Assembly decided "that an investigation of an international character, under the auspices of the United Nations, should be held immediately into all the conditions and circumstances surrounding this tragedy"; in operative paragraph 4, it further decided "to appoint a Commission of five eminent persons to carry out such an investigation" and requested the Commission "to report its findings to the President of the General Assembly within three months of its appointment". The General Assembly was informed at that time of the financial implications²⁰ consequent upon the implementation of the resolution. The level of expenditure for 1961 in this regard is uncertain since the Commission has as yet not begun its investigation. However, it is anticipated that such expenses that do arise can be met within the 1961 supplementary estimates as now presented under section 18—Special missions. The major portion of the expenditure will arise in 1962 and the Secretary-General will submit revised estimates for 1962 under section 18—Special missions—to meet these additional expenses.

¹⁸ *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 49, document A/4929, para. 15.

¹⁹ *Ibid.*, document A/C.5/892.

²⁰ *Ibid.*, agenda item 93, document A/4933.

(c) The Secretary-General proposed in his report²¹ that the post classification for Geneva should be changed from class 3 to class 4, effective 1 November 1961, and undertook to meet the additional costs involved, estimated at \$14,000 under section 3 and \$2,400 under section 20—Office of the United Nations High Commissioner for Refugees—from within the limits of the revised estimates for 1961 as already approved by the Fifth Committee at its 848th meeting. The Advisory Committee in its report to the General Assembly²² has refrained from recommending any modification of the proposals of the Secretary-General.

(d) Consequent upon the accident which resulted in the death of Mr. Dag Hammarskjöld and the members of the party accompanying him, certain exceptional and unforeseen expenditures were incurred. These expenses, which total an estimated \$85,000, were related to the special emergency arrangements that had to be made at Ndola, Northern Rhodesia, including the preparations for the return of the bodies of the deceased to their respective countries at an estimated cost of \$60,000; for the travel of dependants or next of kin to Ndola in the case of the late Secretary-General and the one staff member who survived the crash, and in the other cases to attend the respective funerals, at an estimated cost of \$6,000; and for special funeral expenses which seemed appropriate under the circumstances at an estimated cost of \$19,000. These expenses, because of their exceptional nature, have been placed in a new chapter under section 12—Special expenses—of the 1961 budget. All other expenses which arose have been charged to the appropriate sections of the 1961 budget.

(e) The Secretary-General advised the General Assembly in his report (A/C.5/906) that the unspent balances of the 1961 appropriations under section 13—Economic development, section 14—Social activities and section 16—Public administration, for assistance to newly independent and emerging States are estimated at \$845,000, \$585,000 and \$975,000, respectively, and he has requested the reappropriation of these unspent balances for 1962. The level of requirements for 1961 is therefore reduced accordingly by a total of \$2,405,000 in regard to these sections.

(f) At its 894th meeting on 4 December 1961, the Fifth Committee considered the report of the Secretary-General on the United Nations International School²³ and the report of the Advisory Committee thereon.²⁴ At its 895th meeting on 5 December 1961, the Fifth Committee adopted the draft resolution contained in document A/C.5/L.700²⁵ in which, under paragraph 5, it decided to contribute \$50,000 to the International School towards liquidating the operational deficit anticipated for the current school year; and, under paragraph 6, authorized the Secretary-General to continue to make available the balance of the 1961 grant of \$20,000 authorized for the purpose of forwarding plans for permanent accommodation of the School or, with the prior concurrence of the Advisory Committee for the purpose set out in paragraph 5. As a consequence, the requirements under section 12—Special expenses, chapter II—Grant to the United Nations International School, are reduced by \$20,000 and the Secretary-

²¹ *Ibid.*, agenda item 54, document A/C.5/903.

²² *Ibid.*, document A/5014.

²³ *Ibid.*, agenda item 67, document A/4991.

²⁴ *Ibid.*, document A/5004.

²⁵ See General Assembly resolution 1727 (XVI).

General will request the reappropriation in 1962 of these unspent 1961 funds for the purposes authorized.

7. The supplementary expenditure indicated under paragraph 6 above, sub-paragraphs (a) to (d) inclusive, can be offset by savings that have been effected and are anticipated in various sections of the 1961 budget in the light of obligations and actual expenditure recorded until the end of November 1961. These savings are mainly under section 3—Salaries and wages, section 5—Travel of staff and section 18—Special missions.

8. The above-noted revisions under paragraphs 2, 3, 4 and 5, however, totalling \$351,000, added to the amount of \$754,000 approved at the 848th meeting of the Fifth Committee, will increase the 1961 appropriations by \$1,105,000 to a revised total of \$74,074,300 gross. The revisions indicated in paragraph 6, sub-paragraphs (e) and (f), will, however, decrease this figure by \$2,425,000 to a total of \$71,649,300 gross.

The total estimate of \$5,735,570 for income other than staff assessment, approved by the Fifth Committee at its 848th meeting, is increased by \$100,000 on account of a further anticipated increase in revenue from the sale of United Nations postage stamps under income section 4 to a revised total of \$5,835,570. Income from staff assessment, approved at a total of \$6,730,000, is also increased in the light of later information by a further \$200,000 to a revised total of \$6,930,000.

9. A revised draft supplementary appropriation estimate for 1961 covering the amounts approved at the 848th meeting of the Fifth Committee and the revisions specified in paragraph 8 above appears in the annex to this report.

ANNEX

DRAFT RESOLUTION ON SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

[For the text of this draft resolution see A/5040, para. 18.]

DOCUMENT A/5024

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[12 December 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General on the supplementary estimates for 1961 (A/4870/Add.1). This report constitutes an addendum to his initial submission (A/4870) which was considered by the Fifth Committee at its 848th meeting on 4 October 1961.

2. On the latter occasion, it will be recalled, the Fifth Committee approved the recommendation of the Advisory Committee (A/4902) that the appropriations voted by the General Assembly for 1961, totalling \$72,969,300 gross, should be increased by \$754,000. It was also decided that income other than from staff assessment be increased by \$204,040, from \$5,531,530 to \$5,735,570 and that income from staff assessment remain unchanged at \$6,730,000.

3. The revisions now submitted take account of subsequent decisions taken by the Fifth Committee and the General Assembly in the course of the present session, as described in paragraphs 2 to 6 of the Secretary-General's report (A/4870/Add.1). The net effect of the present submission is that the gross amount appropriated for 1961 by resolution 1584 A (XV) would be decreased by \$1,320,000. The total estimate of \$5,735,570 for income other than staff assessment, approved by the Fifth Committee at its 848th meeting, would be increased by \$100,000 on account of a further anticipated increase in revenue from the sale of United Nations postage stamps under income section 4 to a revised total of \$5,835,570. Income from staff assessment, approved at a total of \$6,730,000, would also be increased in the light of later information by a further \$200,000 to a revised total of \$6,963,000.

4. As noted in the relevant paragraphs of the Secretary-General's report, the Advisory Committee has already reported on a number of the items affecting the present estimates. The following items have been considered by the Committee for the first time:

(a) The resumption on 28 November 1961 of the Conference on the Discontinuance of Nuclear Weapons Tests;

(b) The international investigation into the conditions and circumstances resulting in the death of Mr. Hammarskjöld and the party accompanying him; and,

(c) The exceptional and unforeseen expenditure incurred as a result of the latter accident.

5. The resumed Conference on the Discontinuance of Nuclear Weapons Tests is expected to cost an additional \$45,000 in 1961; for reasons described in paragraph 5 of the Secretary-General's report, however, only \$25,000 is being requested under section 2—Special meetings and conferences—for this purpose.

6. The international investigation of the accident which befell Mr. Hammarskjöld and his party will not require any supplementary provision in 1961, as any costs which may arise will be met from the estimates already presented under section 18—Special missions. Additional expenses in 1962 will be the subject of revised estimates under the latter section.

7. Exceptional expenses incurred as a result of the above-mentioned accident, as enumerated in paragraph 6 (d) of the Secretary-General's report, are estimated at \$85,000. These requirements have been reflected in a new chapter under section 12 but the appropriation requested has been limited to \$65,000 as the result of the decision of the Fifth Committee, on 5 December 1961 (895th meeting) that the grant of \$20,000 made to the United Nations International School in 1960 for the purpose of plans for its permanent accommodation should continue to remain available. This will involve the surrender of this amount under section 12 of the 1961 budget, and its re-appropriation in 1962.

8. The Secretary-General states in paragraph 7 of his report that some of the supplementary expenditure that has arisen could be met from savings which have

proved possible under the following sections of the 1961 budget: section 3—Salaries and wages, section 5—Travel of staff, and section 18—Special missions. Additional provisions in a total amount of \$351,000 are required, however, for the purposes stated in paragraphs 2, 3, 4 and 5 of his report. Added to the amount of \$754,000 already approved by the Fifth Committee, this would increase the 1961 appropriations by \$1,105,000 to a revised total of \$74,074,300 gross. However, the proposed surrender and re-appropriation of unspent balances in a total amount of \$2,405,000 under section 13—Economic development, section 14—Social activities and section 16—Public adminis-

tration, which are dealt with in a separate report (A/C.5/906), together with the surrender and re-appropriation of \$20,000 under section 12, which has been referred to above, would have the effect of decreasing the final 1961 figure by \$1,320,000 to a total of \$71,649,300 gross.

9. The Advisory Committee is in agreement with the revised gross estimates and the revisions proposed in the estimates of income, as set forth in paragraph 8 of the Secretary-General's report. Accordingly, the Committee recommends the adoption of the draft resolution as proposed by the Secretary-General in the annex to that report.

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DOCUMENT A/5040

Report of the Fifth Committee

[Original text: Spanish]
[15 December 1961]

1. The Fifth Committee examined the supplementary estimates for 1961 at its 848th, 893rd and 900th meetings, held on 4 October, 1 December and 12 December 1961, respectively, on the basis of a series of

reports of the Secretary-General (A/4870 and Add.1; A/C.5/872, A/C.5/898 and A/C.5/906)²⁶ and of the Advisory Committee on Administrative and Budgetary Questions (A/4902, A/4909, A/4995, A/5024 and A/5025).

²⁶In addition, a number of reports, submitted under other agenda items but having a bearing on the 1961 estimates, are cited in subsequent paragraphs of the present report, together with a reference to the meeting at which each was considered.

2. The following table shows the total supplementary estimates, under the expenditure and income headings.

	Secretary-General's proposals	Advisory Committee's recommendations	Fifth Committee's recommendations to the General Assembly
United States dollars			
Supplementary estimates (A/4870 and Add.1, A/4902, A/4909, A/4995, A/5024, A/5025, A/C.5/872, A/C.5/898, A/C.5/906).....	1,124,575	1,105,000	1,105,000
<i>Deduct:</i>			
Unspent 1961 balances re-appropriated for 1962 (A/4870/Add.1, para 6 (e) and (f)):			
Section 12, chapter II.....	20,000		
Sections 13, 14, 16.....	2,405,000	(2,425,000)	(2,425,000)
1961 appropriation (General Assembly resolution 1584 A (XV)).....			72,969,300
Revised appropriation			71,649,300
Income*			
<i>Income from staff assessment:</i>			
Approved estimate (General Assembly resolution 1584 B (XV)).....			6,730,000
Estimated increase (A/4870/Add.1, para. 8).....			200,000
Revised estimate for 1961.....			6,930,000
<i>Other income:</i>			
Approved estimate (General Assembly resolution 1584 B (XV)).....			5,531,530
Estimated increase (A/4870/Add.1, para. 8).....			304,040
Revised estimate for 1961.....			5,835,570

* The revised income estimates recommended by the Secretary-General and the Advisory Committee were identical in amount with those recommended by the Fifth Committee.

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3. The Secretary-General's estimate of \$773,575 for additional budgetary requirements in 1961, as contained in document A/4870, was made up of the following items:

- (a) Unforeseen and extraordinary expenses authorized under the terms of General Assembly resolution 1585 (XV):
- (i) Under paragraph 1 of the resolution with the concurrence of the

	United States dollars
Advisory Committee on Administrative and Budgetary Questions	174,390
(ii) Under paragraph 1 (a) of the resolution, under the Secretary-General's certification	276,800
(iii) Under paragraph 1 (b) of the resolution, under certification of the President of the International Court of Justice.....	44,650
	495,840

	<i>United States dollars</i>
(b) Expenses arising from the application of the Staff Rules and Regulations.....	117,450
(c) Additional requirements (excluding paragraph (b) above) for items already included in the appropriations.....	964,500
Less decreases on certain services and activities	804,215
	160,285
TOTAL	773,575

4. In recommending that the supplementary estimate of \$773,575, as proposed by the Secretary-General, should be reduced by \$19,575 to the figure of \$754,000 the Advisory Committee offered the following among other observations (A/4902, para. 10):

"While present indications are that the total supplementary appropriations for 1961 will not be as high as in some of the preceding years,¹⁴ the Advisory Committee would observe that it has always favoured a strict budgetary approach to expenditures of this description. In essence, the Committee feels that the level of the appropriation under any one section should not be exceeded unless there are compelling and unavoidable reasons for doing so and only on the basis of full explanation and justification. By the same token, expenditures over and above the levels originally envisaged for specific purposes within any one section should be avoided, as far as possible. The nature of the Organization admittedly precludes a completely rigid limitation in this regard, in view of the fact, particularly, that its activity is subject in many respects to the pressure of events. Whenever such unforeseen requirements arise, however, budgetary discipline would call for the largest possible measure of compensation by the application of priorities to, and the achievement of actual savings under, other parts of the sections involved" (A/4902, para. 10).

¹⁴1958: \$6,059,050 (including \$3,600,000 for the United Nations Observation Group in Lebanon); 1959: \$854,900; 1960: \$2,585,200."

5. A number of representatives recognized that, in an organization such as the United Nations, requests for supplementary provision could not be precluded. It was therefore gratifying that, as was evident from the figures submitted, the Secretary-General had striven to carry out the repeated recommendations of the Fifth Committee. The total sum requested was the lowest in many years; in particular, it fell far short of the heavy demands that had been made in 1958 and 1960. Member States were naturally disturbed by the critical financial predicament of the Organization and anxious to see the supplementary requirements reduced to an absolute minimum or even eliminated entirely. The fact remained, however, that an appreciable proportion of the total figure consisted of unforeseen expenditure and of statutory expenditure resulting from the application of the Staff Regulations. In addition, heavy additional expenses over which the Secretary-General could exercise only a very limited control had arisen in connexion with the conference programme, which had included the resumed fifteenth session and the third special session of the General Assembly and an increased number of Security Council meetings. Accordingly, these delegations, while concurring in the

recommendations of the Advisory Committee and in the modest reduction which it had proposed, felt that, subject thereto, the Secretary-General's report could readily be approved.

6. A contrary position was taken by some delegations. Despite the fact that the Fifth Committee had long insisted that the budget appropriations should not be exceeded, every year, without exception, supplementary requests were submitted in which it could be seen that the savings on some items within the budget were invariably far exceeded by the overspending on other activities and services. That situation demonstrated that the Secretariat paid little regard to the budget document as a basic instrument containing provisions intended to be binding; thus, the appropriation for the resumed fifteenth session had been exceeded by 100 per cent, a fact that pointed to a lack of discipline and an indifference to methodical planning. Furthermore, the Secretary-General's proposal included items that were wholly unnecessary or gave rise to serious objections, among which these delegations cited the United Nations Representatives for India and Pakistan, the United Nations Commission for the Unification and Rehabilitation of Korea, and the United Nations Representative on Hungary. Inasmuch as the 1961 budget had been the largest in the history of the United Nations, it was reasonable to expect that all unforeseen expenditure would have been met within the total figure approved in December 1960.

7. The representative of the Secretary-General pointed out that a substantial part of the supplementary requirements arose from the fact that the conference programme at Headquarters and Geneva had been exceptionally heavy in 1961. The amount of \$300,000 appropriated for the resumed fifteenth session of the General Assembly had contained no provision for additional costs under section 10—General expenses, and the session had, moreover, exceeded the estimated duration by one and a half weeks. The resumed session and the special session of the General Assembly and the increase in the number of Security Council meetings accounted for \$582,000 out of the total supplementary provision. It was also to be noted that the expanding programmes of the regional economic commissions and the opening of new information centres accounted for an increase of some \$130,000 under section 10 and that a sum of \$64,000 to finance the revenue-producing programmes of the Office of Public Information was balanced by a corresponding increase in miscellaneous income. He added that the global reduction of \$19,575 recommended by the Advisory Committee (A/4902, para. 13) would not be contested.

Decisions of the Committee

8. At its 848th meeting, the Committee voted on the supplementary estimates proposed by the Secretary-General (A/4870) for those sections where such estimates differed from the original appropriations. The result of the voting was as follows:

<i>Section</i>	<i>Amount</i>	<i>In favour</i>	<i>Against</i>	<i>Abstentions</i>
	<i>United States dollars</i>			
2	547,400	Unanimous		
3	35,887,600	67	10	0
5	2,024,000	Unanimous		
8	410,000	Unanimous		
9	3,327,750	Unanimous		

Section	Amount	In favour	Against	Abstentions
<i>United States dollars</i>				
10	3,816,000	68	10	0
11	1,210,750	Unanimous		
18	2,888,750	69	10	2
19	1,224,000	68	0	10
20	2,260,000	Unanimous		
21	781,600	Unanimous		
Global reduction recommended by the Advisory Committee	19,575	Unanimous		

9. In connexion with section 18—Special missions, the Committee took separate votes on two items within the section. The amount of \$161,000 for the United Nations Commission for the Unification and Rehabilitation of Korea was approved by 62 votes to 10, with 9 abstentions. The amount of \$13,000 for the United Nations Representative on Hungary was approved by 51 votes to 12, with 17 abstentions.

10. The Committee voted on the revised estimates for the income sections, as recommended by the Advisory Committee (A/4902, paras. 8 and 14), where those estimates differed from the estimates originally approved. The result of the voting was as follows:

Income section	Amount	In favour	Against	Abstentions
<i>United States dollars</i>				
2	1,852,770	Unanimous		
4	1,135,000	Unanimous		
5	377,900	Unanimous		
6	774,800	Unanimous		

POST CLASSIFICATION FOR UNITED NATIONS HEADQUARTERS, NEW YORK

11. At its 848th meeting, the Committee considered the question of the post classification for New York, within the established post adjustment system, on the basis of reports of the Secretary-General (A/C.5/872) and of the Advisory Committee on Administrative and Budgetary Questions (A/4909).

12. The Secretary-General recommended (A/C.5/872, para. 6) that in accordance with the findings of the Expert Committee on Post Adjustments²⁷ the post classification for Headquarters, New York, should be changed from class 7 to class 8, with effect from 1 March 1961. For reasons set out in its report (A/4909, paras. 8 and 9), the Advisory Committee, while concurring in the proposed change from class 7 to class 8, recommended that the effective date should be 1 June 1961. The financial implications of the two recommendations were estimated respectively at \$230,000 and \$161,000.

Decision of the Committee

13. The Advisory Committee's recommendation that the post adjustment for Headquarters, New York, should be changed from class 7 to class 8, with effect from 1 June 1961, was approved by 68 votes to none, with 11 abstentions.

14. The Committee also took note of a statement by the Secretary-General's representative that the Secretariat intended to apply the Committee's decision to eligible staff members who were employed by the United Nations on the date of that decision, namely 4 October 1961.

II

15. At the 893rd meeting, the Committee unanimously approved the recommendation of the Advisory

²⁷ Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 65, document A/4823/Add.2.

Committee (A/4995, para. 3) for an additional appropriation of \$30,000 for 1961, as proposed by the Secretary-General (A/C.5/898, para. 3),²⁸ in respect of the travel of representatives—in terms of General Assembly resolution 1075 (XI) of 7 December 1956—resulting from the admission or anticipated admission of new Members of the United Nations and the resumption of membership by Syria.

III

16. At its 900th meeting, the Committee had before it a report of the Secretary-General (A/4870/Add.1), together with a report of the Advisory Committee (A/5024) presented orally by the Chairman of that Committee, on the subject of the supplementary estimates for 1961.

Decision of the Committee

17. By 54 votes to none, with 9 abstentions, the Committee approved the draft resolution attached as an annex to the Secretary-General's report (A/4870/Add.1).²⁹

Recommendation of the Fifth Committee

18. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

²⁸ The Committee's approval covered a like amount recommended for appropriation in respect of 1962.

²⁹ For the details set forth in the Secretary-General's report, see the annex attached to the present report.

ANNEX

1. On consideration of the main body of the supplementary estimates for 1961 (A/4870), the Fifth Committee, at its 848th meeting, approved the following supplementary requirements, as recommended by the Advisory Committee (A/4902):

	<i>United States dollars</i>
(a) Main body of the supplementary estimates	754,000
(b) Post adjustment at Headquarters, New York—change from class 7 to class 8....	161,000
TOTAL	915,000

2. Further supplementary estimates for 1961 were submitted to, and approved by, the Fifth Committee, as follows:

<i>Meeting of Fifth Committee</i>	<i>Agenda item</i>	<i>Subject matter</i>
855th	54	United Nations Conference on the Application of Science and Technology for the Ben-

<i>Meeting of Fifth Committee</i>	<i>Agenda item</i>	<i>Subject matter</i>	<i>United States dollars</i>
		efit of the Less Developed Areas	135,000
893rd	53, 54	Travel of representatives.....	30,000
900th	53	Conference on the Discontinuance of Nuclear Weapons Tests	25,000
TOTAL			190,000*

* Total exclusive of supplementary requirements offset by savings on the 1961 appropriations—see A/4870/Add.1, para. 6 (a) to (d).

3. At the 900th meeting, the Fifth Committee re-appropriated for 1962 the following unspent balances of 1961, thereby reducing the 1961 appropriations:

	<i>United States dollars</i>
Section 12, chapter II.....	20,000
Sections 13, 14, 16.....	2,405,000

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1082nd plenary meeting on 18 December 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5040, para. 18). For the final text see resolution 1692 (XVI) below.

Resolution adopted by the General Assembly

1692 (XVI). SUPPLEMENTARY ESTIMATES FOR THE FINANCIAL YEAR 1961

The General Assembly

1. *Resolves* that for the financial year 1961 the amount of \$US72,969,300 appropriated by its resolution 1584 A (XV) of 20 December 1960 be decreased by \$1,320,000 as follows:

<i>Section</i>	<i>Amount appropriated by resolution 1584 A (XV)</i>	<i>Supplementary appropriation</i>	<i>Revised amount of appropriation</i>
<i>United States dollars</i>			
A. UNITED NATIONS			
<i>Part I. Sessions of the General Assembly, the councils, commissions and committees; special meetings and conferences</i>			
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies.....	1,090,350	30,000	1,120,350
2. Special meetings and conferences.....	255,600	451,800	707,400
TOTAL, PART I	1,345,950	481,800	1,827,750
<i>Part II. Staff costs and related expenses</i>			
3. Salaries and wages.....	35,702,600	286,025	35,988,625
4. Common staff costs.....	8,213,300	—	8,213,300
5. Travel of staff.....	2,034,000	(10,000)	2,024,000
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; hospitality	100,000	—	100,000
TOTAL, PART II	46,049,900	276,025	46,325,925
<i>Part III. Buildings, equipment and common services</i>			
7. Buildings and improvements to premises.....	3,872,375	—	3,872,375
8. Permanent equipment	400,000	10,000	410,000
9. Maintenance, operation and rental of premises.....	3,279,050	48,700	3,327,750
10. General expenses	3,469,750	339,250	3,809,000
11. Printing	1,260,750	(50,000)	1,210,750
TOTAL, PART III	12,281,925	347,950	12,629,875
<i>Part IV. Special expenses</i>			
12. Special expenses	134,000	65,000	199,000
TOTAL, PART IV	134,000	65,000	199,000

Section	United States dollars		
	Amount appropriated by resolution 1584 A (XV)	Supplementary appropriation	Revised amount of appropriation
<i>Part V. Technical programmes</i>			
13. Economic development	1,970,000	(845,000)	1,125,000
14. Social activities	1,960,000	(585,000)	1,375,000
15. Human rights activities	100,000	—	100,000
16. Public administration	1,850,000	(975,000)	875,000
17. Narcotic drugs control	75,000	—	75,000
TOTAL, PART V	5,955,000	(2,405,000)	3,550,000
<i>Part VI. Special missions and related activities</i>			
18. Special missions	2,848,750	—	2,848,750
19. United Nations Field Service	1,295,800	(71,800)	1,224,000
TOTAL, PART VI	4,144,550	(71,800)	4,072,750
<i>Part VII. Office of the United Nations High Commissioner for Refugees</i>			
20. Office of the United Nations High Commissioner for Refugees	2,302,275	(39,875)	2,262,400
TOTAL, PART VII	2,302,275	(39,875)	2,262,400
B. INTERNATIONAL COURT OF JUSTICE			
<i>Part VIII. International Court of Justice</i>			
21. International Court of Justice	755,700	25,900	781,600
TOTAL, PART VIII	755,700	25,900	781,600
GRAND TOTAL	72,969,300	(1,320,000)	71,649,300

2. *Resolves* that the unexpended balance of the 1961 appropriation of \$382,500 in respect of the United Nations building in Santiago, Chile (section 7, chapter III), together with the unexpended balance of the 1960 appropriation for this purpose which remained available for obligation in 1961 under paragraph 2 of General Assembly resolution 1581 (XV) of 20 December 1960, shall be transferred on 31 December 1961 to a building fund account to meet future expenditures as authorized under General Assembly resolution 1407 (XIV) of 1 December 1959;

3. *Further resolves* that the estimates of income for the financial year 1961 approved by its resolution 1584 B (XV) of 20 December 1960 are revised as follows:

Section	United States dollars		
	Estimate approved by resolution 1584 B (XV)	Increase or (decrease)	Revised estimate
<i>Part I. Income from staff assessment</i>			
1. Staff assessment income	6,730,000	200,000	6,930,000
<i>Part II. Other income</i>			
2. Funds provided from extra-budgetary accounts	1,879,880	(27,110)	1,852,770
3. General income	1,595,100	—	1,595,100
4. Sale of United Nations postage stamps	1,066,500	168,500	1,235,000
5. Sale of publications	358,750	19,150	377,900
6. Services to visitors and catering services	631,300	143,500	774,800
GRAND TOTAL	12,261,530	504,040	12,765,570

1082nd plenary meeting,
18 December 1961.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 53 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/4370	Budget estimates for the financial year 1961 and information annexes	Official Records of the General Assembly, Fifteenth Session, Supplement No. 5

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4687 and Corr.1	Budget for the financial year 1961	<i>Ibid.</i> , Supplement No. 5A
A/4770	Budget estimates for the financial year 1962 and information annexes	<i>Ibid.</i> , Sixteenth Session, Supplement No. 5
A/4814	Ninth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , Supplement No. 7
A/C.5/L.711	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 904th meeting, see A/5040



Agenda item 54: Budget estimates for the financial year 1962*

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* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 849th to 862nd, 864th, 868th, 869th, 877th, 883rd, 891st, 893rd, 899th, 900th, 902nd, 904th, 906th to 910th meetings; and *ibid.*, Plenary Meetings, 1082nd and 1086th meetings.

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GENERAL STATEMENTS

DOCUMENT A/C.5/881

Statement by the Controller at the 849th meeting of the Fifth Committee

[Original text: English]
[5 October 1961]

1. I welcome this opportunity of giving to members of the Fifth Committee a general statement on the regular budget estimates for 1962. I shall be brief because I believe the estimates themselves do not require an elaborate explanation. The paramount consideration in the preparation of the initial estimates for the coming year, as stated by the late Secretary-General in the concluding paragraphs of his foreword to those estimates [A/4770], has been to stabilize the level of expenditure as closely as possible to that of the current budget year. The estimates, therefore, are conservative, since they contain only modest additional provisions to meet the Organization's expanding work programmes and servicing requirements.

2. They are proposed for 1962 at an initial level of \$73,533,500 gross. Income from staff assessment, however, for credit to the Tax Equalization Fund and, through that Fund, for distribution to Member States as credits against their assessed contributions, is estimated at \$7,400,000. Income other than staff assessment, for deduction from gross appropriations in deter-

mining the assessments on Members, is estimated at \$5,348,500. On the basis of the initial estimates the net expenditure level for 1962 is thus \$60,785,000 compared to \$60,707,770 for 1961. A measure of stabilization has therefore been achieved, at least so far as the initial estimates are concerned. The figures quoted for 1962 do not of course take into account additional requirements foreseen for that year which arise from decisions taken after the submission of the initial estimates. In this regard revised estimates have already been submitted for the following programmes:

(a) Additional requirements resulting from decisions taken by the Economic and Social Council at its thirty-first and thirty-second sessions held in April and July 1961 as contained in the reports of the Secretary-General [A/C.5/874 and A/C.5/878]. The implementation of new work programmes called for by the Council are estimated in the first report to cost \$491,250 and the Advisory Committee on Administrative and Budgetary Questions in its report to the General Assembly [A/4910] has recommended approval, without change,

of this supplementary requirement. The major scientific conference which is to be convened at Geneva in August 1962—the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas—which is the subject of the second report, is expected to cost approximately \$2.4 million distributed over the years 1961-1963 inclusive, of which some \$1.8 million would be incurred in 1962.

(b) Revised estimates for the programme of modernization of the Palais des Nations at Geneva as contained in the report of the Secretary-General [A/C.5/877]. The requirements as set out in that report call for an additional sum of \$210,000 in 1962 to complete the programme as authorized by General Assembly resolutions 1101 (XI) of 27 February 1957 and 1447 (XIV) of 5 December 1959.

(c) Review of the base salary scales and post adjustments of staff in the Professional and higher categories of the international civil service together with a proposed revision of the staff assessment scheme, as contained in the reports of the Secretary-General [A/4823 and A/C.5/873]. The total additional costs on the 1962 budget should the General Assembly approve these proposals would amount to \$4,129,000 gross or \$2,945,000 net after staff assessment, subject to any adjustments which may be proposed by the Advisory Committee or approved by the Fifth Committee.

(d) The cost in 1962 of the six per cent salary increase authorized for General Service staff and manual workers at the European Office, Geneva, effective 1 May 1961, which was reported to the General Assembly in the supplementary estimates for the financial year 1961 [A/4870]. A separate note¹ giving the financial implications for 1962 of this increase, which are estimated at \$176,800 gross or \$150,550 net after staff assessment, will be issued shortly.

3. The above requirements would increase the initial estimates for 1962 by some \$6,807,050 to a total of \$80,340,550 gross or approximately \$66,300,550 net. There may well, of course, be other items for which additional financial provision will be necessary in 1962. There is the question still pending before the Geneva Assembly, of adequate accommodation and facilities in the conference area at Headquarters which will be the subject of a separate report.² There might also be other expenditures arising from decisions taken by the General Assembly during the present session.

4. Similarly, the 1961 figures do not reflect the supplementary requirements for this year. These are estimated at approximately \$1,100,000 gross, comprising \$754,000 as recommended by the Advisory Committee [A/4902],³ and \$161,000 as also recommended by the Advisory Committee [A/4909]³ in connexion with the change in post adjustment from class 7 to class 8 for New York. Both of these recommendations were approved by the Fifth Committee yesterday [848th meeting]. It also includes an estimated \$185,000 to meet the initial expenditures in 1961 relating to the preparatory work for the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas. The net additional expenditure for 1961 as foreseen at present is \$896,000, making a total of \$61,603,730 net for the year.

5. To assist it in its work, the Committee has before it the budget estimates for the financial year 1962 [A/4770] together with the report thereon of the Advisory Committee [A/4814] recommending a reduction of \$1,130,650 in the total proposed in the initial estimates. May I make it quite clear at this point that I am not contesting any of the reductions proposed by the Advisory Committee. I am motivated in this regard primarily by the same overriding reasons which called in the very first place for a conservative budget. These reasons are stated in paragraphs 2 to 5 of the Secretary-General's foreword to the budget estimates for 1962.

6. There are, however, two points of some importance upon which a note of caution might not be out of order. The first is in regard to Staff costs and related expenses under part II of the budget estimates. A total reduction of \$616,400 is proposed by the Advisory Committee under section 3—Salaries and wages, and section 4—Related Common staff costs. Of this, \$466,400 relates to section 3 of which \$225,000 is applied to chapter I—Established posts, and \$200,000 to both chapter II—Provisional posts—and chapter V—Consultants and experts. The Advisory Committee has left the distribution of the latter reduction between the two chapters to the discretion of the Secretary-General subject to its general observations on chapter V contained in paragraphs 152-157 of its report. No decision has yet been taken as to how this reduction will be distributed between the two chapters in question, in the event that the Fifth Committee approves the Advisory Committee's recommendation. However, I would draw the attention of members of this Committee to the fact that the initial estimates proposed a lump-sum credit of \$550,000 for provisional posts under chapter II. Of this amount, \$275,000 is to provide for the continuation in 1962 of 25 provisional posts in the Professional category authorized by this Committee in 1961 to allow some temporary strengthening of the staff of the regional economic commissions and to provide for priority work in the field of economic development. The balance of \$275,000 is to permit some further temporary strengthening in 1962 of the various Departments and Offices at Headquarters; the European Office, Geneva; the Economic Commission for Asia and the Far East and the Economic Commission for Latin America. A complete list of these requirements is given under chapter II of section 3 in the budget estimates for 1962. These needs which have already been carefully screened, represent a minimal measure to meet the expanding work programmes, particularly in the economic and social field, and the heavier workload falling upon the conference and general administrative services. The additional temporary staff requirements, if provided on a full year basis, would cost some \$765,000. Consistent with the policy of limiting the total level of expenditure for 1962, however, provision is made for some 50 per cent of the provisional posts listed and even this reduced number for part of the year only. Thus it will surely be appreciated that, if any part of the reduction of \$200,000 recommended by the Advisory Committee is applied to chapter II, as it must be, it will limit considerably the amount of additional support which can be given towards meeting these important activities. The Advisory Committee's decision to permit this reduction to be distributed between both chapters II and V coupled with the recommendation [A/4910] to support without change the revised estimates for 1962 arising from the decisions of the Economic and Social Council at its thirty-first and thirty-

¹ Subsequently circulated as document A/C.5/884.

² Subsequently circulated as document A/C.5/889.

³ See *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda item 53.

second sessions this year, makes the acceptance of this particular reduction more possible, and facilitates its practical implementation.

7. The second point concerns the estimates for section 10—General expenses, which are proposed at a level of \$3,719,500 in the initial estimates and for which the Advisory Committee recommends an amount of \$3,650,000 or a reduction of \$69,500 [A/4814]. Looked at in the light of the total for this section, the reduction proposed is not unreasonable. However, the nature of certain of the items included under this heading are such that the total level of expenditure is sometimes difficult to determine and, in some instances, to control. Although by stringent review, where feasible, the level of expenses at Headquarters can be kept within the prescribed limits, the expanding programme of the regional economic commissions will give rise to a higher level of expenditure under many of the chapters within this section and these will prove more difficult to contain. Such increases might be expected under communications, rental and maintenance of equipment and office and internal reproduction supplies, since all these items are directly affected by the growth in work programmes and, in the case of the Economic Commission for Africa (ECA), by the attainment of full stature by the Commission. In the case of ECA the problems of daily communication in an area so vast and still relatively underdeveloped will surely be appreciated. Recourse to the more expensive means of communication—air-mail and cable—becomes a necessity if reasonable progress in the implementation of work programmes is to be achieved. Alternative measures are being actively explored to see if the present upward trend in expenditure can be arrested without impairing the effectiveness of the work. I need hardly say that the Secretariat will continue and even strengthen its efforts to limit to the essential the level of general expenses so as to stay within the lower figure recommended by the Advisory Committee should the Fifth Committee see fit to support that recommendation.

8. With regard to the remaining sections of the budget, the question of the appropriate level of the budgetary credits to be voted in respect of the programmes already authorized is one for the collective judgement of the Fifth Committee to determine. May I, however, make one comment on the level of funds required under part V—Technical programmes. The amounts included in this part of the estimates, comprising sections 13 to 17 inclusive, are devoted wholly to technical assistance operations. For 1962, it is proposed to limit the increase over the initial estimates for 1961 to \$1.5 million as it is intended, in accordance with the wishes expressed by Economic and Social Council in paragraph 294 of its report to the present session of the General Assembly,⁴ to propose the re-appropriation in 1962 of unspent 1961 funds.

9. One final matter; last May the Secretary-General summarized the cash position of the Organization during the first five months of 1961 in paragraphs 10 to 17 inclusive of his foreword to the budget estimates for the financial year 1962, and in paragraphs 18 to 23 inclusive discussed the prospects regarding the cash position for the balance of 1961 and the first half of 1962.

10. The developments that have occurred in the administration and financing of the United Nations opera-

tions in the Congo (ONUC), the United Nations Emergency Force (UNEF), and the regular budget activities of the Organization in the four months that have elapsed since May have tended to confirm the general validity of the Secretary-General's forecasts and provide little basis for any appreciably more optimistic view than he then expressed regarding the seriousness of the cash problem that will confront the Organization during the coming months.

11. As at 5 October 1961, \$153 million had been received (or credited) in respect of the \$236.9 million which was assessed for 1961 for the United Nations 1961 regular budget, the 1961 UNEF budget and the United Nations operations in the Congo for the period July 1960 to October 1961 inclusive, as follows:

1961 regular budget.	\$50,405,244, or 72.63 per cent of total assessments
1961 UNEF budget.	\$12,725,253 ^a , or 66.98 per cent of total assessments
1960 ONUC budget.	\$28,804,758 ^b , or 59.39 per cent of total assessments
1961 ONUC budget.	\$61,255,996 ^c , or 61.26 per cent of total assessments

^a Includes credits of \$1,685,482 to be offset by voluntary contributions of which \$1,135,000 has been paid.

^b Includes credits of \$3,900,000 offset by voluntary contributions paid in full.

^c Includes credits of \$15,305,596 to be offset by voluntary contributions of which \$6,450,000 has been paid.

12. The Secretary-General predicted in May 1961 that it might become necessary to increase the amount borrowed from special funds and accounts in his custody from \$19.5 million as at 22 May to an amount between \$30 and \$40 million by the end of June. The actual amount that it proved necessary to borrow by 30 June 1961 from such funds and accounts was \$32 million.

13. Receipts of substantial contributions in July 1961 made it possible to repay temporarily \$22 million of this amount but, as the Secretary-General indicated, at least part of the amount repaid will have to be re-borrowed within the next three months and thereafter until the arrears in UNEF and ONUC assessments are paid or other long-term arrangements are made to cover the amounts in default.

14. While it would now appear that the cash deficit at the end of 1961 may be closer to \$30 million than the \$40 million which was anticipated in May (due to an upward adjustment in the estimated cash income and reduction in the estimated cash outgo during the last half of the present year) there is no basis at this time to change the Secretary-General's assumptions regarding the 1962 level of obligations for the regular budget, UNEF and ONUC or his further assumption that in the case of ONUC 1961 obligations will total \$120 million.

15. Although, therefore, the cash deficit at the end of 1961 may be somewhat lower than previously forecast, the total of unliquidated obligations will be correspondingly increased and there is therefore no basis at present for modifying the estimate that the deficit will be of the magnitude of \$50 to \$60 million by 31 March 1962 and \$90 million by 30 June 1962.

16. In this first statement, I have limited myself for the most part to technical comments on the budget proposals, to two specific observations regarding the report of the Advisory Committee [A/4814] and to bringing the members of this Committee up to date on the total cash position. The present total budget situa-

⁴ *Ibid.*, Sixteenth Session, Supplement No. 3.

tion is only to a limited extent reflected in the regular budget. There are the other heavy expenditures to which I have referred in my comments on the cash position that have arisen from actions taken by the Security Council in the field of peace and security. However, I feel it would assist the orderly work of

this Committee if I were permitted to return to these other matters at a later stage. For the moment, I would suggest, if I may, that we concentrate on a scrutiny of the appropriations requested in the regular budget for 1962 with the help of the pertinent documents to which I have already referred.

DOCUMENT A/C.5/882

Statement by the Chairman of the Advisory Committee on Administrative and Budgetary Questions at the 849th meeting of the Fifth Committee

[Original text: English]
[5 October 1961]

1. I have listened with great interest and no less pleasure to the statement which the Controller has just made to this Committee. His remarks seem to me to reflect that spirit of co-operation which he has consistently shown throughout a long association with the work of the Advisory Committee on Administrative and Budgetary Questions. They are constructive and will, I believe, materially assist the Fifth Committee's deliberations.

2. Unless I am mistaken, it is the first time that the United Nations administration has not contested any of the cuts recommended by the Advisory Committee.

3. This is a good omen, since it shows that the Secretariat is as keenly aware as we are of the precarious financial situation that besets the activities of the Organization.

4. Listening to the Controller, I was tempted to believe that the stabilization of the budget was not an unattainable goal. His stand will help to promote the introduction of more austere financial discipline not only in the Secretariat itself, but also in the organs that take decisions involving expenditure, since a tight budget is calculated to lead to the establishment of priorities amongst the various activities with which they are concerned.

5. My own task today can be accomplished in a comparatively brief intervention. I have the honour to present to the Fifth Committee, in document A/4814, the report of the Advisory Committee on Administrative and Budgetary Questions concerning the Secretary-General's budget estimates for the financial year 1962 [A/4770]. Perhaps I may be permitted at the same time to offer for your consideration a few general observations on the financial and budgetary issues which confront the General Assembly and this Committee.

6. It has been customary, at every previous session, for the Fifth Committee to undertake its budget examination in two separate stages. The first stage comprises a comprehensive survey of the United Nations budget—a survey which emerges from the general or policy statements which are made in this Committee by the delegations of Member States. The second stage begins when the Committee comes to the detailed consideration of each and every appropriation section, as prescribed in the Financial Regulations. It would not, in my view, be fitting if, now that we are entering on the first of these two stages, I dealt with matters that are far more appropriate to the subsequent stage of close budget scrutiny. I have in mind the recommendations of the Advisory Committee on specific budget sections, and I

propose—with the Chairman's permission—to defer my comments on those recommendations. This procedure offers the advantage that I shall thus be enabled to deal with the particular queries that representatives in this Committee may wish to raise on the recommendations of the Advisory Committee.

7. The keynote of the Secretary-General's foreword to the budget estimates for the financial year 1962, as just restated by the Controller, was that, in the preparation of the initial estimates, the paramount consideration had been to stabilize the level of expenditure by keeping the 1962 requirements as close as possible to those approved for 1961. The main factor determining this approach was stated to be the growing concern expressed by Member States at the burden placed on their financial resources, not only by the steadily increasing level of expenditure of the so-called regular expenses of the Organization, but by the additional obligations they have been asked to bear in recent years. At the same time, the Secretary-General drew attention to the following important aspects which in his view tend to limit the degree to which rigid stabilization can be applied:

(a) The continued growth of both long-term and short-term work programmes, required by decisions of the principal organs, particularly in the economic and social field;

(b) The impact which this growth, as well as the peace and security obligations the Organization has increasingly assumed, is continuing to have on its administrative servicing requirements and on the volume and intensity of its conference activity; and

(c) The rising costs for services, materials and equipment.

8. In its report on the initial 1962 estimates, the Advisory Committee has recognized the special and conscious effort that was made to achieve a measure of stabilization. Furthermore, in connexion with its consideration of the revised estimates for 1962 arising from decisions of the Economic and Social Council in the course of 1961, the Committee had occasion to commend similar measures which were taken to limit the initially estimated requirements to those which, in the view of the Secretary-General, were considered inescapable or which could not be deferred to a subsequent year.

9. Within the context of my present remarks and before proceeding to state the Advisory Committee's own views on the subject of budget stabilization, it would be of practical value to give brief consideration to the actual financial demands with which the Com-

mittee is faced at the present time. In doing so, I shall attempt to point up the comparison between 1961 and 1962 expenditure levels. At the outset, however, I would observe that although it is necessary and desirable to make attempts of this kind, the Committee is well aware that any such comparisons between successive budget years must of necessity be somewhat approximate. It is not too difficult to make the necessary adjustments in respect of a special session of the General Assembly or of a large-scale conference; similarly, account can be taken, with reasonable precision of a particular project which is limited to, or completed in, one of the two budget years under comparison. What is more difficult, however, it to make a suitable adjustment for the countless other factors that enter into the estimates—for example, salary and wage increases, overtime, turnover deduction, fluctuating costs of utilities—or to give the appropriate weight to shifts in emphasis in work programmes. For these reasons, the comparison which the Advisory Committee has offered between the years 1961 and 1962 in paragraphs 8 to 15 of its report, is not intended to be more than a rough guide to this Committee. It will be seen from these paragraphs that the net expenditures estimated by the Secretary-General for 1962 show an increase of \$77,230 above the level of the 1961 appropriations as approved in December 1960. On a more strictly comparable basis, however, the net increase for comparable items is of the order of \$2 million, especially if account is taken of the fact that the 1961 appropriations for technical programmes under part V of the budget included \$3.5 million of a special provision of \$5 million for technical assistance to former Trust Territories and other newly-independent States, whereas the 1962 budget estimates provide only for the remaining \$1.5 million.

10. Since the Advisory Committee's report was issued in July, subsequent proposals for additions, both to the 1961 appropriations and to the initial estimates for 1962 must naturally be taken into account.

11. As far as 1961 requirements are concerned, the General Assembly will be requested to add some \$895,960 to the net 1961 level of \$60,707,770 and thus raise it to \$61,603,730. These additions relate to supplementary estimates for unforeseen and extraordinary requirements, to the cost of the preparatory work for the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas to be held in 1962, and to the reclassification of New York from class 7 to class 8 in the post adjustment system. From the Advisory Committee's reports on these subjects, it will be seen that it has proposed certain reductions to the estimates as submitted.

12. With regard to the 1962 estimates, the initial submission in the amount of \$60,785,000 net has since been increased by some \$5,446,250 to date. Among the items involved have been the revised estimates as a result of decisions taken by the Economic and Social Council, the 1962 costs of the Conference to which I have just referred, the proposed revision of the base salary scales and post adjustments of Professional staff and the completion of the modernization of the Palais des Nations, Geneva. Further additions are not precluded. In particular, the General Assembly may wish to take action to increase the salaries of the Judges of the International Court of Justice, and on the question of the maintenance and capital improvement of the Headquarters building in New York. In the latter regard, it will be recalled, as indicated at the fifteenth

session, that an expenditure of some \$7.7 million spread over a number of years might be involved. Apart from these items, there always remains the possibility that decisions to be taken by the General Assembly at its current session will have financial implications. All these matters are or will be the subject of special reports and recommendations by the Advisory Committee.

13. It will be seen, therefore, that in spite of efforts to keep the regular budget within practical limits, the concept of stabilization can be no more than a relative one under present circumstances and conditions. This matter was recently studied by the Committee of Experts on the Review of the Activities and Organization of the Secretariat, whose proposals [A/4776] fell into two categories:

(a) Proposals to achieve stabilization by imposing direct limitations on the size of the budget, especially by removing operational expenses from the regular budget and including them in a separate budget;

(b) Proposals to increase the effectiveness of procedures by which programme priorities are established and enforced and activities are brought into line with resources.

14. The general issue of the imposition of a ceiling for the administrative budget is an involved one, posing many technical difficulties. The majority of the Committee of Experts, accordingly, expressed reservations on the matter and felt, in any event, that it fell outside the Committee's terms of reference. In commenting on the results of the review, the Advisory Committee, for its part, for similar reasons did not feel required to pursue the question of the imposition of a ceiling. It addressed itself at some length, however, to the general issue of budget stabilization in its wider sense. In this regard, I would invite the attention of Members to the remarks contained in paragraphs 54 to 56 of the Advisory Committee's report [A/4901]. I will not attempt to restate those observations in full on this occasion. It would be appropriate to recall, nevertheless, that the Advisory Committee took the opportunity to point out that the United Nations is a comparatively young and dynamic organization and that the process of its evolution made it undesirable to confine it too narrowly within predetermined limits. At the same time, the Committee argued that the aim should be not so much to check expansion, as to avoid uncontrolled expansion, by keeping the rate of work within manageable bounds at any given stage. In the Committee's view, this goal can be achieved only by exercise of restraint by Member States themselves in the demands they make on the services of the Organization. The application of priorities, as an essential prerequisite, can only be given reality if Members themselves keep the need for economy in the forefront of their minds at all times. Faced with decisions taken by principal organs, the capacity of the Secretariat to apply such priorities is necessarily limited, and its main concern, which is a legitimate one, becomes the increasingly heavy demands made on its capacity to administer and service the programmes entrusted to it.

15. I venture to think that the observations I have made deserve serious considerations by all members.

16. The urgent and constant need for the application of priorities in prevailing circumstances is, I submit, reflected throughout the Advisory Committee's main report [A/4814] on the initial 1962 estimates. This fact is reflected not so much by the size of the reduction it has recommended—\$1,130,650 out of a gross sub-

mission of \$73,533,500, or a reduction of 1.5 per cent—as by the emphasis placed throughout on the need for economic stringency.

17. In paragraph 28 of its main report, the Committee has stated the general considerations which conditioned its approach. The first of these was the ominous fact that the over-all cash position had reached a point where expenditures were being met by increasing recourse to borrowing from special funds and accounts—a source, I might add, which is not inexhaustible. The second factor was that the range and scope of the programmes in the economic and social fields were being steadily expanded by decisions of the programme organs, with consequential demands on the Secretariat. Taken in conjunction with the heavy load placed on the latter by decisions of the General Assembly and the Security Council relating to the maintenance of peace and security, and by the increased activity of the Organization in general as reflected in the heavy meetings schedule, it is clearly more imperative than ever to concentrate the work of the Organization on urgent or priority tasks.

18. Among the more important points made by the Advisory Committee in its report are the following:

(a) The pressing over-all need to keep the general pattern of meetings within manageable bounds by reviewing not only frequency of sessions of the various bodies, but the scope of the agendas;

(b) Full use of the permanent establishment provided for under section 3, chapter I—Established posts—by directing such use to priority work in order that the most urgent of the tasks entrusted to the Secretariat, particularly in the economic and social fields, may be met within a reasonable budget provision under section 3—Salaries and wages—as a whole;

(c) Maximum efforts by the Secretariat, though bound in this matter by decisions of United Nations bodies, to make the most economical arrangements compatible with efficient substantive and technical servicing of meetings, particularly as far as travel of staff is concerned;

(d) Further efforts to prolong the use of such items of equipment as do not affect efficiency or good working conditions;

(e) The imposition of all possible formal restraints, as a matter of continuing concern, in the field of general expenses such as telephones, cables and consumption of office and other supplies.

19. I cite these examples merely to indicate that, in making its recommendations, the Committee has tried to keep in mind the need for unusually strict measures in the prevailing atmosphere of economic stringency. I trust its proposals will be received in this spirit.

20. I also wish to refer to the fact that in considering the 1962 budget estimates, the Advisory Committee has borne in mind throughout the fact that the review of the activities and organization of the Secretariat, pursuant to General Assembly resolutions 1446 (XIV) and 1557 (XV) will be considered by the General Assembly at its present session. The Advisory Committee has submitted its comments on this review in a separate report [A/4901]. In the opinion of the Committee the observations and recommendations of the Committee of Experts and of the Secretary-General did not lend themselves, at the time the Advisory Committee's report on the 1962 budget estimates was drawn up, to specific evaluation in respect of those estimates. Rather, they deal with matters which, while having eventual financial implications, call for decisions of principle and policy by the General Assembly prior to the reflection of those financial implications in the budget. Similar considerations applied in the case of the question of decentralization of United Nations economic and social activities as dealt with in the course of the review, and which has also been the subject of study by the Economic and Social Council at its most recent session. A special report⁵ is due to be submitted to the present session of the General Assembly on the administrative implications of putting this policy into effect and the Advisory Committee will give the matter its close attention at that time.

21. Mr. Chairman, since I have the floor, permit me to express the indebtedness of the Advisory Committee to the late lamented Secretary-General, Mr. Turner (Controller), Mr. Vaughan (Director of General Services), and Mr. Hamilton (Director of Personnel). They and their staff have at all times assisted us in the discharge of our responsibilities.

22. Our relations with the Controller have been particularly close and I wish to place on record our special debt to him, to his assistants and to the interpreters.

23. It is also an agreeable duty to convey the Advisory Committee's deep appreciation to the Secretaries of that Committee who fully and satisfactorily responded to the many onerous calls made on them, sometimes at very short notice. They and the secretarial staff gallantly performed the exacting duties thrust upon them often in difficult circumstances.

24. I have used the word "Secretaries" in the plural because I have also thought of Mr. Rutledge (Secretary of the Fifth Committee) who was Acting Secretary of the Advisory Committee when its main report was produced. I also wish to convey our thanks to him and, in general, to the whole of the Secretariat who have helped us in the discharge of our duties.

⁵ Subsequently circulated as document A/4911; see *Official Records of the General Assembly, Sixteenth Session, Annexes*, agenda items 12, 28, 29 and 30.

PARTICULAR QUESTIONS RELATING TO THE BUDGET

Comprehensive review of the question of the payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity

DOCUMENT A/4813

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[25 July 1961]

1. At its 960th plenary meeting, held on 20 December 1960, the General Assembly approved the recommendations of the Fifth Committee in respect of the payment of honoraria to the members of the United Nations Administrative Tribunal.⁶ It was decided at the same time to request the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to undertake a comprehensive review of the question of payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity, and to submit their reports and recommendations to the General Assembly at its sixteenth session.

2. The annex to the present report contains a detailed review of past developments as provided to the Advisory Committee by the Secretary-General. This survey indicates the clear distinction to be drawn between subsistence allowances (paragraphs 5 to 10) and honoraria (paragraphs 11 to 37). Reference is made in paragraph 2 to a similar comprehensive review conducted prior to the twelfth session of the General Assembly.⁷ The Secretary-General proposes no new departures from the general principles approved by the General Assembly on the latter occasion⁸ in the light of the recommendations made by the Advisory Committee in its tenth report to the General Assembly at its twelfth session.⁹

3. It will be recalled that in its report the Advisory Committee expressed itself clearly on the principle involved, i.e., that it was opposed to the payment to members of expert bodies of any addition, by way of honorarium, to the normal subsistence allowance, although it recognized that certain special exceptions to this policy had been approved by the General Assembly. As a practical measure on that occasion, the Committee recommended that the exceptional payments already authorized should be maintained. The Committee recommended at the same time that all payments over and above the prescribed uniform rate of subsistence allowances should be regarded as honoraria and should be in terms of an appropriate lump sum.

4. On an earlier occasion the Advisory Committee, in its second report to the General Assembly at its ninth session,¹⁰ specifically withheld its support for proposals to pay honoraria to members of the International Law Commission, the Permanent Central Opium Board, the Drug Supervisory Body and the Administrative Tribunal. In all these cases, nevertheless, the General

Assembly decided to authorize such payments by way of exception.

5. The proposals referred to in the preceding paragraph were submitted in the general context of the appointment and remuneration of special rapporteurs for United Nations bodies for work between sessions. In this regard the Advisory Committee summarized its views as follows:

"(a) It is a function of the Secretariat, as an integral organ of the United Nations, to take an active part in every aspect of the work, however controversial or delicate. This is demonstrated by the composition of that organ, the standards of integrity and competence laid down in the Charter and in the Staff Regulations, and by the insistence on the international character of its membership. These provisions appear to afford the necessary safeguards for impartial study and action.

"(b) It is important that, as a corollary, the Secretariat should not be precluded by reason of the nature of a particular subject, from requesting from Member States whatever information the General Assembly or a Council deems indispensable for a given project, or from submitting whatever proposals a study of such information may dictate.

"(c) Finally, it may be questioned whether Governments and private organizations will more readily furnish information relating to controversial issues to an individual member of an expert body than to the Secretariat."¹¹

On the basis of these views, the Advisory Committee reached the conclusion that there was no satisfactory alternative to the position taken by the General Assembly in resolution 677 (VII), which reads as follows:

"The General Assembly,

"Recognizing that the appointment of a person as a rapporteur of a United Nations body confers honour upon his country and distinction upon himself,

"1. Considers that no such appointment should carry remuneration;

"2. Requests all organs of the United Nations to bear in mind in future the views of the General Assembly as expressed in the present resolution."

6. Prior to its present observations, the most recent expression of view by the Advisory Committee is to be found in paragraphs 315 to 323 of its report on the 1960 budget estimates¹² with specific reference to the proposal for payment of honoraria for members of the Administrative Tribunal. While admitting that the latter

⁶ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/4609, para. 10.

⁷ Ibid., Twelfth Session, Annexes, agenda item 41, document A/C.5/713.

⁸ Ibid., document A/3766, para. 6.

⁹ Ibid., document A/3705.

¹⁰ Ibid., Ninth Session, Supplement No. 7, paras. 264-269.

¹¹ Ibid., para. 268.

¹² Ibid., Fifteenth Session, Supplement No. 7.

body was perhaps the kind of organ where an exception might be allowed, the Committee in paragraph 322 underlined the importance of not admitting further exceptions¹³ to the basic rule of not making any payments to include an element of fee or remuneration. No new consideration has emerged as a result of the present review which would lead the Committee to change its previous point of view in so far as members of expert bodies are concerned.

7. The Advisory Committee has given special attention to paragraphs 38 and 39 of the Secretary-General's review, as given in the annex to this report, in which he raises the question of remuneration, in addition to subsistence payments at uniform rates, to persons appointed by the General Assembly for the performance of special tasks of an *ad hoc* nature. Although such cases are not strictly within the scope of the present review—which deals with members who serve on organs or subsidiary organs of the United Nations in an individual, personal capacity—the Secretary-General suggests that in some respects the remuneration paid is analogous to the payment of honoraria to members of United Nations bodies and, therefore, subject to the same basic principles as laid down by the General Assembly. In the absence, however, of specifically agreed criteria as to the basis on which remuneration should be paid in such cases, administrative difficulties have arisen which are expected to intensify as the number of cases increase.

8. The Advisory Committee notes that examples of the cases in question have been the United Nations Representative on Hungary and the Commissioners for the supervision of plebiscites or elections in the Trust Territories of the Cameroons, Togoland and Ruanda-Urundi. The remuneration paid to such individuals has been of varied nature, according to the circumstances in each particular case. A determining factor has been whether or not the persons concerned remain in the employ of a Government or organization.

9. Past experience would seem to indicate that in certain cases special circumstances might well arise which would justify remuneration in addition to subsistence payments. The Advisory Committee considers, however, that such measures should be of an exceptional nature and that, as a general rule, the principle laid down in General Assembly resolution 677 (VII) should apply, i.e., that such appointments confer honour upon the country to which the individuals belong and distinction upon themselves and should therefore not carry any remuneration.

10. To facilitate administration, the Advisory Committee would recommend that, in any event, each case should be decided by the General Assembly on an *ad hoc* basis at the time an appointment is agreed upon and that, in the latter context, it should be expressly stated what exceptional payments, if any, should be made by way of remuneration in excess of normal travel and subsistence payments. The adoption of such decisions should in all cases be preceded, in the normal manner, by the submission by the General Assembly of financial implications, in accordance with rule 154 of the rules of procedure, and the scrutiny of such estimates by the Advisory Committee and the Fifth Committee.

¹³ Paragraph 33 (c) of the annex to this report sets out the exceptional cases in which honoraria are at present paid to members of expert bodies. To this list must be added the President and members of the Administrative Tribunal as a result of the decision taken at the fifteenth session.

ANNEX

Comprehensive review of the question of the payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity

MEMORANDUM BY THE SECRETARY-GENERAL

Origin of review

1. At its 960th plenary meeting, on 20 December 1960, the General Assembly approved the following recommendations, contained in the report of the Fifth Committee on the question of payment of honoraria to the members of the Administrative Tribunal:

"(a) That an annual honorarium of \$500 should be paid to the President of the Administrative Tribunal of the United Nations, and that, in addition, an honorarium of \$250 for each session should be paid to the President and each of the other members participating in the consideration of cases submitted to the Tribunal;

"(b) That the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions should undertake a comprehensive review of the question of payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity, and submit their reports and recommendations to the General Assembly at its sixteenth session."^a

2. It will be recalled that a similar study was requested by the Fifth Committee at its 569th meeting on 21 January 1957, during the eleventh session of the General Assembly, in conjunction with its consideration of a proposal by the Sixth Committee that a special allowance of \$15 a day should be paid to members of the International Law Commission, in addition to subsistence allowance at the normal uniform rate.^b On the basis of comprehensive reports submitted by the Secretary-General^c and the Advisory Committee,^d the Fifth Committee, at its 613th and 615th meetings on 25 and 29 October 1957, respectively, reviewed the system of honoraria and special allowances—as distinct from and in addition to subsistence allowances at established, uniform rates—and recommended a system of payments to members of experts bodies^e which was approved by the General Assembly at its 729th plenary meeting on 13 December 1957.

History of the question

3. Prior to the 1957 review, the question of the payment of honoraria and special allowances had arisen on a number of occasions and was discussed both in the Advisory Committee and the Fifth Committee. At the ninth session (1954), in particular, the matter was dealt with in some detail when the Fifth Committee considered a comprehensive study by the Secretary-General on the system of allowances to members of commissions, committees and other subsidiary bodies of the General Assembly or other organs of the United Nations^f and the related report of the Advisory Committee.^g

4. In view of the continued difficulties being experienced in the matter of strict adherence to established principles governing the payment of honoraria and in the light of the renewed request at the fifteenth session for a review of the situation, there would be advantage in once again tracing past developments, in an endeavour to arrive at a possible guideline for the future.

^a *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 50, document A/4609, para. 10.

^b *Ibid.*, *Eleventh Session, Annexes*, agenda item 53, document A/3539, para. 8.

^c *Ibid.*, *Twelfth Session, Annexes*, agenda item 41, document A/C.5/713.

^d *Ibid.*, document A/3705.

^e *Ibid.*, document A/3766, para. 6.

^f *Ibid.*, *Ninth Session, Annexes*, agenda item 47, document A/2687.

^g *Ibid.*, *Ninth Session, Supplement No. 7*, paras. 256-269.

Subsistence allowances

5. It is important at the outset to draw a distinction between subsistence allowance on the one hand, and honoraria and special allowances on the other.

6. The decisions of the General Assembly governing the payment of subsistence allowances are contained in resolutions 231 (III) of 8 October 1948, 459 (V) of 1 December 1950, 875A (IX) of 4 December 1954, 1075 (XI) of 7 December 1956 and 1588 (XV) of 20 December 1960.

7. Resolution 231 (III) defined the categories of representatives to the General Assembly and members of commissions and other bodies in respect of which travelling expenses and subsistence allowances should be paid. This resolution confirmed the policy previously followed by the Secretary-General and also concurred in the following observations of the Advisory Committee on the subject:^a

(a) That it appeared to the Committee that there were only two main categories of membership in the organs and subsidiary organs of the United Nations: "(a) representatives of participating Members; and (b) members serving on commissions, committees and other bodies in their individual capacity;"

(b) That, in the Committee's view, "the Secretary-General should continue to pay to members of commissions or committees who are selected in an individual capacity an allowance to cover their subsistence at the meeting place of the commission or committee;"

(c) That the Committee confirmed the accepted principle that "such a payment represents subsistence and not a fee for services."

8. The basic pattern set out in resolution 231 (III) was confirmed in all subsequent resolutions on the system of travel and subsistence allowances to members of organs of the United Nations. Of these resolutions, 459 (V) and 1588 (XV) were concerned with variations in the established rates at which subsistence was to be paid. However, resolution 1075 (XI) consolidated the rules governing the payment of travel and subsistence expenses and laid down the rule that the established rate of allowances should be applied uniformly to all eligible bodies. The terms of the resolution were as follows:

(a) Payment of travel but not subsistence expenses:

(i) In respect of a maximum of five representatives or alternate representatives of each Member State in respect of regular sessions of the General Assembly, and one for each Member State in respect of special sessions of the General Assembly;

(ii) In respect of one representative of each Member State participating in a functional commission or a sub-commission of the Economic and Social Council, where such representatives are nominated by their Governments in consultation with the Secretary-General and subsequently confirmed by the Council.

(b) Payment of travel and subsistence expenses in respect of the following persons, regardless of whether they serve in their individual, personal capacity or as representatives of Governments:

(i) A rapporteur or chairman of a subsidiary organ who is called upon to present, in an expert capacity, the report of such subsidiary organ to a parent body;

(ii) One member of a commission acting as its representative on a second commission or committee;

(iii) One representative of any Member State participating in a commission of inquiry or conciliation instituted by the General Assembly or by the Security Council, except where the organ concerned decides that an alternate for each member is necessary, in which case payment may also be made in respect of an alternate.

9. In paragraph 5 of the annex to the resolution, the subsistence allowance was defined as follows: "The subsistence allowance shall provide for extra expenses which an individual

normally incurs in attending an official meeting or session and shall not include any element of fee or remuneration for services rendered".

10. The application of the principles contained in resolution 1075 (XI) to United Nations bodies existing at the time of the resolution's adoption are given in the appendix to this memorandum.

Honoraria

11. In its most recent decision on the principles governing payments to expert bodies,¹ the General Assembly made a clear distinction between (a) payment of subsistence allowances under resolution 1075 (XI), and (b) payments in addition to such subsistence allowances. This decision implied that the previous use of such terms as "special allowance" and "compensation" to describe additional payments should be discarded in favour of the term "honorarium".

12. Honoraria are any payments made (on whatever ground or in whatever form) in excess of the uniform subsistence allowance, such as payments for work between sessions, lump-sum yearly payments in addition to subsistence allowances, etc.

13. In resolution 1075 (XI), the General Assembly reaffirmed the cardinal principle that no element of fee or remuneration for services rendered is included in the subsistence allowance and that such subsistence allowances should be paid at a uniform rate. At the same time, the principle was acknowledged that intangible factors, such as the importance of the work done by a body or the eminence of its membership, cannot appropriately determine the level of the subsistence allowance. On a number of occasions the question has accordingly arisen as to what criteria should govern the payment of honoraria in excess of such uniform subsistence allowances in a manner which would not result in the preferential treatment of any of the bodies to which it is applied.

14. In so far as rapporteurs of United Nations bodies are concerned, the General Assembly, in resolution 677 (VII) of 21 December 1952, resolved as follows:

"Recognising that the appointment of a person as rapporteur of a United Nations body confers honour upon his country and distinction upon himself,

"1. Considers that no such appointment should carry remuneration;

"2. Requests all organs of the United Nations to bear in mind in future the views of the General Assembly as expressed in the present resolution."

15. In practice, the principle laid down in resolution 677 (VII) has been held, both in the Advisory Committee and the Fifth Committee, to apply to members of United Nations bodies in general. However, through the years a number of exceptions have been made, which not only gave rise to considerable differences of opinion at the time the particular decisions were taken, but have created a difficult administrative situation whenever claims for comparable treatment for similar cases arise.

Exceptional payments of honoraria

16. The first case occurred in 1949 when, as an exceptional measure, the General Assembly agreed to the payment to the Chairman and five rapporteurs of the International Law Commission of honoraria for studies prepared between sessions, at the request of the Commission. This decision marked an important departure. Until that time, it had been the accepted practice of the United Nations to entrust technical research projects either to the Secretariat or, where that was not feasible, to outside experts appointed by the Secretary-General for a stipulated fee. Members of commissions or committees had not previously undertaken such projects and it was the specific provision in the Statute of the International Law Commission concerning the appointment of members of the Commission as special rapporteurs on selected topics, that led the Fifth Committee to recommend, as an exception, the payment of research project grants, in the form of honoraria, to such rapporteurs.

^a *Ibid.*, Third Session, Supplement No. 7, paras. 58 and 59.

¹ *Ibid.*, Twelfth Session, Annexes, agenda item 41, document A/3766, para. 6.

17. The second case, considered during 1952, concerned the payment of an honorarium to the Rapporteur on Freedom of Information, appointed under Economic and Social Council resolution 442 C (XIV) of 13 June 1952 for an experimental period of one year. In its report on this matter,^j the Advisory Committee recalled that only in exceptional cases had the General Assembly concurred in the payment of honoraria on behalf of the United Nations; it therefore recommended, as an alternative, the payment of a subsistence allowance, as earned. This recommendation, however, was not accepted and the General Assembly authorized—as an exceptional measure—the full provision for the honorarium.^k At the same time the General Assembly adopted resolution 677 (VII) stating the general principle that rapporteurs of United Nations bodies should not receive any remuneration.

18. The third case, which came up for consideration in 1953, concerned the question of the remuneration of members of the Permanent Central Opium Board and the Drug Supervisory Body. As a result of special representations by the Permanent Central Opium Board, which were endorsed by the Economic and Social Council and by the Secretary-General, the General Assembly, in resolution 875 C (IX) of 4 December 1954, decided that annual honoraria at a particular rate should be paid to the President, Vice-President and members of the Board and the Drug Supervisory Body. The terms of the resolution stated as considerations justifying the exception: (a) that under the provisions of the relevant legislation the members of the Board were precluded from holding any office which put them in a position of direct dependence on their Governments, and (b) that the payment of some compensation to the members of the Board and the Drug Supervisory Body was justified by work performed between sessions of the bodies concerned.

19. It is relevant to note at this point that, at the same session at which resolution 875 C (IX) was adopted, the Fifth Committee also studied other questions in respect to the payment of honoraria and came to the following conclusions:^l

(a) That there were no circumstances which would justify the payment of honoraria to rapporteurs or members of the United Nations bodies for work performed during the sessions of those bodies;

(b) That honoraria should not be paid for work performed between sessions to the President and members of the United Nations Administrative Tribunal;

(c) That honoraria should not be paid for work performed between sessions by special rapporteurs.

Exceptional payments of special allowances

20. In addition to the payment of the honoraria described in paragraphs 16-19 above, the Assembly has in certain cases authorized the payment of special allowances in addition to subsistence allowances at the standard rates. In effect there is no difference between honoraria and special allowances, since both types of payment represent the amount by which the normal subsistence allowance is exceeded.

21. Cases in which the General Assembly authorized the payment of special allowances were the following:

(a) In terms of resolution 485 (V) of 12 December 1950, the General Assembly decided that members of the International Law Commission should be paid travel expenses and should also receive a special allowance of \$35 per day. In effect this decision authorized the payment of a special allowance of \$15 in addition to subsistence allowance at the uniform rate, which was \$20 a day at that time. The question of this special payment from time to time gave rise to considerable differences

of opinion since it first came up at the fourth session of the General Assembly in 1949. Further consideration at the fifth, ninth, eleventh and twelfth sessions was characterized, on occasion, by divergent positions taken in the Fifth and Sixth Committees, as well as reversals by the General Assembly of recommendations by the Fifth Committee. The main issue was whether any exception should be made to the rule that subsistence allowances should be paid at a uniform rate to all expert bodies entitled to such payments.

(b) In 1949, the General Assembly authorized the payment to the members of the United Nations Administrative Tribunal of a daily allowance, during sessions, of \$30, comprising \$20 as subsistence allowance (then the current established rate) and \$10 as a special allowance. With the adoption of resolution 459 (V) of 1 December 1950, raising the subsistence allowance rate from \$20 to \$25 *per diem* for members of eligible commissions and committees meeting at Headquarters, the special allowance of \$10 was discontinued and, from the beginning of 1951, the emoluments of the members of the Administrative Tribunal were limited to subsistence allowances at the standard rates.^m

(c) In 1947, the Secretary-General authorized the payment of subsistence allowance at the exceptional rate of \$25 per day at Headquarters to members of the Advisory Committee on Administrative and Budgetary Questions other than those residing within twenty-five miles of the place of meeting. This meant that the members in question received \$5 more by way of daily allowance than the members of other eligible bodies. This action was taken in view of the number and length of the Committee's sessions. As from 1951, when the standard rate for all eligible bodies was raised to \$25 for Headquarters (\$30 as from 1961), there has been a uniform treatment of the Advisory Committee and other bodies.

22. At the second session of the General Assembly, the Fifth Committee (102nd meeting) decided on its own initiative that a special allowance of \$50 a day (inclusive of subsistence allowance) should be paid to the Chairman of the Advisory Committee on Administrative and Budgetary Questions while he was engaged on the work of the Committee and while he was not in the service of any Government or other body.

23. This special allowance was paid from 1948 to the end of 1957 during sessions of the Advisory Committee. At the twelfth session, as a result of the comprehensive review during 1957 of the system of honoraria and special allowances (see paragraphs 25-34 below), it was decided that as from 1958, the Chairman should receive subsistence allowance at the uniform rate during sessions of the Advisory Committee and that, in addition, he should be entitled to an annual lump-sum honorarium in the amount of \$5,000.ⁿ

Results of the 1957 review of the system of honoraria and special allowances

24. As noted in paragraph 2 above, the Fifth Committee requested the Secretary-General to study the matter of paying special allowances and honoraria to members of expert bodies of the United Nations and to submit his report, together with the comments thereon of the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly in 1957 at its twelfth session. The Fifth Committee reviewed the matter at its 613th and 615th meetings on the basis of reports of the Secretary-General^o and the Advisory Committee.^p

25. In his report, the Secretary-General made the point that the concepts of "honoraria" and "special allowances" were identical in that they both represented the amount by which the normal subsistence allowance is exceeded.

26. The report proceeded to recall the basic premises governing the question as follows:

^m In terms of the decision of the General Assembly at the fifteenth session, the President and members of the Tribunal are now entitled to certain annual honoraria (see paragraph 1 of this report).

ⁿ See *Official Records of the General Assembly, Twelfth Session, Annexes*, agenda item 41, document A/3766, para. 6.

^o *Ibid.*, document A/C.5/713.

^p *Ibid.*, document A/3705.

^j *Ibid.*, *Seventh Session, Annexes*, agenda item 42, document A/2245, para. 11.

^k Similar appointments made in subsequent years (for example, the special rapporteurs of the Sub-Commission on Prevention of Discrimination and Protection of Minorities) have carried no remuneration, subsistence allowance and travel expenses only being authorized.

^l See *Official Records of the General Assembly, Ninth Session, Annexes*, agenda item 47, document A/2814.

(a) That the General Assembly had laid down the principle that no element of fee for services rendered is included in the subsistence allowance, which is payable at uniform rates to members of expert bodies;

(b) That the Assembly appears to have assented, if only tacitly, to the proposition of the Fifth Committee (see paragraph 13 above) that intangible factors, such as the importance of the work assigned to an expert body or the eminence of its membership, cannot appropriately determine the proper level of an allowance;

(c) That, in so far as rapporteurs of United Nations bodies are concerned, the General Assembly, in resolution 677 (VII) of 21 December 1952, specifically recognized that the appointment of a person as rapporteur "confers honour upon his country and distinction upon himself", and laid down that no such appointment should carry remuneration.

27. It was pointed out that, if the foregoing premises were accepted, the question remained: what circumstances, if any, would justify, and what criteria should govern, the payment of an honorarium which would not result in the preferential treatment of any of the bodies to which it is applied. The question might be stated in another form: is non-preferential treatment attained by paying the same emoluments to all members of all bodies in question, or are there some cases in which an extra payment might be justified and others where it may not.

28. The Secretary-General's report also drew a distinction between: (a) representatives of participating Members and (b) members serving on commissions, committees and other bodies in their individual capacity, who are elected to serve, generally for a prescribed period, because of their competence and knowledge in particular fields. It was clear that the question of the extent, if any, that emoluments additional to the subsistence allowance should be paid, concerned only the second category of membership.

29. The Secretary-General's report suggested alternative approaches open to the General Assembly:

(a) To retain the existing system without change; or

(b) To modify it in one of the following ways:

(i) To treat all expert bodies in an identical manner; or

(ii) To examine individual cases on their merits and, in arriving at a solution appropriate to each body, to establish thereby guiding principles, as well as an administrative basis, on which any new case arising in the future might be considered by the General Assembly.

The Secretary-General believed that the approach outlined under (b) (ii) above, if undertaken in the first instance by a small sub-committee of the Fifth Committee, had certain advantages, in view of the marked differences of opinion on the question which had been previously expressed by Member States.

30. The Advisory Committee recommended that the General Assembly should decide between the following alternatives:

"(a) To continue the currently authorized exceptional payments; or

"(b) To abolish altogether these payments, thus treating members of all expert bodies in an identical manner."

Accordingly, the Committee could not recommend the second and third of the approaches suggested by the Secretary-General. It recognized at the same time the practical difficulty, at that stage, of abolishing the existing exceptional payments which had been in operation for so long, and it observed that this fact might suggest to the General Assembly the adoption of a course whereby "the 'present exceptional payments' would be continued. In that event, however, it strongly advised that all such payments to members of United Nations bodies over and above the prescribed uniform rate of subsistence allowance should be regarded as honoraria and be fixed in terms of an appropriate lump sum.

31. Members of the Fifth Committee recognized as valid the distinction between a subsistence allowance, on the one hand, and honoraria and special allowances, on the other. There was no need, in the Committee's view, to discuss the question

of subsistence allowance in view of the General Assembly's action in resolution 1075 (XI) of 7 December 1956, which set out clearly the principles governing the payment of that allowance. Discussion was accordingly confined to the question of any payment additional to the subsistence allowance.

32. The Fifth Committee decided to make the following recommendations to the General Assembly:

"(a) That the currently authorized exceptional payments should be continued...;

"(b) That all exceptional payments should be regarded as honoraria, and should be fixed in terms of an appropriate lump sum...;

"(c) That special allowances being paid at present at a *per diem* rate should be translated into an annual lump-sum amount, calculated on the basis of the normal duration of the meetings of the body concerned, and should be considered to be in the nature of honoraria..."^a

33. In the light of these conclusions, the Fifth Committee recommended to the General Assembly a system of payments to members of expert bodies summarized as follows:^r

(a) There should be only two types of payments to members of expert bodies of the United Nations:

(i) Subsistence allowance;

(ii) Payments additional to this allowance.

Subsistence allowance

(b) The subsistence allowance should be paid uniformly to members of all eligible bodies at the rates approved by the General Assembly in its resolution 1075 (XI) of 7 December 1956 [as modified by resolution 1588 (XV) of 20 December 1960].

Honoraria

(c) Payment in addition to subsistence allowance should be made to the following:

(i) The Chairman of the Advisory Committee on Administrative and Budgetary Questions;

(ii) The President, Vice-President and the other members of the Permanent Central Opium Board and of the Drug Supervisory Body in accordance with General Assembly resolution 875 C (IX) of 4 December 1954;

(iii) The Chairman, the special rapporteurs and the other members of the International Law Commission.

Methods of payment

(d) (i) Additional payments should be consolidated and should be paid as honoraria in the following lump sums:

	<i>Dollars per annum</i>
Chairman of the Advisory Committee on Administrative and Budgetary Questions	5,000 ^a
President of the Permanent Central Opium Board ..	1,000 ^b
Vice-President of the Permanent Central Opium Board	500 ^b
Other members of the Permanent Central Opium Board	300 ^b
President of the Drug Supervisory Body	1,000 ^b
Vice-President of the Drug Supervisory Body	500 ^b
Other members of the Drug Supervisory Body	300 ^b
Chairman of the International Law Commission	2,500 ^c
Special rapporteurs of the International Law Commission	2,500 ^c
Other members of the International Law Commission	1,000 ^c

^a Honorarium to be paid only so long as the Chairman of the Advisory Committee is not in the service of his Government.

^b In case of membership in both bodies, only a single honorarium to be paid.

^c In the case of the International Law Commission, payment of the higher of the two sums to be conditional upon the preparation of specific reports of studies between sessions of the Commission.

^a *Ibid.*, document A/3766, para. 5.

^r *Ibid.*, para. 6.

(ii) The above sums should be payable for any year during which the recipient attends the meetings of the body of which he is a member.

34. The General Assembly, at its 729th plenary meeting on 13 December 1957, approved the recommendations of the Fifth Committee as set out above.

Developments since the 1957 review

35. As noted in paragraph 1 of this memorandum, it was decided at the fifteenth session that an annual honorarium of \$500 should be paid to the President of the Administrative Tribunal of the United Nations and that, in addition, an honorarium of \$250 for each session should be paid to the President and each of the other members participating in the consideration of cases submitted to the Tribunal.

36. The position taken by the Secretary-General was that when the General Assembly took its general decision on the question of honoraria it did not have full information concerning the work undertaken between sessions of the Tribunal and that there was, in his view, no valid reason for drawing a distinction between the Tribunal, on the one hand, and the International Law Commission, the Permanent Central Opium Board and the Drug Supervisory Body, on the other.

37. While the Fifth Committee decided to recommend yet another exception in the case of the Tribunal, the principal positions taken by delegations in the course of the discussion are relevant to this review. These were as follows:*

(a) Appointment to expert bodies of the United Nations, such as the Administrative Tribunal, conferred distinction on the individual as well as honour on his country, and it was not fitting that any payment, other than for subsistence and travel expenses, should be made in respect of the services rendered. Admittedly, the General Assembly, in derogation of its own principle, had on several occasions authorized the payment of honoraria in favour of a limited number of expert bodies. There had, however, been grounds for believing that a final solution of an undeniably difficult problem had been reached at the twelfth session in 1957, when the General Assembly established a list of authorized exceptions, and it had confidently been expected that the list would not thereafter be enlarged. Nothing that had occurred since that time warranted a reopening of the question.

(b) The principle of not authorizing the payment of honoraria was basically a sound one. A departure from that principle had, however, been sanctioned by the General Assembly in 1950, and again on subsequent occasions; since it was neither logically possible nor equitable to draw a distinction between the Administrative Tribunal and other expert bodies of the United Nations, the withholding of honoraria from the members of the Tribunal appeared discriminatory.

(c) The whole question of the payment of honoraria should be reviewed in relation to the position of principle originally taken by the General Assembly. Members supporting such a review were divided regarding interim arrangements pending completion of the review; some considered that honoraria should be paid to members of the Tribunal on a provisional basis for 1961, while others opposed any such payment pending the outcome of the review.

Special representatives and commissioners

38. While not strictly within the scope of this review—which deals with members who serve on organs or subsidiary organs of the United Nations in an individual, personal capacity—it would be of assistance to the Secretary-General to have the guidance of the General Assembly in the matter of remuneration, in addition to subsistence payments at uniform rates, to persons appointed by the General Assembly for the performance of special tasks of an *ad hoc* nature.

39. Examples of such cases have been the United Nations Representative on Hungary and the Commissioners for the supervision of plebiscites or elections in the Trust Territories of the Cameroons, Togoland and Ruanda-Urundi. The remuneration paid to such individuals, at the discretion of the Secretary-General, has been of a varied nature, according to the circumstances in each particular case. A factor in each instance has been whether or not the persons concerned remain in the employ of a Government or organization. In some respects, the question of these payments may be said to be analogous to the payment of honoraria to members of United Nations bodies and, therefore, subject to the same basic principles, as laid down by the General Assembly. In the absence, however, of agreed criteria as to the basis on which remuneration should be paid in such cases, the administrative difficulties which have arisen are expected to intensify as the number of cases increase.

Appendix

(a) *Continuing organs or subsidiary organs in respect of which the United Nations pays or reimburses members' travel expenses but not subsistence:*

General Assembly
Commission on Human Rights
Commission on Narcotic Drugs
Commission on the Status of Women
Population Commission
Social Commission
Statistical Commission.

(b) *Continuing organs or subsidiary organs in respect of which the United Nations pays or reimburses members' travel and subsistence expenses:*

Advisory Committee on Administrative and Budgetary Questions
Board of Auditors
Committee on Contributions
Interim Co-ordinating Committee for International Commodity Arrangements
International Civil Service Advisory Board
International Law Commission
Investments Committee
Permanent Central Opium Board
Drug Supervisory Body
Sub-Commission on Prevention of Discrimination and Protection of Minorities
United Nations Administrative Tribunal
United Nations Scientific Advisory Committee
United Nations Scientific Committee on the Effects of Atomic Radiation
United Nations Joint Staff Pension Board (members representing the General Assembly)
United Nations Staff Pension Committee (members representing the General Assembly)
United Nations Commission for the Unification and Rehabilitation of Korea
United Nations Conciliation Commission for Palestine
Visiting Missions to Trust Territories.

(c) *Continuing organs for which neither travel nor subsistence expenses will be paid:*

Security Council
Economic and Social Council
Trusteeship Council
Military Staff Committee
Unless otherwise provided, commissions and committees of the General Assembly to which representatives are nominated by Governments.
Special conferences to which Governments are invited to send representatives.
Functional commissions of the Economic and Social Council in respect of which payment of travel or subsistence expenses is excluded by the resolution establishing the commission.
Regional economic commissions.

* *Ibid.*, Fifteenth Session, Annexes, agenda item 50, document A/4609, para. 3.

DOCUMENT A/5005

Report of the Fifth Committee

[Original text: Spanish]
[1 December 1961]

1. At its fifteenth session, the General Assembly, on the recommendation of the Fifth Committee, requested the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions to review the question of the payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity, and to report to the Assembly at its sixteenth session.¹⁴

2. At its 850th meeting, held on 5 October 1961, the Fifth Committee considered a report of the Advisory Committee (A/4813), to which was attached a memorandum by the Secretary-General setting forth the previous history of the question.

3. The Advisory Committee indicated that its review of the question had not disclosed any new consideration that would lead the Committee to change its previous points of view; first, that as a general principle, honoraria—in the sense of payments additional to subsistence allowance (at the standard rate) and authorized travel expenses—should not be paid to members of expert bodies of the United Nations; and, secondly, that it was important, given the fact that the General Assembly had approved certain special exceptions to its own principle, that further exceptions should not be admitted.

4. There was general support in the Fifth Committee for the position of principle which the Advisory Committee had consistently upheld. The General Assembly had laid it down, as a basic rule, that the appointment of a person as rapporteur of a United Nations body should not carry any remuneration, and the Assembly had further intended the rule to apply equally to the members of expert bodies serving in a personal capacity; it had accordingly stipulated that the payment of a subsistence allowance should in no case be deemed to contain any element of fee or remuneration.

5. Nevertheless, it appeared to a number of delegations that it would be extremely difficult for the Fifth Committee, in the light of the past history of the question and the departures that had been sanctioned from the basic principle, to vary the practice of recent years and withhold the honoraria that were at present authorized in certain exceptional cases. Instead, the Committee should seek, through its recommendations to the General Assembly, so to strengthen the basic principle that no proposals for further exceptions could be admitted unless they rested on the strongest possible justification. Considerations of economy also argued in favour of such a course.

6. Other representatives considered that a much stricter approach was called for, in conformity with the principle initially laid down by the General Assembly. For there could be little doubt that, were the Committee to concur in the maintenance of the exceptions at present admitted, it would be constrained to agree to further exceptions in coming years: what had been granted to one group of expert bodies could not in equity be denied

to other such bodies similarly placed. Rather than undermine the basic principle, it would be wiser to abolish the existing exceptional payments and accord uniform treatment to the members of all expert bodies of the United Nations. Such a step would remove the injustices caused by the present system and, incidentally, represent an appropriate, if minor, source of budgetary economy.

7. The opinion was also heard that, inasmuch as the exceptions already authorized by the General Assembly are virtually sacrosanct, it might be opportune to review the basic principle itself. Sound reasons might be adduced in some cases for the exceptions which the General Assembly had approved. For example, the issue might be whether the person best qualified, or even the only suitable person, for a particular task could be induced to accept the appointment unless some financial provision was made to compensate for the loss of professional earnings. If therefore it proved impracticable or undesirable to do away with any exceptions to the rule, there might still be advantage in attempting, in the light of experience, to draw up a set of principles for the guidance of those United Nations organs or subsidiary bodies in which the payment of honoraria might in future be raised.

Special representatives performing tasks of an ad hoc character

8. A closely analogous question, which the Committee also examined, concerns the emoluments to be paid to persons appointed by the General Assembly for the performance of special tasks of an *ad hoc* character—for example, the United Nations Representative on Hungary and the Commissioners for the supervision of plebiscites or elections in the Trust Territories of the Cameroons, Togoland and Ruanda-Urundi—a question which, though not coming within the immediate scope of the present agenda item, had been raised in the Secretary-General's memorandum (A/4813, annex, paras. 38 and 39) and considered by the Advisory Committee (*ibid.*, paras. 7-10).

9. The Committee endorsed the observations and views of the Advisory Committee, which may be summarized as follows:

(a) The emoluments paid to such special representatives were analogous to the honoraria paid to members of expert bodies, and should therefore be governed by the same basic principles;

(b) The emoluments in question had varied according to the circumstances attending each particular appointment; a determining factor had been whether the person concerned had or had not remained in the service of a Government or other organization;

(c) Experience showed that special circumstances might warrant some remuneration over and above the subsistence allowance and travel expenses. But any such additional payment should be of an exceptional nature, and, as a general rule, the principle laid down in General Assembly resolution 677 (VII) of 21 December

¹⁴ See Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/4609, para. 10.

1952¹⁵ should apply equally to persons within the category under reference;

(d) As a matter of administrative convenience, each case should be decided by the General Assembly on an *ad hoc* basis at the time of appointment and in connexion therewith it should be expressly stated what exceptional payments, if any, should be made by way of remuneration in excess of normal travel and subsistence payments. The adoption of the decision should be preceded in every case by the submission to the General Assembly, under rule 154 of the rules of procedure, of a statement of financial implications and by a scrutiny of the estimated expenditure on the part of the Advisory Committee and the Fifth Committee.

Recommendations of the Fifth Committee

10. Accordingly, the Committee recommends to the General Assembly the adoption of the following decisions:

(a) The General Assembly reaffirms the basic principles governing the emoluments of persons who serve

¹⁵ The resolution reads:

"The General Assembly,

"Recognizing that the appointment of a person as rapporteur of a United Nations body confers honour upon his country and distinction upon himself,

"1. Considers that no such appointment should carry remuneration;

"2. Requests all organs of the United Nations to bear in mind in future the views of the General Assembly as expressed in the present resolution."

on organs and subsidiary organs of the United Nations, according to which neither fee nor other remuneration shall normally be paid to:

(i) A rapporteur of a United Nations body;

(ii) Members serving on organs and subsidiary organs of the United Nations in an individual personal capacity.

Where appropriate, a subsistence allowance at the standard rate, together with travel expenses, shall be payable, but the allowance shall not be deemed to contain any element of fee or remuneration;

(b) The General Assembly decides that like principles shall normally govern payments to special representatives or equivalent officials appointed by the Assembly for the performance of *ad hoc* tasks. Unless the draft resolution proposing such an appointment expressly so provides, no fee or remuneration shall be paid. If, in exceptional circumstances, a fee or remuneration is proposed, the decision shall invariably be taken by the General Assembly, according to the requirements of the individual case. The statement of financial implications submitted under rule 154 of the rules of procedure of the General Assembly shall specify the nature and amount of such payment and shall be subject to prior examination and report by the Fifth Committee;

(c) The decisions set out under (a) and (b) above shall not be deemed to embrace any honoraria which the General Assembly has already authorized for payment on an exceptional basis.

Estimated cost of main fields of activity 1956-1961

DOCUMENT A/C.5/870

Note by the Secretary-General

[Original text: English]
[4 August 1961]

INTRODUCTION

1. There is annexed to this note an analytical study of expenditures which allocates to main fields of activity the costs in the regular budget of the United Nations during the period 1956 to 1961 inclusive.

2. The study endeavours to emphasize the work programmes accomplished and their cost, rather than the services and supplies bought. It may serve therefore to supplement the budget estimates presented to, and approved by, the General Assembly, on the basis of objects of expenditure.

3. In addition to indicating the actual cost of the different categories, the study reveals the trend of such costs and their relative importance in the pattern of total budgetary expenditure. The whole work programme financed from the regular budget may thus be assessed from the standpoint of current or longer-term policy objectives. The cost of each category may be reviewed as to its reasonableness in relation to the total annual expenditure and such a review, even if undertaken in retrospect, may serve to some extent to determine the emphasis in financial terms to be placed on future programmes.

CLASSIFICATION OF EXPENDITURES

4. The expenditures in the study are classified in thirteen broad categories with appropriate sub-categories for those main activities having a substantial cost in relation to the budget total (for details of the component parts see the appendix to the annex). Thus, for example, the total expenditure for economic and social activities covers eleven identifiable areas and that for general administration and services covers seven such areas. Each of the main categories indicated is related to homogeneous types of operation. Since effective management at the programme level requires responsibility for carrying out identifiable programmes to be vested in a single organization unit, the classification has been identified with the department concerned with the activity in question and the calculations made have been influenced by the relevant departmental expenditures.

5. No attempt has been made to cost particular projects falling within a main field of activity. There is indeed no available statistical basis for such a calculation. But the sub-activities, where attempted, indicate the cost of different segments of a related field

of work which are of sufficient significance to assist in an evaluation of the achievement of the accepted purposes and objectives sought, and to which the financial resources of the regular budget have been devoted. The costs have been based on the volume of work undertaken, as reflected in known expenditure amounts and other identifiable work-load data.

CALCULATION OF EXPENDITURES

6. The study has been based on the audited expenditures of the regular budget for 1956 to 1959 and approved budget estimates for 1960 and 1961. For the most accurate costing possible of each activity a distribution has been made of those costs which are directly related to and clearly identifiable with the activity in question. The total cost shown for each activity comprises for the most part "direct costs" and a proportionate share of "conference services" costs. The principal elements constituting "direct costs" are (a) salaries and wages and related common staff costs; (b) travel of representatives of organs and official travel of staff; and (c) other costs clearly identifiable with the activity. The share of "conference services" costs has been distributed on the basis of actual workload statistics for the years 1956 to 1959; for 1960 and 1961, such costs were distributed on the basis of the average workload figures of the preceding years.

7. The Organization derives a substantial amount of annual income—\$8.5 million in 1956, \$12.2 million in 1961—which is taken into account in the assessment of Member States. However, the relevant income provisions have not been applied in the present study and the calculations have been made on a gross basis, since the appropriations are so approved by the General Assembly.

8. No attempt has been made to spread over the various activities the costs of general administration and services at Headquarters and Geneva. To a very large extent these particular services represent activities in themselves. Moreover, no basis exists for spreading these costs over particular fields of activity other than by the most arbitrary assumptions. By isolating them, the remaining costs, which vary more or less with the scope of the different programme activities, are brought into more prominent relief. As already mentioned, the presentation of the budget for a six-year span indicates not only the comparative costs of the different fields of work but also the trend of the costs. It also brings into focus the play of priorities among the different fields of work of the entire Organization to the extent that expenditure represents an indication of priorities.

DISTRIBUTION OF EXPENDITURES

9. The following table shows the six fields of activity for which the average annual expenditure during the period under review exceeded 3 million dollars.

Expenditure by main field of activity

Activity	1956	1961	Average annual increase 1956 to 1961
<i>(In thousands of United States dollars)</i>			
Economic and social.....	14,122	25,950	1,971
General administration and services.....	13,832	18,010	696
General Assembly.....	4,557	6,572	336
Public information.....	4,896	5,633	123
Field missions.....	2,795	4,151	226
Buildings and premises.....	2,816	3,872	176
	43,018	64,188	
All others.....	7,490	8,781	215
TOTAL	50,508	72,969	

RELATIVE COSTS OF MAIN ACTIVITIES

10. An equally revealing pattern of the costs of different main activities emerges from the following table which compares the percentage amount of the annual budget expenditure for the financial years 1956 to 1961 allocated to particular fields of activity. These are ranked in the order of magnitude of expenditure as indicated by an average annual allocation of budget funds for the period in question.

Budgetary expenditures of the main fields of activity expressed in percentages

Activity	Average for the period 1956-1961	For 1956	For 1961
Economic and social activities.....	30.05	27.96	35.55
General administration and services.....	25.72	27.39	24.68
General Assembly.....	9.59	9.02	9.01
Public information.....	8.86	9.69	7.72
Field missions.....	6.82	5.53	5.69
Buildings and improvement to premises.....	5.21	5.58	5.31
Trusteeship activities.....	3.37	4.16	2.94
Office of the United Nations High Commissioner for Refugees.....	2.44	1.64	3.26

Budgetary expenditures of the main fields of activity expressed in percentages (continued)

<i>Activity</i>	<i>Average for the period 1956-1961</i>	<i>For 1956</i>	<i>For 1961</i>
Security Council	2.30	2.75	1.94
Special conferences	2.19	2.54	0.78
Legal	2.17	2.13	1.90
International Court of Justice.....	1.12	1.15	1.04
Special expenses	0.16	0.46	0.18
	100.00	100.00	100.00

11. It will be noted from the figures in the study that with the exception of special conferences and special expenses, the actual amount allocated to each category in 1961 was higher than in 1956. The above table indicates, however, that the percentage of the total 1961 budget allocated to ten of the thirteen categories is lower than the corresponding percentage in 1956. There is no doubt some play here in the operation of priorities as far as expenditure amounts are concerned. A comparison of the 1961 percentage amounts with average percentages for the period as a whole, while not strictly identical in result, shows the same general pattern. This would appear to indicate some consistency in the maintenance over a period of a priority pattern of expenditure. It should be noted that beginning with the budget for 1959, certain administrative costs which in prior years were a direct charge either to the Special Account for

the Expanded Programme for Technical Assistance or to the Voluntary Fund of the High Commissioner's Programme have been provided for in the regular budget and a grant-in-aid towards these expenses is reflected in the annual income.

12. If one examines a little more closely the two largest areas of expenditure—economic and social activities, and general administration and services—further evidence of the application of priorities may be adduced.

13. In the case of economic and social activities there is an increasing trend in expenditure for the benefit of regional activities. This is shown in the summary table below, which compares the amount of the total budget devoted to regional economic commissions and technical programmes with the amount for all other activities in the economic, social and human right fields:

	1956	1957	1958	1959	1960	1961
	%	%	%	%	%	%
Regional economic commissions and technical programmes	13.64	13.96	12.88	16.28	17.24	22.41
Other activities in the economic and social fields	14.32	14.48	13.15	13.32	13.76	13.14

If this analysis were made solely on the basis of expenditure for economic and social activities, the trend would be much more marked.

14. In the case of expenditures on general administration and services, a closer examination shows that percentage-wise the cost of each segment of activity within this field has tended to diminish since 1957, although the total gross budget of the Organization has increased:

	1956	1957	1958	1959	1960	1961
	%	%	%	%	%	%
Executive Office and Office of the Under-Secretaries for Special Political Affairs	1.29	1.44	1.35	1.49	1.48	1.32
Administrative and financial services....	5.01	5.05	4.57	4.80	4.65	4.65
General services	8.68	9.01	8.44	8.60	8.73	8.17
Library	1.65	1.71	1.55	1.67	1.71	1.60
Common services and equipment.....	7.78	8.00	7.43	7.24	7.52	6.63

15. The above trend is more strikingly illustrated in the relative expenditures on conference services alone:

	1956	1957	1958	1959	1960	1961
	%	%	%	%	%	%
Conference services	18.81	19.50	17.72	18.27	17.92	16.65

There has been an increase in absolute amounts from \$9.5 million in 1956 to \$12 million in 1961, although as a percentage of the gross budget as a whole, costs have been reduced from 18.81% in 1956 to 16.65% in 1961. The additional credit of \$3.5 million voted in 1961 for technical programmes has clearly affected the percentage calculations for that year, but if one stops short at 1960, the above-noted trends are still distinguishable. Even if the total programme stays at its present level, the costs are likely to rise steadily. If, as may be foreseen, the programme is increased, a sharper rise in the costs must be anticipated.

ANNEX

ESTIMATED COST OF MAIN FIELDS OF ACTIVITY, 1956-1961

The following statement of the estimated cost of main fields of activity is based on audited expenditure of the regular budget for 1956 to 1959 and regular budget estimates for 1960 and 1961.

Field of activity ^a	Year	Direct cost	Conference services cost ^b	Total gross cost
<i>(In thousands of United States dollars)</i>				
I. The General Assembly, commissions and committees (excluding the International Law Commission).....	1961 estimate	1,809	4,763	6,572
	1960 estimate	1,705	4,616	6,321
	1959	1,213	4,477	5,690
	1958	1,408	4,213	5,621
	1957	1,726	4,503	6,229
	1956	1,331	3,226	4,557
II. The Security Council.....	1961 estimate	904	510	1,414
	1960 estimate	880	495	1,375
	1959	873	319	1,192
	1958	912	497	1,409
	1957	1,136	520	1,656
	1956	964	423	1,387
III. Trusteeship activities: the Trusteeship Council, commissions and committees and related activities.....	1961 estimate	1,113	1,030	2,143
	1960 estimate	1,175	999	2,174
	1959	1,150	899	2,049
	1958	1,098	837	1,935
	1957	1,130	797	1,927
	1956	1,082	1,019	2,101
IV. Field Missions including United Nations Field Services ^c	1961 estimate	4,151	—	4,151
	1960 estimate	4,054	—	4,054
	1959	4,177	—	4,177
	1958	6,831	—	6,831
	1957	2,889	—	2,889
	1956	2,795	—	2,795
V. Economic and social activities:				
(a) Economic and Social Council.....	1961 estimate	430	1,026	1,456
	1960 estimate	375	995	1,370
	1959	340	783	1,123
	1958	328	939	1,267
	1957	351	918	1,269
	1956	337	976	1,313
(b) Economic activities.....	1961 estimate	2,298	313	2,611
	1960 estimate	2,188	304	2,492
	1959	1,901	302	2,203
	1958	1,857	255	2,112
	1957	1,741	250	1,991
	1956	1,657	266	1,923
(c) Regional economic commissions:				
(i) Africa.....	1961 estimate	1,673	10	1,683
	1960 estimate	950	10	960
	1959	424	19	443
	1958	145	7	152
	1957	—	—	—
	1956	—	—	—
(ii) Asia and the Far East.....	1961 estimate	2,162	33	2,195
	1960 estimate	1,920	32	1,952
	1959	1,834	32	1,866
	1958	1,768	27	1,795
	1957	1,502	26	1,528
	1956	1,225	28	1,253
(iii) Europe.....	1961 estimate	1,611	814	2,425
	1960 estimate	1,519	789	2,308
	1959	1,416	777	2,193
	1958	1,349	665	2,014

ANNEX (continued)

<i>Field of activity^a</i>	<i>Year</i>	<i>Direct cost</i>	<i>Conference services cost^b</i>	<i>Total gross cost</i>
<i>(In thousands of United States dollars)</i>				
	1957	1,333	652	1,985
	1956	1,210	692	1,902
(iv) Latin America	1961 estimate	2,418	40	2,458
	1960 estimate	2,042	39	2,081
	1959	1,867	67	1,934
	1958	1,600	18	1,618
	1957	1,650	17	1,667
	1956	1,279	19	1,298
(d) Statistics	1961 estimate	1,480	250	1,730
	1960 estimate	1,386	243	1,629
	1959	1,300	182	1,482
	1958	1,258	233	1,491
	1957	1,185	229	1,414
	1956	1,126	243	1,369
(e) Social activities	1961 estimate	1,608	383	1,991
	1960 estimate	1,438	371	1,809
	1959	1,352	425	1,777
	1958	1,319	283	1,602
	1957	1,286	277	1,563
	1956	1,117	294	1,411
(f) Narcotic drugs control (including the Permanent Central Opium Board and the Drug Supervisory Body)	1961 estimate	476	208	684
	1960 estimate	445	201	646
	1959	433	175	608
	1958	425	182	607
	1957	380	178	558
	1956	366	189	555
(g) Human rights	1961 estimate	645	465	1,110
	1960 estimate	656	451	1,107
	1959	563	435	998
	1958	538	385	923
	1957	527	377	904
	1956	515	400	915
(h) Technical operations and programmes ^d	1961 estimate	7,448	159	7,607
	1960 estimate	3,869	154	4,023
	1959	3,398	164	3,562
	1958	2,137	124	2,261
	1957	2,123	121	2,244
	1956	2,054	129	2,183
TOTAL, Economic and social activities	1961 estimate	22,249	3,707	25,950
	1960 estimate	16,788	3,589	20,377
	1959	14,828	3,361	18,189
	1958	12,718	3,118	15,836
	1957	12,078	3,045	15,123
	1956	10,886	3,236	14,122
VI. Office of the United Nations High Commissioner for Refugees ^e	1961 estimate	2,302	77	2,379
	1960 estimate	1,807	74	1,881
	1959	1,666	64	1,730
	1958	959	67	1,026
	1957	968	66	1,034
	1956	759	70	829
VII. Legal activities	1961 estimate	923	463	1,386
	1960 estimate	925	449	1,374
	1959	859	430	1,289
	1958	933	460	1,393
	1957	857	376	1,233
	1956	747	329	1,076
VIII. Public information ^f	1961 estimate	5,379	254	5,633
	1960 estimate	5,298	246	5,544
	1959	5,312	228	5,540
	1958	5,133	262	5,395

ANNEX (continued)

Field of activity ^a	Year	Direct cost	Conference services cost ^b	Total gross cost
(In thousands of United States dollars)				
	1957	5,072	191	5,263
	1956	4,700	196	4,896
IX. Special conferences	1961 estimate	230	339	569
	1960 estimate	605	328	933
	1959	1,897	391	2,288
	1958	2,414	495	2,909
	1957	34	23	57
	1956	1,026	258	1,284
X. General administration and services (Headquarters and Geneva):				
(a) Executive Office of the Secretary-General (including the Office of the Under-Secretaries for Special Political Affairs)	1961 estimate	887	77	964
	1960 estimate	898	76	974
	1959	823	90	913
	1958	757	63	820
	1957	705	60	765
	1956	593	60	653
(b) Administrative and financial services	1961 estimate	3,202	188	3,390
	1960 estimate	2,873	181	3,054
	1959	2,732	217	2,949
	1958	2,630	151	2,781
	1957	2,550	135	2,685
	1956	2,391	140	2,531
(c) General services	1961 estimate	5,841	124	5,965
	1960 estimate	5,623	120	5,743
	1959	5,195	96	5,291
	1958	5,017	121	5,138
	1957	4,697	93	4,790
	1956	4,263	119	4,382
(d) Conference services	1961 estimate	12,149	(12,149)	—
	1960 estimate	11,777	(11,777)	—
	1959	11,227	(11,227)	—
	1958	10,783	(10,783)	—
	1957	10,369	(10,369)	—
	1956	9,504	(9,504)	—
(e) Library	1961 estimate	1,167	2	1,169
	1960 estimate	1,123	2	1,125
	1959	1,023	2	1,025
	1958	943	—	943
	1957	909	—	909
	1956	832	—	832
(f) Common services and permanent equipment	1961 estimate	4,837	—	4,837
	1960 estimate	4,940	—	4,940
	1959	4,450	—	4,450
	1958	4,517	—	4,517
	1957	4,253	—	4,253
	1956	3,927	—	3,927
(g) Other ^c	1961 estimate	1,064	621	1,685
	1960 estimate	455	602	1,057
	1959	384	653	1,037
	1958	336	499	835
	1957	372	560	932
	1956	1,079	428	1,507
TOTAL, General administration and services (Headquarters and Geneva)...	1961 estimate	29,147	1,012	18,010 ^b
	1960 estimate	27,689	981	16,893 ^b
	1959	25,834	1,058	15,665 ^b
	1958	24,983	834	15,034 ^b
	1957	23,855	848	14,334 ^b
	1956	22,589	747	13,832 ^b

ANNEX (continued)

<i>Field of activity^a</i>	<i>Year</i>	<i>Direct cost</i>	<i>Conference services cost^b</i>	<i>Total gross cost</i>
<i>(In thousands of United States dollars)</i>				
XI. Buildings and improvements to premises	1961 estimate	3,872	—	3,872
	1960 estimate	3,872	—	3,872
	1959	2,823	—	2,823
	1958	2,785	—	2,785
	1957	2,784	—	2,784
	1956	2,816	—	2,816
XII. Special expenses	1961 estimate	134	—	134
	1960 estimate	185	—	185
	1959	96	—	96
	1958	—	—	—
	1957	1 ⁱⁱ	—	1
	1956	231	—	231
XIII. International Court of Justice.....	1961 estimate	756	—	756
	1960 estimate	752	—	752
	1959	733	—	733
	1958	675	—	675
	1957	643	—	643
	1956	582	—	582
GRAND TOTALS	1961 estimate	72,969	—	72,969
	1960 estimate	65,735	—	65,735
	1959	61,461	—	61,461
	1958	60,849	—	60,849
	1957	53,173	—	53,173
	1956	50,508	—	50,508

^a For the component parts see the appendix.

^b The distribution of conference services costs in the years 1960 and 1961 has been made on the basis of actual workload data averaged over a four-year period 1956-1959. (The main conference service costs for the three regional economic commissions—the Economic Commission for Africa, Economic Commission for Asia and the Far East and Economic Commission for Latin America—are provided under the “direct costs” of these Commissions).

^c The figures for 1958 and 1959 include the cost of the United Nations Observation Group in Lebanon in the amount of \$3,580,742 and \$120,778 respectively.

^d The figures for 1959 to 1961 inclusive include the cost of the whole-time staff of the Bureau of Technical Assistance Operations, at Headquarters and Geneva, previously financed from the Special Account of the Expanded Programme of Technical Assistance. A contribution from the Special Account toward these expenses is reflected in income in the same years.

^e The figures for 1959 to 1961 inclusive cover additional administrative costs relating to the operational activities of the Office of the United Nations High Commissioner for Refugees previously financed from the Voluntary Fund, for which a contribution from the United Nations Refugee Fund is received as income in each of these years.

^f The amounts are shown before deduction of income from television activities; thus the estimated direct cost for 1960 and 1961 would be reduced to about \$5 million.

^g Covers the costs, which in the main are reimbursed, for (a) the secretariat of the United Nations Joint Staff Pension Board, (b) certain services costs rendered to specialized agencies, and (c) the 1956 and 1961 costs of other activities financed from revenue which in the intervening years—1957 to 1960—were included in a separate part of the estimates and not in the appropriation totals.

^h The total gross cost figures exclude conference services costs which have been allocated to the various activities.

Appendix

Explanatory notes for the panel of budget classifications by main fields of activity

<i>Field of activity</i>	<i>Notes</i>
I. The General Assembly, commissions and committees (excluding the International Law Commission).....	Provides for the costs of the General Assembly, its commissions and committees—covering costs of representatives and staff when applicable; temporary staff; overtime; the printing of related records.
II. The Security Council.....	Provides for the costs of the staff of the Department of Political and Security Council Affairs; the Disarmament Commission and its sub-committee; the printing of the <i>Official Records</i> of the Security Council.

Appendix (continued)

<i>Field of activity</i>	<i>Notes</i>
III. Trusteeship activities: the Trusteeship Council, commissions and committees and related activities	Provides for the direct staff costs of the Department of Trusteeship and Information from Non-Self-Governing Territories; the annual Visiting Missions and the printing of the <i>Official Records</i> of the Council, its committees and commissions.
IV. Field missions, including United Nations Field Service	Provides for the field missions authorized by the General Assembly, the Security Council, and other missions included in the regular budget.
V. Economic and social activities	Provides for the costs of economic and social activities as itemized under the following sub-groupings:
(a) The Economic and Social Council	Covers the costs of the secretariat of the Council; costs of temporary staff and travel of staff to sessions held away from Headquarters; the printing of the <i>Official Records</i> of sessions.
(b) Economic activities	Covers the staff costs of the Division of General Economic Research and Policies, the Division of Industrial Development, the Resources and Transport branch and the Fiscal and Financial branch; cost of the meetings of commissions, committees and conferences dealing with economic matters; cost of travel and subsistence of members and staff where applicable; and the printing of publications, studies and reports.
(c) Regional economic commissions:	
(i) Africa	Provides for the costs of the Commission secretariat; includes the rental and maintenance of premises at Addis Ababa; the purchase and maintenance of equipment, supplies and services necessary for the Commission's operation; costs of the Commission's sessions. In 1958, covered also the costs of the first session of the Commission in connexion with its establishment.
(ii) Asia and the Far East	Provides for the costs of the Commission secretariat at Bangkok; the maintenance of premises, and the purchase of equipment, supplies and services necessary for the Commission's operations; cost of annual sessions of the Commission and its subsidiary bodies; and the printing of studies and reports.
(iii) Europe	Provides for the direct costs of the Commission secretariat at Geneva; cost of sessions and of the printing of publications, studies and reports.
(iv) Latin America	Covers the costs of the Commission secretariat, including the rental and maintenance of premises at Santiago, Chile, Mexico and Washington; the purchase of equipment, supplies and services necessary for the Commission's operations; the biennial session of the Commission or the Committee of the Whole, and subsidiary bodies; the meetings of the Ministers of Economic Affairs of the Central American countries; the printing of studies and reports.
(d) Statistics	Provides for the costs of the staff of the Statistical Office; costs of sessions of the Statistical Commission, such as travel and subsistence of members and staff, and the printing of publications, studies and reports of

Appendix (continued)

<i>Field of activity</i>	<i>Notes</i>
	statistics in social, economic and demographic fields.
(e) Social activities	Provides for the costs of the staff of the Bureau of Social Affairs, costs of the Middle East Social Affairs Unit in Beirut; costs of the sessions of commissions and committees dealing with social matters; and printing of publications, studies and reports.
(f) Narcotic drugs control (including the Permanent Central Opium Board and the Drug Supervisory Body)	Covers the costs of the staff of the Division of Narcotic Drugs; costs of the joint secretariat of the Permanent Central Opium Board and the Drug Supervisory Body; cost of travel and subsistence of members to sessions of these bodies; printing of publications and statistics on drug addiction.
(g) Human rights	Provides for the costs of the staff of the Division of Human Rights and of servicing commissions and committees in the field of human rights; costs of travel and subsistence of representatives and staff to the commissions; and the printing of publications, studies and reports.
(h) Technical operations and programmes	Provides for grants towards administrative and operational services costs of technical assistance programmes. (The balance between the total requirements of the programmes and these grants is financed with funds allocated from the Special Account of the Expanded Programme of Technical Assistance.) The figures for 1959 to 1961 inclusive include the cost of the staff of the Bureau of Technical Assistance Operations and the staff of the Division for Public Administration, the Office of the Commissioner for Technical Assistance, all previously financed from the Special Account of the Expanded Programme. A contribution from the Special Account towards these expenses is reflected in income.
VI. Office of the United Nations High Commissioner for Refugees.....	Covers the staff costs of the Headquarters Office of the High Commissioner at Geneva, and staff and other maintenance costs of the branch offices; the cost of printing. The figures for 1959 to 1961 inclusive cover also administrative costs relating to the operational activities of the Office of the United Nations High Commissioner for Refugees previously financed from the Voluntary Fund, for which a contribution from the United Nations Refugee Fund is reflected in the income of the United Nations.
VII. Legal activities	Covers the direct costs of the staff of the Office of Legal Affairs; costs of the sessions of the International Law Commission; and the printing of recurrent publications on legal matters, including the <i>Treaty Series</i> .
VIII. Public information	Provides for the costs of the staff of the Office of Public Information at Headquarters and the Information Service at Geneva; maintenance and operation of the Information Centres, i.e., costs of staff travel, rental and maintenance of premises; purchase and maintenance of office and other equipment; and costs of photographic and motion picture supplies and services, radio, television, tele-

Appendix (continued)

<i>Field of activity</i>	<i>Notes</i>
	communication services at Headquarters, Geneva and Centres. Figures include television expenses for which a corresponding amount is reflected in income. Costs of printing of periodicals, books and all information material.
IX. Special conferences	Provides for the costs of non-recurrent international conferences: <ul style="list-style-type: none"> 1956—expenditure in connexion with the first United Nations International Conference on the Peaceful Uses of Atomic Energy, held in 1955. 1957—costs of meetings of experts and consultations in connexion with the first United Nations Conference on the Law of the Sea, held in 1958. 1958—costs of the Second United Nations International Conference on the Peaceful Uses of Atomic Energy; the Conferences on the Suspension of Nuclear Weapons Tests and the first United Nations Conference on the Law of the Sea. 1959—costs of the United Nations Conference on the Elimination or Reduction of Future Statelessness; the Second United Nations International Conference on the Peaceful Uses of Atomic Energy; the Conference on the Discontinuance of Nuclear Weapons Tests. 1960—provides for the Second United Nations Conference on the Law of the Sea; the Second United Nations International Conference on the Peaceful Uses of Atomic Energy; the Second United Nations Congress on the Prevention of Crime and the Treatment of Offenders; the Conference on the Discontinuance of Nuclear Weapons Tests and the Ten-Nation Committee on Disarmament. 1961—provides for the United Nations Conference of Plenipotentiaries on Diplomatic Intercourse and Immunities and the United Nations Conference on New Sources of Energy.
X. General administration and services (Headquarters and Geneva)	Covers general administration and services at Headquarters and Geneva as follows:
(a) Executive Office of the Secretary-General (including the Office of the Under-Secretaries for Special Political Affairs)	Provides costs of staff travel and printing.
(b) Administrative and financial services	Covers the costs of financial and administrative services at Headquarters and Geneva (Office of the Controller and Office of Personnel).
(c) General services	Provides for the costs of the staff of the Office of General Services at Headquarters and Geneva, including costs of the administrative unit of the United Nations Field Service at Headquarters; cost of printing.
(d) Conference services	Provides for the costs of the staff at Headquarters and Geneva servicing all United Nations organs and departments as regards interpretation, preparation of <i>Official Records</i> , and the translation, editing, printing, reproduction and distribution of documents. The allocation of these costs to each activity on the basis of the workload data is indicated

Appendix (continued)

<i>Field of activity</i>	<i>Notes</i>
	in the middle column under "Conference service costs".
(e) Library	Covers the direct costs of the staff at Headquarters and Geneva. Costs of library books, periodicals, supplies and services and purchase of equipment.
(f) Common services and permanent equipment	Provides for the costs of the maintenance and operation of Headquarters and Geneva Offices; this embraces costs of rental and maintenance of premises, including costs of major improvement of premises; communications, utilities, rental and operation of office and other equipment, purchase of material and supplies, acquisition of furniture and equipment and costs of major improvement of premises.
(g) Other	[See footnote ^g in annex.]
TOTAL, General administration and services (Headquarters and Geneva)	[See footnote ^h in annex.]
XI. Buildings and improvement of premises	Provides for the amortization of the Headquarters' construction loan; the reimbursement for transfer of the League of Nations' assets; costs of major improvement to buildings at Headquarters and Geneva. In 1960 and 1961, the annual instalments for the construction of the United Nations building in Santiago, Chile.
XII. Special expenses	Provides for special expenses, such as grants to the International School Fund (1956: \$12,000; 1959: \$32,700; 1960: \$100,000); organizing costs of the United Nations World Refugee Year (1959: \$59,667; 1960: provided for \$30,000); procurement of Korean Service Medals (1956: \$214,000); maintenance of the United Nations Memorial Cemetery in Korea (1959: \$3,923, 1960 estimate \$55,000). The Standing Committee on the Repatriation of Greek Children—1956: \$5,000; provision for the establishment of a cancer research fund (1961: \$100,000).
XIII. International Court of Justice.....	Covers the costs of the International Court and the Registry at The Hague.

Salaries of Judges of the International Court of Justice

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[Original text: English]
[13 September 1961]

1. Proposals have been put before the General Assembly, in document A/4823, for increases in the base salary scales of United Nations staff in the Professional and higher categories; they are based on recommendations of the International Civil Service Advisory Board (ICSAB) (A/4823/Add.1).

2. In May 1961, while ICSAB was examining the matter, the Registrar of the International Court of Justice drew the attention of the Secretary-General to

the fact that no machinery appeared to exist for the periodic review of salaries of the Judges of the International Court, who could not themselves, for obvious reasons, take any initiative in the matter.

3. While there is no direct connexion between the salaries of staff and the salaries of the Judges, adoption of the recommendations of ICSAB regarding staff salaries would change still further the relationship between the remuneration of the Registry of the Court

and that of the Judges, a relationship which has already been affected to the disadvantage of the latter as a result of the fact that staff emoluments are adjusted *pro rata* to the cost of living, whereas those of the Judges are not. In any event, it seems evident that the United Nations, no less than the Governments of Member States, must from time to time review the salaries of its Judges. The Secretary-General therefore believes that it is his duty to bring certain relevant data to the attention of the General Assembly, for such action as it deems fit.

4. The salary of a Judge was fixed originally on the basis of a report¹⁶ by the Preparatory Commission of the United Nations which stated that the emoluments should be such as to guarantee the absolute independence of the judges and to render the office acceptable to the most eminent of the persons qualified in accordance with Article 2 of the Statute of the Court. The Commission emphasized that the "real" value of the salaries should be not less than those of the Judges of the Permanent Court of International Justice during the period 1936 to 1939.

5. Following the series of currency devaluations in 1949, and at the same time as a major review was being made of salaries of United Nations Professional staff, the General Assembly in 1950 reviewed¹⁷ the emoluments of the Judges and, by resolution 474 (V), revised them to the following levels, effective from the date of the 1949 currency revaluations:

	Annual salary \$	Allowance
President	20,000	\$4,800 per annum
Vice-President	20,000	\$30 for every day on which he acts as President, up to a maximum of \$3,000 per annum
Members	20,000	
Judges referred to in Article 31 of the Statute	—	\$35 a day for each day on which they exercise their function, plus a daily subsistence allowance

6. No change has been made in the remuneration of the Judges since that time, nor has the question been reviewed since 1950.

7. Between 1950 and 1960, the official Netherlands cost-of-living index rose by 36 per cent. The salaries

¹⁶ Report of the Preparatory Commission of the United Nations (PC/20), chapter V, section 3.

¹⁷ On that occasion also the Secretary-General had submitted certain data to the General Assembly—see *Official Records of the General Assembly, Fifth Session, Annexes*, agenda item 39, document A/C.5/370.

of the Professional staff of the Registry, which in 1950 were subject to a minus differential of 25 per cent, are now at the base level. The Judges, of course, do not spend their whole time in the Netherlands, and in 1950 the relevant report of the Secretary-General¹⁸ to the General Assembly used a working hypothesis that 50 per cent of Judges' salaries were spent in The Hague and 50 per cent elsewhere. It is not possible to give a general figure for the increase of the cost of living "elsewhere" than in the Netherlands, but it may be noted that the post adjustment index for United Nations Professional staff at New York now stands at 35 per cent above the 1950 level; the weighted average of all post adjustments has risen by some 20 per cent since 1950. Broadly speaking, therefore, it may be said that merely to restore the "real" value of the remuneration of the Judges to its 1950 level would require an increase of some 30 per cent.

8. As ICSAB stated in connexion with staff salaries (A/4823/Add.1), there is, however, clear evidence that in a very wide range of outside occupations, real incomes have increased; in other words, money incomes have increased faster than the cost of living. Here also there is no direct relevance between the occupational groups studied by ICSAB and the Judges of the Court. Nevertheless, data exist to show that members of national judiciaries have also, since 1950, been granted increases in real income. Thus, in the two national judiciaries which were referred to in connexion with the review made in 1960 of the Judges, pension regulations, the increases in money incomes since 1950 have been 40 per cent and 60 per cent respectively, representing increases in real incomes of some 20 per cent. In the Netherlands, the salaries of the Judges of the Supreme Court have been increased by approximately 80 per cent gross.

9. The Secretary-General hopes that these data may be sufficient to enable the General Assembly to form an opinion as to what action would be reasonable in the circumstances. He assumes that any such action would relate both to the salary and the special allowances, and he suggests further that the General Assembly might wish to consider the possibility of making some provision to ensure that the purchasing power of the salaries is maintained at a reasonably constant level between reviews of the base salary itself. Having regard to the infrequency of such review, and to the emphasis in the report of the Preparatory Commission referred to in paragraph 4 above, such action would appear to be justifiable. There are clearly difficulties about applying the post adjustment for any particular duty station to the salary of a judge, but if an approach of this kind is to be used, reference might be made to the weighted average of all post adjustments.

¹⁸ *Ibid.*

DOCUMENT A/4981

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[22 November 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/876) bringing certain relevant data to the attention of the General Assembly, for

such action as it may deem fit, concerning a possible upward revision of the salaries of the Judges of the International Court of Justice at The Hague.

2. The pertinent facts would appear to be as follows:

(a) There has been no change in the remuneration of the Judges since it was last revised by the General Assembly in 1950,¹⁹ nor has the question been reviewed²⁰ since that time;

(b) Between 1950 and 1960 the official Netherlands cost-of-living index rose by 36 per cent and the weighted average²¹ of all post adjustments paid at different duty stations throughout the world will have increased by some 25 per cent by 1 January 1962;

(c) There is evidence that in a wide range of outside occupations "real" incomes have been augmented; i.e., there have been increases in the purchasing power of salaries over and above compensation for rises in the cost of living.

3. On the basis of the above facts, the Secretary-General suggests the following:

(a) It seems evident that the United Nations, no less than the Governments of Member States in the case of their own national judges, must from time to time review the salaries of the Judges of the International Court;

(b) Broadly speaking, it may be said that merely to restore the "real" value (i.e., purchasing power) of the remuneration of the Judges to its 1950 level would require an increase of some 30 per cent;

(c) In addition, the General Assembly might wish to consider the possibility of making some provision to ensure that, between reviews of the base salary itself, the purchasing power of the salaries is maintained at a reasonably constant level, by means of some form of post adjustment payment to compensate for increases in the cost of living.

HISTORY OF THE PRESENT SCALE OF REMUNERATION

4. The emoluments of the Judges were originally established by the General Assembly in 1946 on the basis of a report by the Preparatory Commission of the United Nations²² which stated that the emoluments should be such as to guarantee the absolute independence of the Judges and to render the office acceptable to the most eminent of the persons qualified, in accordance with Article 2 of the Statute of the Court.²³ In this regard, the Commission emphasized that the real value (i.e., purchasing power) of the salaries should not be less than that of those of the Judges of the Permanent Court of International Justice during the period 1936-1939. During the latter period the remuneration of members of the Permanent Court was 45,000 guilders. Taking into account that the purchasing power of the Netherlands guilder had decreased by approximately 20 per cent since 1939, the General Assembly accordingly

¹⁹ The salary of a Judge is in a fixed amount, with no provision for increments or post adjustment payments to compensate for rises in the cost of living.

²⁰ There is no machinery for the periodic review of the salaries of the Judges as there is in the case of United Nations staff in general, excluding the Secretary-General.

²¹ I.e., weighted both for the various percentage classifications of each duty station and the numbers of staff residing at each.

²² *Report of the Preparatory Commission of the United Nations (PC/20)*, chapter V, section 3.

²³ Article 2 reads: "The Court shall be composed of a body of independent judges, elected regardless of their nationality from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law."

agreed (resolution 19 (I)) that the annual salaries of the members of the International Court should be fixed at 54,000 Netherlands guilders (corresponding in 1946 to \$20,350), which represented a 20 per cent increase over the nominal salaries of the Judges of the Permanent Court. In addition to this fixed base salary, the following allowances were payable:

	Guilders	\$
(a) Special annual allowances to the President	15,000	(5,550)
(b) Allowance of 100 guilders (\$37) to the Vice-President for every day on which he acts as President up to a maximum	10,000	(3,700)

5. As a result of the devaluation of many currencies in September 1949, the General Assembly in 1950 reviewed the emoluments of the Judges and decided henceforth to express the emoluments concerned in terms of United States dollars. Resolution 474 (V) of 15 December 1950 established the following scale:

	<i>United States dollars</i>
President:	
Annual salary	20,000
Special allowance	4,800
Vice-President:	
Annual salary	20,000
Allowance equivalent to \$30 for every day on which he acts as President up to an annual maximum	3,000
Other members:	
Annual salary	20,000

Ad hoc Judges appointed in accordance with Article 31 of the Statute of the Court:

Allowance of \$35 for each day on which they exercise their functions, plus a daily subsistence allowance as provided for in the Travel and Subsistence Regulations of the International Court of Justice.

It will be noted that this scale represents, generally speaking, the actual dollar equivalent in 1950 of the guilder amounts established in 1946.

6. There has been no change in this scale of remuneration since.

RELATIONSHIP WITH THE SALARIES OF THE REGISTRY OF THE COURT

7. One of the elements mentioned in paragraph 3 of the report of the Secretary-General (A/C.5/876) in support of a review of the emoluments of the Judges is the relative deterioration in the position of the Judges vis-à-vis the Registry of the Court. Although the Advisory Committee agrees with the Secretary-General that there is no direct connexion between salaries of United Nations staff and the salaries of the Judges, the General Assembly might wish to note that when it fixed a Judge's salary at \$20,000 in 1950 the relationship established was such that the salary of a Judge was 64 per cent higher than that of the Registrar. To restore this relationship in respect of 1961 salaries, it would be necessary to increase the Judges' salaries by slightly more than 31 per cent to \$26,240 but, if the proposals for the Secretariat salaries in 1962 are accepted by the General Assembly, at its current session, the increase required to restore the relationship as in 1950 would be 43½ per cent, which would give an annual salary of \$28,700.

IMPLICATIONS OF THE INCREASE IN THE COST OF LIVING IN THE NETHERLANDS SINCE 1950 AND OF THE REVALUATION OF THE NETHERLANDS GUILDER IN 1961

8. It is stated in paragraph 7 of the Secretary-General's report that the cost-of-living index in the Netherlands rose by 36 per cent between 1950 and 1960,²⁴ an amount which corresponds closely to the 35 per cent increase in New York during the same period. This rise of 36 per cent in the cost-of-living index does not of course wholly reflect the impact of cost-of-living changes on the Judges, who do not live in The Hague throughout the year. Nevertheless, changes in United Nations cost-of-living indices at many duty stations indicate that since 1950 there may be said to have been increases of the order of 30-35 per cent.²⁵ It would therefore appear that the present level of Judges' salaries no longer meets the standards propounded by the Preparatory Commission, and accepted by the General Assembly in 1946 (see paragraph 4 above).

9. Moreover, the revaluation by 5 per cent of the Netherlands guilder early in 1961²⁶ has had the effect of reducing still further the purchasing power of the dollar salaries in respect of that portion of income converted into Netherlands currency.

METHODS OF POSSIBLE ADJUSTMENT

10. Should the General Assembly decide that some increase in the Judges' salaries is called for to take into account the decline in real purchasing power, some attention might be given to the fundamental assumptions on which such an adjustment could be based. In calculating the appropriate level of the emoluments as established in 1950, a purely theoretical hypothesis was adopted according to which 50 per cent of a Judge's salary was deemed to be spent at The Hague and 50 per cent at the 1950 base station of New York.²⁷ Thus, it was considered that the appropriate level of a Judge's salary would be the equivalent of the average total net remuneration paid at that time to Assistant Secretaries-General, i.e., \$23,500. However, since it was assumed that Judges would spend one half of their salary in The Hague where the cost-of-living index was then 30 per cent below the New York base level, an amount of \$20,000 net was regarded as more appropriate. The latter amount was deemed to consist of:

	United States dollars
(a) A "base" (i.e., New York) element.....	11,750
(b) A "Hague" element of \$11,750 minus 30 per cent	8,250
TOTAL	20,000 ^a

^a The salary was established on a net basis, and consequently not subject to staff assessment. As a matter of interest, however, it may be said that the gross equivalent under the existing United Nations staff assessment scheme of the net figure of \$20,000 would have been some \$33,000.

²⁴ The United Nations *Monthly Bulletin of Statistics* shows the rise in the cost of living in the Netherlands since 1950 as follows: 1950-89; 1951-99; 1952-100; 1953-100; 1954-104; 1955-106; 1956-108; 1957-115; 1958-117; 1959-119; 1960-121.

²⁵ This refers to increases at a number of specific duty stations. The increase in the weighted average of all post adjustments at the different duty stations is expected to be 25 per cent by 1 January 1962.

²⁶ The exchange rate of the guilder was altered from 3.80 guilders to 3.60 guilders = 1 U.S. dollar.

²⁷ Under the terms of the Statute of the International Court of Justice, Judges are not obliged to reside the whole year

11. In the light of circumstances as they actually obtain, it might be considered that that part of the latter assumption, according to which one half of the salary is taken to be spent in New York, has no real basis in fact. Thus, Members of the Court reside in a variety of countries away from the Netherlands during periods when they are not participating in the Court's proceedings. If this reasoning is accepted, the 50-50 basis might be maintained for practical purposes, but it would be more in keeping with the facts to apply to the "non-Hague" portion the weighted average of all post adjustments since 1950, which is expected to be of the order of 25 per cent by 1 January 1962.

12. There is a third possibility, which recognizes that a breakdown between time spent at The Hague and elsewhere can at best only be very approximate, since the determining factor is the number and length of the cases in which a Judge is involved in any particular year. It might therefore be considered a more appropriate method simply to provide an over-all increase in total base salary to compensate for the general rise in the cost of living since 1950. On this basis, the existing salary of a Judge might be increased by 25 per cent, that being the weighted average rise in all post adjustments since 1950.

13. Should the General Assembly desire to adopt one of the above approaches, the effect in monetary terms of the above three possibilities may be stated as follows:

	United States dollars
(a) <i>Following exactly the 1950 assumption</i>	
(i) The "base" (i.e., New York) element of \$11,750 would, to retain its real value, be increased by 35 per cent to.....	15,860
(ii) The "Hague" element of \$8,250 (yielding 31,350 guilders in 1950) would, to retain its real value, be increased by 36 per cent to 42,636 guilders which at 3.60 guilders to the dollar, ^a equals.....	11,840
	27,700 ^b
(b) <i>Following the 1950 assumption modified to take account of the fact that the "base element" is in fact spent in various countries</i>	
(i) The base element of \$11,750 would be increased by 25 per cent, being the likely rise by 1 January 1962 in the weighted average of all post adjustments since 1950	14,688
(ii) As in (a) (ii) above.....	11,840
	26,528 ^b
(c) <i>On the assumption that the general rise in the cost of living should be compensated for</i>	
The total base salary of \$20,000 would be increased by 25 per cent (likely weighted average rise by 1 January 1962 in all post adjustments since 1950).....	25,000 ^b

^a The use of this rate of exchange would compensate for the effects of the revaluation of the Netherlands guilder in early 1961.

^b See foot-note ^a in paragraph 10 above. Gross equivalents under (a), (b) and (c) would have been \$46,600, \$44,250 and \$41,200 respectively.

14. The Advisory Committee notes that the Secretary-General has not made any concrete proposals and has at The Hague and in practice do not do so. They therefore have expenses both at The Hague and at their principal places of residence.

left it to the General Assembly to decide what action might be reasonable in the circumstances. For the guidance of the Assembly in arriving at its decision, the Advisory Committee has examined the data submitted and in some cases has elicited additional information; its factual findings have been given above. Should the Assembly conclude that an increase in the salaries of the Judges is called for, the Advisory Committee, for the reasons stated in paragraph 12 above, would be inclined to favour the method described in paragraph 13 (c) with a *pro rata* increase in the special allowances payable to the President, Vice-Presidents and *ad hoc* Judges (excluding subsistence allowances).

15. In paragraph 9 of the Secretary-General's report, it is suggested that the General Assembly might wish to consider the possibility, in the case of the remuneration of the Judges, of making some provision akin to the post adjustment system as applicable to the regular international staff. The Advisory Committee would recall that the Judges' emoluments are *sui generis* and were established by the General Assembly outside the context of the common system of salaries and allowances. In particular, no form of post adjustment has been payable to the Judges in the past and the Committee would therefore refrain from any comment at this time.

Modernization of the Palais des Nations

DOCUMENT A/C.5/877

Report of the Secretary-General

[Original text: English]
[14 September 1961]

INTRODUCTION

1. By resolutions 1101 (XI) of 27 February 1957 and 1447 (XIV) of 5 December 1959, the General Assembly:

(a) Approved a programme for the modernization of the Palais des Nations, Geneva, as set out in the reports of the Secretary-General (A/C.5/659 and Add.1²⁸ and A/C.5/775²⁹) at a total cost estimated at \$1,790,000;

(b) Authorized the Secretary-General to accept the offer of the Swiss Federal Council of an interest-free loan of 4 million Swiss francs; and

(c) Authorized the Secretary-General to include in the budget estimates for the years 1957-1962 annual instalments of \$121,000, an instalment of \$131,000 in 1963, and instalments of \$311,000 annually for the three years 1964-1966, to finance the programme and repay the loan.

²⁸ See *Official Records of the General Assembly, Eleventh Session, Annexes*, agenda item 43.

²⁹ *Ibid.*, *Fourteenth Session, Annexes*, agenda item 44.

2. During the past two years, the programme of modernization has proceeded according to the plans and schedules outlined in document A/C.5/775, subject to certain adjustments made in the light of changed conditions and practical experience. Revisions of major consequence have been the subject of review by the committee of experts appointed to give technical advice to the Building Management and Engineering Division of the United Nations Office at Geneva. They have also been reported to the Advisory Committee on Administrative and Budgetary Questions.

CONFERENCE ROOMS AND ANCILLARY SERVICES

3. The present report is devoted largely to the projects to modernize the Assembly Hall block, since the other phase of the total modernization programme, i.e. the projects for improvements to the conference rooms and ancillary services, including the catering services, have been virtually completed in accordance with original plans. Total costs remain within the target figure of \$590,000 noted by the General Assembly, as reflected by the following statement of the financial position for this group of projects as at 31 July 1961:

	Expenditures	Unliquidated obligations	Total costs	Approved estimate
<i>United States dollars</i>				
Catering services	233,638	5,138	238,776	238,800
Conference rooms	233,638	14,828	248,466	248,600
Car parks, access roads	4,695	—	4,695	4,700
Additional storage space	12,190	—	12,190	12,250
Lift modernization	47,610	—	47,610	47,650
Undistributed administrative costs	38,000	—	38,000	38,000
TOTALS	569,771	19,966	589,737	590,000

ASSEMBLY HALL BLOCK

4. The position with regard to the other phase of the total programme—the reconstruction work in the Assembly Hall block—is necessarily more complicated. A number of factors emerged during the course of actual

construction which have required a recasting of the entire project and a revision in the forecast of costs. The Assembly was informed in 1959 (A/C.5/775) of the need to change the original concept for modernization of this area, which envisaged the enlargement of the floor of the Assembly Hall (third floor of the

building), the adaptation of the various lifts in the area to the needs of increased traffic, and the transformation of the former Press Room on the fifth floor into a new, large conference room. As detailed studies proceeded, it became apparent that the enlargement of the Hall—a major and essential feature of the entire project—could be accomplished only through a considerable decrease in surrounding areas, where essential services were located and where main access routes existed. It was therefore decided to transform the second floor, immediately below the Assembly Hall, into a large entrance area which would also accommodate the supporting services. The portico and passageway leading to the former door 14 were planned for remodelling in such a way as to provide a combined vestibule and delegates' lounge for the Assembly Hall.

5. The revised plan was accepted by the General Assembly, on the basis of a tentative estimate of \$1,200,000. The report of the Secretary-General (A/C.5/775) stated that this estimate was a conservative appraisal of estimated costs based on existing price and wage levels in early 1959. It was further noted that it was not possible to foresee all construction problems and possible rises in construction costs that might occur during the period when the work was being undertaken. The report therefore indicated the possible need for some upward adjustment in the estimate.

6. The work in the Assembly Hall area began on 1 July 1960. Special measures, as noted below, had to be taken in order to have basic facilities in the area available for use during the 45th session of the International Labour Conference in June 1961. It was not until that time that it was possible to make an accurate and complete analysis of the actual costs to be incurred in the total project.

7. By that time five major factors had brought about a situation where the 1959 allocation of \$1,200,000 was not sufficient to complete the full plan envisaged. Although every effort possible was made to limit expenditures through use of alternative construction techniques and materials, a costing based on actual experience indicated that completion of the full programme would cost \$1,491,000, or \$291,000 more than the 1959 estimate. The factors responsible for the higher costs are the following:

(a) *Expediting completion of the work (\$25,000)*: While it had been contemplated from the beginning that arrangements would have to be made to permit the International Labour Conference to meet in the Hall before completion of all work, it was not possible in advance to determine the nature and extent of the expenditures required to make this possible. These ultimately amounted to \$25,000. Of this amount, \$5,500 was required for carpentry work to build a temporary podium and to install temporary doors and partitions to cut off the Hall from other areas under construction and to avoid congestion which would have delayed completion of the programme; \$3,500 for temporarily curtaining off the Hall and for laying carpets and linoleum in the Hall and on the second floor; \$500 for signs and indicators; \$500 for temporary lighting; \$7,000 for moving and installation of furniture and furnishings on accelerated schedules; and \$8,000 for overtime costs incurred by contractors in meeting the special deadlines.

(b) *Increased labour and material costs (\$80,000)*: The upward spiral in wage rates and costs of materials had an inevitable effect on the total requirements for this project. While the trend of rising costs was ap-

parent at the time the estimates were prepared, no contingency factor was included in the original estimate. In retrospect, the relevant construction cost indices for Switzerland, as measured by the Economic Commission for Europe, reveal the following trend: 107 for 1958; 109 for 1959; 110 for the first half of 1960; 114 for the second half of 1960. It would appear reasonable to project this trend into 1961 and to assume that the impact on Geneva costs would be higher than for the country as a whole. The figure of \$80,000 attributed to rising costs represents less than 6 per cent of the total project estimate for labour and materials, as currently revised in paragraph 12 below.

(c) *Change in currency conversion rate (\$6,000)*: The conversion rate used in the initial estimates was Swiss francs 4.34 to the United States dollar, but by 31 December 1960 the rate had fallen to 4.30 and outstanding obligations had to be computed at the lower figure.

(d) *Installation of ducts (\$90,000)*: The placement of air conditioning and electrical ducts in existing buildings poses unusual and puzzling problems for architects and engineers. Until work is actually well under way, it is not possible to know with accuracy the structural conditions to be met and the amount of expensive drilling and special installations to be undertaken. In the case of the work on the Assembly block, the decision to create the entrance area on the second floor called for changes in ceiling heights and other modifications, with the result that existing ducts could not be used and new air conditioning and electrical systems had to be installed. The dismantling work and new construction involved were substantially more than foreseen due to the sub-surface conditions, which required much drilling through hard rock and masonry.

(e) *Essential changes during construction period (\$90,000)*: Any project of the size, scope and complexity of the Assembly Hall work necessarily involves almost daily adjustment of plans and the revision of contemplated work as possible improvements become apparent during the construction period. While it is not feasible to provide a detailed description of the multitude of changes authorized after careful study during the course of the work, the larger items of additional cost include the following:

(i) \$20,000 for remodelling the Presidential end of the Hall—this particular area constituted one of the most difficult aspects of the total modernization project, since it required an architectural treatment that would preserve the essential character of the Hall; during construction, the architects succeeded in developing a plan which met all requirements admirably but which involved considerably more demolition work and reconstruction;

(ii) \$5,000 for opening up the ground and installing heavy supports under the new entrance hall on the second floor, after tests and inspection during the construction indicated that additional floor strength was required;

(iii) \$30,000 for more extensive work than originally contemplated on the exterior walls and façade adjacent to the former door 14, which was closed in accordance with initial plans in order to provide a large delegates' lounge immediately below the new main entrance to the Hall; actual transformation of this area had to be closely integrated with other work in the Assembly Hall block, especially in regard to the new conference room XVI;

(iv) \$18,000 for additional work on the new conference room XVI (now the largest conference room in the Palais, seating 402 persons) when further study revealed that with relatively modest expense the seating capacity of the room could be substantially enlarged over first plans and the number of interpretation and other cabins for technical services could be raised from eight to sixteen, thus providing facilities for much larger meetings.

8. By the time of the opening of the International Labour Conference in June 1961, the work was sufficiently advanced to permit rather full usage of the new Assembly Hall block facilities, although considerable finishing work remained to be done. In spite of the incomplete state of some of the facilities, the Conference warmly praised the work accomplished.

9. The experience and data secured during the construction permitted a detailed cost analysis of the work undertaken by June 1961. This indicated that commitments already entered into would exhaust the available funds, and orders were therefore given to suspend further work until such time as the General Assembly had had an opportunity to re-examine the situation. Since the analysis revealed that \$1,281,000 was required to meet all obligations and expenditures to mid-1961, the concurrence of the Advisory Committee on Administrative and Budgetary Questions was sought and granted with respect to the incurring of expenses amounting to \$81,000 over the approved estimate. This sum has therefore been obligated and is being put forward in the supplementary estimates to the 1961 budget.

10. The work still to be done to complete the Assembly Hall block modernization programme, as approved by the General Assembly during the period from 1956 to 1959, is estimated to require additional funds amounting to \$210,000. This figure is based on the assumption that approval is granted sufficiently early in the autumn of 1961 so that the work can be begun in late 1961 and fully completed during the course of 1962. No commitments whatsoever are being undertaken with regard to this work, pending Assembly approval, but the architects of the Palais are preparing plans and orders which would permit immediate action were such approval to be granted.

11. The work still to be done may be summarized as follows:

<i>Assembly Hall</i>	<i>United States dollars</i>
(a) Presidential rostrum: Installation of permanent podium, covering of walls, and provision of furniture.....	11,700

<i>Assembly Hall</i>	<i>United States dollars</i>
(b) Body of the Hall: Partitioning between the Hall and side galleries, safety glass doors at ends of galleries, finishing of doors between the Hall and entrance 14	32,500
(c) Side galleries—third floor: Flooring and carpeting, hanging ceilings, curtain casings, blinds, painting.....	14,000
(d) Press gallery: Covering of walls.....	2,300
(e) Public galleries: Covering of walls, painting of passage on Jura side, flooring of passage on Jura side and landings, completion of provision of furniture and carpets.....	7,000
(f) Marble work and painting (fifth and sixth floors)	5,100
(g) Conference services floor: Pavatex ceiling and plinths, painting of ceiling and walls.....	2,300
(h) Lighting: Below side galleries, body of the Hall and upper galleries, ceilings of side corridors, ceiling and area above doors to the Hall at entrance 14	45,000
(i) Acoustical treatment: Presidential rostrum, body of the Hall, and galleries	10,000
<i>Conference room XVI</i>	
Hanging ceiling, light fittings for ceiling and below booths, covering of walls and outside of booths, revolving doors, removable partitions to separate Press gallery entrance from conference room XVI, documents counters and racks, blinds, drapes and curtains, curtain casings.....	45,000
<i>Second floor and doors 13 and 15</i>	
(a) Door 13 and corridor on Geneva side and door 15 and corridor on Lausanne side: Floors paving, covering of walls and pillars, painting of ceiling, revolving doors.....	23,900
(b) Entrance hall and staircases 13 and 15: Covering of walls and pillars, acoustical ceilings, lighting fixtures	10,500
(c) Painting of lavatories, cleaners' room and first-aid post	700
TOTAL	210,000

12. The over-all financial position of the Assembly Hall block project is as follows, as at 1 July 1961:

	<i>Unliquidated obligations</i>	<i>Expenditures</i>	<i>Total obligations and expenditures</i>	<i>Approved estimate</i>	<i>Revised estimate</i>
<i>United States dollars</i>					
Assembly Hall, second floor and vestibule	252,295	730,599	982,894	903,500	1,150,000
Conference room XVI.....	64,720	87,129	151,849	153,000	197,500
Lifts 13/15	13,037	35,240	48,277	48,500	48,500
Undistributed administrative costs	13,058	81,591	94,649	95,000	95,000
TOTALS	343,110	934,559	1,277,669	1,200,000	1,491,000

FINANCING THE PROGRAMME

13. By paragraph 3 (a) of its resolution 1447 (XIV) of 5 December 1959, the General Assembly authorized

the Secretary-General to include in the budget estimates submitted during the period 1957 to 1966 inclusive annual instalments to finance a total programme in the

amount of \$1,790,000. The approved annual instalments were as follows:

Year	Annual instalment United States dollars	Total
1957 to 1962.....	121,000	726,000
1963	131,000	131,000
1964 to 1966	311,000	933,000
TOTAL.....		1,790,000

14. The current proposals would, if approved, increase the total cost of the programme from \$1,790,000 to \$2,081,000 and would thereby entail a revision of the provisions of General Assembly resolution 1447 (XIV). To this end the following revised schedule of annual budgetary instalments is proposed:

Year	Annual instalment United States dollars	Total
1957 to 1960.....	121,000 (unchanged)	484,000
1961	202,000 (instead of \$121,000)	202,000
1962	331,000 (instead of \$121,000)	331,000
1963	131,000 (unchanged)	131,000
1964 to 1966	311,000 (unchanged)	933,000
TOTAL.....		2,081,000

15. By paragraph 3 (b) of its resolution 1447 (XIV), the General Assembly also authorized the Secretary-General to advance from the Working Capital Fund the amount which might be required from time to time to finance actual requirements. Such advances were to be repaid from budgetary appropriations in accordance with the schedule in annex II to the Secretary-General's report to the fourteenth session of the General Assembly, which forecast the future position as it was foreseen at that time (A/C.5/775). It became necessary to have recourse to the Working Capital Fund during 1961, since with the speeding up of the work, actual expenditures as distinct from obligations are expected to reach an amount of \$1,871,000; this amount represents the approved total of \$1,790,000 and the additional amount of \$81,000 for work undertaken during 1961 for which the concurrence of the Advisory Committee has been sought and obtained. If the General Assembly should approve the further expenditure of \$210,000 proposed for 1961/1962, it is also believed that for this work, which can actually be completed during the course of 1962, the relevant bills would be presented for payment before the end of that year. An increase in the budgetary credits for the years 1961 and 1962 is accordingly proposed as the most ready means of financing the programme at its higher cost. It will, however, continue to be necessary to have recourse to advances from the Working Capital Fund to finance total requirements, although it is believed that on the basis outlined in paragraph 14 above such advances would be almost wholly repaid by the close of the financial year 1963.

16. The above proposals are made so that, on the one hand, the period during which it would be necessary to have recourse to the Working Capital Fund would not be unduly extended, and on the other, the existing arrangements for reimbursing the loan from the Swiss Federal Council would be maintained. It was understood at the time of the adoption of General Assembly resolution 1447 (XIV) that the annual budget instalments during the period 1964 to 1966 would be applied to the reimbursement of the interest-free loan of 4 mil-

lion Swiss francs offered by the Swiss Federal Council, which resolution 1101 (XI) of 27 February 1957 had authorized the Secretary-General to accept. The Secretary-General entered into an agreement with the Swiss Federal Council on 3 June 1958 for a loan to the United Nations of 3,625,200 Swiss francs; the amount of the loan was subsequently increased to a total of 4 million Swiss francs by a further agreement signed on 7 June 1960.

17. The annex attached to this report gives a summary of how the total expenditure involved would be financed.

OTHER RELATED PROJECTS

18. As noted in paragraph 4 above, it was necessary to change radically the plan for remodelling the Assembly Hall, but in its general scope the basic programme of modernization followed the lines which had been developed during 1956 and 1959. Since that time other needs have become apparent which were not covered in the original plans.

19. Firstly, increasing difficulties arising from inadequate office space have been experienced in the Palais, more particularly during the period of heavy conference workloads. This problem has been the subject of discussion with the Advisory Committee and a plan was developed for the construction of additional offices, to be situated over conference room XVI, which would provide space to be the extent of an additional 800 square metres (8,600 square feet). The Advisory Committee expressed the view that such construction should properly take place only in connexion with the holding of a large-scale conference. The proposal to convene in the Palais in 1962 the United Nations Conference on the Application of Science and Technology for the Benefit of the Less-Developed Areas underlines the urgent need for these offices. To provide for their construction a budgetary provision has been included in the estimates for the Conference.

20. Secondly, the initial plan of modernization did not provide for the setting up and equipping of the entrance hall to the Assembly Hall block on the second floor and for other facilities for delegates. Such facilities would include the following: reception and information desks; completion of cloakrooms; post office; documents distribution and sales services; news stand; travel office and the furnishing of a lounge, bar and waiting room for delegates; a press room and entrance hall for visitors. Temporary arrangements have been made so far for some of the above facilities, using materials already available in the Palais, but it is hoped that eventually it will be possible to procure furnishings of a permanent nature that are in keeping with the décor and the appearance of the reconstructed Assembly Hall block.

21. Thirdly, the new arrangements provide working space in the Assembly Hall area for the information services and for representatives of public information media, but no budgetary provision has so far been requested for the equipping and furnishing of studios in order that the available facilities might be most properly used.

22. The Secretary-General proposes no immediate budgetary increases to cover the additional work noted in paragraphs 20 and 21 above, for in view of the current financial situation of the Organization, expenditure proposals have been limited to what is actually needed to complete the modernization programme as approved. He will therefore keep the matter under

review and will submit concrete proposals in the regular budget estimates for subsequent years in the light of what is judged to be necessary as a matter of priority,

not only to provide for additional facilities but to maintain the Palais des Nations and its existing installations as a whole at the required level.

ANNEX

FINANCING OF THE MODERNIZATION PLAN

Year	Total disbursements (cumulative)	Financed by budget (cumulative)	Financed through		Amounts repaid	
			Swiss Loan (cumulative)	Working Capital Fund	Swiss Loan (cumulative)	Working Capital Fund
<i>United States dollars</i>						
1957	57,000	121,000	—	—	—	—
1958	373,000	242,000	233,600	—	—	—
1959	556,000	363,000	232,500 ^a	—	—	—
1960	1,521,000	484,000	691,250	—	—	—
1961	1,871,000	686,000	930,250	254,750	—	—
1962	2,081,000	1,017,000	930,250	133,750	—	121,000
1963	2,081,000	1,148,000	930,250	2,750	—	131,000
1964	2,081,000	1,459,000	622,000	—	308,250	2,750
1965	2,081,000	1,770,000	311,000	—	619,250	—
1966	2,081,000	2,081,000	—	—	930,250	—

^a Change in dollar exchange rate.

DOCUMENT A/4918

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[10 October 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/877) on the progress made in respect of the modernization of the Palais des Nations, as approved in General Assembly resolutions 1101 (XI) of 27 February 1957 and 1447 (XIV) of 5 December 1959. This matter was also examined by the Advisory Committee during its summer 1961 session on the basis of an interim report and was the subject of provisional comment in the Committee's report (A/4814, paras. 195-197) on the budget estimates for 1962.

2. The report of the Secretary-General states that the first part of the plan, relating to conference rooms and ancillary services, has been completed within the \$590,000 authorized for this purpose. However, in the case of the second part of the plan, which concerns the Assembly Hall block, it is indicated that the approved estimate of \$1,200,000 will be exceeded by some \$291,000. Of this amount, \$81,000 has been committed for work already undertaken in 1961. The concurrence of the Advisory Committee in the latter expenditure was sought and obtained at the time and was formally approved by the Fifth Committee at its 848th meeting on 4 October 1961 as part of the supplementary estimates for 1961. The balance of \$210,000 is being submitted as a revised estimate for 1962 under section 7—Buildings and improvements to premises.

3. The Advisory Committee has been informed that the work on the Assembly Hall block began on 1 July 1960 and it was not until June 1961 that it was possible to make an accurate and complete analysis of the actual costs involved in the completion of the total project. At that time, it became clear that, although every effort was made to keep expenditures within the

approved limit through the use of alternative construction techniques and materials, completion of the full plan as envisaged would require the appropriation of additional funds.

4. The main factors giving rise to the increased requirement of \$291,000, may be summarized as follows:

(a) The necessity to expedite all phases of the construction work on the Assembly Hall and to effect certain temporary installations in order to be ready in time for the opening of the International Labour Conference in June 1961 (\$25,000);

(b) Unforeseen difficulties encountered in undertaking construction work, such as the need to excavate through hard rock and masonry to relocate and re-construct air-conditioning and electrical ducts (\$90,000);

(c) Increased costs for labour and materials since the estimates were approved (\$80,000);

(d) The adjustment and revision of original construction plans, the need for which only became apparent as work progressed (\$90,000);

(e) Additional expenditures due to a change in the conversion rate between the Swiss franc and the dollar (\$6,000).

5. Since the detailed cost analysis of the work undertaken by June 1961 indicated that commitments already entered into would exhaust available funds, it was decided to suspend further major projects until such time as the General Assembly had had an opportunity to re-examine the situation. The analysis revealed, at the same time, that obligations and expenditures up to mid-1961 had already involved an unavoidable increase of some \$81,000 above the approved level, the concurrence of the Advisory Committee for

additional expenditures in this amount was, therefore, sought and granted, as noted in paragraph 2 above.

6. The present request for an additional appropriation of \$210,000 in 1962 for the uncompleted portion of the Assembly Hall block plan, is based on the assumption that approval would be granted sufficiently early in the autumn of 1961, so that the work could be started in January 1962 and fully completed in the course of that year. The Advisory Committee has been given the assurance that pending such approval no commitments are being entered into with regard to this work; however, the architects of the Palais are preparing the necessary plans and orders which would enable immediate action to be taken as soon as the General Assembly has taken its decision.

7. The work which remains to be done is described in paragraph 11 of the Secretary-General's report (A/C.5/877). The projects involved are the completion of the Assembly Hall (\$129,000), conference room XVI (\$45,000), and the second floor area (\$35,100). In spite of their incomplete state, these areas are already in use.

8. It will be recalled that in terms of General Assembly resolution 1447 (XIV) the total original programme in the amount of \$1,790,000 was to be financed by annual budget provisions during the period 1957 to 1966 as follows:

Year	Annual instalment	Total
	United States dollars	
1957 to 1962	121,000	726,000
1963	131,000	131,000
1964 to 1966	311,000	933,000
	TOTAL	1,790,000

9. The current proposals, if approved, would increase the total cost of the programme from \$1,790,000 to \$2,081,000 and would thereby entail a revision of the provisions of the resolution concerned. In the Secretary-General's report, the following changes in the approved financing plan are proposed:

(a) That the 1961 instalment be raised to \$202,000 (i.e., \$121,000 provided in the regular budget for 1961 in accordance with resolution 1447 (XIV), with a supplementary appropriation in the amount of \$81,000);

(b) That the 1962 instalment be raised to \$331,000 (i.e., \$121,000 already in the budget estimates for 1962, in accordance with resolution 1447 (XIV), with \$210,000 to be appropriated as a revised estimate under section 7 of the 1962 budget).

10. In support of this proposal, the following aspects have been stressed:

(a) The remaining projects, if authorized, will be completed in the course of 1962 and the related bills presented before the end of that year;

(b) It has already been necessary to have recourse to the Working Capital Fund to meet actual expenditures as distinct from obligations, and this need is expected to continue;

(c) Financing of the additional costs by increased credits in 1961 and 1962 would avoid undue extension of the period during which the Working Capital Fund would need to be used; it will also enable existing

arrangements for reimbursing the loan from the Swiss Federal Council³⁰ to be maintained.

11. Should the present proposals be approved, the financing of the total plan will be effected in the manner set forth in the annex to the Secretary-General's report.

OBSERVATIONS OF THE ADVISORY COMMITTEE

12. The Advisory Committee has received detailed information on the technical aspects of the additional requirements that have arisen and is satisfied as to their necessity. It would warn, however, that improvements to premises may be considered, in practice, to have no limit with the passage of time. Within the context of the present modernization plan, it is essential that a specific point of completion should be arrived at.

13. The Advisory Committee has ascertained that, as a result of the modernization scheme that has been undertaken in the course of the past four years, the present capacity of the Palais to accommodate a major conference is as follows:

(a) The Assembly Hall can hold up to 120 delegations on the basis of four representatives per delegation at the table and four advisers seated behind; this Hall could also be used as a conference room since all tables are fitted with microphones.

(b) Conference room XVI, XV and XII can hold up to 120 delegations on the basis of one representative per delegation at the table and one adviser seated behind.

(c) Conference rooms V, VII and XIV can hold 110 delegations on the basis of one representative per delegation at the table and one adviser seated behind. These rooms could be expanded to hold 120 delegations by minor reconstruction, at reasonable cost, to provide a modest addition to the floor space. There is, furthermore, a possibility that by more extensive reconstruction, at considerably higher cost, rooms V and XIV could be transformed into the largest committee areas which would be available in the Palais; the technical feasibility of such reconstruction, however, has still to be established.

14. Thus it appears that, at the cost of some reduction in the extent of facilities as available to delegations at Headquarters in New York,³¹ the expansion of conference space at the Palais has made it possible eventually to hold a session of the General Assembly in Geneva. At the same time, it must be recognized that a problem could arise in respect of office space to house special General Assembly servicing staff, a situation which is not likely to be alleviated to any major extent until the World Health Organization vacates in 1964 the offices it now occupies in the Palais.

RECOMMENDATIONS OF THE ADVISORY COMMITTEE

15. Subject to its comments in paragraph 12 above, the Advisory Committee recommends an additional appropriation of \$210,000 under section 7 for 1962, as requested by the Secretary-General in his report (A/C.5/877), for the completion of the modernization of the Palais des Nations, in accordance with the plan

³⁰ In terms of General Assembly resolution 1101 (XI) of 27 February 1957, the Secretary-General was authorized to accept the offer by the Swiss Federal Council of an interest-free loan of 4 million Swiss francs to assist in the execution of the modernization plan.

³¹ In the conference rooms, accommodation for observers, Press and public will also be of a limited nature.

approved in General Assembly resolutions 1101 (XI) and 1447 (XIV).

OTHER RELATED PROJECTS

16. Reference is made in paragraphs 18 to 22 of the Secretary-General's report to three additional projects which fall outside the scope of the modernization plan as approved. They relate to the following:

- (a) Provision of new office space;
- (b) Permanent furnishings for the entrance hall on the second floor of the Assembly Hall block;
- (c) Equipment and furnishing of working space in the Assembly Hall block for the information services and for representatives of public information media.

17. In view of the current financial situation of the Organization, expenditure proposals have been limited to what is actually needed to complete the modernization programme as approved and, therefore, no immediate budgetary increase is proposed to cover the additional projects referred to in the preceding paragraph with the exception of item (a). As regards item (b), the Advisory Committee has been informed that temporary arrangements have been made, using equipment already available in the Palais. As for item (c), two reasonably satisfactory radio broadcasting studios are in existence and can be supplemented by the installation of temporary studios whenever necessary.

18. As regards item (a), paragraph 19 of the Secretary-General's report recalls that increased difficulties arising from inadequate office space have been experienced in the Palais, more particularly during the periods of heavy conference activity. The proposal to convene in the Palais in 1962 the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas underlines the urgent need for these offices. A plan has therefore been developed for the construction of twenty-six additional permanent offices to be situated over conference room XVI, at a cost of \$120,000 and fourteen temporary offices at a cost of \$10,000. A budgetary provision in the related amount of \$130,000 has been included in the estimates for that Conference (A/C.5/878).

19. In its report on the financial implications of the abovementioned Conference (A/4919), the Advisory Committee accepts the need for the additional offices, but recommends that only \$10,000 of the cost of their construction might properly be charged to the Conference budget; this would provide for the installation of the fourteen temporary offices referred to above. In view of the fact that the other twenty-six offices would become a permanent asset of the Organization, the Advisory Committee recommends that their cost be met by an additional credit of \$120,000 under section 7.

Construction of the United Nations building in Santiago, Chile

DOCUMENT A/C.5/887

Report of the Secretary-General

[Original text: English]
[12 October 1961]

INTRODUCTION

1. As requested by the General Assembly at its fifteenth session,³² this report sets forth developments during the past year with respect to the construction of the building in Santiago. It is supplementary to an interim progress report submitted by the Secretary-General to the Advisory Committee on Administrative and Budgetary Questions in June, 1961, and which is referred to in the main report of that Committee to the General Assembly (A/4814, para. 194).

BUILDING PLANS

2. In November 1960, following an open competition, a Chilean architect, Mr. Emilio Duhart, was selected to design and supervise the construction of the building. The work of the architect in preparing the plans of the building was somewhat delayed by the necessity of making modifications to provide for the expanding activities of the Economic Commission for Latin America (ECLA) resulting particularly from decisions taken by the Economic and Social Council at its thirty-first and thirty-second sessions held in 1961, as well as by the need of providing for increases in the requirements of specialized agencies (International Labour Organisa-

tion (ILO), Food and Agriculture Organization of the United Nations (FAO) and the United Nations Educational Scientific and Cultural Organization (UNESCO)). Original plans had accordingly to be extensively revised in order to ensure maximum economy and efficiency in the use of space and in the planning of certain specialized installations such as elevators, conference facilities and meeting rooms.

3. The size and facilities of the building were originally based on requirements existing or foreseen in 1959.³³ Subsequently, provision was made for some 1,283 additional square metres of space for expansion purposes. This provision, which appeared at the time to be ample, will be completely absorbed by currently known requirements. As is indicated in the attached annex, prepared by the ECLA secretariat, it is now necessary to make provision for an expansion of ECLA's staff on the order of 35.6 per cent as compared to 1959. Similarly, an increase of 24.4 per cent has occurred in the staff of FAO. The United Nations has also been requested to provide accommodation within the building for the ILO and UNESCO.

4. As a result of the studies which have been made, it has been necessary to reduce office space standards and the space for certain common services facilities

³² See *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 57, document A/4600, para. 6.

³³ *Ibid.*, *Fourteenth Session, Annexes*, agenda item 50, document A/4239, para. 8.

originally planned by the architect in order to erect a building within the present financial authorization. No reduction in the conference facilities is contemplated. It follows that the building will be occupied to capacity immediately upon completion. Additional accommodation requirements in excess of those outlined in the annex can be provided in the future only through expansion of the new building or construction of an additional building or buildings. In particular it should be noted that it will not be possible, within current architectural or financial plans, to provide space in the new building for the proposed Latin American institute for economic planning.³⁴ The establishment of such an institute has been requested by members of Latin American Governments and Special Fund assistance for its establishment and maintenance is anticipated. It is expected that rental costs for housing this institute will be met by the participating Governments.

CONSTRUCTION COSTS

5. During the past year, increases in the fees of contractors, engineers and surveyors as well as in the wages of construction workers have had the effect of raising construction costs in general. On the other hand, an estimate can now be made of the funds which will be available as a consequence of the tax exemption accorded by the Government (see paragraph 6 below) and the offer by the Chilean authorities to provide excavation work for the installation of utilities on the United Nations site without charge (see paragraph 9 (d) below). On this basis and in terms of the cost situation prevailing at present, the architect and the consultant engineer are confident that it will be possible to complete the project within the financial authorization of \$1,550,000 (see General Assembly resolution 1407 (XIV)). The Executive Secretary of ECLA endorses the opinion of these experts.

TAXES

6. The tax exemption accorded by the Chilean Government to the United Nations for the construction of the building was set forth in the Secretary-General's previous report to the General Assembly.³⁵ During the past year, most of the administrative procedures necessary to give effect to the various tax exemptions have been agreed upon. It is estimated that the savings resulting from these arrangements with respect to taxes will be on the order of 100,000 escudos (\$97,000).

PROGRESS OF WORK

7. The surfacing of the main approach road leading to the United Nations property has been completed as has the levelling and clearing of the site, whilst grading has been started. Work has also proceeded on carrying utility services up to the boundaries of the site.

8. The Government of Chile has completed a detailed survey of the Parque Vitacura to serve as a basis for the governmental plan for the over-all improvement of the area, and the landscaping of the United Nations site is being co-ordinated with this plan. As a preliminary part of this project a limited number of fast-

growing trees has been planted to form a suitable screen on the east boundary of the area.

9. In connexion with the work being undertaken by the Chilean Government and the municipality of Las Condes, the following details indicate the costs that have been, or it is anticipated will, be borne by these authorities:

	<i>Chilean escudos</i>
(a) Road leading to main entrance of United Nations site (already completed).....	45,000*
(b) Continuation of Avenida Costanera connecting directly to the above access road.....	150,000*
(c) Landscaping and planting of trees (estimated 5 years development costs).....	115,000
(d) Excavation for the installation of utilities.....	25,000*
(e) Sewage	30,000*
(f) Drinking water (installation already completed)	30,000*
(g) Police station (demolition of existing station and relocation of new building).....	30,000*
(h) Caretaker's house	15,000
	TOTAL 440,000
	(\$US 419,048)

* Funds have already been appropriated.

10. Although the above aspects of the project have moved forward during the past year, progress generally has been less than hoped for, for the reasons previously indicated. The construction schedule now anticipates that the building will be ready for occupancy during the latter quarter of 1963, rather than in the summer of 1963, as had been indicated in the Secretary-General's report to the Advisory Committee to which reference is made in paragraph 1 above.

FINANCES

11. General Assembly resolution 1407 (XIV) of 1 December 1959, authorized the Secretary-General to proceed with the preparation of plans for, and the construction of, a United Nations building in Santiago, Chile, at a cost not to exceed \$1,550,000, and decided to include in the regular United Nations budget annual instalments of \$382,500 for 1960 to 1963 inclusive.

12. The Secretary-General proposed in his report in the supplementary estimates for the financial year 1961 that at the end of 1961 any unexpended balances from total funds so far appropriated for this purpose be transferred to a building fund account so that they will remain available for the construction of the building (A/4870, para. 33). A provision to this effect is contained in the draft resolution annexed to the aforementioned report. Expenditures incurred to 31 August 1961 amounted to \$70,000.

GIFTS

13. As reported to the General Assembly at its fifteenth session "There has grown up a tradition among Member States of making gifts to the United Nations for the furnishing and embellishment of its premises, both at Headquarters and at other offices. The Secretary-General believes that, once the architectural design has been approved, Members will wish to respond similarly, in connexion with the United Nations building in Santiago."³⁶

³⁴ See *Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 4*, paras. 291-293.

³⁵ *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 57, document A/4535, para. 6.

³⁶ *Ibid.*, *Fifteenth Session, Annexes*, agenda item 57, document A/4535, para. 14.

14. Now that the architectural design is ready, it may be expected that Member States might wish to follow this tradition in the case of the United Nations building in Santiago. At the same time, having regard to the relatively modest amounts available for the construction of his building, and the necessity of conserving them to the maximum possible, it is hoped that such gifts as may be offered by Member Governments can be of a functional character.

15. In order to assist the Governments of Member States contemplating gifts to the building in Santiago, descriptive material related to the building and a suggested list of functional items established in consultation with the architect have been prepared by ECLA and will be made available on request. The suggested gifts are designed to be integral parts of the approved project, and any donation by Governments will help to raise the standard of the building without increasing its approved cost.

ANNEX

Staff to be accommodated in the United Nations building in Santiago, Chile

COMPARISON BETWEEN THE 1959 ESTIMATES AND INFORMATION AVAILABLE IN SEPTEMBER 1961

Number of staff

Organizations	1959 estimates			Anticipated increase in staff, 1962-1963			Increase from 1959 to 1962-1963 (per cent)
	Professional	General Service	Total	Professional	General Service	Total	
Economic Commission for Latin America	84 ^a	107 ^b	191	95 ^c	164 ^d	259	35.6
Food and Agriculture Organization of the United Nations	19	26	45	26	30	56	24.4
Technical Assistance Board	14	8	22	9	12	21	—
United Nations Children's Fund	1	2	3	1	2	3	—
United Nations Educational, Scientific and Cultural Organization	—	—	—	5	5	10	100.0
Office of the United Nations High Commissioner for Refugees	4	2	6	—	—	—	—
International Labour Organisation	—	—	—	3	2	5	100.0
Latin American institute for economic planning	—	—	—	19 (120 Fellows)	7	26 (120 Fellows)	100.0
TOTAL	122	145	267	158	222	380	

^a Includes Training Programme (2 Professional staff).

^b Including 30 casual labour.

^c Excludes two Professional staff for Training Programme.

^d Maximum requirements in 1966. It should be noted that the staff and the Fellows will not be accommodated in the new building.

Meeting room facilities at United Nations Headquarters

DOCUMENT A/C.5/889

Report of the Secretary-General

[Original text: English]
[17 October 1961]

1. The present report concerns the problem of providing adequate meeting-room facilities at Headquarters, New York, and is divided into three parts, first, proposals submitted to, and action taken by, the General Assembly at the fifteenth session; secondly, work done since the close of the fifteenth session; and thirdly, possible future action.

I. ACTION TAKEN BY THE GENERAL ASSEMBLY AT THE FIFTEENTH SESSION

2. In December 1960³⁷ the Fifth Committee considered a report of the Secretary-General³⁸ concerning recommendations developed in the course of the architectural and engineering survey³⁹ of the Headquarters buildings in New York. The projects proposed at that time by the Secretary-General, on the basis of the architects' recommendations, were estimated at a total of \$7,732,400.

3. The following table contains an analysis of the expenditure as estimated in 1960, together with a summary description of the several projects:

³⁷ *Ibid.*, Fifteenth Session, Fifth Committee, 817th and 820th meetings.

³⁸ *Ibid.*, Fifteenth Session, Annexes, agenda item 50, document A/C.5/848.

³⁹ Document A/C.5/L.631 (mimeographed).

	Estimated expenditure			Total	Main objects of expenditure
	Distribution				
	1961	1962	1963		
<i>United States dollars</i>					
(a) Expansion of meeting room facilities:					
General Assembly	287,000	—	—	287,000	To increase the seating capacity from 100 to 120 delegations, by providing seats for delegations on each side of the General Assembly Hall in the area previously occupied by observers and in one row at the back, and by relocating the observers in the Press area, with a consequent reduction in the number of public seats in the third floor balcony.
Conference rooms 1, 2, 3 and 4	714,400	—	—	714,400	To increase the seating capacity from 100 to 120 delegations, at a cost of \$178,600 per room, by providing for a new seating arrangement with rows of tables similar to the seating in the General Assembly Hall; to make various structural alterations; to buy new tables for the delegations.
(b) Construction of two new Main Committee rooms...	2,926,750	2,563,120	391,130	5,881,000	To construct the additional Main Committee rooms by extending the first basement and first floor levels of the Conference building towards the southern boundary of the Headquarters site; to relocate the existing committee room and offices now standing at the south end of the Conference building in an adjoining area planned for new offices.
(c) Remodelling of the area below the General Assembly Hall to provide improved facilities for television and other visual services.....	475,000	375,000	—	850,000	To provide the facilities envisaged in the original Headquarters construction plans, viz., a television studio, a technical processing centre, film editing and cutting rooms and related technical facilities for the visual services of the Office of Public Information.
TOTAL	4,403,150	2,938,120	391,130	7,732,400	

4. In addition, the architects' plans included a project for the expansion of the Economic and Social Council Chamber, at an estimated cost of \$51,000, providing for a seating capacity of 26 delegations as compared with the existing number of 18, as well as for an increase in the number of observers' seats from 24 to 36. The Secretary-General recommended deferment of this project until such time as the need might arise.

5. The Advisory Committee on Administrative and Budgetary Questions recommended⁴⁰ that, in view of the financial position of the Organization and the heavy demands to be made on Members in 1961, the major part of the programme should be postponed until a later date; that course would also make it possible to gain further experience of the working of the enlarged General Assembly before deciding on costly plans for permanent conversion or construction.

6. The Fifth Committee concurred in the recommendation of the Advisory Committee, and the General Assembly appropriated, under section 7—Buildings and improvements to premises—of the 1961 budget, a total of \$122,875 made up as follows:

\$35,000 for additional seating (in the form of temporary installations) in the Main Committee rooms and the Economic and Social Council Chamber;
 \$67,875 for the conversion of one side of the General Assembly Hall;⁴¹ and
 \$20,000 for the completion of the architectural and engineering survey in 1961.

II. WORK DONE SINCE THE CLOSE OF THE FIFTEENTH SESSION OF THE GENERAL ASSEMBLY

7. Since the close of the fifteenth session of the General Assembly, the necessary, temporary changes have been made to accommodate six additional delegations in the General Assembly Hall, the Main Committee rooms and the Economic and Social Council Chamber, with the result that it is now possible to seat in each of these meeting rooms 106 delegations as compared with 100 previously.⁴²

⁴¹ The Advisory Committee's recommendation provided, as an alternative, for the conversion of both sides of the General Assembly Hall, at a cost of \$135,750. Had this alternative been approved, a total appropriation of \$190,750 would have been required.

⁴² In the case of the Economic and Social Council Chamber, purely makeshift arrangements were necessary in order to accommodate 100 delegations. The structural design of the

⁴⁰ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/46/38.*

8. As regards the General Assembly Hall, the holding of the resumed session of the General Assembly made it impossible, in the time available, to carry out the project in the form approved by the Assembly, i.e. conversion of one side of the Hall. Instead, a temporary installation has been provided at the back of the Hall for the accommodation of the additional delegations. Experience with this temporary installation would seem to suggest that any permanent arrangement, if and when it were to be undertaken, should be in this direction (i.e., at the back of the Hall) rather than in the form and manner previously approved by the Assembly.

9. As a result of the necessary change of plans, expenditure fell short of the appropriation figure:

	<i>Appropriation</i>	<i>Expenditure</i>
	<i>United States dollars</i>	
General Assembly Hall.....	67,875	15,675 ^a
Main Committee rooms.....	35,000	44,200
Architectural and engineering survey...	20,000	5,500
TOTAL	122,875	65,375

^a This sum includes some \$10,000 for the purchase of furniture and fixtures for permanent use in the General Assembly Hall.

III. POSSIBLE FUTURE ACTION

10. There are at present 101 Members of the United Nations and there are grounds for anticipating that, with the further applications for membership which are likely to be presented in the coming two years, provision will need to be made for additional accommodation beyond the present capacity of 106 delegations.

Chamber differs radically from that of the Main Committee rooms, being intended for a comparatively small Council (eighteen members) in whose work a large number of specialized agency and other representatives and observers take part.

11. It is to be noted that the possibility of adding to the seating capacity in the meeting rooms by means of temporary installations has now been virtually exhausted. In the Main Committee rooms there is no scope whatever for any similar installations on the floor area, and a serious question of cost arises in connexion with a possible expansion of these rooms by means of basic structural alterations; in the case of the Economic and Social Council Chamber a further enlargement of the temporary seating capacity—for use as a Main Committee room—is totally precluded; in the case of the General Assembly Hall, some addition to the seating capacity by means of temporary installations might be envisaged, but both as regards the latter meeting room and conference rooms 1, 2, 3 and 4 it is unquestionable that any such temporary addition could be achieved only at the expense of the present standards of comfort and efficiency, and by means of a reduction in the accommodation at present available to the Press and the public.

12. While it is evident that the factors which led in 1960 to the postponement of any large-scale expenditure on the general programme outlined in paragraph 3 above may remain in force throughout 1962, the General Assembly may wish to give further consideration to one or more of the component projects. In this connexion, it is important to note that the execution of the initial 1960 project for the General Assembly Hall would make it impossible to use either that Hall or conference room 4 during the nine-month interval between the closing of the current Assembly session and the opening of the seventeenth session.

13. In the light of what is said above, specific budgetary provision would not be sought at this time for the continuance in 1962 of the architectural and engineering survey, although the Secretariat will, of course, carry forward such technical studies as may be found necessary.

DOCUMENT A/4949

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[1 November 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/889) on the meeting-room facilities at United Nations Headquarters.

2. It will be recalled that at its fifteenth session the General Assembly considered a report of the Secretary-General⁴³ submitting a plan for the general extension of facilities, based on the recommendations developed in the course of an architectural and engineering survey of the Headquarters building. The estimated cost of the projects proposed at that time was in the amount of \$7,732,400, consisting of \$287,000 for permanent expansion of the General Assembly Hall to accommodate a maximum of 120 delegations, \$714,400 for a similar expansion of conference rooms, 1, 2, 3 and 4, \$5,881,000 for the construction of two new Main Committee rooms and \$850,000 for the remodelling of the area below the General Assembly Hall to provide

improved facilities for television and other visual services.

3. The Advisory Committee recommended⁴⁴ that, in view of the financial position of the Organization and the heavy demands to be made on Member States in 1961, the major part of the above programmes should be postponed until a later date. The General Assembly in due course approved a limited implementation of the plan and appropriated an amount of \$122,875 for the purpose. The holding of a resumed session of the Assembly at the beginning of 1961 made it impossible to undertake that part of the plan which related to the permanent conversion of the General Assembly Hall. Expenditure since the close of the fifteenth session has consequently been limited to \$65,375, for the following purposes:

	<i>Appropriation</i>	<i>Expenditure</i>
	<i>United States dollars</i>	
General Assembly Hall (temporary installations at the back of the Hall)...	67,875	15,675 ^a

⁴³ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/C.5/848.

⁴⁴ *Ibid.*, document A/4638.

	Appropriation Expenditure United States dollars	
Main Committee rooms (temporary installations)	35,000	44,200
Completion of the architectural and engineering survey	20,000	5,500
	TOTAL	122,875
		65,375

^a This includes some \$10,000 relating to permanent furniture and fixtures.

4. In the present report of the Secretary-General, the point is made that, while it is evident that the factors which led in 1960 to the postponement of any large-scale expenditure on the general programme as originally proposed may remain in force throughout 1962, the General Assembly may at its discretion wish to give further consideration to one or more of the component projects.

5. The Advisory Committee has studied the practical implications of deferring further implementation of the expansion plan for one more year, in the light of the total membership which may be achieved before the close of the seventeenth session of the General Assembly. The Committee has been informed as follows:

(a) In conference rooms 1, 2, 3, and 4 and the Economic and Social Council Chamber, a seating capacity for 106 delegations has been achieved on the floor area by means of temporary installations; there is no scope for a satisfactory further expansion on the floor area of the Main Committee rooms by the same means, while in the Economic and Social Council such expansion is totally precluded.

(b) In the General Assembly Hall, accommodation for 106 delegations has been provided by means of temporary installations at the back of the Hall; further expansion in the same direction and by the same means is possible, but only at the expense of further encroachment on the gallery facilities.

6. In order to assist the General Assembly in arriving at its decision in the matter, the Advisory Committee would observe that the following alternative courses of action would seem to present themselves at this time:

(a) Should it be considered that a total membership of more than 106 will be reached in the course of 1962,

a seating capacity of 108 could be achieved on the basis of present facilities in conference rooms 1, 2, 3 and 4, as well as in the Economic and Social Council Chamber, if Member States could agree, as a temporary expedient, to forego the option of seating a delegate on the floor area in addition to the seat at the podium occupied by the member of their delegation elected to serve as Vice-Chairman or Rapporteur; in the General Assembly Hall, further temporary installations at the back of the Hall, at some \$5,000 per additional delegation, would be required.

(b) In the view of the Advisory Committee, it should be possible to achieve a limited further expansion, at reasonable cost, of the present seating capacity for 106 delegations on the floor area of conference rooms 1, 2, 3 and 4 and the General Assembly Hall, though not in the Economic and Social Council Chamber; such temporary arrangements would necessarily require some sacrifice of present standards of accommodation and give rise to a number of technical difficulties, which should, however, not prove insurmountable.

(c) If the arrangements either under (a) or (b) above were not be regarded as acceptable, the only alternative would be for the Assembly to authorize the permanent conversion of conference rooms 1, 2, 3 and 4 to accommodate a maximum of 120 (\$714,000), as well as such further expansion of the seating capacity of the General Assembly Hall as may be required, either by permanent conversion of the sides of the Hall (\$67,875 per side), in accordance with the architects' original plan, or by further installations at the back (\$5,000 per delegation).

7. In view of the continued financial difficulties in which the Organization finds itself and the heavy general burden of expenditures Member States will again have to bear in 1962, the Advisory Committee wonders whether it would not be better to defer the implementation of the permanent expansion programme for one more year by recourse to the temporary expedients outlined in paragraphs 6 (a) or (b) above. A further consideration in favour of the latter course is that during the seventeenth session of the General Assembly it will be possible to have a clearer perspective of the future seating requirements of the Organization.

The United Nations financial position and prospects

DOCUMENT A/C.5/907

Statement by the Acting Secretary-General at the 899th meeting of the Fifth Committee

[Original text: English]
[11 December 1961]

1. Mr. Chairman, I hope the Committee will bear with me a few minutes before it proceeds with its consideration of today's agenda, in order that I may make some brief but relevant observations on the state of the United Nations finances as a background to the discussion which is about to take place.

2. It is not my intention at this time to deal specifically with the question of the cost estimates and financing of the United Nations in the Congo and the United

Nations Emergency Force, or to seek to prejudge the General Assembly's decision in this respect. The documentation already issued, including the reports of the Advisory Committee on Administrative and Budgetary Questions, will, I hope, provide a sufficient basis for necessary action.

3. The purpose of this intervention is rather to underline once again the fact that the steadily increasing financial difficulties which have confronted the United

Nations during the past several years have become so serious as now to threaten the ability of the Organization to carry out its primary responsibilities and approved programmes.

4. The progressive deterioration in the financial position of the Organization may be seen in the widening gap between the Organization's total unpaid obligations and its total net cash resources to cover such obligations.

5. In referring to the financial position I am, of course, speaking only to the situation that obtains in respect of activities financed in whole, or primarily, by assessments levied on Members by the General Assembly. These activities relate to the Working Capital Fund; the regular budget of the United Nations; the Special Account of the United Nations Emergency Force and the *ad hoc* account for the expenses of the United Nations operations in the Congo.

6. Moreover, in referring to the Organization's unpaid obligations I mean the sum represented by the unliquidated obligations entered on the United Nations account books plus the amounts that should be in various surplus accounts and the amounts borrowed from the Working Capital Fund and other special or trust funds and accounts in the custody of the Secretary-General. I exclude, however, the Organization's residual liabilities relating to the unpaid balance of the United Nations Headquarters loan or the balance of credits due to Members in respect of the transfer of the League of Nations assets.

7. At the end of 1956 the gap to which I have referred—which may be called our cash deficit—amounted to \$9.3 million. This increased to \$21.2 million at the end of 1957 and again to approximately \$29 million at the end of 1958 and 1959, respectively.

8. At the end of 1960 the gap had become \$86.9 million and it is now estimated that, at the end of this year—some twenty days from now—it will have reached the amount of \$107.5 million.⁴⁵

9. On the assumption that the Organization's expenses will continue during the first half of 1962 at the rate of approximately \$17 million per month and that the collection of contributions during that period will total approximately \$40 million, the gap between the debts of the Organization and its available net cash resources will have increased to approximately \$170 million by 30 June 1962.

10. In view of the present situation and the prospects for the immediate future, I consider it imperative that

⁴⁵ The total unpaid obligations, net cash resources, and deficit as at the end of each year from 1956 to 1961 inclusive, were as follows:

	<i>Unpaid obligations</i>	<i>Net cash resources</i>	<i>Deficit</i>
	<i>Millions of United States dollars</i>		
1956	24.0	14.7	9.3
1957	38.5	17.3	21.2
1958	43.2	13.9	29.3
1959	44.8	16.3	28.5
1960	89.7	2.8	86.9
1961 (estimated)	114.4	6.9	107.5

the General Assembly take appropriate action at the present session to re-establish the financial solvency of the Organization and to provide it with the financial resources necessary to carry out its continuing responsibilities. In the absence of adequate and assured long-term arrangements looking to the Organization's immediate as well as prospective financial needs, the consequences of insolvency will have to be faced seriously and soon.

11. It is estimated that, by 31 December 1961, the United Nations will have unpaid bills amounting approximately to \$82.5 million. In addition, depletion of the Working Capital Fund (plus temporary loans from other United Nations accounts) is likely to account, as of that date, for a further \$26 million. Thus, financial arrangements must be made at this session of the General Assembly which will not only ensure the provision of some \$107.5 million for meeting these obligations and needed fund restorations but will provide also for the payment of the continuing costs of other authorized activities.

12. Against total current liabilities as indicated above (i.e., unliquidated obligations plus advances from the Working Capital Fund and other special or trust accounts) it is calculated that year-end financial statements will show some \$86 million in unpaid assessments.

13. Despite some relative improvement in the course of 1961, the Organization's cash position can be said to be equally critical, with the virtual certainty of its rapid and progressive deterioration during the first half of 1962, and the prospect that all reserves will shortly be exhausted. It is also clear that exclusive reliance on the short-term borrowing expedients used so far would no longer be possible or desirable.

14. In short, Mr. Chairman, the United Nations will be facing imminent bankruptcy, if, in addition to earliest possible payment of current and, particularly, of arrear assessments, effective action is not promptly taken for the purpose of enabling outstanding obligations to be settled; improving the cash position and providing needed financing for approved continuing activities.

15. I therefore venture to express the hope that, before it concludes its present session, the General Assembly will devote thought and attention to this continuing financial crisis, and agree upon ways and means by which it could be resolved.

16. The situation requires that all Member States assist us, not only by alleviating the present crisis, but also by providing sound and longer-range financing. This applies to activities for which provision is made under the regular United Nations budget, as also to separately financed operations specifically approved. It was in anticipation of such a spirit of co-operation, and in the confident expectation that all Members share a common interest in preserving the Organization they have built up as a going concern, that I undertook my present responsibilities. The tasks that have been entrusted to me, however, can be successfully accomplished only if pledges of goodwill are accompanied by a readiness to provide the financial support and resources essential for their fulfilment.

DOCUMENT A/5076

Report of the Fifth Committee

[Original text: Spanish]
[19 December 1961]

1. At the 906th to 910th meetings, held between 16 and 19 December 1961, the records of which contain the positions taken by delegations both in their statements and in their explanations of vote, the Fifth Committee considered the subject of the financial position and prospects of the Organization. The Committee had before it the text of a statement made by the Acting Secretary-General at its 899th meeting (A/C.5/907).

2. At the 906th meeting, the representative of Tunisia introduced a draft resolution (A/C.5/L.709) submitted by Denmark, Ethiopia, the Federation of Malaya, Netherlands, Norway, Pakistan, Tunisia and Yugoslavia, to which Canada was subsequently added as a sponsor (A/C.5/L.709/Add.1). The text read as follows:

"The General Assembly,

"Having taken note of the statement of the Acting Secretary-General concerning the United Nations financial position and prospects (A/C.5/907),

"Bearing in mind the activities and programmes of work of the Organization that have been approved by the General Assembly,

"Recognizing that the ability of the Organization to discharge its responsibilities and to implement its programmes requires it to have adequate and assured financial resources,

"1. Authorizes the Acting Secretary-General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex hereunder;⁴⁸

"2. Further authorizes the Acting Secretary-General, subject to such decisions as the General Assembly may hereafter adopt, to utilize the proceeds from the sale of such bonds for purposes normally related to the Working Capital Fund;

"3. Decides to include in the regular budget of the Organization annually beginning with the budget for the year 1963 an amount sufficient to pay the interest charges on such bonds and the instalments of principal due on such bonds."

3. The representative of the Union of Soviet Socialist Republics, supported by the representatives of Hungary, Poland and Romania, maintained that it would be out of order for the Committee to consider the draft resolution under agenda item 54. For an important proposal of that kind, which constituted an additional item, the procedure laid down in rule 15 of the rules of procedure of the General Assembly should have been followed.

4. The Chairman of the Committee ruled that the subject of the draft resolution came under agenda item 54. It could not be deemed an additional item; accordingly rule 15 did not apply.

5. The representative of the Union of Soviet Socialist Republics appealed against the Chairman's ruling and his appeal was put to the vote. The appeal was rejected by 40 votes to 13, with 15 abstentions.

6. At the 910th meeting, the sponsors of the nine-Power draft resolution accepted an amendment proposed by Chile whereby a fourth preambular paragraph would be inserted, reading as follows:

"Considering that under existing circumstances, extraordinary financial measures are required and that such measures should not be deemed a precedent for the future financing of the expenses of the United Nations."

7. At the same meeting, Brazil submitted orally the following draft resolution which was later circulated as document A/C.5/L.724/Rev.1:

"The General Assembly,

"Bearing in mind General Assembly resolution _____ (XVI) of _____ 1961,*

"Recalling General Assembly resolution _____ (XVI)^b of _____ 1961 and without prejudging whether the amortization of the United Nations bonds issue constitutes 'expenses of the Organization' within the meaning of Article 17, paragraph 2, of the Charter,

"Bearing in mind further the sacrifices that have been and are being made by the less developed Member States in order to contribute to the financing of United Nations expenditures,

"1. Decides that the contributions to the regular budget of the Organization relating to the amortization of those amounts of the United Nations bonds that have been or may be employed to meet or reimburse advances made to the United Nations to defray its expenditures for peace-keeping operations, shall be subject to the following reductions:

"(a) 80 per cent in the case of Member States whose contributions range from 0.04 per cent to 0.25 per cent inclusive;

"(b) 80 per cent in the case of Member States that received assistance during the previous year under the Expanded Programme of Technical Assistance, and whose contributions range from 0.26 per cent to 1.25 per cent inclusive;

"(c) 50 per cent in the case of Member States that received assistance during the previous year under the Expanded Programme of Technical Assistance, and whose contributions are 1.26 per cent and above;

"2. Urges the permanent members of the Security Council to make sizable contributions to the section of the regular budget of the Organization relating to the reimbursement mentioned in paragraph 1 above;

"3. Appeals to all Member States that are in a position to assist to make voluntary contributions to help the reimbursement through the regular budget of the Organization of the interest charges on such United Nations bonds and the instalments of principal due on such bonds."

* On the subject of the United Nations financial position and prospects [resolution 1739 (XVI) adopted by the General Assembly on 20 December 1961].

^b On the subject of the administrative and budgetary procedures of the United Nations (Advisory opinion of the International Court of Justice) [resolution 1731 (XVI) adopted by the General Assembly on 20 December 1961].

8. The representative of Brazil subsequently withdrew his delegation's draft resolution, explaining that he did so in a desire to facilitate the solution which a majority of the Committee seemed to favour.

⁴⁸ The text of the annex was identical with that of the annex attached to the draft resolution recommended to the General Assembly in paragraph 11 below.

9. At the 910th meeting, the representative of the Union of Soviet Socialist Republics requested a separate vote on operative paragraph 3 of the nine-Power draft resolution. Objection having been made to the request for division, the Committee rejected, by a roll-call vote of 40 to 15, with 21 abstentions, the motion of the Union of Soviet Socialist Republics for a division of the vote. The voting was as follows:

In favour: Albania, Argentina, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, Hungary, Mongolia, Poland, Portugal, Romania, South Africa, Spain, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics;

Against: Australia, Austria, Burma, Canada, Ceylon, Chile, Colombia, Cyprus, Denmark, Ecuador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Iceland, Iran, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Sierra Leone, Sweden, Thailand, Tunisia, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia;

Abstaining: Afghanistan, Belgium, Brazil, Cambodia, China, Congo (Leopoldville), Guinea, India, Indonesia, Iraq, Mali, Mexico, Morocco, Nepal, Philippines, Saudi Arabia, Somalia, Sudan, Turkey, United Arab Republic, Yemen.

DECISION OF THE COMMITTEE

10. At its 910th meeting, the Committee adopted by a roll-call vote of 45 to 11, with 21 abstentions, the

nine-Power draft resolution (A/C.5/L.709 and Add.1), as amended. The voting was as follows:

In favour: Argentina, Australia, Burma, Canada, Ceylon, Chile, Colombia, Cyprus, Denmark, Ethiopia, Federation of Malaya, Finland, Ghana, Guatemala, Guinea, Iceland, Indonesia, Iran, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Mali, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Sierra Leone, Sweden, Thailand, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia;

Against: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, France, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics;

Abstaining: Afghanistan, Austria, Belgium, Brazil, Cambodia, China, Congo (Leopoldville), Ecuador, Greece, India, Iraq, Mexico, Philippines, Portugal, Saudi Arabia, Somalia, South Africa, Spain, Sudan, United Arab Republic, Yemen.

Recommendation of the Fifth Committee

11. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

THE UNITED NATIONS FINANCIAL POSITION AND PROSPECTS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

REVISED ESTIMATES

Section 1

Revised estimates resulting from the admission of new Member States and the resumption of membership by Syria

DOCUMENT A/C.5/898

Report of the Secretary-General

[Original text: English]
[24 November 1961]

1. The membership of the United Nations has been recently increased by the admission of Mauritania, Mongolia and Sierra Leone and by the resumption of membership by Syria. Furthermore, it is anticipated that one more new Member State may be admitted to membership during the current session of the General Assembly. The increased membership will result in additional financial requirements under chapter I—The General Assembly, commissions and committees, of section 1—Travel and other expenses of representatives, members of commissions and committees and other subsidiary bodies—of both the 1961 and 1962 budget estimates.

2. Based on the cost of first-class fares by jet aircraft

between home capitals and New York City, the additional requirements under this heading, covering transportation costs for five representatives of each new Member State, would amount to approximately \$38,400. However, in the light of past experience in terms of the relationship between total possible entitlements and actual claims, a sum somewhat below this amount would appear reasonable.

3. The Secretary-General accordingly proposes that a supplementary amount of \$30,000, or an average cost of \$6,000 for each new Member State, be appropriated under section 1 of the 1961 budget estimates. Similarly, the Secretary-General proposes that the 1962 estimates for section 1 be revised upward by the same amount.

DOCUMENT A/4995

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[30 November 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/898) submitting supplementary estimates for 1961 and revised estimates for 1962 under section 1—Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies.

2. These estimates relate to: (a) the admission to membership of the United Nations of Mauritania, Mongolia and Sierra Leone; (b) the resumption of membership by Syria; and (c) the anticipated admission of at least one more new Member State during the current session of the General Assembly. The costs provided for are those which are expected to arise as the result of the entitlement of Member States, in terms of General Assembly resolution 1075 (XI) of 7

December 1956, to reimbursement of the travel costs of a maximum of five representatives or alternate representatives in respect of regular sessions of the General Assembly, and one such representative in respect of special sessions of the General Assembly.

3. Maximum potential costs under the above-mentioned heading would be approximately \$38,400. However, allowance has been made for the fact that full entitlements are not normally exercised. Assuming an average cost of \$6,000 for each new Member State, the Secretary-General accordingly submits a supplementary estimate of \$30,000 under section 1 of the 1961 budget and an equal amount by way of a revised estimate under the same section for 1962. The Advisory Committee concurs in this proposal by the Secretary-General.

Sections 1, 3, 4, 5, 8 and 11 and income section 1

Revised estimates resulting from decisions of the Economic and Social Council

DOCUMENT A/C.5/874

Report of the Secretary-General

[Original text: English]
[5 September 1961]

I. INTRODUCTION

1. The decisions taken by the Economic and Social Council at its thirty-first and thirty-second sessions, held in April and July 1961, respectively, call for new work programmes beginning in 1962, for which financial provisions supplementary to those contained in the initial estimates for the financial year 1962 (A/4770) are required. Revisions to the initial estimates, which the Secretary-General is required to submit under the terms of General Assembly resolutions 1096 (XI) of 27 February 1957 and 1449 (XIV) of 5 December 1959, would add some \$840,000 to the initial 1962 estimates, if the new work programmes as requested by the Council were to be fully and immediately implemented. In the course of the formulation of the decisions reflected in this report, at the Committee, Commission or Council level, the financial implications of such decisions were placed before the appropriate organ⁴⁷ in accordance with rule 34 of the rules of procedure of the Council. The attention of the Council was also drawn to the provisions of General Assembly resolution 1449 (XIV) requesting all organs of the United Nations to consider ways and means whereby new projects might be deferred until suitable provision for them could be made in the main budget estimates for a subsequent financial year, unless they were of major and urgent

importance or unless they could be accommodated within approved expenditure levels. However, the Council gave no indication, so far as its 1962 programme of work was concerned, of any items that might be so deferred.

2. In the preparation of the initial estimates for 1962 the Secretary-General made a special and conscious effort to hold the expenditure level to that of the 1961 approved budget, for the reasons stated in paragraphs 2 to 5 of his foreword to the budget estimates for 1962. Consistently with this policy he has reviewed the new work programmes called for by the Council at its thirty-first and thirty-second sessions in order to limit the revisions to his initial estimates to those items which in his judgement are inescapable or which cannot be deferred to a subsequent year. While the requirements for the new work programmes called for at the thirty-first and thirty-second sessions of the Council, if costed in full, would amount to some \$840,000, the Secretary-General is thus deliberately restricting his request for additional funds in 1962 to \$491,250 for the reasons cited above. Such an approach presupposes that the staffing provisions for economic and social activities made in the Secretary-General's initial budget estimates for 1962 will be approved in their totality. Those items which he believes are inescapable are expenditures relating to "Travel of Members", owing to the proposed increases in the membership of functional commissions and the frequency of meetings of the Social Commission; translation and printing costs; equipment to complete the Narcotics Laboratory, and the preparatory work relating to a conference on international travel and tourism scheduled to convene in the latter part of 1963.

⁴⁷ For the statements of financial implications submitted to the thirty-second session of the Economic and Social Council in accordance with rule 34 of the rules of procedure, see *Official Records of the Economic and Social Council, Thirty-second Session, Annexes, agenda item 23, documents E/3540 and Add.1 and 2.*

In their totality, these amount to some \$156,000. Thus, the reductions, amounting to some \$350,000, which he has applied, relate mainly to the additional staffing requirements, employment of expert consultants, travel on official business and common staff costs. Details of the work programmes and for which additional funds are requested on this priority basis, their cost estimates and the related budgetary revisions are set out in parts II and III of this report.

3. Of the items covered in this report, those which are non-recurring account for \$151,200 of the additional requirements for 1962. The remaining \$340,050 relates to items of a continuing nature.

4. The non-recurring items are:

<i>Item</i>	<i>Additional cost in 1962 United States dollars</i>
(a) Group of experts to prepare recommendations for convening in 1963 a conference on international travel and tourism (paragraph 12 below)	10,000
(b) Translation and printing of the replies from Governments to the questionnaire on aspects of industrial development (paragraph 17) and United Nations share of cost of inter-agency expert group (paragraph 18)	59,000
(c) Translation and printing of two specific studies in the population field (paragraph 25)	32,700
(d) Economic Commission for Asia and the Far East (ECAFE)—group of experts on regional trade co-operation (paragraph 36)	21,000
(e) Economic Commission for Latin America (ECLA)—share of costs of the Tax Policy Conference convened jointly with the Organization of American States (OAS) and the Inter-American Development Bank (IDB) (paragraph 43)	20,000
(f) Purchase of additional equipment for the Narcotics Laboratory (paragraph 56)	8,500

5. Items for which there are requirements beyond 1962 are:

<i>Item</i>	<i>Cost in 1962 United States dollars</i>
(a) Work programme of the Committee for Industrial Development (paragraphs 13-20)	50,800
(b) World Population Conference (paragraph 21)	8,900
(c) Programme of work of the Population Commission (paragraph 24)	2,000
(d) Programme of work in the social field (paragraphs 27-31)	82,700
(e) Economic Commission for Europe (ECE) (paragraphs 32 and 33)	7,300
(f) ECAFE (paragraphs 34-38)	67,000
(g) ECLA (paragraphs 39-51)	93,300
(h) <i>Yearbook on Human Rights</i> (additional printing) (paragraphs 54 and 55)	2,850
(i) Increase in membership of the functional Commissions of the Council (paragraph 57)	25,200

6. As in 1961 the requirements for additional continuing personnel are requested under the heading of provisional posts, so as to permit a further period of time for assessment of the necessity for increase in the permanent establishment. The nature and purpose of the inclusion for the first time in the 1962 budget estimates of this category of posts—provisional posts—is explained in detail in section 3 of the initial 1962 estimates (A/4770, pages 15 and 33).

7. It will be seen that the new Professional posts required total 29, of which 7 are for Headquarters and 22 are for field locations. Associated with these additional Professional requirements, there is a need for 21 secretarial and clerical posts, 10 for Headquarters and 11 for the regional economic commissions.

8. In preparing the present revised estimates, standard costing methods have been followed. In the case of "provisional posts", following the policy set for the initial 1962 budget estimates (*ibid.*, page 33) the credits requested will provide only for half the requirements for a part of the year.

9. The further development and acceleration of the programmes in the particular fields on which the decisions of the Council were taken and to which, in the main, these revised estimates relate, were foreshadowed in the *Five-Year Perspective, 1960-1964*,⁴⁸ which the Council, in its resolution 791 (XXX), commended and transmitted to the General Assembly, and for which the General Assembly expressed its appreciation in resolution 1554 (XV) of 18 December 1960.

10. The present report does not deal specifically with Council resolution 823 (XXXII) on decentralization of the United Nations economic and social activities and operations, and strengthening of the regional economic commissions. The Secretary-General will submit to the General Assembly later in the session an account of the administrative and organizational measures already taken and those that can be taken in furtherance of the resolution referred to. Budgetary implications for future years, where involved, will be set out in that report. It should be noted that certain of the requirements covered herein for ECLA (paragraph 48, below) is related to this general question.

11. A separate paper is being submitted on the requirements for the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas which, in accordance with Council resolution 834 (XXXII), is to be convened in August 1962 at Geneva. It is estimated that the costs for 1961, 1962 and 1963 of convening this Conference will be about \$1,850,000 on the assumption that the technical papers submitted to the Conference will be reproduced and printed only in their original languages, and that they will be accompanied by multilingual summaries of the papers themselves and a summary of the discussion on each theme or group of related themes.

II. FINANCIAL IMPLICATIONS OF THE DECISIONS OF THE ECONOMIC AND SOCIAL COUNCIL AT ITS THIRTY-FIRST AND THIRTY-SECOND SESSIONS

Note: While the detailed information on new work programmes arising out of Council decisions, and the related needs set out the full additional requirements for 1962 for carrying out these work programmes, as already indicated in paragraph 1 of this report, the Secretary-General is limiting his request for additional budget appropriations in 1962 to such items as are inescapable or cannot be deferred.

Recommendations for convening in 1963 a conference on international travel and tourism (section 3)

12. Council resolution 813 (XXXI) requests the Secretary-General, in consultation with a group of not more than seven experts, to prepare recommendations

⁴⁸ United Nations publication, Sales No.: 60.IV.14.

concerning the nature, scope and location of a conference on international travel and tourism, to be convened not later than the autumn of 1963. The Secretary-General is to report these recommendations to the Council at its thirty-third session. The costs for transportation and for subsistence at the rate of \$30 a day, assuming a meeting at Headquarters of ten days' duration early in 1962, will be \$10,000. The Secretary-General requests a provision of \$10,000 under section 3 (chapter V B: *Ad hoc* expert groups) for this project.

Work Programme of the Committee for Industrial Development (sections 3, 4, 5 and 11)

13. In approving the report of the first session of the Committee for Industrial Development, the Council, in resolution 817 (XXXI), endorsed the programme of work and priorities set out in the report and requested the Secretary-General to take the necessary steps to implement the programme. The first essential step in the implementation of this resolution is an effective strengthening of Secretariat resources presently available for these purposes. Principal responsibility for implementation of the new programme rests with the Division of Industrial Development. The strength of the Division in 1961 is nineteen posts in the Principal Officer and Professional category and eight in the General Service category. The same number of posts is continued in the initial estimates for 1962. During 1961, the Division has been reinforced by two provisional posts at the Professional level, and three special technical advisers. For the full implementation of the work programme approved by the Council, additional staff will be required (a) to operate the Industrial Development Centre, to be established in the last quarter of 1961, and (b) to undertake the requested expansion in research work projects and documentation for working parties, seminars and other meetings, which are for the most part carried out jointly with the regional economic commissions.

14. The programme as laid down by the Council calls on the Centre to perform two main functions:

first, to collect, analyse and disseminate the experience gained in technical assistance programmes in the field of industrialization including, to the extent available, data on multilateral, regional, bilateral and national programmes; and, secondly, to provide a mechanism whereby the United Nations, the specialized agencies and the International Atomic Energy Agency (IAEA) can obtain full information about each other's activities in this field and can take steps to co-ordinate these activities. If a satisfactory start is to be made in undertaking these new and enlarged Secretariat responsibilities, it is, in the Secretary-General's judgement, essential for the staff available from existing and prospective budgetary resources to be supplemented by the addition to the effective strength of the Division, beginning in 1962, of three Professional posts (1 P-5, 1 P-4 and 1 P-2) and four posts in the General Service category, two of which would be clerical.

15. The requested expansion of research studies and of substantive servicing of projects will also require the assignment to these tasks of a new complement of staff. Additional foreseen requirements are as reported to the Council, namely: six Professional posts (1 P-5, 2 P-4's, 2 P-3's and 1 P-2) and three secretary-clerks.

16. The combined requirements indicated in paragraphs 14 and 15 are for nine new Professional posts and seven General Service posts. In the case of the Professional posts, the actual increase in budget terms could be limited to four posts assuming continued availability in 1962 of the two existing provisional posts; an increase in the number of technical advisers posts assigned to the Division from three to six; and a possibility, beginning in 1962, of financing two Professional posts from Special Fund monies. There is no facility whatever, in the General Service establishment proposed for 1962, for supplying the additional secretarial and clerical posts needed, and funds must therefore be requested to cover the seven new General Service posts. The table below shows the relative staffing of the Division in 1961 and 1962.

Source of funds	Number of posts			Level of new posts
	1961	New posts	Total 1962	
Regular budget (section 3)				
Established posts (chapter I)	19	—	19	
Provisional posts (chapter II)	2	4	6	1 P-5, 1 P-4, 1 P-3, 1 P-2
Special technical posts (chapter V C)	3	3	6	Ungraded
Special Fund	—	2	2	1 P-3, 1 P-2
TOTAL	24	9	33	
General Service posts	8	7	15	

Additional budgetary provision in 1962 will be required in the amount of \$41,300 under chapter I of section 3, representing four provisional posts in the Professional and seven in the General Service category, together with an amount of \$9,500 for common staff costs under section 4.

17. The printing in 1962 of the replies to the questionnaire on aspects of industrial development, which is to be prepared and circulated to Member States in 1961, will entail translation costs of \$30,000 and printing costs of \$25,000, assuming a text of 1,500 pages in English, French and Spanish. There is no free capacity in the translation services for the absorption of this item and therefore the related cost of \$30,000 will need to

be covered by additional funds if the work is to be done in 1962.

18. A need will exist as well for consultant funds to meet the United Nations share of the costs of the inter-agency expert group scheduled to meet early in 1962, in connexion with the joint project on the preparation of teaching materials on economic development with emphasis on industrialization. Assuming that the United Nations will pay for two of the experts, the additional cost is calculated at \$4,000 (\$1,200 for travel, \$500 for fees for ten working days, and \$300 for subsistence for fifteen days in respect of each expert).

19. While there is also a requirement for additional travel by staff, specifically in the implementation of

projects on country case studies to be carried out by Headquarters or regional staff as appropriate, it is hoped that it will be possible to meet it partly from within the global amounts approved for travel in 1962 and partly from programme funds.

20. While the total additional 1962 costs required to carry out the new programme of the Committee on Industrial Development, as endorsed by the Economic and Social Council, come to \$147,510 in 1962, budget credits are requested only in the amount of \$109,800, distributed as follows:

	<i>United States dollars</i>
Section 3:	
Chapter II. Provisional posts.....	41,300
Chapter IV. Other temporary assistance (exclusively for translation).....	30,000
Chapter V B. <i>Ad hoc</i> expert groups.....	4,000
Section 4—Common staff costs.....	9,500
Section 11, chapter III. Studies and reports (printing)	25,000

World Population Conference (sections 3 and 4)

21. Economic and Social Council resolution 820 C (XXXI) approves the holding, in 1964 or 1965, of a second World Population Conference. It requests the Secretary-General to explore the financial arrangements for the Conference and in particular the possibility of obtaining the participation in its financing of any interested agencies, non-governmental organizations and foundations. The exploratory work will call for some staff travel in 1962, which will be absorbed. It will, however, be necessary to augment the Population Branch of the Bureau of Social Affairs by the addition of one Professional (P-4 level) post and one secretary. These will be "provisional posts" in 1962 and will call for additional credits of \$6,400 for salaries and \$2,500 for the related common staff costs.

22. An estimate of total conference costs will be submitted to the General Assembly at the appropriate time. It may be noted, however, that the first World Population Conference, held in Rome in 1954, cost approximately \$80,000 (taking account of all sources of funds), and a second conference, even if it were no larger in size and scope than the first, would, under prevailing price conditions, cost no less than \$100,000.

Programme of work of the Population Commission

23. Economic and Social Council resolution 820 A (XXXI) endorses the work programme and priorities submitted by the Population Commission.⁴⁹ To implement the programme in full in 1962, it would be necessary to add three Professional posts (P-3 level), one post to be located at each of the three regional economic commissions concerned (Economic Commission for Africa (ECA), ECAFE and ECLA), thereby adding a part of the work involved in carrying out the Commission's programme to each of these commissions. Specifically, the work relates to co-operation in regional demographic programmes and to the preparation of annual issues of the *Population Bulletin of the United Nations*. For the reasons already stated, the Secretary-General does not propose to ask for these additional posts in 1962, but would endeavour to carry out the work during 1962 as resources permit.

⁴⁹ Official Records of the Economic and Social Council, Thirty-first Session, Supplement No. 3.

24. The revision and bringing up to date of the *Determinants and Consequences of Population Trends*⁵⁰ would make it necessary to obtain consultant services in special fields such as human geography and consumer economics. The foreseen need is for six consultants in six specialized fields, over a period of three years, beginning in 1962, on the assumption that special arrangements can be made to obtain some of the manuscripts as contributions on a no-fee or expenses-only basis. On this basis, the estimated extra costs for consultant services in 1962 can be kept to about \$2,000 a year. It should be noted that the services of a small group of experts on the scope and orientation of the revised report are being obtained in 1961, in connexion with a New York meeting of the International Union for the Scientific Study of Population at a small cost from within existing appropriations.

25. The Commission's programme also has a bearing on printing costs, since three additional studies are to be published over the period, 1962-1966. The items proposed for 1962 are: translation and printing (because of the value to demographic research of the methodology used), of the "Demographic and socio-economic survey of the metropolitan area of San Salvador, El Salvador" (370 pages) and printing of the English text of a study of factors affecting trends in the sectoral distribution of active populations (270 pages). The translation costs into two languages are estimated at \$12,800 and printing in three languages at \$19,900. Translation and printing of the revised edition of the *Determinants and Consequences of Population Trends* will not take place until 1965, when the revision will have been completed. Some sales demand is expected for each of the three publications.

26. Additional credits are thus needed in 1962 in a total amount of \$34,700, distributed as follows:

	<i>United States dollars</i>
Section 3:	
Chapter IV. Other temporary assistance (for translation purposes)	12,800
Chapter V A. Individual experts and consultants	2,000
Section 11, chapter III. Studies and reports (printing)	19,900

Programme of work in the social field (sections 1, 3, 4, 5 and 11)

27. Annual sessions of the Social Commission. Implementation of Council resolution 830 J (XXXII) in 1962 will require an expenditure of \$19,000 for travel of eighteen members and \$1,500 for printing the report. Extra costs for pre-session and in-session documents cannot be calculated at this time. Inevitably, such an increase in the annual conference programme will entail additional administrative and conference servicing, the cost of which cannot be estimated at the present time.

28. Expanded work programme. Council resolution 830 (XXXII) which endorses the work programme and priorities contained in the report of the Social Commission,⁵¹ has the effect of substantially increasing the number of high priority projects contemplated by the Secretary-General in his proposed work programme for 1961-1963.⁵² The associated staffing requirements for

⁵⁰ United Nations publication, Sales No.: 53.XIII.3.

⁵¹ Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 12.

⁵² Document E/CN.5/358 (mimeographed).

1962 as reported to the Council, are: for social policy and development, one post at P-4 level, for urbanization one post at P-3 level, and two additional secretarial staff.

29. Special studies relating to social services in industry and social services within social security schemes included in the work programme will require new consultant services, estimated at \$10,000, if they are to be undertaken during 1962. However, having regard to the policy set out in the opening paragraphs of this paper, no credits are requested at the present time. Similarly, while field research and social conditions and studies of national social programmes will require substantial additions for travel and subsistence of staff, the net additional credits requested for 1962 is being kept down to \$5,000 to be utilized mainly for increasing the amounts allocated to the regional social affairs units.

30. *Regional technical services to the United Nations Children's Fund (UNICEF)*. In the light of the request made by the Executive Board of UNICEF⁶³ and Council resolution 830 J (XXXII), the staff of regional social affairs units would need strengthening by some four Professional posts (two P-4 level and two P-3 level) for the purpose of providing for the required technical preparation and supervision of UNICEF-financed social service projects for children. These posts will be assigned to each of the regional social affairs units at ECAFE, ECLA, ECA and Beirut. There is also a related need for additional travel estimated at \$4,500 covering the ECAFE, ECLA and ECA regions and the Middle East. The need for these posts arises from the policy established by the Executive Board of UNICEF calling upon the participating organizations to provide staff and travel costs.

31. *Summary of requirements*. Having regard to the over-all situation, the Secretary-General requests provision for six Professional posts (three P-4, three P-3) and two General Service posts in 1962. These will be "provisional posts", and four of the Professional posts will be used in the field offices for the expanded work programme in the social field. Thus, the additional 1962 credits needed total \$82,700, distributed as follows:

	<i>United States dollars</i>
Section 1, chapter III. The Economic and Social Council, commissions and committees.....	19,000
Section 3, chapter II. Provisional posts.....	43,300
Section 4—Common staff costs.....	9,400
Section 5, chapter II. Travel of staff on other official business.....	9,500
Section 11, chapter I. <i>Official Records</i>	1,500

Economic Commission for Europe (sections 3, 4, 11)

32. To implement Council resolution 822 A (XXXII), approving the work programme adopted by ECE, provision will need to be made for: (a) the annual publication of steel export statistics and (b) the establishment of a programme of work on water pollution control problems in Europe, involving two small meetings a year, some staff travel, and the addition to the staff of ECE of one Professional officer at the P-2 level. Costs additional to those reflected in the initial 1962 budget estimates relate to the recruitment of the Professional officer, estimated at \$5,100 for salary and \$1,000 for common staff costs, and the annual publication of steel export statistics, estimated at \$1,200.

33. Credits are accordingly requested as follows:

	<i>United States dollars</i>
Section 3, chapter II. Provisional posts.....	5,100
Section 4—Common staff costs.....	1,000
Section 11, chapter II. Recurrent publications...	1,200

Economic Commission for Asia and the Far East (sections 3, 4 and 5)

34. The Commission's report⁶⁴ endorsed by the Council in resolution 822 B (XXXII) places particular emphasis on a new programme of regional co-operation, which will have an impact on substantive work throughout the Commission secretariat, and orient activities more toward practical assistance to governments. Having regard to the fact that for the past several years, ECAFE has assumed the bulk of the new work assigned annually to the Commission secretariat without recourse to supplementary estimates, some strengthening of the staff both in the Professional and the General Service categories seems essential. While the full requirements are estimated at some 22 additional posts (16 Professional and 6 General Service), the Secretary-General, following stringent review of priorities, proposes that credits be provided for 8 Professional (one P-5, three P-4, three P-3 and one P-1) and 4 General Service posts. With such an increase in posts as an addition to the initial estimates, the staffing strength of ECAFE in 1962 would total 102 posts in the Professional category and above, as follows:

	<i>Posts provided for in</i>		<i>Total posts</i>
	<i>Initial estimates</i>	<i>Revised estimates</i>	
Established posts.....	86	—	86
Provisional posts carried forward from 1961....	4	—	4
New provisional posts...	4 ^a	8 (provisional posts)	12
TOTAL	94	8	102

^a While 8 provisional posts are listed on page 34 of the 1961 budget estimates (A/4770), credits have been requested only for about half this number, the selection to be made after a careful review of requirements on a priority basis.

35. The extra costs for the 8 provisional posts would be \$40,500 for salaries and \$16,500 for common staff costs. To this must be added a provision for 4 supporting local level General Service staff, at a cost of \$4,500 for salaries and \$1,500 for common staff costs.

36. An associated increase in budgetary travel funds estimated at \$4,000 is needed if the Commission's decisions on future work are to be carried out in an adequate manner. This requirement relates to the following: community development research work in pursuance of Commission resolution 34 (XVII), work on economic development, and trade development and regional co-operation. In addition, the employment of an expert group on regional co-operation, particularly in the fields of international trade and development, would entail an expense of \$21,000 (three high level experts for six months, including fees and transportation).

37. Finally, although no new funds are requested for the purpose, the General Assembly is informed that, beginning in 1962, the costs of printing the regional mineral resources and geological maps prepared under

⁶³ *Official Records of the Economic and Social Council, Thirty-second Session, Supplement No. 13 B, paragraphs 96-111.*

⁶⁴ *Ibid., Supplement No. 2.*

the auspices of ECAFE will be met within ECAFE's share of the contractual printing appropriation and income received on account of sale of the maps will revert to United Nations Members as miscellaneous income.

38. Provision is therefore proposed, for purposes relating to ECAFE, of supplementary appropriations in 1962 totalling \$88,000 under the following headings:

	<i>United States dollars</i>
Section 3:	
Chapter II. Provisional posts.....	45,000
Chapter V B. <i>Ad hoc</i> expert groups.....	21,000
Section 4—Common staff costs.....	18,000
Section 5, chapter II. Travel of staff on other official business	4,000

Economic Commission for Latin America (sections 3, 4 and 5)

39. By resolution 822 C (XXXII), the Council endorsed the work programme and priorities contained in the report of the Commission.⁵⁵ Credits are herein requested only in so far as concerns work arising from (a) implementation of the agreement between the Organization of American States (OAS), the Inter-American Development Bank (IDB) and ECLA, (b) intensification of the work in the fields of statistics, agricultural policy, social aspects of economic development, and (c) the establishment of a sub-regional office in Bogotá.

40. Attention is also drawn to the Commission's resolution dealing with the formation, under Special Fund auspices, of an economic development institute. The Commission has requested the Executive Secretary to offer assistance in the detailed formulation of this project, and it is anticipated that, with the establishment of such an institute, ECLA would share in its policy direction and would provide support services. The institute is expected to take over, in course of time, the operation of ECLA's advisory and training services, thereby freeing some of ECLA's substantive resources now engaged on these projects.

41. *Agreement with OAS and IDB.* Co-ordination at the policy level calls for a strengthening of the ECLA Washington Group and travel either of the Executive Secretary (or alternate) to Washington for meetings of the *Ad hoc* Co-ordinating Committee at Washington, or of the Washington representative to Santiago. The requirements in 1962 are: a Principal Officer (D-1 level) as ECLA representative in Washington, a P-4 post and a secretarial post, together with provision for some four round trips between Santiago and Washington.

42. Under the new arrangements, the main responsibility for the preparation of the regional economic survey will be with OAS. The main responsibility for work at Mexico City on Central American integration and on transport will remain with ECLA. The following re-assignments of staff are to take place, beginning in the last part of 1961.

(a) Transfer of three P-3 – P-4 ECLA staff members to Washington on two-year assignments to work on the regional survey, the costs in 1962 and subsequent years being principally continuation of the assignment allowance. Office premises and all services are to be provided by OAS;

(b) Transfer at OAS expense of three of its staff members to Santiago to work on transport studies; premises and all services to be provided by ECLA at no extra cost;

(c) Transfer to Mexico City at OAS expense of four of its experts (one on transport costs, one architect, one industrial engineer, one economist); premises and all services to be provided by ECLA, Mexico City, within existing resources, except that, as from 1962, two additional General Service posts will be needed at a cost per year of \$4,000 for salary and \$700 for common staff costs.

43. The additional special surveys, seminars and meetings which are called for under the terms of the agreement can be carried out within the normal level of budgetary and technical assistance resources, with the following exception: In the case of the Latin American Tax Programme being carried out jointly by OAS, IDB and ECLA with financial assistance from the Ford Foundation and the co-operation of Harvard University, there is to be a Tax Administration Conference in October 1961 at Buenos Aires and a Tax Policy Conference in May 1962 at ECLA headquarters. The preparatory work for the May Conference and the follow-up during 1962 through specific national tax reform studies involves a total expenditure in 1962 from all sources of not less than \$100,000, to which ECLA is being asked to contribute \$20,000 in the form of consultant services, additional to the contribution of staff time and staff travel already foreseen. If ECLA is to make this further contribution, the 1962 budgetary provisions for individual experts and consultants will need to be increased by \$20,000.

44. *Statistical programme.* If the further expansion in the statistical work of ECLA which is requested is to be accomplished, some increase in resources beyond the one additional post requested in the Secretary-General's estimates for 1962, will be a necessity. The additional resources required are: one P-4 post, one General Service post, and some provision for travel on official business.

45. *Agricultural policy.* In order to intensify secretariat work on problems of land tenure, it is necessary to increase its contribution to the Joint ECLA/FAO group by one post of agricultural economist (P-3 level), and some provision for travel on official business.

46. *Sub-regional office at Bogotá.* At the invitation of the Colombian Government which will provide free of cost premises and all necessary local services and staff, a temporary sub-regional office is proposed to be established at Bogotá, to permit concentration on studies of the Grand Colombian area, with emphasis initially on the development problems of Colombia, Ecuador and Venezuela. The proposal would require the addition of one P-5 and one P-3 officer as well as additional provision for travel.

47. *Social aspects of economic development.* In addition to emphasis on land tenure problems, referred to in paragraph 45 above, the Commission's report calls for reinforcement of the work on population analysis, rural and community development, and studies on social policy aimed at the identification and analysis of the principal social factors in Latin America which should be taken into account for an effective policy of economic and social development. This additional workload will call for some strengthening of the ECLA secretariat, and additional amounts for travel in connexion with

⁵⁵ *Ibid.*, Supplement No. 4.

specific country studies. However, the Secretary-General does not propose additional staff for ECLA at this stage, but will endeavour to meet these requirements, amongst others, from within the complement of posts proposed for Headquarters and the regional commissions for work in the social field (see paragraphs 28-31 above).

48. *Decentralization of technical assistance operations.* The Council has supported the steps being taken for increased participation by ECLA in technical assistance operations. To assure adequate resources to this end, credits are sought for the following new staff:

(a) For administrative strengthening, two posts, one administrative and one finance officer (at P-3 - P-2 level respectively) and two General Service clerical staff; and

(b) For strengthening the policy and programming functions of the Executive Secretary's office, one professional post at P-5 level and one secretarial post.

49. Pending the establishment and full operation of the proposed economic development institute, expansion in the number of advisory groups and an extension in their functions, as called for under the agreement with the OAS and IDB, requires to be financed as a direct charge to technical assistance, under normal country-programming procedures.

50. *Summary of requirements.* Should the additional posts described in paragraphs 39-50 above be approved, the strength of ECLA in 1962 would total 113 Professional posts as follows. Salaries and related costs for the nine Professional and seven General Service posts which will be "provisional posts" are estimated at \$60,300 and \$20,500 respectively, in addition a lump sum credit of \$12,500 for travel on official business, for increased travel requirements is proposed.

	Posts provided for in		Total posts
	Initial estimates	Revised estimates	
Established posts	89	—	89
Provisional posts carried forward from 1961	9	—	9
New provisional posts	6 ^a	9	15
TOTAL	104	9	113

^a While 13 provisional posts are listed on pages 34-35 of the 1962 budget estimates (A/4770), credits have been requested only for about half this number, the selection to be made after a careful review of requirements on a priority basis.

51. *Additional budgetary credits.* For the purposes described in paragraphs 39-50 above, additional 1962 budgetary credits would need to be provided in a total amount of \$113,300 distributed as follows:

	United States dollars
Section 3:	
Chapter II, Provisional posts	60,300
Chapter V A, Individual consultants and experts	20,000
Section 4—Common staff costs	20,500
Section 5, chapter II, Travel of staff on other official business	12,500

Economic Commission for Africa

52. The programme of work and priorities established by the Commission was endorsed by the Council in

resolution 822 D (XXXII). The Commission's proposals include certain new projects⁵⁶ involving consultant and meeting services for which no provision is made in the initial budget estimates for 1962. It is intended, however, that these requirements should be met to the extent possible through the application of priorities within the level of appropriations for 1962.

53. Resolution 23 (III) of the Commission concerns the establishment of sub-regional offices. Depending upon the progress made prior to the end of this year, the Secretary-General will submit a further report on this matter to the present session of the General Assembly.

Commission on Human Rights: Yearbook on Human Rights (sections 3 and 11)

54. On the recommendation of the Commission on Human Rights, the Council, in resolution 826 D (XXXII), decided that there is a need for an appropriate increase in the size of the *Yearbook on Human Rights*, in view of the expanding number of States whose activities in the field of human rights call for treatment in the *Yearbook*, and that the *Yearbook* should be published on the basis of about 380 pages in the English edition. The present size is about 330 pages.

55. The additional printing costs will amount to \$550 for the English text and \$500 for the French. There will be additional costs for translation and typing of about \$1,800. Accordingly, additional credits are requested as follows:

	United States dollars
Section 3, chapter IV, Other temporary assistance	1,800
Section 11, chapter II, Recurrent publications	1,050

Commission on Narcotic Drugs: Narcotics Laboratory (section 8)

56. Council resolution 833 A (XXXII) takes note of the report of the Commission on Narcotic Drugs, in which, *inter alia*, it is proposed⁵⁷ that the Narcotics Laboratory complete its present equipment, in particular by the addition of an infra-red spectrophotometer and a fluorimeter. The cost of these instruments would be \$8,500, and supplementary provision in this amount is requested under section 8, chapter VI: Other equipment.

Increase in the membership of the functional commissions of the Council (section 1)

57. Council resolution 845 (XXXII) enlarges the Commission on Narcotic Drugs by six members, and enlarges by three members each of the following Commissions: Human Rights, Status of Women, Statistical, International Commodity Trade, Population and Social, constituting an increase in all of twenty-four members. Since all of the functional Commissions except the Population Commission are to hold sessions in 1962, and since a budgetary provision of \$1,200 is required for the travel expenses of each Member State elected to a functional Commission, additional credits of \$25,200 are required. This increase in appropriations is requested under section 1, chapter III: The Economic and Social Council, commissions and committees.

⁵⁶ *Ibid.*, Supplement No. 10, paras. 283 and 284.

⁵⁷ *Ibid.*, Supplement No. 9, para. 154.

III. SUMMARY OF ADDITIONAL BUDGET REQUIREMENTS FOR THE FINANCIAL YEAR 1962

(A) *Additional requirements for 1962*

<i>Para. reference in this report</i>	<i>Subject</i>	<i>Budget section</i>	<i>Purpose</i>	<i>Proposed amount</i>
				<i>United States dollars</i>
12	Travel and tourism	3	<i>Ad hoc</i> experts.....	10,000
13-20	Industrial development	3	Provisional posts	41,300
		3	Temporary assistance	30,000
		3	<i>Ad hoc</i> experts.....	4,000
		4	Common staff costs.....	9,500
		11	Studies and reports.....	25,000
21-22	World Population Conference	3	Provisional posts	6,400
		4	Common staff costs.....	2,500
23-26	Programme of work of the Population Commission (including regional economic commissions)	3	Temporary assistance	12,800
		3	Individual experts	2,000
		11	Studies and reports.....	19,900
27-31	Programme of work in the social field (including regional economic commissions)	1	Travel of members.....	19,000
		3	Provisional posts	43,300
		4	Common staff costs.....	9,400
		5	Travel of staff.....	9,500
		11	<i>Official Records</i>	1,500
32-33	ECE	3	Provisional posts	5,100
		4	Common staff costs.....	1,000
		11	Recurrent publications	1,200
34-38	ECAFE	3	Provisional posts	45,000
		3	<i>Ad hoc</i> experts.....	21,000
		4	Common staff costs.....	18,000
		5	Travel of staff.....	4,000
39-51	ECLA	3	Provisional posts	60,300
		3	Individual experts	20,000
		4	Common staff costs.....	20,500
		5	Travel of staff.....	12,500
54-55	<i>Yearbook on Human Rights</i>	3	Temporary assistance	1,800
		11	Recurrent publications	1,050
56	Narcotics Laboratory	8	Permanent equipment	8,500
57	Membership of functional commissions	1	Travel of members.....	25,200
TOTAL				491,250

(B) *Summary of additional requirements distributed by budget sections*

<i>Section</i>	<i>Amount</i>	<i>Purpose</i>
	<i>United States dollars</i>	
	<i>Expenditure estimates</i>	
1	Chapter III. The Economic and Social Council, commissions and committees	Annual session of Social Commission (\$19,000); increase in membership of functional commission (\$25,200)
3	Chapter II. Provisional posts.....	201,400 Industrial development (\$41,300); social development (\$43,300); ECE (\$5,100); ECAFE (\$45,000); ECLA (\$60,300); World Population Conference secretariat (\$6,400)
	Chapter IV. Other temporary assistance	44,600 Translation costs for industrialization questionnaire (\$30,000), demographic publications (\$12,800) and the <i>Yearbook on Human Rights</i> (\$1,800)
	Chapter V A. Individual experts and consultants	22,000 Population studies (\$2,000); ECLA (\$20,000)
	Chapter V B. <i>Ad hoc</i> expert groups....	35,000 Travel and tourism (\$10,000); Industrial development (\$4,000); ECAFE (\$21,000 for an expert group on regional co-operation with emphasis on international trade and development)
4	Common staff costs.....	60,900
5	Chapter II. Travel of staff on other official business	26,000 Social development studies (\$9,500); ECAFE (\$4,000); ECLA (\$12,500)
8	Chapter VI. Other equipment.....	8,500 Narcotics Laboratory—permanent equipment
11	Chapter I. <i>Official Records</i>	1,500 Report of Social Commission session
	Chapter II. Recurrent publications.....	2,250 ECE steel statistics (\$1,200); <i>Yearbook on Human Rights</i> (\$1,050)
	Chapter III. Studies and reports.....	44,900 Industrialization questionnaire (\$25,000); Population studies (\$19,900)
TOTAL		491,250
<i>Estimates of income</i>		
	Staff assessment (increase).....	\$40,000

DOCUMENT A/4910

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[3 October 1961]

GENERAL OBSERVATIONS

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/874), containing revisions of the initial budget estimates for 1962 (A/4770) under a number of budget sections as a result of the decisions taken by the Economic and Social Council at its thirty-first and thirty-second sessions in April and July 1961, respectively.

2. The report of the Secretary-General indicates that if the new work programmes requested by the Council were to be fully and immediately implemented, additional requirements would have been in the amount of some \$840,000. The report recalls that in the preparation of the initial estimates for 1962 a special and conscious effort was made to hold the expenditure level to that of the 1961 approved budget; consistent with the same policy, it is stated that the Secretary-General reviewed the new programmes called for by the Council in order to limit the revisions in the initial estimates to those which in his judgement were inescapable or which could not be deferred to a subsequent year. Accordingly, the request for additional funds for 1962 has been restricted to \$491,250. Under estimates of income from staff assessment, an increase of \$40,000 is anticipated.

3. The Advisory Committee commends the measures taken by the Secretary-General to reduce requirements in 1962 in the present context. At a time, when the financial position of the Organization and the steady rise in the level of its budget are matters for increasing concern, a similar awareness of the need to keep new demands within manageable proportions should also be encouraged in the various United Nations organs when they take decisions with financial implications.

4. To this effect, the provisions of General Assembly resolutions 1096 (XI) of 27 February 1957 and 1449 (XIV) of 5 December 1959 may be recalled to advantage. Both resolutions underline the desirability of restricting to a minimum additions to a total programme of work already formulated for a given year and reflected in the main budget estimates submitted by the Secretary-General. In terms of resolution 1096 (XI), it was decided that revised estimates should be limited to:

“(a) Those for which approval is required as a matter of urgency in the interests of peace and security;

“(b) Those in respect of projects which the Secretary-General certifies to be of the highest urgency and which could not have been foreseen at the time the main budget estimates were circulated;

“(c) Those in respect of decisions of the Security Council, the Economic and Social Council or the Trusteeship Council, provided that such requests are circulated to the Governments of Member States not later than twenty-one days before the opening date of the General Assembly session;

“(d) Those in respect of decisions adopted by the General Assembly, either without reference to a Main Committee or on the recommendation of such a Committee.”

Resolution 1449 (XIV) requests all organs of the United Nations to consider ways and means whereby new projects might be deferred until suitable provision for them can be made by the Secretary-General in the main budget estimates for a subsequent financial year, unless they are of major and urgent importance or unless they can be accommodated within approved expenditure levels by the postponement of projects of relatively low priority.

5. The Secretary-General's report indicates that in the course of the formulation of the decisions reflected in it at the Committee, Commission or Council level, the financial implications of such decisions were placed before the appropriate organ in accordance with rule 34 of the rules of procedure of the Council. The attention of the Council was also drawn to the provisions of General Assembly resolution 1449 (XIV). It appears, however, that the Council gave no indication of any items that might be so deferred in so far as its programme of work for 1962 is concerned.

6. The Advisory Committee has paid special heed to the Secretary-General's statement in paragraph 2 of his report, to the effect that the restrictive approach adopted in respect of the revised estimates at present under consideration presupposed that the staffing provisions for economic and social activities made in the initial budget estimates for 1962 would be approved in their entirety.

7. For the guidance of the General Assembly in this matter, the Advisory Committee would recall that in its report on the initial 1962 budget estimates (A/4814, paras. 165 and 175), it recommended a reduction of \$466,400 under section 3—Salaries and wages—and \$150,000 under section 4—Common staff costs. The proposed reductions under section 3 were broken down as follows:

Chapter	United States dollars
I Established posts	225,000
II Provisional posts	200,000
V Consultants and experts	
IV Other temporary assistance	25,000
VI Office of the Executive Agent (Lower Mekong River Basin Development Project)	1,400

Of the reduction proposed for section 4, some \$50,000 was considered consequential to the reduction recommended under section 3.

8. The revised estimates would add \$303,000 to the initial estimate of \$37,309,400 under section 3 and \$60,900 to the initial estimate of \$8,772,300 under section 4. The proposed addition of \$303,000 under section 3 consists of the following:

Chapter	United States dollars
II Provisional posts	201,400
IV Other temporary assistance	44,600
V Consultants and experts	57,000

The basic element involved, therefore, is the reduction recommended by the Advisory Committee in the amount of \$200,000 under chapters II and V taken together. It should be noted in this regard that, of the total of

53 new provisional Professional posts and the 41 new provisional General Service and local level posts originally requested under chapter II, 36 Professional and 15 General Service and local level posts related to economic and social affairs. The requirements under chapter V for consultants and experts arose almost entirely in the economic and social field.

9. In recommending a reduction of \$200,000 in the combined credit of \$1,144,000 requested under chapters II and V, the Advisory Committee stated its belief "that the most urgent of the tasks involved, notably in the economic and social field, might be met within a credit below that requested, particularly if full use

of the establishment provided under chapter I is directed to priority work" (A/4814, para. 146). As pointed out in paragraph 6 of the present report, the Advisory Committee has not overlooked the fact that the revised estimates now submitted were calculated on the basis of the initial estimates submitted by the Secretary-General. The Committee would observe, nevertheless, that its motivation in recommending a reduction, as stated above, continues to be valid.

OBSERVATIONS ON THE REVISED ESTIMATES IN DETAIL

10. The following is a summary of the additional requirements distributed by budget section:

Expenditure estimates

Section	Amount	Purpose
	<i>United States dollars</i>	
1 Chapter III. The Economic and Social Council, commissions and committees..	44,200	Annual session of Social Commission (\$19,000); Increase in membership of functional commission (\$25,200)
3 Chapter II. Provisional posts.....	201,400	Industrial development (\$41,300); social development (\$43,300); ECE (\$5,100); ECAFE (\$45,000); ECLA (\$60,300); World Population Conference secretariat (\$6,400)
Chapter IV. Other temporary assistance	44,600	Translation costs for industrialization questionnaire (\$30,000), demographic publications (\$12,800) and <i>Yearbook on Human Rights</i> (\$1,800)
Chapter V A. Individual experts and consultants	22,000	Population studies (\$2,000); ECLA (\$20,000)
Chapter V B. <i>Ad hoc</i> expert groups....	35,000	Travel and tourism (\$10,000); Industrial development (\$4,000); ECAFE (\$21,000 for an expert group on regional co-operation with emphasis on international trade and development)
4 Common staff costs.....	60,900	
5 Chapter II. Travel of staff on other official business	26,000	Social development studies (\$9,500); ECAFE (\$4,000); ECLA (\$12,500)
8 Chapter VI. Other equipment.....	8,500	Narcotics Laboratory—permanent equipment
11 Chapter I. <i>Official Records</i>	1,500	Report of Social Commission session
Chapter II. Recurrent publications.....	2,250	ECE steel statistics (\$1,200); <i>Yearbook on Human Rights</i> (\$1,050)
Chapter III. Studies and reports.....	44,900	Industrialization questionnaire (\$25,000); Population studies (\$19,900)
TOTAL		491,250
<i>Estimates of income</i>		
Staff assessment (increase).....		\$40,000

11. Of the total of \$491,250 requested, \$151,200 relates to non-recurring items which will give rise to costs only in 1962, as specified in paragraph 3 of the Secretary-General's report (A/C.5/874). Items of a continuing nature, for which there are requirements beyond 1962, are estimated to cost \$340,050 in that year. The details are given in paragraphs 4 and 5 of the Secretary-General's report. In the latter regard, it is noted that a number of the 1962 requirements, notably provisional posts, have been calculated for only part of the year, to allow for normal delays in implementation. The full annual cost of the continuing items is provisionally estimated at some \$450,000.

12. The Advisory Committee has taken note of the fact that, with the exception of certain requirements for ECLA, the report of the Secretary-General does not deal specifically with Economic and Social Council resolution 823 (XXXII) on decentralization of the United

Nations economic and social activities and strengthening of the regional economic commissions. Under the latter resolution, the Secretary-General was requested, *inter alia*, to report to the General Assembly at its sixteenth session on the administrative and organizational measures and changes that had been put into effect, and were required to be put into effect, to advance the process of decentralization, which had been agreed to in principle in General Assembly resolution 1518 (XV). Such budgetary implications as will be involved for future years will be set out in that report when it becomes available. This matter has been the subject of preliminary comment by the Advisory Committee in its report (A/4901, paras. 35 and 36) submitted in connexion with item 61 of the agenda. The Committee has, however, deferred its detailed comments pending receipt of the Secretary-General's report called for by Economic and Social Council resolution 823 (XXXII).

13. The report of the Secretary-General under consideration leaves out of account the financial implications of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less-Developed Areas which is to be convened in 1962 in accordance with Economic and Social Council resolution 834 (XXXII). The requirements involved (\$2,404,900, of which \$185,000 is estimated to fall in 1961; \$1,761,900 in 1962 and \$458,000 in 1963) are dealt with in document A/C.5/878 and will be the subject of a separate report by the Advisory Committee.

14. As to the detailed aspects of the present revised estimates, the Advisory Committee would restrict its observations to two items.

15. With reference, in the first instance, to the costs which will arise in connexion with the conference on international travel and tourism, to be convened in 1963 in accordance with Economic and Social Council resolution 813 (XXXI), the Advisory Committee feels bound to draw attention to its observation, in its report on the review of the activities and organization of the Secretariat (A/4901), to the effect that "whenever proposals for special conferences arise, it should be carefully considered in each case whether it is either necessary or appropriate for the particular conference to be financed by the United Nations" (A/4901, para. 55).

16. In the second instance, the Advisory Committee notes with regret that, under Economic and Social Council resolution 830 J (XXXII), the Social Commission will henceforth hold annual meetings. The Committee of Experts appointed under General Assembly resolution 1446 (XIV) in connexion with the recent review of the activities and organization of the Secretariat had occasion to note (A/4776, para. 175) that there was a tendency for various subsidiary organs to demand a too frequent scheduling of meetings and that the programme of work of the functional commissions

of the Economic and Social Council should be reviewed by that Council with particular reference to the frequency of meetings. In its related report (A/4901, para. 70), the Advisory Committee expressed full agreement with those comments, particularly the proposal that the Economic and Social Council should itself review the question of periodicity of meetings of its functional commissions. The Advisory Committee adheres to this view; in fact, it has drawn attention to this matter on a number of previous occasions and has stated⁵⁸ that there would be advantage in extending the biennial pattern of sessions to those functional commissions and other subsidiary bodies of the Economic and Social Council which do not now follow that pattern. On the present occasion, the Committee would add that in all cases where annual meetings are demanded, serious attention should be given to an alternative arrangement whereby the full commission would be convened every other year and only a sub-committee or working party would meet in intervening years to conduct preparatory studies on specific problems. The Committee feels that, apart from budgetary considerations, such an approach may yield greater practical results as far as the work of the subsidiary organs themselves is concerned.

RECOMMENDATION OF THE ADVISORY COMMITTEE

17. Subject to the comments and reservations contained in the foregoing paragraphs, the Advisory Committee recommends that a total additional provision of \$491,250 be included in the 1962 appropriations, as submitted by the Secretary-General in respect of sections 1, 3, 4, 5, 8 and 11. The Committee also concurs in the increase of \$40,000 under income from staff assessment.

⁵⁸ *Official Records of the General Assembly, Fifteenth Session, Supplement No. 7, para. 44.*

Section 2

United Nations Wheat Conference

DOCUMENT A/C.5/894

Report of the Secretariat

[*Original text: English*]
[31 October 1961]

1. At the time of the preparation of the initial budget estimates for 1962 (A/4770) it was not known if any commodity conferences would be held during that year. Consequently, no financial provision was made in those estimates for such conferences. Reference was made, however, to the possibility that the International Wheat Council would request the Secretary-General to convene a conference to negotiate a new agreement. It was proposed that to the extent that an agreed meetings programme could not be advised beforehand, such conferences as were required to be held in 1962 should be financed under the provisions of the resolution relating to unforeseen and extraordinary expenses. Paragraph 1 (c) of General Assembly resolution 1585 (XV) provided that the prior concurrence of the Advisory Committee on Administrative and Budgetary

Questions would be necessary for commitments exceeding a total of \$25,000 in this respect.

2. A request has now been received from the International Wheat Council for a United Nations Wheat Conference to be held in Geneva from 31 January to 6 March 1962. In accordance with the procedure established under Economic and Social Council resolutions 296 (XI), 373 (XIII) and 557 F (XVIII), the Wheat Council's request was referred to the Interim Coordinating Committee for International Commodity Arrangements (ICCICA), which examined it and has recommended that the conference be held.

3. The conference will require the following services: simultaneous interpretation from and into English, French, Russian and Spanish and summary records in

English, French and Spanish for two meetings daily; the normal documentation to be provided in English, French, Russian and Spanish. During the period in question the European Office of the United Nations, Geneva, will have its regular local workload and in addition it will be called upon to send staff early in February 1962 to Addis Ababa to service the fourth session of the Economic Commission for Africa. Nevertheless, it is hoped that part of the interpreter requirements during the first ten days of the Wheat Conference can be provided from the permanent strength of the office, which will also undertake with existing staff the translation and typing of documents in the English and Russian languages throughout the conference. All other requirements, however, will have to be met by the recruitment of temporary staff.

4. The estimate for holding this Conference in Geneva during the period 31 January to 6 March 1962 is as follows:

	<i>United States dollars</i>
Travel and subsistence of staff.....	5,200

	<i>United States dollars</i>
Temporary assistance	44,500
TOTAL	49,700

The estimate under travel and subsistence of staff covers the travel of four and the subsistence of five staff members detailed from Headquarters.

5. The estimate of \$44,500 for temporary assistance provided for the recruitment of 23 Professional staff, namely 8 interpreters (4 for the entire conference plus 4 for 23 days), 4 English précis-writers, 3 French translators, 4 Spanish translators, 4 revisers (1 English, 1 French, 2 Spanish) at a cost of \$28,500. The balance of \$16,000 includes \$12,500 for General Service staff to provide secretarial, stenographic and typing assistance in 3 languages and staff for the reproduction and distribution of documents and \$3,500 for travel of non-locally recruited staff.

6. Accordingly, revised estimates for the financial year 1962, involving an increased provision under section 2—Special meetings and conferences—in the amount of \$49,700, are hereby submitted.

DOCUMENT A/4965

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[13 November 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/894) submitting revised estimates for section 2—Special meetings and conferences—for the purpose of convening a United Nations Wheat Conference in Geneva from 31 January to 6 March 1962.

2. In accordance with the established procedure for convening international commodity conferences, as established by the relevant resolutions of the Economic and Social Council (resolutions 30 (IV), 296 (XI), 373 (XIII) and 557 F (XVIII)), the present conference is being called by the Secretary-General on the recommendation of the Interim Co-ordinating Committee for International Commodity Arrangements (ICCICA), acting on a request received from the International Wheat Council.

3. The total cost is estimated at \$49,700, consisting of \$5,200 for the travel and subsistence of five staff members to be detailed from United Nations Headquarters in New York and \$44,500 for temporary assistance. The staff detailed from Headquarters will comprise an Executive Secretary for the conference, a Deputy Executive Secretary, a legal affairs officer, an economic affairs officer and an assistant. The temporary assistance requirements are for the recruitment of twenty-three Professional language staff (interpreters, précis-writers, translators and revisers) as well as the necessary number of General Service staff to provide secretarial, stenographic and typing assistance and staff for the reproduction and distribution of documents.

4. The Advisory Committee notes that the estimate for temporary assistance takes into account that the European Office, Geneva, will be able to provide part

of the required conference servicing staff, but that its contribution will be limited by the fact that it will be called upon to send staff to Addis Ababa early in February to service the fourth session of the Economic Commission for Africa. The Committee therefore gave some attention to the question whether it would not have been feasible to plan the conference during a period when fuller use could have been made of existing staff resources. It appears in this regard that special circumstances connected with a meeting of the Wheat Council in December 1961 and the expiration of the present Wheat Agreement at the end of June 1962, have precluded an alternative timing.

5. The Advisory Committee has also reverted to the wider issue of the standing conference servicing capacity of the European Office. The basic manning table is geared quite rightly to the normal conference work-load, and temporary additional requirements are bound to arise in the case of special conferences, as in the present case. The Committee would trust, nevertheless, that on each such occasion every effort will be made to make the most advantageous possible use of existing resources. The Committee understands that the general aspects of this matter are to be the subject of a special administrative survey and looks forward to being informed of the result.

6. In the belief that it will prove possible, in the case of the Wheat Conference, to make better use of existing staff resources in Geneva than is reflected in the estimates as submitted, the Advisory Committee recommends an appropriation under section 2 in the amount of \$45,000 for this purpose. This represents a reduction of \$4,700 in the provision proposed by the Secretary-General.

Sections 2 and 7 and income section 1

Revised estimates resulting from decisions of the Economic and Social Council
United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas

DOCUMENT A/C.5/878

Report of the Secretary-General

[Original text: English]
 [21 September 1961]

INTRODUCTION

1. In paragraph 25 of the foreword to the budget estimates for the financial year 1962 (A/4770) reference is made to a proposal for the convening of a United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas. This proposal had its origin in the United Nations Scientific Advisory Committee and was discussed at its meetings held at Bombay in January 1961 and at Rome in May 1961. Consultations were held with the specialized agencies concerned in the course of the elaboration of the proposal, and the executive heads of these agencies and of the International Atomic Energy Agency (IAEA) have expressed their warm support of the proposal and their readiness to assist in the planning and preparation of such a conference should the proposal be accepted by the United Nations General Assembly.

2. The Secretary-General brought to the attention of the Economic and Social Council at its thirty-second session held in Geneva in the summer of 1961 a letter addressed to him by the Acting Chairman of the United Nations Scientific Advisory Committee which transmitted the report agreed at the Rome meetings of that body.⁵⁹ The Council unanimously adopted resolution 834 (XXXII) which approves the holding, in Geneva for a period of twelve days in 1962, of a United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas. In adopting this resolution, the Council had before it the statement of financial implications submitted by the Secretary-General.⁶⁰

PURPOSES OF THE CONFERENCE

3. The Conference is intended to provide an opportunity for a comprehensive view and a critical assessment of the impact, actual or potential, of science and technology on the process of development of the less advanced countries and, in particular:

(a) To assist in identifying areas where research specifically oriented towards conditions, requirements and opportunities in under-developed countries needs to be developed, both by research institutions in advanced countries and by the development of research facilities in less advanced countries;

(b) To give a general stimulus to the organization of scientific and technological research in newly independent States and to co-operation in scientific and technological fields by the developed and less developed countries.

4. The Conference would be organized under the auspices of the United Nations in co-operation with the interested specialized agencies. Much has already been done, and continues to be done, by these bodies as well as by numerous public and private institutions to encourage research and its application in connexion with specific problems in under-developed countries and to promote international co-operation in this field. It is the hope that the Conference would provide an opportunity for a stock-taking and serve as a further stimulus to this work.

ORGANIZATION OF THE CONFERENCE

5. Council resolution 834 (XXXII) calls for the Conference to be convened in Geneva, if possible, in August 1962, for not more than twelve days. It is expected that the work of the Conference will be carried out partly in plenary session, partly in committees, and partly by evening lectures. All States Members of the United Nations or of the specialized agencies will be invited to include among their representatives individual experts competent in the fields to be discussed by the Conference. In addition, specialized agencies, the IAEA and interested non-governmental organizations in consultative status will be invited to designate representatives at the Conference.

FINANCIAL IMPLICATIONS

6. The financial implications submitted to the Council included provisions for expenses related to the preparatory work for the Conference arising in the last quarter of 1961. The estimates submitted in this report include the anticipated requirements for 1961 as well as those for 1962 and 1963. The amounts necessary to meet the 1961 expenses should be authorized as additional credits to the supplementary estimates for the financial year 1961 (A/4870).

7. In drawing up the cost estimates presented herein, the Secretary-General has drawn on the experience gained in the organization of the two United Nations Conferences on the Peaceful Uses of Atomic Energy held in 1955 and 1958, respectively, in Geneva. The difference between the estimates presented in this paper and those in the financial implications submitted to the Council arises from more information becoming available regarding the requirements of the Conference. However, it will be appreciated that further consultations with the United Nations Scientific Advisory Committee and with the Secretary-General of the Conference, when he is appointed, are necessary before the details of the organization and programme of the Conference are finalized.

8. The estimates are based on the following assumptions:

⁵⁹ *Official Records of the Economic and Social Council, Thirty-second Session, Annexes, agenda item 14, document E/3510.*

⁶⁰ *Ibid.*, agenda item 23, document E/3510/Add.1.

(a) That the Conference will be held in Geneva in August 1962 for a period of two weeks;

(b) That the travel and subsistence expenses of the participants will be borne by the respective Governments, organizations or institutions;

(c) That the Conference will be organized into eight committees, each meeting eight or nine times, and that eight plenary meetings will be held;

(d) That the working language of the Conference will be English: simultaneous interpretation into French, Russian and Spanish will be provided during the Conference;*

(e) That the number of papers submitted to the Conference will be limited to 500 and each paper will average twenty-five manuscript pages in length, including charts, graphs and illustrations;

(f) That the papers will be submitted in one of the four languages of the Conference, namely, English, French, Russian and Spanish. It is further assumed that the papers will be of two types: the first, an over-all or general appreciation of a theme identifying problems and isolating areas for further study or research; and the second, a highly technical one dealing with a specific item or a group of related items of the theme. The number of "general" papers will not exceed 100;

(g) That the 100 "general" papers will all require to be translated into the other three languages, reproduced and distributed in time for the Conference; and that the 400 "technical" papers will be reproduced and distributed only in their original language. However, summaries of these "technical" papers (each of two pages) to be submitted by the authors will be translated into the other three languages, reproduced and distributed;

(h) That the proceedings of the Conference, consisting of technical papers and summaries of the discussions will be printed as a multilingual United Nations publication.

9. Two points about the estimates submitted in this paper call for special attention:

(a) In his initial submission of revised estimates for 1962 resulting from the decisions of the Economic and Social Council at its thirty-first and thirty-second sessions, the Secretary-General had indicated a figure at approximately \$1.85 million as his estimate of the cost of this Conference (A/C.5/874, para. 11). Since this estimate was mentioned, the basic assumptions in regard to the translation and reproduction of the papers submitted to the Conference have had to be modified

* *Editorial note*: see statement by Mr. Turner (Controller) on 13 October 1961 at the 855th meeting of the Fifth Committee.

in the sense indicated paragraph 8 (d) and (g) above. The increase in the amount of translation and reproduction work naturally calls for an upward revision in the cost estimates, the more so since the bulk of this work will have to be done by external contract.

(b) The level of the estimates for the publication of the proceedings of the Conference will be affected by the interpretation given to the assumption in paragraph 8 (h) above, inasmuch as the determination of the contents of the final publication of the proceedings will govern the volume of translation, editing, typing, reproduction and printing work to be undertaken. The amounts requested in this paper are on the conservative basis which assumes that the proceedings will be published as a multilingual edition comprising eleven volumes: one volume for each main theme of discussion (i.e., eight volumes corresponding to the eight committees), one volume on general informational material on the Conference consisting of the text of the 400 "technical" papers in their original languages and summaries in the three other languages, and two volumes in each language for the 100 "general" papers.

10. The total costs of the Conference would thus amount to \$2,404,900, as shown below:

1961.....	\$185,000	(to be authorized as additional to the estimates for 1961)
1962.....	\$1,761,900	(to be included in the revised estimates for 1962)
1963.....	\$458,000	(to be included in the budget estimates for 1963)

All these expenses would fall under section 2 of the budget estimates—Special meetings and conferences. The Secretary-General would intend to administer the Conference budget as one unit, thus preserving a degree of flexibility for transfer between the amounts approved for the individual items comprising the budget. Such flexibility is essential in view of the tentative character of these estimates.

11. A summary and supporting detailed explanation of the various items of expenditure are in the attached annex. For facility of review, the cost estimates have been presented in four parts: part I relates to the preparatory expenses, which would fall in 1961; part II relates to the expenses which will arise in 1962 for the continuance of the Conference secretariat in 1962 and the costs of the actual servicing of the Conference; part III relates to the preparation and publication of the Conference documentation, the costs of which fall partly in 1962 and partly in 1963; part IV indicates additional expenses that will be entailed should the General Assembly decide in favour of the second alternative requiring the publication *in extenso* and in all the four languages (English, French, Russian and Spanish) of all the 500 papers submitted to the Conference.

ANNEX

Summary

United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas

Note: In so far as the cost estimates herein presented relate to the translation and publication of the Conference proceedings, the actual progress of the work during 1962 may well require the carry-over to 1963 of part of the credits requested for 1962.

Overtime—\$1,000

5. Based on the experience of the two United Nations Conferences on the Peaceful Uses of Atomic Energy and of the United Nations Conference on New Sources of Energy, an amount of \$1,000 in 1961 is provided for overtime.

Travel and subsistence of staff—\$4,000

6. Provision is made for one trip to Europe of three weeks' duration by the Secretary-General of the Conference and the Executive Secretary for consultations with specialized agencies, the IAEA and other scientific non-governmental organizations in consultative status.

<i>Summary</i>	<i>United States dollars</i>
United Nations Scientific Advisory Committee and Scientific Advisory Panel.....	26,000
Temporary assistance	104,000
Overtime	1,000
Travel and subsistence of staff.....	4,000
General expenses	50,000 ^a
TOTAL	185,000

^a (The costs refer to the alterations in the Palais des Nations, Geneva. As explained in detail in part II of this annex, work on these alterations will have to be begun in 1961, if the office space is to be available for the Conference. It is expected that approximately \$50,000 of the total \$130,000 shown in part II will be committed in 1961.)

PART II. 1962 REQUIREMENTS (EXCLUDING PROCESSING AND PUBLICATION OF THE CONFERENCE DOCUMENTATION WHICH IS DEALT WITH IN PART III)

Note: The cost estimates under this section are based on the assumption that the nucleus of the Conference secretariat established in the last quarter of 1961 will move to Geneva in January 1962 and will remain there until the close of the Conference.

United Nations Scientific Advisory Committee and Scientific Advisory Panel—\$55,000

7. The Committee and the Panel will hold two meetings in 1962, the first of five days' duration in the opening months of the year, and the second during the entire period of the Conference. The provision proposed covers expenditures related to both meetings for the travel and subsistence of the Committee members to Geneva. The related costs amount to:

	<i>United States dollars</i>
United Nations Scientific Advisory Committee..	20,500
Scientific Advisory Panel.....	34,500
TOTAL	55,000

Temporary assistance—\$565,500

8. Provision will require to be made for the continuation through 1962 of the nucleus of the Conference secretariat established in the last quarter of 1961; its expansion in 1962; and the engagement of the temporary conference servicing staff (interpreters, translators, précis-writers, secretaries, receptionists, huissiers, etc.). The costs in this connexion are detailed below.

Continuation of the nucleus of the Conference secretariat

9. Costs of the above-mentioned secretariat comprise:

	<i>United States dollars</i>
(a) Fees and subsistence for the Secretary-General of the Conference for 250 man-days (January to October 1962) in Geneva (fees \$50 a day and subsistence \$20 a day)	17,500
(b) Salary and related allowances of the Executive Secretary of the Conference and his Deputy for the full twelve months in 1962	42,000

United States dollars

- (c) Replacements for the staff assigned from the regular establishment to the Conference secretariat for the full twelve months in 1962. Three substantive staff, the Executive Officer, the Administrative Officer, and three General Service (professional/administrative assistants). The salaries and related common staff costs for these are estimated at..... 102,000
- (d) Continued services of eight Scientific Secretaries for the full year. Salary and common staff costs are estimated at..... 170,000

Expansion of the Conference secretariat

10. These costs derive from:

- (a) Additional secretarial-clerical staff for the Conference secretariat. These will be recruited in Geneva, on an as-and-when required basis, as the work of the Conference secretariat develops. It is estimated that approximately twenty such staff will be required for ten months in 1962. The costs are estimated at 69,000
- (b) As the bulk of the technical papers will be submitted in the early half of 1962, it will be necessary to resort to a greater extent than in the closing months of 1961, to eminent consultants and scientific experts for reviewing the papers before having them reproduced and distributed. A lump-sum provision of \$100,000 is proposed to cover the fees, and in some cases the travel, of these expert consultants. This amount will permit the employment of up to 25 expert-consultants for periods of two to three months each.... 100,000

Conference servicing staff

11. Apart from the Conference secretariat, the servicing of the Conference will require the temporary employment of conference staff such as interpreters, translators, précis-writers, revisers, editors, secretaries and typists for the language staff, documents-control clerks, mimeograph operators, sound technicians, huissiers, cleaners, etc. While to the extent possible advantage will be taken of the presence in Europe at this time of regular staff servicing other United Nations meetings, it is inevitable that the greater part of the servicing staff will have to be recruited specially for the Conference. The manning table below gives the details of the staffing requirements and is based on the following assumptions, which are additional to those mentioned in paragraph 8 of the general part of this paper.

(a) The Conference would be organized into eight committees each charged with a group of themes, and each meeting not more than twice a day during not more than eight out of the twelve days the Conference will be in session. Besides the committee meetings, the Conference will convene in plenary session eight times. It is further assumed that the total number of meetings to be serviced will be approximately eighty.

(b) No verbatim records will be issued; instead the proceedings will be recorded on tape, and summaries of the discussions will be prepared by a specially recruited team of précis-writers.

(c) In-session documentation will be limited to a daily journal and a Conference (information) handbook. No daily summary records or similar documentation will be issued.

(d) Simultaneous interpretation into English, French, Russian and Spanish will be provided.

(e) No more than five meetings will require to be serviced at a time.

	Total number	Headquarters and European Office staff	To be recruited from outside
Interpreters	40	24 from Headquarters (8 on home leave) 8 from the European Office	8
Précis-writers (three per committee and three for the plenary).....	27	—	27
Typists for précis-writers.....	25	25 (5 on home leave)	—
Translators (two English, three French, two Russian and three Spanish).....	10	—	10
Revisers (one for each language).....	4	—	4
Typists and stenographers for translators and revisers	18	—	18
Other typists and clerks (one finance, one personnel, one library, one correspondence five secretaries for the Information Desk for one month each, and six clerks).....	15	—	15
Sound technicians and operators of simultaneous interpretation equipment, technicians for sound recording and for films.....	25	1	24
Documents staff	19	5 (from the Publishing Service, Headquarters)	14 (ten collators and four clerks)
Mimeograph operators, distribution personnel, car park attendants	62	—	62 (plus part-time cleaning staff as necessary)

12. The cost of the additional staff to be recruited from the outside specifically for servicing the Conference is estimated at \$65,000. It will also be necessary to appoint an Information Officer (P-4 level) and a secretary (G-3 level) for ten months in 1962, to deal with the public information aspects of the Conference at an estimated cost of \$13,500.

Overtime—\$50,000

13. The provisions are based on the experience of the two United Nations Conferences on the Peaceful Uses of Atomic Energy and the United Nations Conference on New Sources of Energy. Overtime in connexion with the reproduction and distribution of the documents for the Conference will be necessary in 1962. Inasmuch as the bulk of this work coincides with the preparation of documentation for the regular United Nations Conference programme, overtime work after office hours and during week ends will be unavoidable. The estimated requirements are \$50,000.

Travel and subsistence of staff—\$167,900

14. The provision proposed under this item covers the travel and subsistence for the following:

- United States dollars*
- (a) One round-the-world trip for the Secretary-General of the Conference and the Executive Secretary to permit discussions at Headquarters, New York, and with the regional secretariats. It is expected that this trip will be of some six weeks' duration; several short trips in Europe may also be necessary for consultations with the specialized agencies, the IAEA, governmental and non-governmental organizations. The requirements are estimated at
- 8,000
- (b) Provision is proposed for the travel in Europe on official business by the staff of the Conference secretariat, and the Information Officer for discussion with the IAEA and other specialized agencies and organizations, and one trip to Europe by a member of the Headquarters Publishing Service for negotiating printing contracts. These requirements are estimated at
- 8,000
- (c) The move of the Conference secretariat including the eight Scientific Secretaries from

United States dollars

New York to Geneva in January 1962. Assuming that 10 such staff in addition to the Scientific Secretaries are assigned to Geneva in this connexion (Executive Secretary, 3 substantive staff, the Executive Officer (P-5), the Administrative Officer (P-3), a Conference Officer (P-3) in addition to the nucleus of the secretariat established in the last months of 1961 and 3 administrative assistant (G-4/G-5)), and that they will draw subsistence in Geneva at a reduced conference rate, the costs will be as follows: transportation—\$17,600; subsistence and miscellaneous expenses—\$66,400, a total of.....

- 84,000
- (d) Travel of 4 Information Officers from Headquarters to Geneva to supplement the Conference Information Officer and the staff of the Geneva Information Unit immediately prior to, during and immediately after the Conference. Subsistence is provided for a period of thirty days for these information officers. The estimated costs are as follows: transportation—\$3,200, subsistence, etc. \$1,600, making a total of
- 4,800
- (e) The travel and subsistence of the servicing staff, comprising transportation costs of non-local staff recruited specifically for servicing the Conference and subsistence for the Headquarters staff servicing the Conference. Based on the following assumptions, these costs are estimated at.....
- 63,100
- (i) Travel of 25 typists for précis-writers from Headquarters (assuming 5 on home leave in Europe) \$16,000; subsistence for 15 days and terminal expenses—\$5,000.
- (ii) Travel of 24 interpreters from Headquarters (assuming 8 on home leave in Europe) \$12,800; subsistence for 15 days and terminal expenses—\$4,500.
- (iii) Travel of 5 staff members from the Publishing Service at Headquarters for Conference documentation work—\$4,000;

	<i>United States dollars</i>
subsistence for 90 days each and terminal expenses—\$5,000.	
(iv) Travel costs for the staff of translators, revisers, editors, secretarial-clerical staff recruited in Europe specially for the Conference—\$15,000.	
TOTAL	167,900

General expenses—\$185,000

15. Provision is made in the estimates for:

	<i>United States dollars</i>
(a) Communication services: provision under this item covers postage, cables, telephones, and the diplomatic pouch service. The requirements are estimated at.....	25,000
(b) Photographic and motion picture supplies and services. The requirements are wholly related to public information activities, and are estimated at.....	5,000
(c) Radio and television services.....	6,000
(d) Freight: covers the distribution of documents, and other costs as may arise in relation to shipping of exhibits for the Conference.....	20,000
(e) Miscellaneous supplies and services, including contractual printing for public information material.....	25,000
(f) Rental of equipment: provides for the rental of sound recording equipment, projector, etc., and of other office furniture and equipment.....	20,000
(g) Alterations to premises.....	80,000 ^a
(h) Hospitality: the provision covers a reception to the participants in the Conference and other casual official hospitality which the Secretary-General of the Conference may undertake during 1962.....	4,000
TOTAL	185,000

^a The total requirements for alterations to premises amount to \$130,000. Of this sum \$50,000 will be committed in 1961. Provision for this has been included in part I of this annex.

16. The estimate under sub-paragraph (g) above relates to the alterations to the Palais des Nations to provide office space for the Conference secretariat and servicing staff.

17. It covers the conversion of the terrace situated above conference room XVI into office space with a superficial area of 800 square metres (about 9,000 square feet). About 26 standard size office units would be created in this space. It also provides for the creation of 14 additional temporary offices in nearby large corridors. Thus, a total of 40 office units should be available for the Conference secretariat.

18. The lack of adequate office space in the Palais des Nations was brought to the attention of the Advisory Committee on Administrative and Budgetary Questions in 1960 when the possibility of undertaking the necessary work as part of the modernization programme was reviewed. The Committee, while recognizing the need, indicated that it would be preferable to await the occasion of a large-scale conference before undertaking such a sizeable project.

19. During the course of 1960 and 1961, it has been necessary, in order to meet the regular needs of users of the Palais, to rent and borrow substantial amounts of space outside the Palais. During the peak period of 1961, four large segments of office space were in use outside the Palais, under temporary arrangements. Almost 100 staff members were accommodated in these premises, and the total cost, including rental charges, utilities, service personnel, and transport, approached \$3,000 per month. This figure does not take into account loss of staff time and administrative difficulties created by the dislocations.

In 1961 it has become increasingly difficult to find office space at any price, and it is clear that the requirements for the Conference must be found within the Palais itself. These could be produced only through the construction envisaged. This project for additional office space is related to the total modernization programme, but has never formed a part of the basic plan, which was approved originally by the General Assembly in 1957, with later adjustments in 1959. While it is likely that some provision would have to be made for this work in any event in the course of time, the requirements of the Conference in 1962 make it essential to proceed without loss of time and in direct connexion with the planning for the Conference.

20. The estimated costs are based on detailed plans developed by the architects of the Palais. They include the following specific items:

- (a) Creation of framework through use of metal beams and reinforced concrete;
- (b) Roofing and insulation;
- (c) Water-proofing;
- (d) Hardware;
- (e) Light fixtures;
- (f) Removal of present stone flooring and installation of office-type flooring;
- (g) Creation of access corridors;
- (h) Creation of ramps and stairs;
- (i) Construction of double outside walls;
- (j) Installation of suspended ceilings of acoustical type;
- (k) Installation of two groups of toilets;
- (l) Provision of heating;
- (m) Installation of air-conditioning and ventilation system;
- (n) Electrical and telephone systems;
- (o) Construction of partitioning for offices.

21. Provided that firm orders for materials can be placed early in the autumn of 1961, it will be possible to make substantial progress by the end of the year, including the building of the framework and roof in order to permit construction to proceed during the winter months. The work could then be completed by the end of April 1962. It is for this reason that \$50,000 of the total estimate of \$130,000 have been included in part I of this annex.

Summary (1962 requirements excluding the cost of the proceedings of the Conference)

	<i>United States dollars</i>
United Nations Scientific Advisory Committee and Scientific Advisory Panel.....	55,000
Temporary assistance.....	565,500
Overtime.....	50,000
Travel and subsistence of staff.....	167,900
General expenses.....	185,000
TOTAL	1,023,400

PART III. REQUIREMENTS FOR THE PREPARATION OF THE CONFERENCE DOCUMENTATION, AND FOR ITS PUBLICATION

22. For the purposes of the cost estimates in part III, it is assumed that the final published proceedings of the Conference would be in the form of a multilingual edition comprising eleven volumes: one volume for each main theme of discussion (i.e., eight volumes corresponding to the eight committees), one volume on general informational material on the Conference consisting of the text of the 400 "technical" papers in their original languages and summaries in the three other languages, and two volumes in each language for the 100 "general" papers. The costs of publication are estimated as follows:

(a) *Translation*

As already indicated, 100 "general" papers will require to be translated, reproduced and distributed prior to the Conference. This means that there will be 7,500 pages of text for translation

(100 "general" papers averaging 25 pages each in three languages). At an average cost of \$15 per page the requirements will be \$112,500. In addition, summaries of the 400 "technical" papers mostly provided by the authors themselves will have to be translated, reproduced and distributed in time for the Conference. The cost of the translation of the summaries is estimated at \$36,000. Thus, the total costs of translation will be \$148,500, all falling in 1962.

(b) *Reproduction and distribution of the papers and summaries*

The 400 "technical" papers, averaging twenty-five pages each or a total of 10,000 pages, will all be reproduced and distributed in their original languages prior to the Conference. In addition, the 100 "general" papers and summaries (of two pages each) all in the four languages, will require to be reproduced and distributed in time for the Conference. Since this work of reproduction and distribution will coincide with the heavy workload of regular United Nations meetings scheduled in the spring and summer months, the bulk of this work will have to be done by external contract. It is estimated that the cost of reproduction of the 23,200 pages of text in the four languages will be approximately \$490,000, taking account of whatever capacity can be made available from within existing resources both at Headquarters and in Geneva.

(c) *Printing of the proceedings*

On the basis of a multilingual edition comprising eleven volumes as indicated above, printing costs are estimated at \$538,000, including \$200,000 for temporary copy-preparation, proof reading and presentation staff. Approximately \$100,000 of this amount would be spent in 1962 and the balance of \$438,000 in 1963. It should be noted that the estimates are based on the possibility of obtaining the most favourable prices for printing in the international market.

(d) *Indexing of the proceedings*

It is expected that the indexing could be undertaken partly by existing staff and partly by contractual services. The cost of the latter are estimated at \$20,000.

23. The total cost of publishing the proceedings therefore on the basis of the foregoing would amount to \$1,196,500 of which \$738,500 would be spent in 1962 and \$458,000 in 1963. Some adjustment in the division of expenditures between the two years may well become necessary, should progress in 1962 be somewhat slower than now foreseen.

Summary	1962	1963
	United States dollars	
(a) Translation, editing and typing of summaries of papers.....	148,500	—
(b) Reproduction of papers in original languages and such translations as are provided by the authors together with summaries of papers in four languages	450,000	—
(c) Printing—multilingual editions comprising nine volumes consisting of text of papers in their original languages, summaries of these papers in four languages and summary of the discussion of each item or group of related items.....	100,000	438,000
(d) Indexing of the proceedings of the Conference	—	20,000
TOTAL	738,500	458,000

PART IV. SUPPLEMENTARY INFORMATION ON THE COST ESTIMATES FOR PUBLICATION OF THE PROCEEDINGS OF THE CONFERENCE

24. The requirements listed in part IV are additional to those set out in part III, in the event the General Assembly should decide that the proceedings of the Conference should be

printed *in extenso* constituting in effect four separate language editions containing all of the 500 papers together with a summary of the discussion of each item or group of items.

25. Such a decision would call for the translation of all papers from the original languages into the other three languages. Since each paper would average some 25 pages this would mean the translation of a total of approximately 37,500 pages into the four languages. The cost of such an undertaking would be in the region of \$562,500 based on an average cost of \$15 a page including typing and editing. In view of the volume of translation involved, however, coupled with the fact that much of the text would be highly technical, it is foreseen that there will be considerable difficulty in accomplishing such a task during the limited period between the receipt of the papers and the opening of the Conference. As already indicated in part III, paragraph 22 (a) of this annex, the 100 "general" papers would be translated, reproduced and distributed at an estimated cost of \$148,500. Thus, the additional cost of translating the full text of the 400 "technical" papers in time for the Conference will be \$450,000. This expenditure will fall in 1962.

26. The volume of material to be reproduced would also increase under such circumstances. The extent of the increase would depend on the rate of translation of the papers. Since the 100 "general" papers would already have been translated as indicated in part III, only the 400 "technical" papers would remain to be translated, reproduced and distributed. It is estimated that the costs of reproduction of these papers would be approximately \$450,000, all arising in the year 1962, and assuming that a major part of the work will need to be done by external contract. This amount includes the costs of paper and supplies. Such of the papers as are not translated in time for the Conference would not be reproduced but would appear in the final printed publication. It would, of course, still be necessary to reproduce all of the papers in their original languages and summaries in four languages of those papers not translated in time for the Conference. Consequently, most of the expense estimated at \$490,000 shown under part III, paragraph 22 (b) would still have to be incurred in 1962.

27. As regards actual printing costs, a decision to publish four separate language editions containing the full text of all 500 papers together with a summary of the discussions of each item or group of items would entail a total cost of \$1,418,000 or an additional cost of \$880,000. This amount comprises: \$538,000 for the English edition (including \$200,000 for temporary copy-preparation, proof reading and presentation staff); \$198,000 for the French, \$180,000 for the Spanish and \$180,000 for the Russian editions, together with a sum of \$320,000 for the copy-preparation, proof reading, etc. for these three language versions. It is estimated that of the additional requirements of \$880,000 approximately \$150,000 might be spent in 1962 and the balance of \$730,000 in 1963.

28. The increase in the size of the publication would also give rise to an increase in the work of indexing. The increased work could not be undertaken by existing staff and the estimated additional cost for contractual assistance would be some \$50,000. This expenditure would occur in 1963.

29. The additional costs, which would arise therefore should the General Assembly decide to increase the scope and content of the final published proceedings as indicated in the preceding paragraphs would amount to \$1,830,000 of which approximately \$1,050,000 would fall in 1962 and \$780,000 in 1963.

Summary (requirements for the printing in full of the text of the proceedings of the Conference)

	1962	1963
	United States dollars	
(a) Translation		
(Total costs—\$598,500)		
Additional costs	450,000	a
(b) Reproduction and distribution of the papers		
(Total costs—\$940,000) ^b		
Additional costs	450,000	a

	<i>United States dollars</i>	
(c) Printing		
(Total costs—\$1,418,000) ^e		
Additional costs	150,000	730,000
(d) Indexing of the proceedings		
(Total costs—\$70,000)		
Additional costs	—	50,000
TOTAL	1,050,000	780,000

^a Such of the work as is not completed in 1962 may require to be carried over into 1963. If this is the case, the unspent amount from 1962 may have to be carried over into 1963.

^b These costs have reference only to such of the papers as are translated prior to the Conference. They do not contain any provision for reproduction of papers not translated in time.

^c The \$880,000 are the estimated costs of the French, Spanish and Russian versions of the proceedings. The \$538,000 estimate shown under part III for the multilingual edition will be used for the English version of the proceedings.

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Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[10 October 1961]

INTRODUCTION

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/878) submitting revised estimates for section 2—Special meetings and conferences—resulting from the unanimous decision of the Economic and Social Council in resolution 834 (XXXII) that an international conference should be held in Geneva, if possible in August 1962, under the auspices of the United Nations, to explore the application of science and technology for the benefit of the less developed areas.

2. This proposal had its origin in the United Nations Scientific Advisory Committee; the executive heads of the specialized agencies concerned and of the IAEA, who had been consulted in the course of its elaboration, have expressed their warm support and their readiness to assist in the planning and preparation of such a conference.

3. The purposes of the conference are stated in paragraphs 3 and 4 of the Secretary-General's report; the broad framework of its organization is set out in paragraph 5. The scope of the agenda emerges from the following items, to be considered by eight committees, as proposed by the United Nations Scientific Advisory Committee:⁶¹

(a) Organization of scientific and technological programmes and the development of scientific and technical cadres for the accelerated development of the less developed areas;

(b) Practical problems of transfer of scientific and technological knowledge to accelerate the advance of the less developed areas;

(c) Development of agriculture in the less developed areas by the utilization of the latest achievements of science and engineering; problems and practical methods of putting science to work in agriculture, including land improvement through the use of fertilizers and farm machinery;

(d) New scientific and technological methods for accelerating the development of water, energy and mineral resources;

(e) New techniques in communications, especially in the application of telecommunications, for example, to health services, education and information, and includ-

ing developments over the whole field, for example accelerated road construction;

(f) Acceleration of industrial development in the less developed areas by the appropriate use of the latest achievements in science, technology and engineering. A sub-topic would be problems of urbanization in developing areas;

(g) Human and social factors—restricted to those aspects that cannot be presented in the specific technical committees and including such problems as the control of atmospheric and water pollution resulting from industrialization;

(h) New developments and information applicable to health and nutrition in a developing economy.

The plenary meetings would be devoted to the following:

(a) Keynote addresses by those with experience on the basic theme of accelerating development through the application of science;

(b) Major survey papers covering experience of development in the less developed areas, possibly including very broad papers on the experience of the specialized agencies.

4. The financial implications of the Conference, as calculated at present, are given in paragraph 10 of the Secretary-General's report. It will be noted that all expenses would fall under section 2 of the budget, and that it is the intention that the conference budget should be administered as one unit, thus preserving a degree of flexibility for transfer between the amounts approved for the individual items comprising the budget. It is stated that such flexibility is essential in view of the tentative character of these estimates.

5. As foreseen at present, the total costs of the Conference are expected to amount to \$2,404,900. It is proposed that, of this amount, \$185,000 should be included in the supplementary estimates for 1961, \$1,761,900 in the revised estimates for 1962 and \$458,000 in the budget estimates for 1963. The Advisory Committee has been informed that these total gross requirements would be offset by income from staff assessment in an estimated amount of some \$110,000.

6. The detailed cost estimates comprising the above total amount are given in parts I, II and III of the annex to the Secretary-General's report; the Advisory Committee's comments on them are given in paragraphs 13 to 23 below. Part I relates to the preparatory expenses which would fall in 1961, including the setting up of the Conference secretariat; part II deals with the costs for the continuance of the Conference secretariat in

⁶¹ Official Records of the Economic and Social Council, Thirty-second Session, Annexes, agenda item 14, document E/3510.

1962 and the expense of the actual servicing of the Conference; part III provides for the preparation and publication of the conference documentation, the cost

of which would fall partly in 1962 and partly in 1963. The following table indicates the annual break-down of requirements as foreseen at present:

	1961	1962	1963
	<i>United States dollars</i>		
United Nations Scientific Advisory Committee and Scientific Advisory Panel.....	26,000	55,000	—
Temporary assistance (excluding temporary staff engaged for the publication of the Conference proceedings).....	104,000	565,500	—
Overtime.....	1,000	50,000	—
Travel and subsistence of staff.....	4,000	167,900	—
General expenses, excluding publication costs, but including alterations to premises.....	50,000	185,000	—
Publication of the Conference proceedings.....	—	738,500	458,000
TOTAL	185,000	1,761,900	458,000
TOTAL, for 1961 to 1963	2,404,900		

7. The Advisory Committee would also draw special attention to part IV of the annex to the Secretary-General's report which indicates that, apart from the total estimate of \$2,404,900 now submitted, additional expenditure in the amount of \$1,830,000 may arise should the General Assembly decide to increase the scope and content of the final published proceedings beyond what is specified in part III. This raises the question of predetermining the scope of the documentation of the Conference, a matter which, in the past, has been the subject of concern to the Advisory Committee and was dealt with at some length in its report on the 1962 budget estimates as recalled in paragraph 11 below.

8. In paragraph 7 of the Secretary-General's report, it is made clear that the present estimates are of a tentative character and that further consultations are required before the details of the organization and programme of the Conference are finalized. Thus the estimated financial implications presented to the Economic and Social Council at the time it took its decision were in the amount of \$1,750,050; since then it has been necessary to revise these estimates to the present total in the light of modifications in the basic assumptions in regard to translation and reproduction requirements.

9. The assumptions on which the present estimates are based are as follows:

(a) That the Conference will be held in Geneva in August 1962 for a period of two weeks;

(b) That the travel and subsistence expenses of the participants will be borne by the respective Governments, organizations or institutions;

(c) That the Conference will be organized into eight committees, each meeting eight or nine times, and that eight plenary meetings will be held;

(d) That simultaneous interpretation into English, French, Russian and Spanish will be provided during the Conference;

(e) That the number of papers submitted to the Conference will be limited to 500 and that each paper will average 25 manuscript pages in length, including charts, graphs and illustrations;

(f) That the papers will be submitted in one of the four languages of the Conference, namely, English, French, Russian and Spanish. It is further assumed

that the papers will be of two types: the first, an overall or general appreciation of a theme identifying problems and isolating areas for further study or research; and the second, a highly technical one dealing with a specific item or a group of related items of the theme. The number of "general" papers will not exceed 100;

(g) That the 100 "general" papers will all require to be translated into the other three languages, reproduced and distributed in time for the Conference; and that the 400 "technical" papers will be reproduced and distributed only in their original language. However, summaries of these "technical" papers (each of two pages) to be submitted by the authors will be translated into the other three languages, reproduced and distributed;

(h) That the proceedings of the Conference, consisting of technical papers and summaries of the discussions will be printed as a multilingual United Nations publication.

10. The Advisory Committee feels that these assumptions merit the close attention of the General Assembly. Particular importance attaches to the determination of the contents of the final publication of the proceedings of the Conference, since this will govern the amount of translation, editing, typing, reproduction and printing to be undertaken. According to the limited assumptions now proposed, the publication costs will be of the order of \$1,196,500. However, part IV of the Secretary-General's report indicates that an additional expenditure of \$1,830,000 would be entailed in the event that the Assembly should decide in favour of the publication *in extenso* in all four languages of all the 500 papers submitted to the Conference.

11. In this context, the Advisory Committee would point out that, in its report on the budget estimates for 1962 (A/4814, paras. 67-69), it made a number of observations on the subject of the publication of conference proceedings which have particular application to the present instance. The Committee stated, *inter alia*, that in the case of the printing programme of conferences held under United Nations auspices and provided for in the United Nations budget, normal rules of budgetary control and scrutiny should apply. Thus, at the time the decision to hold a particular conference is taken, the scope and nature of publication of its proceedings should, as a general rule, be defined as fully

as possible, and should preferably be stated in the relevant resolution. The statement of financial implications submitted to the General Assembly in accordance with rule 154 of its rules of procedure should indicate explicitly what material is to be published, and in what languages. When the Conference is convened, the agreed arrangements for publication of its proceedings should, if necessary, be restated; any proposal for a departure from those arrangements involving additional cost should be submitted to the General Assembly for its decision on the additional budgetary provision requested.

12. The General Assembly might wish to consider acting on these suggestions in the case of the present Conference in order to take every possible precaution that the relevant expenditures, which already represent almost one half of the total cost estimates, will be kept within reasonable limits.

Detailed comments and recommendations on the 1961 requirements

13. Part I of the estimates prepared by the Secretary-General refers to the following requirements:

	<i>United States dollars</i>
(a) The establishment of a Scientific Advisory Panel of 12 members, which would report through the United Nations Scientific Advisory Committee to the Secretary-General, and provision for one meeting of these two bodies at Headquarters in October or November 1961 to consider the agenda and organization of the Conference, as well as the choice of the Secretary-General of the Conference	26,000
(b) Temporary assistance for the nucleus of a Conference secretariat, to be established in New York in October 1961, consisting of a Secretary-General, an Executive Secretary and a Deputy, 8 Scientific Secretaries, to take charge of each of the 8 committees of the Conference, three substantive staff members detailed from the Department of Economic and Social Affairs, 5 administrative staff and 7 secretarial-clerical staff—these 12 persons also to be detailed from the regular establishment	104,000
(c) Overtime	1,000
(d) Travel and subsistence staff	4,000
(e) General expenses relating to the provision of 26 permanent and 14 temporary offices in the Palais des Nations, Geneva (1961 portion of total estimated cost of \$130,000)	50,000
TOTAL	185,000

14. The Advisory Committee would present the following observations:

(a) Although provision has been made for the travel and subsistence of all 12 members of the proposed Scientific Advisory Panel, there is a possibility that up to 5 of these might be individuals who also serve on the United Nations Scientific Advisory Committee; since, in this event, the estimates could be reduced accordingly, it would seem desirable to take full advantage of such an opportunity.

(b) As regards the replacement of staff members seconded from the regular establishment to the nucleus secretariat, which is provided for in full in the estimates, the Advisory Committee is of the opinion that such replacements should be limited to cases of strict necessity. Moreover, savings will probably be achieved in respect of the salaries and allowances of the specially

recruited scientific staff, since, in practice, it may not be possible for all of these to assume duty as early as now expected. As the latter staff is to be provided, in some instances, by the specialized agencies concerned, the Advisory Committee trusts also that these agencies will submit charges only in cases where it has been necessary for them to have recourse to outside recruitment.

(c) With regard to the provision in a total amount of \$130,000, to be incurred in 1961 and 1962 for the construction of 26 permanent and 14 temporary offices in the Palais des Nations, the Advisory Committee has recommended in a separate report on the modernization of the Palais (A/4918) that only the cost of the temporary offices (\$10,000) should be an appropriate charge to the Conference budget, and that the balance of \$120,000 should be added to the credit for 1962 under section 7—Buildings and improvements to premises.

1962 REQUIREMENTS

15. The 1962 requirements, as given in part II of the annex to the Secretary-General's report are estimated in a total amount of \$1,023,400.

16. Of this amount, \$565,500 relates to temporary assistance needs as follows:

	<i>United States dollars</i>
(a) Continuation of the nucleus of the Conference staff	331,500
(b) Expansion of the Conference staff by some 20 secretarial-clerical staff and up to 25 expert consultants	169,000
(c) Additional staff to be specially recruited from the outside for servicing the Conference	65,000

17. The Advisory Committee would present the following observations on the temporary assistance requirements:

(a) The Advisory Committee notes that of the amount of \$331,500 for the continuation of the Conference staff, \$102,000 relates to the replacement of 5 Professional and 3 General Service staff to be drawn from the regular establishment. In this regard, the Advisory Committee's comment in paragraph 14 (b) above is equally applicable.

(b) An amount of \$69,000 is requested for the expansion of the Conference staff by the recruitment of 20 additional secretarial-clerical staff. The Advisory Committee urges that before outside recruitment is resorted to, all opportunities to secure assistance from the regular establishments of the European Office, and of the specialized agencies there should be fully explored.

(c) The same comment applies to the provision of \$65,000 for the recruitment of personnel for servicing the Conference. Of the 245 staff required, the estimates envisage that only 55 could be provided from the regular establishment and that the balance will have to be specially recruited. Inasmuch as the Conference will last for two weeks only, it would seem reasonable to expect that requirements could be met to a very large extent from available staff resources of the United Nations and the specialized agencies.

18. The estimate of \$167,900 for travel and subsistence of staff would also be favourably affected by action along the lines suggested in the preceding paragraph.

19. Finally, general expenses are estimated at \$185,000, including \$80,000 for the completion of alteration to premises at the Palais des Nations for which

\$50,000 has been requested for 1961. This matter is the subject of a special recommendation by the Advisory Committee in paragraph 14 (c) above.

PUBLICATION OF THE PROCEEDINGS OF THE CONFERENCE: REQUIREMENTS FOR 1962 AND 1963

20. On the assumptions stated in part III of the annex to the Secretary-General's report, requirements for the preparation and publication of the Conference documentation are estimated to cost \$1,196,500, of which \$738,500 would fall in 1962 and \$458,000 in 1963. The Advisory Committee has already commented at length on this matter in paragraphs 11 and 12 above; at this point, it would reiterate its recommendation that every effort should be made to ensure that the work will be kept within the limits laid down in the Secretary-General's estimates. The General Assembly might also wish to express itself on the alternative envisaged in part IV of the Secretary-General's report, which would involve an additional cost of \$1,830,000.

21. The Advisory Committee has been informed that the subject matter of the Conference is expected to be of interest to a wide audience not limited to government officials; there is, therefore, a possibility that some outside publishing house may be interested in taking over the publication of at least a part of the proceedings. Such a course might also lead to a wider commercial distribution with a corresponding increase in eventual

income to the United Nations from the proceeds of such sales. As this solution would entail very important savings for the Organization, the Advisory Committee would express the hope that the possibility will be thoroughly explored.

RECOMMENDATIONS OF THE ADVISORY COMMITTEE

22. In the light of the considerations and observations set out above, the Advisory Committee recommends that the total expenditure for the Conference should be limited to \$2,000,000 to be distributed over the financial years 1961, 1962 and 1963 at the discretion of the Secretary-General. This would represent a reduction of \$284,900 in the Conference estimates under section 2—Special meetings and conferences, should the General Assembly approve the Advisory Committee's recommendation in paragraph 14 (c) above, for the transfer, to section 7—Buildings and improvements to premises—of the 1962 budget, of the amount of \$120,000 for the construction of permanent offices in the Palais des Nations.

23. Finally, considering the tentative nature of the present estimates, the Advisory Committee would suggest that it be kept informed of developments as the planning of the Conference progresses. Thus, it might review the situation at its spring 1962 session and make any further recommendations which might be called for at the time.

Sections 3, 4, 9, 10 and 11

Resumed session of the General Assembly

DOCUMENT A/C.5/915

Report of the Secretary-General

[Original text: English]
[19 December 1961]

1. Should the General Assembly approve the recommendations contained in paragraph 3 of the report of the General Committee (A/5053) agreed upon at its 143rd meeting held on 18 December 1961, the sixteenth session of the General Assembly would adjourn on 20 December 1961 and would resume on 15 January 1962. The resumed session, however, would involve only meetings of the Plenary and the Fourth Committee, where specific items remain to be dealt with on the agenda. The resumed session on this basis might be expected to last two to three weeks.

2. The provision of technical services and facilities for these meetings over and above those required for the normal Conference programme would give rise to additional expenditures mainly in regard to the need to employ temporary language, conference and public information staff and to meet general expenses such as contractual services, reproduction supplies and paper, printing of records and reports and communications costs.

3. In accordance with rule 154 of the rules of procedure, the Secretary-General provides herewith an estimate of the extra costs which would arise under these circumstances:

	<i>United States dollars</i>
(a) Temporary assistance	31,500
(b) Overtime	12,000
(c) Contractual services, including telecommuni- cations and other electrical services, clean- ing, elevator operations, utilities and miscella- neous supplies and services	15,000
(d) Internal reproduction supplies and paper	23,000
(e) Contractual printing (verbatim and summary records and annexes in the five official languages)	43,000
(f) Travel and subsistence of temporary staff	3,000
TOTAL	127,500

4. In the event that the recommendations of the General Committee are approved by the General Assembly, the Secretary-General will request an additional appropriation for 1962 in the amount of \$127,500 (\$43,500 under section 3—Salaries and wages; \$3,000 under section 4—Common staff costs; \$8,200 under section 9—Maintenance, operation and rental of premises; \$29,800 under section 10—General expenses, and \$43,000 under section 11—Printing).

Sections 3, 4 and 20 and income section 1

Revised estimates resulting from the increase in salaries of General Service staff and manual workers at the European Office, Geneva

DOCUMENT A/C.5/884

Report of the Secretary-General

[Original text: English]
[6 October 1961]

1. The implementation of an increase of 6 per cent in the salaries and wages of General Service and manual worker staff at Geneva was authorized by the Secretary-General effective 1 May 1961, and was reported to the General Assembly in the supplementary estimates for 1961 (A/4870, para. 20).

2. The additional appropriations required for this purpose for 1962 are estimated at \$176,800 on a gross basis, distributed over the following sections of the budget:

	<i>United States dollars</i>
Section 3—Salaries and wages	135,650
Section 4—Common staff costs	15,450
Section 20—Office of the United Nations High Commissioner for Refugees	25,700

3. Additional income from staff assessment is estimated at \$26,250. The net additional cost, therefore, is \$150,550.

4. In submitting this request for additional funds for 1962, note has been taken of the observations made by the Advisory Committee on Administrative and Budgetary Questions in paragraph 12 of its report on the supplementary estimates for the financial year 1961⁶² on the procedures for determining movements in the General Service salary scales at Geneva. The results of the review at present being undertaken of the joint procedures in this regard between the United Nations and the other organizations concerned will be reported to the Advisory Committee at the earliest opportunity.

⁶² *Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 53, document A/4902.*

DOCUMENT A/4924

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[17 October 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report of the Secretary-General (A/C.5/884) submitting revised estimates for 1962 to reflect the 6 per cent increase in the salary scale of the General Service staff and manual workers at Geneva which was authorized by him effective 1 May 1961.

2. In his supplementary estimates for 1961 (A/4870), the Secretary-General had asked for an amount of \$117,450 (gross) to cover the cost of that increase during the period 1 May to 31 December 1961. In paragraph 12 of its relevant report⁶² the Advisory Committee made some observations concerning the procedures used for determining movements in General Service salary scales at Geneva, and it is stated in the Secretary-General's report (A/C.5/884, para. 4) that note has been taken of these observations.

3. The Advisory Committee has also been informed that the results of the review now being undertaken of the joint procedures in this regard between the United Nations and other organizations concerned will be reported to it at the earliest opportunity. Moreover, the Advisory Committee would call attention to the fact that a fresh inter-agency study of the appropriateness of the salary scales for General Service at Geneva is

being carried out at the present time in the light of outside developments. The Advisory Committee understands that the results of this study are to be submitted to the Governing Body of the International Labour Office in November 1961, and that any new salary scales which may be approved by the Governing Body on the basis of the study would be applied by the Office as at 1 January 1962.

4. Inasmuch as the additional appropriations requested for 1962 arise from the application of the Staff Rules and Regulations, the Advisory Committee would recommend approval of the revised estimates submitted by the Secretary-General, in the amount of \$176,800 on a gross basis, to be distributed as follows:

	<i>United States dollars</i>
Section 3—Salaries and wages	135,650
Section 4—Common staff costs	15,450
Section 20—Office of the United Nations High Commissioner for Refugees	25,700

5. Additional income from staff assessment is estimated at \$26,250 which would reduce the additional cost to a net amount of \$150,550.

Sections 3 and 20
Post classification for Geneva

DOCUMENT A/C.5/903*

Report of the Secretary-General

[Original text: English]
[6 December 1961]

1. The Controller informed the Fifth Committee at its 878th meeting on 13 November 1961 that there was some uncertainty at that time as to the appropriate post classification of Geneva on 1 January 1962, and gave an undertaking that should a change in the classification from class 0 (in the new system) appear justified, the matter would first be reported to the Advisory Committee on Administrative and Budgetary Questions for its consideration. This undertaking has been fulfilled.

2. The Geneva special cost-of-living index is based on a weighted list of goods and services, agreed by the Expert Committee on Post Adjustments, prepared after consultations between the Swiss Federal Statistical Office and the statistical services of the United Nations and the International Labour Office. Because the official Swiss figure for movement of rentals is not suitable for international officials, the index includes a special rent component based on data gathered from the officials themselves, twice a year, in March and September. In consequence, a complete index figure can be obtained only for these months, and becomes available only in May and November.

3. Information has now been received from the International Labour Office that this special index, which stood at 114.3 in March 1961 (the nine-month average then being 112.2) reached 118.2 in September. There is no way of determining the figure for the intervening months, but on the assumption that the rise between March and September was uninterrupted and steady a "straight-line" interpolation produces the following result:

Date 1961	Index figure	Nine months' average figure
March	114.3	112.2
April	115.0	112.7
May	115.6	113.2
June	116.2	113.8
July	116.9	114.4
August	117.6	115.0
September	118.2	115.7

4. It should perhaps be noted that on 1 January 1961 the United Nations "official" rate of exchange was reduced from 4.34 francs to the dollar to 4.30. This, while reducing the take-home pay of the staff (in Swiss francs) by approximately 1 per cent, also increased the cost-of-living figure by the same 1 per cent, approximately.

5. Bearing in mind the Advisory Committee's observations on the validity of the special rent component in the New York index, the Controller asked the International Labour Office for data on the size of the sample of staff covered. The Office stated in reply that the

rent figure was based on data from 61 per cent of the staff concerned, including both renters and owners, and that only 11 per cent of these were staff reporting for the first time (i.e., the staff most affected by the sharp upward movement in Geneva rents in recent times). It was further stated that even if all rents had remained unchanged between March and September, the September figure would have been 117.2, and the nine-month average (based on the straight-line interpolation) would have been 115.3.

6. In these circumstances, the Governing Body of the International Labour Office which met on 23 and 24 November 1961, approved a change in the Geneva post classification, as from 1 September 1961, to class 4 in the old system, and to class 1 in the new system, as from 1 January 1962. The Director-General of the World Health Organization (WHO), who had authority to change the classification by administrative action, introduced class 4 as from 1 November (WHO does not apply such changes retroactively).

POSITION AS AT 1 JANUARY 1962

7. On the assumption that there is no change in the index between September and December 1961, the nine-months average on the old system as at 1 January 1962 would be 117.1. Reducing this figure by 100/110 would give a nine-months average on the new system of 106.5, which is sufficient to place Geneva in class 1 (5 per cent) on the new system.

8. On the basis of the above facts, and in view of the action taken by the two organizations having their Headquarters in Geneva, the International Labour Organisation and WHO, the Secretary-General proposes that a class 4 post adjustment should be authorized for Geneva as from 1 November 1961 and that a (new) class 1 post adjustment should be authorized as from 1 January 1962.

FINANCIAL IMPLICATIONS

9. The change in post adjustment to class 4 effective 1 November 1961 would give rise to additional expenditures estimated at \$14,000 under section 3—Salaries and wages, and \$2,400 under section 20—Office of the United Nations High Commissioner for Refugees. The Secretary-General would undertake to meet this additional expense within the limits of the supplementary estimates as already approved for 1961 by the Fifth Committee at its 848th meeting on 4 October 1961. The proposal to place Geneva in class 1 as at 1 January 1962 would give rise to additional costs estimated at \$108,000 under section 3 and \$20,400 under section 20 for that year. To meet these additional expenditures the Secretary-General will request increases in the appropriations of these two sections for 1962 in the aforementioned amounts.

* Incorporating document A/C.5/903/Corr.1

DOCUMENT A/5014

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[7 December 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a report by the Secretary-General (A/C.5/903) proposing a change in the post classification of Geneva effective 1 November 1961, from class 3 to class 4, under the existing system; as from 1 January 1962, the corresponding classification under the new system would be class 1.

2. The Advisory Committee notes that the proposed reclassification would give rise to additional expenditures in 1961 estimated at \$14,000 under section 3—Salaries and wages and \$2,400 under section 20—Office of the United Nations High Commissioner for Refugees, but that the Secretary-General would undertake to meet this expense within the limits of the supplementary estimates already approved for 1961 by the Fifth Committee in first reading on 4 October 1961 (848th meeting). However, the 1962 costs, estimated at \$108,000 under section 3 and \$20,400 under section 20, would require additional appropriations under these two sections in these amounts.

3. The Secretary-General's proposal is motivated by the movement of the special Geneva cost-of-living index for international civil servants which, in accordance with a plan approved by the Expert Committee on Post Adjustments (ECPA),⁶³ has been prepared by the Swiss Federal Statistical Office and issued by the Statistical Service of the International Labour Office. This special index, which was first put into effect in October 1960, stood at 114.3 (a nine-months average of 112.2) in March 1961 and reached 118.2 (a nine-months average of 115.7) in September, thus fulfilling the requirements for reclassification to the next class.

4. The Advisory Committee would call attention to the fact that the above special index includes a special component to measure the movement of rentals paid by international officials and that this movement has been marked by a particularly steep rise in recent times. Nevertheless, the International Labour Office has stated that, even if all rents had remained unchanged between March and September, the nine-months average would have been 115.3.

5. In these circumstances, the Director-General of WHO, who had authority to change the classification by administrative action, introduced class 4 as from 1 November 1961 because WHO does not apply such changes retroactively. On the other hand, the Governing Body of the International Labour Office, which met on 23 and 24 November 1961, approved a change in the Geneva post classification as from 1 September 1961 to class 4 in the old system, and to class 1 in the new system as from 1 January 1962.

6. Particularly in view of the fact that the present proposals would bring the base city of the common system above the base level of the new salary scheme just approved by the General Assembly in resolution

1658 (XVI) of 28 November 1961, even before that new scheme went into operation, the Advisory Committee has felt called upon to examine closely the evidence submitted in this case.

7. It may be recalled that, prior to October 1960, the index used for the purpose of determining the Geneva duty station adjustments was the Geneva Cantonal index, which was the only one available. However, an examination of data on changes in prices paid for goods and services by international officials during the period January 1956 to the last quarter of 1959 revealed that the cost of living of these officials in Geneva had, in fact, increased more than the increase shown by the Geneva index. Accordingly, for reasons explained in detail in its report on its second session in May 1960,⁶⁴ ECPA came to the conclusion that the Cantonal index was not suitable for the purpose of determining post adjustments and that "immediate steps should be taken to establish a special index appropriate for measuring changes in the cost of living of professional staff of international agencies in Geneva". To this end, ECPA made the following main recommendations: first, the Swiss Federal Office of Statistics should be asked to assume responsibility for compiling a special index for international civil servants; secondly, the Geneva weighting pattern,⁶⁵ developed as a result of a study of the relationship of the cost of living for international officials in New York compared with Geneva in January 1956, provided a suitable basis for the special index; thirdly, prices collected for the Cantonal index might be used where appropriate, but should be supplemented by additional prices, as needed, to provide an adequate representation of items purchased by international officials; fourthly, the rent component of the special index should be designed to measure changes in rents of dwellings actually occupied by international officials at successive dates.

8. In its report on its third session (4-7 April 1961) (A/4823/Add.2, para. 12), ECPA stated that it had reviewed the report submitted by the International Labour Office on the steps taken to implement the above recommendations and expressed its satisfaction that the Swiss Federal Office of Statistics had agreed to assume the responsibility for the compilation of the special index and "approved the plan for the special index, as set forth in the report".

9. The Advisory Committee understands that the plan has been subsequently submitted to and approved by the ACC. It wishes to stress, however, that neither ECPA nor the ACC have had any occasion to examine in detail the actual resulting figures compiled by the International Labour Office and the Swiss Federal Office of Statistics. Indeed, the budgetary implications of the adoption of the special index are of such magnitude

⁶³ ECPA, a standing committee consisting of six outside experts, was set up by the Administrative Committee on Coordination (ACC) to render advice on the subject of post adjustments in accordance with a suggestion by the 1956 Salary Review Committee in paragraph 165 of its report (*Official Records of the General Assembly, Eleventh Session, Annexes*, agenda item 51, separate fascicle—document A/3209).

⁶⁴ *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 49, document A/C.5/816, annex 1, paras. 24-28.

⁶⁵ *Ibid.*, para. 20. It may be noted that this weighting pattern follows closely the Consumer Price Index for New York compiled by the United States Bureau of Labor Statistics and considered suitable by the General Assembly for determining the post classification of New York.

as to have warranted prior submission to these bodies and the General Assembly. In this regard, the Advisory Committee has been impressed by the fact that, whereas the special index increased by 5 per cent between October 1960 and October 1961, the Cantonal index rose by less than 2 per cent over the same period.

10. The Advisory Committee also cannot overlook the inconsistency with the common system resulting from the decision of the ILO and WHO to approve and implement changes in the post classification of Geneva without adequate consultation with the United Nations. This action would appear all the more unfortunate at a time when, despite great financial stringency, the General Assembly, partly because of the pressing requests of the specialized agencies, has approved an increase of 7 to 17 per cent in the salaries

and allowances of the international staff. Since the General Assembly has been in session since 18 September 1961, the Advisory Committee would have been in a position to consider the change in the post classification of Geneva simultaneously with a similar change for New York which was approved in October 1961.

CONCLUSION

11. In spite of its serious reservations as to the timing of the procedures that have been followed, the Advisory Committee, in view of the fact that the main Geneva-based agencies have already changed the post classification of Geneva, would, on balance, refrain from recommending any modification of the proposals of the Secretary-General to effect a similar change for the United Nations staff in that city.

Sections 13, 14 and 16

Technical programmes

DOCUMENT A/C.5/906

Report of the Secretary-General

[Original text: English]
[8 December 1961]

1. In 1960 the Secretary-General proposed that an additional sum of \$5 million be made available for the years 1961-1962 under the regular budget in order to raise the level of technical assistance to the newly independent and emerging States. The General Assembly by resolution 1527 (XV) gave approval to the plan elaborated by the Secretary-General (A/4585)⁶⁸ and voted an additional \$3.5 million to the initial estimates under the following sections of the 1961 budget: section 13—Economic development; section 14—Social activities, and section 16—Public administration. A further \$1.5 million (in comparison with the initial 1961 estimates for those sections) was added to the 1962 budget estimates wherein the Secretary-General repeated his original proposal to ask for a re-appropriation in 1962 of unspent funds thereby maintaining the total additional appropriation for 1961-1962 at \$5 million.

2. The Secretary-General submitted to the Technical

Assistance Committee (TAC) a report (E/TAC/112) dated 9 November 1961, on the programme of technical assistance financed by the regular budget that showed, *inter alia*, the extent to which projects had been approved at 31 August 1961 against the 1961 appropriations and the initial budget estimates for 1962. That report, which was noted with satisfaction by TAC on 1 December 1961, pointed out that projects approved for the regular programmes of 1961-1962 amounted in total to over 90 per cent of the combined 1961 appropriations and 1962 budget estimates for sections 13, 14 and 16. As at September 1961 approved programmes had reached 100 per cent of appropriations and estimates, with an uninterrupted flow of requests still coming in.

3. When the over-all level of the approved programme for 1961-1962 is considered in conjunction with the inevitable delay in receiving government submissions in time for related expenditures to be incurred during the first year of the supplementary programme, there would appear to be ample evidence to warrant the re-appropriation requested as follows:

⁶⁸ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda items 28, 30, 31 and 32.

Section	1961 appropriations	Unobligated balance of 1961 appropriations	Initial 1962 budget estimates	Revised 1962 budget estimates
<i>United States dollars</i>				
13. Economic Development	1,970,000	845,000	1,110,000	2,135,000
14. Social Welfare	1,960,000	585,000	1,520,000	2,105,000
16. Public Administration				
Chapter I. Training and research	1,000,000	475,000	620,000	1,095,000
Chapter II. Operational, executive and administrative personnel (OPEX)	850,000	500,000	530,000	850,000
TOTAL	5,780,000	2,405,000	3,780,000	6,185,000

4. It will be noted that \$180,000 of the estimated unobligated balance of the 1961 appropriation for OPEX has been re-allocated to section 13 in the revised 1962 estimates. This action has been taken in accordance with the proposal made by the Secretary-General to the fifteenth session of the General Assembly (A/4585) to reserve the necessary flexibility in the apportionment of the newly appropriated funds. The tentative nature of the initial distribution of the increased appropriation was noted by the Advisory Committee on Administrative and Budgetary Questions (A/4814). The OPEX

programme has been maintained at the \$850,000 level which the Secretary-General considered suitable for a continuing operation in accordance with the terms of General Assembly resolution 1530 (XV) of 15 December 1960.

5. In a separate report dealing with supplementary estimates for 1961 (A/4870/Add.1), the Secretary-General is proposing surrender of the unobligated balances for sections 13, 14 and 16 set out in paragraph 3 above. Thus the action proposed herein will have no effect on Members' assessments for 1962.

DOCUMENT A/5025

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[12 December 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/906) in which it is proposed that the initial budget estimates approved by the Fifth Committee in first reading for section 13—Economic development; section 14—Social welfare and section 16—Public administration, be increased from \$3,780,000 to \$6,185,000 by means of a reappropriation for 1962 of the unobligated balances of the 1961 appropriations under these sections. In paragraph 6 (e) of his latest report on the supplementary estimates for 1961 (A/4870/Add.1), the Secretary-General has stated that he intends to surrender the unspent balances of appropriations under the latter sections which total \$2,405,000. Accordingly, the proposed reappropriation of this amount would have no effect on Member States' assessments for 1962.

2. The Advisory Committee would recall that, in paragraph 239 of its report on the 1962 budget estimates (A/4814) it indicated that, of the \$3.5 million additional credit voted for 1961,⁶⁷ some \$1 million to \$1.5 million would not be spent and that reappropriation of the unspent balances in each section would be requested. It is now evident that this figure will be substantially greater.

⁶⁷ First instalment of the \$5 million provision for special technical assistance for 1961-1962 for newly independent and emerging States, in terms of General Assembly resolution 1527 (XV), on the basis of a proposal by the Economic and Social Council in its resolution 768 (XXX).

3. The Advisory Committee understands, in this regard, that the relative magnitude of the unspent balances in 1961 has been due both to normal recruitment difficulties and delays encountered during the initial stages of any project and to the fact that consultations and negotiations with a large number of countries are unavoidably time-consuming. It may be noted in this respect that the emergence of these new countries, in many of which the United Nations was not represented at the outset, made this problem more acute. The Secretary-General has, however, indicated that this planning phase of the operation is well advanced, and that almost all of the 1961 appropriations and 1962 estimates have already been earmarked for approved projects, leaving a very slight margin for new requests, which continue to be received. Moreover, many of the projects to be implemented in 1962 will be a continuation of projects already initiated in 1961. The Secretary-General anticipates that all funds—including the unspent 1961 balances—will be fully utilized in the course of 1962.

4. On this basis, the Advisory Committee would recommend that the General Assembly approve the reappropriation, under sections 13, 14 and 16 of the 1962 budget, of the unspent balances under the corresponding sections of the 1961 budget, as proposed by the Secretary-General, in the amount of \$845,000 under section 13, \$585,000 under section 14 and \$975,000 under section 16.

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DOCUMENT A/5075

Report of the Fifth Committee

[Original text: Spanish]
[19 December 1961]

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INTRODUCTION

1. Under agenda item 54 the Fifth Committee considered the budget estimates of the United Nations for the financial year 1962 and certain related items.⁶⁸ The Committee recommends a gross appropriation for 1962 of \$82,144,740 and an estimate for income (other than income derived from staff assessment) of \$5,391,800. The net expenditure for 1962 is thus estimated at \$76,752,940.

2. As regards the Working Capital Fund, the Committee recommends that the Fund should be maintained for 1962 at the level of \$25 million, as approved for the current year.

3. The Committee further recommends a 1962 estimate for staff assessment income of \$8,670,250 for transfer in the course of 1962 to the Tax Equalization Fund from which credits are distributed to Member States in accordance with General Assembly resolution 973 (X) of 15 December 1955.

4. For its examination of the budget proposed for 1962, the Committee had before it, as basic documents, the budget estimates submitted by the Secretary-General (A/4770) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/4814). In addition, revised estimates for a number of appropriation sections were considered on the basis

⁶⁸ Separate reports by the Fifth Committee have been submitted under agenda item 54 on the following matters: Comprehensive review of the question of the payment of honoraria to members serving on organs and subsidiary organs of the United Nations in an individual, personal capacity (A/5005);

The United Nations financial position and prospects (A/5076).

of additional reports of the Secretary-General and the Advisory Committee.

5. The Fifth Committee acknowledges with appreciation the valuable contribution which the Advisory Committee has made through its expert consideration of a large number of items. The Committee is grateful also for the assistance rendered throughout the session by the Chairman of that Committee, who, in accordance with past practice, was invited to take a continuous part in the deliberations.

I. GENERAL DISCUSSION

6. The general discussion on the budget estimates for 1962 was held at fourteen meetings between 6 October and 1 November 1961. These meetings fell in the period between the death of the Secretary-General in 18 September and the appointment of his successor on 3 November 1961. Two topics predominated throughout the meetings. The first concerned the filling of the vacant post of the Secretary-General and embraced the related question of the structure and organization of the Secretariat. The second topic was the geographical distribution of the staff of the Secretariat, which, as agenda item 64 (a) of the current session, is the subject of a separate report to the General Assembly (A/5063). The views of delegations on the two topics are summarized in the records of the Committee, and the present report is accordingly limited, very largely, to the strictly budgetary aspects of the discussion.

7. Numerous references were made, in the course of the general discussion, to the progressive increases in the regular budget that had occurred in the period 1956 to 1962, as illustrated by the following figures:

<i>Total gross budget</i> (in millions of United States dollars)						
1956	1957	1958	1959	1960	1961 appropriations	1962 estimates
<i>Actual expenses</i>						
50.50	53.17	62.50	61.94	65.77	72.96	73.53

8. It was recognized by a number of representatives that in submitting initial estimates for 1962 that exceeded the 1961 appropriations by so slight a margin as 0.77 per cent, the Secretary-General had in fact achieved "the twin objectives of securing, on the one hand, a level of expenditure for 1962 which is as close as possible to that approved for 1961, yet, on the other, making the necessary provision to meet the expanding work programmes required by decisions of the principal organs, the enlarged conference activity and other unavoidable cost increases" (A/4770, foreword, para. 5). While revisions of the 1962 estimates necessitated by decisions taken after the submission of the estimates

might raise the figure of increase by some \$7 million or conceivably by more, the Secretary-General's discretion and freedom of action were severely limited; the revisions were attributable largely to actions taken by the Councils or the Main Committees of the General Assembly; the responsibility of Members in that respect could not be overemphasized, and it was neither fair nor reasonable for delegations to ascribe to the Secretariat responsibility for the direct financial consequences of their own decisions. Other factors of increase, such as cost-of-living increases or statutory salary increments, were likewise not within the Secretary-General's control.

9. Beyond these considerations, which in the main had to do with the respective competence of United Nations organs—the General Assembly, the Councils and the Secretary-General—several delegations expressed the opinion that a fixed level of expenditure was not desirable, even if it could be imposed, in a growing and dynamic organization which was asked to undertake an increasing number of tasks in ever widening fields of responsibility. Nevertheless, there remained the harsh fact that the necessary contributions had not been and still were not forthcoming to finance the authorized United Nations activities as a whole, with the result that, even at the present level of activity, the Organization might face bankruptcy.

10. Over the past five years, the gross total of the United Nations budget had increased by nearly 50 per cent to approximately \$73 million, and the total costs of the United Nations family of organizations might amount in 1962 to between \$450 and \$500 million. The financing of expenditure of that order entailed a real sacrifice on the part of all Member States, large and small—on the part of countries striving to mobilize their resources for the development of their own economies, and even on the part of countries which, while shouldering the major burden of United Nations and agency contributions, were also anxious to support their own programmes of technical assistance in many parts of the world. It was true that, in comparison with the annual cost of armaments or space exploration, \$500 million was not a large sum; it was, however, substantial in relation to the sums available for economic and social development and other constructive purposes.

11. Because of the progressive expansion of activities, it was the duty of the Committee closely to scrutinize each new programme and new item of expenditure in order to make sure that the increasing calls on the limited resources of the Member States were fully justified in every case. That duty would arise even if the financial position of the Organization were well assured. The desperate situation of the moment obviously called—far more imperatively—for a policy of retrenchment and austerity, for, if the United Nations continued to incur commitments not fully matched by revenue, it would either suffer a financial collapse which, in dashing the hopes of all mankind, would do incalculable harm, or it would be reduced to the status of a pensioner dependent on the charity of its richer Members—a status far removed from the Charter principles of the collective responsibility of Members and their sovereign equality.

12. Some delegations severely criticized the Secretariat on the ground that it had failed to maintain an attitude of impartiality and to observe the Charter and the Financial Regulations of the United Nations. The Secretariat had circumvented the exclusive prerogative of the Security Council to decide on the allocation of funds for peace-keeping operations. Under Article 11 of the Charter, any question relating to the maintenance of international peace and security, including the question of the financing of operations for that purpose, must be referred to the Security Council on the administrative and financial implications of proposals *under consideration in the Council*. The Council had been excluded from decisions on the financing and staffing of political missions, on the extension of the terms of such missions, and on the allocation of funds for an ensuing financial year. As a result, a number of missions established many years previously were continuing to spend funds without doing any work.

13. An equally unsatisfactory situation prevailed in regard to the financing of operations under the regular United Nations programme of technical assistance. Decisions on the execution of such programmes were taken by the General Assembly and the programmes were financed from the regular budget. There was, however, no provision in the Charter empowering either the General Assembly or any other body to take decisions imposing obligations of that nature on all Member States. Such programmes should be financed from an operational budget or a special fund established by agreement among Member States.

14. Where administrative expenditure was concerned, the Secretariat had failed, in the opinion of these delegations, to exercise the proper degree of control. A number of superfluous posts had been established at high levels, and unwarranted expenditure was incurred on consultants, official travel and other items. As a result of its administrative laxity, the budget had risen from \$47 million in 1955 to \$73 million in 1961, while for 1962 a further increase of some \$10 million was in prospect. A reform of the financial and budgetary system was urgently called for, first, in order to preclude the use of United Nations funds in furtherance of the political aims of any group of Member States, and, secondly, in order to ensure the strictest economy and control over expenditure.

15. The Soviet Union delegation accordingly proposed the adoption of the following measures:

(a) First, operational expenditure—for example, expenses connected with the maintenance of international peace and security and with technical assistance—should be excluded from the regular budget of the United Nations, which would thus cover only the administrative expenses necessary to maintain the Secretariat and the activities of the various organs of the United Nations, and to provide for the upkeep of premises at Headquarters and other offices;

(b) Secondly, the annual administrative budget should be stabilized at a given level; deviations from the level would be authorized only in exceptional circumstances and by express decision of the General Assembly;

(c) Thirdly, in the financing of peace-keeping operations, the provisions of the Charter, and in particular Articles 11, 43 and 48 should be strictly observed; in other words, the Security Council must consider and adopt decisions in matters relating to the maintenance of international peace and security, including the provision of the necessary funds. The General Assembly could consider and approve such expenditure only after an affirmative decision of the Security Council. With regard to Council decisions involving the expenditure of funds, the Secretariat, in compliance with regulation 13.1 of the Financial Regulations, must submit to the Council a report on the administrative and financial implications. In addition, before the close of each financial year, the Secretariat should submit to the Council reports indicating the cost of continuing in the ensuing year any measures previously authorized by the Council;

(d) Fourthly, the apportionment of the cost of providing technical assistance to the less developed countries, and of executing the various programmes in the economic, social and kindred fields must be the subject of a special agreement among the Member States prepared to do their part in the financing of the activities. Such a system would permit of a considerable expansion of the

United Nations programmes of technical assistance, for, by correcting the existing unsatisfactory situation, it would remove an obstacle to the full participation of a number of Member States.

16. Other delegations (see paragraphs 7 to 10 above), dissenting from the foregoing views, considered Article 17, paragraph 2, of the Charter to be conclusive on the question of the expenses of the Organization and the method of their apportionment. In any event, as the complaints came from a group of Members which includes States represented on the Security Council, they surely have been ventilated, long since, in the Council itself. While inability to pay could be understood, refusal to pay by those who were able to do so could not.

17. Delegations addressing themselves to the question of priorities fully agreed with the Chairman of the Advisory Committee that the application of priorities could only be given reality if Members themselves kept the need for economy in the forefront of their minds (A/C.5/882, para. 14). The view was expressed that, although much progress—for which the Secretariat deserved great credit—had been made in recent years in the application of priorities, much still remained to be done. The Secretary-General's analysis of expenditure for the years 1956-1961 by main fields of activity (A/C.5/870) showed that, while there had been a considerable expansion of priority programmes during that period in the economic and social fields, the increase in other programmes had been to some extent restrained. The process of compensation between those two categories of programmes should be carried further. Properly understood, the application of priorities did not consist solely in controlling expansion in sectors of low or declining importance. In a dynamic organization it was essential to make positive reductions and thus release resources from sectors where the work programme was declining in absolute or in relative terms; it was, in other words, essential that the distribution of resources within the budget totals should be vigilantly but flexibly controlled. In fact, however, there had been no decline in any of the main fields of expenditure between 1956 and 1961. Even in the Department of Trusteeship and Information from Non-Self-Governing Territories, in spite of the accession to independence of so many countries in recent years, expenditure had risen slightly. Yet, the process of emancipation had itself been responsible, in large part, for the welcome increase in the economic and social programmes of the United Nations, and, to that extent, the increase should be matched by a compensatory decline in other sectors.

18. Some delegations considered that the Economic and Social Council could clearly do more in establishing priorities in the fields that lay within its competence. Thus, it had in part reversed the trend towards biennial sessions of its functional commissions despite the evidence that the holding of annual sessions, far from offering advantages, might actually hamper the effective execution of programmes. To cite another example—in the field of human rights, the Council might reasonably give priority to the holding of high-level seminars in preference to the unproductive practice of compiling detailed legal studies. In general, the Council appeared to pay too little attention to rule 34, paragraph 3, of its rules of procedure, under which it was required to indicate, whenever appropriate, the priority or degree of urgency which attached to projects, and to specify the projects that might be deferred, modified or eliminated. That requirement had scarcely been ob-

served in practice and the Council had so far given no indication of the items in its work programme which might be deferred until such time as suitable provision could be included in the main budget estimates.

19. These delegations felt that the Secretariat might also be more zealous in applying the system of priorities to the economic and social fields, for whereas the 1962 budget estimates disclosed a progressive improvement in the co-ordination of efforts, in keeping with the resolutions of the General Assembly and the Council, the record as regards the system of priorities was less satisfactory: there was in fact little evidence that older and less valuable projects were being discontinued, or even that they were being identified and assigned to a lower order of priority. Furthermore, although the Secretary-General had drawn the Council's attention at its thirty-second session to General Assembly resolution 1449 (XIV) concerning the deferment of new projects, he had done so only at a late stage and somewhat unobtrusively. He had also failed to submit an analysis of the budget estimates by main fields of activity during the session. The Secretariat had likewise neglected to submit a written report on the concentration of activities; its oral observations contained no suggestions for specific action by the Council.

20. A number of delegations offered critical comment on the present structure and form of the budget estimates. They contended that there was scope for pruning the estimates since they contained items which were not specifically estimates of expenditure or income. For example, the proposal to establish additional permanent or temporary posts did not, in their opinion, accord with accepted rules of budgetary procedure. The establishment of such posts should be the subject of specific resolutions of the General Assembly, while the estimates themselves should merely reflect the financial consequences of such decisions. Moreover, no single criterion appeared to be in force for the classification of expenditure. Expenditure, for example, under part V—Technical Programmes—was classified according to a functional criterion; under part VII—Office of the United Nations High Commissioner for Refugees—according to the criterion of administrative units. Logically, it would be a sounder practice to apply the criterion of administrative units to the whole budget and to assign a secondary place to other criteria. Furthermore, no distinction was made in the budget between administrative and operational expenditure in spite of the fact that such a distinction was indispensably required for determining the method of financing and the appropriate scale of assessment. In general, the improvement of the Organization's Financial Regulations could do much to solve its financial difficulties. The virtually automatic approval of supplementary and revised estimates, the establishment of new posts in the budget, the unrestricted transfer of credits within budget sections, and the somewhat liberal provisions that governed unforeseen expenditures were all factors conducing to a lack of budgetary discipline which must be avoided if the Organization was to regain a sound financial basis.

21. Other representatives pointed out that the majority of the Committee had hitherto been satisfied with the structure of the budget and by the continuing refinement of the form of presentation, which comprised moreover a progressive increase, from year to year, in the volume of information furnished to Member States. It was also to be noted that although new posts were not specifically authorized in a General Assembly resolution,

the Secretary-General was required to submit at each session, together with his budget estimates, a comprehensive and binding manning-table for all established posts; that constituted a very adequate measure of budgetary control which could hardly be improved by the submission of an *ad hoc* resolution of the Assembly.

22. The representative of the Secretary-General pointed out that the present form of the budget, to which many references had been made, was the result of a decision taken in 1959 to extend for a two-year period an experiment initiated in 1958. During the entire period of the experiment there had been consultations with the Advisory Committee and, as a result, additional tables had been incorporated in the budget for the information of the Members. The present form permitted greater flexibility in the use of staff and thus ensured the maximum possible use of the total resources of the Secretariat. The modest increase in the number of Professional posts during the past six years and the efforts made to limit requests for additional posts in 1962 testified to the effectiveness of the current form of budget presentation.

23. The representative of the Secretary-General also pointed out that the budget should not, however, be merely a collection of estimates for specific purposes. It should also be so designed as to facilitate the review and control of expenditure by the General Assembly, while enabling the Secretary-General to make the most flexible use of the resources authorized under each section. The 1961 and 1962 budgets, he submitted, went far in meeting those criteria. They included, first of all, estimates for the execution of work programmes in the established offices of the United Nations. Those were followed by estimates covering work programmes in the field, and at the end came the estimates for special offices. But in the final analysis, the level of the combined estimates depended primarily on the level of the authorized programmes. In consequence, whereas the estimates for the established offices were more susceptible to control, and indeed represented the more stable portion of the total budget, the estimates for technical programmes and field missions were necessarily subject to wider fluctuation. Reference had also been made to the possible separation of operational expenses from the regular budget; that question raised considerations which went far beyond those of a purely technical or budgetary character. If, on the other hand, it was desired to stabilize the "administrative budget", it would be necessary, in the first place, to determine an appropriate level for administrative expenses. Taking the current level of expenses as the only logical point of departure, it might reasonably be contended that the administrative budget could not be cut below the present level unless, at the same time, there was a corresponding reduction in the level of programmes. Any decision to that effect would have to be taken by organs whose ruling would not be open to question. The responsibility for establishing priorities for programmes or services rested with the Member States, and the Secretariat should not be called upon to exercise that kind of final judgement.

Section 18—Special missions

24. The Committee gave much attention, at its 854th, 864th and 868th meetings, in connexion with the first reading of section 18—Special missions, to the matters raised in paragraph 259 of the Advisory Committee's report on the 1962 budget estimates, the text of which is reproduced below:

"In examining the estimates for the special missions provided for in this section, the Advisory Committee has borne in mind that these operations owe their existence to decisions of the Security Council and the General Assembly. Pending a decision by the appropriate organ that a mission should be discontinued or that the scope of its functions should be changed, it is the responsibility of the Secretary-General to ensure that each mission is maintained at a level commensurate with the adequate fulfilment of the purposes for which it was set up. Within this framework, the Advisory Committee has always felt free to scrutinize and comment upon the Secretary-General's proposals with a view to ensuring that the activities concerned were being administered in the most economical and effective manner. To the same end, the Committee would point to the need, especially in the case of missions which have been in existence for some time and are likely to continue, for a periodic review of administrative and organizational requirements in the light of developing circumstances." (A/4814).

25. Some delegations, while concurring in the observations of the Advisory Committee, felt that they did not go far enough. These delegations contended that it was the practice of the Secretariat to determine the composition of, and exercise a general control over, the special missions established by the General Assembly or the Security Council. The Secretariat had, moreover, a tendency to perpetuate missions that had been set up in the distant past, at times in violation of the Charter; apart from the latter consideration, some of the missions, though perhaps necessary at the time they were set up, no longer served a useful purpose or functioned actively. It was therefore a clear responsibility of the Secretariat to draw attention to the continuing cost of such missions and to refrain from automatically proposing recurring annual appropriations calculated to keep them indefinitely in existence. The Committee should serve notice that further appropriations would not be recommended for any of the special missions unless the parent organs confirmed the need for continuing the missions, redefined their scope and functions, and specified their anticipated duration. The Secretariat, for its part, had failed in the patent duty of reporting to the Security Council or the General Assembly on the scope of the activities of the missions and submitting estimates of the related expenditure.

26. Other speakers taking part in the discussion considered that, while some economies under section 18 might conceivably be possible, the Secretariat could not properly be held responsible for the perpetuation of any of the special missions. Unless and until instructed to the contrary, the Secretariat had no option but to assume that there was a continuing need for missions instituted by the policy-making organs of the United Nations. Any member of the Security Council could at any time propose action to wind up a mission which it regarded as no longer necessary, and any Member State could take similar action in the General Assembly. By the annual submission of budget estimates, the Secretariat kept the Assembly and, through it, the Security Council fully informed of the continuing costs of the missions; the financial implications of the missions were therefore known to the appropriating authority. It was exclusively for the Members which had created the missions to take any policy decisions that were, in their opinion, appropriate in the circumstances.

27. The representative of the Secretary-General pointed out that the Secretariat's initiative in the matter was a very limited one. Pending a decision by the competent organ that a particular mission should be discontinued or the scope of its functions changed, it was the Secretary-General's responsibility to ensure its adequate maintenance and servicing. While the original resolutions of the General Assembly or the Security Council were in some cases not as explicit as was desirable—and thus left a certain latitude to the Secretariat in determining what was an adequate level—the Secretariat had no authority to initiate fundamental political actions. The responsibility that did devolve upon the Secretariat, within limitations, was to see that there was due regard to economy and efficiency in the operation of the missions. It was not correct to say that the Secretariat defined the nature and scope of the operation or determined the budgetary provision that should be made. It merely made budgetary proposals to the General Assembly; the Advisory Committee had much to say, and the Fifth Committee everything, about such proposals.

28. At the 864th meeting, the Czechoslovak representative proposed the following text (A/C.5/L.679) for inclusion in the Fifth Committee's report on the 1962 budget estimates:

"The Fifth Committee endorses the observations of the Advisory Committee on Administrative and Budgetary Questions contained in paragraph 259 of its ninth report to the General Assembly at its sixteenth session (A/4814), and emphasizes:

"(a) That the appropriate organs which established the missions for which provision is included in section 18 should review the scope and functions as well as the need for continuation of these missions, and

"(b) That pending such examination, the Secretariat should review the administrative and organizational requirements of these missions in the light of developing circumstances."

29. At the 868th meeting, the Czechoslovak representative explained that in drafting paragraph (b) of its proposal his delegation had not intended to assign to the Secretariat tasks which fell outside its province, but to call for the preparation by the Secretariat of the necessary background papers of a technical character. To obviate any possible ambiguity, he was prepared to substitute the following text:

"(b) The Fifth Committee further requests the Secretary-General to bring this decision to the attention of the competent organs."

30. Other representatives saw difficulty in retaining the proposed draft text even in its revised form. Paragraph (a) did not reflect the tenor of the Advisory Committee's observations (A/4814, para. 259), which were based on the premise that the parent organs were aware of what had to be done. The Fifth Committee clearly had no authority to take political decisions, and it was likewise not entitled, on the pretext of pursuing economy, to request any organ to take a political decision. It would be preferable simply to quote the entire text of paragraph 259 of the Advisory Committee's report as representing the views of the Fifth Committee. Concurring in that suggestion, the representative of Czechoslovakia withdrew his proposal.

31. Some delegations nevertheless felt that it would be within the Fifth Committee's competence to adopt a variant of paragraph (a) and "express the hope"

that the appropriate organs which established the missions for which provision was included in section 18 "might keep under review" the scope and functions, as well as the need for continuation, of those missions.

32. Subject to what is said above, it was the consensus of opinion of the Committee that the observations of the Advisory Committee in paragraph 259 of its report should be endorsed, and that due regard should be paid by the appropriate organs to the administrative and budgetary considerations set out therein, as well as to the discussion of the matter held in the Committee.

II. UNITED NATIONS PREMISES

A. MEETING-ROOM FACILITIES AT HEADQUARTERS

33. The question of providing adequate meeting-room facilities at Headquarters which had engaged the Committee's attention at the fifteenth session, was again considered at the 877th meeting on 10 November 1961.

34. In document A/C.5/889 the Secretary-General submitted a factual report on the work done since January 1961 in enlarging the seating accommodation in the General Assembly Hall, the Main Committee rooms and the Economic and Social Council Chamber. The report indicated that, by means of purely temporary changes, it was now possible to seat in each of those meeting rooms 106 delegations as compared with the previous maximum of 100 delegations. As regards the further action which the growing membership of the Organization demanded,⁶⁹ it was explained that the possibility of adding to the seating capacity in the meeting rooms by means of temporary installations had been virtually exhausted: in the Main Committee rooms, not only was there no scope for any similar installations on the floor area, but a serious question of cost arose in connexion with a possible expansion of the rooms by means of basic structural alterations; in the case of the Economic and Social Council Chamber a further enlargement of the temporary seating capacity—for use as a Main Committee room—was totally precluded; in the case of the General Assembly Hall, some addition to the seating capacity by means of temporary installations might still be envisaged. It was, however, unquestionable that both as regards the latter meeting room and as regards conference rooms 1, 2, 3 and 4, any such temporary addition could be achieved only at the expense of the present standards of comfort and efficiency, and through a reduction in the accommodation available to the Press and the public.

35. In a related report (A/4949, paras. 6 and 7), the Advisory Committee suggested that it would be prudent, in view of the serious cash position, once again to defer the permanent expansion programme⁷⁰ and to turn instead to one or both of the following temporary expedients:

(a) In the Main Committee rooms and the Economic and Social Council Chamber, a seating capacity of 108 could be achieved within the existing facilities—if Member States would temporarily forego their claim to accommodation for a representative on the floor area combined with a seat reserved on the podium for the

⁶⁹ On 17 October 1961, date of the Secretary-General's report, the number of Member States stood at 101; it had risen by 19 December 1961, the date of the present report, to 104.

⁷⁰ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 50, document A/C.5/848.*

member of their delegation elected to serve as Vice-Chairman or as Rapporteur. In the General Assembly Hall, further temporary installations at some \$5,000 per additional delegation, could be arranged;

(b) It should be possible to achieve a limited further expansion, at reasonable cost, of the existing seating capacity for 106 delegations on the floor area of conference rooms 1, 2, 3 and 4 and in the General Assembly Hall, though not in the Economic and Social Council Chamber; any such temporary arrangements would entail some sacrifice of present standards of accommodation and give rise to a number of technical, though not insuperable, difficulties.

36. Members taking part in the discussion were agreed that, in spite of the risk of inconvenience and even discomfort to delegations, a heavy capital outlay for the improvement of facilities could not be justified in 1962. Most delegations favoured the first of the provisional expedients recommended by the Advisory Committee (paragraph 35 (a) above); they recognized that, on the one hand, there was an element of risk in providing accommodation for only 106 delegations, or—in certain circumstances—a maximum of 108 delegations, at the seventeenth session but that, on the other hand, the Advisory Committee's recommendation to defer for one year the permanent expansion programme was entirely reasonable. They were accordingly ready to accept the inconvenience that might be caused by new provisional arrangements designed to allow more delegations to be seated.

37. Representatives of the Secretary-General pointed out that delegations had already adapted themselves to arrangements which fell below the original standards of comfort, and that even provisional alterations entailed considerable expense. The experts who had been consulted were of the opinion that it would hardly be possible to accommodate more than 106 delegations in the conference rooms; in addition, safety and fire hazards had to be taken into account. But whatever solution was adopted, the Secretariat would not be in a position to provide sufficiently accurate cost estimates in the immediate future. In those circumstances, the wisest course might be to provide that any necessary expenditure should be treated, under the customary annual resolution, as an unforeseen or extraordinary item.

Decision of the Committee

38. The Committee agreed, without objection, to accept the suggestion of the Advisory Committee in paragraph 7 of its report (A/4949) to defer the implementation of the permanent expansion programme for one more year by recourse to the temporary expedients outlined in paragraph 6 (a) and (b) of that report. It further agreed that any expenditure needed to be incurred in the meanwhile for the provisional enlargement of meeting-room facilities should be subject to the provisions of paragraph 1 of the General Assembly resolution on unforeseen and extraordinary expenses for the financial year 1962.

B. MODERNIZATION OF THE PALAIS DES NATIONS

39. At its 857th meeting, the Committee approved, without objection, a proposal submitted by the Secretary-General (A/C.5/877, paras. 13-17), with the concurrence of the Advisory Committee (A/4918, para. 15), for an additional appropriation of \$210,000 under section 7—Buildings and improvements to premises—of

the 1962 estimates, for the programme of modernization of the Palais des Nations.

40. Under the terms of General Assembly resolution 1447 (XIV) of 5 December 1959 the total cost of the programme was approved at the figure of \$1,790,000, comprising (a) \$590,000 for improvements to the conference rooms and ancillary services at the Palais des Nations, and (b) \$1,200,000 for the modernization of the Assembly Hall block.

41. The Secretary-General's report (A/C.5/877) indicated that project (a) above had been virtually completed, within the target cost figure of \$590,000, but that as regards project (b)—modernization of the Assembly Hall block—the figure of \$1,200,000 was likely to fall short of total requirements by \$291,000. Of the latter amount, \$81,000 had already been committed, with the concurrence of the Advisory Committee for work undertaken in 1961, leaving a balance of \$210,000 to be appropriated—under the Secretary-General's proposal—for 1962.

42. The main factors giving rise to the increased requirement of \$291,000 were, in summary, the following:

(a) The necessity to expedite all phases of the construction work on the Assembly Hall and to effect certain temporary installations in order to be ready in time for the opening of the International Labour Conference in June 1961 (\$25,000):

(b) Unforeseen difficulties encountered in undertaking construction work, such as the need to excavate through hard rock and masonry in order to relocate and reconstruct air-conditioning and electrical ducts (\$90,000);

(c) Increased costs for labour and materials since the estimates were approved (\$80,000);

(d) The adjustment and revision of original construction plans, the need for which only became apparent as work progressed (\$90,000).

Recommendation of the Committee

43. The decision of the Fifth Committee (paragraph 39 above) is embodied in draft IV resolution which the Committee recommends to the General Assembly for adoption (see para. 101 below).

C. CONSTRUCTION OF THE UNITED NATIONS BUILDING IN SANTIAGO, CHILE

44. At the 857th meeting, the Committee considered a report of the Secretary-General (A/C.5/887) setting forth the development that had taken place in the previous twelve months in the construction of the United Nations building in Santiago, Chile.

45. The main features of the report were:

(a) In order to complete the project within the expenditure authorization of \$1,550,000 (General Assembly resolution 1407 (XIV) of 1 December 1959), it had proved necessary to reduce the office space standards as well as the space originally earmarked for certain common services. However, no reduction was contemplated in the conference facilities;

(b) Most of the administrative procedures to give effect to the various tax exemptions granted by the Government of Chile had been agreed upon. A saving of some \$97,000 was anticipated from that source; and

(c) Under the revised construction schedule, the building was expected to be ready for occupancy during

the last quarter of 1963, rather than in the summer of that year.

46. Representatives spoke with appreciation of the generous assistance which the Chilean Government had continued to extend towards the successful completion of a United Nations project of high importance.

47. The Committee took note of the Secretary-General's report (A/C.5/887).

III. UNITED NATIONS CONFERENCE ON THE APPLICATION OF SCIENCE AND TECHNOLOGY FOR THE BENEFIT OF THE LESS DEVELOPED AREAS

48. At the 855th meeting, the Fifth Committee considered, under section 2—Special meetings and conferences—of the 1962 budget estimates, the reports of the Secretary-General (A/C.5/878) and the Advisory Committee on Administrative and Budgetary Questions (A/4919) on the subject of the United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas.

49. In resolution 834 (XXXII) of 3 August 1961, the Economic and Social Council decided that the Conference should be held in Geneva, if possible in August 1962, for not more than twelve days.

50. The Secretary-General tentatively estimated the total costs of the Conference at \$2,404,900 (A/C.5/878, para. 10; annex)⁷¹ distributed as follows, by financial year:

	<i>United States dollars</i>
1961	185,000
1962	1,761,900
1963	458,000

51. Under the recommendation of the Advisory Committee (A/4919, para. 22), the total expenditure for the Conference would be limited to \$2,000,000, to be distributed over the three financial years (1961-1963) at the discretion of the Secretary-General. The reduction of \$404,900 was made up of two elements:

(a) \$284,900 under section 2—Special meetings and conferences—in respect of the Conference estimates proper; and

(b) \$120,000, representing the amount recommended by the Advisory Committee for transfer from the Conference budget (section 2) to section 7—Buildings and improvements to premises—of the 1962 budget.⁷²

52. The Advisory Committee suggested that, in view of the tentative nature of the Secretary-General's estimates, the Committee should be kept informed of developments as the planning of the Conference progressed, and that, specifically, it might review the situa-

⁷¹ The estimates were based on certain assumptions regarding (a) the languages in which the papers would be submitted, and (b) the translation of the two main categories of papers (A/C.5/878, para. 8; A/4919, para. 9). The alternative arrangements, which neither the Secretary-General nor the Advisory Committee recommended, would entail an additional expenditure of \$1,830,000 (A/C.5/878, para. 11; annex, paras. 24-29).

⁷² The Secretary-General had proposed an amount of \$130,000 (\$50,000 for 1961; \$80,000 for 1962) for the provision of office space for the Conference (A/C.5/378, annex, paras. 6 and 15-21). The Advisory Committee recommended (A/4918, paras. 18 and 19; A/4919, para. 14 (c)) that only the cost of temporary office accommodation for the Conference (\$10,000) should be charged to the Conference budget (section 2), and that the balance of \$120,000, as representing provision for a permanent asset (twenty-six permanent office units in the Palais des Nations) should be transferred to section 7 of the 1962 estimates.

tion at its spring session in 1962 and, as appropriate, make further recommendations.

Discussion in the Committee

53. Almost all the representatives who spoke in the course of the discussion welcomed the decision of the Economic and Social Council. The proposed Conference would undoubtedly prove a decisive event in the history of the United Nations. The benefits that would flow from the meetings of scientists and technologists and the guiding principles that they would serve to establish would help the less developed countries to accelerate their progress in coming years by applying many of the latest advances in the technical fields to the solution of their economic and social problems. The more advanced countries would also draw advantage from the Conference through a better knowledge and understanding of the needs of the former countries. It was gratifying that the decision of the Council had been unanimous and that the executive heads of the specialized agencies had evinced the keenest interest and pledged their full support.

54. The Committee addressed itself largely to two main points: the first concerned the timing of the Conference; the second, the scope and volume of its publications. As regards the former point, the queries of representatives had to do with the year or the quarter of the year in which the Conference might be held to best advantage. It was thus suggested that, while the Council preferred the date of August 1962—the earliest possible date, it still remained for consideration whether that date was feasible from the point of view of the Secretariat, and from the point of view of the Governments which, however anxious to give all possible assistance, had to cope with problems of the administrative machinery. The question arose whether the scientists and technical experts would really have time to draft their papers and whether the Secretariat, for its part, would be able to translate and reproduce them in time for careful study on the part of the participants.

55. The representative of the Secretary-General said that August 1962 had originally seemed to be the most suitable date for the Conference. A date later in that year could not be fitted into the conference programme without exceeding the appropriation; additional staff would have to be recruited in lieu of the Headquarters staff who, though available in August, would be engaged, as from mid-September, on General Assembly work. At least three, and possibly four, major conferences were planned for 1963, and it had not been thought desirable or indeed feasible to add to so heavy a programme. It had also been felt that the proceedings of any conference held in 1963 would not in fact be published until 1964 and some members of the United Nations Scientific Advisory Committee, as well as the representatives of some Governments, had suggested to the Secretary-General that that would constitute a somewhat too long delay.

56. The Secretary-General's representative added that he presumed that the Secretariat was not asked to express a view as to which would be the best date—that would be a matter for the General Assembly to decide—but had been requested to indicate whether, from an administrative point of view, the proposed date of August 1962 was feasible. On the basis of the experience gained from previous conferences of a similar type, the organization of the Conference by August 1962 was possible

given the fullest co-operation of Governments. The provisional agenda would be communicated to Governments by about the middle of November, the definitive agenda by about the middle of December 1961, at which point the Secretariat would be in a position to invite Governments to appoint experts to participate in the Conference. To allow time for their processing, the papers to be submitted to the Conference should reach the Secretariat early in April: that would afford the authors a three-month interval for drafting—an interval thought to be adequate for experts of the eminence of those upon whose services Governments would undoubtedly call. It was also relevant that, as the total number of papers had been fixed in advance, the papers to be submitted by any one country would likewise be limited. Finally, in reply to a question, the Secretary-General's representative stated that if the Conference were to be postponed until 1963, it would be preferable to consider a date falling within the first quarter rather in the latter part of the year. However, that might, after examination, be found to necessitate some upward revision in the budget since that part of the staff which would be drawn from Headquarters officials on home leave in Europe and on duty with the summer session of the Economic and Social Council would not then be available in Europe, and would have to be replaced by staff expressly recruited for the Conference.

57. A number of delegations, while entertaining some doubts regarding the choice of August 1962, agreed that in that matter the desires of the interested countries should be taken into account; the latter appeared to be most anxious for the Conference to be held at the earliest date consistent with its proper preparation.

58. On the subject of the Conference publications, the balance of opinion favoured the programme recommended by the Secretary-General and the Advisory Committee, which fulfilled the most economical standard compatible with the effective performance of the work of the Conference. It would not be right to spend an additional \$1.8 million on the translation and reproduction *in extenso* of all of the 500 papers in all the working languages, even though, as other delegations pointed out, they would hold out much interest to the less developed countries. The Secretariat might, however, as suggested by the Advisory Committee (A/4919, para. 21), investigate the possibility of associating a commercial house with the publication of a part of the Conference proceedings.

59. The representative of the Secretary-General said that, if the Committee approved an appropriation of \$2 million for the Conference, the Secretariat would naturally consider itself bound not to exceed that figure; as regards the number of papers, however, 500 was no more than a tentative estimate. It might in fact prove possible to accept a larger number of papers within the budgetary limit. There was reason to hope that many Governments would provide the text of their papers in at least two languages as many of them had done in the case of the two United Nations Conferences on the Peaceful Uses of Atomic Energy.

Decision of the Committee

60. By 77 votes to none, with 1 abstention, the Committee approved the recommendation of the Advisory Committee (A/4919, para. 22) for an appropriation of \$2,000,000 for the United Nations Conference on the Application of Science and Technology for the Benefit

of the Less Developed Areas. It also approved the following distribution by financial year:

	<i>United States dollars</i>
1961	135,000
1962	1,407,000
1963	458,000

IV. SALARIES OF JUDGES OF THE INTERNATIONAL COURT OF JUSTICE

61. At its 891st and 893rd meetings, held on 28 November and 1 December 1961, the Fifth Committee considered a report of the Secretary-General (A/C.5/876), submitting statistical and other data concerning the salaries of the members of the International Court of Justice. After observing that "it seems evident that the United Nations, no less than the Governments of Member States, must from time to time review the salaries of its Judges", and that "the Secretary-General therefore believes that it is his duty to bring certain relevant data to the attention of the General Assembly, for such action as it deems fit", the Secretary-General expressed the hope that the data "may be sufficient to enable the General Assembly to form an opinion as to what action would be reasonable in the circumstances".

62. In a related report (A/4981, para. 13) the Advisory Committee on Administrative and Budgetary Questions outlined three possible approaches which might afford guidance to the General Assembly in the event of its concluding that an increase in the salaries of the members of the Court was called for. Expressed in monetary terms, the alternative approaches represented increases in the annual salaries from \$20,000 to the following respective amounts:

	<i>United States dollars</i>
Approach (a)	27,700
Approach (b)	26,528
Approach (c)	25,000

63. Subject to the decision of principle to be taken by the General Assembly, the Advisory Committee expressed its preference for the third method of adjustment with a *pro rata* increase in the special allowances payable to the President, Vice-President and *ad hoc* Judges (excluding subsistence allowances).

64. It was pointed out that the salaries of the members of the court had initially been fixed at a level designed to ensure their complete independence and to reflect the fact that judicial salaries in national courts were somewhat higher than those granted to the equivalent ranks of the civil service. The stability of judicial courts should be matched by the stability of judges' salaries, and it seemed therefore inadvisable to link the salaries of the members of the International Court to a fluctuating circumstance such as the cost of living. Judicial salaries should be adjusted as infrequently as possible, perhaps not more than once in every ten years. On that ground, the salaries of the members of the Court should be fixed at a figure higher than a strict mathematical calculation might perhaps warrant.

65. The United States representative said that it was his Government's firm policy to support any measures calculated to strengthen the International Court of Justice and maintain its prestige as the principal judicial organ of the United Nations. The guiding principles for determining the salaries of its members, as laid down in the report of the Executive Committee

to the Preparatory Commission of the United Nations⁷³ were, first, that the salaries should be such as to render the office of judge acceptable to the most eminent of the persons qualified, in accordance with Article 2 of the Statute of the International Court of Justice, to hold office—they should therefore not be lower than those they would receive in their own countries; secondly, that the salaries should be such as to guarantee the absolute independence of the Judges; and thirdly, that the real value of the salaries should not be less than that of the salaries received by the Judges of the Permanent Court of International Justice during the period 1936 to 1939. As the present salaries of the members of the Court had been fixed eleven years previously, they were no longer in harmony with the guiding principles. His delegation therefore proposed that the Committee should, in accordance with the conditional suggestions of the Advisory Committee (A/4981, paras. 13 (c) and 14), recommend an increase in the salaries from \$20,000 to \$25,000 per annum, together with a *pro rata* increase in the special allowances payable to the President, Vice-President and *ad hoc* Judges (exclusive of subsistence allowances).

66. The representative of Pakistan submitted that, in considering the question, the Committee might wish to take account of several imponderables. In the first place, most, if not all, of the members of the Court had to live away from their own countries—in which they might still be maintaining a home—and, because they were appointed for a limited term of office, they often found it necessary to live in hotels, at some sacrifice of comfort and money. Secondly, because of the way in which the work of the Court was organized, with vacations in the summer and at Christmas time, most of the Judges made two trips to the home country during the year, one of them at their own expense. Thirdly, no extra allowance for rent or transport was included in their emoluments. For those reasons—and because the new scale was intended to remain in force for a number of years and might be eroded by further cost-of-living increases—the alternative set out in paragraph 13 (b) of the Advisory Committee's report seemed preferable. His delegation accordingly proposed that the salaries of the members of the Court should be raised to \$26,528 per annum; that the President should receive a special allowance of \$6,400 per annum; and that the Vice-President should receive an allowance of \$40 a day for every day that he acted as President, up to a total of \$4,000 per annum. His delegation also proposed that the daily allowance (inclusive of subsistence allowance) for *ad hoc* Judges should be calculated as 1/365th of whatever new salary the General Assembly might approve for a member of the Court. Under the United States proposal, the subsistence allowance being excluded from the calculation of the *pro rata* increase, the *ad hoc* Judges would receive less than the members of the Court, whereas, under existing provisions, the emoluments of the two categories of judges were identical. Provided that parity of treatment was maintained, the apportionment of the daily emoluments of the *ad hoc* Judges—as between compensatory allowance and subsistence allowance—was of secondary importance.⁷⁴

⁷³ Report by the Executive Committee to the Preparatory Commission of the United Nations (PC/EX/113/Rev.1), part II, V C.

⁷⁴ In draft resolution V (see para. 101 below), the amount of \$68 has been apportioned as follows: compensatory allowance \$45; subsistence allowance \$23.

67. A number of members taking part in the discussion supported the United States proposal; however, several members, while favouring the main part of that proposal, to the effect that the salaries should be raised to \$25,000, concurred in the second part of the Pakistan proposal relating to the allowances for the *ad hoc* Judges.

68. The United States representative accepted, as an amendment to his proposal the second part of the Pakistan proposal regarding the *ad hoc* Judges.

69. The representative of Pakistan withdrew his proposal.

Financial implications

70. The adoption of the draft resolution recommended by the Committee would give rise to an additional annual expenditure estimated at about \$77,000. The comparable estimates for the alternative methods of adjustment (para. 62 above) are:

	United States dollars
Alternative (a)	115,500
Alternative (b)	98,000

Decision and recommendation of the Fifth Committee

71. At the 893rd meeting, the Committee unanimously adopted the United States proposal, as amended.

72. The Fifth Committee accordingly recommends to the General Assembly the adoption of draft resolution V (see para. 101 below).

V. POST CLASSIFICATION FOR GENEVA

73. At its 900th meeting, on 12 December 1961, the Committee considered a report of the Secretary-General (A/C.5/903) proposing that the post classification for Geneva should be raised, as from 1 November 1961, from class 3 to class 4 within the existing post adjustment system; and, as from 1 January 1962, from class 0 to class 1 within the new system due to come into force on the later date. The financial implications were estimated at \$16,400 in 1961, and at \$128,400 in 1962. However, as regards the former year, the Secretary-General was prepared to meet the costs of the increase within the supplementary estimates already approved for 1961.

74. The Secretary-General's proposal was supported by the following explanatory data (A/C.5/903, paras. 2-4):

(a) The special cost-of-living index for international officials in Geneva was based on a weighted list of goods and services approved by the Expert Committee on Post Adjustments (ECPA). It had been prepared after consultation between the Swiss Federal Statistical Office and the statistical services of the United Nations and the International Labour Office. Because the official Swiss figure for movement of rentals was not suitable for international officials, the index included a special rent component based on data gathered, from the officials themselves, twice a year, in March and September. In consequence, a complete index figure could be obtained only for those two months; it became available in May and November:

(b) Information had been received from the International Labour Office to the effect that the special index, which stood at 114.3 in March 1961 (the nine-

month average then being 112.2), had reached 118.2 in September (a nine-month average of 115.7);

(c) On 1 January 1961, the United Nations "official" rate of exchange was reduced from 4.34 francs to the dollar to 4.30, with the result that while the net emoluments of the staff (in Swiss francs) were reduced by approximately 1 per cent, the cost-of-living index figure rose by the same approximate percentage.

75. In reporting on the Secretary-General's proposal, the Advisory Committee pointed out (A/5014, paras. 5, 7-9) that:

(a) The Director-General of the World Health Organization (WHO), having authority to change the classification by administrative action, had introduced class 4 as from 1 November 1961, for the reason that WHO does not apply such changes retroactively; and that, on the other hand, the Governing Body of the International Labour Office had approved in November 1961 a change in the Geneva post classification from class 3 to class 4 in the old system with effect from 1 September 1961, and from class 0 to class 1 in the new system with effect from 1 January 1962; and

(b) Although the plan for the special index had been approved by ECPA and subsequently by the Administrative Committee on Co-ordination (ACC), neither of those bodies had examined in detail the actual resulting figures compiled by the International Labour Office and the Swiss Federal Office of Statistics.

76. The Advisory Committee added the opinion that the budgetary consequences of the adoption of the special index were so serious that prior review by the General Assembly would have been advisable.

77. In spite of its reservations as to the timing of the procedures that had been followed, the Advisory Committee, taking account of the fact that the main Geneva-based agencies had already moved to a higher post classification, refrained from recommending any modification in the Secretary-General's proposal.

78. Discussion in the Committee turned largely on two points. It was felt, in the first place, that a proposal having considerable financial implications should not be presented at so late a date, just before the close of the session, and so soon after the General Assembly's approval of a salary increase, ranging from 7 to 17 per cent, for the Professional and higher categories of staff. In the second place, the disparity in the procedures followed in the various organizations for making changes of classification was a source of concern to a number of delegations. Thus, in WHO the Director-General was empowered to make such changes by his own administrative decision, whereas in the case of the International Labour Organisation the decision had been taken by the Governing Body, which had no true equivalent either in WHO or in the United Nations; finally, in the last-named organization such proposals—at least as regards the principal duty stations—were normally referred for decision to the General Assembly. It should be possible to unify procedures in the organizations adhering to the common salary system, for co-operation was implicit in the existence of such a system. It would be useful if the Advisory Committee could study the possibility of arrangements being devised under which, in organizations applying the common system, changes in the post adjustment system would

be given effect to administratively at the same time and in the same manner by all.

79. Other representatives pointed out that co-ordination was no less desirable at the legislative than at the administrative level. The responsibility for insisting on uniformity of procedures and concerted action rested, in largest part, with the representatives of Member States in the legislative bodies of the organization.

80. As regards the specific proposal before the Committee, several representatives suggested that it would not be right to penalize the United Nations staff at Geneva—by withholding the change from class 3 to class 4.

81. The representative of the Secretary-General said that the application of any post adjustment system involving a number of organizations was necessarily complicated, and decisions could not easily be synchronized. Cost-of-living increases had already occurred at Geneva and decisions had been taken accordingly. The questions raised by the Advisory Committee and the Fifth Committee would, however, be the subject of review by the ECPA at its next session, and the results thereof would be available to the General Assembly at its seventeenth session.

Decision of the Committee

82. The Fifth Committee approved, by 50 votes to none, with 9 abstentions, the Secretary-General's proposal (A/C.5/903, para. 8).

VI. FIRST AND SECOND READINGS OF THE BUDGET ESTIMATES FOR 1962

First reading of the 1962 budget estimates and subsequent actions

83. For its first reading of the 1962 budget estimates, the Fifth Committee had before it the initial estimates submitted by the Secretary-General (A/4770) and the report of the Advisory Committee thereon (A/4814). The statements made by the Controller (A/C.5/881) and the Chairman of the Advisory Committee (A/C.5/882) at the 849th meeting of the Committee had also contained references to particular sections of the budget. Further the first reading of the budget sections included consideration of the following revised estimates submitted by the Secretary-General, on which the Advisory Committee had reported separately:

(a) Decisions of the Economic and Social Council—documents A/C.5/874 and A/4910: sections 1, 3, 4, 5, 8 and 11, and income section 1;

(b) Decisions of the Economic and Social Council: United Nations Conference on the Application of Science and Technology for the Benefit of Less Developed Areas—documents A/C.5/878 and A/4919: sections 2 and 7 and income section 1;

(c) Modernization of the Palais des Nations—documents A/C.5/877 and A/4918: section 7.

84. The following table sets out the first reading decisions of the Fifth Committee on the expenditure and income sections and indicates the meetings of the Committee at which the sections were considered in first reading. Except where indicated otherwise, the action of the Committee related to the initial estimates; in all cases the amounts were those recommended by the Advisory Committee.

Section	Meeting	Amount	Yes	No	Abstentions
		<i>United States dollars</i>			
1 Travel and other expenses of representatives, members of commissions and committees and other subsidiary bodies	850th	1,094,200 ^a	68	0	1
2 Special meetings and conferences	855th	1,487,000 ^b	Unanimous		
3 Salaries and wages	858th, 859th	37,146,000 ^{a, c}	60	9	2
	861st				
4 Common staff costs	861st	8,683,200 ^a	62	9	1
5 Travel of staff	857th	2,060,000 ^a	Unanimous		
6 Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; Hospitality	857th	100,000	Unanimous		
7 Buildings and improvements to premises	857th	4,364,500 ^{b, d}	Unanimous		
8 Permanent equipment	851st	438,500 ^a	Unanimous		
9 Maintenance, operation and rental of premises	851st	3,450,000	Unanimous		
10 General expenses	851st	3,650,000	Unanimous		
11 Printing	854th	1,233,650 ^a	Unanimous		
12 Special expenses	857th	74,600	58	6	2
13 Economic development	854th	1,110,000	58	0	9
14 Social activities	854th	1,520,000	57	0	9
15 Human rights activities	854th	100,000	58	0	9
16 Public administration	854th	1,150,000	58	0	9
17 Narcotic drugs control	854th	75,000	58	0	9
18 Special missions	854th, 855th, 864th, 868th	2,408,650	56	9	0
19 United Nations Field Service	855th	1,350,000	60	9	1
20 Office of the United Nations High Commissioner for Refugees	864th	2,330,000	64	0	11
21 International Court of Justice	864th	805,800	Unanimous		
<i>Income section</i>					
1 Staff assessment income	861st	7,460,000 ^{a, b}	Unanimous		
2 Funds provided from extra-budgetary accounts	861st	1,666,800	Unanimous		
3 General income	861st	1,400,000	Unanimous		
4 Sale of United Nations postage stamps (United Nations Postal Administration)	861st	1,275,000	Unanimous		
5 Sale of publications	861st	375,000	Unanimous		
6 Services to visitors and catering services	861st	675,000	Unanimous		

^a Includes revised estimates resulting from decisions of the Economic and Social Council (A/C.5/874; A/4910).

^b Includes revised estimates resulting from decisions of the Economic and Social Council: United Nations Conference on the Application of Science and Technology for the Benefit of the Less Developed Areas (A/C.5/878; A/4919).

85. The summary records of the Committee's meetings mentioned in the foregoing table contain the views expressed by members of the Committee on the estimates for the various sections, as well as further information supplied to the Committee by the Chairman of the Advisory Committee and by representatives of the Secretary-General. No attempt is made here to reflect these discussions. However, certain considerations of a more general nature which arose during the first reading are included in part I of this report.

86. The first reading decisions of the Committee were affected by its subsequent consideration of revised estimates for certain sections and by its recommendations on other items on its agenda:

(a) Revised estimates for section 1 resulting from the admission of new Member States and the resumption of membership by Syria (A/C.5/898, A/4995);

(b) Enlargement of the Advisory Committee on

^c On a separate vote of 56 to none with 14 abstentions, the Committee, at its 861st meeting, approved the provision, within this total amount, of \$10,000 for preparatory expenses for the conference on international travel and tourism (A/C.5/874, para. 12; A/4910, para. 15).

^d Includes revised estimates for the modernization of the Palais des Nations, Geneva (A/C.5/877; A/4918).

Administrative and Budgetary Questions (agenda item 94) (A/4973);

(c) Revised estimates for section 2 in respect of international commodity conferences (A/C.5/894, A/4965);

(d) Base salary scales and post adjustments of staff in the Professional and higher categories of the international civil service (agenda item 65) (A/4977);

(e) Revised estimates resulting from the increase in salaries of General Service and manual workers at the European Office, Geneva, approved in connexion with the supplementary estimates for 1961 (A/C.5/884, A/4924);

(f) Post classification at Geneva (A/C.5/903, A/5014) (chapter V of the present report);

(g) Other personnel questions: Amendment of Staff Regulations 3.2—Education Grant (agenda item 64 (c)) (A/5063);

(h) United Nations International School (agenda item 67) (A/5067);

(i) Revised estimates for sections 13, 14 and 16 for the reappropriation of unspent balances from 1961 appropriations (A/C.5/906, A/5025);

(j) Salaries of Judges of the International Court of Justice (A/C.5/876, A/4981) (chapter III of the present report).

87. Further, under rule 154 of the rules of procedure of the General Assembly, the Fifth Committee reported to the General Assembly on the financial implications of draft resolutions recommended by other Main Committees, the adoption of some of which would result in additional budgetary requirements for 1962. The agenda items in connexion with which such reports were made together with the document numbers of the Fifth Committee's reports are listed hereunder:

(a) Enlargement of the International Law Commission (agenda item 77) (A/4946);

(b) Report of the Economic and Social Council; Economic development of under-developed countries (agenda items 12 and 28) (A/5008);

(c) Racial Discrimination in Non-Self-Governing Territories (agenda item 41) (A/4999);

(d) Report of the International Law Commission on the work of its thirteenth session (agenda item 69) (A/5020);

(e) Dissemination of information on the United Nations in Non-Self-Governing Territories (agenda item 42) (A/4961);

(f) Question of the Future of Ruanda-Urundi (agenda item 49) (A/4932).

The items (d), (e) and (f) did not involve adjustments to the amounts to be appropriated for 1962.

88. The effect on the amounts for the various sections of the budget of the actions indicated in the two preceding paragraphs was summarized in a paper submitted to the Committee for the second reading of the estimates (A/C.5/908).

Second reading of the 1962 budget estimates

89. On the basis of the note (A/C.5/908) referred to above, the Committee, at its 902nd meeting, voted on the estimates in second reading. Under section 12—Special expenses, on a separate vote requested by the representative of the USSR, the Committee approved by 57 votes to 10 the amount of \$74,600 for chapter I—United Nations Memorial Cemetery in Korea.

90. The result of the second reading decisions of the Committee was as follows:

Section	Recommended appropriation	Yes	No	Abstentions
	<i>United States dollars</i>			
1 Travel and other expenses of representatives, members of commissions and committees, and other subsidiary bodies	1,155,240	Unanimous		
2 Special meetings and conferences	1,532,000	Unanimous		
3 Salaries and wages	40,722,050	45	10	0
4 Common staff costs	9,396,650	45	0	10
5 Travel of staff	2,065,000	Unanimous		
6 Payments under annex I, paragraphs 2 and 3, of the Staff Regulations: Hospitality	100,000	Unanimous		
7 Buildings and improvements to premises	4,364,500	Unanimous		
8 Permanent equipment	438,500	Unanimous		
9 Maintenance, operation and rental of premises	3,450,000	Unanimous		
10 General expenses	3,655,000	Unanimous		
11 Printing	1,233,650	Unanimous		
12 Special expenses	144,600	57	0	10
13 Economic development	2,135,000	57	0	10
14 Social activities	2,105,000	58	0	10
15 Human rights activities	100,000	60	0	10
16 Public administration	1,945,000	60	0	10
17 Narcotic drugs control	75,000	61	0	10
18 Special missions	2,444,650	60	10	0
19 United Nations Field Service	1,357,000	61	10	0
20 Office of the United Nations High Commissioner for Refugees	2,525,800	58	0	13
21 International Court of Justice	926,600	Unanimous		
<i>Income section</i>				
1 Staff assessment income	8,670,250	Unanimous		
2 Funds provided from extra-budgetary accounts	1,666,800	Unanimous		
3 General income	1,400,000	Unanimous		
4 Sale of United Nations postage stamps (United Nations Postal Administration)	1,275,000	Unanimous		
5 Sale of publications	375,000	Unanimous		
6 Services to visitors and catering	675,000	Unanimous		

91. In connexion with the income estimates it was pointed out that a number of delegations had raised the question of taxes paid by the United Nations in different countries where offices of the Organization are located. It was recalled that request for clarification of this question had been made repeatedly at the thirteenth, fourteenth and fifteenth sessions and also at the present session of the General Assembly, and although some information had been given on certain aspects of the problem, the Committee should have a comprehensive report thereon. The Committee agreed, on a proposal by the representative of Poland, that its report should include a request to the Secretariat that detailed information concerning the application of all kinds of taxes to the United Nations in all countries where United Nations Offices are located should be submitted to the General Assembly at its seventeenth session.

92. The representative of the Secretary-General drew the attention of the Committee to the fact, noted in document A/C.5/908, that there were still some items before other Main Committees of the General Assembly and the Plenary, the action on which might involve adjustments in the amounts which the Committee had approved. Other decisions taken or pending might involve expenditures in 1962 which could not be estimated with precision and which the Secretary-General proposed to meet, with the prior concurrence of the Advisory Committee, under the resolution relating to unforeseen and extraordinary expenses for 1962.

93. The decision of the Committee under section 3 provided for a consolidated manning table for 1962 for the various departments and units for which provision was included in that section as follows (the establishment proposed by the Secretary-General with the reduction of 10 Professional posts and 5 General Service posts recommended by the Advisory Committee):

Established posts for departments and offices at Headquarters; the European Office, Geneva; information centres; the secretariats of the Economic Commissions for Africa (ECA), for Asia and the Far East (ECAFE), and for Latin America (ECLA); the joint secretariat of the Permanent Central Opium Board and the Drug Supervisory Body; the Joint Staff Pension Board and the United Nations Staff Pension Committee; and revenue producing activities

Category and level	Total
I. Secretary-General	1
Under-Secretary	18
Director	29
Principal officer	80
TOTAL	128
II. Professional	
Senior officer	207
First officer	434
Second officer	624
Associate and assistant officer.....	412
TOTAL	1,677
III. General Service ^a	
Principal or highest level.....	200
Other levels	1,979
TOTAL	2,179
GRAND TOTAL	3,984

^a Exclusive of local level posts mainly at information centres, ECA, ECAFE and ECLA for which a budgetary credit is provided (approximately 596 posts).

VII. DRAFT RESOLUTIONS

Draft budget resolution for 1962

94. At its 906th meeting the Committee adopted the draft resolution for the financial year 1962, voting as follows:

	Yes	No	Abstentions
Total of the expenditure sections— \$81,957,240	48	9	0
Part A of the draft resolution.....	50	9	0
Part B of the draft resolution.....	Unanimous		
Paragraph 1 (c) of Part C of the draft resolution—separate vote re- quested by the USSR.....	53	9	0
Part C of the draft resolution.....	53	9	0

95. The total of the expenditure sections included provision for the financial implications of the following draft resolutions recommended by other Main Committees, on which the Fifth Committee had reported separately to the General Assembly:

(a) Report of the Economic and Social Council; human rights activities (agenda item 12) (A/5046)—\$40,000;

(b) Questions of South West Africa (agenda item 47)—\$46,000;

(c) Report of the Committee on the Peaceful Uses of Outer Space (agenda item 21) (A/5051)—no specific provision.

96. Subsequently, the Fifth Committee reported on further draft resolutions having financial implications:

(a) Permanent sovereignty over natural resources (agenda item 87) (A/5061)—\$10,000;

(b) Economic development of under developed countries; questions relating to science and technology (agenda items 28 and 30) (A/5056)—no specific provision;

(c) Question of South West Africa (agenda item 47) (A/5050)—\$50,000.

97. Lastly, at its 910th meeting, held on 19 December 1961, the Committee considered the financial implications of a resumption of the sixteenth session as recommended by the General Committee in its report (A/5053). On the basis of a report by the Secretary-General (A/C.5/915) and an oral report of the Advisory Committee, the Fifth Committee decided, without objection, to inform the General Assembly that if the proposals of the General Committee were approved, additional costs in the amount of \$127,500 would arise in 1962.

98. The provisions referred to in the last two paragraphs have been included in the draft budget resolution for 1962 which, as draft resolution I, the Fifth Committee recommends for adoption by the General Assembly (see para. 101 below).

Draft resolution relating to unforeseen and extraordinary expenses for the financial year 1962

99. At its 910th meeting, the Committee approved by 46 votes to 10, the draft resolution relating to unforeseen and extraordinary expenses contained in appendix II to chapter I of the report of the Advisory Committee (A/4814). The Fifth Committee accordingly recommends to the General Assembly the adoption of draft resolution II (see para. 101 below).

Draft resolution relating to the Working Capital Fund for the financial year 1962

100. At its 910th meeting, the Committee approved, by 51 votes to none, with 10 abstentions, the draft resolution relating to the Working Capital Fund contained in appendix III to chapter I of the report of the Advisory Committee (A/4814) with certain suggestions for draft amendments made by the representative of the Secretary-General. The Fifth Committee accordingly recommends to the General Assembly the adoption of draft resolution III (see para. 101 below).

Recommendations of the Fifth Committee

101. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolutions:

I

BUDGET FOR THE FINANCIAL YEAR 1962

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

II

UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1962

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

III

WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1962

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

IV

MODERNIZATION OF THE PALAIS DES NATIONS

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

V

EMOLUMENTS OF MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1082nd plenary meeting on 18 December 1961, the General Assembly adopted the recommendations of the Fifth Committee (A/5005, para. 10).

At its 1086th plenary meeting on 20 December 1961, the General Assembly adopted draft resolutions I, II, III, IV and V submitted by the Fifth Committee (A/5075, para. 101). For the final texts see resolutions 1734 (XVI), 1735 (XVI), 1736 (XVI), 1737 (XVI) and 1738 (XVI), respectively, below.

At the same meeting the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5076, para. 11). For the final text see resolution 1739 (XVI) below.

Resolutions adopted by the General Assembly

1734 (XVI). BUDGET FOR THE FINANCIAL YEAR 1962

A

Budget appropriations for the financial year 1962

The General Assembly

Resolves that for the financial year 1962:

1. Appropriations totalling \$US82,144,740 are hereby voted for the following purposes:

<i>Section</i>	<i>US dollars</i>
A. UNITED NATIONS	
<i>Part I. Sessions of the General Assembly, the councils, commissions and committees; special meetings and conferences</i>	
1. Travel and other expenses of representatives, members of commissions, committees and other subsidiary bodies.....	1,155,240
2. Special meetings and conferences.....	1,532,000
TOTAL, PART I	2,687,240
<i>PART II. Staff costs and related expenses</i>	
3. Salaries and wages.....	40,765,550
4. Common staff costs.....	9,399,650

Section	<i>US dollars</i>	
A. UNITED NATIONS (continued)		
5. Travel of staff	2,065,000	
6. Payments under annex I, paragraphs 2 and 3, of the Staff Regulations; hospitality	100,000	
TOTAL, PART II		52,330,200
<i>Part III. Buildings, equipment and common services</i>		
7. Buildings and improvements to premises	4,364,500	
8. Permanent equipment	438,500	
9. Maintenance, operation and rental of premises	3,458,200	
10. General expenses	3,684,800	
11. Printing	1,286,650	
TOTAL, PART III		13,232,650
<i>Part IV. Special expenses</i>		
12. Special expenses	194,600	
TOTAL, PART IV		194,600
<i>Part V. Technical programmes</i>		
13. Economic development	2,135,000	
14. Social activities	2,105,000	
15. Human rights activities	140,000	
16. Public administration	1,945,000	
17. Narcotic drugs control	75,000	
TOTAL, PART V		6,400,000
<i>Part VI. Special missions and related activities</i>		
18. Special missions	2,490,650	
19. United Nations Field Service	1,357,000	
TOTAL, PART VI		3,847,650
<i>Part VII. Office of the United Nations High Commissioner for Refugees</i>		
20. Office of the United Nations High Commissioner for Refugees	2,525,800	
TOTAL, PART VII		2,525,800
B. INTERNATIONAL COURT OF JUSTICE		
<i>Part VIII. International Court of Justice</i>		
21. International Court of Justice	926,600	
TOTAL, PART VIII		926,600
GRAND TOTAL		82,144,740

2. The Secretary-General is authorized:

(a) To administer as a unit the provisions under sections 1, 3 and 5 in a total amount of \$117,900 relating to the Permanent Central Opium Board and the Drug Supervisory Body;

(b) To transfer credits between sections of the budget with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

3. The appropriations under sections 1, 3, 4 and 5 in a total amount of \$248,400 relating to the United Nations Joint Staff Pension Board and the United Nations Staff Pension Committee shall be administered in accordance with article XXVII of the Regulations of the United Nations Joint Staff Pension Fund;

4. In addition to the appropriations under paragraph 1 above, an amount of \$17,500 is hereby appropriated from the income of the Library Endowment Fund for the purchase of books, periodicals, maps and library equip-

ment and such other expenses of the Library at the Palais des Nations as are in accordance with the objects and provisions of the endowment.

*1086th plenary meeting,
20 December 1961.*

B

INCOME ESTIMATES FOR THE FINANCIAL YEAR 1962

The General Assembly

Resolves that for the financial year 1962:

1. Estimates of income other than assessments on Member States totalling \$US14,062,050 are approved as follows:

<i>Section</i>	<i>US dollars</i>
<i>Part I. Income from staff assessment</i>	
1. Staff assessment income.....	8,670,250
TOTAL, PART I	8,670,250
<i>Part II. Other income</i>	
2. Funds provided from extra-budgetary accounts.....	1,666,800
3. General income.....	1,400,000
4. Sale of United Nations postage stamps.....	1,275,000
5. Sale of publications.....	375,000
6. Services to visitors and catering services.....	675,000
TOTAL, PART II	5,391,800
GRAND TOTAL	14,062,050

2. The income from staff assessment shall be credited to the Tax Equalization Fund in accordance with the provisions of General Assembly resolutions 973 (X) of 15 December 1955;

3. Direct expenses of the United Nations Postal Administration, services to visitors, catering and related services and the sale of publications, not provided for under the budget appropriations, may be charged against the income derived from those activities.

*1086th plenary meeting,
20 December 1961.*

C

FINANCING OF APPROPRIATIONS FOR THE FINANCIAL YEAR 1962

The General Assembly

Resolves that for the financial year 1962:

1. Budget appropriations totalling \$US82,144,740, decreased by revised appropriations for 1961 totalling \$1,320,000,⁷⁵ shall be financed as follows, in accordance with regulations 5.1 and 5.2 of the Financial Regulations of the United Nations:

(a) As to \$5,391,800, by income other than staff assessment approved under resolution B above;

(b) As to \$1,308,823, by the balance on surplus account for the financial year 1960;

(c) As to \$74,124,117, by assessment on Member States in accordance with General Assembly resolution 1691 (XVI) of 18 December 1961;

2. There shall be set off against the assessment on Member States:

(a) Their respective shares in the Tax Equalization Fund, subject to the provisions of General Assembly resolution 973 (X) of 15 December 1955, comprising:

(i) \$8,670,250, being the estimated staff assessment income for 1962;

(ii) \$172,117, being the excess of staff assessment income for 1960 over estimated income;

(b) Their credits in respect of the transfer of the League of Nations assets, in accordance with General Assembly resolution 250 (III) of 11 December 1948.

*1086th plenary meeting,
20 December 1961.*

1735 (XVI). UNFORESEEN AND EXTRAORDINARY EXPENSES FOR THE FINANCIAL YEAR 1962

The General Assembly

1. *Authorizes* the Secretary-General, with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions and subject to the Financial Regulations of the United Nations and the provisions of paragraph 3 below, to enter into commitments to meet unforeseen and extraordinary expenses in the financial year 1962, provided that the concurrence of the Advisory Committee shall not be necessary for:

(a) Such commitments, not exceeding a total of \$US2 million, as the Secretary-General certifies relate to the maintenance of peace and security;

⁷⁵ See resolution 1692 (XVI) of 18 December 1961.

(b) Such commitments as the President of the International Court of Justice certifies relate to expenses occasioned by:

- (i) The designation of *ad hoc* judges (Statute, Article 31), not exceeding a total of \$30,000;
- (ii) The appointment of assessors (Statute, Article 30), or the calling of witnesses and the appointment of experts (Statute, Article 50), not exceeding a total of \$25,000;
- (iii) The holding of sessions of the Court away from The Hague (Statute, Article 22), not exceeding a total of \$75,000;

(c) Such commitments not exceeding a total of \$25,000 as may be authorized by the Secretary-General in accordance with paragraph 4 of General Assembly resolution 1202 (XII) of 13 December 1957 relating to the pattern of conferences;

2. *Resolves* that the Secretary-General shall report to the Advisory Committee on Administrative and Budgetary Questions and to the General Assembly at its seventeenth session all commitments made under the provisions of the present resolution, together with the circumstances relating thereto, and shall submit supplementary estimates to the Assembly in respect of such commitments;

3. *Decides* that if, as a result of a decision of the Security Council, commitments relating to the maintenance of peace and security should arise in an estimated total exceeding \$10 million before the seventeenth session of the General Assembly, a special session of the Assembly shall be convened by the Secretary-General to consider the matter.

*1086th plenary meeting,
20 December 1961.*

1736 (XVI). WORKING CAPITAL FUND FOR THE FINANCIAL YEAR 1962

The General Assembly

Resolves that:

1. The Working Capital Fund shall be established for the year ending 31 December 1962 at an amount of \$US25 million, to be derived:

(a) As to \$23,920,842, from cash advances by Members in accordance with the provisions of paragraphs 2 and 3 below;

(b) As to \$1,079,158, by transfer from surplus account as follows:

- (i) \$551,170 being the balance of surplus account as at 31 December 1957 not applied against Members' assessments in accordance with General Assembly resolution 1340 (XIII) of 13 December 1958;
- (ii) \$527,988 being the balance of surplus account as at 31 December 1958, not applied against Members' assessments in accordance with General Assembly resolution 1445 (XIV) of 5 December 1959;

2. Members shall make cash advances to the Working Capital Fund as required under paragraph 1 (a) above in accordance with the scale adopted by the General Assembly for contributions of Members to the budget for the financial year 1962;⁷⁶

3. There shall be set off against this allocation of advances the amounts paid by Members to the Working

Capital Fund for the financial year 1961 under General Assembly resolution 1586 (XV) of 20 December 1960, provided that, should such advance paid by any Member to the Working Capital Fund for the financial year 1961 exceed the amount of that Member's advance under the provisions of paragraph 2 above, the excess shall be set off against the amount of contributions payable by that Member in respect of the budget for the financial year 1962;

4. The Secretary-General is authorized to advance from the Working Capital Fund:

(a) Such sums as may be necessary to finance budgetary appropriations pending receipt of contributions; sums so advanced shall be reimbursed as soon as receipts from contributions are available for the purpose;

(b) Such sums as may be necessary to finance commitments which may be duly authorized under the provisions of the resolutions approved by the General Assembly, in particular resolution 1735 (XVI) of 20 December 1961 relating to unforeseen and extraordinary expenses; the Secretary-General shall make provision in the budget estimates for reimbursing the Working Capital Fund;

(c) Such sums as, together with net sums outstanding for the same purpose, do not exceed \$125,000 to continue the revolving fund to finance miscellaneous self-liquidating purchases and activities; advances in excess of the total \$125,000 may be made with the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions;

(d) With the prior concurrence of the Advisory Committee on Administrative and Budgetary Questions, such sums as may be required to finance payments of advance insurance premiums where the period of insurance extends beyond the end of the financial year in which payment is made; the Secretary-General shall make provision in the budget estimates of each year, during the life of the related policies, to cover the charges applicable to each such year;

(e) Such sums as may be necessary to enable the Tax Equalization Fund to meet current commitments pending accumulation of credits; such advances shall be repaid as soon as credits are available in that Fund;

(f) Such sums, not to exceed \$100,000 during the period 1961 to 1964, as may be necessary to finance awards made for the international encouragement of scientific research into the control of cancerous diseases, pursuant to General Assembly resolution 1398 (XIV) of 20 November 1959; the Secretary-General shall make provision in the annual budget estimates for reimbursing the Working Capital Fund;

5. Should the provisions in paragraph 1 above prove inadequate to meet the purposes normally related to the Working Capital Fund, the Secretary-General is authorized to utilize in 1962, under the conditions approved in General Assembly resolution 1448 (XIV) of 5 December 1959, cash from special funds and accounts in his custody or the proceeds of loans authorized by the Assembly.

*1086th plenary meeting,
20 December 1961.*

1737 (XVI). MODERNIZATION OF THE PALAIS DES NATIONS

The General Assembly,

Having considered the reports of the Secretary-General (A/C.5/877) and the Advisory Committee

⁷⁶ See resolution 1691 (XVI) of 18 December 1961.

on Administrative and Budgetary Questions (A/4918) concerning changes that have become necessary in the programme for the modernization of the Palais des Nations, approved under General Assembly resolutions 1101 (XI) of 27 February 1957 and 1447 (XIV) of 5 December 1959.

1. *Approves* the revisions in the programme for the modernization of the Palais des Nations as set out in the report of the Secretary-General as well as the proposals for financing the entire programme, as modified, at a cost not to exceed \$2,081,000;

2. *Authorizes* the Secretary-General to proceed with the execution of the revised programme;

3. *Decides* that the schedule of annual budget instalments contained in paragraph 3 (a) of General Assembly resolution 1447 (XIV) shall be amended as follows:

	<i>Annual instalment (US dollars)</i>
For the years 1957 to 1960.....	121,000*
For the year 1961.....	202,000**
For the year 1962.....	331,000**
For the year 1963.....	131,000*
For the years 1964 to 1966.....	311,000*

* Unchanged.

** Instead of \$121,000.

4. *Authorizes* the Secretary-General to advance from the Working Capital Fund the sums which may be required from time to time to finance the actual requirements of the programme, such advances to be repaid from budgetary appropriations in accordance with the schedule annexed to the Secretary-General's report;

5. *Requests* the Secretary-General to keep the Advisory Committee on Administrative and Budgetary Questions informed of developments in the progress of the modernization programme.

*1086th plenary meeting,
20 December 1961.*

1738 (XVI). EMOLUMENTS OF THE MEMBERS OF THE INTERNATIONAL COURT OF JUSTICE

The General Assembly

Resolves that, with effect from 1 January 1962, the emoluments of the members of the International Court of Justice shall be fixed according to the following scale:

	<i>US dollars</i>
<i>President:</i>	
Annual salary.....	25,000
Special allowance.....	6,000
<i>Vice-President:</i>	
Annual salary.....	25,000
Allowance equivalent to \$37.50 for every day on which he acts as President, up to a maximum of.....	3,750
<i>Other members:</i>	
Annual salary.....	25,000
<i>Ad hoc judges referred to in Article 31 of the Statute of the Court:</i>	
Allowance of \$45 for each day on which they exercise their functions, plus a daily subsistence allowance.	

*1086th plenary meeting,
20 December 1961.*

1739 (XVI). THE UNITED NATIONS FINANCIAL POSITION AND PROSPECTS

The General Assembly,

Having taken note of the statement made by the Acting Secretary-General at the 899th meeting of the Fifth Committee, on 11 December 1961, concerning the United Nations financial position and prospects (A/C.5/907),

Bearing in mind the activities and programmes of work of the United Nations that have been approved by the General Assembly,

Recognizing that the ability of the United Nations to discharge its responsibilities and to implement its programmes requires it to have adequate and assured financial resources,

Considering that, under existing circumstances, extraordinary financial measures are required and that such measures should not be deemed a precedent for the future financing of the expenses of the United Nations,

1. *Authorizes* the Secretary-General to issue United Nations bonds in accordance with the terms and conditions set forth in the annex to the present resolution;

2. *Further authorizes* the Secretary-General, subject to such decisions as the General Assembly may hereafter adopt, to utilize the proceeds from the sale of such bonds for purposes normally related to the Working Capital Fund;

3. *Decides* to include annually in the regular budget of the United Nations, beginning with the budget for the year 1963, an amount sufficient to pay the interest charges on such bonds and the instalments of principal due on the bonds.

*1086th plenary meeting,
20 December 1961.*

ANNEX

Terms and conditions governing the issue of United Nations bonds

1. The aggregate principal amount of the United Nations bonds authorized under General Assembly resolution 1739 (XVI) of 20 December 1961 (hereinafter called the bonds) shall be limited to the equivalent of \$US200,000,000.

2. Bonds may be issued expressed in United States dollars (hereinafter called dollars) and in such other currencies as the Secretary-General shall determine. The principal of, and interest on, any bond shall be payable in the currency in which such bond is expressed.

3. In order to determine the dollar equivalent, for the purpose of paragraph 1 above, of any bond which has been issued expressed in a currency other than dollars, the principal amount of such bond shall be translated, as at the date on which such bond shall be sold or agreed to be sold, into dollars at such rates as the Secretary-General, after consultation with the Managing Director of the International Monetary Fund, shall determine.

4. The bonds shall bear interest at the rate of 2 per cent per annum, payable annually, on the principal amount thereof outstanding and unpaid from time to time.

5. The principal amount of each bond shall be repayable in twenty-five annual instalments in accordance with the following table:

	<i>Per cent</i>
At the end of the first year.....	3.1
At the end of the second year.....	3.2
At the end of the third year.....	3.2
At the end of the fourth year.....	3.3
At the end of the fifth year.....	3.4
At the end of the sixth year.....	3.4

	<i>Per cent</i>
At the end of the seventh year.....	3.6
At the end of the eighth year.....	3.6
At the end of the ninth year.....	3.6
At the end of the tenth year.....	3.7
At the end of the eleventh year.....	3.8
At the end of the twelfth year.....	3.9
At the end of the thirteenth year.....	4.0
At the end of the fourteenth year.....	4.0
At the end of the fifteenth year.....	4.2
At the end of the sixteenth year.....	4.2
At the end of the seventeenth year.....	4.2
At the end of the eighteenth year.....	4.4
At the end of the nineteenth year.....	4.5
At the end of the twentieth year.....	4.5
At the end of the twenty-first year.....	4.7
At the end of the twenty-second year.....	4.7
At the end of the twenty-third year.....	4.8
At the end of the twenty-fourth year.....	4.9
At the end of the twenty-fifth year.....	5.1
	100.0

6. The United Nations may at any time prepay at par all or part of the principal amount of the bonds remaining outstanding and unpaid. Partial prepayment shall be applied equally and ratably to all the bonds outstanding and shall be credited against annual instalments of repayments in inverse order of maturity.

7. The bonds shall be offered to States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency, as well as to the official institutions of such members, and, if the Secretary-General, with the concurrence of the Advisory Committee on Administrative and Budgetary Questions, shall so determine, to non-profit institutions or associations.

8. The bonds may be sold in whole or in part from time to time until 31 December 1962, provided, however, that the Secretary-General may, at any time on or before that date, enter agreements to sell bonds for delivery after that date and on or before 31 December 1963.

9. The Secretary-General shall, after consultation with the Advisory Committee on Administrative and Budgetary Questions, from time to time issue such regulations, not inconsistent with the foregoing paragraphs, and take any and all such further action as may be necessary to carry out the purpose of the above resolution.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 54 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4770	Budget estimates for the financial year 1962 and information annexes	<i>Official Records of the General Assembly, Sixteenth Session, Supplement No. 5</i>
A/4776	Report of the Committee of Experts on the Review of the Activities and Organization of the Secretariat	<i>Ibid., Sixteenth Session, Annexes, agenda item 61</i>
A/4800	Annual report of the Secretary-General on the work of the Organization (16 June 1960-15 June 1961)	<i>Ibid., Sixteenth Session, Supplement No. 1</i>
A/4800/Add.1	Introduction to the annual report of the Secretary-General on the work of the Organization (16 June 1960-15 June 1961)	<i>Ibid., Supplement No. 1A</i>
A/4814	Ninth report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., Supplement No. 7</i>
A/4823	Report of the Secretary-General	<i>Ibid., Sixteenth Session, Annexes, agenda item 65</i>
A/4823/Add.1	Note by the Secretary-General transmitting the report of the International Civil Service Advisory Board on the base salary scales and post adjustments of staff in the Professional and higher categories of the International Civil Service	<i>Ibid.</i>
A/4823/Add.2	Note by the Secretary-General transmitting a report submitted by the Expert Committee on Post Adjustments to the Administrative Committee on Co-ordination	<i>Ibid.</i>
A/4870 and Add.1	Report of the Secretary-General	<i>Ibid., agenda item 53</i>
A/4901	Report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid., agenda item 61</i>
A/4929 and Add.1	Report of the Fourth Committee	<i>Ibid., agenda item 49</i>
A/4939	Report of the Sixth Committee	<i>Ibid., agenda item 77</i>
A/4973	Report of the Fifth Committee	<i>Ibid., agenda item 94</i>
A/4977	Report of the Fifth Committee	<i>Ibid., agenda item 65</i>
A/4997	Report of the Fourth Committee	<i>Ibid., agenda items 39, 40, 41, 42, 43 and 44</i>
A/5013	Report of the Sixth Committee	<i>Ibid., agenda item 69</i>
A/5026	Report of the First Committee	<i>Ibid., agenda item 21</i>
A/5032	Report of the Third Committee	<i>Ibid., agenda item 12</i>
A/5044	Report of the Fourth Committee	<i>Ibid., agenda item 47</i>
A/5053	Fifth report of the General Committee	<i>Ibid., agenda item 8</i>
A/5056	Report of the Second Committee	<i>Ibid., agenda items 12, 28, 29 and 30</i>
A/5060	Report of the Second Committee	<i>Ibid., agenda item 87</i>
A/5063	Report of the Fifth Committee	<i>Ibid., agenda item 64</i>
A/5067	Report of the Fifth Committee	<i>Ibid., agenda item 67</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/5083	Budget for the financial year 1962	<i>Ibid.</i> , Sixteenth Session, Supplement No. 5A Mimeographed
A/C.5/869	Note by the Secretary-General on the work programmes in the economic, social and human rights fields	Mimeographed
A/C.5/873	Proposed revision of the staff assessment scheme: report of the Secretary-General	<i>Official Records of the General Assembly Sixteenth Session, Annexes</i> , agenda item 65
A/C.5/879	Collection of contributions as at 20 September 1961: report of the Secretary-General	Mimeographed
A/C.5/888	Pattern of conferences: report of the Secretary-General	Ditto
A/C.5/890	Report of the Secretary-General	<i>Official Records of the General Assembly, Sixteenth Session, Annexes</i> , agenda item 64
A/C.5/908	Second reading of the 1962 budget estimates: note by the Secretariat	Mimeographed
A/C.5/916	Letter dated 19 February 1962 from the President of the General Assembly to the Chairman of the Fifth Committee	Ditto
A/C.5/L.672	Staff of the United Nations Secretariat as at 31 August 1961: report of the Secretary-General	Ditto
A/C.5/L.674 and Add.1	First reading of the 1962 budget estimates: note by the Secretariat	Ditto
A/C.5/L.679	Section 18. Special Missions: proposal by Czechoslovakia	See A/5075, para. 28
A/C.5/L.693	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 891st meeting, see A/5005
A/C.5/L.694	Draft report of the Fifth Committee	Same text as A/5075, paras. 24-32
A/C.5/L.702 and Add.1 and 2	Brazil, Cameroun, Canada, Denmark, Japan, Liberia, Pakistan, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	For the text of this document see <i>Official Records of the General Assembly, Sixteenth Session, Supplement No. 17</i> , resolution 1731 (XVI)
A/C.5/L.704	Draft report of the Fifth Committee	Same text as A/5075, chap. IV
A/C.5/L.706/ Rev.1	Burma, Congo (Leopoldville), Denmark, Ethiopia, Nigeria, Pakistan and Tunisia: revised draft resolution	For the text of this document see <i>Official Records of the General Assembly, Sixteenth Session, Supplement No. 17</i> , resolution 1732 (XVI)
A/C.5/L.709 and Add.1	Canada, Denmark, Ethiopia, Federation of Malaya, Netherlands, Norway, Pakistan, Tunisia and Yugoslavia: draft resolution	See A/5076, para. 2
A/C.5/L.710	Draft report of the Fifth Committee	Same text as A/5075, chap. III
A/C.5/L.715	Draft budget resolution for the financial year 1962	For the text of this document as amended by the Fifth Committee at its 910th meeting, see A/5075, para. 101, draft resolution I
A/C.5/L.720	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 909th meeting, see A/5075.
A/C.5/L.722	Draft report of the Fifth Committee	Same text as A/5075, chap. II
A/C.5/L.724/ Rev.1	Brazil: draft resolution	See A/5076, para. 7
E/TAC/112	United Nations programme of technical assistance: report of the Secretary-General on programmes of technical assistance financed by the regular budget	Mimeographed
ST/ADM/SER.B/150	Statement on the collection of contributions as at 30 September 1961	Mimeographed

Financial implications

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4932	Financial implications of the draft resolution submitted by the Fourth Committee in document A/4929: report of the Fifth Committee	<i>Official Records of the General Assembly, Sixteenth Session, Annexes</i> , agenda item 49
A/4946	Financial implications of the draft resolution submitted by the Sixth Committee in document A/4939: report of the Fifth Committee	<i>Ibid.</i> , agenda item 77
A/4961	Financial implications of draft resolution II submitted by the Fourth Committee in document A/4997: report of the Fifth Committee	<i>Ibid.</i> , agenda items 39, 40, 41, 42, 43 and 44
A/4992	Financial implications of draft resolution V submitted by the Fourth Committee in document A/4997: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i>

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4993	Financial implications of draft resolution III submitted by the Second Committee in document A/5056: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda items 12, 28, 29 and 30
A/4999	Financial implications of draft resolution V submitted by the Fourth Committee in document A/4997: report of the Fifth Committee	<i>Ibid.</i> , agenda items 39, 40, 41, 42, 43 and 44
A/5001	Financial implications of the draft resolution submitted by the Sixth Committee in document A/5013: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda item 69
A/5008	Financial implications of draft resolution III submitted by the Second Committee in document A/5056: report of the Fifth Committee	<i>Ibid.</i> , agenda items 12, 28, 29 and 30
A/5020	Financial implications of the draft resolution submitted by the Sixth Committee in document A/5013: report of the Fifth Committee	<i>Ibid.</i> , agenda item 69
A/5027	Financial implications of draft resolution VI submitted by the Third Committee in document A/5032: report of the Advisory Committee on Administrative and Budgetary Questions	<i>Ibid.</i> , agenda item 12
A/5046	Financial implications of draft resolution VI submitted by the Third Committee in document A/5032: report of the Fifth Committee	<i>Ibid.</i>
A/5049	Financial implications of draft resolution I submitted by the Fourth Committee in document A/5044: report of the Fifth Committee	<i>Ibid.</i> , agenda item 47
A/5050	Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5044: report of the Fifth Committee	<i>Ibid.</i>
A/5051	Financial implications of the draft resolution submitted by the First Committee in document A/5026: report of the Fifth Committee	<i>Ibid.</i> , agenda item 21
A/5057	Financial implications of draft resolution VIII submitted by the Second Committee in document A/5056: report of the Fifth Committee	<i>Ibid.</i> , agenda items 12, 28, 29 and 30
A/5061	Financial implications of the draft resolution submitted by the Second Committee in document A/5060: report of the Fifth Committee	<i>Ibid.</i> , agenda item 87
A/5095	Financial implications of draft resolution I submitted by the Fourth Committee in document A/4929/Add.1: report of the Fifth Committee	<i>Ibid.</i> , agenda item 49
A/C.5/892	Financial implications of the draft resolution submitted by the Fourth Committee in document A/4929: note by the Secretary-General	<i>Ibid.</i>
A/C.5/893	Financial implications of the draft resolution submitted by the Sixth Committee in document A/4939: note by the Secretary-General	<i>Ibid.</i> , agenda item 77
A/C.5/895	Financial implications of draft resolution II submitted by the Fourth Committee in document A/4997: note by the Secretary-General	<i>Ibid.</i> , agenda items 39, 40, 41, 42, 43 and 44
A/C.5/897	Financial implications of draft resolution V submitted by the Fourth Committee in document A/4997: note by the Secretary-General	<i>Ibid.</i>
A/C.5/899	Financial implications of draft resolution III submitted by the Second Committee in document A/5056: note by the Secretary-General	<i>Ibid.</i> , agenda items 12, 28, 29 and 30
A/C.5/902	Financial implications of the draft resolution submitted by the Sixth Committee in document A/5013: note by the Secretary-General	<i>Ibid.</i> , agenda item 69
A/C.5/905	Financial implications of draft resolution VI submitted by the Third Committee in document A/5032: note by the Secretary-General	<i>Ibid.</i> , agenda item 12
A/C.5/909	Financial implications of the draft resolution submitted by the First Committee in document A/5026: note by the Secretary-General	<i>Ibid.</i> , agenda item 21
A/C.5/910	Financial implications of draft resolution I submitted by the Fourth Committee in document A/5044: note by the Secretary-General	<i>Ibid.</i> , agenda item 47
A/C.5/912	Financial implications of the draft resolution submitted by the Second Committee in document A/5060: note by the Secretary-General	<i>Ibid.</i> , agenda item 87
A/C.5/913	Financial implications of draft resolution VIII submitted by the Second Committee in document A/5056: note by the Secretary-General	<i>Ibid.</i> , agenda items 12, 28, 29 and 30
A/C.5/914	Financial implications of draft resolution IV submitted by the Fourth Committee in document A/5044: note by the Secretary-General	<i>Ibid.</i> , agenda item 47
A/C.5/917	Financial implications of the draft resolution contained in document A/C.4/L.730: note by the Secretary-General	Mimeographed
A/C.5/917/ Rev.1	Financial implications of draft resolution I submitted by the Fourth Committee in document A/4929/Add.1: note by the Secretary-General	<i>Official Records of the General Assembly, Sixteenth Session, Annexes</i> , agenda item 49
A/C.5/L.713	Financial implications of draft resolution VI submitted by the Third Committee in document A/5032: draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 906th meeting, see A/5046



Agenda item 55: United Nations operations in the Congo: cost estimates and financing*

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DOCUMENT A/4931

Report of the Secretary-General

[Original text: English]
[20 October 1961]

1. On 1 March 1961 the Secretary-General, in accordance with General Assembly resolution 1590 (XV) of 20 December 1960, submitted budget estimates for the United Nations operations in the Congo for the year 1961.¹ The Secretary-General in submitting his estimates pointed out that the financial requirements for such operations if continued throughout 1961 would total \$135 million. He added, however, that any estimates prepared at that time must be regarded as tentative in view of the unstable political, economic and military situations then prevailing in many parts of the Congo and the difficulty in the circumstances then existing of forecasting the course of future developments in the Congo.

2. The Advisory Committee on Administrative and Budgetary Questions considered the report of the Secretary-General on the budget estimates and submitted on 21 March 1961 a report thereon to the Fifth Committee of the General Assembly.² In paragraph 2 of its report the Advisory Committee stated, *inter alia*: "The Advisory Committee has examined the estimates on the assumption that provision for the full year is intended, although the General Assembly might wish to limit the appropriation at this stage to funds required for the period until the sixteenth session of the General Assembly". In paragraph 29 of the same report it was stated that "the Advisory Committee believes that the cost of the United Nations operations in the Congo for the full year 1961 might be held to a total not exceeding \$120 million, comprising \$100 million under part A—

Operating costs including contingencies, and \$20 million under part B—Reimbursements to Governments".

3. The General Assembly, on 21 April 1961, adopted resolution 1619 (XV) in which, *inter alia*, it approved the recommendations of the Advisory Committee on Administrative and Budgetary Questions in paragraphs 2 and 29 of its report, to which reference has been made above, and appropriated an amount of \$100 million for the operations of the United Nations in the Congo for the ten months from 1 January to 31 October 1961.

4. Although the General Assembly at that stage thus provided for an appropriation only to finance the expenses of ONUC during the first ten months of 1961 and limited the appropriation to ten-twelfths of the maximum amount which the Advisory Committee considered would be required for the year 1961, by approving paragraphs 2 and 29 of the Advisory Committee's report the General Assembly agreed that provision for the full year was intended and that the expenses for the year might be in an amount not to exceed \$120 million.

5. The Secretary-General, in order to ensure that the ONUC expenditures for the period 1 January to 31 October 1961 would remain within the amount appropriated by the General Assembly for that period, limited the allotment of funds to \$100 million, of which \$83.3 million was allotted for expenses under part A and \$16.7 million was allotted for expenses under part B of the 1961 ONUC budget. The amount of these allotments represent ten-twelfths of the amounts suggested by the Advisory Committee as the respective 1961 total requirements for parts A and B of the 1961 budget.

6. Table I annexed hereto shows the Secretary-General's allotments for the ten-month period ending 31 October 1961 with his original budget estimates for the full year 1961. The allotments reflect the latest esti-

* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 862nd, 863rd, 865th, 899th, 900th, 902nd-905th meetings; and *ibid.*, *Plenary Meetings*, 1044th and 1086th meetings.

¹ *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda items 49/50, document A/4703.

² *Ibid.*, document A/4713.

mates of the financial requirements under the various sections and chapters of the budget. These estimates take into account actual cash disbursements for the United Nations operations in the Congo during the first eight months and the estimated unliquidated obligations of ONUC for September and October 1961. Table II provides certain additional information concerning the estimated expenditures during the first ten months of 1961.

7. The Secretary-General's original estimates were based on the assumption that the average numerical strength of the United Nations Force would be 23,400 officers and men throughout 1961 whereas the actual strength has averaged approximately 18,000 to 15 October. Savings in certain categories of expense that have resulted because the actual strength of the Force has been less than was estimated, in connexion particularly with the costs of the movement of contingents to and from the Congo, military daily allowances and leave payments, cost of rations, etc., have been substantially offset by increases in other categories of costs necessitated by developments in the Congo that could not have been foreseen when the estimates were formulated in late February 1961.

8. Such unforeseen costs have arisen principally in connexion with the disruption of established supply arrangements through the port of Matadi during the period from March to 15 June 1961 inclusive, when it was necessary to make expensive alternative arrangements on an emergency basis to ensure adequate supplies for the Force, the costs involved for the Organization in connexion with the convening of the Congolese Parliament at Lovanium University and the requirements arising out of the recent serious incidents in Katanga province, which have necessitated the substantial build-up of the United Nations air strength and an increased expenditure for arms and ammunition. The net result has been that the expenses of ONUC have averaged approximately \$10 million per month through 1961.

9. Although the withdrawal of certain contingents and units from ONUC during the present month will reduce its strength to approximately 15,900 officers and men, it is now estimated that the cost of maintaining a force of that strength and providing it with the arms, ammunition and air support, sufficient for its needs in existing circumstances, would be of the order of \$10 million per month.

TABLE I
Original budget estimates for 1961 and estimated expenditures for January-October 1961

	Original 1961 estimates	Estimated expenditures, January- October 1961
<i>United States dollars</i>		
Part A. Operating costs incurred by the United Nations		
SECTION I. MILITARY PERSONNEL		
<i>Chapter</i>		
1. United Nations daily allowance	11,100,000	6,930,000
2. Movement of contingents	11,850,000	6,619,000
3. Travel and subsistence of military personnel	1,260,000	2,441,000
4. Leave payments	2,100,000	1,381,000
SECTION II. CIVILIAN PERSONNEL		
<i>Chapter</i>		
1. Pay of international staff	3,575,000	3,235,000
2. Pay of local staff	1,340,000	3,002,000
3. Travel and subsistence of civilian personnel	4,300,000	3,417,000
SECTION III. MAINTENANCE AND OPERATION OF EQUIPMENT		
<i>Chapter</i>		
1. Maintenance and operation of vehicles	4,100,000	2,639,000
2. Maintenance and operation of aircraft	26,980,000	22,663,000
SECTION IV. RATIONS		
<i>Chapter</i>		
1. Rations	13,660,000	8,566,000
SECTION V. SUPPLIES AND SERVICES		
<i>Chapter</i>		
1. Freight	4,680,000	4,462,000
2. Rental and maintenance of premises	4,270,000	3,380,000
3. Communications	400,000	340,000
4. Other supplies and services	6,500,000	6,065,000
SECTION VI. PURCHASE OF EQUIPMENT		
<i>Chapter</i>		
1. Transport and heavy mobile equipment	3,990,000	2,795,000
2. Aircraft	600,000	1,300,000
3. Purchase of other equipment	3,270,000	2,825,000

TABLE I (continued)

	<i>Original 1961 estimates</i>	<i>Estimated expenditures, January- October 1961</i>
<i>United States dollars</i>		
SECTION VII. WELFARE		
<i>Chapter</i>		
1. Welfare	600,000	401,000
SECTION VIII. CONTINGENCIES		
<i>Chapter</i>		
1. Contingencies	2,425,000	872,000
TOTAL, PART A	107,000,000	83,333,000
 Part B. Reimbursement of extra and extraordinary costs incurred by Governments providing contingents		
SECTION IX. REIMBURSEMENT TO GOVERNMENTS		
<i>Chapter</i>		
1. Reimbursement in respect of extra and extraordinary costs relating to pay and allowances of contingents	22,500,000	11,500,000
2. Reimbursement in respect of equipment, <i>matériel</i> and supplies furnished by Governments to their contingents	5,000,000	4,667,000
3. Reimbursement in respect of death and disability awards on behalf of members of contingents	500,000	500,000
TOTAL, PART B	28,000,000	16,667,000
GRAND TOTAL	135,000,000	100,000,000

TABLE II

**Information concerning the estimated expenditures
for the period 1 January to 31 October 1961**

PART A. OPERATING COSTS INCURRED BY THE
UNITED NATIONS

Section I. Military personnel

	<i>United States dollars</i>
Original estimates, 1961	26,310,000
Estimated expenditures, January-October 1961..	17,371,000

Details of estimated expenditures for the period January-October 1961, by chapter, are as follows:

<i>Chapter</i>	<i>Original estimates 1961</i>	<i>Estimated expenditures, January- October 1961</i>
	<i>United States dollars</i>	
1. United Nations daily allowance ..	11,100,000	6,930,000
2. Movement of contingents	11,850,000	6,619,000
3. Travel and subsistence of military personnel	1,260,000	2,441,000
4. Leave payments	2,100,000	1,381,000

During the first nine months of 1961, the numerical strength of the ONUC military force has averaged approximately 18,000 officers and men. There has been no change in the rate of the daily allowance which was established in October 1960 at \$1.30 per day to cover the incidental personal expenses of members of the United Nations Force. The estimated expenditures for the ten-month period from 1 January to 31 October

1961 reflects payments at the daily rate of \$1.30 to an average of 18,000 officers and men during the first nine months and to an estimated 16,800 during October.

The original budget estimates provided for the rotation of 50 per cent of the Force each six months and the balance at yearly intervals, plus the costs involved in withdrawals and build-up of the Force to an estimated strength of 25,000. It was then estimated that the average cost to return a Force member to his home country and to bring his replacement to the Congo would be approximately \$300, using the most economical and practical mode of transportation by sea and air as applicable.

The present estimates cover the costs of transporting approximately 8,000 officers and men to the Congo as members of enlarged contingents in ONUC and approximately 12,000 from the Congo who were members of national contingents that were withdrawn or reduced in strength as well as the rotation costs for approximately 10,700 other officers and men.

The estimated expenditures for the movement of contingents for the ten-month period total \$6,619,000. This figure includes provision for reimbursing several Governments for air and sea transport services from whom actual bills have not been received.

The estimated costs for travel and subsistence of military personnel included in the original estimates for 1961 totalled \$1,260,000, and the estimated expenditures for

the ten-month period is calculated to be \$2,441,000. The estimated expenditures therefore represent a considerable increase in the original budget estimates for 1961.

It was anticipated at the time of the preparation of the 1961 budget estimates that it would be possible during the early part of the year, to arrange for common housing and messing facilities for the greater part of those Force members who had been receiving full or partial subsistence payments in lieu of services. However, it was not possible to carry out this plan according to schedule owing to the impossibility of acquiring suitable facilities. However, as from 1 October 1961, common messing and housing facilities have been furnished to most military personnel with only a small group receiving partial subsistence. In those few instances where partial subsistence payments are made because of the impracticability of furnishing common messing facilities, savings are reflected in the rations cost.

The payments to military Force members for leave accumulated at the rate of two and one-half days for each completed month of service at the rate of \$3.00 per day are estimated to total \$1,381,000 for the period January-October 1961. The estimated expenditures are based on the actual disbursements made during the first nine-month period and anticipated expenditures during October.

Section II. Civilian personnel

	United States dollars
Original estimates, 1961	9,215,000 ^a
Estimated expenditures, January-October 1961 ..	9,654,000

^a Includes \$425,000 transferred from section VIII, Contingencies.

Details of estimated expenditures for the period January-October 1961, by chapter, are as follows:

Chapter	United States dollars	
	Original estimates 1961	Estimated expenditures, January-October 1961
1. Pay of international staff	3,575,000 ^a	3,235,000
2. Pay of local staff	1,340,000	3,002,000
3. Travel and subsistence of civilian personnel	4,300,000	3,417,000

^a Includes \$425,000 transferred from section VIII, Contingencies.

The original estimates for 1961 for the net pay of international staff totalled \$3,150,000, which corresponds to \$3,575,000 on a gross basis. The estimated expenditures for the period January-October 1961 total \$3,235,000 (gross).

As at 31 August 1961, the total international staff on duty was as follows:

Category of staff	Detailed	Recruited	Total
Professional and above	35	75	110
General service	89	152	241
Field Service	—	91	91
	—	—	—
	124	318	442
	==	==	==

In addition to the staff on duty listed above, 12 Professional, 10 General Service and 12 Field Service staff were in the process of recruitment.

A provision of \$1,340,000 was made in the original estimates for 1961 for pay of local staff. This estimate has proven to be inadequate to meet the actual costs of local Congolese and non-Congolese personnel required in the ONUC operations. It is estimated that expenditures for the ten-month period will total \$3,002,000. The original estimates were based on meagre information available during the initial operational period as to the number of local staff required and as to the level of salary scales throughout the Congo.

The costs of travel and subsistence of civilian personnel for 1961 were originally estimated to total \$4,300,000. Estimated expenditures for the period January-October 1961 are \$3,417,000.

Section III. Maintenance and operation of equipment

	United States dollars
Original estimates, 1961	31,080,000
Estimated expenditures, January-October 1961 ..	25,302,000

Details of estimated expenditures for the period January-October 1961, by chapter, are as follows:

Chapter	United States dollars	
	Original estimates 1961	Estimated expenditures, January-October 1961
1. Maintenance and operation of vehicles	4,100,000	2,639,000
2. Maintenance and operation of aircraft	26,980,000	22,663,000

The original estimates for 1961 provided \$4,100,000 for the maintenance and operation of vehicles. This estimate was based on the estimated unit cost of \$110.00 per month to operate and maintain each vehicle. It was estimated that 2,240 vehicles would be in operation during the first three months of 1961 and 3,400 vehicles during the remainder of the year.

There were actually 3,098 vehicles on hand as at 10 October 1961 and the estimated expenditures for the maintenance and operation of these vehicles during the first ten months total \$2,639,000.

The original estimate for 1961 for the maintenance and operation of aircraft totalled \$26,980,000. This estimate provided for the Force to operate 56 aircraft itself and to charter an additional 32 aircraft. In addition, provision was made for reimbursement to the Canadian Government for the costs of operating a shuttle service between the Congo and Pisa, Italy. The estimated expenditure for the period January-October 1961 totals \$22,663,000. The number of aircraft assigned to ONUC and the arrangements for furnishing the aircraft generally followed the plan outlined in the original estimates for approximately the first half of 1961. However, since that time the number of chartered aircraft has been reduced to 20 aircraft and the number of ONUC-operated aircraft has increased to 82, of which 53 are ONUC-owned and 29, including military transport and combat-type planes, are on loan from Governments.

Section IV. Rations

	United States dollars
Original estimates, 1961	13,660,000
Estimated expenditures, January-October 1961 ..	8,566,000

The estimated expenditures for the first ten months of 1961 would indicate that the average cost of \$1.60 per man day is adequate to cover costs of feeding the military Force members.

Section V. Supplies and services

	<i>United States dollars</i>
Original estimates, 1961	15,850,000
Estimated expenditures, January-October 1961..	14,247,000

Details of estimated expenditures for the period January-October 1961, by chapter, are as follows:

<i>Chapter</i>	<i>Original estimates 1961</i>	<i>Estimated expenditures, January-October 1961</i>
	<i>United States dollars</i>	
1. Freight	4,680,000	4,462,000
2. Rental and maintenance of premises	4,270,000	3,380,000
3. Communications	400,000	340,000
4. Other supplies and services	6,500,000	6,065,000

The provision made in the original budget estimates for 1961 to cover costs of freight charges for rations, supplies, *matériel* and equipment furnished to ONUC, of \$4,680,000, was based on the experience gained during the latter part of 1960. The estimated expenditures for the first ten months of 1961 total \$4,462,000 and reflect the unexpected higher freight costs resulting from the closure of the port of Matadi to ONUC for part of the year and the necessity for utilizing alternative transport methods at higher costs. The port of Matadi is now open to ONUC freight traffic which allows surface transport to be utilized whenever practical.

The original budget estimate for 1961 for the rental and maintenance of premises totalled \$4,270,000 and was based on 1960 experience. The estimated expenditures for the first ten months of 1961 indicate that the 1960 basis costs still prevail. Some progress has been made in reviewing contracts and making more economical rental and maintenance arrangements, although the frequent movements of units of the Force within the Congo have limited the possibility of achieving greater economy.

The estimated expenditures for communications total \$340,000 for the first ten months of 1961.

An amount of \$6,500,000 was included in the original estimates for 1961 to cover costs of other supplies and services required in the Congo operation. Estimated expenditures for these services in the ten-month period, January-October, total \$6,065,000. The estimated expenditures include the cost of supplies lost during the closure of the port of Matadi and the cost of replacement under emergency conditions of supplies held during the closure period. The costs of large quantities of ordnance material and ammunition required in the recent Katanga operations are included in the estimated expenditures.

Section VI. Purchase of equipment

	<i>United States dollars</i>
Original estimates, 1961	7,860,000
Estimated expenditures, January-October 1961..	6,920,000

Details of estimated expenditure for the period January-October 1961, by chapter, are as follows:

<i>Chapter</i>	<i>Original estimates 1961</i>	<i>Estimated expenditures, January-October 1961</i>
	<i>United States dollars</i>	
1. Purchase of transport and heavy mobile equipment	3,990,000	2,795,000
2. Aircraft	600,000	1,300,000
3. Purchase of other equipment	3,270,000	2,825,000

The original budget estimates for 1961 included a provision of \$3,990,000 to bring the ONUC Force holdings of vehicles and heavy mobile equipment to a total of 3,400 in 1961 from the total of 2,237 on hand at the end of 1960. Of the 2,237 on hand at the end of 1960, 557 were contingent-owned.

As at 10 October 1961, the ONUC holdings totalled 3,098, which included 780 contingent-owned. ONUC-owned vehicles and heavy mobile equipment have increased between 1 January and 10 October 1961 by 638. The estimated expenditures for the purchase of transport and heavy mobile equipment during January-October 1961 total \$2,795,000.

A provision was made in the original 1961 budget estimates of \$600,000 for the purchase of ten DC-3 aircraft. However, no provision was made to meet the costs of certain aircraft furnished by Governments as arrangements concerning the reimbursement for the various types of aircraft furnished during the initial stages of the ONUC operation had not been agreed. Requests for payment have been received for some aircraft furnished to and operated by ONUC, and these costs are included in the estimated expenditures for January-October 1961 period. The total estimated expenditure for purchase of aircraft during this period totals \$1,300,000.

The original estimates for 1961 provided \$3,270,000 for the purchase of other equipment while the estimated expenditures for the first ten months of 1961 total \$2,825,000. The estimated expenditures include the cost of equipment lost during the closure of the port of Matadi and the replacement under emergency conditions of equipment held in the port during the closure period.

Section VII. Welfare

	<i>United States dollars</i>
Original estimates, 1961	600,000
Estimated expenditures, January-October 1961..	401,000

Estimated expenditures for the period January-October 1961 for welfare total \$401,000 and compare with the original estimates for 1961 of \$600,000. The welfare programme continues to include the free dispatch of the personal mail of members of the Force, the rental of films, the engagement of occasional live shows and the purchase of recreational and sports materials.

Section VIII. Contingencies

	<i>United States dollars</i>
Original estimates, 1961	2,425,000
Estimated expenditures, January-October 1961..	872,000

The estimated expenditures for contingencies not covered by other budgetary provision for the first ten months of 1961 total \$872,000 and comprise an amount of \$81,000 relating to the costs of the commission investigating the death of Mr. Lumumba; an amount of \$450,000 relating to the "Lovanium University" project and an amount of \$341,000 to cover other unforeseen costs until 31 October 1961 inclusive.

PART B. REIMBURSEMENT OF EXTRA AND EXTRA-ORDINARY COSTS INCURRED BY GOVERNMENTS PROVIDING CONTINGENTS

Section IX. Reimbursements to Governments

	<i>United States dollars</i>
Original estimates, 1961	28,000,000
Estimated expenditures, January-October 1961.	16,667,000

Details of estimated expenditures for the period January-October 1961, by chapter, are as follows:

<i>Chapter</i>	<i>Original estimates 1961</i>	<i>Estimated expenditures, January-October 1961</i>
	<i>United States dollars</i>	
1. Reimbursement in respect of extra and extraordinary costs relating to pay and allowances of contingents	22,500,000	11,500,000
2. Reimbursement in respect of equipment, <i>matériel</i> and supplies furnished by Governments to their contingents	3,000,000	4,667,000
3. Reimbursement in respect of death and disability awards on behalf of members of contingents	500,000	500,000

Although claims for reimbursement of extra costs relating to pay and allowances of contingents have been received from only two of the thirteen Governments now providing sizable contingents to ONUC, it appears, on the basis of the claims that have been received and the information available regarding the extra pay and allowances of the members of contingents for which claims have not yet been filed, that the original estimate was overstated both in respect of the assumed average strength of the Force and in regard to the average amount to be claimed as reimbursement for each member of the Force.

Few claims have been received from Governments providing contingents for reimbursement for equipment and supplies, but in view of the fact that developments in the Congo during the past ten months have required them to provide larger quantities of equipment and supplies for their contingents than was originally expected, it is considered prudent to maintain a provision of \$4,667,000 to cover the reimbursements for the period ending on 31 October 1961.

In view of the unexpectedly large number of deaths and disabilities that have occurred in the service of ONUC, it is expected that the full amount estimated for 1961 will be required.

DOCUMENT A/4943

Interim report of the Fifth Committee

[Original text: Spanish]
[26 October 1961]

1. In resolution 1619 (XV) of 21 April 1961, the General Assembly decided "to appropriate an amount of \$100 million for the operations of the United Nations in the Congo from 1 January to 31 October 1961". At its 862nd and 863rd meetings, held on 23 and 24 October 1961, the Fifth Committee considered a report of the Secretary-General (A/4931) indicating:

(a) That expenditure for the United Nations operations in the Congo was estimated at a total of \$100 million for the ten-month period, January to October 1961; and

(b) That it was anticipated that, in existing circumstances, the monthly requirements for ONUC would remain at the approximate figure of \$10 million.

2. The following draft resolution (A/C.5/L.677 and Add.1) was submitted by Canada, Ceylon, Ethiopia, Federation of Malaya, Ghana, Ireland, Liberia, Nigeria, Pakistan, Sweden and Tunisia:

"The General Assembly,

"Pending action to be taken at the present session regarding the financing of the United Nations operations in the Congo and without prejudice to such action,

"Authorises the Secretariat to continue until 31 December 1961 to incur commitments for the United Nations operations in the Congo at a level not to exceed \$10 million per month."

3. Introducing the eleven-Power draft resolution, the representative of Ghana emphasized that its provisions were of a non-controversial character and did not affect the substance of the United Nations operations in the Congo or the method of financing them. In limiting the

appropriation under resolution 1619 (XV) to 31 October 1961, the General Assembly had hoped that those operations would have been completed or at least reduced in scope by that date. As that hope had not been fulfilled, it became necessary to prolong the expenditure authorization for a further two-month period; a similar procedure had twice been followed in the course of the fifteenth session (General Assembly resolutions 1590 (XV) and 1595 (XV)). The draft resolution was intended purely as an administrative measure, to enable the Secretariat to continue until 31 December 1961 the tasks entrusted to it in the Congo, within a maximum expenditure level of \$10 million per month; its provisions did not in any way prejudge the decision still to be taken by the General Assembly at the current session regarding the financing of the operations in the Congo.

4. A number of speakers supporting the draft resolution stated that it was of a purely procedural character and did not raise any substantive issue. The United Nations had assumed a responsibility in the Congo which would continue to exist until such time as the appropriate organs formally decided to terminate it. As the Security Council and General Assembly resolutions on the Congo remained in force, it was manifest that ONUC must not be prevented, through lack of financial authorization, from completing the task assigned to it.

5. The endorsement thus given to the eleven-Power proposal was accompanied, in many cases, by the express reservation that delegations concurring in the proposal were in no way prejudging the entirely separate issues relating to the method of financing the operations in

the Congo and peace-making operations generally, or the obligations that would arise from adoption of the draft resolution itself—those issues would be discussed at a later stage under agenda items 55 and 62—nor, by the same token, were the delegations in question committing themselves to any particular formula for financing those operations. Other representatives said that the basis for the apportionment of the proposed \$20 million among Member States should be that applying to the expenses incurred in January to October 1961, namely, the basis laid down in paragraph 8 of General Assembly resolution 1619 (XV) of 21 April 1961.

6. The opposition to the joint draft resolution, which some delegations voiced, rested principally on the following grounds:

(a) The report of the Secretary-General (A/4931) raised a number of questions relating to decisions which came exclusively within the competence of the Security Council, including such questions as the scope of the United Nations operations in the Congo, the size and disposition of the Force, and its armament and equipment;

(b) Financial regulation 13.1 stipulated that a matter such as the continuance of the United Nations operations in the Congo should, in the first instance, be submitted to the Security Council, for consideration of the financial implications;

(c) Articles 11, 43 and 48 of the Charter demonstrated that the prior consultation of the Security Council was indispensably required: the first of those Articles made clear, in paragraph 2, that, while the General Assembly might discuss questions relating to the maintenance of international peace and security and make appropriate recommendations, action thereon was reserved to the Security Council; Articles 43 and 48 prescribed, in specific terms, the manner in which the decisions of the Council were to be carried out.

7. In the opinion of these delegations, the eleven-Power proposal could not be regarded merely as a procedural matter. It called for a commitment of \$20 million and the Committee would surely wish to consider, as a previous question, from what sources the funds would be drawn and what scale of assessments would be applied. Otherwise, the General Assembly would be placed in the unique position of first allocating funds and only secondly studying the purpose and volume of the allocation.

8. For the reasons stated in paragraphs 6 and 7 above, these delegations stated that, in addition to opposing the joint draft resolution, their Governments would not consider themselves bound by any decision which

the General Assembly might take in regard to the apportionment among Member States of the proposed expenditure.

9. Apart from the interventions that have been summarized above, some representatives, speaking within a wider context and referring to the events of the past fifteen months, expressed the hope that the Government and people of the Congo would be permitted to devote themselves in future, without external pressure or domination, to the advancement of the economic, social and cultural conditions of their country. It was the earnest desire of the Congolese people to live in peace and harmony with all peoples throughout the world, regardless of their political affiliation.

DECISION OF THE COMMITTEE

10. At the 863rd meeting, the Committee adopted the eleven-Power draft resolution (A/C.5/L.677 and Add.1) by a roll-call vote of 55 to 9, with 15 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Brazil, Burma, Cameroun, Canada, Central African Republic, Ceylon, Chad, Chile, China, Colombia, Congo (Leopoldville), Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Iceland, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Lebanon, Libya, Mexico, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Sierra Leone, Spain, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela.

Against: Albania, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics.

Abstaining: Afghanistan, Belgium, Cambodia, France, Guinea, Iraq, Mali, Niger, Portugal, Saudi Arabia, South Africa, Sudan, United Arab Republic, Yemen, Yugoslavia.

Recommendation of the Fifth Committee

11. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS OPERATIONS IN THE CONGO: COST ESTIMATES AND FINANCING

[Text adopted by the General Assembly without change. See "Action by the General Assembly" below.]

DOCUMENT A/C.5/904

Report of the Secretary-General

[Original text: English]
[7 December 1961]

1. The Security Council in the resolution adopted on 24 November 1961,³ *inter alia*, reaffirmed the policies and purposes of the United Nations with respect to the Congo (Leopoldville) which had been set out in

³ Official Records of the Security Council, Sixteenth Year, Supplement for October, November and December 1961, document S/5002.

previous resolutions of the Council⁴ and the General Assembly⁵ on this matter, referred to "the imperative

⁴ *Ibid.*, Fifteenth Year, Supplement for July, August and September 1960, documents S/4387, S/4405 and S/4426; *ibid.*, Sixteenth Year, Supplement for January, February and March 1961, document S/4741.

⁵ General Assembly resolutions 1474 (ES-IV), 1592 (XV), 1599 (XV), 1600 (XV) and 1601 (XV).

necessity of speedy and effective action to implement fully the policies and purposes of the United Nations in the Congo to end the unfortunate plight of the Congolese people, necessary both in the interest of world peace and international co-operation, and stability and progress of Africa as a whole", and declared "full and firm support for the Central Government of the Congo, and the determination to assist that Government, in accordance with the decisions of the United Nations, to maintain law and order and national integrity, to provide technical assistance and to implement those decisions".

2. The Acting Secretary-General informed the Council, immediately after it had adopted resolution S/5002 at its 982nd meeting, of the action it could expect him to take and stated, *inter alia*, "All the United Nations responsibilities following from past resolutions on the Congo continue with new emphasis, since these resolutions have all been reaffirmed in the action just taken".

3. He also informed the Council: "It is true that, at the present critical stage in the Congo, there is actually an acute need for more troops and I must make a strong appeal to Member States, and particularly the African States, for added contingents or for increases in the existing contingents. Nevertheless, once the current phase of disorder and secessionist threat is over, I feel there will be a real possibility for undertaking a gradual reduction in the size of the Force, beginning, I hope, in early 1962."

4. He concluded: "Finally, I need not stress that the task of guiding the Congo operation is a difficult and complex one, under any circumstances. It becomes possible of achievement only if I can count on the good will of Member Governments and especially on their readiness to provide the resources, and particularly the financial support, that is essential for its successful accomplishment. There is, unfortunately, no reason to anticipate in the next few months an order of expenditure appreciably different from that being incurred at present. I am confident, however, that ONUC will fulfil all of its responsibilities if the necessary resources are made available."

5. It will be recalled that the Secretariat in submitting its report of 20 October 1961 on ONUC Cost Estimates and Financing (A/4931) noted that the expenses of ONUC had averaged approximately \$10 million per month through the first ten months of 1961 and stated that although the withdrawal of certain contingents and units from ONUC during October would reduce its strength to approximately 15,900 officers and men, it was then estimated that the cost of maintaining a force of that strength and providing it with the arms, ammunition and air support sufficient for its needs in the then existing circumstances would be of the order of \$10 million per month.

6. The General Assembly in its resolution 1633 (XVI) of 30 October 1961 authorized the Secretariat to continue until 31 December 1961 to incur commitments for the United Nations operations in the Congo at a level not to exceed \$10 million per month.

7. Members are aware of the unfortunate developments that have taken place in the Congo, and especially in Katanga, during recent weeks. At the time of writing reports are being received of the resumption of heavy fighting between United Nations and Katanganese forces in and around Elisabethville.

8. In these circumstances, the Acting Secretary-General is not in a position to submit detailed cost estimates for the maintenance and operation of ONUC during 1962, or to predict when the tasks given him by the Security Council and by the General Assembly will have been successfully accomplished. He feels, however, that in the light of the most recent developments, there is no sound basis for anticipating that the expenses of ONUC during the next few months will be appreciably less than the level of current expenditure which is estimated at \$10 million per month. He accordingly seeks authority for continuing to incur expenditure for ONUC at this level for such a period and in accordance with such financing arrangements as the General Assembly may deem appropriate.

DOCUMENT A/5019

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[8 December 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered the report of the Secretary-General (A/C.5/904) in which he seeks the authority of the General Assembly to incur expenditure for the United Nations operations in the Congo during 1962 at the level of \$10 million per month for such a period and in accordance with such financing arrangements as the General Assembly may deem appropriate.

2. In accordance with its terms of reference, the Advisory Committee has confined itself to the question of the appropriate level of cost to be provided for and the minimum period for which, from a practical point of view, the necessary authorization to incur such expenditure might be extended. In doing so, the Advisory Committee has taken into account that the Acting Secretary-General is not in a position to submit detailed

cost estimates for the maintenance and operation of ONUC during 1962, and that, in his opinion, there is no sound basis for anticipating any appreciable reduction in these expenses, during the next few months, below the level of current expenditure, estimated at \$10 million per month. He is also not able to predict when the tasks given him by the Security Council and the General Assembly, including his new mandate under Security Council resolution of 24 November 1961,⁶ will have been successfully accomplished.

3. On the question of the level of costs to be incurred, the Advisory Committee would naturally have preferred

⁶ Official Records of the Security Council, Sixteenth Year, Supplement for October, November and December 1961, document S/5002.

o have had the benefit of detailed cost estimates for the period beginning 1 January 1962, along the lines of those submitted on 1 March 1961⁷ for the period 1 January to 31 December 1961 and reported on by the Advisory Committee on 21 March 1961.⁸ It will be recalled that, on that occasion, estimates in an amount of \$135 million were submitted for the twelve-month period. In resolution 1619 (XV) of 21 April 1961, the General Assembly approved the recommendation of the Advisory Committee, in paragraph 29 of its report, to the effect that costs for the full year 1961 might be held to a total not exceeding \$120 million, comprising \$100 million under part A (Operating costs) and \$20 million under part B (Reimbursements to Governments). The Advisory Committee also suggested that the General Assembly might wish to limit the appropriation at that stage to funds required for the period until the sixteenth session of the General Assembly. Accordingly, the General Assembly appropriated an amount of \$100 million for the ten months from 1 January to 31 October 1961. In his subsequent report of 20 October 1961 (A/4931), the Secretary-General indicated that the net result of experience during the first ten months of 1961 had been that expenses had in fact averaged approximately \$10 million per month. On that basis, the General Assembly, in its resolution 1633 (XVI) of 30 October 1961, authorized the Secretary-General to continue until 31 December 1961 to incur commitments at the latter level.

4. In the light of the evidence submitted to it, the Advisory Committee would concede that it would be difficult, in existing circumstances, to present detailed estimates for the period ahead. In this regard, the Committee would point out that the monthly estimate of \$10 million which has been submitted is an average figure, which takes account of the fact that there are considerable fluctuations of the expenditure level from time to time, due to the fluid nature of the situation in the Congo and the need to meet emergency situations as they arise. Thus, it will be recalled that, in paragraphs 7 and 8 of his report of 20 October 1961, the Secretary-General indicated that, while, in the course of 1961, savings had been achieved in certain categories of expense because the actual strength of the Force had been less than had been originally estimated, these economies had been substantially offset by other increases necessitated by unforeseen developments such as the disruption of established supply arrangements through the port of Matadi during the period March to 15 June 1961, the costs involved in connexion with the convening of the Congolese Parliament at Lovanium University, as well as the substantial build-up of United Nations air strength and an increased expenditure for arms and ammunition as a result of developments in Katanga province. Similarly, current events are involving a temporary increase in the present size of the Force and an improvement of its weapon system to give it greater defence potential. It has also been necessary

to increase further the United Nations air strength. On the other hand, the Acting Secretary-General has stated at the 982nd meeting of the Security Council on 24 November 1961, that "once the current phase of disorder and secessionist threat is over, I feel there will be a real possibility for undertaking a gradual reduction in the size of the Force, beginning, I hope, in early 1962". Thus, while it is conceivable that, during the present emergency period, costs might substantially exceed the level of \$10 million per month unless there is a further deterioration of the situation in the Congo, appreciable reductions are hoped for later in 1962, which would enable the proposed monthly average to be maintained.

5. In present circumstances, as outlined above, the Advisory Committee recommends that the Secretary-General be authorized to continue, beyond 31 December 1961, to incur expenditure for the maintenance and operation of ONUC at the approved current level of \$10 million per month, in accordance with such financing arrangements as the General Assembly may deem appropriate. While the period for which such provision should be made would depend on the judgement of the General Assembly, the Advisory Committee, on practical grounds, would suggest that the authorization be limited to the period preceding the earliest date on which the General Assembly can be expected to resume consideration of this important matter.

6. Particularly, in view of the fact that the Advisory Committee has only been able to consider an over-all monthly estimate, without relating it in the normal manner to a detailed cost analysis, the Committee has inquired, as before, into the nature of administrative and financial controls which are currently being applied to ensure economy and efficiency in the civilian as well as the military sector of the operation. Bearing in mind the difficult financial position which has arisen in connexion with ONUC, maximum efforts to keep expenditure within reasonable bounds, wherever possible, would be particularly appropriate. The Committee, in a previous report of 21 March, took the opportunity to point out that, in any large-scale operation of this kind, there are a number of areas involving expenditures of considerable magnitude—such as those related to movements of contingents, purchase of equipment, operation and maintenance of vehicles and aircraft, handling and consumption of supplies, number of civilian personnel and their travel and subsistence—in which, unless the strictest control is exercised, both from the centre and in the field, avoidable expenditure may easily occur. The Committee has been informed that the size of the civilian establishment in the Congo has reached stable proportions. It has also been assured that a pattern of general controls, similar to those evolved for the United Nations Emergency Force, has been instituted and is working as effectively as can be expected in frequently unsettled circumstances. A team of internal auditors has also been based in the Congo to maintain a running check on these procedures. The Advisory Committee trusts that such measures will continue to receive the necessary attention.

⁷ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda items 49/50, document A/4703.*

⁸ *Ibid.*, document A/4713.

DOCUMENT A/5066

Report of the Fifth Committee

[Original text: Spanish]
[19 December 1961]

1. On 26 October 1961 (865th meeting) the Fifth Committee submitted an interim report on agenda item 55 (A/4943), on the basis of which the General Assembly at its 1044th plenary meeting, adopted resolution 1633 (XVI) of 30 October 1961, authorizing the Secretariat "to continue until 31 December 1961 to incur commitments for the United Nations operations in the Congo at a level not to exceed \$10 million per month".

2. On 11 December 1961 the Committee resumed, and completed, in the course of six meetings,⁹ its consideration of agenda item 55. The Committee had before it, in addition to the initial submission of the Secretary-General (A/4931), a report (A/C.5/904) in which the Acting Secretary-General indicated that, in view of the prevailing circumstances, he was not in a position to submit detailed cost estimates for the maintenance and operation of ONUC during 1962, or to predict when the tasks given him by the Security Council and by the General Assembly would have been successfully accomplished. He added, however, that in the light of the most recent developments, there was not, in his opinion, any sound basis for anticipating that the expenses of ONUC during the next few months would be appreciably less than the level of current expenditure, estimated at \$10 million per month. He accordingly sought authority for continuing to incur expenditure for ONUC at that level for such a period and in accordance with such financing arrangements as the General Assembly might deem appropriate.

3. In a related report the Advisory Committee on Administrative and Budgetary Questions recommended that the Secretary-General should be authorized to continue, beyond 31 December 1961, to incur expenditure for the maintenance and operation of ONUC at the approved current level of \$10 million per month, in accordance with such financing arrangements as the General Assembly might deem appropriate (A/5019, para. 5).

4. At the 900th meeting, the representative of Tunisia introduced a draft resolution (A/C.5/L.706) sponsored by Denmark, Nigeria, Pakistan and Tunisia and reading as follows:

"The General Assembly,

"Recalling Security Council resolutions of 14 July 1960, 22 July 1960, and 9 August 1960, 21 February 1961 and 24 November 1961, and General Assembly resolutions 1474 (ES-IV) of 20 September 1960, 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961 and 1633 (XVI) of 30 October 1961,

"Having considered the report of the Secretary-General on the estimated cost of United Nations operations in the Congo in 1962 and the report of the Advisory Committee on Administrative and Budgetary Questions thereon,

"1. Decides to continue the *ad hoc* account for the expenses of the United Nations operations in the Congo;

"2. Authorizes the Secretary-General during 1962 to expend at an average monthly rate not to exceed \$10 million for the continuing cost of the United Nations operations in the Congo;

"3. Decides to appropriate an amount of \$80 million for the operations of the United Nations in the Congo for the period 1 November 1961 to 30 June 1962;

"4. Decides to apportion the amount of \$80 million among all Member States of the United Nations in accordance with the regular scale of assessments for 1962, subject to the provisions of paragraph 5 below;

"5. Decides to reduce:

"(a) By 80 per cent the assessment of Member States whose contributions to the regular budget range from .04 per cent to .25 per cent inclusive;

"(b) By 80 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget range from .26 per cent to 1.25 per cent inclusive;

"(c) By 50 per cent the assessment of Member States receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget are 1.26 per cent and above;

"6. Appeals to all Member States who are in a position to assist to make voluntary contributions to help defray the costs of the United Nations operations in the Congo;

"7. Calls upon the Government of Belgium, a State directly concerned with the situation in the Republic of the Congo (Leopoldville), to make a substantial contribution;

"8. Decides to apply the voluntary contributions of Member States to offset the deficit resulting from the implementation of the provisions of paragraph 5."

5. Subsequently Burma, Congo (Leopoldville) and Ethiopia were added to the list of sponsors of the draft resolution.

6. At the 904th meeting, a series of amendments (A/C.5/L.712) to the seven-Power draft resolution was introduced by the representative of Mexico on behalf of the following sponsors: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela. The amendments were to the following effect:

"1. Insert in the first preambular paragraph of the draft resolution, after the words '1601 (XV) of 15 April 1961', the words '1619 (XV) of 21 April 1961'.

"2. Insert as third and fourth preambular paragraphs the following:

"'Bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that therefore a procedure different from that applied in

⁹ 899th, 900th, 902nd to 905th meetings, held between 11 and 15 December 1961.

the case of the regular budget is required for meeting these extraordinary expenses,

“*Bearing in mind* that the permanent members of the Security Council have a special responsibility for the maintenance of international peace and security and therefore for contributing to the financing of peace and security operations;”

“3. *Replace* the present operative paragraph 4 with the following:

“*Decides* to apportion as expenses of the Organization the amount of \$80 million among the Member States in accordance with the scale of assessment for the regular budget subject to the provisions of paragraph 5 below, pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations;”

“4. *Insert* as a new operative paragraph 6 the following:

“*Urges* the permanent members of the Security Council to make sizable additional contributions;”

“5. *Renumber* operative paragraphs 6 and 7 of the draft resolution as paragraphs 7 and 8 respectively.

“6. *Replace* the present operative paragraph 8 of the draft resolution with the following new operative paragraph 9:

“*Decides* to apply the additional contributions of Member States under paragraphs 6, 7 and 8 above to offset the deficit resulting from the implementation of the provisions of paragraph 5.”

7. At the 905th meeting, the representative of Pakistan accepted, on behalf of the six sponsors, the eighteen-Power amendments to the seven-Power draft resolution.

8. At the same meeting, the representative of the Netherlands requested a separate vote on operative paragraph 8 of the revised draft resolution (A/C.5/L.706/Rev.1). Objection having been made to the request for division, the Committee rejected, by 36 votes to 22, with 19 abstentions, the Netherlands motion for a division of the vote.

9. The United Kingdom representative requested, at the 905th meeting, a separate vote on the third and fourth preambular paragraphs as well as on operative paragraphs 4 and 6 of the revised draft resolution. Objection having been made to the request for division,

the Committee rejected, by 38 votes to 15, with 26 abstentions, the United Kingdom motion for a division of the vote.

10. At the 905th meeting, the United States representative stated that, in the event of the adoption of the revised draft resolution, the United States Government would be prepared, in addition to its assessed contribution, to make a voluntary contribution of \$11.4 million towards the ONUC costs, with the object of offsetting the deficit resulting from operative paragraph 5 of the proposal.

DECISION OF THE COMMITTEE

11. At the 905th meeting, the Committee adopted the revised seven-Power draft resolution (A/C.5/L.706/Rev.1) by a roll-call vote of 57 to 11, with 12 abstentions. The voting was as follows:

In favour: Argentina, Australia, Austria, Brazil, Burma, Cameroun, Canada, Ceylon, Chile, Colombia, Congo (Leopoldville), Costa Rica, Cyprus, Denmark, Ecuador, El Salvador, Ethiopia, Federation of Malaya, Finland, Ghana, Greece, Guatemala, Honduras, India, Indonesia, Iran, Ireland, Israel, Italy, Japan, Lebanon, Liberia, Luxembourg, Mali, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nigeria, Norway, Pakistan, Panama, Paraguay, Peru, Sierra Leone, Spain, Sweden, Thailand, Togo, Tunisia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela, Yugoslavia;

Against: Albania, Belgium, Bulgaria, Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics;

Abstaining: Afghanistan, Cambodia, China, France, Iraq, Philippines, Portugal, South Africa, Sudan, United Arab Republic, Upper Volta, Yemen.

Recommendation of the Fifth Committee

12. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

UNITED NATIONS OPERATIONS IN THE CONGO: COST ESTIMATES AND FINANCING

[Text adopted by the General Assembly without change. See “Action by the General Assembly” below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1044th plenary meeting, on 30 October 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/4943, para. 11). For the final text see resolution 1633 (XVI) below.

At its 1086th plenary meeting, on 20 December 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5066, para. 12). For the final text see resolution 1732 (XVI) below.

Resolutions adopted by the General Assembly
1633 (XVI). UNITED NATIONS OPERATIONS IN THE CONGO: COST ESTIMATES AND FINANCING

The General Assembly,

Pending action to be taken at the present session regarding the financing of the United Nations operations in the Congo and without prejudice to such action,

Authorizes the Secretariat to continue until 31 December 1961 to incur commitments for the United Nations operations in the Congo at a level not to exceed \$10 million per month.

*1044th plenary meeting,
30 October 1961.*

1732 (XVI). UNITED NATIONS OPERATIONS IN THE CONGO: COST ESTIMATES AND FINANCING

The General Assembly,

Recalling the Security Council resolutions of 14 July 1960,¹⁰ 22 July 1960,¹¹ 9 August 1960,¹² 21 February 1961,¹³ and 24 November 1961,¹⁴ and General Assembly resolutions 1474 (ES-IV) of 20 September 1960, 1599 (XV), 1600 (XV) and 1601 (XV) of 15 April 1961, 1619 (XV) of 21 April 1961 and 1633 (XVI) of 30 October 1961,

Having considered the report of the Secretary-General on the estimated cost of United Nations operations in the Congo in 1962 (A/C.5/904) and the report of the Advisory Committee on Administrative and Budgetary Questions thereon (A/5019),

Bearing in mind that the extraordinary expenses for the United Nations operations in the Congo are essentially different in nature from the expenses of the Organization under the regular budget and that, therefore, a procedure different from that applied in the case of the regular budget is required for meeting these extraordinary expenses,

Bearing in mind that the permanent members of the Security Council have a special responsibility for the maintenance of international peace and security and, therefore, for contributing to the financing of peace and security operations,

1. *Decides* to continue the *ad hoc* account for the expenses of the United Nations operations in the Congo;

2. *Authorizes* the Secretary-General to expend, during 1962, at an average monthly rate not to exceed

\$10 million for the continuing cost of the United Nations operations in the Congo;

3. *Decides* to appropriate an amount of \$80 million for the operations of the United Nations in the Congo for the period 1 November 1961 to 30 June 1962;

4. *Decides* to apportion as expenses of the organization the amount of \$80 million among the Member State in accordance with the scale of assessment for the regular budget,¹⁵ subject to the provisions of paragraph 5 below pending the establishment of a different scale of assessment to defray the extraordinary expenses of the Organization resulting from these operations;

5. *Decides* to reduce:

(a) By 80 per cent the assessment of Member State whose contributions to the regular budget range from 0.04 per cent to 0.25 per cent inclusive;

(b) By 80 per cent the assessment of Member State receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget range from 0.26 per cent to 1.25 per cent inclusive;

(c) By 50 per cent the assessment of Member State receiving assistance during 1961 under the Expanded Programme of Technical Assistance, whose contributions to the regular budget are 1.26 per cent and above;

6. *Urges* the permanent members of the Security Council to make sizable additional contributions;

7. *Appeals* to all Member States who are in a position to assist to make voluntary contributions to help defray the costs of the United Nations operations in the Congo;

8. *Calls upon* the Government of Belgium, a State directly concerned with the situation in the Republic of the Congo (Leopoldville), to make a substantial contribution;

9. *Decides* to apply the additional contributions of Member States under paragraphs 6, 7 and 8 above to offset the deficit resulting from the implementation of the provisions of paragraph 5.

1086th plenary meeting,
20 December 1961.

¹⁰ *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960*, document S/4387.

¹¹ *Ibid.*, document S/4405.

¹² *Ibid.*, document S/4426.

¹³ *Ibid.*, *Sixteenth Year, Supplement for January, February and March 1961*, document S/4741.

¹⁴ *Ibid.*, *Supplement for October, November and December 1961*, document S/5002.

¹⁵ See resolution 1691 (XVI) of 18 December 1961.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes all the documents mentioned during the consideration of agenda item 55 which are not reproduced in the present fascicle.

Document No.	Title	Observations and references
A/C.5/907	Statement by the Acting Secretary-General at the 899th meeting of the Fifth Committee	<i>Official Records of the General Assembly, Sixteenth Session, Annexes</i> , agenda item 54
A/C.5/L.677 and Add.1	Canada, Ceylon, Ethiopia, Federation of Malaya, Ghana, Ireland, Liberia, Nigeria, Pakistan, Sweden and Tunisia: draft resolution	Adopted without change. See A/4943, para. 11
A/C.5/L.678	Draft interim report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 865th meeting, see A/4943
A/C.5/L.702 and Add.1 and 2	Brazil, Cameroun, Canada, Denmark, Japan, Liberia, Pakistan, Sweden, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution	<i>Official Records of the General Assembly, Sixteenth Session, Annexes</i> , agenda item 62. See A/5062, para. 34

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.5/L.706 and Add.1	Burma, Denmark, Ethiopia, Nigeria, Pakistan and Tunisia: draft resolution	See A/5066, paras. 4 and 5
A/C.5/L.706/Rev.1	Burma, Congo (Leopoldville), Denmark, Ethiopia, Nigeria, Pakistan and Tunisia: revised draft resolution	Adopted without change. See A/5066, para. 12.
A/C.5/L.712	Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela: amendments to document A/C.5/L.706 and Add.1	See A/5066, para. 6.
A/C.5/L.719	Draft report of the Fifth Committee	Same text as A/5066.



Agenda item 56: Appointments to fill vacancies in the membership of subsidiary bodies of the General Assembly:*

- (a) **Advisory Committee on Administrative and Budgetary Questions;**
- (b) **Committee on Contributions;**
- (c) **Board of Auditors;**
- (d) **Investments Committee: confirmation of the appointments made by the Secretary-General;**
- (e) **United Nations Administrative Tribunal;**
- (f) **United Nations Staff Pension Committee**

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(b) Committee on Contributions		
A/4829	Note by the Secretary-General	4
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A/4826	Note by the Secretary-General	5
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(f) United Nations Staff Pension Committee		
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* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 849th, 861st, 871st, 892nd, 901st and 904th meetings; and *ibid., Plenary Meetings*, 1032nd, 1044th, 1067th, 1082nd, 1083rd and 1086th meetings.

(a) Advisory Committee on Administrative and Budgetary Questions

DOCUMENTS A/4821 AND ADD.1

Note by the Secretary-General

Document A/4821

"Rule 156

[Original text: English]
[24 July 1961]

"The General Assembly shall appoint an Advisory Committee on Administrative and Budgetary Questions (hereinafter called the 'Advisory Committee'), with a membership of nine, including at least two financial experts of recognized standing.

1. The rules of procedure of the General Assembly provide that:

"Rule 157"

"The members of the Advisory Committee, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The two financial experts shall not retire simultaneously. The General Assembly shall appoint the members of the Advisory Committee at the regular session immediately preceding the expiration of the term of office of the members, or, in case of vacancies, at the next session."

2. The present membership of the Committee is as follows:

Mr. Thanassis Aghnides (Greece);
 Mr. Albert F. Bender (United States of America);
 Mr. Carlos Blanco (Cuba);
 Mr. André Ganem (France);
 Mr. A. H. M. Hillis (United Kingdom of Great Britain and Northern Ireland);
 Mr. Ismat T. Kittani (Iraq);
 Mr. Raúl A. Quijano (Argentina);
 Mr. Agha Shahi (Pakistan);
 Mr. Alexei F. Sokirkin (Union of Soviet Socialist Republics).

3. At its thirteenth session, the General Assembly (resolution 1271 (XIII) of 14 November 1958) appointed the following persons as members of the Committee for a three-year term commencing on 1 January 1959:

Mr. Carlos Blanco;
 Mr. John E. Fobes;
 Mr. A. H. M. Hillis.

4. At its fourteenth session, the General Assembly was informed of the resignation of Mr. John E. Fobes.

The General Assembly (resolution 1367 (XIV) of 17 November 1959) appointed Mr. Albert F. Bender for a two-year term commencing on 1 January 1960 to fill the unexpired term of office of Mr. Fobes.

5. Since the terms of office of Mr. Bender, Mr. Blanco and Mr. Hillis are due to expire on 31 December 1961, it will be necessary for the General Assembly at its sixteenth session in 1961, to appoint three persons to fill the resulting vacancies. The members so appointed will serve for a period of three years, commencing 1 January 1962.

6. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment. It is suggested that a similar procedure should be followed at the sixteenth session.

Document A/4821/Add.1

[Original text: English]
 [4 August 1961]

1. By document A/4821, the attention of the General Assembly is drawn to the three vacancies in the membership of the Advisory Committee on Administrative and Budgetary Questions which will result on the expiration, on 31 December 1961, of the terms of office of three of the members of the Committee.

2. By a letter addressed to the Secretary-General, Mr. A. H. M. Hillis has submitted his resignation from the Committee, the resignation to be effective as soon as the General Assembly, at its sixteenth session, can take the necessary action to fill the unexpired portion of his term of office.

3. Thus, in addition to the action required to fill the three regular vacancies in the membership of the Advisory Committee, it will be necessary for the General Assembly at its sixteenth session also to appoint one person to fill the unexpired portion of the term of office of Mr. Hillis, that is, from the date of the appointment to 31 December 1961.

DOCUMENT A/4912**Report of the Fifth Committee**

[Original text: English]
 [5 October 1961]

1. At its 849th meeting held on 5 October 1961, the Fifth Committee considered a note by the Secretary-General (A/4821/Add.1) on a vacancy in the membership of the Advisory Committee on Administrative and Budgetary Questions resulting from the resignation of one of the members of the Committee.

2. Members of the Fifth Committee had previously been invited to suggest the name of a person who might be recommended to the General Assembly for appointment to the Advisory Committee in accordance with the provisions of rules 156 and 157 of the rules of procedure of the Assembly. At the time the matter was considered by the Fifth Committee, one candidate had been proposed in respect of the above-mentioned vacancy.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	60
<i>Invalid ballots:</i>	1
<i>Number of valid ballots:</i>	59
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	59
<i>Required majority:</i>	30
<i>Number of votes obtained:</i>	
Mr. C. H. W. Hodges	58

One other person received one vote. Mr. Hodges (United Kingdom of Great Britain and Northern

reland) was declared recommended for appointment as member of the Advisory Committee on Administrative and Budgetary Questions for the unexpired term of office of the member who had resigned.

Recommendation of the Fifth Committee

4. The Fifth Committee therefore recommends to

the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

DOCUMENT A/5015

Report of the Fifth Committee

*[Original text: Spanish]
[7 December 1961]*

1. At its 892nd meeting, held on 29 November 1961, the Fifth Committee considered the notes by the Secretary-General (A/4821 and A/C.5/L.698), concerning the following six vacancies in the membership of the Advisory Committee on Administrative and Budgetary Questions:

(a) Three vacancies which will occur on 31 December 1961 as a result of the expiration of the terms of office of three of its members; and

(b) Three vacancies which arise as a result of the adoption by the General Assembly of resolution 1659 (XVI) of 28 November 1961, which provides for the enlargement of the Advisory Committee from nine to twelve members.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Advisory Committee in accordance with the provisions of rules 156 and 157 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, six names had been put forward in respect of the above-mentioned vacancies.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot, the result of which was as follows:

<i>Number of ballot papers:</i>	61
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	61
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	61
<i>Required majority:</i>	31
<i>Number of votes obtained:</i>	
Mr. Alfonso Grez	59
Mr. Mohamed Abdel Maged Ahmed ...	58
Mr. Albert F. Bender	58
Mr. C. H. W. Hodges	57
Mr. E. Olu Sanu	57
Mr. Dragos Serbanescu	41

One other person received 3 votes.

4. The Committee then considered the question how best to provide for the rotation in the retirement of members of the Advisory Committee which is stipulated in the rules of procedure of the General Assembly (rule 157). It was suggested that lots might be drawn to decide which of the newly elected members should serve respectively for one, two and three years, or that, alternatively, recourse might be had to the procedure followed in 1946 on the first election of the members of the Committee, namely, a decision by ballot.

5. At the 893rd meeting, the Chairman informed the Committee that Mr. Bender and Mr. Hodges had expressed their willingness to accept appointments for terms of less than three years, and that, lots having been drawn, Mr. Hodges was prepared to accept an appointment of one year's duration, and Mr. Bender an appointment of two years' duration, subject to the approval of the Committee.

6. There being no objection, the Chairman declared the following persons to be recommended for appointment as members of the Advisory Committee on Administrative and Budgetary Questions:

For a three-year term beginning on 1 January 1962:

Mr. Ahmed (Sudan);
Mr. Grez (Chile);
Mr. Sanu (Nigeria);
Mr. Serbanescu (Romania).

For a two-year term beginning on 1 January 1962:

Mr. Bender (United States of America).

For a one-year term beginning on 1 January 1962:

Mr. Hodges (United Kingdom of Great Britain and Northern Ireland).

Recommendation of the Fifth Committee

7. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(b) Committee on Contributions**DOCUMENT A/4829****Note by the Secretary-General**

[Original text: English
[4 August 1961]

1. The rules of procedure of the General Assembly provided that:

“Rule 160

“The members of the Committee on Contributions, no two of whom shall be nationals of the same State, shall be selected on the basis of broad geographical representation, personal qualifications and experience, and shall serve for a period of three years corresponding to three financial years, as defined in the regulations for the financial administration of the United Nations. Members shall retire by rotation and shall be eligible for reappointment. The General Assembly shall appoint the members of the Committee on Contributions at the regular session immediately preceding the expiration of the term of office of the members, or, in the case of vacancies, at the next session.”

2. The present membership of the Committee is as follows:

Mr. Antonio Arráiz (Venezuela);
Mr. Raymond T. Bowman (United States of America);
Mr. Pavel M. Chernyshev (Union of Soviet Socialist Republics);
Mr. A. H. M. Hillis (United Kingdom of Great Britain and Northern Ireland);
Mr. Chandra Shekhar Jha (India);
Mr. F. Nouredin Kia (Iran);
Mr. Jerzy Michalowski (Poland);

Mr. José Pareja (Peru);
Mr. Sidney Pollock (Canada);
Mr. Maurice Viaud (France).

3. At its thirteenth session, the General Assembly (resolution 1292 (XIII) of 5 December 1958) appointed the following persons as members of the Committee for a three-year term commencing on 1 January 1959

Mr. Raymond T. Bowman;
Mr. F. Nouredin Kia;
Mr. Jerzy Michalowski.

4. Since the terms of office of Mr. Bowman, Mr. Kia, and Mr. Michalowski are due to expire on 31 December 1961, it will be necessary for the General Assembly, at its sixteenth session in 1961, to appoint three persons to fill the resulting vacancies. The members thus appointed will serve for a period of three years commencing on 1 January 1962.

5. Further, in a letter addressed to the Secretary General, Mr. A. H. M. Hillis has submitted his resignation from the Committee on Contributions, the resignation to be effective as soon as the General Assembly, at its sixteenth session, can take the necessary action to fill the unexpired portion of his term of office (to 31 December 1962).

6. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment. It is suggested that a similar procedure should be followed at the sixteenth session.

DOCUMENT A/5003**Report of the Fifth Committee**

[Original text: Spanish]
[1 December 1961]

1. At its 892nd meeting, held on 29 November 1961, the Fifth Committee considered a note by the Secretary-General (A/4829), concerning the following vacancies in the membership of the Committee on Contributions:

(a) A vacancy in the membership resulting from the resignation of one of the members of the Committee:

(b) Vacancies which will occur in the membership as a result of the expiration of the terms of office of three of its members on 31 December 1961.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Committee on Contributions in accordance with the provisions of rule 160 of the rules of procedure of the General Assembly. At the time the matter was considered by the Fifth Committee, one name had been put forward in respect of the vacancy under (a) above, and three names in respect of the vacancies under (b) above.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot.

4. The result of the ballot in respect of the vacancy under (a) was as follows:

Number of ballot papers:	71
Invalid ballots:	2
Number of valid ballots:	69
Abstentions:	4
Number of members voting:	65
Required majority:	33
Number of votes obtained:	
Mr. C. H. W. Hodges	60

Two other persons received two and three votes, respectively. Mr. Hodges (United Kingdom of Great Britain and Northern Ireland), having received the required majority, was declared recommended for appointment as a member of the Committee on Contributions for the unexpired term of office of the member who had

esigned, namely, for the period ending on 31 December 1962.

5. The result of the ballot in respect of the vacancies under (b) above was as follows:

<i>Number of ballot papers:</i>	70
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	70
<i>Abstentions:</i>	0
<i>Number of members voting:</i>	70
<i>Required majority:</i>	36
<i>Number of votes obtained:</i>	
Mr. Raymond T. Bowman	68
Mr. F. Nouredin Kia	66
Mr. Stanislaw Raczkowski	58

Two other persons received five votes and one vote, respectively. Mr. Bowman (United States of America), Mr. Kia (Iran) and Mr. Raczkowski (Poland), having received the required majority, were declared recommended for appointment as members of the Committee on Contributions for a three-year term beginning on 1 January 1962.

Recommendation of the Fifth Committee

6. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(c) Board of Auditors

DOCUMENT A/4826

Note by the Secretary-General

*[Original text: English]
[3 August 1961]*

1. Resolution 74 (I) adopted by the General Assembly on 7 December 1946 provides:

"That in 1947 and every year thereafter, the General Assembly shall appoint an Auditor to take office from 1 July of the following year and to serve for a period of three years."

2. The present membership of the Board of Auditors is as follows:

The Auditor-General (or officer holding the equivalent title) of Colombia;

The Auditor-General (or officer holding the equivalent title) of the Netherlands;

The Auditor-General (or officer holding the equivalent title) of Pakistan.

3. The Auditor-General of the Netherlands was appointed to the Board by the General Assembly at its thirteenth session (resolution 1249 (XIII) of 30 October 1958) for a three-year term which expires on 30 June 1962. Thus the General Assembly will be required at its sixteenth session to fill the resulting vacancy by the appointment as a member of the Board of the Auditor-General (or officer holding the equivalent title) of a Member State. The Auditor thus appointed

will serve for a period of three years commencing 1 July 1962.

4. The existing system of external audit involves the provision by members of the Board of Auditors of technical staff from their respective national audit services for the performance of the detailed audit of the accounts, based on an allocation of work agreed from time to time among the members of the Board. Under the current arrangements, the Auditor-General of the Netherlands provides the staff for the audit of the United Nations and related accounts at Headquarters, including the accounts of the Expanded Programme of Technical Assistance, the Special Fund and the Suez Canal Surcharge Operation, and the accounts of the International Court of Justice. These audits involve the assignment of eight auditors during two periods in a year for a total of some 110 days; the Auditor-General devotes the equivalent of approximately three months per year to United Nations work.

5. At previous sessions, a draft resolution including the name of a Member State whose Auditor-General (or officer holding the equivalent title) was recommended for appointment has been submitted by the Fifth Committee to the General Assembly. It is suggested that a similar procedure should be followed at the sixteenth session.

DOCUMENT A/4958

Report of the Fifth Committee

*[Original text: Spanish]
[7 November 1961]*

1. At its 871st meeting, held on 3 November 1961, the Fifth Committee considered a note by the Secretary-General (A/4826) concerning the vacancy which will occur in the membership of the Board of Auditors on the expiration of the term of office of one of its members on 30 June 1962.

2. The Chairman had previously invited members of the Committee to make suggestions with respect to the Auditor-General (or officer holding the equivalent title) who might be recommended to the General Assembly for appointment as a member of the Board of Auditors. At the time the matter was considered by the Com-

mittee, the Government of Czechoslovakia and the Government of the Netherlands had each presented the candidature of its Auditor-General for appointment to the Board of Auditors in respect of the above-mentioned vacancy (A/C.5/L.682).

3. To decide on its recommendation to the General Assembly, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	75
<i>Invalid ballots:</i>	0
<i>Number of valid ballots:</i>	75
<i>Abstentions:</i>	2
<i>Number of members voting:</i>	73
<i>Required majority:</i>	37

Number of votes obtained:

The Auditor-General of the Netherlands	42
The Auditor-General of Czechoslovakia	31

4. The Auditor-General of the Netherlands, having obtained the required majority, was declared recommended for appointment as a member of the Board of Auditors for a three-year term beginning on 1 July 1962

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(d) Investments Committee: confirmation of the appointment made by the Secretary-General

DOCUMENT A/C.5/911

Note by the Secretary-General

[Original text: English]
[14 December 1961]

1. Resolution 155 (II), which was adopted by the General Assembly on 15 November 1947, established an Investments Committee in accordance with the provision of section 25 of the Provisional Regulations of the United Nations Joint Staff Pension Fund and provided, *inter alia*, as follows:

"The normal term of office of a member of the Investments Committee shall be three years, and members shall be eligible for reappointment. At the regular session of the General Assembly each year, the Secretary-General shall submit the appointments which he has made after consultation with the Advisory Committee on Administrative and Budgetary Questions."

2. The General Assembly at its fifteenth session in resolution 1561 (XV) of 18 December 1960 decided *inter alia* to enlarge the Investments Committee from three to six members.

3. At present the membership consists of Mr. Rueff appointed, under General Assembly resolution 1370 (XIV), for a period of three years ending 31 December 1962 and Mr. Rooth appointed, under General Assembly resolution 1250 (XIII), for a period of three years ending 31 December 1961. Mr. Rooth has indicated that for personal reasons he does not wish to be reappointed. Accordingly, in order to bring the Committee

to full strength five appointments need to be made, three of which it is proposed should be effective forthwith and two as from 1 January 1962.

4. In order to ensure necessary continuity of policy the Acting Secretary-General would wish to avail himself of the continued services of Mr. R. McAllister Lloyd, Mr. William Fiske Frazier and Mr. David Rockefeller, who have for the past nine years served as members of the Investments Advisory Board, a consultative body originally appointed by the Secretary-General to give advice, primarily on the purchase of common stock for the United Nations Joint Staff Pension Fund. In addition, the Acting Secretary-General submits for confirmation of the General Assembly, the appointment of Mr. Roger de Candolle. An invitation to join the Committee has also been extended to Mr. B. K. Nehru. It is expected that a reply from Mr. Nehru as to his availability will be received very shortly.

5. The Advisory Committee on Administrative and Budgetary Questions has indicated its concurrence in these appointments. Thus the Acting Secretary-General submits to the General Assembly for its confirmation the appointment of Messrs. Lloyd, Frazier and Rockefeller for terms beginning forthwith and expiring on 31 December 1964 and of Mr. Roger de Candolle and, subject to his availability, Mr. B. K. Nehru for three-year terms beginning 1 January 1962.

DOCUMENT A/5074

Report of the Fifth Committee

[Original text: Spanish]
[19 December 1961]

1. At its 904th meeting, held on 15 December 1961, the Fifth Committee considered a report of the Secretary-General (A/C.5/911) concerning the appointments to the Investments Committee which the Secretary-

General proposed to make, subject to the confirmation of the General Assembly. In accordance with the provisions of General Assembly resolution 155 (II) of 15 November 1947, the Advisory Committee on Ad-

ministrative and Budgetary Questions had been consulted and it concurred in the appointments proposed.

2. The Fifth Committee decided, without objection, to recommend to the General Assembly that it confirm the appointments proposed by the Secretary-General in paragraph 5 of his report (A/C.5/911).

Recommendation of the Fifth Committee

3. Accordingly, the Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(e) United Nations Administrative Tribunal

DOCUMENT A/4827

Note by the Secretary-General

[Original text: English]
[3 August 1961]

1. Article 3 (paragraphs 1 and 2) of the Statute of the Administrative Tribunal (General Assembly resolution 351 A (IV)), provides that:

"1. The Tribunal shall be composed of seven members, no two of whom may be nationals of the same State. Only three shall sit in any particular case.

"2. The members shall be appointed by the General Assembly for three years, and they may be re-appointed; provided, however, that of the members initially appointed, the terms of two members shall expire at the end of one year and the terms of two members shall expire at the end of two years. A member appointed to replace a member whose term of office has not expired shall hold office for the remainder of his predecessor's term."

2. The present composition of the Tribunal is as follows:

Mrs. Paul Bastid (France);

Mr. James J. Casey (United States of America);

The Right Honourable Lord Crook (United Kingdom of Great Britain and Northern Ireland);

Mr. Héctor Gros Espiell (Uruguay);

Mr. Omar Loutfi (United Arab Republic);

Mr. Bror Arvid Sture Petré (Sweden);

Mr. R. Venkataraman (India).

3. At its thirteenth session, the General Assembly (resolution 1251 (XIII) of 31 October 1958) appointed the following persons as members of the Tribunal for a three-year term to commence on 1 January 1959:

Mrs. Paul Bastid;

Mr. Omar Loutfi;

Mr. R. Venkataraman.

Since the terms of office of Mrs. Bastid, Mr. Loutfi and Mr. Venkataraman are due to expire on 31 December 1961, it will be necessary for the General Assembly, at its sixteenth session, to appoint three persons to fill the resulting vacancies. The persons so appointed will serve for a period of three years commencing on 1 January 1962.

4. At previous sessions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for appointment to the Tribunal. It is suggested that a similar procedure should be followed at the sixteenth session.

DOCUMENT A/4935

Report of the Fifth Committee

[Original text: Spanish]
[23 October 1961]

1. At its 861st meeting held on 20 October 1961, the Fifth Committee considered a note by the Secretary-General (A/4827) concerning the vacancies which will occur in the membership of the United Nations Administrative Tribunal as a result of the expiration of the terms of office of three of its members on 31 December 1961.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Administrative Tribunal in accordance with the provisions of article 3 of its Statute. At the time the matter was considered by the Committee, three names had been put forward.

3. To decide who should be recommended for appointment, the Committee voted by secret ballot. The result of the ballot was as follows:

<i>Number of ballot papers:</i>	67
<i>Invalid ballots:</i>	1
<i>Number of valid ballots:</i>	66
<i>Abstentions:</i>	1
<i>Number of members voting:</i>	65
<i>Required majority:</i>	33
<i>Number of votes obtained:</i>	
Mr. Omar Loutfi	60
Mr. R. Venkataraman	60
Mrs. Paul Bastid	59

4. Mr. Loutfi (United Arab Republic), Mr. Venkataraman (India) and Mrs. Bastid (France) having received the required majority, were declared recommended for appointment as members of the Adminis-

trative Tribunal for a three-year term beginning on 1 January 1962.

Recommendation of the Fifth Committee

5. The Fifth Committee therefore recommends to

the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

(f) United Nations Staff Pension Committee

DOCUMENT A/4822

Note by the Secretary-General

[Original text: English]
[27 July 1961]

1. At its thirteenth session, the General Assembly, by resolution 1293 (XIII) of 5 December 1958, appointed the following persons as members and alternate members of the United Nations Staff Pension Committee, in accordance with Article XXI of the Regulations of the United Nations Joint Staff Pension Fund:

Members:

Mr. A. H. M. Hillis;
Mr. Rigoberto Torres Astorga;
Mr. Albert S. Watson.

Alternate members:

Mr. Bahman Ahaneen;
Mr. Johan Kaufmann;
Mr. Arthur C. Liveran.

2. At its fourteenth session, the General Assembly, by resolution 1372 (XIV) of 17 November 1959, appointed Mr. Albert F. Bender to fill the vacancy created by the resignation of Mr. Albert S. Watson.

3. The terms of office of the above members and alternate members expire on 31 December 1961. It will consequently be necessary for the General Assembly, at its sixteenth session, to elect three members and three alternate members to the United Nations Staff Pension Committee, to serve for a period of three years commencing 1 January 1962.

4. On previous occasions, the Fifth Committee, after a secret ballot, has submitted to the General Assembly a draft resolution containing the names of the persons recommended for election. It is suggested that a similar procedure be followed at the sixteenth session.

DOCUMENT A/5037

Report of the Fifth Committee

[Original text: Spanish]
[14 December 1961]

1. At its 901st meeting, held on 13 December 1961, the Fifth Committee considered a note by the Secretariat (A/4822), concerning the vacancies which will occur in the membership of the United Nations Staff Pension Committee as a result of the expiration of the terms of office of three members and three alternate members on 31 December 1961.

2. The members of the Fifth Committee had previously been invited to suggest the names of persons who might be recommended to the General Assembly for appointment to the Staff Pension Committee. At the time the matter was considered by the Fifth Committee, six names had been put forward in respect of the above-mentioned vacancies.

3. To decide who should be recommended for appointment, the Committee held two elections by secret ballot; the first covering the three vacancies of members of the Staff Pension Committee, and the second covering the vacancies of alternate members.

4. The result of the voting by secret ballot was as follows:

(a) For the selection of three members:

Number of ballot papers:	76
Invalid ballots:	1
Number of valid ballots:	75
Abstentions:	0
Number of members voting:	75

Required majority: 38

Number of votes obtained:

Mr. Albert F. Bender	58
Mr. Rigoberto Torres Astorga	54
Mr. C. H. W. Hodges	50

Seven other persons received a total of 50 votes.

(b) For the selection of three alternate members:

Number of ballot papers:	72
Invalid ballots:	0
Number of valid ballots:	72
Abstentions:	1

Number of members voting:	71
Required majority:	36

Number of votes obtained:

Mr. Brendan T. Nolan	65
Mr. Nathan Quao	65
Mr. Arthur C. Liveran	57

Six other persons received a total of 8 votes.

5. Mr. Bender (United States of America), Mr. Torres Astorga (Chile) and Mr. Hodges (United Kingdom of Great Britain and Northern Ireland) having received the required majority, were declared recommended for appointment as members of the United

Nations Staff Pension Committee for a three-year term beginning on 1 January 1962.

6. Mr. Nolan (Ireland), Mr. Quao (Ghana) and Mr. Liveran (Israel), having received the required majority, were declared recommended for appointment as alternate members of the United Nations Staff Pension Committee for a three-year term beginning on 1 January 1962.

Recommendation of the Fifth Committee

7. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1032nd plenary meeting, held on 10 October 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (a) (A/4912, para. 4). For the final text see resolution 1624 (XVI) below.

At its 1044th plenary meeting, held on 30 October 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (e) (A/4935, para. 5). For the final text, see resolution 1638 (XVI) below.

At its 1067th plenary meeting, held on 28 November 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (c) (A/4958, para. 5). For the final text, see resolution 1655 (XVI) below.

At its 1082nd plenary meeting, held on 18 December 1961, the General Assembly adopted the draft resolutions submitted by the Fifth Committee on parts (a) (A/5015, para. 7); (b) (A/5003, para. 6) and (f) (A/5037, para. 7). For the final texts, see resolutions 1688 (XVI), 1689 (XVI) and 1690 (XVI), respectively, below.

At its 1086th plenary meeting, held on 20 December 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee on part (d) (A/5074, para. 3). For the final text, see resolution 1728 (XVI) below.

Resolutions adopted by the General Assembly

1624 (XVI). APPOINTMENT TO FILL A VACANCY IN THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

The General Assembly

1. *Appoints* the following person as a member of the Advisory Committee on Administrative and Budgetary Questions:

Mr. C. H. W. Hodges;

2. *Declares* Mr. Hodges to be appointed for a period beginning on the date of the present resolution and ending on 31 December 1961.

*1032nd plenary meeting,
10 October 1961.*

1638 (XVI). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE UNITED NATIONS ADMINISTRATIVE TRIBUNAL

The General Assembly

1. *Appoints* the following persons as members of the United Nations Administrative Tribunal:

Mrs. Paul Bastid,

Mr. Omar Loutfi,

Mr. R. Venkataraman;

2. *Declares* Mrs. Bastid, Mr. Loutfi and Mr. Venkataraman to be appointed for a three-year term beginning on 1 January 1962.

*1044th plenary meeting,
30 October 1961.*

1655 (XVI). APPOINTMENT TO FILL A VACANCY IN THE MEMBERSHIP OF THE BOARD OF AUDITORS

The General Assembly

Appoints the Auditor-General of the Netherlands as a member of the Board of Auditors for a three-year term beginning on 1 July 1962.

*1067th plenary meeting,
28 November 1961.*

1688 (XVI). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS¹

The General Assembly

1. *Appoints* the following persons as members of the Advisory Committee on Administrative and Budgetary Questions:

Mr. Mohamed Abdel Maged Ahmed,

Mr. Albert F. Bender,

Mr. Alfonso Grez,

Mr. C. H. W. Hodges,

Mr. E. Olu Sanu,

Mr. Dragos Serbanescu;

2. *Declares* Mr. Ahmed, Mr. Grez, Mr. Sanu and Mr. Serbanescu to be appointed for a three-year term, Mr. Bender to be appointed for a two-year term, and Mr. Hodges to be appointed for a one-year term, in each case beginning on 1 January 1962.

*1082nd plenary meeting,
18 December 1961.*

¹ See also resolutions 1624 (XVI) of 10 October 1961 and 1659 (XVI) of 28 November 1961.

1689 (XVI). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE COMMITTEE ON CONTRIBUTIONS

A*The General Assembly*

1. *Appoints* the following persons as members of the Committee on Contributions:

Mr. Raymond T. Bowman,
Mr. F. Nouredin Kia,
Mr. Stanislaw Raczkowski;

2. *Declares* Mr. Bowman, Mr. Kia and Mr. Raczkowski to be appointed for a three-year term beginning on 1 January 1962.

*1082nd plenary meeting,
18 December 1961.*

B*The General Assembly*

1. *Appoints* the following person as a member of the Committee on Contributions:

Mr. C. H. W. Hodges;

2. *Declares* Mr. Hodges to be appointed for a period beginning on the date of the present resolution and ending on 31 December 1962.

*1082nd plenary meeting,
18 December 1961.*

1690 (XVI). APPOINTMENTS TO FILL VACANCIES IN THE MEMBERSHIP OF THE UNITED NATIONS STAFF PENSION COMMITTEE

The General Assembly

1. *Appoints* the following persons as members or

alternate members of the United Nations Staff Pension Committee:

Members:

Mr. Albert F. Bender,
Mr. C. H. W. Hodges,
Mr. Rigoberto Torres Astorga;

Alternate members:

Mr. Arthur C. Liveran,
Mr. Berndan T. Nolan,
Mr. Nathan Quao;

2. *Declares* these members and alternate members to be appointed for a three-year term beginning on 1 January 1962.

*1082nd plenary meeting,
18 December 1961.*

1728 (XVI). CONFIRMATION OF THE APPOINTMENTS MADE BY THE SECRETARY-GENERAL TO FILL VACANCIES IN THE MEMBERSHIP OF THE INVESTMENTS COMMITTEE

The General Assembly

1. *Confirms* the appointment by the Secretary-General of Mr. William Fiske Frazier, Mr. R. McAllister Lloyd and Mr. David Rockefeller as members of the Investments Committee for a period beginning on the date of the present resolution and ending on 31 December 1964;

2. *Further confirms* the appointment by the Secretary-General of Mr. Roger de Candolle as a member of the Investments Committee for a three-year term to commence on 1 January 1962.

*1086th plenary meeting,
20 December 1961.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 56 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/C.5/L.673	Note by the Secretariat containing biographical information on a candidate for the vacancy on the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/L.676	Note by the Secretariat containing biographical information on candidates for the vacancies on the United Nations Administrative Tribunal	Ditto
A/C.5/L.682	Note by the Secretariat	Ditto
A/C.5/L.698	Note by the Secretariat containing biographical information on candidates for the vacancies on the Advisory Committee on Administrative and Budgetary Questions	Ditto
A/C.5/L.699	Note by the Secretariat containing biographical information on candidates for the vacancies on the Committee on Contributions	Ditto
A/C.5/L.707	Note by the Secretariat	Ditto

GENERAL ASSEMBLY

Official Records



ANNEXES

SIXTEENTH SESSION

NEW YORK, 1961-1962

Agenda item 57: Scale of assessments for the apportionment of the expenses of the United Nations: report of the Committee on Contributions*

CONTENTS

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DOCUMENT A/5038

Report of the Fifth Committee

[Original text: Spanish]
[15 December 1961]

1. The Fifth Committee at its 882nd to 889th meetings considered the report of the Committee on Contributions (A/4775 and Corr.1).

2. The Chairman of the Committee on Contributions, in introducing the report and in reply to questions raised during the debate, explained the method followed by the Committee and the various considerations taken into account in arriving at the scale of assessments recommended for the three-year period 1962-1964. In using national income estimates for the years 1957-1959 as a guide, the Committee had had to take into account the varying quality of the available data, and it had in each case made a detailed study of all relevant statistical and economic data at its disposal and of the exchange rate to be used for conversion of the national income estimates into a common unit. In order to ensure comparability between the national statistics, the Committee, on the basis of a study made by the Economic Commission for Europe (ECE),¹ decided at its 1961 session to make adjustments for the fact that, while the value of certain services was included in the United Nations System of National Accounts used by a majority of Member States, it was not included in the national income calculations for the countries with centrally planned economies since they regarded those services as non-productive. In view of the complexity of the problem, the Committee decided to proceed with caution, and in reaching its conclusions had adopted most conservative factors so as to soften the impact of the increase which might otherwise have been apparent; further, it had taken into account the position of individual countries within this group. Before arriving at its decision, the Committee had also

considered the alternative method of making reductions for "non-productive" services in the national income figures for other countries, and had found that this method would have been less favourable to the countries with centrally planned economies. The Chairman further explained that, in drawing up the proposed scale, the Committee on Contributions had based itself strictly on the directives given to it by the General Assembly, such as the ceiling principle for the largest contributor, the *per caput* ceiling principle, and the allowance to be made for low *per caput* income. The changes recommended reflected generally the relative changes in capacity to pay of Member States, but in some cases represented corrections in anomalies that had become apparent from the improved data at the Committee's disposal.

3. In the course of the discussion a number of delegations expressed their support of the recommendations of the Committee on Contributions and paid tribute to the objectivity and impartiality with which the Committee had carried out the difficult and complex task of drawing up a scale of the relative capacities to pay of Member States.

4. Some delegations, however, could not accept the scale recommended by the Committee on Contributions. With reference to the percentages for services that the Committee had added to the national income estimates of the countries with centrally planned economies, it was also pointed out that, when such additions were made, it would be necessary also to make deductions for such items as turn-over taxes, at least to the same extent as indirect taxes were deducted from the net national income of other countries.² It was also stated

* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 882nd to 889th and 903rd meetings; and *ibid.*, *Plenary Meetings*, 1082nd meeting.

¹ *Economic Survey of Europe, 1959* (United Nations publication, Sales No.: 60.II.E.1).

² The representative of Hungary held, for instance, that the figures used by the Committee on Contributions as a basis for the assessment of his country were at least 10 per cent too high because no deduction had been made for the factor of turn-over taxes. The same consideration would, he said, apply to all the socialist countries that had the same system of national accounts.

that the Committee on Contributions had, since 1947, sympathetically recommended decreases in the levels of assessments of the Western and other countries, while the assessments of the socialist countries were increasing considerably in spite of the fact that the number of Member States had doubled since the inception of the Organization. The reduction in the United States assessment to 32.02 per cent was particularly surprising since, according to official statistics, it should be as high as 38.50 per cent. Furthermore, the United States derived a substantial advantage from the fact that the United Nations had its Headquarters in New York and the payment of its contribution in dollars obviously provided no problem. It was also stressed that the Committee had failed to make allowance for certain factors specifically mentioned in its terms of reference, namely, the temporary dislocation of national economies arising out of the Second World War, and the ability of Members to secure foreign currencies. The errors in the preliminary computations, the fact that no allowance had been made for war damage and for the serious exchange difficulties that some countries encountered called, in the opinion of certain delegations, for reconsideration of the scale.

5. At the 882nd meeting of the Fifth Committee the following draft resolution was submitted by Bulgaria, Czechoslovakia, Hungary, Romania and the Union of Soviet Socialist Republics (A/C.5/L.690 and Add.1 and 2):

"The General Assembly,

"Considering that erroneous calculations were made in drawing up the scale of assessments for 1962-1964 recommended by the Committee on Contributions (A/4775 and Corr.1),

"Bearing in mind the necessity for careful study of all factors connected with the establishment of a new scale of assessments,

"Recognizing the need to ensure that States which have recently proclaimed their independence can participate in meeting the expenses of the United Nations on preferential terms,

"Recognizing also the need to take into account, in working out the scale of assessments, the criteria approved by the General Assembly in resolution 14 A (I), paragraph 3,

"Believing that circumstances are not yet such as would make it possible to apply the maximum contributions and, in particular, the contribution for the United States of America, prescribed by resolution 1137 (XII) of 14 December 1957.

"Decides

"1. To extend the validity of the existing scale of assessments, adopted by the General Assembly at its thirteenth session in resolution 1308 (XIII), until 1962, subject to the following amendments:

"(a) The assessments of States whose contributions do not at present exceed 0.5 per cent shall be reduced in accordance with the recommendation of the Committee on Contributions (A/4775 and Corr.1), the following scale of assessments being established for such States:

	<i>Per cent</i>
Afghanistan	0.05
Burma	0.07
Ceylon	0.09
Chile	0.26

	<i>Per cent</i>
Colombia	0.26
Cuba	0.22
El Salvador	0.04
Ethiopia	0.05
Federation of Malaya.....	0.13
Indonesia	0.45
Iran	0.20
Ireland	0.14
Ivory Coast	0.04
Luxembourg	0.05
Madagascar	0.04
New Zealand	0.41
Norway	0.45
Peru	0.10
Philippines	0.40
Portugal	0.16
Romania	0.32
United Arab Republic.....	0.30
Uruguay	0.11

"(b) Preferential assessments shall be fixed for 1962 for States which have recently proclaimed their independence and which were admitted to membership in the United Nations during 1958-1961, on the basis of a 50 per cent reduction for those whose assessments are fixed at 0.04 per cent and a 30 per cent reduction for those whose assessments are fixed at above 0.04 per cent, a preferential scale of assessments being established for the following States:

	<i>Per cent</i>
Cameroun	0.02
Central African Republic.....	0.02
Chad	0.02
Congo (Brazzaville)	0.02
Congo (Leopoldville)	0.02
Cyprus	0.02
Dahomey	0.02
Gabon	0.02
Guinea	0.02
Mali	0.02
Niger	0.02
Nigeria	0.14
Senegal	0.04
Somalia	0.02
Togo	0.02
Upper Volta	0.02

"(c) The reduction in the assessments of States provided for in sub-paragraphs (a) and (b) (amounting to 0.83 per cent) shall be applied to the assessments of States admitted to membership in the United Nations in 1958-1960 (amounting to 0.95 per cent over and above the 100 per cent total of the scale of assessments);

"2. To instruct the Committee on Contributions to draw up and submit to the General Assembly at its seventeenth session recommendations concerning the scale of assessments for 1963-1965 without fixing a ceiling or floor for the assessments of States but taking into account the criteria laid down by the General Assembly at its first session in resolution 14 A (I), paragraph 3, and taking into account also the need to extend privileges to States which have recently proclaimed their independence;

"3. To instruct the Secretariat to call upon competent economists from the United States of America, the USSR and the countries of Africa, Asia, Latin America, Eastern Europe and Western Europe for the preliminary processing of all necessary data for the new scale of assessments;

"4. To instruct the Committee on Contributions to afford an opportunity of participating in its meet-

ings to such experts and specialists as any member of the Committee may wish to invite as his assistants."

6. Other delegations could not accept the criticism that had been voiced during the discussion. In their opinion, the Committee on Contributions had carried out its work in a competent and objective manner fully in accordance with the directives of the General Assembly. It was, they stated, essential to base the assessments for all Member States on data as nearly comparable as possible. If, as was generally accepted, the national income estimates for the centrally planned economies did not include the value of "non-productive" services, it was evident that the figures for those countries had to be increased. Consequently, the Committee on Contributions had been justified in making a first attempt to produce comparable statistics on the basis of the ECE study that had recently become available. As regards the deductions that the socialist countries maintained should be made in their figures for turnover taxes, there was still considerable disagreement among experts in the field as to whether turnover taxes could be equated with the indirect taxes in other countries that were netted out of national income at factor cost in the United Nations System of National Accounts. Furthermore, the Committee on Contributions, as explained by its Chairman, had in several ways weighted its calculations in order to mitigate the effects of its efforts to achieve a better standard of comparability between national statistics. Agreement was also expressed with the conclusion reached by the Committee on Contributions that current national income statistics made sufficient allowance for any dislocation arising out of the Second World War that might still persist. That conclusion had been accepted as far back as 1951. As regards foreign exchange difficulties, it was noted that the Committee had taken it into account in arriving at certain individual assessments. Also, facilities were made available to all Member States to arrange for payment of part of their contributions in currencies other than United States dollars.

7. As regards the reduction to 32.02 per cent proposed by the Committee on Contributions in the United States assessment, that was in accordance with General Assembly resolution 1137 (XII), which decided in principle that no Member State should pay more than 30 per cent of the total and provided for the gradual reduction of the assessment of the highest contributor to that level. While some delegations felt that the total amount of the percentage contribution of the eighteen new Member States should have been applied to a *pro rata* reduction of the percentage contributions of all Member States, in which case the United States assessment would have been 32.20 per cent, others were of the opinion that, with the greatly increased membership of the United Nations and the growing prosperity of many Members, an immediate reduction to 30 per cent would have been justified.

8. In connexion with the five-Power proposal for a reduction in the assessments of the new Member States that had recently attained independence (A/C.5/L.690 and Add.1 and 2, para. 1 (b)), the view was expressed that, although the initial financial difficulties of these States merited special consideration, that should not be accorded through exemption from assessment, but through technical assistance as already provided under various General Assembly resolutions.

A reduction in the assessments of the new Member States to 0.02 per cent, while the minimum assessment of 0.04 per cent was maintained for other Member States, would not be equitable and would be contrary to the principle that the sovereign equality of Member States should be reflected in the assumption of at least a minimum share of the financial burden. No change in the minimum assessment should be made without further study of the question by the Committee on Contributions. Several representatives of the new Member States from Africa stated that they would accept the Committee on Contributions' recommendations. While appreciation was voiced of the aim of the five-Power resolution to give preferential treatment to newly independent States, the belief was expressed that the African States, anxious to play an active part in the United Nations activities, would also be willing to pay for the benefits of membership. In connexion with the assessment of newly independent States, it was suggested that in view of the special circumstances, the assessment of the Congo (Leopoldville) might justifiably have been left unchanged.

9. Support was given to the suggestion made by the Committee on Contributions (A/4775 and Corr.1 para. 15) for a possible increase in the allowance for the very low *per caput* income countries, many of which were facing grave problems of development and foreign exchange difficulties and it was hoped that the Committee would review this question at future sessions.³

10. At the 885th meeting, the representative of the USSR suggested that, since a number of Member States, accounting for about 20 per cent of the scale, had well-founded technical objections to the way in which their assessment had been calculated, the Committee on Contributions should reconvene to consider those objections in the light of the statistical evidence to be submitted by those States; alternatively, the matter might be referred to a committee of the whole or to a working group of experts. Following an explanation by the Chairman of the Committee on Contributions of the difficulties involved in convening the Committee during the current session of the General Assembly, the representative of the USSR proposed that a sub-committee composed of representatives of neutral countries—for example, Afghanistan, Finland, Mali, Mexico and Guinea—should be set up to consider the objections raised by his own and other countries to their rates of assessment.

11. A number of delegations had reservations with regard to the USSR suggestion of referring the scale of assessments to a sub-committee of Government representatives. The Committee on Contributions, composed of members appointed in their personal capacity as experts, had been appointed by the General Assembly to consider the question of Members' contributions and it would be difficult for representatives of Member States to subject the scale to the same technical examination. It was felt therefore that the Governments which had raised objections to the Committee's recom-

³ The representative of Brazil suggested that the Committee on Contributions should consider the possibility of introducing, with effect from 1965, a new system of allowances for low *per caput* income, under which 60 per cent would be deducted in the case of countries whose annual *per caput* income was less than \$500, 50 per cent would be deducted, as at present, in the case of countries whose annual *per caput* income was between \$500 and \$750, and 40 per cent would be deducted in the case of countries with a *per caput* income of between \$750 and \$1,000.

mendations should submit to it more detailed information on the issues raised at its next session in 1962.

12. At the 887th meeting, the representative of India suggested, and—following consultations with a number of other delegations—formally proposed at the 889th meeting the addition of the following paragraph (A/C.5/L.695) to the draft resolution recommended by the Committee on Contributions (A/4775 and Corr.1, para. 39):

“5. Notwithstanding the provisions of paragraph 1 of the present resolution, the Committee on Contributions shall at its meeting in 1962 examine the scale of assessments for the years 1962-1964, in the light of the discussion in the Fifth Committee at its sixteenth session and in the light of such further information as might be made available to it, and shall report thereon to the General Assembly at its seventeenth session. In the event that the General Assembly should at its seventeenth session revise the scale set out in paragraph 1 above, the contributions for 1962 shall be adjusted accordingly.”

In introducing the amendment, the representative of India explained that it was a compromise formula which merely asked the Committee on Contributions to examine such additional information and data as might be made available to it. He wished to stress that the amendment implied no reflection on the report of the Committee on Contributions, for whose competence and integrity the Fifth Committee had always had the highest regard.

13. Some delegations felt that since the Committee on Contributions would have to meet in 1962 to consider the assessment of the new Member States not included in the scale it had recommended and would normally review at that time any relevant additional data and information submitted to it, the Indian amendment was unnecessary, but as a compromise they would be prepared to accept it. Others, while in agreement with the first sentence of the Indian amendment, could not accept the second sentence. Separate votes on the two sentences were requested by the representative of Venezuela.

Collection of contributions in currencies other than United States dollars

14. At the 885th meeting, the following draft resolution was proposed by Cambodia, Morocco and Poland (A/C.5/L.692 and Add.1):

“The General Assembly,

“Bearing in mind the provisions of regulation 5.5 of the Financial Regulations of the United Nations and the existing arrangements for facilitating the payment of contributions to the regular budget of the United Nations in currencies other than the United States dollar,

“Aware of the difficulties experienced by Member States in securing United States dollars for the payment of their contributions to the regular budget of the United Nations,

“Considering that the existing arrangements for facilitating the payment of contributions are too limited,

“Recommends the Committee on Contributions:

“1. To study all the possible ways and means of expanding the existing arrangements for facilitat-

ing the payment of contributions by Member States to the regular budget of the United Nations in currencies other than the United States dollar;

“2. To submit a detailed report and recommendations on this matter to the General Assembly at its seventeenth session.”

In introducing the draft resolution, the representative of Poland stated that many Member States had drawn attention to their difficulties in obtaining foreign currencies acceptable to the United Nations for the payment of their contributions. With the increase in United Nations field offices, regional commissions and technical assistance programmes, it should be possible to increase the number of currencies in which contributions could be paid and even to accept such payments in the national currencies.

15. In reply to questions raised, the representative of the Secretary-General explained that the currencies and the amounts that could be accepted by the United Nations for payment of contributions were determined by the extent to which the various currencies were required to meet United Nations expenses. Other currencies that were freely convertible could also be accepted provided no exchange losses would be involved. The Secretariat would be glad to examine possibilities of further expanding the facilities for the payment of contributions in currencies other than United States dollars.

16. In the course of the discussion, several oral amendments and drafting suggestions were proposed in connexion with the second and third preambular paragraphs of the draft resolution (A/C.5/L.692 and Add.1). The representative of Morocco, on behalf of the sponsors, agreed to replace the two paragraphs by the following revised text:

“Aware of the difficulties experienced by many Member States in securing United States dollars for the payment of their contributions to the regular budget of the United Nations,

“Taking into account paragraphs 17 and 35 of the report of the Committee on Contributions (A/4775 and Corr.1),

“Considering that it is desirable to expand the existing arrangements for facilitating the payment of contributions.”

DECISIONS OF THE COMMITTEE

17. At its 889th meeting, the Fifth Committee voted on the draft resolutions. It voted first on the Indian amendment (A/C.5/L.695) to the draft resolution recommended by the Committee on Contributions (A/4775 and Corr.1, para. 39).

The first sentence was adopted by 69 votes to none, with 4 abstentions.

The second sentence was adopted by a roll-call vote of 48 to none, with 24 abstentions. The voting was as follows:

In favour: Afghanistan, Albania, Australia, Austria, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Cambodia, Cameroun, Canada, Ceylon, Congo (Leopoldville), Cyprus, Czechoslovakia, Ethiopia, Federation of Malaya, Ghana, Guinea, Hungary, India, Indonesia, Iran, Iraq, Ireland, Israel, Italy, Liberia, Mali, Mongolia, Morocco, Nepal, Netherlands, New

Zealand, Nigeria, Norway, Philippines, Poland, Romania, Saudi Arabia, Sudan, Thailand, Tunisia, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Republic, United States of America, Yemen, Yugoslavia.

Against: None.

Abstaining: Argentina, Belgium, Bolivia, Chile, China, Denmark, Ecuador, El Salvador, Finland, France, Greece, Iceland, Japan, Mexico, Pakistan, Panama, Peru, Portugal, South Africa, Spain, Sweden, Turkey, United Kingdom of Great Britain and Northern Ireland, Venezuela.

The Indian amendment as a whole was adopted by 65 votes to none, with 6 abstentions.

The draft resolution recommended by the Committee on Contributions (A/4775 and Corr.1, para. 39), as amended, was adopted by 63 votes to 11.

18. The representative of the USSR stated that his delegation had accepted the Indian amendment as a

compromise, but it could not accept the scale recommended by the Committee on Contributions. The sponsors of the five-Power resolution (A/C.5/L.690 and Add.1 and 2) would not request a vote thereon, but the points made in that proposal, especially regarding the States newly admitted to membership, remained valid.

19. The draft resolution submitted by Cambodia, Morocco and Poland (A/C.5/L.692 and Add.1), as revised, was adopted unanimously.

Recommendations of the Fifth Committee

20. Accordingly, the Fifth Committee recommends to the General Assembly the adoption of the following two draft resolutions:

[*Texts adopted by the General Assembly without change. See "Action taken by the General Assembly" below.*]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1082nd plenary meeting on 18 December 1961 the General Assembly adopted the draft resolutions submitted by the Fifth Committee (A/5038, para. 20). For the final texts, see resolutions 1691 A (XVI) and 1691 B (XVI) below.

Resolutions adopted by the General Assembly

1691 (XVI). SCALE OF ASSESSMENTS FOR THE AP-
PORTIONMENT OF THE EXPENSES OF THE UNITED
NATIONS

A

The General Assembly

Resolves that:

1. The scale of assessments for Members⁴ contributions to the United Nations budget for the financial years 1962, 1963 and 1964 shall be as follows:

<i>Member State</i>	<i>Per cent</i>
Afghanistan	0.05
Albania	0.04
Argentina	1.01
Australia	1.66
Austria	0.45
Belgium	1.20
Bolivia	0.04
Brazil	1.03
Bulgaria	0.20
Burma	0.07
Byelorussian Soviet Socialist Republic	0.52
Cambodia	0.04
Cameroun	0.04
Canada	3.12
Central African Republic	0.04
Ceylon	0.09
Chad	0.04
Chile	0.26
China	4.57
Colombia	0.26
Congo (Brazzaville)	0.04
Congo (Leopoldville)	0.07
Costa Rica	0.04
Cuba	0.22
Cyprus	0.04

<i>Member State</i>	<i>Per cent</i>
Czechoslovakia	1.17
Dahomey	0.04
Denmark	0.58
Dominican Republic	0.05
Ecuador	0.06
El Salvador	0.04
Ethiopia	0.05
Federation of Malaya	0.13
Finland	0.37
France	5.94
Gabon	0.04
Ghana	0.09
Greece	0.23
Guatemala	0.05
Guinea	0.04
Haiti	0.04
Honduras	0.04
Hungary	0.56
Iceland	0.04
India	2.03
Indonesia	0.45
Iran	0.20
Iraq	0.09
Ireland	0.14
Israel	0.15
Italy	2.24
Ivory Coast	0.04
Japan	2.27
Jordan	0.04
Laos	0.04
Lebanon	0.05
Liberia	0.04
Libya	0.04
Luxembourg	0.05
Madagascar	0.04
Mali	0.04
Mexico	0.74
Morocco	0.14
Nepal	0.04
Netherlands	1.01
New Zealand	0.41
Nicaragua	0.04

⁴Not including the Member States admitted to the Organization at the sixteenth session of the General Assembly.

Member State	Per cent
Niger	0.04
Nigeria	0.21
Norway	0.45
Pakistan	0.42
Panama	0.04
Paraguay	0.04
Peru	0.10
Philippines	0.40
Poland	1.28
Portugal	0.16
Romania	0.32
Saudi Arabia	0.07
Senegal	0.05
Somalia	0.04
South Africa	0.53
Spain	0.86
Sudan	0.07
Sweden	1.30
Thailand	0.16
Togo	0.04
Tunisia	0.05
Turkey	0.40
Ukrainian Soviet Socialist Republic	1.98
Union of Soviet Socialist Republics	14.97
United Arab Republic	0.30*
United Kingdom of Great Britain and Northern Ireland	7.58
United States of America	32.02
Upper Volta	0.04
Uruguay	0.11
Venezuela	0.52
Yemen	0.04
Yugoslavia	0.38
	100.00

2. Subject to rule 161 of the rules of procedure of the General Assembly, the scale of assessments given in paragraph 1 above shall be reviewed by the Committee on Contributions in 1964, when a report shall be submitted for the consideration of the Assembly at its nineteenth session;

3. Notwithstanding the terms of regulation 5.5 of the Financial Regulations of the United Nations, the Secretary-General shall be empowered to accept, at his discretion and after consultation with the Chairman of the Committee on Contributions, a portion of the contributions of Member States for the financial years 1962, 1963 and 1964 in currencies other than United States dollars;

4. Subject to rule 161 of the rules of procedure of the General Assembly, States which are not Members of the United Nations but which participate in certain of its activities shall be called upon to contribute towards the 1962, 1963 and 1964 expenses of such activities on the basis of the following rates:

Non-member State	Per cent
Federal Republic of Germany	5.70
Liechtenstein	0.04
Monaco	0.04
Republic of Korea	0.19
Republic of Viet-Nam	0.16
San Marino	0.04
Switzerland	0.95

* Allocation between Syria and the United Arab Republic to be determined.

the following countries being called upon to contribute:

(a) To the International Court of Justice: Liechtenstein, San Marino and Switzerland;

(b) To the international control of narcotic drugs: Federal Republic of Germany, Liechtenstein, Monaco, Republic of Korea, Republic of Viet-Nam, San Marino and Switzerland;

(c) To the International Bureau for Declarations of Death of Missing Persons: Federal Republic of Germany;

(d) To the Economic Commission for Asia and the Far East: Republic of Korea and Republic of Viet-Nam;

(e) To the Economic Commission for Europe: Federal Republic of Germany;

5. Notwithstanding the provisions of paragraph 1 above, the Committee on Contributions shall at its meeting in 1962 examine the scale of assessments for the years 1962, 1963 and 1964, in the light of the discussion in the Fifth Committee at the sixteenth session and in the light of such further information as might be made available to it, and shall report thereon to the General Assembly at its seventeenth session; in the event that the Assembly should at its seventeenth session revise the scale set out in paragraph 1 above, the contributions for 1962 shall be adjusted accordingly.

1082nd plenary meeting,
18 December 1961.

B

The General Assembly,

Bearing in mind the provisions of regulation 5.5 of the Financial Regulations of the United Nations and the existing arrangements for facilitating the payment of contributions to the regular budget of the United Nations in currencies other than the United States dollar,

Aware of the difficulties experienced by many Member States in securing United States dollars for the payment of their contributions to the regular budget of the United Nations,

Taking into account paragraphs 17 and 35 of the report of the Committee on Contributions (A/4775 and Corr.1),

Considering that it is desirable to expand the existing arrangements for facilitating the payment of contributions,

Recommends that the Committee on Contributions:

(a) Study all the possible ways and means of expanding the existing arrangements for facilitating the payment of contributions by Member States to the regular budget of the United Nations in currencies other than the United States dollar;

(b) Submit a detailed report and recommendations on this matter to the General Assembly at its seventeenth session.

1082nd plenary meeting,
18 December 1961.

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 57 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4775 and Corr.1	Report of the Committee on Contributions	<i>Official Records of the General Assembly, Sixteenth Session, Supplement No. 10</i>
A/C.5/879	Collection of contributions as at 20 September 1961: report of the Secretary-General	Mimeographed
A/C.5/L.690 and Add.1 and 2	Bulgaria, Czechoslovakia, Hungary, Romania and Union of Soviet Socialist Republics: draft resolution	See A/5038, para. 5
A/C.5/L.692 and Add.1	Cambodia, Morocco and Poland: draft resolution	<i>Ibid.</i> , para. 14.
A/C.5/L.695	India: amendment to the draft resolution contained in document A/4775 and Corr.1, para. 39	<i>Ibid.</i> , para. 12
A/C.5/L.705	Draft report of the Fifth Committee	For the text of this document as amended by the Fifth Committee at its 903rd meeting, see A/5038



Agenda item 58: Audit reports relating to expenditure by specialized agencies and the International Atomic Energy Agency:**

- (a) **Expenditure of technical assistance funds allocated from the Special Account of the Expanded Programme of Technical Assistance;**
- (b) **Expenditure as executing agencies for Special Fund projects**

C O N T E N T S

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DOCUMENT A/4947

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[1 November 1961]

1. In accordance with paragraph 7 of General Assembly resolution 519 A (VI) of 12 January 1952, the Advisory Committee on Administrative and Budgetary Questions has considered a note by the Secretary-General (A/4828) submitting the audit reports for the year ended 31 December 1960 relating to expenditure by the specialized agencies and the International Atomic Energy Agency (IAEA) of technical assistance funds allocated from the Special Account of the Expanded Programme of Technical Assistance.

2. The total of allocations (and other credits) made during the year under review from the Special Account to organizations participating in the Expanded Programme amounted to \$35,402,243. In addition, an amount of \$1,980,000 was available to the United Nations from the Organization's regular budget, bringing the total funds available to all the participating organizations to \$37,382,243. Obligations were incurred during the year to a total of \$34,294,981, excluding costs charged to funds provided by recipient Governments for local costs. The excess of available funds over obligations incurred thus amounted to \$3,087,262 which, together with savings and miscellaneous income of \$597,151, resulted in a total balance as at 31 December 1960 of \$3,684,413. If account were taken also of the allocations and obligations in respect of the secretariat

of the Technical Assistance Board (TAB), the total available balance at the end of the year was \$3,116,634.¹

3. The Committee has previously indicated² that, with the present policy of allocating a lump-sum amount from the Special Account as a grant-in-aid to the regular budget of each organization to assist in the financing of the overhead costs incurred by the organization in the executing of technical assistance projects, these allocations are no longer indicative of the actual overhead expenses. Indeed, the purpose of recent policy decisions in this regard has been to promote the integration of the regular programme of technical assistance and the Expanded Programme of each organization as well as of the total overhead costs of the organization, with a view to fostering economy and efficiency.

4. It may be recalled here that, in terms of Economic and Social Council resolution 737 (XXVIII) of 30 July 1959, it was decided that the lump-sum allocations for the years 1960 to 1962, with exceptional treatment in the case of certain organizations, would be:

¹ The figures shown in this paragraph are the aggregates in respect of the participating organizations and, in the case of the last-mentioned figure, the TAB secretariat, as shown in document A/4828, annex 1; they do not reflect the consolidated statement of the Special Account as a whole, for which see document A/4828, annex 10. This latter statement constitutes part of the accounts (and related audit reports) of the United Nations and its trust funds and special accounts (*Official Records of the General Assembly, Sixteenth Session, Supplement No. 6*).

² *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 53, document A/4590, para. 3.

* Documents A/4825 and A/4828, relating to item 58, appear as separate fascicles.

** For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 875th meeting; and *ibid.*, *Plenary Meetings*, 1067th meeting.

(a) For 1960, in amounts not exceeding the corresponding 1959 allocations;

(b) For 1961, in amounts which shall be half-way between the 1960 allocations and the equivalent of 12 per cent of 1959 project allocations including local cost assessments;

(c) For 1962, in amounts equivalent to 12 per cent of the 1959 project allocations including local cost assessments (i.e., some 10.7 per cent of all allocations, project and overhead).

5. At its thirty-second session the Economic and Social Council, having considered the report of the Advisory Committee on Administrative and Budgetary Questions³ on the allocation of administrative and operational services costs between regular and the Expanded Programme budgets, adopted on 4 August 1961, resolution 855 (XXXII) by which it decided, as a further interim solution, that allocations from the Special Account towards the administrative and operational services costs of the participating organizations for 1963 and 1964 would be made in the form of lump-sum amounts which would be the equivalent of 12 per cent of one half of the 1961-1962 project costs. The Council decided further that the above provisions would apply with some measure of flexibility to the Interna-

³ Document A/4774 (mimeographed).

tional Civil Aviation Organization, the International Telecommunication Union, the World Meteorological Organization and IAEA.

6. The Advisory Committee commented in 1960⁴ on the difficulty which some agencies were experiencing in fulfilling obligations against "specified" (i.e., generally non-convertible) currencies and expressed the opinion that there might be advantage in a study by the Administrative Committee on Co-ordination of this problem as it affects the many different programmes carried out by all the organizations. The Advisory Committee has been informed that some progress has been made in this respect in 1960 and again in 1961. The number of "difficult" currencies has been substantially reduced and earnest efforts are being made in the direction of currency utilization rather than currency conversion. In this regard, the policy of TAB is to make maximum use of currencies in the territories of the donor countries. The main exception would appear to be the administrative and operational services costs which necessarily involve convertible currencies.

7. As regards the accounts themselves, the Advisory Committee notes that no observations or reservations were made by the auditors.

⁴ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 53, document A/4590, para. 5.*

DOCUMENT A/4948

Report of the Advisory Committee on Administrative and Budgetary Questions

[Original text: English]
[1 November 1961]

1. The Advisory Committee on Administrative and Budgetary Questions has considered a note by the Secretary-General (A/4825) submitting to the General Assembly, in accordance with paragraph 23.2 of the Provisional Financial Regulations of the Special Fund, the audit reports for the year ended 31 December 1960 relating to expenditure by executing agencies⁵ of funds earmarked from the Special Fund.

2. The Advisory Committee would call attention to the fact that this is the first such report. With minor exceptions, Special Fund operations in the field did not start before 1960 although plans of operations were signed and some earmarkings made in 1959, mostly for agency costs and preparatory work. Consequently, the tables contained in the Secretary-General's note are generally cumulative statements covering transactions during both 1959 and 1960.

3. The total of funds earmarked in 1959 and 1960 to the eight executing agencies amounted to \$40,279,272. During the same period, cash disbursements were \$3,186,790 and the unliquidated balance of commitments and obligations amounted to \$5,004,314 at 31 December 1960. Taking into account miscellaneous income (\$25), the balance of earmarkings and other

income (net) left on that date was accordingly \$32,088,193.

4. In addition, an amount of \$1,346,100 was earmarked in 1959 and 1960 for the administrative budget of, and the preparatory allocation to, the Managing Director of the Special Fund. Commitments (liquidated by disbursements or outstanding) amounted to \$1,004,863 leaving a balance of \$341,237 which was surrendered to the Special Fund at 31 December 1960.

5. The Advisory Committee notes that no observations or reservations have been made by the external auditors on the audited accounts.

6. The Advisory Committee has noted also that the Statement showing the status of funds of the International Bank for Reconstruction and Development (IBRD) as at 31 December 1960 (A/4825, annex 8) does not contain either the audit certificate or the external auditors' report referred to in paragraph 23.2 of the Provisional Financial Regulations of the Special Fund.⁶ The Advisory Committee has been informed that negotiations are in progress between the Special Fund authorities and IBRD for the achievement of greater harmony between the latter's procedure and the Special Fund Financial Regulations, and that a satis-

⁵ United Nations; International Labour Organisation; Food and Agriculture Organization of the United Nations; United Nations Educational, Scientific and Cultural Organization; International Civil Aviation Organization; International Bank for Reconstruction and Development; International Telecommunication Union; World Meteorological Organization.

⁶ Paragraph 23.2 of the Provisional Financial Regulations reads as follows:

"The annual accounts with audit certificates for Special Fund projects executed by agencies, and the reports of the external auditors thereon shall be transmitted to the Governing Council and to the United Nations General Assembly."

factory outcome is expected. In this regard, the Advisory Committee understands that a number of clauses of the Provisional Financial Regulations have been

found to require revision and that the necessary review will be undertaken shortly, with the advice of the Board of Auditors as appropriate.

DOCUMENT A/4963

Report of the Fifth Committee

[Original text: Spanish]
[10 November 1961]

1. At its 875th meeting, held on 8 November 1961, the Fifth Committee considered agenda item 58 (a) and (b) on the basis of two notes by the Secretary-General (A/4828 and A/4825) transmitting the audit reports for the year ended 31 December 1960 relating to:

(a) Expenditure by specialized agencies and the International Atomic Energy Agency of technical assistance funds allocated from the Special Account of the Expanded Programme of Technical Assistance; and

(b) Expenditure by specialized agencies, acting as executing agencies, of funds earmarked from the Special Fund.

2. The Committee also had before it the related reports of the Advisory Committee on Administrative and Budgetary Questions (A/4947 and A/4948).

Recommendation of the Fifth Committee

3. The Fifth Committee decided unanimously to

recommend to the General Assembly the adoption of the following draft resolutions:

I

AUDIT REPORTS RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES AND BY THE INTERNATIONAL ATOMIC ENERGY AGENCY OF TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

II

AUDIT REPORTS RELATING TO EXPENDITURE BY EXECUTING AGENCIES OF FUNDS EARMARKED FROM THE SPECIAL FUND

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1067th meeting on 28 November 1961 the General Assembly adopted draft resolutions I and II submitted by the Fifth Committee (A/4963, para. 3). For the final texts see resolutions 1656 (XVI) and 1657 (XVI), respectively, below.

Resolutions adopted by the General Assembly

1656 (XVI). AUDIT REPORTS RELATING TO EXPENDITURE BY SPECIALIZED AGENCIES AND BY THE INTERNATIONAL ATOMIC ENERGY AGENCY OF TECHNICAL ASSISTANCE FUNDS ALLOCATED FROM THE SPECIAL ACCOUNT

The General Assembly,

Takes note of the audit reports relating to expenditure by specialized agencies and by the International Atomic Energy Agency of technical assistance funds allocated from the Special Account, for the financial year ended 31 December 1960 (A/4828), and of the observations thereon of the Advisory Committee on Administrative and Budgetary Questions as set forth in its eighteenth report to the General Assembly at its sixteenth session (A/4947).

*1067th plenary meeting,
28 November 1961.*

1657 (XVI). AUDIT REPORTS RELATING TO EXPENDITURE BY EXECUTING AGENCIES OF FUNDS EARMARKED FROM THE SPECIAL FUND

The General Assembly,

Takes note of the audit reports relating to expenditure by specialized agencies, acting as executing agencies, of funds earmarked from the Special Fund, for the financial year ended 31 December 1960 (A/4825), and of the observations thereon of the Advisory Committee on Administrative and Budgetary Questions as set forth in its nineteenth report to the General Assembly at its sixteenth session (A/4948).

*1067th plenary meeting,
28 November 1961.*

CHECK LIST OF DOCUMENTS

NOTE: This check list includes the documents mentioned during the consideration of agenda item 58 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4825	Audit reports for the year ended 31 December 1960 relating to expenditure by executing agencies of funds earmarked from the Special Fund	<i>Official Records of the General Assembly, Sixteenth Session, Annexes, agenda item 58, separate fascicle</i>
A/4828	Audit reports for the year ended 31 December 1960 relating to expenditure by the International Atomic Energy Agency and specialized agencies of technical assistance funds allocated from the Special Fund	<i>Idem.</i>



[Original text: English]
[11 August 1961]

DOCUMENT A/4825

Audit reports for the year ended 31 December 1960 relating to expenditure by executing agencies of funds earmarked from the Special Fund

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Note by the Secretary-General

1. In accordance with the Provisional Financial Regulations of the Special Fund there are submitted herewith the audit reports for the year ended 31 December 1960 related to expenditures by specialized agencies acting as executing agencies of Special Fund projects. Paragraph 23.2 of the Provisional Financial Regulations reads as follows:

“The annual accounts with audit certificates for Special Fund projects executed by agencies, and the reports of the external auditors thereon shall be transmitted to the Governing Council and to the United Nations General Assembly”

2. Attached to the present document is a combined statement (annex 1) showing the status of funds of all executing agencies of the Special Fund covering the period from the inception of operations in the course of 1959 to 31 December 1960, which summarizes the

separate financial statements submitted by the executing agencies together with similar information regarding the transactions of the United Nations as an executing agency of the Special Fund as well as the administrative budget of and the preparatory allocation to the Managing Director of the Special Fund.

3. The audit reports of the following executing agencies are shown in Annexes 2 to 7:

- International Labour Organisation
- Food and Agriculture Organization of the United Nations
- United Nations Educational, Scientific and Cultural Organization
- International Civil Aviation Organization
- International Telecommunication Union
- World Meteorological Organization

They comprise the financial status of Special Fund project moneys of these agencies bearing the certificate of the external auditors and the relevant audit report submitted to the general conference of the agency concerned.

4. Annex 8 shows the certified financial status of the funds of the International Bank for Reconstruction and Development for which the audit certificate and the report of the external auditors are not yet available.

5. Detailed supporting schedules furnished by the executing agencies are not included in this submission but are made available to the Advisory Committee on Administrative and Budgetary Questions.

6. The audit reports of the following agencies for the year 1960 have been approved by their general conference:

(a) The International Labour Organisation on 26 June 1961.

(b) The International Telecommunication Union in May 1961.

(c) The World Meteorological Organization in May 1961.

The audit report for the year 1960 relating to the Food and Agriculture Organization of the United Na-

tions (FAO) will be submitted to its Conference in October 1961 and the audit report of the United Nations Educational, Scientific and Cultural Organization will be submitted to its Executive Board in November 1961. The audit report of the International Civil Aviation Organization which has been approved by its Council on 5 June 1961 will be submitted to its Assembly in August 1962.

7. The audited financial statements of the United Nations as an executing agency of the Special Fund are presented in the financial reports and accounts for the year ended 31 December 1960.¹ Also included in the same document are financial statements in respect of the administrative budget of and preparatory allocation to the Managing Director as well as a statement (schedule 14) showing the status of the Special Fund as at 31 December 1960. The corresponding statements for the year 1959 were included in the financial reports and accounts for the year ended 31 December 1959.

8. A consolidated statement which reflects the financial transactions of the Special Fund as a whole is attached as annex 9.

¹ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 6 (A/4777)*.

² *Ibid., Fifteenth Session, Supplement No. 6 (A/4380)*.

ANNEX*1
Special Fund

COMBINED STATEMENT SHOWING THE STATUS OF FUNDS OF THE EXECUTING AGENCIES AND THE ADMINISTRATIVE BUDGET OF
AND PREPARATORY ALLOCATION TO THE MANAGING DIRECTOR AS AT 31 DECEMBER 1960
(Expressed in United States dollars)

	United Nations	ITU	WMO*	ILO	FAO	UNESCO	ICAO	IBRD	Total Executing Agencies	Administrative Budget of and preparatory allocation to the Managing Director	Total
Funds earmarked in 1959 and 1960.....	8,067,200	13,900	102,000	6,529,473	13,480,454	9,455,845	42,900	2,587,500	40,279,272	1,346,100	41,625,372
<i>Less:</i> Expenditures in 1959 and 1960											
Executing agencies' costs and administrative budget of the Managing Director.....	160,400	3,301	19,312	170,660	264,800	266,474	39,390	13,411	937,748	888,551	1,826,299
Project costs including costs charged to prepara- tory allocation to the Managing Director....	769,654	1,892	—	126,027	460,782	179,966	—	694,462	2,232,783	4,360	2,237,143
Preliminary investigation costs.....	500	—	—	6,015	—	4,382	1,900	3,462	16,259	—	16,259
	<u>930,554</u>	<u>5,193</u>	<u>19,312</u>	<u>302,702</u>	<u>725,582</u>	<u>450,822</u>	<u>41,290</u>	<u>711,335</u>	<u>3,186,790</u>	<u>892,911</u>	<u>4,079,701</u>
Unliquidated balances of commitments or obligations											
Executing agencies' costs and administrative budget of the Managing Director.....	—	2,699	—	—	—	—	—	106,589	109,288	51,234	160,522
Project costs including costs charged to prepara- tory allocation to the Managing Director....	930,699	3,108	—	514,146	1,264,636	412,243	—	1,768,038	4,892,870	60,718	4,953,588
Preliminary investigation costs.....	—	—	—	—	—	618	—	1,538	2,156	—	2,156
	<u>930,699</u>	<u>5,807</u>	<u>—</u>	<u>514,146</u>	<u>1,264,636</u>	<u>412,861</u>	<u>—</u>	<u>1,876,165</u>	<u>5,004,314</u>	<u>111,952</u>	<u>5,116,266</u>
	<u>1,861,253</u>	<u>11,000</u>	<u>19,312</u>	<u>816,848</u>	<u>1,990,218</u>	<u>863,683</u>	<u>41,290</u>	<u>2,587,500</u>	<u>8,191,104</u>	<u>1,004,863</u>	<u>9,195,967</u>
Balances of earmarkings available as at 31 Decem- ber 1960.....	6,205,947	2,900	82,688	5,712,625	11,490,236	8,592,162	1,610	—	32,088,168	341,237	32,429,405
<i>Add:</i> Miscellaneous income and exchange adjust- ments (net).....	—	—	(44)	—	332	(263)	—	—	25	—	25
<i>Less:</i> Unencumbered 1959 and 1960 balances re- verted to the Special Fund.....	—	—	—	—	—	—	—	—	—	(341,237)	(341,237)
	<u>6,205,947</u>	<u>2,900</u>	<u>82,644</u>	<u>5,712,625</u>	<u>11,490,568</u>	<u>8,591,899</u>	<u>1,610</u>	<u>—</u>	<u>32,088,193</u>	<u>—</u>	<u>32,088,193</u>
Represented by:											
Cash at banks, on hand and in transit.....	14,089	5,807	37	984,679	44,132	74,452	7,462	463,603	1,594,261	—	1,594,261
Undrawn allotments.....	1,931,791	—	25,230	942,113	2,232,109	1,550,017	9,900	187,262	6,878,422	81,655	6,960,077
Unallotted earmarkings.....	4,876,900	2,900	57,270	4,431,360	10,228,045	7,562,196	—	1,225,300	28,383,971	—	28,383,971
Accounts receivable and sundry debit balances..	471,964	—	107	2,891	388,927	21,876	—	—	885,765	—	885,765
	<u>7,294,744</u>	<u>8,707</u>	<u>82,644</u>	<u>6,361,043</u>	<u>12,893,213</u>	<u>9,208,541</u>	<u>17,362</u>	<u>1,876,165</u>	<u>37,742,419</u>	<u>81,655</u>	<u>37,824,074</u>
<i>Less:</i>											
Unliquidated commitments and obligations....	930,699	5,807	—	514,146	1,264,636	412,861	—	1,876,165	5,004,314	81,655	5,085,969
Accounts payable and sundry credit balances...	158,098	—	—	134,272	138,009	203,781	15,752	—	649,912	—	649,912
	<u>1,088,797</u>	<u>5,807</u>	<u>—</u>	<u>648,418</u>	<u>1,402,645</u>	<u>616,642</u>	<u>15,752</u>	<u>1,876,165</u>	<u>5,654,226</u>	<u>81,655</u>	<u>5,735,881</u>
	<u>6,205,947</u>	<u>2,900</u>	<u>82,644</u>	<u>5,712,625</u>	<u>11,490,568</u>	<u>8,591,899</u>	<u>1,610</u>	<u>—</u>	<u>32,088,193</u>	<u>—</u>	<u>32,088,193</u>

* WMO audited accounts were submitted on a cash basis; they were adjusted for purposes of this statement.

ANNEX 2

Special Fund

INTERNATIONAL LABOUR ORGANISATION AS EXECUTING AGENCY
STATUS OF FUNDS
AS AT 31 DECEMBER 1960
(Expressed in United States dollars)

	\$	\$	\$
Funds earmarked during current year			6,529,475
Deduct: Cash disbursements during current year:			
Executing agency's costs ^a	170,660		
Project costs	126,027		
Preliminary investigation costs	6,015	302,702	
Unliquidated balance of current year's commitments:			
Project costs	514,146	514,146	816,845
Balance of earmarkings and other available funds as at 31 December 1960			5,712,625
Represented by:			
Cash at banks, on hand and in transit		984,679	
Undrawn allotments		942,113	
Unallotted earmarkings		4,431,360	
Accounts receivable and sundry debit balances		2,891	6,361,043
Less: Unliquidated commitments		514,146	
Accounts payable and sundry credit balances ^b		134,272	648,418
			5,712,625

^a This figure consists of the following:

	\$	
Actual expenditure	74,665	
1960 allotment to be carried forward to 1961	95,995	
		170,660

^b Includes unspent 1960 allotments for agency cost of \$95,995.

(Signed) P. M. C. DENBY
Chief of the Budget
and Control Division
for Treasurer-Comptroller

AUDIT CERTIFICATE

The above accounts have been examined by me, I have obtained all the information and explanations that I have required, and I certify, as the result of the audit, that, in my opinion, the above account is correct subject to the observations in my report.

(Signed) UNO BRUNSKOG
External Auditor

REPORT ON THE AUDIT OF THE ACCOUNTS CONCERNING THE OPERATIONS OF THE INTERNATIONAL LABOUR ORGANISATION RELATING TO THE SPECIAL FUND OF THE UNITED NATIONS FOR THE YEAR 1960

1. During 1960 the International Labour Organisation has been authorized by the Governing Council of the Special Fund to begin operations for eight projects.

The financial situation as at 31 December 1960 was as follows:

Earmarkings received		\$	
			6,522,065
Commitments incurred:			
Disbursements	\$		
		200,692	
Unliquidated obligations	514,146		714,838
		<u> </u>	<u> </u>
Balance available			5,807,227

2. Preparatory allocations were also made available by the Governing Council for incurring of preparatory costs prior to the granting of earmarkings for four other projects. The situation of these preliminary investigation costs at the end of the year 1960 was as follows:

Allocations received		\$	
			7,408
Expenditure			6,015
		<u> </u>	<u> </u>
Balance as at 31 December 1960			1,393

3. The remittances from the Special Fund have been \$ 1,157,000

Disbursements for:			
Earmarked projects	\$		
		200,692	
Preliminary investigations	6,015		206,707
		<u> </u>	<u> </u>
Balance available at 31 December 1960			949,293

This balance is composed as follows:

Cash at banks, on hand and in transit	984,679
Accounts receivable and sundry debit balances	2,891
Unspent on 1960 agency cost allocations	95,995
	<u> </u>
	1,083,565
<i>Less:</i> Accounts payable and sundry credit balances	134,272
	<u> </u>
	<u> </u>
	949,293

Of the balance mentioned above, about \$400,000 represents orders placed for equipment which was not delivered before the end of 1960. Difficulties in recruiting experts for approved projects have also led to lower expenditure than anticipated.

4. Of the total allotted fund for ILO agency costs amounting to \$170,660, only \$74,665 has been spent in 1960, leaving a balance of \$95,995 unspent.

(Signed) Uno BRUNSKOG
Auditor

23 March 1961

ANNEX 3

Special Fund

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$	\$
Funds earmarked during current year.....			13,480,454
<i>Deduct:</i> Cash disbursements during current year:			
Executing agency's costs.....	264,800		
Project costs.....	460,782	725,582	
Unliquidated balance of current year's commitments:			
Project costs.....	1,264,636	1,264,636	1,990,218
Balance of earmarkings available as at 31 December 1960.....			11,490,236
<i>Add:</i> Miscellaneous income and exchange adjustments.....	332	332	332
Balance of earmarkings and other available funds as at 31 December 1960.....			<u>11,490,568</u>
Represented by:			
Cash at banks, on hand and in transit.....		44,132	
Undrawn allotments.....		2,232,109	
Unallotted earmarkings.....		10,228,045	
Accounts receivable and sundry debit balances.....		388,927	12,893,213
<i>Less:</i>			
Unliquidated commitments.....		1,264,636	
Accounts payable and sundry credit balances.....		138,009	1,402,645
			<u>11,490,568</u>
(Signed) W. K. MUDIE Chief, Finance Branch			(Signed) B. R. SEN Director-General

AUDIT CERTIFICATE

I have examined the above statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement is correct, subject to the observations in my report.

(Signed) E. G. COMPTON
(Comptroller and Auditor General, Great Britain)
External Auditor

REPORT OF THE EXTERNAL AUDITOR ON THE STATEMENTS SHOWING AS AT 31 DECEMBER 1960:

(A) THE STATUS OF FUNDS ALLOCATED TO THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS BY THE UNITED NATIONS SPECIAL FUND

(B) THE STATUS OF FUNDS FOR GOVERNMENT COUNTERPART CASH CONTRIBUTIONS TO SPECIAL UND PROJECTS

1. Volume IV of the Accounts of the Food and Agriculture Organization for the year ended 31 December 1960 consists of the statement showing as at 31 December 1960 the status of funds allocated to the Organization by the United Nations Special Fund, together with the related schedules giving details under projects, and the statement showing the status of funds as at 31 December 1960 for Government counterpart cash contributions to Special Fund projects for which the Organization has been appointed executing agency. The statements and schedules are in the form prescribed by the Special Fund.

2. My examination has been carried out in conjunction with my audit of the accounts of the regular programme of the Organization. I have also examined the reports of the Internal Auditor.

3. In the course of my examination a number of questions have been raised with the Organization and answered satisfactorily. The subject dealt with below alone appears to call for separate mention in my report.

Overhead costs of the Organization as executing agency

4. As stated in the Financial Report of the Director-General, the amounts allotted during the year by the Special Fund to help to defray the overhead costs of the Organization as executing agency for Special Fund projects were \$264,800. In accordance with the accounting instructions issued by the Special Fund, this amount has been treated as fully expended and is shown in the status of funds statement under "Cash disbursements during current year", the unliquidated balance of commitments being shown as nil. Actual cash disbursements during 1960 in respect of the Organization's overhead costs were \$173,445 and unliquidated commitments at 31 December 1960 amounted to \$361,436, giving a total of \$534,881 as shown in schedule A, addendum 1.

5. I wish to record my appreciation of the willing co-operation of the officers of the Organization during my examination.

(Signed) E. G. COMPTON
(Comptroller and Auditor General, Great Britain)
External Auditor

19 June 1961

ANNEX 4

Special Fund

UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$	\$
Funds earmarked during current year.....			9,455,845
<i>Deduct:</i> Cash disbursements during current year:			
Executing agency's costs ^a	266,474		
Project costs.....	179,966		
Preliminary investigation costs.....	4,382	450,822	
Unliquidated balance of current year's commitments:			
Project costs.....	412,243		
Preliminary investigation costs.....	618	412,861	863,683
Balance of earmarkings available as at 31 December 1960.....			8,592,162
<i>Add:</i> Miscellaneous income and exchange adjustments.....		(263)	(263)
Balance of earmarkings and other available funds as at 31 December 1960			<u>8,591,899</u>
Represented by:			
Cash at banks, on hand and in transit.....		74,452	
Undrawn allotments.....		1,550,017	
Unallotted earmarkings.....		7,562,196	
Accounts receivable and sundry debit balances.....		21,876	9,208,541
<i>Less:</i>			
Unliquidated commitments.....		412,861	
Accounts payable and sundry credit balances.....		203,781	616,642
			<u>8,591,899</u>

^a Inclusive of full amounts allotted for overhead costs reported on in schedule B, column 5.

CERTIFIED CORRECT:
(Signed) R. HARPER-SMITH
Comptroller

APPROVED
(Signed) Vittorino VERONESE
Director-General

AUDIT CERTIFICATE

I have examined the above statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement is correct, subject to the observations in my report.

(Signed) E. G. COMPTON
(Comptroller and Auditor General, Great Britain)
External Auditor

REPORT OF THE EXTERNAL AUDITOR ON THE STATEMENT SHOWING THE STATUS OF FUNDS ALLOCATED TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION BY THE UNITED NATIONS SPECIAL FUND AS AT 31 DECEMBER 1960

1. The statement, and the related schedules giving details under projects, are in the form prescribed by the Special Fund.

2. My examination has been carried out in conjunction with my audit of the accounts of the regular programme of the Organization.

Overhead costs of the Organization as executing agency

3. The amounts allotted during the year by the Special Fund to help to defray the overhead costs of the Organization as executing agency for Special Fund projects were \$266,474. In accordance with the accounting instructions issued by the Special Fund, this amount has been treated as fully expended and is shown in the status of funds statement under "Cash disbursements during current year", the unliquidated balance of commitments being shown as nil. Actual cash disbursements during 1960 in respect of the Organization's overhead costs were \$133,793 and unliquidated commitments at 31 December 1960 amounted to \$13,972, giving a total of \$147,765 as shown in schedule A, addendum 1.

4. I wish to record my appreciation of the willing co-operation of the officers of the Organization during my examination.

(Signed) E. G. COMPTON
(Comptroller and Auditor General, Great Britain)
External Auditor

28 June 1961

ANNEX 5

Special Fund

INTERNATIONAL CIVIL AVIATION ORGANIZATION AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

Funds earmarked during current year		\$	\$
			42,900
Less: Expenditure			
Executing agency's costs	\$		
Preliminary investigation costs	39,390	41,290	41,290
	1,900		
Balance of earmarkings and other available funds as at 31 December 1960			<u>1,610</u>
Represented by:			
Cash at banks		7,462	
Undrawn allotments		9,900	17,362
Less: Accounts payable and sundry credit balances		15,752	15,752
			<u>1,610</u>

CERTIFIED CORRECT:
(Signed) J. BERRIER
Director, Bureau of Administration
and Services

APPROVED:
(Signed) R. M. MACDONNELL
Secretary General

AUDIT CERTIFICATE

The above statement showing the status of funds of the International Civil Aviation Organization, relating to the United Nations Special Fund projects, has been examined. I have obtained all the information and explanations required and certify, as a result of the audit, that the above statement is in accordance with the accounts maintained by the Organization and is, in my opinion, correct.

(Signed) A. M. HENDERSON
(Auditor General of Canada)
External Auditor

REPORT OF THE EXTERNAL AUDITOR TO THE ASSEMBLY ON THE AUDIT OF THE ACCOUNTS RESPECTING THE STATUS OF FUNDS OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION RELATING TO THE UNITED NATIONS SPECIAL FUND FOR THE YEAR ENDED 31 DECEMBER 1960

1. United Nations document SF/OP/3/Rev.1 of 1 June 1960 requires that the annual accounts submitted by the executing agencies to the Managing Director of the Special Fund be accompanied by a certificate and report of the External Auditor of each agency on the summary statement. This is the report on the examination of the accounts maintained by the International Civil Aviation Organization for the period ended 31 December 1960.

2. The statement submitted by the Secretary General summarizing the transactions relating to the Special Fund for the period, and showing the status of funds as at 31 December 1960, prepared in the form required by the Managing Director of the Special Fund, has been examined and has been certified as being in accordance with the accounts maintained by the Organization and, in my opinion, correct.

3. The statement shows the expenditures incurred during the initial period as comprising \$39,300 for "agency costs" and \$1,900 for preliminary investigation costs. The amount shown for "agency costs" includes \$26,939 which relates to preliminary project costs which the Organization is not yet in a position to allocate to individual projects. This classification is in accordance with the accounting format required pending allocation of the costs to individual projects.

4. The balance of available funds at the year-end was \$1,610, consisting of cash at banks and undrawn allotments, less accounts payable and other credit balances. The cash at banks of \$7,462 was verified by direct confirmation from the banks concerned.

5. All the information and explanations required were readily provided to my officers and the audit was facilitated by the co-operation extended by officers of the secretariat, for which I am glad to record my appreciation.

(Signed) A. M. HENDERSON
(Auditor General of Canada)
External Auditor

3 March 1961

ANNEX 6

Special Fund

INTERNATIONAL TELECOMMUNICATION UNION AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1961*(Expressed in United States dollars)*

	\$	\$	\$
Funds earmarked during current year.....			13,900.00
<i>Deduct:</i> Cash disbursements during current year:			
Executing agency's costs.....	3,301.44		
Project costs.....	1,891.85	5,193.29	
		<u> </u>	
Unliquidated balance of current year's commitments:			
Executing agency's costs.....	2,698.56		
Project costs.....	3,108.15	5,806.71	11,000.00
		<u> </u>	<u> </u>
Balance of earmarkings and other available funds as at 31 December 1960.....			<u>2,900.00</u>
Represented by:			
Cash at banks, on hand and in transit.....		5,806.71	
Unallotted earmarkings.....		2,900.00	8,706.71
<i>Less:</i>			
Unliquidated commitments.....			5,806.71
			<u>2,900.00</u>

AUDIT CERTIFICATE

I hereby certify:

- (1) That the total expenditure was US \$5,193.29 (five thousand one hundred ninety three and twenty nine);
- (2) That the funds available amounted to US \$5,806.71 (five thousand eight hundred and six and seventy one);
- (3) That the above items are true extracts from the accounts of the International Telecommunication Union.

CERTIFICATION:

(Signed) M. B. SARWATE
Vice-Secrétaire général*(Signed)* Ch. POCHON
(Chef de Section au Contrôle fédéral des finances de la
Confédération suisse)
External Auditor

ANNEX 7

Special Fund

WORLD METEOROLOGICAL ORGANIZATION AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1960*(Expressed in United States dollars)*

	\$	\$
Balance brought forward from 1959	1,158	
Special Fund remittances	<u>13,500</u>	14,658
Interest on bank account		19
		<u>14,677</u>
<i>Less:</i>		
Differentiation on rates of exchange	63	
Obligations incurred	<u>14,470</u>	14,533
		<u>144</u>
Represented by:		
Cash at bank	37	
Accounts receivable and sundry debit balances	<u>107</u>	144
		<u>144</u>
<i>(Signed) D. A. DAVIES</i> <i>Secretary-General</i>		<i>(Signed) E. H. COOK</i> <i>Chief, Finance Section</i>

AUDIT CERTIFICATE

I have examined the foregoing statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement is correct.

(Signed) E. G. COMPTON
(Comptroller and Auditor General, Great Britain)
External Auditor

ANNEX 8

Special Fund

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT AS EXECUTING AGENCY
STATUS OF FUNDS AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$	\$
Committed funds as at December 31, 1959.....			243,730.6
Add: Funds earmarked during current year.....			<u>2,337,500.0</u>
Total of earmarkings and committed funds available.....			2,581,230.6
Deduct: Cash disbursements during current year:			
Executing agency's costs.....	13,410.54		
Project costs.....	688,192.83		
Preliminary investigation costs.....	<u>3,462.27</u>	705,065.64	
Unliquidated balance of current year's commitments:			
Executing agency's costs.....	106,589.46		
Project costs.....	1,768,037.78		
Preliminary investigation costs.....	<u>1,537.73</u>	<u>1,876,164.97</u>	<u>2,581,230.63</u>
Balance of earmarkings and other available funds as at 31 December 1960.....			<u>—</u>
Represented by:			
Cash at banks, on hand and in transit.....		463,603.05	
Undrawn allotments.....		187,261.92	
Unallotted earmarkings.....		<u>1,225,300.00</u>	1,876,164.97
Less:			
Unliquidated commitments.....			<u>1,876,164.97</u>
			<u>—</u>

Notes:

1. Amounts in currencies other than United States dollars have been translated into United States dollars at the rates used by the IBRD.
2. All earmarkings are considered as commitments.

CERTIFIED CORRECT:
(Signed) Peter G. RAMM

ANNEX 9

Special Fund

CONSOLIDATED STATEMENT AS AT 31 DECEMBER 1960

	\$
Contributions pledged by Governments in 1959 and 1960 <i>less</i> exchange adjustments on collection...	108,873,997
Governments' obligations, for local cost in respect of projects.....	5,623,245
Donations.....	4,179
Miscellaneous income and exchange adjustments (net).....	1,302,851
Surrender of unencumbered balances in respect of the administrative budget of and the preparatory allocation to the Managing Director for 1959 and 1960.....	341,237
	<u>116,145,509</u>
<i>Less:</i>	
Project appropriations in 1959 and 1960.....	95,894,400
Administrative budget of the Managing Director for 1959, 1960 and 1961.....	2,183,300
Preparatory allocation to the Managing Director for 1960 and 1961.....	350,000
Earmarkings in excess of project appropriations.....	90,217
	<u>98,517,917</u>
Balance as at 31 December 1960.....	<u>17,627,592</u>
Represented by:	
Cash at banks, on hand and in transit.....	25,710,961
Investments.....	39,064,628
Contributions pledged but not received as at 31 December 1960.....	36,674,782
Receivable from Governments for local cost in respect of projects.....	4,609,049
Accounts receivable and sundry debit balances.....	6,419,064
	<u>112,478,484</u>
<i>Less:</i>	
Reserve for unliquidated obligations	
1960 administrative budget of the Managing Director.....	20,937
1960 preparatory allocation to the Managing Director.....	60,718
Reserve for appropriations	
1961 administrative budget of the Managing Director.....	1,087,200
1961 preparatory allocation to the Managing Director.....	100,000
Projects.....	92,707,610
Reserve for earmarkings in excess of project appropriations.....	90,217
Accounts payable and sundry credit balances.....	784,210
	<u>94,850,892</u>
	<u>17,627,592</u>



[Original text: English]
[4 August 1961]

DOCUMENT A/4828

Audit reports for the year ended 31 December 1960 relating to expenditure by the International Atomic Energy Agency and specialized agencies of technical assistance funds allocated from the Special Account.

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Note by the Secretary-General

1. In accordance with the requirements of General Assembly resolution 519 A (VI) adopted on 12 January 1952, there are submitted herewith the audit reports for the year ended 31 December 1960 relating to expenditures by the International Atomic Energy Agency and the specialized agencies of technical assistance funds allocated from the Special Account. Paragraph 7 of the resolution reads as follows:

“Calls on the specialized agencies participating in the Expanded Programme of Technical Assistance to provide, in their regular budget documents, information concerning their estimates for the expenditure of technical assistance funds; and to transmit to the General Assembly, for examination and approval, the audit reports relating to expenditure of technical assistance funds allocated from the Special Account after approval of the appropriate audit reports by the general conferences of their agencies or by such other authorities of the agencies as are constitutionally authorized to approve them.”

2. Attached to the present document is a combined statement (annex 1) showing the status of funds of all the participating organizations under the Expanded Programme as at 31 December 1960, which summarizes the separate audited financial statements submitted by the specialized agencies, together with similar information regarding the transactions of the United Nations as a participating organization in the Programme and the cost of the Technical Assistance Board secretariat.

3. The audited financial statements of the specialized agencies and the International Atomic Energy Agency are attached as annexes 2 to 9; these comprise for each agency the financial statement showing the status of its funds, in the form prescribed by the Technical Assistance Board, bearing the certificate of the external auditors, and the relevant audit report submitted to the general conference of the agency concerned. As in previous years, the detailed supporting schedules furnished by the several agencies, to which references are

made in the financial statements are not included in this submission but are made available to the Advisory Committee on Administrative and Budgetary Questions.

4. The audit reports of the following agencies for the year 1960 have been approved by their general conference:

(a) The International Labour Organisation, on 26 June 1961;

(b) The International Telecommunication Union, on 13 July 1961;

(c) The World Meteorological Organization, in May 1961.

The audit report for the year 1960 relating to the accounts of the International Atomic Energy Agency will be examined by the General Conference which will convene in September 1961. The audit report of the Food and Agriculture Organization of the United Nations for 1960 will be submitted to the FAO Conference in November 1961. The report of the United Nations Educational, Scientific and Cultural Organization for 1960 will be submitted in November 1961 to its Execu-

tive Board which is authorized by the General Conference to approve it. The Council of the International Civil Aviation Organization approved the audit report on 5 June 1961. It will be presented to the next session of the ICAO Assembly to be held in August 1962. The Executive Board of the World Health Organization has accepted the audit reports which will be presented to the WHO Assembly in May 1962.

5. The audited financial statements of the United Nations as a participating organization in the Expanded Programme are presented in the financial reports and accounts for the year ended 31 December 1960.¹ Also included in the same document are financial statements in respect of the secretariat of the Technical Assistance Board, as well as a statement (schedule 11) showing the status of the Special Account as at 31 December 1960.

6. A consolidated statement which reflects the financial transactions of the Expanded Programme as a whole is attached as annex 10 to the present report.

¹ *Official Records of the General Assembly Sixteenth Session, Supplement No. 6 (A/4777).*

ANNEX 1

Expanded Programme of Technical Assistance

COMBINED STATEMENT SHOWING THE STATUS OF FUNDS OF THE PARTICIPATING ORGANIZATIONS AND THE TECHNICAL ASSISTANCE BOARD SECRETARIAT AS AT 31 DECEMBER 1960 BASED ON THE ACCOUNTS CERTIFIED BY THEIR EXTERNAL AUDITORS

(Expressed in United States dollars)

	United Nations	ITU	WMO	ILO	FAO	UNESCO	ICAO	WHO	IAEA	Total Participating Organizations	TAB Secretariat	Total Expanded Programme
Excess of allocations and other income over obligations incurred as at 31 December 1959.	466,278	4,890	2,159	414,442	439,451	839,104	8,535	168,268	24,893	2,368,020	84,056	2,452,076
Allocations of 1959 and miscellaneous income reverted in 1960.....	(312,091)	(4,890)	—	(336,442)	(289,340)	(232,380)	4,799	(42,953)	(19,026)	(1,232,323)	(84,056)	(1,316,379)
Allocations during 1960.....	8,168,539	154,409	56,600	3,494,752	8,919,124	5,618,149	1,539,814	5,681,664	633,495	34,266,546	2,131,100	36,397,646
Provision from United Nations budget.....	1,980,000	—	—	—	—	—	—	—	—	1,980,000	—	1,980,000
Subvention from the Special Fund.....	—	—	—	—	—	—	—	—	—	—	150,000	150,000
	<u>10,302,726</u>	<u>154,409</u>	<u>58,759</u>	<u>3,572,752</u>	<u>9,069,235</u>	<u>6,224,873</u>	<u>1,553,148</u>	<u>5,806,979</u>	<u>639,362</u>	<u>37,382,243</u>	<u>2,281,100</u>	<u>39,663,343</u>
<i>Less:</i>												
Obligations incurred during 1960:												
Project costs.....	8,897,974	61,152	—	2,744,788	7,129,210	4,360,616	1,287,187	4,819,213	592,372	29,892,512	—	29,892,512
Administrative and operational services costs.....	1,100,000	54,000	55,868	500,300	1,278,400	505,779	184,122	724,000	—	4,402,469	2,251,728	6,654,197
	<u>9,997,974</u>	<u>115,152</u>	<u>55,868</u>	<u>3,245,088</u>	<u>8,407,610</u>	<u>4,866,395</u>	<u>1,471,309</u>	<u>5,543,213</u>	<u>592,372</u>	<u>34,294,981</u>	<u>2,251,728</u>	<u>36,546,709</u>
<i>Excess of allocations over obligations incurred...</i>	<u>304,752</u>	<u>39,257</u>	<u>2,891</u>	<u>327,664</u>	<u>661,625</u>	<u>1,358,478</u>	<u>81,839</u>	<u>263,766</u>	<u>46,990</u>	<u>3,087,262</u>	<u>29,372</u>	<u>3,116,634</u>
<i>Add:</i>												
Savings on liquidation of prior years' obligations.....	131,455	—	—	107,466	132,689	119,246	1,279	874	1,067	494,076	5,078	499,154
Miscellaneous income.....	82,997	—	175	5,936	27,104	3,001	19,862	38,731	51	177,857	5,120	182,977
Exchange adjustments (net).....	(24,540)	—	(311)	(3,620)	(25,271)	(7,208)	(12,447)	(553)	(832)	(74,782)	—	(74,782)
	<u>494,664</u>	<u>39,257</u>	<u>2,755</u>	<u>437,446</u>	<u>796,147</u>	<u>1,473,517</u>	<u>90,533</u>	<u>302,818</u>	<u>47,276</u>	<u>3,684,413</u>	<u>39,570</u>	<u>3,723,983</u>
<i>Represented by:</i>												
Cash at banks and on hand.....	1,834,882	52,766	10,805	810,384	479,347	718,704	59,350	706,508	205,312	4,878,058	94,574	4,972,632
Undrawn allocations.....	1,895,384	16,234	—	600,428	1,266,582	1,846,731	91,673	268,292	223,807	6,209,131	19,086	6,228,217
Accounts receivable, advances, etc.....	1,103,432	4,890	1,877	114,221	461,072	297,992	107,151	268,290	10,909	2,369,834	61,314	2,431,148
	<u>4,833,698</u>	<u>73,890</u>	<u>12,682</u>	<u>1,525,033</u>	<u>2,207,001</u>	<u>2,863,427</u>	<u>258,174</u>	<u>1,243,090</u>	<u>440,028</u>	<u>13,457,023</u>	<u>174,974</u>	<u>13,631,997</u>
<i>Less:</i>												
Unliquidated 1960 obligations.....	1,455,895	34,633	5,190	466,677	767,908	813,949	109,740	622,492	349,041	4,625,525	78,499	4,704,024
Unliquidated 1959 obligations.....	509,780	—	2,154	275,171	144,272	187,700	26,118	200,695	30,471	1,376,361	—	1,376,361
Accounts payable and sundry credit balances.	2,373,359	—	2,583	345,739	498,674	388,261	31,783	117,085	13,240	3,770,724	56,905	3,827,629
	<u>4,339,034</u>	<u>34,633</u>	<u>9,927</u>	<u>1,087,587</u>	<u>1,410,854</u>	<u>1,389,910</u>	<u>167,641</u>	<u>940,272</u>	<u>392,752</u>	<u>9,772,610</u>	<u>135,404</u>	<u>9,908,014</u>
	<u>494,664</u>	<u>39,257</u>	<u>2,755</u>	<u>437,446</u>	<u>796,147</u>	<u>1,473,517</u>	<u>90,533</u>	<u>302,818</u>	<u>47,276</u>	<u>3,684,413</u>	<u>39,570</u>	<u>3,723,983</u>

ANNEX 2

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE INTERNATIONAL LABOUR ORGANISATION
AS AT 31 DECEMBER 1960
(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		414,441.9
<i>Less:</i>		
Excess of 1959 allocations and other income over obligations incurred surrendered to the Special Account.....		336,441.9
Balance re-allocated in 1960.....		78,000.0
Allocations from contributions and other available funds in 1960.....		3,494,752.0
		<u>3,572,752.0</u>
Obligations incurred during 1960:		
A. Project costs (Schedule A).....	2,744,787.65	
B. Administrative and operational services costs.....	500,300.00	
		<u>3,245,087.6</u>
Excess of allocations and other available funds over obligations incurred.....		327,664.3
Other income:		
Savings on liquidation of prior years' obligations.....	107,466.40	
Miscellaneous.....	5,935.57	
		<u>113,401.97</u>
<i>Less:</i> Exchange adjustments (net).....		3,620.64
		<u>109,781.33</u>
Balance as of 31 December 1960, to revert to the Special Account.....		<u>437,445.68</u>
Represented by:		
Cash at banks, on hand or in transit.....	810,383.78	
Undrawn allocations.....	600,427.84*	
Accounts receivable, advance, deposits, etc.....	114,221.69	
		<u>1,525,033.31</u>
<i>Less:</i>		
Unliquidated obligations 1959.....	275,171.40	
Unliquidated obligations 1960.....	466,677.56	
Accounts payable.....	43,204.85	
Other credit balances:		
Trust Funds (schedule B).....	177,274.77	
Service Benefit (schedule C).....	125,259.05	
		<u>345,738.67</u>
		<u>1,087,587.63</u>
		<u>437,445.68</u>

CERTIFIED CORRECT:

(Signed) L. MAGNIN
Control Officer, Technical Assistance Programme

(Signed) E. J. RICHES
Treasurer and Financial Comptroller

AUDIT CERTIFICATE

The financial statement relating to the status of funds made available to the International Labour Organisation in connection with the Expanded Programme of Technical Assistance for Economic Development of Under-Developed Countries for the year ended 31 December 1960, has been examined by the undersigned. All the information and explanations required have been obtained, and this is to certify, as a result of the audit, that, in my opinion, the statement mentioned above is correct.

March 1961

(Signed) UNO BRUNSKOG
External Auditor

REPORT ON THE AUDIT OF THE ACCOUNTS CONCERNING THE OPERATIONS OF THE INTERNATIONAL LABOUR ORGANISATION AND RELATING TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE FOR THE YEAR 1960

1. I certify the correctness of the statement submitted by the International Labour Office showing the status of the Special Account for the Expanded Programme of Technical Assistance as at 31 December 1960.

2. The balance to be returned to the Special Account for the Technical Assistance Programme amounted to \$437,446, of which \$115,445, representing supplies and equipment ordered but not delivered before 31 December 1960, will be re-allocated to the International Labour Organisation for 1961.

3. In 1960 there were savings on unliquidated obligations for 1958 amounting to \$107,466. These savings were made up as follows:

	<i>Unliquidated obligations at the end of 1958</i>	<i>Savings as at 31 December 1960</i>
	\$	\$
Fellowships.....	129,862.43	33,524
Worker trainees.....	87,851.03	38,008
Experts.....	195,066.90	34,000
Equipment.....	4,848.12	1,355
	<u>417,628.48</u>	
Exchange adjustments.....		579
TOTAL SAVINGS		<u>107,466</u>

The main savings under the headings Fellowships and Worker trainees consist of cancellations amounting to \$25,225 and \$26,071, respectively. Savings on the unliquidated obligations relating to experts totalled \$23,079 in respect of accumulated leave and education grants.

It has to be noted that the savings on unliquidated obligations during the years 1958 and 1959 have been very close: in 1958, \$148,000 and in 1959, \$147,000. Efforts have been made to reduce this amount with the result that in 1960 the savings were limited to \$107,000.

4. The total unliquidated obligations at the end of the year 1960 consisted of the following items:

	<i>Balance in respect of 1959</i>	<i>Balance in respect of 1960</i>	<i>Total</i>
	\$	\$	\$
Experts and seminars.....	63,572	178,331	241,903
Fellowships.....	118,072	172,485	290,557
Worker trainees.....	92,893	105,604	198,497
Equipment.....	634	10,258	10,892
TOTAL	<u>275,171</u>	<u>466,678</u>	<u>741,849</u>

5. Accounts receivable and other credit balances amounted to \$345,739. This figure includes credit balances totalling \$177,275, held in seven Trust Funds, made available by the Governments of Argentina, Belgium, Greece, Iran, Malaya, Tunisia and Venezuela to be used for technical assistance projects to be carried out by the Organisation in accordance with requests received from these Governments.

The situation of these funds was as follows:

<i>Details</i>	<i>Argentina</i>	<i>Belgium</i>	<i>Greece</i>	<i>Iran</i>	<i>Malaya</i>	<i>Tunisia</i>	<i>Venezuela</i>
	\$	\$	\$	\$	\$	\$	\$
Balance available as at 1 January 1960...	12,080	—	6,455	25,450	—	7,080	1 54,095
Income during 1960.....	1,708	24,000	2,000	8,204	4,901	—	1 90,346
Total funds available in 1960.....	<u>13,788</u>	<u>24,000</u>	<u>8,455</u>	<u>33,654</u>	<u>4,901</u>	<u>7,080</u>	<u>344,441</u>
Disbursements during 1960.....	2,779	31,901	8,412	14,217	45	4,928	1 96,762
Balance available as at 31 December 1960	<u>11,009</u>	<u>(7,901)</u>	<u>43</u>	<u>19,437</u>	<u>4,856</u>	<u>2,152</u>	<u>147,679</u>

(Signed) UNO BRUNSKOG
Auditor

ANNEX 3

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE FOOD AND AGRICULTURE ORGANIZATION
OF THE UNITED NATIONS AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		439,451
<i>Less:</i>		
Excess of 1959 allocations and other income over obligations incurred surrendered to the Special Account.....		289,340
Balance, re-allocated in 1960.....		150,111
Allocations from contributions and other available funds in 1960.....		8,919,124
		<u>9,069,235</u>
Obligations incurred during 1960:		
Project costs (schedule A).....	7,129,210	
Administrative and operational services costs.....	1,278,400	8,407,610
		<u>8,407,610</u>
Excess of allocations and other available funds over obligations incurred. . . .		661,625
	\$	
Other income:		
Savings on liquidation of prior year's obligations.....	132,689	
Miscellaneous.....	27,104	159,793
		<u>159,793</u>
<i>Less:</i> Exchange adjustments (net).....	25,271	134,522
		<u>134,522</u>
Balance as of 31 December 1960 to revert to the Special Account.....		796,147
 Represented by:		
Cash at banks, on hand or in transit.....	473,847	
Undrawn allocations.....	1,266,582	
Accounts receivable, advances, deposits, etc.....	461,072	2,201,501
		<u>2,201,501</u>
<i>Less:</i>		
Unliquidated obligations, 1960.....	767,908	
Unliquidated obligations, 1959.....	144,272	
Accounts payable and other credit balances.....	493,174	1,405,354
		<u>1,405,354</u>
		<u>796,147</u>

(Signed) W. K. MUDIE
Chief, Finance Branch

(Signed) B. R. SEN
Director-General

AUDIT CERTIFICATE

I have examined the above statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement and the related schedule of costs are correct.

(Signed) E. G. COMPTON
(Comptroller and Auditor-General, Great Britain)
External Auditor

REPORT OF THE EXTERNAL AUDITOR ON THE STATEMENTS SHOWING THE STATUS OF FUNDS ALLOCATED TO THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS AS AT 31 DECEMBER 1960

1. Volume III of the accounts of the Food and Agriculture Organization for the year ended 31 December 1960 consists of the statement showing the status as at 31 December 1960 of the technical assistance funds allocated to the Organization, together with the related schedule of project costs, and a new statement showing the status as at 31 December 1960 of funds, held in trust, relating to technical assistance to the Government of the Republic of Venezuela. This latter statement has been prepared in accordance with article 12 of the Agreement between the participating organizations and the Government of the Republic of Venezuela, dated 9 October 1959, which provides that audited statements of accounts shall be submitted to the Government by the participating organization, through the Technical Assistance Board and the Resident Representative, as soon as possible after the close of the year and as soon as feasible after the completion of a project. The statements and schedule are in the form prescribed by the Technical Assistance Board.

2. My examination has been carried out in conjunction with my audit of the accounts of the regular programme of the Organization. I have also examined the reports of the Internal Auditor. In accordance with the arrangements made between the Technical Assistance Board and the Panel of Auditors of the United Nations, certified copies of the statements and schedule, and a copy of this report, have been sent to the Board.

3. In the course of my examination a number of questions have been raised with the Organization and answered satisfactorily. The subjects dealt with below alone appear to call for separate mention in my report.

Allocation from the Expanded Programme Special Account for administrative and operational services costs

4. As stated in my report on the regular programme accounts for the interim period 1 January to 31 December 1960 the organization received from technical assistance funds a lump-sum allocation of \$1,278,400 towards the administrative and operational services costs incurred on behalf of the Expanded Programme in 1960. This sum was paid to the regular programme as a contribution towards the costs incurred.

Losses and writes-off

5. I have examined the losses and writes-off totalling \$1,969 which are listed in the financial report of the Director-General. I have no comments to make upon them.

6. I wish to record my appreciation of the willing co-operation of the officers of the Organization during my examination.

(Signed) E. G. COMPTON
(Comptroller and Auditor-General, Great Britain)
External Auditor

29 June 1961

ANNEX 4

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC
AND CULTURAL ORGANIZATION AS AT 31 DECEMBER 1960*(Expressed in United States dollars)*

	\$	\$
Balance as at 31 December 1959.....		839,104
<i>Less:</i>		
Excess of 1959 allocations and other income over obligations incurred sur- rendered to the Special Account.....		232,300
Balance, re-allocated in 1960.....		606,724
Allocations from contributions and other available funds in 1960.....		5,618,149
		<u>6,224,873</u>
Obligations incurred during 1960:		
Project costs (schedule A).....	4,360,616	
Administrative and operational services costs.....	505,779	4,866,395
		<u>4,866,395</u>
Excess of allocations and other available funds over obligations incurred.....		1,358,478
Other income:		
Savings on liquidation of prior years' obligations.....	119,246	
Miscellaneous.....	3,001	
Exchange adjustments (net).....	(7,208)	115,039
		<u>115,039</u>
Balance as of 31 December 1960 to revert to the Special Account.....		<u>1,473,517</u>
Represented by:		
Cash at banks, on hand or in transit.....	718,704	
Undrawn allocations.....	1,846,731	
Accounts receivable, advances, deposits, etc.....	297,992	2,863,427
		<u>2,863,427</u>
<i>Less:</i>		
Unliquidated obligations, 1959.....	187,700	
Unliquidated obligations, 1960.....	813,949	
Accounts payable and other credit balances.....	388,261	1,389,910
		<u>1,389,910</u>
		<u>1,473,517</u>

CERTIFIED CORRECT:
(Signed) R. HARPER-SMITH
Comptroller

APPROVED:
(Signed) VITTORINO VERONESE
Director-General

AUDIT CERTIFICATE

I have examined the foregoing statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement and the related schedules of costs are correct.

(Signed) E. G. COMPTON
(Comptroller and Auditor-General, Great Britain)
External Auditor

REPORT OF THE EXTERNAL AUDITOR ON THE STATEMENT SHOWING THE STATUS OF FUNDS ALLOCATED TO THE UNITED NATIONS EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION AS AT 31 DECEMBER 1960

1. The statement and the related schedule of project costs (schedule A) are in the form prescribed by the Technical Assistance Board.

2. My examination has been carried out in conjunction with my audit of the accounts of the regular programme of the Organization.

Outturn

3. Allocations from contributions and other available funds, inclusive of local costs allocations, were \$5,618,149 in 1960 compared with \$5,008,489 (main allocations \$4,695,652 plus local costs allocations \$312,837) in 1959, and the balance re-allocated in 1960 was \$606,724 compared with \$876,585 in 1959. Income from allocations and re-allocations therefore increased from \$5,885,074 in 1959 to \$6,224,873 in 1960, an increase of approximately 5 per cent. As the statement shows, the excess of allocations, etc., over obligations was \$1,358,478, being approximately 22 per cent of the total allocations for the year. Obligations amounting to \$1,070,867, however, had been cancelled as at 31 December 1960 because goods or services had not been received or rendered by that date.

Allocation for administrative and operational services costs

4. The Organization received from technical assistance funds a lump-sum allocation of \$505,779 towards the administrative and operational services costs incurred on behalf of the Expanded Programme in 1960. This sum was paid to the regular programme as a contribution towards the costs incurred.

5. I wish to record my appreciation of the willing co-operation of the officers of the Organization during my examination.

(Signed) E. G. COMPTON
(Comptroller and Auditor-General, Great Britain)
External Auditor

28 June 1961

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION
AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		8,535
<i>Less:</i>		
Excess of 1959 allocations and other income over obligations incurred, surrendered to the Special Account.....		(4,799)
Balance, reallocated in 1960		13,334
Allocations from contributions and other available funds in 1960.....		1,539,814
		<u>1,553,148</u>
Obligations incurred during 1960:		
Project costs (Schedule A).....	1,287,187	
Administrative and operational service costs.....	184,122	1,471,309
		<u>1,471,309</u>
Excess of allocations and other available funds over obligations incurred.....		81,839
<i>Other income:</i>		
Savings on liquidation of prior year's obligations.....	1,279	
Miscellaneous.....	19,862	
Exchange adjustments (net).....	(12,447)	8,694
		<u>8,694</u>
Balance as at 31 December 1960, to revert to the Special Account.....		<u>90,533</u>
<i>Represented by:</i>		
Cash at banks, on hand or in transit.....	59,350	
Undrawn allocations.....	91,673	
Accounts receivable, advances, deposits etc.....	107,151	258,174
		<u>258,174</u>
<i>Less:</i>		
Unliquidated obligations 1959.....	26,118	
Unliquidated obligations 1960.....	109,740	
Accounts payable and other credit balances.....	31,783	167,641
		<u>167,641</u>
		<u>90,533</u>

CERTIFIED CORRECT:

J. BERRIER

Director, Bureau of Administration and Services

APPROVED:

(Signed) R. M. MACDONNELL

Secretary-General

AUDIT CERTIFICATE

The above statement showing the status of funds of the International Civil Aviation Organization, relating to the Expanded Programme of Technical Assistance, has been examined. I have obtained all the information and explanations required and certify, as a result of the audit, that the statement and the related schedule of obligations incurred, project costs, are in accordance with the accounts maintained by the Organization and are, in my opinion, correct.

(Signed) A. M. HENDERSON
(Auditor-General of Canada)
External Auditor

REPORT OF THE EXTERNAL AUDITOR TO THE ASSEMBLY ON THE AUDIT OF THE ACCOUNTS RESPECTING THE STATUS OF FUNDS OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION RELATING TO THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE FOR THE YEAR ENDED 31 DECEMBER 1960

1. The Technical Assistance Board Finance Manual requires that "external audit relating to the Expanded Programme shall be reported separately from that of the regular programme activities of the participating organizations", and this is the report on the audit of the accounts for the year ended 31 December 1960.

2. The financial statement showing the status of funds of the International Civil Aviation Organization relating to the Expanded Programme of Technical Assistance as at 31 December 1960, was submitted by the Secretary General for audit examination, along with the supporting schedule for obligations incurred during the year then ended—both in the form required by the Technical Assistance Board Finance Manual. The financial statement and the related schedule have been examined, and they have been certified as being in accordance with the accounts maintained by the Organization and, in my opinion, correct.

3. The accounts were examined in accordance with generally accepted auditing standards and included a general review of the accounting procedures and of the system of internal control, together with such tests of accounting records and other supporting evidence as were considered appropriate in the circumstances.

4. Allocations by the Technical Assistance Board from contributions and other available funds in 1960 were \$1,539,814. This, together with an adjusted 1959 balance of \$13,334 re-allocated in 1960, gave a total of \$1,553,148 available for obligation during the year under review, as shown in the financial statement.

5. The obligations incurred during the year ended 31 December 1960 amounted to \$1,471,309. The following is an analysis of the amount, compared with the corresponding figures for the two previous years:

	1958	1959	1960
	\$	\$	\$
Project costs:			
Personal services	1,021,006	965,087	1,044,783
Travel and transportation	137,517	171,778	121,676
Fellowships	67,804	123,011	105,979
Property and equipment	36,064	61,897	6,951
Other	15,141	12,317	7,798
	<u>1,277,532</u>	<u>1,334,090</u>	<u>1,287,187</u>
Less: Local costs allocations	142,371	128,305	—
	<u>1,135,161</u>	<u>1,205,785</u>	<u>1,287,187</u>
Administrative and operational services costs	149,335	179,064	184,122
	<u>1,284,496</u>	<u>1,384,849</u>	<u>1,471,309</u>

Prior to 1960 the contributions of local Governments towards the cost of technical services provided to them were treated as separate allocations by United Nations to the ICAO technical assistance programme. These allocations were shown as deductions from the gross project costs in the financial statement as indicated above. Commencing in 1960 this practice was discontinued and no separate local costs allocation was made, the regular allocation being increased correspondingly.

6. It was noted that all the obligations charged in the year were in conformity with the following definition in the Technical Assistance Board Finance Manual:

" 'Obligations' represent contracts on purchase order which resulted or will result in a legal liability for payment of services rendered or goods received by 31 December of the current financial year and, in respect of fellowships, the full cost of completion of fellowships awarded before 31 December of the financial year; provided that the fellow has been nominated by the requesting Government and accepted by the organization concerned and that a formal letter of award has been issued to the requesting Government, the actual placement of the fellow prior to 31 December in this sense not to be an essential consideration."

Of the obligations incurred in 1960, a total of \$109,740 remained unliquidated at the close of the year, of which \$45,200 was with respect to fellowships. This compares with a total of \$140,321, including \$43,200 for fellowships, at the close of the preceding year.

7. After adding "other income" (net) of \$8,694 to the \$81,839 excess of allocations and other funds available over obligations incurred, there was a balance of \$90,533 to be accounted for as at 31 December 1960, and the financial statement shows how this balance was in fact accounted for. Cash at banks of \$59,350 was verified by certificates received by us directly from the banks concerned except in three cases involving balances totalling \$2,198, confirmations covering which have not yet been received.

The miscellaneous income of \$19,862 is \$16,148 greater than the \$3,714 recorded for miscellaneous income in the preceding year. The increase is mainly accounted for by a fee of \$6,421 for administering the Government of Iran Fund in 1959 as well as 1960, and by amounts totalling \$7,766 for the return of contributions which had been made to the Service Benefit Financing Fund in 1958 and 1959 as well as 1960 (in respect of project personnel who were transferred from intermediate appointment to long-term status in those years).

8. The statement of supplies and equipment ordered but not delivered as at 31 December 1960, and totalling \$91,932, prepared for submission to the Technical Assistance Board in accordance with article 14.1 of the Finance Manual, was verified in the course of the audit. The amount includes a provision of \$8,339 for anticipated handling and shipping charges with respect to these supplies and equipment.

* * *

All the information and explanations required were readily provided to my officers and the audit was facilitated by the co-operation extended by officers of the Secretariat, for which I am glad to record my appreciation.

(Signed) A. M. HENDERSON
(Auditor General of Canada)
External Auditor

3 March 1961

ANNEX 6

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE WORLD HEALTH ORGANIZATION AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

Balance as at 31 December 1959.....	\$	\$	168,268
Less:			
Excess of 1959 allocations and other income over obligations incurred surrendered to the Special Account.....			42,953
Balance, reallocated in 1960.....			125,315
Allocations from contributions and other available funds in 1960.....			5,681,664
			<u>5,806,979</u>
Obligations incurred during 1960:			
Project costs (schedule A).....	4,819,213		
Administrative and operational services costs.....	724,000	5,543,213	
			<u>263,766</u>
Excess of allocations and other available funds over obligations incurred.....			
Other income:			
Savings on liquidation of prior years' obligations.....	874		
Miscellaneous.....	38,731		
Exchange adjustments.....	(553)	39,052	
			<u>302,818</u>
Balance as of 31 December 1960, to revert to the Special Account.....			<u><u>302,818</u></u>
Represented by:			
Cash at banks, on hand, or in transit.....	706,508		
Undrawn allocations.....	268,292		
Accounts receivable, advances, deposits, etc.....	268,290	1,243,090	
			<u>1,243,090</u>
Less:			
Unliquidated obligations, 1960.....	622,492		
Unliquidated obligations, 1959.....	200,695		
Accounts payable and other credit balances.....	117,085	940,272	
			<u>940,272</u>
			<u><u>302,818</u></u>

CERTIFIED CORRECT:

(Signed) TED L. SMITH
Chief, Finance

(Signed) ERIC RENLUND
Director, Budget and Finance

AUDIT CERTIFICATE

The financial statements relating to the allocations made to the World Health Organization in connexion with the Expanded Programme of Technical Assistance for Economic Development of Under-developed Countries for the year ended 31 December 1960 have been examined in accordance with the directions of the undersigned. All the information and explanations required have been obtained, and this is to certify, as a result of the audit, that, in the opinion of the undersigned, the above statement and the related schedule of project costs, are correct.

(Signed) UNO BRUNSKOG
External Auditor

REPORT ON THE AUDIT RELATING TO THE OPERATIONS OF THE WORLD HEALTH ORGANIZATION UNDER THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE FOR THE YEAR 1960

1. My examination of the accounts relating to the operations of the World Health Organization under the Expanded Programme of Technical Assistance for the year 1960 has been carried out in the same way as my audit of the accounts for the regular budget of the Organization.

2. The transactions in 1960 relating to the Expanded Programme of Technical Assistance show a further slight decrease in comparison with those for the last two years. The following table summarizes the details for these years:

	1958	1959	1960
	\$	\$	\$
<i>Income</i>			
Balance reallocated	457,918	159,485	125,315
Allocations	5,764,735	5,575,434	5,681,664
Miscellaneous income	7,640	38,134	39,052
TOTAL INCOME	<u>6,230,293</u>	<u>5,773,053</u>	<u>5,846,031</u>
<i>Obligations</i>			
Direct project costs:			
Personal services	3,215,757	3,153,534	3,060,124
Travel and transportation	805,301	835,636	718,315
Supplies and materials	276,951	146,760	139,512
Property and equipment	403,312	145,454	92,646
Fellowships	625,649	599,401	808,616
TOTAL DIRECT PROJECT COSTS	<u>5,326,970</u>	<u>4,880,785</u>	<u>4,819,213</u>
Administrative and operational service costs	722,418	724,000	724,000
TOTAL OBLIGATIONS INCURRED	<u>6,049,388</u>	<u>5,604,785</u>	<u>5,543,213</u>
<i>Balance to revert to the Special Account</i>	180,905	168,268	302,818
Part of balance to be reallocated in the following year	159,485	125,315	262,471

The administrative and operational services costs for 1958 represent obligations incurred, but those for 1959 and 1960 (\$724,000) represent a lump sum allocated from technical assistance funds towards meeting administrative and operational services costs which in 1960 were integrated with the regular budget of the Organization.

3. The unliquidated obligations available at 31 December 1960 for the years 1959 and 1960 amount to \$823,187. Of this amount, \$670,303 represent outstanding balances of fellowship awards, where the fellows had not finished their studies by the end of 1960.

Geneva 23, March 1961

(Signed) UNO BRUNSKOC
External Auditor

ANNEX 7

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE WORLD METEOROLOGICAL ORGANIZATION
AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		2,159
Allocation for Expanded Programme of Technical Assistance in 1960.....		56,600
		<u>58,759</u>
Interest received on bank accounts.....		175
		<u>58,934</u>
<i>Less:</i>		
Obligations incurred during 1960:		
Liquidated by disbursement.....	50,678	
Unliquidated.....	5,190	
	<u>55,868</u>	
Exchange adjustments (net).....	311	56,179
		<u>2,755</u>
Represented by:		
Cash at bank, on hand or in transit.....	10,805	
Accounts receivable.....	1,877	12,682
		<u>12,682</u>
<i>Less:</i>		
Accounts payable.....	402	
Unliquidated obligations 1959.....	2,154	
Unliquidated obligations 1960.....	5,190	
Service Benefits and Pension Fund Reserve.....	2,181	9,927
		<u>9,927</u>
		<u>2,755</u>

CERTIFIED CORRECT:

(Signed) D. A. DAVIES
Secretary-General

(Signed) E. H. COOK
Chief, Finance Section

AUDIT CERTIFICATE

I have examined the foregoing statement. I have obtained all the information and explanations that I have required, and I certify, as the result of my audit, that in my opinion this statement is correct.

(Signed) E. G. COMPTON
(Comptroller and Auditor-General, Great Britain)
External Auditor

ANNEX 8

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE INTERNATIONAL TELECOMMUNICATION UNION
AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		4,890.0
<i>Less:</i>		
Excess of 1959 allocations.....		<u>4,890.0</u>
Balance.....		—
Allocations from contributions.....		154,409.0
Obligations incurred during 1960:		
Project costs (schedule A).....	61,151.72	
Administrative and operational services.....	<u>54,000.00</u>	115,151.7
Excess of allocations.....		<u>39,257.2</u>
Other income.....		—
Balance as of 31 December 1960 to revert to the Special Account.....		<u><u>39,257.2</u></u>
Represented by:		
Cash at banks: 64,504.75—11,738.64 expended in 1961.....	52,766.11	
Undrawn allocations.....	16,233.98	
Deposit.....	<u>4,890.00</u>	73,890.0
<i>Less:</i>		
Unliquidated obligations, 1960.....		<u>34,632.8</u>
		<u><u>39,257.2</u></u>

AUDIT CERTIFICATE

1. I have checked obligations incurred during 1960, totalling \$115,151.72 (one hundred and fifteen thousand one hundred and fifty one dollars and seventy two cents) and found it correct.
2. I have verified cash in banks in the sum of \$64,504.75 (Sixty four thousand, five hundred and four dollar and seventy five cents).
3. I have checked expenditure in 1961 for 1960 totalling \$11,738.64 (eleven thousand, seven hundred and thirty eight dollars and sixty four cents) and found it correct.
4. I have verified a deposit in Swiss francs equivalent to \$4,890 (four thousand eight hundred and ninety dollars).
5. I certify that the above figures are true extracts from the books and accounts of the International Telecommunication Union, which I have audited and found correct.

(Signed) CH. POCHON
 Chef de section au Contrôle fédéral
 des finances de la
 Confédération suisse
 External Auditor

Geneva, 7 April 1961

ANNEX 9

Expanded Programme of Technical Assistance

STATEMENT SHOWING THE STATUS OF FUNDS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY
AS AT 31 DECEMBER 1960

(Expressed in United States dollars)

	\$	\$
Balance as at 31 December 1959.....		24,893
<i>Less:</i>		
Excess of 1959 allocations and other income over obligations incurred surrendered to the Special Account.....		19,026
Balance reallocated in 1960.....		5,867
Allocations from contributions and other available funds in 1960.....		633,495
		<u>639,362</u>
Obligations incurred during 1960:		
Project costs (see part B).....	592,372	
Administrative and operational service costs.....	nil	
	<u>592,372</u>	
Exchange adjustments (net).....	832	593,204
Excess of allocations and other available funds over obligations incurred.....		<u>46,158</u>
Other income:		
Savings on liquidation of prior year's obligations.....	1,067	
Miscellaneous.....	51	1,118
Balance as at 31 December 1960, to revert to the Special Account.....		<u><u>47,276</u></u>
Represented by:		
Cash at banks, on hand or in transit.....	205,312	
Undrawn allocations.....	223,807	
Accounts receivable, advances, deposits, etc.....	10,909	440,028
<i>Less:</i>		
Unliquidated obligations, 1959.....	30,471	
Unliquidated obligations, 1960.....	349,041	
Accounts payable and other credit balances.....	13,240	392,752
		<u><u>47,276</u></u>
CERTIFIED CORRECT:		
(Signed) B. E. D. HAMDI <i>Director, Division of Budget and Finance</i>		(Signed) STERLING COLE <i>Director-General</i>

AUDIT CERTIFICATE

The above statement has been examined in accordance with my directions. I have obtained all the information and explanations that I have required and I certify, as a result of the audit, that in my opinion the statement is correct.

(Signed) DR. GUIDO HERTEL
(President of the Court of Accounts,
Federal Republic of Germany)
External Auditor

REPORT OF THE EXTERNAL AUDITOR OF THE INTERNATIONAL ATOMIC ENERGY AGENCY TO THE TECHNICAL ASSISTANCE BOARD ON THE ACCOUNT OF THE EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE—STATUS OF FUNDS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY FOR THE YEAR ENDED 31 DECEMBER 1960

1. The Director-General of the International Atomic Energy Agency submitted the following financial statements for audit certification:

Expanded Programme of Technical Assistance

- A. Status of funds allocated to IAEA as at 31 December 1960
- B. Project costs for the period 1 January to 31 December 1960

2. The above mentioned statements are certified by me as being in accordance with the books and records

3. I have examined the transactions, accounts and inventories to the extent deemed necessary to satisfy myself as to the general state of the accounts and the accuracy of the financial statements submitted for audit certificates, and to report thereon to the Technical Assistance Board. All information required was provided and I now record my appreciation of the co-operation and assistance extended by the secretariat of the Agency

Vienna, 12 May 1961

(Signed) DR. GUIDO HERTEL
(President of the Court of Accounts
Federal Republic of Germany,
External Auditor)

ANNEX 10

Expanded Programme of Technical Assistance

CONSOLIDATED STATEMENT OF THE SPECIAL ACCOUNT FOR THE YEAR ENDED 31 DECEMBER 1960

(Expressed in United States dollars)

			\$
Balance as at 31 December 1959.....			11,246,514
Contributions pledged for 1960 less adjustments prior years' contributions and exchange adjustments upon receipt of contributions.....			33,258,289
Provision from United Nations budget.....			1,980,000
Subvention from Special Fund.....			150,000
Savings effected in 1959 in liquidating prior years' obligations.....			499,154
Miscellaneous income, exchange adjustments, etc. (net).....			395,498
Contributions of Governments towards living costs of experts.....			1,960,651
Contributions of Governments towards operating costs of TAB offices.....			600,441
			<u>50,090,547</u>
<i>Less:</i>			
Obligations incurred:			
IAEA.....	\$ 592,372	\$ —	592,372
United Nations.....	8,897,974	1,100,000	9,997,974
ILO.....	2,744,788	500,300	3,245,088
FAO.....	7,129,210	1,278,400	8,407,610
UNESCO.....	4,360,616	505,779	4,866,395
ICAO.....	1,287,187	184,122	1,471,309
WHO.....	4,819,213	724,000	5,543,213
ITU.....	61,152	54,000	115,152
WMO.....	—	55,868	55,868
	<u>29,892,512</u>	<u>4,402,469</u>	<u>34,294,981</u>
TAB secretariat.....			2,251,728
Operating costs of TAB offices paid by Governments.....			600,441
Total obligations incurred.....			<u>37,147,150</u>
Balance as at 31 December 1960.....			<u>12,943,397</u>
Represented by:			
Cash at banks, on hand and in transit.....			11,576,936
Investments.....			10,032,916
Accounts receivable, advances, deposits and services not yet used.....			3,829,649
Contributions pledged but not yet received.....			4,958,255
Contributions receivable from Governments towards local living costs of experts.....			1,601,740
			<u>31,999,496</u>
<i>Less:</i>			
Unliquidated 1960 obligations.....		4,704,024	
Unliquidated 1959 obligations.....		1,376,361	
Accounts payable and sundry credit balances.....		4,607,789	
Advance payments by and refunds due to Governments.....		8,367,925	19,056,099
			<u>12,943,397</u>

NOTE: The balance as at 31 December 1960 is made up as follows:

	\$
Unallocated funds on hand in the Special Account.....	975,146
Excess of participating organizations' allocations over obligations incurred.....	3,116,634
Saving in liquidating prior years' obligations and miscellaneous income less exchange adjustments.....	605,190
Working Capital and Reserve Fund.....	2,444,078
Contributions pledged but not yet received.....	4,958,255
Contributions receivable from Governments towards 1960 local living costs of experts.....	844,094
	<u>12,943,397</u>



Agenda item 59: Administrative and budgetary co-ordination of the United Nations with the specialized agencies and with the International Atomic Energy Agency: report of the Advisory Committee on Administrative and Budgetary Questions*

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* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 81st and 909th meetings; and *ibid.*, *Plenary Meetings*, 1086th meeting.

DOCUMENT A/5007

Report of the Advisory Committee on Administrative and Budgetary Questions

[*Original text: English*]
[4 December 1961]

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I. INTRODUCTION

1. In accordance with its terms of reference, the Advisory Committee on Administrative and Budgetary Questions has examined the administrative budgets or budget estimates for 1962 of the following specialized agencies, whose agreements with the United Nations provide for transmittal of their budgets for review by

the General Assembly:¹ International Labour Organisation (ILO); Food and Agriculture Organization of the United Nations (FAO); United Nations Educational,

¹ Under the relevant agreements with the United Nations, the International Bank for Reconstruction and Development and the International Monetary Fund are not required to transmit their budgets for examination by the United Nations.

Scientific and Cultural Organization (UNESCO); International Civil Aviation Organization (ICAO); Universal Postal Union (UPU); World Health Organization (WHO); International Telecommunication Union (ITU); World Meteorological Organization (WMO); Inter-Governmental Maritime Consultative Organization (IMCO).

2. The Advisory Committee has also examined the administrative budget of the International Atomic Energy Agency (IAEA) for 1962, which has been transmitted in accordance with article XVI, paragraph 3, of the relationship agreement between the Agency and the United Nations (General Assembly resolution 1145 (XII) annex).

3. The Advisory Committee offers, in paragraphs 5 to 37 below, comments on certain general questions related to the 1962 budgets of the several agencies. In addition, specific points arising in respect of the budgets of individual agencies are dealt with in subsequent paragraphs. A consolidated summary of appropriations or estimates by main heads of expenditure, compared with the corresponding figures for 1961, is also presented for each of the agencies.

4. In its consideration of these various matters, the Advisory Committee had the advantage, in the case of certain of the agencies, of the personal participation of their executive heads in its meetings. In some other cases, the Committee had an opportunity to discuss these questions with representatives of the executive heads. In the case of a few of the smaller agencies, the Committee's review has been based on an adequate submission of documentation.

II. PROGRAMME APPRAISALS AND CO-ORDINATION

5. In its 1960 report,² the Advisory Committee noted a number of major points which had emerged from the consolidated report³ presented by the Committee on Programme Appraisals in pursuance of Economic and Social Council resolutions 694 D (XXVI) and 743 D III (XXVIII). These points may be briefly restated as follows:

(a) The growing shift of emphasis to development and operational activities, not merely in the expansion of extra-budgetary operational programmes, but in the increasing proportion of regular budgets devoted to technical assistance and related projects;

(b) Greater decentralization of operations to the field;

(c) The need for strict priorities, in view of the magnitude of the needs of and the growing demands made upon inter-governmental organizations and the scarcity of resources available to them;

(d) The need for substantial improvement of the existing situation with regard to the co-ordination of programmes involved in economic and social projects undertaken within the United Nations family;

(e) The likelihood of increased regular budget provision for programmes;

(f) The increasing difficulty of finding suitably qualified and appropriate technical and expert personnel to deal with new operational tasks.

6. Recent experience has proved the validity of these findings which have been considered by the Ad-

visory Committee in a number of their aspects in the course of its work during 1961.

7. It will be recalled, in the first instance, that under Economic and Social Council resolution 794 (XXX) the Administrative Committee on Co-ordination (ACC) was requested to study the possible effects on the activities of the United Nations, the specialized agencies and IAEA of an increase in the operations of the Expanded Programme of Technical Assistance and the Special Fund in coming years, bearing in mind the need to ensure the co-ordinated development of these activities. By its resolution 1554 B (XV) the General Assembly invited the ACC to transmit the results of its study to the Advisory Committee for its comment from an administrative and budgetary point of view.

8. The Advisory Committee's report on the above mentioned issue was contained in document A/4788 and was duly considered by the Economic and Social Council at its thirty-second session. In its report, the Committee observed that the full impact of the increase in the programmes of the Expanded Programme and the Special Fund had not made itself evident. Initial strains were appearing, however, and it was indicated that adjustments would probably have to be made in the machinery developed over the past fifteen years if the shift in emphasis of programmes taken as a whole was to be carried out effectively. In this regard, the Advisory Committee pointed out that continuing attention in the ACC to the experience of each agency would be to the advantage of all and that particular care should be taken to ensure appropriate consultation on common problems and their solution. The Committee recommended, furthermore, that the Economic and Social Council should keep the central machinery for control and direction of the programmes under examination as the programmes developed.

9. In the same report, the Advisory Committee took the opportunity to re-emphasize the continued need for the establishment of priorities and the concentration of resources.

10. The Advisory Committee notes with interest from the report of the Economic and Social Council that the ACC has been requested to supplement its study in the light of further experience of the expansion of technical assistance programmes. In particular, it wished the ACC to give serious consideration to the cumulative effect on the organizations concerned of new projects undertaken by the Special Fund and of earlier projects now being carried out and suggested that in the study, the ACC might give special attention to the problems which might arise out of the relative shortage of experts.

11. The second major development noted in the appraisal report referred to in paragraph 5 above was the increasing measure of decentralization from headquarters to the field. This point was also raised in the ACC report dealt with in paragraph 8 above, it being stressed that action in this area should be carried out with attention to the problems of co-ordination at the regional, no less than at the headquarters, level. The decentralization of economic and social activities and the increased utilization of the services of the regional economic commissions have been the subject of a number of recent resolutions of the Economic and Social Council (resolutions 793 (XXX) and 823 (XXXII))

² *Official Records of the General Assembly, Fifteenth Session, Annexes*, agenda item 54, document A/4599, chapter II.

³ *Five-Year Perspective, 1960-1964*, United Nations publication, Sales No.: 60.IV.14.

⁴ *Official Records of the General Assembly, Sixteenth Session, Supplement No. 3*, para. 656.

and of the General Assembly (resolution 1518 (XV)). At its thirty-second session the Council considered a note by the Secretary-General on action taken pursuant to General Assembly resolution 1518 (XV).⁵ A similar report (A/4911)⁶ has been submitted to the sixteenth session of the General Assembly. The matter was also dealt with at length by the Committee of Experts appointed under General Assembly resolution 1446 (XIV) to assist in a review of the activities and organization of the United Nations Secretariat.⁷ The related comments by the Secretary-General were contained in paragraphs 41-47 of his report.⁸ The Advisory Committee has a particular interest in the development of the concept of decentralization, not only because of its administrative and budgetary implications, but because of the co-ordination aspect involved. In its report on the review of the activities and organization of the Secretariat,⁹ the Advisory Committee reserved its detailed comments until such time as the Secretary-General had submitted concrete proposals for implementation which have immediate financial and organizational implications. His later report on decentralization (A/4911) was considered by the Second Committee of the General Assembly in due course and a resolution calling for the urgent implementation of the policy of decentralization of economic and social activities was adopted by that Committee on 20 November 1961. In terms of this draft resolution, the Advisory Committee will be associated with the administrative steps to be taken and its observations on the subject will become available at the appropriate time. It has already had occasion to point out in paragraph 11 of its study of the possible effects on the activities of the United Nations, the specialized agencies and the International Atomic Energy Agency of an increase in the operations of the Expanded Programme of Technical Assistance and the Special Fund (A/4788), that the various aspects of decentralization of the programme activities will become more complicated as the programme expands and that this fact further emphasizes the need for careful planning of decentralization, in its organizational and administrative aspects, if the effectiveness of the activities is to be maintained, and the overhead costs restricted. The Committee also welcomes operative paragraph 2 of Economic and Social Council resolution 823 (XXXII) which confirms the understanding by the specialized agencies and IAEA that the agreements between members of the United Nations system apply in respect of relationships at the regional, no less than at the headquarters, level, and requests the Secretary-General and the executive heads to ensure close co-operation and co-ordination between their respective organizations at both these levels, taking full account of the functions of the regional economic commissions.

12. Two further main aspects dealt with in the appraisals report concerned the fundamental issues of priorities and co-ordination of programmes involving economic and social projects. The Advisory Committee has paid special attention, in this regard to chapter VIII of the most recent report of the Economic and Social

Council¹⁰ in which developments relating to questions of co-ordination and relations with specialized agencies are described. The Committee has also examined the various resolutions adopted by the Council at its thirty-second session which have a bearing on these issues.

13. In the first instance, the Advisory Committee notes with interest that the Council decided by resolution 842 (XXXII) to maintain for another year, with the same terms of reference and procedures as before, the *ad hoc* Working Group on Co-ordination set up under resolution 798 (XXX). This Group met prior to the thirty-second session in order to study the various reports referred to the Council and to prepare for it a concise statement of the issues and problems in the field of co-ordination which arose from those documents and which called for special attention by the Council. It would appear that the report of this Group proved to be of practical value to the Council in fulfilling its responsibilities in the field of co-ordination and that in the Council's view, prolongation of the experiment was therefore justified.

14. The Advisory Committee has also noted the decisions of the Council in resolution 843 A and B (XXXII) on the work of the ACC and commends the steps taken by the Council to enlist the assistance of the ACC in the field of co-ordination. The Advisory Committee would also endorse the Council's invitation to the Secretary-General and the executive heads of the agencies "to keep under review the arrangements for the work of the Administrative Committee on Co-ordination, and to take such further steps as seem necessary to ensure the effective discharge by the Administrative Committee on Co-ordination of its important responsibilities".

15. The Advisory Committee would point out the special significance of Council resolutions 837 to 841 (XXXII) which deal in concrete terms with an integrated approach and harmonious action by the United Nations and the agencies in a number of specific fields, including education and training.

16. On the subject of priorities, the Advisory Committee has been interested to observe that the Economic and Social Council was able to note with satisfaction¹¹ the action taken by some of the agencies in response to its resolution 801 (XXX), in which the Council had expressed the belief that the agencies would benefit by having an annual review of their work programme with a view to the most effective use of resources available through greater concentration of activities. The Council also stated that it looked forward to receiving at its thirty-fourth session a report by the Secretary-General on the review of the work programme of the United Nations similar to those prepared in the past in accordance with part I of Council resolution 742 (XXVIII).

III. AGENCY BUDGETS FOR 1962

17. The gross totals of the 1962 budgets or budget estimates of the several agencies and the United Nations are shown in the following table, together with the appropriation figures for 1961 and actual expenditure figures for each of the years 1957, 1958, 1959 and 1960.

⁵ *Official Records of the Economic and Social Council, Thirty-second Session, agenda item 6, document E/3522.*

⁶ *Official Records of the General Assembly, Sixteenth Session, Annexes, agenda items 12, 28, 29 and 30.*

⁷ *Ibid.*, agenda item 61, document A/4776, part V.

⁸ *Ibid.*, document A/4794.

⁹ *Ibid.*, document A/4901.

¹⁰ *Ibid.*, Sixteenth Session, Supplement No. 3.

¹¹ See *Official Records of the Economic and Social Council, Thirty-second Session, Annexes, agenda item 4, document E/3551.*

18. The 1962 appropriations or estimates¹² of the nine specialized agencies and of IAEA amount in the aggregate to some \$82.5 million (including generally the administrative and operational services costs of technical assistance) or about 12.1 per cent more than the corresponding 1961 appropriations. Thus, in descending order of absolute amounts, the increases relate to WHO (\$3,826,732, or 19.35 per cent), FAO (\$2,834,103, or 25.08 per cent), ILO (\$1,204,560, or 11.57 per cent), UNESCO (\$482,464, or 3.01 per cent), ITU (\$252,775, or 8.44 per cent), IMCO (\$182,600, or 63.29 per cent), UPU (\$179,141, or 21.61 per cent), IAEA (\$93,000 or 1.5 per cent),¹³ ICAO (\$44,367, or 0.91 per cent) and WMO (\$38,889, or 5.81 per cent).

¹² These will be subject to increases as a result of the decisions of the General Assembly at its current session to revise the base salary scales of the Professional staff in the common system and to increase the education grant.

¹³ "Regular" (i.e., administrative) budget only.

19. In respect of each agency, an indication of the main factors contributing to the increase (or decrease) in the 1962 budget, by comparison with 1961, is given under the respective agency headings in chapter XI of the present report.

20. The Advisory Committee has already commented in its report on the 1962 budget estimates of the United Nations¹⁴ on the increase in those estimates by comparison with the 1961 appropriations.

21. The table below shows that the total increase for the United Nations and the agencies between 1961 appropriations and 1962 appropriations or estimates is of the order of 9.62 per cent. A similar comparison with the last year for which actual expenses are known (1960) would show an increase of approximately 24.12 per cent.

¹⁴ Official Records of the General Assembly, Sixteenth Session, Supplement No. 7.

	1957 Actual expenses	1958 Actual expenses	1959 Actual expenses	1960 Actual expenses	1961 Appropriations	1962 Appropriations or estimates	1962 Increase by comparison with 1960	1962 Percentage increase by comparison with 1960	1962 Increase by comparison with 1961	1962 Percentage increase by comparison with 1961
	<i>United States dollars</i>								<i>US dollars</i>	
ILO ^a	7,705,989	8,521,136	9,096,049	9,583,933	10,414,278	11,618,838	2,034,905	21.23	1,204,560	11.57
FAO ^a	7,006,150	9,146,807	10,530,182	10,591,953	11,299,897	14,134,000 ^b	3,542,047	33.44	2,834,103	25.08
UNESCO ^a	10,612,728	12,316,482	12,590,916	13,507,868	16,015,382	16,497,846	2,989,978	22.13	482,464	3.01
ICAO	3,899,709	3,998,901	4,497,238	4,620,290	4,880,446	4,924,813	304,523	6.59	44,367	0.91
UPU	522,804	452,293	619,154	646,552	828,844	1,007,985	361,433	55.90	179,141	21.61
WHO ^a	12,091,421	13,960,820	15,378,981	17,121,583 ^c	19,780,448 ^c	23,607,180 ^c	6,485,597	37.88	3,826,732	19.35
ITU	1,470,639	1,889,811	2,695,818	2,313,270	2,993,251	3,246,026	932,756	40.32	252,775	8.44
WMO	418,054	441,074	502,432	655,105	671,379	710,268	55,163	8.42	38,889	5.81
IMCO	—	—	163,611	284,307	288,500	471,100	186,793	65.70	182,600	63.29
IAEA	—	3,867,786 ^d	4,494,610	5,158,145	6,168,000	6,261,000	1,102,855	21.38	93,000	1.50
Sub-total (specialized agencies and IAEA)	43,727,494	54,595,110	66,568,991	64,483,006	73,340,425	82,479,056	17,996,050	27.91	9,138,631	12.46
United Nations	53,172,964	62,505,546	61,946,442	65,772,849	74,147,300 ^e	79,206,340 ^e	13,433,491	20.42	5,059,040	6.82
GRAND TOTAL	96,900,458	117,100,656	122,515,433	130,255,855	147,487,725	161,685,396	31,429,541	24.12	14,197,671	9.62

Note: The following rates of exchange have been used in the above table: Canadian dollar at par; Swiss francs at Sw. fr. 4.28 = \$US 1.00 for 1957 and 1958, Sw. fr. 4.34 = \$US 1.00 for 1959, and Sw. fr. 4.30 = \$US 1.00 for subsequent years.

^a The 1961 and 1962 appropriations or estimates include administrative and operational services costs of technical assistance, with offsetting lump sum allocations from the Special Account of the Expanded Programme. The 1958, 1959 and 1960 figures have been adjusted, where necessary, to include similar costs of those years.

^b The 1962 figure represents a part of the Director-General's proposed biennial budget for 1962-1963.

^c Figures exclude undistributed reserves: \$1,195,060 for 1960; \$1,333,900 for 1961; \$1,683,140 for 1962.

^d Including \$507,706 in respect of the Preparatory Commission.

^e Including supplementary estimates approved in first reading as at 30 November 1961.

^f Total 1962 estimates approved in first reading as at 30 November 1961.

IV. ASSISTANCE TO NEWLY INDEPENDENT COUNTRIES

22. The needs of newly independent countries have continued to be the subject of special attention in the General Assembly and the Economic and Social Council. It may be recalled, for instance, that by resolution 1527 (XV) of 15 December, 1960, the General Assembly considered that the present level of technical assistance to the newly independent States was wholly inadequate on the basis of population and of needs and that their share of such aid would have to be more than doubled and perhaps tripled if this level were to be brought

roughly into line with that of other Member States at comparable stages of development. Furthermore, the Assembly recognized the urgent necessity of taking measures to strengthen and consolidate the economic independence of the new and emerging States. Accordingly the General Assembly urged, *inter alia*, a substantial increase in the assistance given to those States.

23. In conjunction with its review of the 1962 budgets of the specialized agencies, the Advisory Committee inquired into the steps, in financial terms, which those agencies have taken or propose to take, in their

regular budgets, towards meeting this special responsibility in their respective fields. The situation in terms of the regular budgets of the larger agencies may be outlined briefly as follows:

(a) ILO is providing expanded assistance to new countries, but this additional assistance is always carefully dovetailed into the general development plans of the countries concerned. Among the fields of assistance, the following may be singled out: manpower assessment, training (vocational and technical), co-operatives, small-scale industries, productivity, management development and labour administration. Many of the 1962 budget increases were designed specifically to respond to the needs of newly independent countries, especially in Africa. These needs were clearly expressed in the resolutions adopted by the first ILO African Regional Conference, which met in Lagos in December 1960. Thus, the larger estimates for Labour and Social Assistance and for the Workers' Education Programme were proposed with the needs of such countries particularly in mind and a Rural Development Programme was introduced, with high priority accorded to the problems of agriculture in Africa. The budget also contains provisions for: a Career Trainee Programme, which will be of considerable benefit to nationals of African countries; a second meeting of the African Advisory Committee; a second African Field Office to be established in East Africa; six new posts of national correspondent in African countries; and an increase in the credit for official missions, largely to meet the needs for exploratory and assistance missions in Africa.

(b) FAO has strengthened its regional offices in Africa through outposting additional subject-matter regional officers. It has made a survey of the possibilities of African rural development in relation to economic and social growth based on survey missions sent to the principal countries of Africa. It has also participated within its field of competence in general United Nations programmes of education and training in Africa. Reference may also be made to the FAO Special Programme of Education and Training in Africa for which a provision of \$825,000 has been requested (see paragraph 48 below).

(c) UNESCO: In view of the magnitude of the needs of newly developed countries, particularly in Africa, the Director-General proposed in an addendum to his original proposals for 1961-1962, a programme particularly directed to assist them, of the order of \$775,000. The admission to membership of a number of African States contributed to an acute awareness of the needs of Africa in the fields of education, science and culture. Consequently, the General Conference further increased the budget by \$1 million for a programme of education in Africa.

In recognition of the urgency of African countries' needs, the Conference decided to call a conference of African States, to be held in 1961 at Addis Ababa jointly with the Economic Commission for Africa. Furthermore, it set up an emergency fund for the development of education in Africa, to be financed by voluntary contributions from member States, to cover fields not covered by other sources of funds, viz.: construction of school buildings; production of teaching aids; provision of overseas teachers; and assessment of educational needs. The target for this emergency fund is of the order of \$4 million over the three-year period 1961-1963. Additional assistance to developing countries is

foreseen for other regions of the world as well, such as Asia and the Arab States.

(d) ICAO has received an increasing number of requests for assistance. Many of the new African countries have requested and have been granted fellowships, notably for the training in France of air-traffic controllers. These fellowships are financed mostly from the Working Capital and Reserve Fund of the Expanded Programme and should provide a useful long-term contribution to the development of the new countries.

(e) WHO has expanded its regional office at Brazzaville to cope with the considerably increased programme of assistance to the newly independent countries in Africa and, more generally, is assisting all new countries in developing their national health services.

(f) WMO has specifically requested its Secretary-General to carry out a survey of training needs in the newly independent countries. For that purpose, several tours in Africa have been planned by the Secretary-General and other high officials of WMO. WMO has already received a considerable number of requests for technical assistance projects, particularly for fellowships. Some of these projects have been included in the Supplementary Programme for Africa of the Expanded Programme of Technical Assistance and others are being financed from the Working Capital and Reserve Fund of the Expanded Programme. In addition, WMO is discharging an extremely important duty in ensuring the maintenance of the networks of meteorological stations in new countries.

(g) ITU has received large-scale requests for special assistance as almost all newly independent countries of Africa attach special importance to the improvement, expansion and modernization of their telecommunications networks. A high proportion of such requests is for the setting-up and equipment of training facilities or for fellowships.

(h) In 1961, IAEA sent a preliminary assistance mission to several African countries, including Ghana, Dahomey, Nigeria and Liberia. Provision for a similar mission to the countries of the African continent has been made in the 1962 budget as well as for visits by specialists to Africa in connexion with particular technical assistance projects. One of the Agency's mobile radio isotope laboratories will also be sent to Senegal, Tunisia and Morocco in 1962.

V. PARTICIPATION IN THE UNITED NATIONS OPERATIONS IN THE CONGO

24. As it did in 1960, the Advisory Committee has taken the opportunity of its review of the agency budgets to inquire into the nature and extent of the participation of the several specialized agencies in the United Nations operations in the Congo. It may be recalled here that the basic relationship agreement between the United Nations and each of the specialized agencies includes a provision rendering it obligatory for the agency to assist the Security Council, on request, in carrying out its decisions. In each case, the agreement also provides that consultation shall take place with a view to determining the most equitable manner in which the expenses of such assistance shall be borne. In the case of the Congo operation, the agreed procedure is that the United Nations reimburses the specialized agencies on the basis of their "extra costs" in respect of all seconded agency staff and technical assistance

experts employed by the agencies in posts approved by the United Nations.¹⁵

25. A brief outline of the measures taken by several of the specialized agencies is given below:

(a) ILO has detailed a Chief of Mission and an assistant from Geneva; in addition it has loaned some administrative and clerical staff to ONUC and the Deputy-Chief of Civilian Operations is an ILO staff member. At the request of the Congolese Government, ILO has provided experts for a number of specific tasks: surveys of the general labour situation and of the social security system, training of labour officials, assisting in the organization of the Ministry of Labour, determination of the needs of the vocational training programme. In addition, a certain number of fellowships were granted. Even more substantial long-term assistance will be provided to the Congo as and when requested and conditions permit.

(b) FAO has appointed a senior official as leader of its team in the Congo. There are now eight experts in the country; if conditions in rural areas become more normal, it is likely that their number will be increased. The experts are assigned to the following projects: animal disease control, e.g. rinderpest (two); organization of a training course for operators of agricultural machinery and of the Centre for the Training of Agricultural Assistants of the BDPA (*Bureau pour le développement de la production agricole*); marketing and export of agricultural commodities (two); co-operatives; forestry; agricultural economic advisory activities.

(c) UNESCO has provided sixty-four secondary school teachers and has assisted in the establishment of a national pedagogical institute for the training of secondary school teachers by providing nine members of the teaching, supervisory and technical staff, laboratory equipment and fifty fellowships for trainees. So far it has sent eighteen experts to advise the Central and provincial Ministries of Education on the operation and re-organization of the Ministries. With the assistance of these experts, a revision of the curriculum of general secondary education and of commercial schools has been initiated, a seminar for senior Congolese staff of the Central and provincial Ministries of Education was held in Leopoldville, and in-service training courses for inspectors, principals and teachers of primary schools were organized in Luluabourg (Kasai Province). It is expected that such in-service training courses will be organized in all the other provinces. A group of eight directors, assistant directors of education, and school inspectors are undergoing in Geneva a special seven-month training course organized with the collaboration of the International Bureau of Education and the Institute of Educational Sciences of the University of Geneva. Plans have been drawn up for the establishment of an institution for training vocational school teachers and for the extension of enrolment in general secondary schools.

Through the system of UNESCO coupons, UNESCO has made it possible for educational authorities and institutions in the Congo to purchase abroad about \$1 million worth of school textbooks and supplies and laboratory equipment, which would otherwise have been impossible for lack of foreign exchange. Finally, UNESCO action, in collaboration with the United

Nations in the Congo (ONUC) and other institutions, has contributed to the maintenance of the activities of the Institute of Scientific Research in Central Africa, located in the Congo, and of the Congo national parks.

(d) ICAO's assistance has been substantially increased along the lines indicated in 1960. ICAO has now dispatched some sixty officials, who are conducting operations in the principal airports of the Congo; these specialists are providing air traffic control and various ground services of a technical nature in the absence of competent local personnel. In addition, a school has been set up for the training of air-traffic controllers and ICAO extends advisory services to the Government within the framework of a long-range civil aviation programme.

(e) WHO is heavily involved in the Congo and had to reassign staff from a number of duty stations for that work as early as August 1960. In addition to taking emergency action when necessary, such as in the case of the recent outbreak of smallpox in Leopoldville and South Kasai, WHO has been working on long-term arrangements. Apart from providing the minimum health personnel to maintain essential health services of the country and a team of experts to advise the Government on the planning and organization of its health services, emphasis is being given to assistance in medical education and training. One of the most important of these medical education projects is that designed to increase the number of Congolese doctors. In this connexion, an agreement was concluded in 1960 with five universities in France for training sixty Congolese "assistants médicaux" (who already have four to six years of training) by means of a specially designed three-year course which will fully qualify them for the medical profession. It is hoped that, of the original group of sixty, at least fifty medical graduates will be sent back to the Congo in 1963. A second group of fifty-five is starting a three-year course this autumn and will graduate in 1964. The most serious problem—which also confronts other less-developed countries—is the lack of undergraduates interested in taking up medical studies. There were only twenty-four last year in the Congo.

(f) ITU has had to modify its original programme in view of the special circumstances in the Congo during late 1960 and early 1961. There are now twenty-one experts in the field, with eight under recruitment, and arrangements are being made for implementing the training programme; in addition, three Congolese fellows have been trained in Europe. Special efforts are being made with national administrations for taking groups of twenty or thirty fellows from the Congo for training. Language requirements make it especially difficult to recruit experts and place fellows. The Advisory Committee has been informed by ITU that the policy followed by the United Nations and the agencies in their assistance programmes in the Congo, in terms of which equipment is normally repaired but not replaced, can be a source of difficulties and waste; ITU would welcome some flexibility in the application of that rule at least in its own field of competence.

(g) WMO was requested at the outset to ensure the maintenance of the meteorological services at civil airports which are necessary to guarantee the safety of aircraft, because of the dangerous tropical conditions prevailing in the Congo. This work continues, but WMO is now concentrating more on training. The first Congolese fellows who studied abroad have returned to their country and have taken up their duties.

¹⁵ See *Official Records of the Security Council, Fifteenth Year, Supplement for July, August and September 1960*, document S/4417/Add.5.

In addition, a meteorological school was established at an early stage near Leopoldville, and a plan for the training of 150 meteorologists at Leopoldville and elsewhere in the Congo has recently been initiated. Such activities relate to the lower and medium grades of meteorologists. Training of the highest grade personnel (i.e. university-trained personnel) will, of necessity, be a longer project.

(h) IAEA has not as yet been active in the Congo although a training mission of four experts spent five days there in April 1960 and an international training course on the application of radio-isotopes to medicine was held in Leopoldville in May and June 1960. The Congo is now a member of the Agency and has stated its interest in receiving some assistance. The form and content of any Agency assistance to the nuclear centre at Lovanium University is at present under study.

VI. ADMINISTRATIVE AND OPERATIONAL SERVICES COSTS

26. In accordance with the relevant resolutions of the Economic and Social Council (resolutions 702 (XXVI) and 737 (XXVIII)), almost all the organizations participating in the Expanded Programme of Technical Assistance have consolidated in their regular budgets the administrative and operational costs related to their share of the Expanded Programme, with a lump sum allocation in each case from the Special Account of the Expanded Programme as an income in aid of the budget. Economic and Social Council resolution 737 (XXVIII) laid down that, barring substantial changes in the size of the Programme, the lump sum allocations for 1962 were to be in amounts equivalent to 12 per cent of 1959 project allocations including local costs assessments; in the case of certain organizations with small budgets this decision was subject to exceptional provisions. Since this arrangement covered only the period to 1962 inclusive, the Advisory Committee undertook to submit appropriate recommendations in this connexion in time for consideration by the Economic and Social Council at its thirty-second session in the summer of 1961. In its report on the allocation of administrative and operational services costs of technical assistance between the regular and Expanded Programme budgets¹⁶ the Committee expressed the view that a further interim solution was called for with respect to each of the two years of the next biennial period of the Expanded Programme, that is for 1963 and 1964, and that the annual allocation from the Special Account for administrative and operational services costs of the participating organizations should be made in the form of lump sum amounts which should be the equivalent of 11 per cent of half the approved 1961-1962 project costs including local costs assessments. The Advisory Committee added that this recommendation was made on the assumption that the Council might wish to maintain the provision for some measure of flexibility for organizations with small budgets or small allocations for Expanded Programme activities. Furthermore, the Advisory Committee reiterated the need for the Economic and Social Council to reaffirm the decision, contained in paragraph 5 of its resolution 737 (XXVIII), whereby any portion of funds allocated for administrative and operational services costs under the resolution, but not required by a participating organization for that purpose, should be taken into account in establishing the programme planning share of the organization concerned.

¹⁶ Document A/4774 (mimeographed).

27. The recommendations of the Advisory Committee were considered by the Economic and Social Council at its thirty-second session, and the Council's decisions are embodied in its resolution 855 (XXXII) of 4 August 1961, the operative paragraphs of which read as follows:

"The Economic and Social Council . . .

"1. Decides, as a further interim solution, that allocations from the Special Account towards the administrative and operational services costs of the participating organizations for 1963 and 1964 shall be made in the form of lump sum amounts which shall be the equivalent of 12 per cent of one half of the 1961-1962 project costs;

"2. Decides further that the provisions of paragraph 1 above shall apply with some measure of flexibility to the International Civil Aviation Organization, the International Telecommunication Union, the World Meteorological Organization and the International Atomic Energy Agency, and that these organizations and the Technical Assistance Board shall take this factor into account in preparing their request for allocations towards administrative and operational services costs;

"3. Decides that any portion of funds for administrative and operational service costs to which an organization is entitled, but which is not required by the organization for this purpose, shall be included in the planning reserve of the Executive Chairman of the Technical Assistance Board."

28. The Advisory Committee is not aware of the considerations which led the Economic and Social Council to adopt a 12 per cent formula rather than 11 per cent as recommended by the Advisory Committee. The Committee will continue in the future to devote attention to this subject in its annual examination of the budgets of the various specialized agencies and IAEA.

VII. PARTICIPATION IN SPECIAL FUND ACTIVITIES

29. The Advisory Committee submitted to the General Assembly at its fourteenth session a report¹⁷ on administrative and budgetary co-ordination between the United Nations and the specialized agencies, with particular reference to the Expanded Programme of Technical Assistance. In the course of this report, details were given of the degree of integration achieved by the agencies in respect of programmes undertaken under the Expanded Programme and under their regular budgets, respectively. In this context, the problem of integration was dealt with in three phases: the planning, review and approval stages, implementation at headquarters (i.e. the unification of the organizational arrangements) and implementation in the field.

30. Similarly, during the past few years, the Advisory Committee has kept under review the question of the internal arrangements that have been made in the specialized agencies with regard to their participation in the activities of the United Nations Special Fund. In general, it continues to be the case that none of the specialized agencies has established any special unit or made separate arrangements for this purpose; rather, as the Advisory Committee pointed out in 1960,¹⁸ these responsibilities have been integrated with

¹⁷ *Official Records of the General Assembly, Fourteenth Session, Annexes*, agenda item 49, document A/4172.

¹⁸ *Ibid.*, *Fifteenth Session, Annexes*, agenda item 54, document A/4599, para. 25.

the other operations in each agency with some strengthening of existing arrangements as and where necessary.

31. The basic principles embodied in General Assembly resolution 1240 (XIII) of 14 October 1958 envisage full use of the existing facilities of the United Nations, the specialized agencies and the Technical Assistance Board (TAB) in the evaluation and execution of Special Fund projects, it being understood that such facilities should be made available to the Special Fund without charge except where clearly identifiable additional expenses are involved. Having regard to this requirement, as well as to the probable level of overhead costs, the Special Fund makes a contribution in respect of each project to the executing agency concerned, as reimbursement towards the clearly identifiable administrative and operational services costs.¹⁹ The total of such contributions to an executing agency in respect of all its current Special Fund projects is negotiated with that agency, and is intended to be used to augment the facilities of the agency in support of these projects.

32. In practically all the specialized agencies to which one or more Special Fund projects have been assigned, it has been necessary to provide additional resources for the technical and administrative management and supervision of such projects. To the extent that such additional resources cannot be met from the related allocations from the Special Fund, appropriate provision has been included in the regular budgets of most of the agencies in question. It may be noted here that one agency, WHO, has so far not availed itself of any administrative allocations from the Special Fund in respect of the two projects for which it is the executing agency; this decision is, however, without prejudice to any further projects (for further comments on this point see paragraph 76 below).

VIII. ESTABLISHED POSTS, TEMPORARY ASSISTANCE AND CONSULTANTS

33. The number of established posts authorized or requested under the regular budgets for the three years 1960, 1961 and 1962 is given below

	1960	1961	1962	Percentage increase 1960-1962	Percentage increase 1961-1962
ILO ^a	1,077	1,075	1,137	5.6	5.8
FAO	1,452	1,472 ^b	1,695	16.7	15.1
UNESCO	1,054 ^c	1,154 ^d	1,150 ^d	9.1	(0.3)
ICAO	466	473	478	2.6	1.0

¹⁹ The *ad hoc* formula generally followed by the Special Fund for this purpose is to allocate the equivalent of 2 per cent of estimated equipment costs covered by the project and 10 per cent of other project costs. Whenever an executing agency employs contractual firms rather than individual experts, the level of reimbursement in respect of project costs other than for equipment would be less than 10 per cent.

	1960	1961	1962	Percentage increase 1960-1962	Percentage increase 1961-1962
UPU	43	43	43	—	—
WHO	1,543 ^a	1,617 ^b	1,645	6.6	1.7
ITU	273	344	345	26.4	0.3
WMO	77	79	79	2.6	—
IMCO	14	19	40	185.7	110.5
IAEA [†]	663	705	730	10.1	3.5
TOTAL, agencies	6,662	6,981	7,342	10.2	5.2
United Nations [‡]	4,329	4,410	4,481	3.5	1.6

^a Includes maintenance staff and officials employed in branch offices and as correspondents. Also includes Expanded Programme administrative posts.

^b Includes twenty new posts consisting of General Service local staff required for the new wing of FAO headquarters (maintenance personnel, elevator and telephone operators, guards and messengers).

^c For purposes of comparison with the following years, the 1960 total excludes thirty-seven maintenance posts transferred to Common services of the budget.

^d Includes twenty-two posts (2 per cent of the number of established posts proposed) to provide a margin for meeting programme requirements, in accordance with the appropriation resolution for 1961-1962.

^e The figures for 1960 and 1961 represent the number of authorized posts, as revised. For purposes of comparison, the 1960 total includes the posts financed from the Malaria Eradication Special Account integrated in the regular budget as from 1961.

[†] Includes staff in the Maintenance and Operatives Service, 106 posts in each of the respective years.

[‡] Includes the Registry of the International Court of Justice at The Hague, thirty posts in each of the respective years; excludes local staff at information centres and the regional economic commissions—Economic Commission for Africa (ECA), Economic Commission for Asia and the Far East (ECAFE) and the Economic Commission for Latin America (ECLA).

34. Total expenditure on salaries, wages and allowances is expected to increase from some \$92.4 million in 1961 to about \$98.4 million in 1962. The total costs of established posts are estimated at \$74.2 million, while temporary assistance, consultants and other salaries and wages account for some \$6 million. Staff allowances and other staff expenditures are estimated at \$18.2 million.

IX. COLLECTION OF CONTRIBUTIONS

35. The following table shows in respect of 1960 and 1961 the percentage of the current year's contributions to the regular budget collected at 30 June and 30 September, together with the total of contributions outstanding at the later date:

CONTRIBUTIONS TO REGULAR BUDGET

	Percentage of current year's contributions collected at				Total of all contributions outstanding at 30 September (regardless of year of account)	
	30 June		30 September		1960	1961
	1960	1961	1960	1961	1960	1961
	<i>United States dollars</i>					
ILO	45.53	42.13	72.85	73.68	2,438,079 ^a	2,976,355 ^a
FAO	69.22	61.35	91.86	93.82	2,418,640 ^b	2,222,428 ^b
UNESCO ^c	61.19	13.23	83.11	31.08	10,206,742 ^d	22,102,251 ^d
ICAO	67.65	71.46	91.53	91.39	798,575	751,429
UPU	60.53	62.92	80.62	75.24	141,907	188,937
WHO ^e	49.34	30.12	87.42	84.62	2,236,267	2,904,859
ITU	52.40	74.60	69.20	76.00	1,014,039	1,473,803
WMO	65.87	64.20	73.06	83.74	176,440	125,728
IMCO	60.51	69.09	84.37	87.07	45,737	41,714
IAEA	35.46	41.52	78.92	74.59	1,548,137	1,954,454
United Nations	29.81	34.19	76.24	68.19	17,212,656	26,043,995

^a Contributions outstanding from 1947 onwards, this being the year in which the ILO became responsible for the collection of its own contributions.

^b Including contributions outstanding from former members. Excluding such arrears, the amounts would be \$1,111,916 and \$915,704, respectively.

^c It should be noted that, in respect of UNESCO's regular budget, 1960 was the second year of the two-year financial

period 1959-1960.

^d Excluding: (i) Arrears of contributions due from Czechoslovakia, Hungary and Poland, payable in annual instalments; (ii) Arrears of adjusted contributions due from China, payable in annual instalments; (iii) Contributions from new member States.

^e Figures shown relate to assessments on active members; they exclude assessments on inactive members and China.

36. The scales of assessment according to which the net 1962 appropriations of the United Nations and the larger of the agencies are proposed to be apportioned among Member States are shown in the annex to the present report.

X. WORKING CAPITAL FUND

37. The amounts approved or proposed for the Working Capital Fund in respect of 1962 in the various organizations are shown in the following table:

	1962 gross budget	Working Capital Fund	Percentage of 1962 gross budget
	<i>United States dollars</i>		
ILO	11,618,838	2,750,000	23.7
FAO	14,134,000	1,900,000	13.5
UNESCO	16,497,846	3,000,000	18.2
ICAO	4,924,813	900,000 ^a	18.3
UPU	1,007,985	b	—
WHO	23,607,180	4,038,050 ^c	16.9
ITU	3,246,026	b	—
WMO	710,268	134,470	18.9
IMCO	471,100	100,000	21.2
IAEA	6,261,000	2,000,000	31.9
United Nations	73,533,500	25,000,000	34.0

^a The fixed level of ICAO's Working Capital Fund is \$900,000. Variations are due to new contracting States, and it is expected that periodical adjustments will be made by the ICAO Assembly to re-establish the level at \$900,000.

^b In the case of UPU, the working expenses of the International Bureau are advanced by the Swiss Government. Such advances must be repaid at the earliest possible date and any sums outstanding on 31 December of the year of account carry interest as from that date at 5 per cent per annum. A similar procedure applies also to ITU, where, however, the annual contributions for the budget are payable in advance and any sums outstanding on 1 January of the year of account carry interest as from that date at 3 per cent for the first six months and 6 per cent thereafter.

^c As at 30 September 1961.

XI. DETAILED COMMENTS ON 1962 BUDGETS OF AGENCIES

38. The Advisory Committee offers below comments on specific points in the 1962 budgets or estimates of the several agencies:

A. International Labour Organisation

	1961 ^a Appropriations	1962 ^a Appropriations
	<i>United States dollars</i>	
Personnel services	7,451,776	8,071,764
General services	2,362,886	2,646,074
Special projects and activities	553,000	845,000
Other budgetary provisions	46,616	56,000
	TOTAL (gross)	11,618,838
Less: Casual revenue	557,168	503,400
	TOTAL (net)	11,115,438

^a Amounts include administrative and operational services costs of technical assistance towards which lump sum allocations from the Special Account of the Expanded Programme of Technical Assistance are estimated at \$441,868 for 1961 and \$383,400 for 1962. These amounts are included in the corresponding figures shown for casual revenue.

39. The Advisory Committee had an opportunity to discuss the 1962 budget of the ILO and related matters with the Director-General of the International Labour Office and his representatives.

40. The gross budget for 1962 exceeds the corresponding 1961 appropriations by \$1,204,560 or 11.57 per cent. This increase is the net result of the following:

(a) An increase of \$932,149 in the ordinary budget covering the normal expenses of the organization (see paragraphs 41 and 42 below);

(b) An increase of \$201,350 in respect of pension contributions consequent on normal salary increments, the decision to change the basis of computing "pensionable remuneration" both for the United Nations Joint

Staff Pension Fund and the ILO Staff Pension Fund, the increase in General Service category salaries and the establishment of a substantial number of new posts;

(c) An increase of \$21,677 attributable to the increased cost of facilities in additional languages;

(d) An item of \$125,000 for a further contribution to the International Institute for Labour Studies (see paragraph 43 below); and

(e) A decrease of \$16,616 due to the fact that no provision for repayment of Working Capital Fund advances is needed for 1962.

41. Of the increase of \$932,149 under the ordinary budget, \$191,000 relates to operational activities, owing mainly to the development of the existing programmes (Labour and Social Assistance Programme, Workers' Education Programme and the Management Development Programme) and to the implementation in 1962 of the Rural Development Programme. The Advisory Committee is informed that the prospects of the Rural Development Programme are promising. For many years, the ILO was primarily concerned with industrial workers, but it is now becoming necessary to devote attention to agricultural workers who constitute the overwhelming majority of the labour force in most under-developed areas. The appropriation requested for 1962 (\$77,000) is intended to cover only the costs of setting up the programme and a larger credit will be needed in 1963 for the actual operational work.

42. A second major element of increase under the ordinary budget relates to salaries, wages and fees, which are estimated to cost some \$260,912 more in 1962 than in 1961. This increase comprises in the main: \$126,897 for fifty-five new posts, taking into account an average six months' delay in recruitment (the full annual cost of these posts would be \$253,794); \$29,298 resulting from normal statutory provisions; \$78,777 in respect of a revision of General Service salaries; and \$20,948 for duty station adjustments. Other significant increases in the ordinary budget include \$53,500 for travel and removal expenses, \$43,131 for common staff costs, \$120,667 for conferences, committees and other meetings, \$37,707 for branch offices and national correspondents, \$41,000 for the Internships and Career Trainee Programmes, \$74,129 under the item Property account and maintenance, and \$32,000 for furniture and equipment.

43. The Advisory Committee has inquired about the status of the International Institute for Labour Studies to which reference was made in its 1961 report.²⁰ It may be recalled that the 1961 budget included a credit of \$65,000 to provide for the expenses to be incurred between the time of the establishment of the Institute and the time when its activities could be financed by income from the Endowment Fund. It was hoped at the time that this might prove to be a one-time charge upon the regular budget of the ILO. It has appeared, however, that an additional grant from the regular budget will be necessary in 1962 since the Endowment Fund has not yet reached a sufficient level to cover the requirements of the Institute. A credit for a further contribution of \$125,000 has therefore been included in the 1962 budget. The Advisory Committee notes with interest that many contributions to the Endowment Fund are coming from less developed countries even though the ILO has made no special appeal for funds.

²⁰ Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 54, document A/4599, para. 52.

44. The Advisory Committee has noted that, of the twelve branch offices of the ILO four are located in Western Europe, a relatively short distance away from Geneva (Paris, London, Rome and Bonn), one in the USSR (Moscow), two in North America (Washington and Ottawa), two in South America (Rio de Janeiro and Buenos Aires), two in Asia (New Delhi and Tokyo) and one in Africa (Cairo). The expansion of ILO activities in the less developed countries and the general trend towards decentralization may possibly require the establishment of new branch offices in these countries and the Advisory Committee would assume that, if such offices are created, efforts will be made to effect offsetting savings on the existing branch offices.

B. Food and Agriculture Organization of the United Nations

	1961 ^a Appropriations United States dollars	1962 ^a Estimates
Personnel services	8,564,759	10,015,195
General services	2,358,817	3,232,305
Special projects and activities...	280,000	655,000
Other budgetary provisions....	96,321	231,500
TOTAL (gross)	11,299,897	14,134,000
Less: Casual revenue.....	1,356,162	1,255,000
TOTAL (net)	9,943,735	12,879,000

^a The 1961 figures correspond to the estimated distribution of the budget voted for the biennium 1960-1961. The 1962 figures represent a tentative distribution of the estimates submitted by the Director-General for the biennium 1962-1963. Amounts include administrative and operational services costs of technical assistance towards which lump sum allocations from the Special Account of the Expanded Programme of Technical Assistance are estimated at \$1,278,400 for 1961 and \$918,400 for 1962. These amounts are included in the figures shown for casual revenue under the respective years.

45. The Advisory Committee had an opportunity to discuss with the Assistant Director-General of FAO the budget estimates of that organization for the two-year period 1962-1963. The estimates for this period, including the administrative and operational services costs for technical assistance, total \$28,370,000, which represents an increase of \$6,478,150, or 29.5 per cent, over the revised 1960-1961 budget. The estimates will be submitted to the Conference in November 1961, but they have already been reviewed by the Programme and Finance Committees and by the Council of FAO. The only concrete proposal for reduction in the estimates relates to contingencies, for which the Finance Committee suggests an increase of \$100,000 instead of \$200,000 as requested by the Director-General.

46. The Advisory Committee was informed that the substantial increase in the budget is due to the fact that the previous biennium was a period of consolidation and austerity. The expanding membership of the organization and the change in the nature of its activities from studies and meetings to operational work are said to demand larger resources. Moreover, at present, FAO is executing agency for sixty-five Special Fund projects costing some \$50 million, or more than any other agency; this increasing operational activity requires a strengthening of administrative and supporting services.

47. The following elements are mainly responsible for the budgetary increase proposed for 1962-1963:

(a) Statutory increases (\$2,135,419): increments, post adjustments in the regions, increases in General Service salaries in the regions, maintenance and operating services costs;

(b) Increase in the Technical and Economic Departments (\$2,047,895) to strengthen the technical and economic programme, to take into account the greatly increased field programmes financed from Expanded Programme, United Nations Children's Fund and Special Fund projects (see paragraph 46 above), and to allow for additional posts for technical and economic staff in the regions;

(c) Regular Programme of Technical Assistance (\$400,000): this is the first technical assistance provision under the regular budget and will relate to short-term projects which cannot be included under the Expanded Programme (\$200,000 for additional fellowships, and \$200,000 for assistance to Governments in agricultural planning);

(d) Consequential increases (\$1,144,836) due to the necessity of strengthening supporting services required by expansion of operational programmes;

(e) Freedom-from-Hunger Campaign (\$775,000). This additional sum would bring budgetary appropriations to \$800,000 for central campaign costs during the biennium. It is hoped that voluntary contributions will provide at least another \$700,000. The Advisory Committee understands that voluntary contributions received from Governments amounted to approximately \$500,000 in 1960-1961;

(f) Contingencies (\$200,000): it appears that the contingency appropriation for the previous biennium had been fully spent or committed in the first year. The Finance Committee has recommended that the increase be limited to \$100,000.

48. In addition to the budget estimates, the Director-General intends to submit revised estimates of \$825,000 for the Special Programme of Education and Training in Africa and the Utilization of Food Surpluses Programme for 1962-1963. Furthermore, the increase in the General Service salary scale at Rome, approved by the Council in June 1961, is estimated to cost \$511,000.

49. The Director-General has indicated that the contribution made by the Special Fund to FAO for identifiable additional costs incurred in the implementation of its projects does not cover all the expenses involved. Considering that the regular programme of FAO should not suffer on that account, the FAO Council has accordingly requested the Director-General to carry out a survey to determine the amount of work—and thereby the cost—actually involved in implementing Special Fund projects. The Advisory Committee understands that the survey, which will take the form of a time and cost study, is now under way.

50. The Advisory Committee took note of the increase in staff proposed for 1962. The Committee understands that the expansion of the professional establishment has been submitted to and approved by the Programme Committee; the increase in General Service staff, being considered as consequential, has been approved by the Finance Committee. The Advisory Committee has some doubts as to the soundness of a procedure which gives full scope to the programming body to determine the relevant staffing requirements without ensuring that the legislative organ of the agency concerned has the benefit of a prior administrative and budgetary scrutiny by an appropriate body.

C. United Nations Educational, Scientific and Cultural Organization

	1961 Appropriations	1962 Appropriations
	United States dollars	
Personnel services	7,556,331	7,867,564
General services	3,995,437	3,872,084
Special projects and activities..	4,463,614	4,758,198
Other budgetary provisions....	—	—
	-----	-----
TOTAL (gross)	16,015,382	16,497,846
Less: Casual revenue.....	944,679 ^a	949,266 ^a
	-----	-----
TOTAL (net)	15,070,703	15,548,580

^a Includes contributions from the Expanded Programme of Technical Assistance (\$442,000) and from member States towards local costs (\$58,000) in each of the respective years.

51. The Advisory Committee had an opportunity to discuss the 1962 budget of UNESCO with representatives of the Director-General of that organization.

52. The eleventh session of the General Conference of UNESCO (November 1960) unanimously adopted a budget of \$32,513,228 for the financial period 1961-1962, of which \$16,497,846 is for 1962. Apart from the \$915,600 appropriation voted for the construction of a fourth building at UNESCO headquarters, the budgetary increase between 1959-1960 and 1961-1962 is \$5,627,165 or 21.66 per cent.

53. In view of the fact that 1962 is the second year of the biennium, the Advisory Committee will not repeat here the summary of the main features of the 1961-1962 budget or the general comments thereon which it presented in its report to the fifteenth session of the General Assembly.²¹

54. The Advisory Committee would first observe that the eleventh session of the General Conference of UNESCO increased the estimates submitted by the Director-General for 1961-1962 by over \$1 million. It understands that this sum is to be devoted to an expansion of the activities in favour of less developed countries, many of which—mostly from Africa—became members of UNESCO on the eve of the General Conference. Among other reasons cited for the considerable increase in the budget of the organization, the following can be singled out:

(a) An increase in the number and complexity of Expanded Programme and Special Fund projects being carried out by UNESCO;

(b) A general trend towards operational projects amounting to direct aid to member States for urgently needed work in the field of education;

(c) An increase for the Marine Sciences programme (\$400,000), to follow up the recommendations of the Inter-governmental Conference on Oceanographic Research, held at Copenhagen in July 1960.

(d) An increase (of the order of \$600,000) for the major project for the mutual appreciation of Eastern and Western cultural values (this does not receive any extra-budgetary funds);

(e) An increase (of some \$300,000) to reflect the growing emphasis placed on the development of information media, particularly for the developing countries.

55. The Committee was informed that the Director-General and the Executive Board were conscious of

²¹ *Ibid.*, paras. 59-62.

the need to maintain a reasonable balance between the activities which did not benefit from Expanded Programme and Special Fund allocations, and those which benefited considerably from them (e.g. the fields of natural sciences and education received a large share of Expanded Programme and Special Fund monies whereas cultural activities and the major project on cultural values received a small share of such extra-budgetary funds).

56. The Advisory Committee would call attention to the decrease of \$133,000 under the item "General Policy" which reflects determined efforts to reduce administrative documentation both for the General Conference and the Executive Board. These efforts are in conformity with the policy long advocated by the Advisory Committee to the effect that a possible savings should be sought in the administrative sector to offset, at least in part, the upward trend in operational expenses. Accordingly, the Advisory Committee would commend this example to the other agencies in the United Nations family.

57. Concerning the status of the Nubian Trust Fund,²² the Advisory Committee was informed that the total cost is estimated at some \$87 million between 1961 and 1967. Some \$35 million have been pledged by various countries, including \$20 million by the United Arab Republic; other countries have offered the services of archaeological and other experts. It appears that some work must be done urgently, no later than the beginning of 1962. Consequently, the Director-General has asked for emergency voluntary contributions from member States on the basis of the regular scale of assessments.

58. The Advisory Committee has inquired as to the circumstances under which UNESCO has decided that it needs a fourth building, only a few years after the completion of its headquarters. It was informed that over that period the membership of the organization increased from sixty to ninety-eight, with a parallel expansion of the work programmes especially in relation to its operational activities. In addition, Special Fund projects for which UNESCO is executing agency require some 120 additional staff at headquarters. While it was felt in some quarters that the headquarters buildings were too large at the time the original construction plans were approved, UNESCO is now faced with such acute problems of space that it has been compelled to rent outside office space. The Conference has therefore approved the construction of a fourth building and an underground garage for some 400 cars on the present headquarters site, at an estimated cost of \$3,535,000 to be budgeted over the next four financial periods.

D. International Civil Aviation Organization²³

	1961 Appropriations Canadian dollars	1962 Appropriations Canadian dollars
Personnel services	3,838,182	3,945,599
General services	1,018,363	955,313
Special projects and activities..	1	1

²² The eleventh session of the General Conference confirmed the decisions taken by the Executive Board to establish a trust fund from voluntary contributions for the safeguarding of Nubian monuments threatened by the construction of the new Aswan dam.

²³ All amounts relating to ICAO are given in Canadian dollars and may be compared with the United States dollar at par.

	1961 Appropriations Canadian dollars	1962 Appropriations
Other budgetary provisions. . .	23,900	23,900
TOTAL (GROSS)	4,880,446	4,924,813
Less: Casual revenue.....	823,446 ^a	841,813
TOTAL (net)	4,057,000	4,083,000

^a Including reimbursement for salaries and wages and other payroll items of personnel working at ICAO headquarters under the Expanded Programme of Technical Assistance: \$154,800 in 1961 and \$156,000 in 1962. To this limited extent, administrative and operational services costs are consolidated in the regular budget, against a credit from the Special Account; other such costs, covering equipment, travel and other general services items, are directly financed from the allocation from Expanded Programme funds.

59. The Advisory Committee had an opportunity to discuss the 1962 budget of ICAO and related matters with the Secretary-General of that organization.

60. The ICAO Assembly, at its twelfth session (San Diego, California, June-July 1959), approved budgets for the three years 1960, 1961 and 1962 in the following gross amounts in Canadian funds: \$4,665,514 for 1960, \$4,880,446 for 1961 and \$4,924,813 for 1962.

61. The net increase of \$44,367, or 0.9 per cent, in the 1962 budget by comparison with 1961 arises mainly as follows:

(a) Normal salary increments and increases in common staff costs, including Pension Fund contributions: \$76,000;

(b) Five additional General Service posts and other increases in personnel costs, principally for temporary assistance: \$31,000;

(c) Decreased home-leave costs as a result of lighter incidence of entitlement in the odd-years: decrease of \$75,000; and

(d) Increases in such items as travel to meetings and contractual services, partly offset by decreases in expenditures for equipment: \$12,000.

62. Under the authority given to it by the Assembly of ICAO, the Council has taken several decisions which, while not directly reflected in the budget amounts given above, have financial implications:

(a) To place Montreal in class 6 of the post adjustment schedule with effect from 1 May 1960 (\$35,000 for 1962);

(b) To grant a 5 per cent salary increase to staff in the General Service category in Montreal, effective 1 January 1960 (estimated at some \$40,000 for 1962, to be covered by savings within the approved appropriation);

(c) To engage staff to further the implementation of ICAO Assembly resolution A12-5 on the "Policy and Programme of ICAO for the Provision of Air Navigation Facilities and Services through the Application of Chapter XV of the Convention" (estimated at \$25,900 for 1962).

63. With reference to the satisfactory experience of ICAO as regards the collection of contributions, the Advisory Committee has been informed that ICAO has made special efforts in this respect through its regional offices and by means of personal visits by the Secretary-General to Governments of member States. In addition, the Advisory Committee understands that some eight member States have had their voting rights

suspended for non-payment of contributions at one time or another over the past fifteen years. At the present time, amounts in arrears are not significant.

64. The Advisory Committee has been informed that ICAO welcomes the favourable decision of the Economic and Social Council on a request submitted by that agency for an increase from 12 to 15 per cent of the proportion of technical assistance funds that may be used for regional and inter-regional projects. It appears that many projects of the kind undertaken by ICAO which would be wasteful if limited to one or two countries, can be more useful if their framework is broadened. Extremely urgent work must be performed in the new countries to ensure reasonable standards of security in air travel. For instance, ICAO has set up a centre for Latin America which will train specialists whose duty will be to test pilots, radio operators, mechanics, airworthiness inspectors, etc. A similar project is planned for the whole Middle East through the Special Fund, which has required ICAO to undertake a preliminary survey.

65. The Advisory Committee understands that it is the implicit policy of ICAO to hold the triennial sessions of its Assembly away from its Montreal headquarters (1953 in the United Kingdom, 1956 in Venezuela, 1959 in the United States of America). So far, the Governments of the host countries have made contributions which have covered all additional expenses. The fourteenth session of the Assembly will be held in Rome in 1962; the Advisory Committee has been informed, in this connexion, that the offer from the Italian Government is likely to keep the costs of that session at the Montreal level.

E. Universal Postal Union

	1961 Revised budget United States dollars ^a	1962 Estimates ^a
Personnel services	340,468	369,073
General services	415,120	583,028
Special projects and activities..	73,256	55,884
Other budgetary provisions....	—	—
TOTAL (gross)	828,844	1,007,985
Less: Casual revenue.....	101,396	84,885
TOTAL (net)	727,448	923,100

^a Converted from Swiss francs at Sw. frs. 4.30 = \$US 1.00.

66. The following observations are based on a study of official documentation supporting the 1962 budget estimates of UPU.

67. The budget estimates for 1962, which amount to 4,334,300 Swiss francs (\$1,007,985), represent an increase of 770,300 Swiss francs (\$179,141) or 21.61 per cent over the revised budget for 1961, which is the net result of the following:

(a) Increase of 123,000 Swiss francs (\$28,605) under the heading "Personnel services" because besides regular salary increments, the salaries of staff members of the International Bureau of the Union have been aligned with those of the ITU staff, the financial implications of this action being as follows:

(i) Introduction of a post adjustment for unclassified staff members and staff members in the first, second and third classes;

(ii) Introduction of a dependent spouse allowance;

(iii) Increase in the children's allowance from 600 to 1,290 Swiss francs (\$139 to \$300) for unclassified staff members and staff members in the first, second and third classes, and from 600 to 720 Swiss francs (\$139 to \$167) for staff members in the fourth to the tenth classes;

(iv) Introduction of an education grant.

(b) Increase of 722,000 Swiss francs (\$167,908) for General Services, mainly due to costs connected with the arrangements for the Fifteenth Universal Postal Congress which will open at New Delhi on 1 March 1963;²⁴

(c) Decrease of 74,700 Swiss francs (\$17,372) for "Special projects and activities" because the number of publications will have to be reduced in view of the preparatory work for the abovementioned Universal Postal Congress.

68. The estimate of 365,000 Swiss francs (\$84,885) in respect of casual revenue mainly represents repayment by the postal Administrations of the cost of the interpretation services to be provided at the 1962 session of the Executive and Liaison Committee and at the abovementioned Congress.

69. No change is proposed for 1962 in the number of regular staff (forty-three) of the International Bureau of the Union.

F. World Health Organization

	1961 Appropriations ^a United States dollars	1962 Appropriations ^a
Personnel services	11,944,643	12,835,197
General services	4,826,070	5,395,855
Special projects and activities..	2,467,735	2,904,128
Other budgetary provisions....	542,000 ^b	2,472,000 ^c
TOTAL (gross)	19,780,448	23,607,180
Less: Casual revenue.....	2,193,828	1,142,000
TOTAL (net)	17,586,620	22,465,180

^a Amounts include administrative and operational services costs of technical assistance, towards which lump sum allocations from the Expanded Programme Special Account are estimated at \$683,000 for 1961 and \$642,000 for 1962. These amounts are included in the corresponding figures shown for casual revenue.

^b Includes \$42,000 for contingencies and \$500,000 for the Headquarters Building Fund.

^c Includes \$100,000 for contingencies; \$75,000 for Research Training; \$2,000,000 for contribution to Malaria Eradication Special Account; and \$297,000 for the Headquarters Building Fund.

70. The Advisory Committee had an opportunity to discuss the 1962 budget of WHO and related matters with representatives of the Director-General of that organization.

71. The effective working budget proposed by the Director-General for 1962 amounted to \$20,852,000, representing an increase of \$1,876,646 (9.89 per cent) over that approved for 1961. Following consideration of these estimates by the Executive Board, the Fourteenth World Health Assembly approved an effective working budget of \$23,607,180 to include provision for

²⁴ These estimates were based on the assumption that the Fifteenth Universal Postal Congress would meet in the latter part of October 1962. However, it was subsequently decided to postpone the opening of the Congress until March 1963. The amount of the increase mentioned in sub-paragraph (b) will therefore be very considerably reduced.

various additional requirements, after taking account of a reduction of \$203,000 in the amount of the credit to the Headquarters Building Fund following the decision of the General Assembly of the United Nations to reimburse to WHO the book value of WHO's investment in the Palais des Nations (General Assembly resolution 1589 (XV)). The total of \$23,607,180 represents an increase of \$3,826,732, or 19.35 per cent over the approved level for 1961.

72. The increase is due mainly to a decision of the Fourteenth World Health Assembly, as a result of insufficient voluntary contributions to the Malaria Eradication Special Account, to incorporate in the regular budget the costs of the malaria eradication field programme, by stages over a three-year period. Thus for 1962, the contribution to the Malaria Eradication Special Account is \$2,000,000.

73. The balance of the increase in the budget, apart from the reduction of \$203,000 in the provision for the Headquarters Building Fund as compared with 1961, is made up of the following:

(a) Part I: Organizational Meetings: \$66,070;

(b) Part II: Operating Programme: \$1,867,816 comprising:

(i) \$437,651 for headquarters activities (contractual, technical and editorial services, seven new posts, research training, and miscellaneous minor items);

(ii) \$857,406 for field activities (\$744,312 for projects and \$113,094 for regional advisers);

(iii) \$191,264 for regional offices, partly due to the inclusion in the 1962 budget of a provision for the operational services costs of the Malaria Eradication Programme);

(iv) \$381,495 for other statutory staff costs;

(c) Part III: Administrative Services: \$95,846.

74. Concerning the Malaria Eradication Programme, the Advisory Committee was informed that the Fourteenth World Health Assembly urged that voluntary contributions be continued to be made to the Special Account, first, to safeguard the financing of the programme pending its full cost being incorporated in the regular budget and, secondly, to provide additional resources to enable more rapid and broader prosecution of the programme.

75. The Advisory Committee was also informed that, following its suggestion, the Thirteenth World Health Assembly consolidated all special accounts into the Voluntary Fund for Health Promotion (resolution WHA13.24) which includes a number of sub-accounts financed from voluntary contributions, e.g., for smallpox eradication, medical research, community water supply, etc.

76. While WHO does not intend to avail itself of the Special Fund allocations for administrative and operational services costs in 1962, the Advisory Committee understands that this is because WHO is executing agency for two projects only. Moreover, WHO has indicated that this does not prejudice its position as regards other projects. In any event, WHO has stressed that the 15 per cent allocation bears little relationship to actual costs according to its own experience, which indicates, for instance, that procurement of medical equipment demands a very considerable amount of administrative work.

77. Concerning the new headquarters building of WHO, the Advisory Committee was informed that the plans are still on the drawing board, but that tenders are expected to be released in October. Ground should be broken before March 1962, and the work completed by the summer of 1964.

78. The Advisory Committee notes that several members of the Executive Board of WHO doubt the usefulness of devoting too much money and energy to co-ordination activities at the headquarters level; in their opinion, co-ordination, to be effective, should take place near, or at, the line of action, i.e. at the country level. While recognizing the need for co-ordination in programme planning, they believe that the countries themselves are best able to judge priorities and express their needs. The Executive Board plans to submit a report on this matter to the Fifteenth World Health Assembly (May 1962).

G. International Telecommunication Union

	1961 Revised Appropriations	1962 Estimates
United States dollars		
Personnel services	2,341,255	2,600,081
General services	641,547	638,163
Special projects and activities ..	—	—
Other budgetary provisions ..	10,449	7,782
	2,993,251	3,246,026
Less: Casual revenue ..	144,001	125,700
	2,849,250	3,120,326

79. The Advisory Committee had an opportunity to discuss the 1962 budget of ITU and related matters with the Secretary-General of the Union and his representatives.

80. The Administrative Council of ITU, in May-June 1961, approved a consolidated budget for the Union in respect of 1962 in the amount of \$3,246,026 and a supplementary publications budget of \$253,151.

81. As regards the consolidated budget, covering the former categories of "ordinary" and "extraordinary" expenses,²⁵ the increase of some \$250,000, or 8.4 per cent, by comparison with 1961, arises mainly under the heading "Staff expenditures" as follows:

(a) Salary increases for the General Service category from 1 May 1961;

(b) Increase in the pensionable remuneration from 1 April 1961;

(c) Change in the rate of the education grant as from the school year 1961/1962;

(d) Large increase (from 273 to 344) in permanent posts during 1961.

82. Expenditure under the heading of "General services" shows a decrease of \$3,384. However, in 1961 the budget contained a non-recurrent credit for expenditure in connexion with the installation of Union services in the new building (\$151,163). In fact, there-

²⁵ The "ordinary" budget covered the normal expenses of the secretariats of the permanent organs and the General Secretariat, the "extraordinary" budget covered expenditures relating to meetings of the various bodies of the Union. The former was assessed on all members and associate members, but the latter expenses were met, in respect of each conference or meeting, only by the participants involved.

fore, a number of increases have occurred under this heading, including increased costs of occupation of the new building (now planned for the end of 1961), and increased credits for home leave and mission expenses.

83. The Advisory Committee understands that, despite the fact that ITU is made up of four specialized bodies (i.e., the General Secretariat, the International Frequency Registration Board, the International Radio Consultative Committee and the International Telegraph and Telephone Consultative Committee whose senior officials are elected by separate groups of sovereign States at different times, great progress has been made in the field of administrative and financial co-ordination which is now the responsibility of the General Secretariat. However, constitutional considerations preclude total unification on the technical level.

84. In view of the fact that a budgetary ceiling is set for five years by the Plenipotentiary Conference, that this ceiling can be changed only under exceptional circumstances with the agreement of member States secured through a referendum and that the next Plenipotentiary Conference will not take place before 1965 for the hundredth anniversary of the Union, ITU is at present faced with an acute problem. For instance, space communications, specifically allocation of radio frequencies for communication satellites, require urgent attention. Consequently, ITU has invited the United States of America, the Union of Soviet Socialist Republics and any other interested Governments, at their own expense, to send experts to prepare a 1963 conference on space communications. The Advisory Committee would observe that this is an interesting precedent, that might commend itself to other agencies in similar circumstances.

85. The Advisory Committee on Administrative and Budgetary Questions carried out a study on the organization of ITU at ITU headquarters in Geneva in 1959. The results of this study were forwarded to the Plenipotentiary Conference, 1959, which by its resolution No. 6, invited the Administrative Council to take the necessary steps to have the organization of the secretariats examined, with the co-operation of the Secretary-General, by impartial experts, with a view to ascertaining what reforms, within the framework of the Convention, were desirable. Pursuant to this resolution, an outside firm of management experts was commissioned to undertake a survey on the rationalization of the working methods of the four specialized secretariats of ITU. Following a thorough review of the report of the management experts, the Administrative Council has decided to accept certain of their recommendations, and in particular those proposing the re-distribution of several established posts amongst the organs and the centralization of certain activities such as the library, archives and dispatch services. Alterations in working methods and techniques have been decided upon, particularly in the translation and typing pool services. Some of the experts' proposals approved by the Administrative Council have been put into effect and others will be put into effect in the months ahead.

H. World Meteorological Organization

	1961 Appropriations United States dollars	1962 Appropriations United States dollars
Personnel services	450,106	462,179
General services	194,173	216,589
Special projects and activities..	23,100 ^a	19,500 ^c

	1961 Appropriations United States dollars	1962 Appropriations United States dollars
Other budgetary provisions....	4,000	12,000
TOTAL (gross)	671,379	710,268
Less: Casual revenue.....	2,500 ^b	2,500 ^b
TOTAL (net)	668,879	707,768

- ^a Includes \$20,000 for technical assistance activities.
- ^b Starting with 1960, all revenue from the sale of publications is credited to a separate publications fund in order to finance a larger publications programme.
- ^c Includes \$13,000 for technical assistance activities.

86. The Advisory Committee had an opportunity to discuss the 1962 budget of WMO with the Secretary-General of that organization.

87. The Third World Meteorological Congress, held in Geneva in April 1959, approved a maximum expenditure of \$2,694,484 for the third financial period of the organization, 1 January 1960 to 31 December 1963, and authorized the Executive Committee to incur additional expenditure to meet increases in staff salaries and allowances, and also to incur further additional expenditure up to \$100,000 on agreement by members of the organization.

88. The budget for 1962, the third year of the third financial period, was adopted by the Executive Committee in a total amount of \$710,268, which compares with an appropriation of \$671,379 for 1961. The increase of some \$39,000, or 5.8 per cent, is mainly the result of:

- (a) An increase of \$15,000 due to the larger number of meetings planned for 1962;
- (b) An increase of some \$13,500 due to normal salary increments;
- (c) An increase of some \$4,000 under the heading of "General services" for the preparation of the Fourth World Meteorological Congress in 1963;
- (d) A balance of some \$6,000, being the net result of miscellaneous increases and reductions.

89. As regards the experience of WMO with a four-year budgetary cycle, the Advisory Committee has been informed that this system offers many advantages in that member States know what their obligations will be over a number of years; there are, however, disadvantages in that it may not always be possible to foresee several years ahead the responsibilities which will fall on the organization as a result of rapid developments in the science and applications of meteorology and the requirements of the newly independent States.

90. The Advisory Committee would call attention to the fact that the budget of WMO has increased very little over the years because that agency has a different system for dealing with technical work. WMO, like its predecessor, the International Meteorological Organization, depends on national meteorological organizations. The Secretariat for the main part plays the role of co-ordinator and catalyst; the technical work is done by technical commissions and working groups for specific subjects each of which is comprised of experts nominated by national organizations. Thus, the services of the most competent experts in the world are made available to WMO at little or no expense to itself, since even travel expenses are often paid for by member States. For instance, a working group of four outstand-

ing experts (including specialists from the United States of America and the USSR) has been constituted for the study of meteorological satellites; recently, a working group on water resources, comprising some of the best experts in the world, worked for WMO without remuneration. The Advisory Committee sees merit in this procedure.

91. Equally noteworthy is the fact that the publication of the International Geophysical Year (IGY) and International Geographic Co-operation (IGC) meteorological data is being carried out on a self-financing basis. In this respect, the Advisory Committee understands that the success of this project is due, above all, to a thorough preparation which can be summed up as follows:

(a) Careful study of financial obligations involved (e.g. cost accounting for alternative methods of publication, determination of sale price, etc.);

(b) Detailed inquiry concerning the potential and actual demand;

(c) Requests to Governments and other interested parties to place firm orders and pay in advance.

In view of the remarkable success achieved by WMO in the field of publications where other organizations in the United Nations family have experienced substantial losses, the Advisory Committee would invite all organizations to consider the possibility of adopting similar methods before embarking on any new large-scale publication programme.

I. Inter-Governmental Maritime Consultative Organization

	1961 Appropriations	1962 Appropriations
	United States dollars	
Personnel services	200,100	335,900
General services	88,600	133,850
Special projects and activities	—	—
Other budgetary provisions	—	1,350
TOTAL (GROSS)	288,700	471,100
Less: Casual revenue	500	4,850
TOTAL (NET)	288,200	466,250

92. The Inter-Governmental Maritime Consultative Organization, which came into being in 1959, operates on the basis of financial periods, each of two calendar years. The IMCO Assembly, at its second session (London, April 1961) authorized a maximum expenditure of \$892,350 for the second financial period (1962-1963), and appropriated \$471,100 for 1962 and \$421,250 for 1963.

93. In addition, however, the Secretary-General of IMCO is authorized, for the second financial period and with the prior concurrence of the Council, to transfer credits between sections of the budget for a calendar year and to carry forward uncommitted balances of appropriations from one calendar year to the ensuing calendar year.

94. The increase in the budget from 1961 to 1962 (\$182,600) is substantial (63.3 per cent), but this is mainly due to the need for strengthening the manning table. It should be recalled that, during its first financial period, IMCO, as a new organization, had a very limited establishment (e.g. five Professional posts) which, in fact, made it impossible to make as much

progress as the Council and the Secretary-General would have wished in implementing the work programme laid down by the first Assembly. Moreover in view of the additional functions set out in the expanded work programme it had just approved, the Assembly accepted the Council's recommendation for an enlarged manning table (twelve Professional and twenty-five General Service posts) for the second financial period 1962-1963. The Assembly also gave approval for the recruitment of necessary staff during the year 1961 in order that the expanded work programme could be put in hand as quickly as possible. It was also agreed that the amount of the Working Capital Fund should be raised from \$50,000 to \$100,000.

95. In accordance with Economic and Social Council resolution 791 (XXX), the Assembly of IMCO gave consideration to, and took note of, the consolidated report of the Committee on Programme Appraisals.²⁶ Also in compliance with this resolution, the Secretary-General included in paragraph 20 of the annual report of IMCO²⁷ a statement of the predominating trends in the work programme of IMCO for the period up to the end of 1963 and its relationship to the activities of the United Nations and other specialized agencies, which may be summarized as follows:

(a) The activities of IMCO are primarily in the technical field.

(b) In view of the steady progress and maritime technical development, it is probable that the work programme approved by the Assembly will extend beyond the actual period (i.e. 1962/1963) for which it was drawn up, with the possible exception of problems concerning prevention of pollution of the sea by oil, since preparations for the proposed conference will have been concluded by the beginning of the financial year 1962. New duties may, however, devolve on the organization as a result of this conference.

(c) During the years 1962/1963, IMCO will not directly undertake any of the tasks which would normally fall to specialized agencies participating in the Expanded Programme of Technical Assistance, though the organization will, as far as possible, advise the United Nations bodies concerned on any maritime projects submitted to them. The possibility of fuller participation in the work of technical assistance will be reviewed at a later date, in the light of the information and experience gained during the two years in question.

(d) The budget has been drawn up so as to ensure that the numerous tasks already being undertaken by the organization are fulfilled satisfactorily and without engaging on work of a marginal character already dealt with by other organizations, whether part of the United Nations system or not.

J. International Atomic Energy Agency

	1961 Appropriations	1962 Appropriations
	United States dollars	
Personnel services	3,960,000	4,055,000
General services	796,000	650,500
Special projects and activities	1,412,000	1,555,500

²⁶ *Five-Year Perspective 1960-1964*, United Nations publication, Sales No.: 60.IV.14.

²⁷ Document E/3496 (mimeographed).

	1961 Appropriations United States dollars	1962 Appropriations
Other budgetary provisions....	—	—
TOTAL (gross)	6,168,000	6,261,000
Less: Casual revenue.....	^a	100,000 ^b
TOTAL (net)	6,168,000	6,161,000

^a Income from the sale of publications and from sale or rental of visual media will be credited to a Publications Revolving Fund until the Fund exceeds \$50,000. The relatively small amounts of other miscellaneous income are retained as part of the regular funds of the Agency until surrendered to member States as part of the cash surplus, if any.

^b In the 1962 budget, the estimate for income from investments and miscellaneous income has been used as an offsetting factor from the gross budget of \$6,261,000 thus reducing the total assessments of member States by \$100,000 to \$6,161,000.

96. The Advisory Committee had an opportunity to discuss the 1962 budget of IAEA and related matters with representatives of the Director-General of the Agency.

97. In addition to the regular budget shown above, which is assessed against all member States, IAEA has an "operational budget" which is not appropriated, but is set in the form of a target for voluntary contributions to carry out various operational activities. For 1962, the target for the operational budget has been set at \$2,055,000, as compared with \$1,800,000 for 1961. The Advisory Committee was informed that, while the response of member States has been rather disappointing (in 1959, 79 per cent of the target had been reached, in 1960 only 55 per cent and in 1961, 70 per cent), it is hoped that some improvement will take place in 1962 to enable the Agency to carry out its operational programme to a greater extent than in previous years.

98. The programme of work approved for 1962 is basically a continuation, with some shifts of emphasis, of the programme embodied in previous budgets. An increase is provided for the Agency's programme of research contracts which is, however, expected to reach a stage of consolidation in 1962. The programmes of panels and committees, seminars, symposia and conferences and the publication and distribution of scientific information will increase only slightly in 1962. A diminished level of activity is anticipated in the programme of dispatching special missions to member States, since a substantial number of the member States have already been provided with such services.

99. The approved regular budget for 1962 in the amount of \$6,261,000 is \$93,000, or 1.5 per cent, higher than that for 1961. However, taking into account a provision of \$187,000 for non-recurring expenditure in 1961, the increase in 1962 amounts to \$280,000 or 4.7 per cent arising mainly as follows:

(a) Additional provision of some \$147,500 in respect of programme activities, reflecting the net effect of the shifts of emphasis outlined in the preceding paragraph;

(b) Increase of \$220,500 in the costs of the Secretariat (salaries and wages, \$96,000; common staff costs, \$81,000; official travel of staff, \$43,500);

(c) Decrease of \$181,000 in respect of the costs of the General Conference and the Board of Governors due to:

(i) The fact that the 1961 figure included a one-time expenditure of \$93,000 for equipping and furnishing a new board room;

(ii) A reduction in the amount of documentation needed, in particular for the meetings of the Board of Governors and its committees;

(d) A net decrease of \$94,000 in common services, supplies and equipment essentially attributable to non-recurring expenditures in 1961.

100. The Advisory Committee would draw attention to the operational budget which, it may be recalled, includes all operational activities which, under the Agency's Statute, cannot be funded by the regular budget. Consequently the implementation of the operational programme depends on voluntary contributions by member States. The Advisory Committee has been informed that it is becoming increasingly apparent that this system of voluntary contributions is not satisfactory and that some members of IAEA therefore favour amendment of the Statute of the Agency in order to bring a larger part of the operational activities under the regular budget.²⁸ It would appear in this regard that the demarcation line between administrative and operational expenses is not rigidly defined and that the Statute may be a little unclear on this point, leaving the decision in some measure to the General Conference. There might be advantage, in the Advisory Committee's opinion, in a review of the whole problem and especially of any possible overlapping between the two programmes.

101. The Advisory Committee commented in 1960²⁹ on the difficulties experienced by IAEA in recruiting qualified scientific and technical staff. It is pleased to note that this situation has been greatly improved and that there are now only ten positions in the Professional category under the regular budget which are not filled by staff members holding either permanent, fixed-term or temporary assistance contracts.

102. The Advisory Committee also notes that IAEA will continue in 1962 to absorb in its regular budget the administrative costs of its Expanded Programme activities and that the estimated amount to be allocated by the Technical Assistance Board for administrative costs has been incorporated in the programme estimates and will be utilized to provide additional assistance to member States.

²⁸ As an interim measure, the General Conference adopted a resolution (GC (V)/RES/100) inviting economically developed member States "to make voluntary contributions to the General Fund for 1962 and succeeding years in amounts that are at least the same percentages of the target for each year as are their assessed contributions to the Regular Budget". The resolution also invites other member States to make each year at least a token contribution to that Fund.

²⁹ *Official Records of the General Assembly, Fifteenth Session, Annexes, agenda item 54, document A/4599, paras. 105 and 106.*

ANNEX

SCALES OF ASSESSMENTS: UNITED NATIONS AND LARGER AGENCIES (1962)

Members*	United Nations (Per cent)	ILO (Per cent)	FAO (Per cent)	UNESCO (Per cent)	ICAO (Per cent)	WHO (Per cent)	IAEA (Per cent)
Afghanistan	0.05	0.12	0.07	0.06	0.13	0.06	0.05
Albania	0.14	0.12	—	0.04	—	0.04	0.04
Argentina	1.01	1.42	1.35	1.07	1.20	1.00	1.02
Australia	1.16	1.86	2.22	1.73	2.50	1.62	1.65
Austria	0.45	0.35	0.60	0.42	0.41	0.39	0.40
Belgium	1.70	1.38	1.61	1.26	1.63	1.18	1.20
Bolivia	0.04	0.12	0.04	0.04	0.13	0.04	—
Brazil	1.03	1.38	1.38	0.99	1.68	0.92	0.94
British Guiana	—	—	0.024 ^b	—	—	—	—
Bulgaria	0.20	0.19	—	0.15	—	0.14	0.15
Burma	0.07	0.14	0.09	0.08	0.13	0.07	0.07
Byelorussian Soviet Socialist Republic	0.52	0.45	—	0.45	—	0.42	0.43
Cambodia	0.04	—	0.04	0.04	0.13	0.04	0.04
Cameroun	0.04	0.12	0.04	0.04	—	0.04	—
Canada	3.12	3.40	4.18	3.01	4.70	2.82	2.87
Central African Republic	0.04	0.12	0.04	0.04	—	0.04	—
Ceylon	0.07	0.12	0.12	0.10	0.13	0.09	0.09
Chad	0.04	0.12	0.04	0.04	—	0.04	—
Chile	0.23	0.34	0.35	0.26	0.39	0.24	0.25
China	4.57	2.04	—	2.50	0.67	4.54	4.62
Colombia	0.23	0.38	0.35	0.30	0.62	0.28	0.29
Congo (Brazzaville)	0.04	0.12	0.04	0.04	—	0.04	—
Congo (Leopoldville)	0.07	0.12	0.09	0.04	—	—	(0.04)
Costa Rica	0.04	0.12	0.04	0.04	0.13	0.04	—
Cuba	0.22	0.30	0.30	0.24	0.41	0.23	0.23
Cyprus	0.04	0.12	0.04	—	—	0.04	—
Czechoslovakia	1.17	0.92	—	0.84	0.85	0.79	0.80
Dahomey	0.04	0.12	0.04	0.04	—	0.04	—
Denmark	0.50	0.73	0.78	0.58	0.93	0.54	0.55
Dominican Republic	0.04	0.12	0.07	0.05	0.13	0.05	0.05
Ecuador	0.06	0.12	0.08	0.06	0.13	0.06	0.05
El Salvador	0.04	0.12	0.04	0.05	0.13	0.05	0.05
Ethiopia	0.04	0.12	0.07	0.06	0.13	0.06	0.05
Federation of Malaya	0.13	0.21	0.17	0.16	0.16	0.15	—
Federation of Rhodesia and Nyasaland	—	—	0.09 ^b	—	—	0.02	—
Finland	0.37	0.30	0.50	0.35	0.42	0.32	0.33
France	5.94	6.10	7.96	6.19	7.83	5.80	5.90
Gabon	0.04	0.12	0.04	0.04	—	0.04	—
Germany (Federal Republic of)	—	4.34	7.64	5.16	5.17	4.83	4.91
Ghana	0.09	0.12	0.12	0.07	0.13	0.06	0.06
Greece	0.23	0.21	0.31	0.22	0.27	0.21	0.21
Guatemala	0.05	0.12	0.07	0.05	0.13	0.05	0.05
Guinea	0.04	0.12	0.04	0.04	0.13	0.04	—
Haiti	0.04	0.12	0.04	0.04	0.13	0.04	0.04
Holy See	—	—	—	—	—	—	0.04
Honduras	0.04	0.12	0.04	0.04	0.13	0.04	0.04
Hungary	0.56	0.42	—	0.41	—	0.38	0.39
Iceland	0.04	0.12	0.04	—	0.13	0.04	0.04
India	2.03	3.07	2.72	2.38	2.56	2.23	2.27
Indonesia	0.45	0.43	0.60	0.45	0.52	0.42	0.43
Iran	0.20	0.28	0.27	0.20	0.21	0.19	0.19
Iraq	0.09	0.12	0.12	0.09	0.13	0.08	0.08
Ireland	0.14	0.24	0.19	—	0.24	0.14	—
Israel	0.15	0.12	0.20	0.13	0.23	0.13	0.13
Italy	2.24	2.37	3.00	2.18	2.43	2.04	2.07

ANNEX (continued)

Members ^a	United Nations (Per cent)	ILO (Per cent)	FAO (Per cent)	UNESCO (Per cent)	ICAO (Per cent)	WHO (Per cent)	IAEA (Per cent)
Ivory Coast	0.04	0.12	0.04	0.06	—	0.06	—
Jamaica	—	—	0.024 ^b	—	—	—	—
Japan	2.27	2.00	3.04	2.12	2.22	1.98	2.02
Jordan	0.04	0.12	0.04	0.04	0.13	0.04	—
Korea (Republic of)	—	—	0.25	0.20	0.19	0.19	0.19
Kuwait	—	0.12	0.04	0.06	—	0.04	—
Laos	0.04	—	0.04	0.04	0.13	0.04	—
Lebanon	0.05	0.12	0.07	0.05	0.21	0.05	0.05
Liberia	0.04	0.12	0.04	0.04	0.13	0.04	—
Libya	0.04	0.12	0.04	0.04	0.13	0.04	—
Luxembourg	0.05	0.12	0.07	0.06	0.13	0.06	0.05
Madagascar	0.04	0.12	0.04	0.06	—	0.06	—
Mali	0.04	0.12	0.04	0.04	—	0.04	0.04
Mauritania	—	—	0.04	—	—	0.04 ^c	—
Mauritius	—	—	0.024 ^b	—	—	—	—
Mexico	0.74	0.76	0.99	0.69	1.34	0.64	0.65
Monaco	—	—	—	0.04	—	0.04	0.04
Mongolia	—	—	—	—	—	—	—
Morocco	0.14	0.14	0.19	0.13	0.22	0.13	0.13
Nepal	0.04	—	0.04	0.04	—	0.04	—
Netherlands	1.01	1.16	1.35	0.98	2.51	0.91	0.93
New Zealand	0.41	0.48	0.55	0.41	0.51	0.38	0.39
Nicaragua	0.04	0.12	0.04	0.04	0.13	0.04	0.04
Niger	0.04	0.12	0.04	0.04	—	0.04	—
Nigeria	0.21	0.21	0.28	0.20	—	0.19	—
Norway	0.45	0.52	0.60	0.47	0.83	0.44	0.45
Pakistan	0.42	0.62	0.56	0.39	0.48	0.36	0.37
Panama	0.04	0.12	0.04	0.04	—	0.04	—
Paraguay	0.04	0.12	0.04	0.04	0.13	0.04	0.04
Peru	0.10	0.18	0.13	0.11	0.14	0.10	0.10
Philippines	0.40	0.37	0.54	0.42	0.44	0.39	0.40
Poland	1.28	1.24	1.72	1.32	1.22	1.24	1.26
Portugal	0.16	0.28	0.21	—	0.23	0.18	0.18
Romania	0.32	0.45	0.43	0.33	—	0.31	0.31
Ruanda Urundi	—	—	—	—	—	0.02 ^c	—
Saudi Arabia	0.07	—	0.09	0.06	—	0.06	—
Senegal	0.05	0.12	0.07	0.06	—	0.06	0.05
Sierra Leone	—	0.12	0.04	—	—	0.02 ^d	—
Somalia	0.04	0.12	0.04	0.04	—	0.04	—
South Africa	0.53	0.80	0.71	—	0.71	0.51	0.52
Spain	0.86	1.08	1.15	0.90	1.02	0.84	0.86
Sudan	0.07	0.12	0.09	0.06	0.13	0.06	0.05
Sweden	1.30	1.63	1.74	1.34	1.82	1.26	1.28
Switzerland	—	1.30	1.27	0.94	1.53	0.88	0.89
Syria	—	—	—	—	—	—	—
Tanganyika	—	—	0.024 ^b	—	—	0.02 ^c	—
Thailand	0.16	0.20	0.21	0.15	0.21	0.14	0.15
Togo	0.04	0.12	0.04	0.04	—	0.04	—
Tunisia	0.05	0.12	0.07	0.05	0.13	0.05	0.05
Turkey	0.40	0.72	0.54	0.57	0.56	0.53	0.54
Ukrainian Soviet Socialist Republic	1.98	1.00	—	1.74	—	1.63	1.66
Union of Soviet Socialist Republics	14.97	10.00	—	13.18	—	12.34	12.54
United Arab Republic ^e	0.30	0.51	0.40	0.31	0.33	0.29	0.30
United Kingdom of Great Britain and Northern Ireland	7.58	9.42	10.15	7.53	9.88	7.05	7.17
United States of America	32.02	25.00	32.02	31.46	32.95	31.71	32.27
Upper Volta	0.04	0.12	0.04	0.04	—	0.04	—

ANNEX (continued)

Members ^a	United Nations (Per cent)	ILO (Per cent)	FAO (Per cent)	UNESCO (Per cent)	ICAO (Per cent)	WHO (Per cent)	IAEA (Per cent)
Uruguay	0.1	0.17	0.15	0.12	0.13	0.11	—
Venezuela	0.2	0.50	0.70	0.48	0.69	0.45	0.46
Viet-Nam (Republic of)	—	0.21	0.21	0.19	0.22	0.18	0.18
Yemen	0.14	—	0.04	—	—	0.04	—
Yugoslavia	0.8	0.40	0.51	0.34	—	0.32	0.32

^a A dash (—) against a State indicates that it is not a member of the organization in question, or that its assessment has not been determined.

^b Associate member; contribution accruing to Miscellaneous Income.

^c Assessment outside the 100 per cent scale.

^d The assessment of Sierra Leone is based on associate membership. This country has since become a member of the World Health Organization and its revised assessment will be determined by the Fifteenth World Health Assembly.

^e Including Syria.

DOCUMENT A/C.5/871

Information annex to the budget estimates for the financial year 1962

Note by the Secretary-General

[Original text: English]
[26 July 1961]

1. This information annex to the budget estimates for 1962, submitted pursuant to regulation 3.3 of the Financial Regulations, contains data on the 1962 budgets of the United Nations, nine specialized agencies, and the International Atomic Energy Agency with comparative information for previous years.³⁰

2. The specialized agencies for which information is included in this annex are:

- The International Labour Organization;
- The Food and Agriculture Organization of the United Nations;
- The United Nations Educational, Scientific and Cultural Organization;
- The International Civil Aviation Organization;
- The Universal Postal Union;
- The World Health Organization;
- The International Telecommunication Union;
- The World Meteorological Organization; and
- The Inter-Governmental Maritime Consultative Organization.

³⁰ The following rates of exchange, when appropriate, have been used: Canadian dollar at par; Swiss francs 4.30 = \$US 1.00.

The relevant data for the International Atomic Energy Agency have been transmitted for the information of the General Assembly in accordance with article XVI, paragraph 3, of the agreement governing the relationship between the Agency and the United Nations (resolution 1145 (XII) and annex). The International Bank for Reconstruction and Development and the International Monetary Fund, under the terms of their relationship agreements, do not submit similar data to the United Nations.

3. The attached tables analyse the budget appropriations, or estimates, under the following headings:

Table A. Summary of 1962 and 1961 budget appropriations, or estimates, and 1960 expenditure.

Table B. Summary of budget appropriations, or estimates, by standard objects of expenditure, 1961 and 1962.

Table C. Established posts:

Schedule 1. Total established posts for 1960, 1961 and 1962.

Schedule 2. Total established posts for 1962 by location.

TABLE A
Summary of 1962 and 1961 budget appropriations, or estimates, and 1960 expenditure

Organisation	Gross	1962			1961			1960		
		Revenue	Net	Gross	Revenue	Net	Gross	Revenue	Net	
<i>United States dollars</i>										
United Nations ^a	73,533,500	5,348,500	68,185,000	72,969,300	5,531,530	67,437,770	65,772,849 ^b	6,372,023 ^b	59,400,826 ^b	
International Labour Organisation	11,618,838	503,400 ^e	11,115,438	10,414,278	557,168	9,857,110	9,583,933	621,997	8,961,936	
Food and Agriculture Organization of the United Nations	14,134,000 ^d	1,255,000 ^e	12,879,000	11,299,897 ^f g	1,356,162 ^g e	9,943,735 ^g	10,591,953	1,729,688 ^e	8,862,265	
United Nations Educational, Scientific and Cultural Organization	16,497,846	949,266	15,548,580	16,015,382	944,679	15,070,703	13,507,868	1,029,290	12,478,578	
International Civil Aviation Organization...	4,924,813	841,813	4,083,000	4,880,446	823,446	4,057,000	4,620,290	898,882	3,721,408	
Universal Postal Union	1,007,985	84,885	923,100	828,844 ^h	101,396	727,448 ^h	646,552	36,417	610,135	
World Health Organization ⁱ	23,607,180	1,142,000	22,465,180	19,780,448	2,193,828	17,586,620	17,121,583 ^j	1,224,000	15,897,583 ^j	
International Telecommunication Union....	3,246,024	125,700 ^k	3,120,324	2,993,249	144,000 ^k	2,849,249 ^l	2,315,269	148,125 ^k	2,167,144	
World Meteorological Organization.....	710,268 ^m	2,500	707,768 ^m	671,379	2,500	668,879	655,105	2,500	652,605	
Inter-Governmental Maritime Consultative Organization	471,100	4,850	466,250	288,500	500	288,000	284,307 ⁿ	2,797	281,510	
International Atomic Energy Agency.....	9,311,218 ^p	3,150,218 ^o	6,161,000 ^p	9,095,996	2,927,996 ^o	6,168,000	7,303,909	2,145,764 ^o	5,158,145	
TOTALS	159,062,772	13,408,132	145,654,640	149,237,719	14,583,205	134,654,514	132,403,618	14,211,483	118,192,135	

United Nations:

^a The figures exclude revenue derived from assessment on staff salaries and allowances (1962: \$7,400,000; 1961: \$6,730,000; 1960: \$6,501,117).

^b For comparative purposes the 1960 expenditure and income figures have been increased by \$508,668, costs of established posts charged against revenue in that year. Since 1 January 1961 these costs have been included in the regular budget.

International Labour Organisation:

^c Including revenue amounting to \$383,400 from the Expanded Programme of Technical Assistance Special Account.

Food and Agriculture Organization of the United Nations:

^d The 1962 part of the Director-General's proposed biennial budget for 1962-1963.

^e Includes lump sum allocation from the Special Account of the Expanded Programme of Technical Assistance estimates (1962: \$918,400 and \$1,278,400 for 1960 and 1961).

^f Includes \$355,000 withdrawn from the Working Capital Fund.

^g The 1961 figures represent the balance of the 1960-1961 biennial appropriations (and of the revenue estimate), after deduction of the 1960 actual expenditure.

Universal Postal Union:

^h Figure of revised budget.

World Health Organization:

ⁱ Excluding undistributed reserves: 1962: \$1,683,140; 1961: \$1,333,900; 1960: \$1,195,060.

^j For purposes of comparison the administrative and operational services costs of the Malaria Eradication Programme have been included in the 1960 figure. As from 1961 these costs have been merged with the estimates under the regular budget.

International Telecommunication Union:

^k Includes contributions toward administrative expenses (i) from the Expanded Programme of Technical Assistance (1962: \$86,500; 1961: \$86,046; 1960: \$54,424) and (ii) from the Special Fund (1962: \$39,200; 1961: \$29,600; 1960: \$6,056).

^l Figures of revised budget.

World Meteorological Organization:

^m Includes supplementary estimates for 1961 relating to the increase in basic salaries and allowances for the WMO establishment, in alignment with the United Nations 1961 approved salary scheme (resolution 24 (EC-XIII)).

Inter-Governmental Maritime Consultative Organization:

ⁿ A transfer to 1960 of uncommitted balances of 1959 appropriations amounting to \$73,889 was allowed, thus increasing the 1960 gross appropriations in the same amount.

International Atomic Energy Agency:

^o Includes voluntary contributions from member States and contributions from the Expanded Programme of Technical Assistance Special Account.

^p Estimate, subject to approval by the General Conference of the International Atomic Energy Agency.

Summary of budget appropriations, or estimates,

(Amount

Objects of expenditure	United Nations		ILO		FAO		UNESCO		ICAO	
	1961 Appropriations	1962 Estimates	1961 Appropriations	1962 Appropriations	1961 ^c Appropriations	1962 ^c Estimates	1961 Appropriations	1962 Appropriations	1961 Appropriations	1962 Appropriations
GROUP I. PERSONNEL SERVICES										
<i>Salaries and wages</i>										
Established posts	35,593,300 ¹	36,915,500	5,411,195	5,735,938	6,457,841	7,470,400	6,012,032	6,131,685	3,093,772	3,17
Temporary assistance	1,473,400 ¹	1,752,400	251,995	262,796	263,220	268,760	114,681	226,909	111,520	12
Casual labour	—	—	101,194	113,214	—	—	—	—	—	—
Overtime and night differential	437,300 ¹	427,000	15,520	15,702	41,149	39,610	17,700	29,700	36,760	31
Commutation of annual leave	233,900 ¹	272,200	—	—	50,000	50,000	30,000	30,000	20,000	21
Consultant's fees	518,500 ^{1a}	594,000 ^a	167,787	169,178	204,314 ^b	238,200 ^b	54,290	41,035	12,000	11
	<u>38,256,400¹</u>	<u>39,961,100</u>	<u>5,947,691</u>	<u>6,296,828</u>	<u>7,016,524</u>	<u>8,066,970</u>	<u>6,228,703</u>	<u>6,459,329</u>	<u>3,274,052</u>	<u>3,371</u>
<i>Staff allowances</i>										
Dependency allowances, education grants and related travel	2,159,500 ¹	2,207,000	407,741	430,763	442,770	541,250	350,608	354,182	180,900	182
Contributions Joint Staff Pension Fund	4,010,200 ¹	4,158,000	863,783	1,065,920	906,095	1,081,485	693,581	705,167	316,740	324
Contributions medical and other social insurance	436,800 ¹	481,000	54,468	59,220	72,920	109,440	106,110	107,626	30,190	30
Installation allowances, separation payments and repatriation grants	962,100 ¹	1,072,400	140,020	173,500	84,650	167,550	129,229	144,420	20,000	20
Reimbursement of national income taxation	—	—	—	—	41,800	48,500	24,500	24,500	3,400	3
Other	167,000 ¹	239,500	38,073	45,533	—	—	23,600 ^d	72,340 ^d	12,900	12
	<u>7,735,600</u>	<u>8,157,900</u>	<u>1,504,085</u>	<u>1,774,936</u>	<u>1,548,235</u>	<u>1,948,225</u>	<u>1,327,628</u>	<u>1,408,235</u>	<u>564,130</u>	<u>574</u>
TOTALS, GROUP I	<u>45,992,000</u>	<u>48,119,000</u>	<u>7,451,776</u>	<u>8,071,764</u>	<u>8,564,759</u>	<u>10,015,195</u>	<u>7,556,331</u>	<u>7,867,564</u>	<u>3,838,182</u>	<u>3,945</u>
GROUP II. GENERAL SERVICES										
<i>Travel and transportation</i>										
Travel on official business										
Members	1,079,400	1,074,700	541,960	656,027	39,681	29,000	459,779	484,310	—	—
Staff	980,800	914,700	160,486	173,066	675,540	774,080	329,563	361,974	213,720	232
Consultants	—	—	—	—	35,000	52,900	134,744	101,845	—	—
Travel on home leave	1,314,600	1,533,000	268,000	239,000	261,300	292,350	175,000	178,755	171,000	95
Travel and removal expenses of staff and dependants	862,500	975,200	127,100	172,500	85,900	359,300	141,000	157,000	29,500	29
Other	11,000	11,000	—	—	—	—	—	—	—	—
	<u>4,248,300</u>	<u>4,503,600</u>	<u>1,097,546</u>	<u>1,242,593</u>	<u>1,097,321</u>	<u>1,507,630</u>	<u>1,240,086</u>	<u>1,283,884</u>	<u>414,220</u>	<u>357</u>
<i>Contractual and other services</i>										
Printing	1,268,500	1,224,800	490,593	508,821	249,627	273,020	415,645	409,865	68,000	68
All other	5,860,800	6,252,300	450,599	532,548	837,738	1,024,815	1,618,173 ^e	1,661,729 ^e	416,943	426
	<u>7,129,300</u>	<u>7,477,100</u>	<u>941,192</u>	<u>1,041,369</u>	<u>1,087,365</u>	<u>1,297,835</u>	<u>2,033,818</u>	<u>2,071,594</u>	<u>484,943</u>	<u>494</u>
<i>Supplies and materials</i>	992,300	1,082,300	106,168	108,831	92,005	204,255	323,355	306,589	31,300	31
<i>Property and equipment</i>	4,289,300	4,491,500	217,980	253,281	82,126	222,585	398,178	210,017	87,900	71
TOTALS, GROUP II	<u>16,659,200</u>	<u>17,559,500</u>	<u>2,362,886</u>	<u>2,646,074</u>	<u>2,358,817</u>	<u>3,232,305</u>	<u>3,995,437</u>	<u>3,872,084</u>	<u>1,018,363</u>	<u>955</u>
GROUP III. SPECIAL PROJECTS AND ACTIVITIES										
Missions	2,848,800	2,540,900	—	—	—	—	1,016,878	1,256,010	—	—
Grants-in-aid	3,955,000	3,955,000	—	—	—	—	783,000	753,500	—	—
Scholarships-fellowships	61,000	51,000	16,000	57,000	—	55,000	881,116	1,100,685	—	—
Other	697,600 ^b	492,300 ^b	537,000	788,000	280,000 ¹	600,000 ¹	1,782,620 ¹	1,648,003 ¹	—	1
TOTALS, GROUP III	<u>9,562,400</u>	<u>7,039,200</u>	<u>553,000</u>	<u>845,000</u>	<u>280,000</u>	<u>655,000</u>	<u>4,463,614</u>	<u>4,758,198</u>	<u>—</u>	<u>1</u>
GROUP III (A). INTERNATIONAL COURT OF JUSTICE										
	755,700	815,800	—	—	—	—	—	—	—	—

lard objects of expenditure, 1961 and 1962

(in United States dollars)

1961 Appropriations	UPU		WHO		ITU		WMO		IMCO		IAEA		TOTALS	
	1961 Appropriations	1962 Estimates	1961 Estimates	1962 Estimates	1961 ^x Appropriations	1962 Estimates	1961 Appropriations	1962 ^{na} Appropriations	1961 Appropriations	1962 Appropriations	1961 Appropriations	1962 Estimates	1961	1962
1,142,396	271,351 ^o	8,792,678	9,454,278	1,676,039	1,760,755	334,784	342,580	125,000	166,150	2,700,500 ^{ff}	2,757,000 ^{ff}	70,445,283	74,178,337	
	33,721	140,880	159,950	124,920 [*]	272,232 [*]	13,647	14,555	46,000	102,100	187,000 ^{hh}	168,000 ^{hh}	2,758,659	3,388,113	
	582			10,698	1,977	2,000	2,000	500	750	30,000	30,000	101,194	113,214	
		319,350	398,980	11,628	3,488					21,160	25,000	355,060	397,200	
										60,000	60,000	1,347,869	1,516,881	
2,305	305,654	9,252,908	10,013,208	1,823,285	2,038,452	350,431	359,135	171,500	269,000	2,998,660	3,040,000	75,602,459	80,180,786	
5,907	13,326	552,758	535,906	172,442	207,303	37,369	30,356	3,500	14,350	187,000	198,000	4,500,495	4,715,336	
		876,147	941,632	262,546	286,721	45,278	52,239	11,000	24,900	221,000	250,000	8,206,370	8,890,941	
5,977	48,837	180,366	191,818	31,674	39,860	13,528	14,054	2,000	4,600	41,000	48,000	1,016,033	1,134,867	
5,047	1,256	957,867	1,028,914	28,198	5,628	1,000	4,120	6,000	19,050	294,840	263,000	2,628,951	2,899,838	
		88,097	87,219								24,000	133,297	163,119	
232		36,500 ^a	36,500 ^a	23,109	22,116	2,500	2,275	6,500	4,000	6,500	15,000	341,414	474,664	
3,163	63,419	2,691,735	2,821,989	517,969	561,628	99,675	103,044	29,000	66,900	750,340	798,000	16,826,560	18,278,765	
3,468	369,073	11,944,643	12,835,197	2,341,254	2,600,080	450,106	462,179	200,500	335,900	3,749,000	3,838,000	92,429,019	98,459,551	
7,210	25,582	298,850	283,900	42,093	47,442					1,000	1,000	2,489,973	2,601,961	
9,536	144,885	1,044,123	1,135,597	54,966	84,860	32,453	40,744	8,000	20,000	132,500	180,000	3,701,687	4,064,496	
		500,748	598,710						2,050	30,000	30,000	700,492	785,505	
9,302	11,628	487,195	624,385	46,465	110,722	8,570	4,250	11,000	10,000	59,000	89,000	2,811,332	3,188,690	
4,651	2,325	264,174	245,168	28,792	22,558	3,500	11,780	5,000	10,000	122,000	98,000	1,674,117	2,083,331	
				488	488	26,000 ^{hh}	30,000					37,488	41,488	
0,699	184,420	2,595,090	2,887,760	172,804	266,070	70,523	86,774	24,000	42,050	344,500	398,000	11,415,089	12,765,471	
0,001	161,164	314,166 ^r	349,479 ^r	32,558	21,628	41,000	42,000	18,000	20,200	206,500 ^{ll}	208,000 ^{ll}	3,254,590	3,286,977	
3,489	156,978	1,214,213	1,378,213	26,627	24,186	24,050	25,750	20,000	12,500	1,097,000 ^{ll}	1,265,000 ^{ll}	11,679,632	12,760,692	
3,490	318,142	1,528,379	1,727,692	59,185	45,814	65,050	67,750	38,000	32,700	1,303,500	1,473,000	14,934,222	16,047,669	
2,791	24,419	449,320 ^a	514,131 ^a	350,255	263,837	18,100	21,865	10,000	15,000	104,000 ^{kk}	94,500 ^{kk}	2,489,594	2,667,027	
8,140	56,047	253,281 ^t	266,272 ^t	59,302	62,442	40,500	40,200	16,000	44,100 ^{ee}	210,000 ^{ll}	44,000	5,682,707	5,762,094	
5,120	583,028	4,826,070	5,395,855	641,546	638,163	194,173	216,589	88,000	133,850	1,962,000	2,009,500	34,521,612	37,242,261	
										130,000	70,000	3,995,678	3,866,910	
		921,409	1,109,164			2,500	500			1,252,500	1,434,920	8,914,409	7,253,084	
		1,546,326	1,794,964							862,000	986,400	3,366,442	4,045,049	
3,256	55,884					20,600 ^{ee}	19,000 ^{ee}			797,625 ^{mm}	645,500 ^{mm}	4,188,702	4,248,688	
3,256	55,884	2,467,735	2,904,128			23,100	19,500			3,042,125	3,136,820	20,465,231	19,413,731	
												755,700	815,800	

Summary of budget appropriations, or estimate

(Amount in millions of dollars)

Objects of expenditure	United Nations		ILO		FAO		UNESCO		ICAO	
	1961 Appropriations	1962 Estimates	1961 Appropriations	1962 Appropriations	1961 ^a Appropriations	1962 ^a Estimates	1961 Appropriations	1962 Appropriations	1961 Appropriations	1962 Estimates
GROUP IV. OTHER BUDGETARY PROVISIONS										
Unpaid liability fund.....	--	--	1,000	1,000	--	--	--	--	--	--
Provision for new projects, contingencies and unforeseen expenses.....	--	--	--	--	69,600	200,000	--	--	--	--
Reserve fund.....	--	--	--	--	--	--	--	--	--	--
Working capital fund.....	--	--	10,616	--	--	--	--	--	--	--
Undistributed reserves.....	--	--	--	--	--	--	--	--	--	--
Other.....	--	--	35,000	55,000	26,721	31,500	--	--	--	23,900
TOTALS, GROUP IV	--	--	46,616	56,000	96,321	231,500	--	--	--	23,900
GRAND TOTAL, GROUPS I-IV	1961	1962	10,414,278	11,618,838	11,299,897^c	14,134,000	16,015,382	16,497,846	4,880,446	4,5
	72,969,300	73,533,500								
GROUP V. REVENUE										
Extra-budgetary funds ^a	1,879,480 ^a	1,666,800 ^a	441,868	383,400	1,278,400	918,400	500,000 ^m	500,000 ^m	154,800	1
Staff Assessment.....	-- ^a	-- ^a	13,800	12,100	--	--	--	--	533,446	5
Estimated return for services rendered other agencies.....	418,500	310,000	--	--	--	--	500	500	--	--
Sale of publications.....	358,750	365,400	80,000	80,000	--	20,000	15,000	15,000	69,000	--
Other.....	2,874,000 ^a	3,005,300 ^a	21,500	27,900	77,762	316,600	429,179	433,766	66,200	--
TOTALS, GROUP V	5,531,530	5,348,500	557,168	503,400	1,356,162	1,255,000	944,679ⁿ	949,266ⁿ	823,446	8
NET TOTALS	1961	1962	9,857,110	11,115,438	9,943,735^c	12,879,000	15,070,703	15,548,580	4,057,000	4,0
	67,437,770	68,185,000								

^a The revenue item under the title "Extra-budgetary funds" represents, unless otherwise stated, lump sum allocation from the Special Account of the Expanded Programme of Technical Assistance towards administrative and operational services costs of technical assistance activities provided for in the respective regular budgets.

United Nations:

- ^a Includes travel costs of consultants.
- ^b Includes the cost of the secretariat of the Indemnification Fund for refugees persecuted under the national-socialist régime by reason of their nationality, \$232,500 (1961: \$206,000).
- ^c Includes contributions towards the expenses of activities provided in the regular budget from the Special Account of the Expanded Programme of Technical Assistance, from the voluntary funds of the High Commissioner's Programme and from the United Nations Joint Staff Pension Fund.
- ^d Revenue from staff assessment is credited to a Tax Equalization Fund in accordance with General Assembly resolution 973 (X). The staff assessment is estimated at \$7,400,000 (1961: \$6,730,000).
- ^e Includes income from:
 - (i) Sale of United Nations postage stamp: \$1,267,800 (1961: \$1,066,500);
 - (ii) Visitors' and catering services: \$658,500 (1961: \$631,300);
 - (iii) Miscellaneous income: \$1,079,000 (1961: \$1,176,200).

Food and Agriculture Organisation of the United Nations:

- ^f Represents the balance of the 1960/1961 appropriation after deduction of the 1960 actual expenditure and include: \$355,000 transferred from the Working Capital Reserve Fund.
- ^g 1962 part of Director-General's proposed biennial budget for 1962/1963.

^b Includes appointment and repatriation travel of consultants.

^c Includes: Freedom-from-Hunger Campaign, \$400,000 (1961: no funds left); technical assistance under the regular programme, \$200,000; Project for the Utilization of Food Surpluses, 1961, \$80,000; Special Programme for Education and Training in Africa (1961: \$200,000).

United Nations Educational, Scientific and Cultural Organization:

- ^d Includes staff training and welfare, \$69,340 (1961: \$20,600); *ex gratia* payments, \$3,000 (1961: \$3,000).
- ^e Includes amortization of costs of equipment in kitchen and restaurant, \$10,000 in each of the years shown; conservation, \$32,000 (1961: \$13,000); and the construction of additional headquarters premises and related expenses, \$442,600 (1961: \$473,000).
- ^f Includes programme services especially contracted for with national and international organizations as well as with individuals.
- ^g Includes contributions: from the Expanded Programme of Technical Assistance, \$442,000 and contribution from member States towards local costs, \$58,000, in each of the respective years.
- ^h Excludes contribution from the Government of Cuba of \$10,000 for each of the respective years already deducted from the 1961-1962 appropriations.

Universal Postal Union:

- ⁱ Includes allowances for spouse and cost-of-living allowances for the retired staff.
- ^j According to the decision of the Universal Postal Congress at Ottawa (*Documents du Congrès d'Ottawa, 1957, tome II, page 68*) the International Bureau may continue to transfer to the Staff Pension Fund any available balance after having met the Union's annual expenditure fixed by the Congress, in so far as the actuarial needs require it. In 1961 such payment totalled \$84,396.

continued)

and objects of expenditure, 1961 and 1962

(in States dollars)

Division	UPU		WHO		ITU		WMO		IMCO		IAEA		TOTALS	
	1962 Estimates	1961 Estimates	1962 Estimates	1961* Appropriations	1962 Estimates	1961 Appropriations	1962** Appropriations	1961 Appropriations	1962 Appropriations	1961 Appropriations	1962 Estimates	1961	1962	
													1,000	1,000
			42,000 ^u	2,175,000 ^v			4,000	12,000					115,600	2,387,000
			500,000 ^v	297,000 ^v							342,871	326,898	842,871	623,898
													10,616	
					10,449	7,781				1,350			96,070	119,531
			542,000	2,472,000	10,449	7,781	4,000	12,000		1,350	342,871	326,898	1,066,157	3,131,429
844			19,780,448 ^w		2,993,249		671,379		288,500		9,095,996		149,237,719	
	1,007,985		23,607,180 ^w		3,246,024		710,268		471,100		9,311,218		159,062,772	
			633,000	642,000	115,646 ^v	125,700 ^v					2,927,996 ^m	3,150,218 ⁿ	7,981,590	7,542,512
													547,246	556,713
													419,400	310,500
093	10,000									3,600			534,843	570,000
303	74,885	1,510,828	500,000	28,354 [*]		2,500	2,500	500	1,250				5,100,126	4,428,401
396	84,885	2,193,828	1,142,000	144,000	125,700	2,500	2,500	500	4,850	2,927,996	3,150,218	14,583,205	13,408,132	
448		17,586,620 ^w		2,849,249 [*]		668,879		288,000		6,168,000			134,654,514	
	923,100		22,465,180 ^w		3,120,324 [*]		707,768		466,250		6,161,000 ^{cc}		145,654,640	

World Health Organization:

^u Representation allowance, \$6,500 and staff training, \$30,000, in each of the respective years.

^v Includes \$81,700 for the World Health Assembly (1961: \$71,220); \$25,800 for the Executive Board and its committees (1961: \$17,000); \$182,300 for printing of technical publications (1961: \$178,000); \$33,000 for printing of reports of expert committees (1961: \$33,000); the balance of \$26,679 cost of secretariat printing (1961: \$14,946).

^w Includes information, supplies and services, \$210,031 (1961: \$184,708).

^x Includes library books, \$31,565 in each of the respective years.

^y Includes provision for contingencies, \$100,000 (1961: \$42,000); Research Training, 175,000 and contribution to the Malaria Eradication Special Account \$2,000,000.

^z Represents Headquarters Building Fund.

^{aa} Excluding undistributed reserves: 1962: \$1,683,140; 1961: \$1,333,900.

International Telecommunication Union:

^{ab} The figures relate to the revised budget for the year 1961.

^{ac} Includes contribution from the Expanded Programme of Technical Assistance, \$86,500 (1961: \$86,096) and from the United Nations Special Fund, \$39,200 (1961: \$29,600).

^{ad} Excludes the Publication Services treated as a separate trading operation.

World Meteorological Organization:

^{ae} Includes supplementary estimates for 1961 relating to the increase in salaries and allowances for the WMO establishment, in alignment with the United Nations 1961 approved salary scheme (resolution 24 (EC-XIII)).

^{af} Includes cost relating to the work of experts in seminars.

^{ag} Includes \$13,000 (1961: \$20,000) for technical assistance projects.

^{ah} The revenue from proceeds for sale of publications is credited to a Publications Fund for the purpose of increasing the publication programme.

Inter-Governmental Maritime Consultative Organization:

^{ai} Including rental of conference rooms during meetings.

International Atomic Energy Agency:

^{aj} Estimate, subject to approval by the General Conference of the IAEA to be held in September 1961.

^{ak} Includes salaries charged to the General Conference and the Board of Governors, \$305,000 (1961: \$345,000).

^{al} Includes temporary assistance charged to the General Conference and the Board of Governors, \$103,000 (1961: \$122,000).

^{am} Includes printing charged to the General Conference and the Board of Governors, \$23,500 (1961: \$25,500).

^{an} Includes scientific and technical services and laboratory charges, \$885,500 (1961: \$703,000). The above amount also includes common services charged to the General Conference and the Board of Governors, \$72,500 in each of the years shown.

^{ao} Includes supplies and materials charged to the General Conference and the Board of Governors \$9,500 (1961: \$14,000).

^{ap} Includes property and equipment charged to the Board of Governors in 1961, \$93,000.

^{aq} Comprises external audit (charged to the General Conference) \$3,000 (1961: \$3,500); panels and committees, \$160,000 (1961: \$154,000); seminars, symposia and conferences, \$180,000 (1961: \$170,000); Agency laboratory facilities, \$263,000 (1961: \$349,000); and mobile radio isotope laboratories, \$40,000 (1961: \$51,000).

^{ar} Includes voluntary contributions from member States, \$2,000,000 (1961: \$1,800,000); contributions from the Expanded Programme of Technical Assistance, \$668,320 (1961: \$785,125); \$150,000 income from investments; and \$5,000 income from reimbursable laboratory services.

SCHEDULE 2. TOTAL ESTABLISHED POSTS FOR 1962 BY LOCATION (continued)

	UN	ILO	FAO	UNESCO	ICAO	UPU	WHO	ITU	WMO	IMCO	IAEA	Total
Europe (continued)												
Copenhagen	2	—	—	—	—	—	105	—	—	—	—	107
Geneva	889	921*	20	—	—	—	661*	345*	79*	—	—	2,915
Hanover	3	—	—	—	—	—	—	—	—	—	—	3
Istanbul	—	11	—	—	—	—	—	—	—	—	—	11
London	6	9	—	—	—	—	—	—	—	40*	—	55
Moscow	3	7	—	—	—	—	—	—	—	—	—	10
Munich	4	—	—	—	—	—	—	—	—	—	—	4
Naples	1	—	—	—	—	—	—	—	—	—	—	1
Nuremberg	5	—	—	—	—	—	—	—	—	—	—	5
Paris	9	9	—	1,030*	24	—	—	—	—	—	—	1,072
Prague	1	1	—	—	—	—	—	—	—	—	—	2
Rome	15	6	1,367*	—	—	—	—	—	—	—	—	1,388
Stuttgart	—	—	—	—	—	—	—	—	—	—	—	—
The Hague	33	1	—	—	—	—	—	—	—	—	—	34
Trieste	2	—	—	—	—	—	—	—	—	—	—	2
Vienna	34	1	—	—	—	—	—	—	—	—	724*	759
Central America												
Havana	—	1	—	14	—	—	—	—	—	—	—	15
Mexico City	24	7	18	—	10	—	—	—	—	—	—	59
Patzcuaro (Mexico)	—	—	—	25	—	—	—	—	—	—	—	25
San Salvador	1	—	—	—	—	—	—	—	—	—	—	1
North America												
Montreal	—	—	—	—	407*	—	—	—	—	—	—	407
New York	2,897*	10	8	17	—	—	11	—	—	—	6	2,949
Washington	4	11	35	—	—	—	127	—	—	—	—	177
Oceania												
Manila	—	1	—	—	—	—	135 ^c	—	—	—	—	136
Sydney	2	—	—	—	—	—	—	—	—	—	—	2
South America												
Bogotá	5	1	—	—	—	—	—	—	—	—	—	6
Buenos Aires	2	4	—	—	—	—	—	—	—	—	—	6
Lima	1	12	—	—	12	—	—	—	—	—	—	25
Montevideo	1	1	—	7	—	—	—	—	—	—	—	9
Rio de Janeiro	3	5	18	—	—	—	—	—	—	—	—	26
Santiago	67	1	43	—	—	—	—	—	—	—	—	111
Not distributed	207 ^a	44	7	1	—	—	27	—	—	—	—	286
TOTAL	4,481^b	1,137	1,695	1,150	478	43	1,645	345	79	40	730	11,823

SCHEDULE 2

* Headquarters.

^a Includes Field Service posts (200), and information centre posts (7) for services to new Member States.^b Budgetary estimates provide additionally for local posts

at information centres and at the regional economic commissions—ECA, ECAFE and ECLA—as indicated in annex I to the expenditure estimates of the budget estimates for the financial year 1962.

^c Includes Singapore Epidemiological Intelligence Station (8 posts).

DOCUMENT A/5064

Report of the Fifth Committee

[Original text: Spanish]
[19 December 1961]

1. At its 901st meeting, held on 13 December 1961, the Fifth Committee considered the report of the Advisory Committee on Administrative and Budgetary Questions on the administrative budgets of the specialized agencies and the International Atomic Energy Agency for 1962 (A/5007).

2. Several delegations, while commending the Advisory Committee for the excellence of its report, regretted that it had been received too late for the detailed study and thorough discussion which its contents unquestionably merited. They expressed the hope that

it would prove possible to submit the report at a much earlier stage of future sessions.

3. Appreciative references were also made to those sections of the Advisory Committee's report that dealt with the agency programmes of assistance to newly independent countries and with the participation of the agencies in the United Nations operation in the Congo.

4. It was suggested that the Advisory Committee might be invited to devote special attention in its 1962 report to the question of inter-agency co-ordination in the field, at both the regional level and the country

level. The question had assumed particular importance in view of the accelerated pace at which it was proposed to decentralize the economic and social activities of the United Nations.

5. Other representatives pointed out that Main Committees of the General Assembly had recently adopted draft resolutions on matters falling very largely within the province of certain specialized agencies. A problem of co-ordination thus arose that went beyond the Advisory Committee's customary review of the agencies' administrative budgets. The Advisory Committee might with advantage study that wider issue, since there was a risk that the progressive decentralization of activities might result in duplication and wastage of manpower and funds, or in an unsatisfactory use of those resources.

6. The Chairman of the Advisory Committee stressed the importance which that Committee attached to its examination of the administrative budgets of the agencies, in terms of Article 17, paragraph 3, of the Charter. The delay that had arisen in the submission of the

report was certainly regrettable; it was, however, due not to any remissness on the part of the Advisory Committee but to the lengthy process of consultation with each one of the interested agencies which had necessarily to precede the preparation of the final text. He added that the Advisory Committee would gladly give attention to the several points that had been raised in the course of the discussion.

7. The Committee unanimously approved a draft resolution proposed by the Chairman (see paragraph 8 below).

Recommendation of the Fifth Committee

8. The Fifth Committee therefore recommends to the General Assembly the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1086th plenary meeting, on 20 December 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5064, para. 8). For the final text, see resolution 1726 (XVI) below.

Resolution adopted by the General Assembly

1726 (XVI). ADMINISTRATIVE BUDGETS FOR 1962 OF THE SPECIALIZED AGENCIES AND THE INTERNATIONAL ATOMIC ENERGY AGENCY

The General Assembly

1. *Takes note* of the report of the Advisory Committee on Administrative and Budgetary Questions on the administrative budgets for 1962 of the specialized agencies and the International Atomic Energy Agency (A/5007);

2. *Invites the attention* of the specialized agencies and the International Atomic Energy Agency to the comments and observations made in the report of the Advisory Committee on Administrative and Budgetary Questions and to the views expressed in the Fifth Committee at the sixteenth session of the General Assembly.

*1086th plenary meeting,
20 December 1961.*

CHECK LIST OF DOCUMENTS

NOTE. This check list includes the documents mentioned during the consideration of agenda item 59 which are not reproduced in the fascicle.

<i>Document No.</i>	<i>Title</i>	<i>Observations and references</i>
A/4788	Report of the Advisory Committee on Administrative and Budgetary Questions	Mimeographed
A/C.5/L.717	Draft report of the Fifth Committee	Same text as A/5064

GENERAL ASSEMBLY



ANNEXES

SIXTEENTH SESSION

Official Records

NEW YORK, 1961-1962

Agenda item 60: Report of the Negotiating Committee for Extra-Budgetary Funds*

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DOCUMENT A/5031

Report of the Negotiating Committee for Extra-Budgetary Funds

[Original text: English]
[13 December 1961]

1. The General Assembly at its fifteenth session (resolution 1556 B (XV) of 18 December 1960) requested the President to appoint a Negotiating Committee for Extra-Budgetary Funds, with the same terms of reference as those laid down in resolution 693 (VII) of 25 October 1952, to serve until the close of the sixteenth session of the Assembly. The President of the Assembly appointed a Committee composed of representatives of the following ten Member States: Brazil, Canada, France, Ghana, Ireland, Norway, Pakistan, Senegal, the United Kingdom of Great Britain and Northern Ireland and the United States of America. The Committee, at its meeting on 26 June 1961, elected Mr. Brendan T. Nolan (Ireland) as Chairman.

2. The Negotiating Committee was established to assist in obtaining voluntary contributions from Member and non-member States for the financing of programmes approved by the General Assembly and for which funds are not available through the regular budget of the United Nations. These programmes include the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), the programmes of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Children's Fund (UNICEF), the Expanded Programme of Technical Assistance and the United Nations Special Fund.

3. In this report, the Negotiating Committee will review the results obtained in terms of contributions paid or pledged for the current year to the programmes with which it is concerned. It will also give the results of the two Pledging Conferences held during the sixteenth session of the General Assembly for the announcement of pledges of contributions for 1962 to: (a) the Expanded Programme of Technical Assistance and the United Nations Special Fund, and (b) the programmes of UNRWA and of UNHCR.

* For the discussion of this item, see *Official Records of the General Assembly, Sixteenth Session, Fifth Committee*, 904th meeting; and *ibid.*, *Plenary Meetings*, 1086th meeting.

4. During the past year, the Committee held four meetings to organize its work, fix the dates for the Pledging Conferences, and to endeavour to assist the various agencies in their fund-raising campaigns. Because of the resumed session of the General Assembly, which extended well into the spring of 1961, time did not permit the Committee to carry on its normal work of negotiating directly with permanent delegations. Accordingly, the Committee, instead, invited representatives of States admitted to the United Nations during the fifteenth session to attend the meeting of the Committee on 21 July 1961 as observers to hear representatives of the agencies explain their programmes and the respective needs and financial requirements thereof. In the name of the Committee, the Chairman then addressed letters to the Governments of Member and non-member States on the financial situations and the requirements of these agencies.

5. A summary of the present financial situation of the voluntary programmes is given in the following paragraphs. An annex showing as at 30 November 1961 the contributions pledged and the total payments received for 1961 in respect of these programmes is attached (annex I). The contributions for 1962 announced at the two Pledging Conferences for (a) the Expanded Programme of Technical Assistance and the Special Fund and (b) the United Nations Relief and Works Agency for Palestine Refugees in the Near East and the programmes of the United Nations High Commissioner for Refugees are listed in annexes II and III respectively.

UNITED NATIONS CHILDREN'S FUND

6. The co-operation between the Negotiating Committee and UNICEF continued in 1961. Concerning contributions for 1961, approximately \$22.6 million have been paid and pledged by ninety-one Governments up to the end of November 1961. The total number of contributors to UNICEF is expected to be over 100 this year, compared with ninety-eight Governments in

1960; total governmental contributions are estimated to be \$23 million as against \$21.5 million in 1960. Taking into account income from other sources, it is expected that the total income for 1961 will reach \$27.8 million as compared with \$25.8 million in 1960.

EXPANDED PROGRAMME OF TECHNICAL ASSISTANCE AND THE UNITED NATIONS SPECIAL FUND

7. At the 1961 United Nations Pledging Conference on the Expanded Programme of Technical Assistance and the Special Fund held on 17 October 1961, seventy-five Governments pledged contributions totalling \$92.8 million to the two programmes for 1962.

8. Although the United States of America pledged \$60 million, it was subject to the condition that the contributions must not exceed 40 per cent of the total contributions to the two programmes. Consequently, taking into account the amounts pledged by other Governments at the Conference, the total includes only \$39.8 million of the United States pledge.

9. Following the Conference, a number of new pledges were announced, bringing the total to \$97.4 million, and several Governments have indicated that their pledges or increase in pledges will be made known later. It is estimated that the total contributions to the two programmes, including the pledges and increase in pledges that are still expected, will amount to approximately \$100 million—\$44 million for the Expanded Programme and \$56 million for the Special Fund.

10. As these figures show, the present estimate of resources for the Expanded Programme and the Special Fund for 1962 are higher than the total of contributions to the two programmes for the current year. As at 30 November 1961, eighty-nine Governments had pledged \$41.9 million to the Expanded Programme for 1961, and at the same date, the contributions pledged by eighty-five Governments to the Special Fund amounted to \$47 million.

UNITED NATIONS RELIEF AND WORKS AGENCY FOR PALESTINE REFUGEES IN THE NEAR EAST

11. The General Assembly at its fourteenth session (resolution 1456 (XIV)) decided to extend the mandate of UNRWA for a period of three years from 30 June 1960. In his annual report to the General Assembly at its fifteenth session,¹ the Director of UNRWA submitted a three-year programme of activity. The cumulative financial requirements for this three-year programme would entail (a) some \$34 million per year for existing relief and education programmes; (b) an additional total of \$16.2 million during the three-year period, of which \$8.1 million would be used to expand technical training, \$3.7 million to improve and expand elementary and secondary education, and \$4.4 million to meet inevitable increases in the regular relief services and rising costs. Of the total of \$16.2 million, the Agency hoped to obtain some \$4 million from World Refugee Year contributions.

12. At the meeting of the *Ad Hoc* Committee of the Whole Assembly for the announcement of pledges of contributions to UNRWA, held on 6 December 1961, the Director of UNRWA reported that about \$4.5

million had been raised, primarily from World Refugee Year sources. He also stated that he was undertaking to raise an additional \$2 million, in the form of scholarships for students attending the training centres which the Agency was building, from non-budgetary sources. This means that the Agency must still receive about \$9.7 million (or an average of 4.85 million per year in the remaining two years of the Agency's mandate) in the form of increased contributions from Governments to meet the total of \$16.2 million described above.

13. At the Pledging Conference a total of \$32.7 million was pledged by thirty-two Governments. Of that amount, approximately \$20.2 million were for the 1962 programmes as against total estimated requirements for that year of \$39.5 million. The Director of UNRWA estimates, on the assumption that countries which at the time of the Conference were not able to pledge for 1962 or for the last half of 1962 will ultimately do so at the same rates as they have in the past, that UNRWA's income from governmental sources for 1962 will be at about the same level as in previous years, namely, about \$34 million. This estimate reflects certain very welcome increases in pledges from some Governments as well as one significant reduction. It is thus clear that UNRWA's financial requirements are not assured, and unless additional Governments are able to increase their contributions in the course of 1962 and 1963, the Agency will face financial crisis, and, particularly, its vocational training programme will be in jeopardy.

PROGRAMMES OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

14. The financial target approved for the budgetary requirements of the United Nations High Commissioner for Refugees for 1961 by the Executive Committee of the High Commissioner's Programme was \$6 million for the current programme. By 30 November 1961, the total of governmental pledges, promises and payments in respect of the programmes amounted to \$4,291,417, including an amount of \$1,273,139 for the programme for refugees from Algeria in Morocco and Tunisia and \$166,582 for other programmes or unspecified. The High Commissioner has expressed his confidence that, although the target for 1961 had not been reached by October 1961, this would most probably be the case by the end of the year.

15. As in 1960, the Camp Clearance Programme again received priority in 1961. The financing of the programme was now fully assured. As a result of this priority, the problem of non-settled refugees living outside camps could not be tackled, generally speaking, with the same vigour. A substantial effort for these refugees, therefore, remains to be made, particularly for the physically and socially handicapped among them. The High Commissioner has announced his intention of submitting to his Executive Committee in the spring of 1962 a comprehensive plan calculated to bring to an end the basic programmes of material assistance to refugees in Europe.

16. The current programme approved for 1962 by the Executive Committee of the High Commissioner's Programme required \$5 million from international sources. Furthermore, the Executive Committee approved the continuation of the joint relief programme of UNHCR and the League of Red Cross Societies for refugees from Algeria in Morocco and Tunisia requir-

¹ Official Records of the General Assembly, Fifteenth Session, Supplement No. 14.

ing \$8,331,500 in 1962. Of this sum, \$6,150,500 is required in kind and \$2,181,000 in cash.

17. The material assistance programme for 1962, for which \$5 million are required, would be designed both to bring nearer to its permanent solution the problem of those groups of non-settled refugees who might otherwise never become settled, and to assist in some aspects of the problem of "new" refugees. The international assistance to the "old" refugees would be given, in essence, to the physically and socially handicapped among them. At the meeting of the *Ad Hoc* Committee of the Whole Assembly for the announcement of pledges of contributions to UNHCR, held on 6 December 1961, a total of \$3,001,897 was pledged by twenty-nine Governments for the 1962 programmes. The High Commissioner has urged Governments to support his 1962 programmes at a level which he hopes will not be lower than in the past, and he has made a number of special appeals for funds to support his relief programmes for the refugees from Algeria in Morocco and Tunisia.

Ad Hoc COMMITTEE OF THE WHOLE ASSEMBLY

18. The General Assembly at its twelfth session introduced the procedure of convening an *Ad Hoc* Committee of the Whole Assembly for the announcement of pledges of voluntary contributions to the two United Nations refugee programmes. This procedure, which has been repeated annually, was adopted at the suggestion of the Negotiating Committee in an attempt, through the increased publicity thereby given to the refugee programmes, to focus attention on the problems of refugees and thus bring about an improvement in the financial support of these agencies.

19. The meetings of the *Ad Hoc* Committee of the Whole Assembly to be convened in accordance with General Assembly resolution 1556 A (XV) during the sixteenth session of the General Assembly were held on 6 December 1961. At these meetings, contributions totalling \$32.7 million were pledged to the programmes of UNRWA and \$3,001,897 to the programmes of UNHCR. The results of the conference in terms of contributions pledged have been reviewed in paragraphs 11-17 above, and a statement of the contributions announced is annexed to this report (annex III).

20. Although the contributions pledged at the Conference were insufficient to meet the estimated requirements of the two agencies for 1962, the Negotiating Committee is of the opinion that the procedure of holding an annual pledging conference for these programmes has proved its usefulness. An important aspect of this procedure is that the Assembly will have an indication of the financial support that it may be expected will be forthcoming for the next financial year before or during consideration of these programmes. In deciding on the future scope of these programmes, the Assembly would therefore be in a position to make a realistic appraisal of the funds that will be available for their implementation.

21. The Negotiating Committee recommends therefore that the procedure of holding an annual pledging

conference for the two refugee programmes be continued.

CONCLUSION

22. The present mandate of the Negotiating Committee expires at the close of the sixteenth session of the General Assembly. The Committee's main concern during the past year has been the two refugee programmes, which have experienced the greatest financial difficulties. Since, as mentioned earlier in this report, the funds that have so far been pledged or promised for the programmes of UNRWA and of UNHCR for 1962 will be insufficient to meet the target figures set for these programmes, it will be essential to obtain in the course of the coming year additional financial support for these programmes. The Negotiating Committee believes that the heads of the two programmes are best qualified to carry out direct contact with representatives of Governments for the purpose of seeking additional contributions. As recommended above, the General Assembly may also wish to make appropriate arrangements for continuing the annual Pledging Conference for these programmes.

23. The Committee would wish to record its appreciation to the heads of the agencies involved who, in addition to their own fund-raising efforts, have co-operated so fully with the Committee, and to the many Governments that have responded to the appeals for financial support of the voluntary programmes with which it is concerned.

24. In the light of this support, the Negotiating Committee recommends the adoption by the General Assembly of the following draft resolution:

• *"The General Assembly,*

"Having considered the report of the Negotiating Committee for Extra Budgetary Funds (A/5031),

"1. Decides that an ad hoc Committee of the Whole Assembly, under the chairmanship of the President of the session, shall be convened as soon as practicable after the opening of each regular session of the General Assembly for the purpose of announcing pledges of voluntary contributions to the refugee programmes for the following year;

"2. Decides to invite States members of the specialized agencies, which are not also Members of the United Nations, to attend the meetings of the ad hoc Committee for the purpose of announcing their pledges to the refugee programmes;

"3. Requests the Secretary-General, in consultation with the executive heads of the extra-budgetary programmes:

"(a) To fix, each year, appropriate dates for the meetings of the ad hoc Committee and the Pledging Conference for the Special Fund and the Expanded Programme of Technical Assistance convened in accordance with General Assembly resolution 1091 A (XI) of 27 February 1957, and to notify the members of these dates in good time;

"(b) To bring, each year, to the attention of the members the requirements of the extra-budgetary programmes for the following year and to seek their support for these programmes."

ANNEX I

Statement of pledges of contributions for the financial year 1961

(As at 30 November 1961)

(United States dollar equivalent)

Member States	Expanded Programme of Technical Assistance	Special Fund	UNRWA	UNHCR ^a	UNICEF
Afghanistan	13,500	11,000	—	—	20,000
Albania	2,000	2,000	—	—	—
Argentina	120,287	97,561	—	—	60,241
Australia	660,000	—	201,600	112,000	537,600
Austria	170,000	260,000	2,000	6,000	46,154
Belgium	—	—	30,000	252,155	160,000
Bolivia	10,000	10,000	—	—	—
Brazil	832,432	208,108	—	—	307,787
Bulgaria	14,706	14,706	—	—	7,353
Burma	40,000	20,000	—	—	56,000
Byelorussian Soviet Socialist Republic	100,000	50,000	—	—	62,500
Cambodia	5,714	5,000	571	1,999	—
Canada	2,150,000	2,350,000	1,940,000	290,000	630,177
Central African Republic	2,000	5,000	—	—	—
Ceylon	25,000	10,000	1,000	—	14,725
Chad	—	—	—	—	8,065
Chile	200,000	104,762	—	5,000	80,000
China	20,000	20,000	—	—	15,000
Colombia	110,000	40,000	—	—	159,804
Congo (Brazzaville)	—	—	—	—	3,930
Costa Rica	10,053	—	—	—	30,000
Cuba	100,000	—	—	—	70,000
Cyprus	4,200	4,200	560	280	—
Czechoslovakia	69,444	69,444	—	—	34,722
Denmark	1,158,245	579,123	21,720	72,390	144,800
Ecuador	20,000	40,000	—	—	10,000
El Salvador	7,700	2,000	—	—	20,000
Ethiopia	20,000	29,000	—	—	18,000
Federation of Malaya	25,000	10,000	1,500	1,000	24,500
Finland	50,000	100,000	—	—	50,937
France	1,852,532	1,072,066	182,209	769,446	1,109,184
Gabon	2,000	2,000	—	—	102
Ghana	66,158	28,000	3,000	3,000	16,800
Greece	30,000	30,000	15,000	11,000	32,000
Guatemala	12,000	8,000	—	—	20,000
Guinea	10,000	10,000	—	—	—
Haiti	16,000	14,000	—	—	—
Honduras	8,000	5,000	—	—	20,000
Hungary	53,259	42,608	—	—	12,876
Iceland	4,011	4,011	—	7,394	9,408
India	750,000	1,750,000	21,008	6,300	335,781
Indonesia	50,000	25,000	—	—	100,000
Iran	85,000	125,000	3,000	—	265,000
Iraq	56,000	34,000	—	—	28,000
Ireland	14,000	25,000	14,062	4,825	7,000
Israel	64,000	70,000	—	5,000	28,000
Italy	900,000	1,350,000	80,000	3,000	—
Japan	400,000	1,422,483	10,000	—	150,000
Jordan	24,000	16,000	98,550	—	2,797
Laos	20,000	20,000	—	1,000	—
Lebanon	20,317	30,476	40,404	—	9,534
Liberia	25,000	15,000	5,000	4,000	5,000
Lybia	25,000	25,000	—	—	—
Luxembourg	4,000	5,000	2,000	3,000	6,000
Madagascar	—	—	—	—	5,000
Mali	—	—	—	—	5,000
Mexico	121,000	34,000	—	—	500,000
Morocco	15,000	30,000	40,750	1,975	—
Nepal	2,000	2,000	—	—	—
Netherlands	1,565,083	2,561,436	69,061	270,918	82,873
New Zealand	280,000	140,000	140,000	28,000	210,000
Nicaragua	2,571	3,857	—	—	10,000
Nigeria	70,008	140,017	—	—	—
Norway	604,788	597,088	21,000	105,000	108,920
Pakistan	170,000	129,998	20,953	—	96,600
Panama	4,000	1,000	—	—	—

Statement of pledges of contributions for the financial year 1961 (continued)

	<i>Expanded Programme of Technical Assistance</i>	<i>Special Fund</i>	<i>UNRWA</i>	<i>UNHCR^a</i>	<i>UNICEF</i>
Paraguay	—	—	—	—	10,000
Peru	40,000	70,000	—	—	59,591
Philippines	66,000	66,000	—	—	125,000
Poland	100,000	125,000	—	—	60,000
Portugal	—	—	—	1,000	—
Romania	16,667	16,667	—	—	—
Saudi Arabia	25,000	25,000	100,000	—	—
Senegal	16,000	24,000	—	—	—
Sierra Leone	—	—	—	5,600	—
Somalia	—	—	—	—	3,000
South Africa	10,000	—	—	25,000	30,040
Spain	50,000	50,000	—	—	33,333
Sudan	90,000	45,000	2,880	—	9,978
Sweden	1,005,219	2,103,228	57,915	116,000	347,490
Syria	—	—	83,474	—	11,111
Thailand	38,095	160,000	—	—	123,326
Tunisia	17,000	13,000	2,000	2,000	—
Turkey	266,667	322,222	5,000	23,222	194,444
Ukrainian Soviet Socialist Republic	250,000	125,000	—	—	125,000
Union of Soviet Socialist Republics	2,000,000	1,000,000	—	—	675,000
United Arab Republic	143,596	287,191	439,083	—	106,907
United Kingdom of Great Brit- ain and Northern Ireland ..	3,000,000	5,000,000	5,400,000	280,000	938,000
United States of America ...	18,004,401 ^b	19,488,394 ^b	13,020,422	1,300,000	12,000,000
Upper Volta	—	—	—	—	3,061
Uruguay	100,000	20,000	—	—	—
Venezuela	550,000	100,000	—	1,500	—
Yugoslavia	138,000	192,000	40,000	—	200,000
<i>Non-member States</i>					
Germany, Federal Republic of.	2,120,000	3,449,750	250,000	320,000	1,375,000
Holy See	1,000	1,000	10,965	237,500	1,000
Korea, Republic of	5,000	10,000	1,500	1,000	3,500
Liechtenstein	—	—	—	—	930
Monaco	1,519	1,519	1,224	4,082	2,041
Switzerland	465,116	465,116	35,046	162,576	348,837
Viet-Nam, Republic of	25,714	16,686	2,500	2,500	7,500
<i>Other contributors</i>					
British Honduras	—	—	—	—	350
Brunei	—	—	—	—	3,267
Gambia	—	—	—	—	560
Gaza authorities	—	—	124,721	—	—
Hong Kong	—	—	—	—	3,500
Kuwait	50,000	—	131,250	—	—
North Borneo	—	—	—	—	327
Sarawak	—	—	—	—	8,167
Singapore	—	—	—	—	6,534
Uganda	—	—	—	—	2,800
<i>West Indies Federation:</i>					
Antigua	—	—	—	—	117
Bahamas	—	—	—	—	2,800
Barbados	—	—	—	—	756
Jamaica	—	—	—	—	8,385
Trinidad and Tobago	—	—	—	—	7,000
TOTAL	41,861,002	46,986,717	22,672,928	4,446,662	22,586,422

^a Figures for UNHCR as at 31 October 1961.

^b The United States of America pledged \$40 million to the Special Fund and the Expanded Programme of Technical Assistance for 1961 subject to the condition that the contributions must not exceed 40 per cent of the total contributions to the central fund of the two programmes. This represents an estimated amount based on the total of actual contributions pledged plus payments in respect of local costs obligations in 1961.

Meetings of the *Ad Hoc* Committee of the Whole Assembly held on 6 December 1961 (continued)

Countries	United Nations Relief and Works Agency for Palestine Refugees in the Near East		United Nations High Commissioner for Refugees		Countries	United Nations Relief and Works Agency for Palestine Refugees in the Near East		United Nations High Commissioner for Refugees	
	1961	1962	1961	1962		1961	1962	1961	1962
Germany, Federal Republic of	—	625,000	—	220,000	Netherlands	—	111,100	—	146,940
Ghana	—	3,000	—	3,000	Norway	—	49,300	—	98,000
Greece	—	15,000	—	11,000	South Africa	—	—	—	25,000
Holy See ^a	—	—	—	2,000	Sudan	—	2,380	—	—
Iceland	—	—	—	3,750	Sweden	—	58,000	—	116,000
India	—	21,000	—	—	Switzerland	—	35,046	—	116,279
Iran	—	6,000	—	—	Tunisia	—	2,000	—	2,000
Ireland	—	20,000	—	5,000	Turkey	—	5,000	—	2,667
Israel	—	—	—	5,000	United Kingdom of Great Britain and Northern Ireland	—	5,400,000	—	280,000
Italy ^b	—	80,000 ^b	—	—	United States of America	12,350,000	12,350,000 ^c	—	1,200,000 ^d
Japan	—	10,000	—	—	Viet-Nam, Republic of ..	—	2,500	—	2,500
Korea, Republic of	—	1,000	—	1,000	Yugoslavia	—	40,000	—	—
Kuwait	—	120,000	—	—					
Liberia	—	5,000	—	1,500					
Luxembourg	—	2,000	—	3,000					
					TOTAL	12,450,800	20,259,867	—	2,981,897

^a The Holy See announced its intention to contribute to UNRWA; the exact amount and form is still to be determined.

^b Italy announced that the contribution for 1962 would be the same amount as for 1961, which was \$80,000.

^c The contribution of \$24.7 million pledged by the United States of America for 1961/1962 is subject to the condition that

it must not exceed 70 per cent of the total governmental contributions to the UNRWA programme for that period.

^d The contribution of \$1.2 million pledged by the United States of America is subject to the condition that it would not exceed one-third of the total governmental contributions to the regular programmes.

DOCUMENT A/5052

Report of the Fifth Committee

[Original text: Spanish]
[18 December 1961]

1. The Fifth Committee considered the report of the Negotiating Committee for Extra-Budgetary Funds (A/5031) at its 904th meeting held on 15 December 1961.

2. In introducing its report the Chairman of the Negotiating Committee drew attention to its main features. The report summarized the Committee's work and the results of the pledging sessions to the refugee, technical assistance and the Special Fund programmes. In the conclusions of the report (paragraphs 22 and 23) and in the draft resolution which the Committee recommended for adoption at the General Assembly (paragraph 24) the Committee had, however, departed from the normal practice with similar reports in the past. He explained that the Negotiating Committee felt that the Assembly had sufficient experience of the technique of pledging sessions to justify placing on a regular annual basis the meetings of *ad hoc* committees of the General Assembly for the purpose of hearing pledges to the refugee funds. Other functions normally performed by the Negotiating Committee, such as fixing the date of the pledging session and the issuance of letters to delegations, informing them of the needs of the voluntary programmes, could, in its opinion, be

conveniently and perhaps more economically performed by the Secretariat in consultation with the representatives of the voluntary programmes. Finally, the Negotiating Committee for 1961, having completed its allotted task, did not recommend that a new Negotiating Committee be appointed for 1962. Although this was a matter entirely for the General Assembly to decide, it was felt that the alternative procedures which he had suggested in connexion with the work normally done by the Committee would meet the requirements.

3. The Committee, without objection, approved the draft resolution recommended by the Negotiating Committee in paragraph 24 of its report.

4. Appreciation was expressed for the work done by the Negotiating Committee and by its Chairman.

Recommendation of the Fifth Committee

5. The Fifth Committee accordingly recommends the adoption of the following draft resolution:

[Text adopted by the General Assembly without change. See "Action taken by the General Assembly" below.]

ACTION TAKEN BY THE GENERAL ASSEMBLY

At its 1086th plenary meeting on 20 December 1961, the General Assembly adopted the draft resolution submitted by the Fifth Committee (A/5052, para. 5). For the final text, see resolution 1729 (XVI) below.

Resolution adopted by the General Assembly

1729 (XVI). REPORT OF THE NEGOTIATING COMMITTEE FOR EXTRA-BUDGETARY FUNDS

The General Assembly,

Having considered the report of the Negotiating Committee for Extra-Budgetary Funds (A/5031),

1. *Decides* that an *ad hoc* Committee of the whole Assembly, under the chairmanship of the President of the session, shall be convened as soon as practicable after the opening of each regular session of the General Assembly for the purpose of announcing pledges of voluntary contributions to the refugee programmes for the following year;

2. *Decides* to invite States members of the specialized agencies, which are not also Members of the United Nations, to attend the meetings of the *ad hoc*

Committee for the purpose of announcing their pledges to the refugee programmes;

3. *Requests* the Secretary-General, in consultation with the executive heads of the extra-budgetary programmes:

(a) To fix each year appropriate dates for the meetings of the *ad hoc* Committee and the Pledging Conference for the Special Fund and the Expanded Programme of Technical Assistance convened in accordance with General Assembly resolution 1091 A (XI) of 27 February 1957, and to notify the members of these dates in good time;

(b) To bring each year to the attention of the members the requirements of the extra-budgetary programmes for the following year and to seek their support for these programmes.

*1086th plenary meeting,
20 December 1961.*

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