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**Chairman:** Miss Angie BROOKS (Liberia).

AGENDA ITEM 49

**Question of the future of Ruanda-Urundi: report of the United Nations Commission for Ruanda-Urundi (A/4856, A/4865 and Corr.1, A/4970, A/4994 and Add.1 and Corr.1, A/5086; A/C.4/516 and Add.1, 517 and Corr.1, 518, 519, 521, 522 and Add.1-4, 523, 524, 525, 526, 527, 528, 529 and Corr.1, 530) (continued)**

GENERAL DEBATE (continued)

1. Mr. TAPSOBA (Upper Volta) said that it was clear from the report of the United Nations Commission for Ruanda-Urundi (A/4994 and Add.1 and Corr.1) that the elections in Rwanda had not been held in the conditions called for in General Assembly resolution 1605 (XV). The pre-electoral period had been marked by violence, disturbances and persecution of members of the Opposition. The burgomasters, instead of confining themselves to their administrative functions, had acted as agents of the Parti du mouvement de l'émancipation hutu (PARMEHUTU). The Opposition parties had not enjoyed the same freedom of action as the party in power. Nevertheless, despite all those facts, on polling day the people had been able to express themselves freely and the percentage of voters had been very high. The question had arisen whether the results of the elections should be accepted or whether fresh elections should be held at the 1264th meeting. Mr. Gassou had stated that unless the administrative infrastructure was completely reformed it would be impossible to hold elections in normal conditions in Rwanda, and Mr. Rahnema had said at the 1271st meeting that he would be the last to suggest that new elections should be held. In the opinion of the delegation of Upper Volta the United Nations should accept the results of the elections. His delegation welcomed the establishment by the Fourth Committee of the conciliation group and hoped that it would achieve satisfactory results.

2. In Burundi the parties had been able to conduct the electoral campaign in satisfactory conditions. There was therefore no question about the results in that part of the Territory.

3. The crucial point which remained to be settled was that of the unity of Rwanda and Burundi. The two countries wished to be separate and unfortunately the Ad-

ministrating Authority had taken no steps to unify them. The Protocols signed at Brussels on 21 December 1961 (A/C.4/517 and Corr.1) confirmed the division of the Territory. The Committee was faced with a fait accompli.

4. His delegation hoped that it would be possible for stable political institutions to be established, for national reconciliation to be effected, the refugees reintegrated and the maintenance of public order ensured. It considered that the trusteeship should be terminated, in order to enable the people of the Territory to achieve independence as soon as possible. Efforts should be made to build up an indigenous military force so that Belgian troops could be replaced at the time of the achievement of independence.

5. Both Rwanda and Burundi suffered from the lack of a trained civil service. The problem could be solved with United Nations assistance, with the help of experts of all kinds and the training of local personnel.

6. His delegation was in favour of the establishment of a commission to assist the Governments of Rwanda and Burundi during the transitional period. It was convinced that the Belgian Government was doing its utmost, in co-operation with the United Nations, to bring Rwanda and Burundi to full sovereignty.

7. Mr. ROS (Argentina) expressed his delegation's appreciation of the admirable report drawn up by the United Nations Commission for Ruanda-Urundi (A/4994 and Add.1 and Corr.1).

8. The circumstances with which the Committee was confronted were the existence of separate Governments in the two parts of the Trust Territory, the Protocols signed at Brussels on 21 December 1961, the request of both Governments for independence during the first half of 1962, their desire for independence without any political link between them, and the intention of the Administering Authority to grant independence without restrictions, in accordance with the request of both Governments.

9. The situation as thus set forth appeared simple. Nevertheless certain facts must be taken into consideration. Grave allegations had been made concerning the conduct of the elections and of the referendum in Rwanda. It was claimed that the elections had been invalid because of the atmosphere of tension and violence which had existed in certain parts of Rwanda during the pre-electoral period, though no serious criticism had been made of the actual voting. The petitioners had stated that the Mwami of Rwanda had not been allowed to return to the country or to address the people, and that had not been denied by the Administering Authority. The accusations of irregularities by the burgomasters during the electoral campaign indirectly reflected on the Administering Authority.

10. The United Nations must come to a decision on the point. If it were concluded that the circumstances related in the Commission's report justified the invalidation of the elections, the fact should be frankly stated. If, on the other hand, the pre-electoral conditions had not been such as to invalidate the results of the elections, then other factors must be taken into consideration. Firstly, the holding of fresh elections in Rwanda would considerably delay the date of independence; secondly, it would necessitate a further electoral campaign which would exacerbate feelings and possibly give rise to further violence; thirdly, it would prolong the presence of the Administering Authority in the Territory; fourthly, such fresh elections could be held only if the administration of Rwanda were reconstructed by the elimination of the burgo-masters belonging to PARMEHUTU and their replacement by new authorities elected by the people in communal elections.

11. The holding of communal elections, which had been suggested by certain representatives, would give rise to a number of fresh problems and would delay the achievement of independence for an indefinite period.

12. For those reasons, and on the basis of the view expressed by the three United Nations Commissioners, that there should be no fresh elections in Rwanda, his delegation saw no alternative but to accept the results of the elections of September 1961. It must be recognized that a Government representing the people of Rwanda had been set up and that that Government was entitled to decide on the future and the independence of the people.

13. The theory had been advanced that the party in power had the support of the majority because its members belonged to the largest ethnic group. After hearing the statements of the President of the Legislative Assembly and of the petitioners, and after a private conversation with Mr. Gassou, his delegation had come to the conclusion that although ethnic factors were not entirely absent, the main political parties were not based exclusively on race.

14. His delegation believed that before the achievement of independence it was the duty of the United Nations to bring about an atmosphere of national reconciliation in Rwanda. The reconciliation might be reflected in an agreement under which the Government conceded certain ministries or key posts to the Opposition. His delegation thought that it would be useful for a United Nations commission to remain in the Territory until the achievement of independence, one of its functions being to encourage reconciliation. Anything the United Nations could do in that respect would be of great benefit to the people of Rwanda. Any action to reconcile the parties must, however, be by way of good offices, similar to that recently taken in New York. The principle of respect for the duly constituted Government was essential. The division of the parties in Rwanda into nationalist and pro-Belgians was an oversimplification; both the party in power and the Opposition sought independence for their country and had the same national objectives. Both, therefore, deserved to be described as nationalist.

15. For all those reasons his delegation considered that an effort at reconciliation supported by the United Nations would bear fruit. The present Government of Rwanda, as also the Opposition leaders, would surely understand that unless they could agree they would

condemn their country to political collapse. Such a failure would be to some extent a failure of the United Nations.

16. The elections in Burundi were a credit to the Administering Authority and the results could be accepted without difficulty. A legitimately constituted Government had been set up which hoped to achieve independence in a short time and which did not desire its future to be linked in any way with that of the neighbouring country of Rwanda. He hoped that the Opposition in Burundi would enjoy similar treatment to that advocated for the Opposition in Rwanda. The United Nations Commission should not limit its activities to one country, although the problems in Burundi were less acute than those in Rwanda.

17. It might perhaps be thought that his delegation had forgotten the objective of unity for the Trust Territory. That was not the case, but in view of the fact that that idea was rejected by the representatives of both Governments, it seemed, at least for the present, to be impossible of realization. His delegation shared the views of those who had urged that the United Nations should do everything in its power to promote the achievement of that ideal. It was convinced, however, that the pursuit of that objective should not lead the United Nations to delay the date of independence in the hope that it might ultimately be achieved. If a last effort to bring about political unity did not succeed within a reasonable time, the granting of independence should not be delayed longer than was absolutely necessary. The Trusteeship Agreement did not empower the United Nations to delay the granting of independence to a people who desired it. Such a delay might lead to violence in the Territory and the responsibility would rest largely with the United Nations. The peoples, through their representatives, should guide their own destinies. One day of independence could achieve more than a year of trusteeship. The forces of genuine nationalism would be victorious in the end. Rwanda and Burundi should be given the same opportunities as other countries had had to realize their aspirations.

18. The final effort to bring the two peoples together in some kind of political union should be entrusted to the United Nations special commission to be appointed for the purpose, which should be composed of five members, including the members of the Commission whose report was under examination. Another of the special commission's functions might be to facilitate the rapid and orderly return of the refugees. As far as the Territory's technical and economic needs were concerned, the special commission, with the assistance of experts, might submit to the United Nations a report on future possibilities after the achievement of independence. It might also endeavour to promote national reconciliation in Rwanda, a task which had already been begun by the conciliation group.

19. His delegation considered that endeavours to find a formula of national unity between Rwanda and Burundi should be made only after a solution had been found to the existing problems in Rwanda. Once that stage had been reached, some of the objections raised by the Government of Burundi would be overcome. The political situation in Rwanda would be more stable and the problem of the refugees would be on the way to solution. All the difficulties would not have been eliminated; the two countries would still possess different political structures. That question and others might be examined at a conference between representatives

of the two Governments, the United Nations commission and a representative of the Belgian Government. The conference should complete its work before the end of May. If it were to achieve satisfactory results, his delegation considered that the date of independence should not be postponed later than September. If the two Governments agreed on some form of federation or confederation which would not necessitate the immediate holding of elections, the process would be simplified and the date of independence might be advanced. Obviously neither of the two Governments would be in favour of a conference the chief result of which would be the holding of fresh elections or a referendum which might lead to further disturbances. Any proposal for national unity which would entail immediate elections before the achievement of independence would probably be doomed to failure.

20. If the negotiations were to fail, the only course would be to grant independence to both States as soon as possible. Nor should the efforts of the commission be prolonged beyond a reasonable time. It might be that the solution to the problem of Rwanda and Burundi lay not in unity but rather in association with more powerful neighbours which had potential wealth and could offer greater possibilities for progress. If the unity of the Territory proved impossible of achievement, the generosity and understanding of neighbouring countries might perhaps provide an unexpected reply to the question.

21. Mr. DORSINVILLE (United Nations Commissioner for Rwanda-Urundi) said that, like his two colleagues, he would give the Committee some of his personal impressions which did not come within the scope of the reports submitted.

22. In the first place, he thought that some representatives exaggerated the importance of the question of the unity of Rwanda and Burundi in comparison with other pressing problems in the Territory. He was, of course, opposed to the balkanization of Africa and, in the case of Ruanda-Urundi, he was theoretically in favour of a single, united and composite State. It would obviously have been preferable if the Administering Authority had done more during forty years of trusteeship to bring about real unity in the Territory. The fact was, however, that in February 1962 practically all the people of Rwanda and Burundi were fiercely opposed to political union, as were also the local Governments. That was his personal conviction based on his stay in the Territory, apart from the statements that had been made before the Committee. There were many independent States which were smaller and poorer and had fewer inhabitants than Rwanda or Burundi and he did not think the division of the Territory would be a tragedy. He felt that it was a problem to be solved in the future rather than immediately. Moreover it seemed that many people were apprehensive about the possible division of the Territory simple because they compared it with the secession of Katanga. That was not a valid comparison because in the present case the division was desired inside the country and concerned two entities which had been separate for 900 years and were both equally poor from the economic point of view.

23. Others argued that the Trusteeship Agreement was sacrosanct and that, as it referred to a single Territory, that Territory was consequently indivisible. He did not see how the United Nations was morally entitled to invoke that legal principle against the peoples of Rwanda and Burundi when it had given

separate independence to the northern and southern regions of the former Cameroons under United Kingdom administration. He recalled that at the time he had protested vigorously against the way in which the Cameroons had finally become independent. He therefore had good reason to be surprised at the intransigence that was being shown in the case of Ruanda-Urundi.

24. At the time of the popular consultations in the Territory, each elector had thought that he was voting not only for a party, but for the separation, at least for the time being, of Rwanda and Burundi. He was afraid that any tendency on the part of the United Nations to disregard the peoples' wish to separate would provoke or increase a feeling of mistrust or hostility towards the United Nations. That would jeopardize whatever good the United Nations might do in the matter of political reconciliation, the rapprochement of the two countries, and technical assistance. That did not mean that the United Nations should endorse the separatism of Rwanda and Burundi; indeed, it could discourage that tendency by encouraging the greatest possible degree of economic, and perhaps even political, union through persuasion and good offices but without coercion and without threatening to delay the Territory's independence.

25. In his opinion, the Committee should devote less attention to the question of the unity of Rwanda and Burundi and more to the problems of the reconciliation of the races and political parties in Rwanda, the promotion of tolerance, the protection of minorities and the return of the refugees. It was also necessary to reduce the tension in Burundi and to stabilize the situation, which there, too, was disturbed by racial and political problems. Those were the problems with which any new commission sent to the Territory should concern itself. That commission, which should by preference be composed of fresh members whose patience was still untried, might perhaps, through its good offices, succeed in achieving fruitful results which, together with the preparation of technical assistance programmes, would make the country's future prospects somewhat brighter. If the efforts towards conciliation which had been started in New York could serve as a constructive preliminary to the activities of that United Nations commission on the spot, the Committee might even allow itself a certain optimism.

26. The most difficult question of all was that of the date of independence. He thought that any uncertainty in that respect would endanger the country's tranquillity because it would make the parties in power obdurate in their intolerance and would impel the Opposition groups to continue to refuse to co-operate with them, in the hope that the whole issue might be reopened at the next session of the General Assembly. It was true that a few months' extra trusteeship could not alter the situation, but it was equally true that it would be difficult to prolong the trusteeship for several years. He was very definite on that point: the trusteeship must not be prolonged beyond the date desired by the Governments of Rwanda and Burundi and by the Administering Authority itself, because large groups of the population in the Territory had lost confidence in Belgian authority and Belgium itself had lost confidence in its ability to influence the country's development favourably before independence. It would therefore be unwise not to end a trusteeship from which no one any longer expected much.

27. On the other hand, many people were reluctant to agree to such a hasty granting of independence in view of the Territory's state of unpreparedness and the possibility of disturbances which would engage the responsibility of the United Nations. That was why some speakers had recommended that a new United Nations commission should be set up and instructed to endeavour, on the spot and with the co-operation of the Administering Authority and the local Governments, to improve the prospects for the future. The date of independence could then be fixed at the next session of the General Assembly, in the light of results of that new mission.

28. He thought those two equally valid ways of thinking could be reconciled. The General Assembly might now agree provisionally that Rwanda and Burundi should become independent at the end of June 1962. The new United Nations commission would report before 15 June to a resumed sixteenth session of the General Assembly, on the most important questions: namely, the reconciliation of the parties in Rwanda, the return of the refugees, the stabilization of the situation in Burundi, the establishment of the general lines of close economic, and perhaps even political co-operation between Rwanda and Burundi, and the outline of a programme of technical assistance and economic development. The date of independence would remain in doubt, but there would be every assurance that that doubt would be resolved in June 1962.

29. Lastly, he turned to a delicate issue, the maintenance of law and order. It was generally recognized that the indigenous forces had not yet had sufficient training and lacked the necessary officers, and that it would be many months before they would be able to meet the country's needs unaided. Moreover, Belgium had stated that, if the maintenance of law and order was not ensured, it would be unable to give the Territory the technical and financial assistance it was contemplating offering. On the other hand, many delegations considered that Belgian troops could not be allowed to remain in Rwanda and Burundi after independence had been granted, for that would be the negation of real independence. Yet no one was very happy at the prospect of the United Nations sending an international police force, because of the difficulties, particularly financial, that that would entail. The dilemma could be resolved because Belgium had declared that it would do only what was acceptable to the United Nations. If the local Governments so requested, Belgium might perhaps give the Territory military or police assistance, either under the command or under the observation of the United Nations. The United Nations would then have all the necessary guarantees, provided that, in the second case, its military observers were given the power to demand and ensure the withdrawal of Belgian military personnel at the request of the local Governments, should the occasion arise.

30. Mr. LIMA (Cameroun) proposed that Mr. Dorsinville's statement should be circulated as a Committee document.

31. The Committee was now in a curious situation; all three members of the United Nations Commission for Ruanda-Urundi had expressed their personal opinions on the subject of the future of the Trust Territory, none of which seemed to be in agreement with the conclusions of the report. The Committee was in fact left without a working document.

32. The CHAIRMAN said that the basis of the debate was the report of the Commission (A/4994 and Add.1 and Corr.1) signed by all three members.

33. Mr. O'SULLIVAN (Ireland) said that his delegation supported the report of the United Nations Commission. He could not share the view that the fact that personal opinions had been expressed by the Commissioners invalidated the report in any way. They supplemented the report but did not conflict with it. For example, the report did not go into the question of whether independence should be granted to the Trust Territory as a whole or to the two countries separately, and whether it should be granted at a later or an earlier date.

34. Mr. THEODOLI (Italy) did not consider that Mr. Dorsinville's statement had included anything which differed from the conclusions of the report to such an extent as to invalidate it. The report dealt with the past; the statements made by the Commissioners related to the future, to the possible despatch of a further commission and to a new date for the achievement of independence.

35. He supported the proposal that Mr. Dorsinville's statement should be circulated in full.

36. The CHAIRMAN said that if there were no objection that would be done.

*It was so decided.*<sup>1/</sup>

37. Mr. USHER (Ivory Coast) said that the complexity of the situation in Ruanda-Urundi was partly due to the frequent shifts in the views advocated by the political leaders in the Trust Territory. For example, at the fifteenth session of the General Assembly the petitioners representing the Union nationale rwandaise (UNAR) had sought the immediate termination of the trusteeship and the proclamation of independence, whereas PARMEHUTU had favoured the continuation of the trusteeship and the establishment of local institutions and the training of cadres before independence. On the basis of those views some members of the Committee had held that UNAR was a party of heroic nationalists whereas PARMEHUTU was in the pay of the Belgians, while others had described the former as unrealistic agitators and the latter as wise moderate politicians. At the sixteenth session of the General Assembly it was PARMEHUTU that sought the immediate termination of the trusteeship and independence whereas UNAR did not insist unduly on that point. An objective and honest delegation would be hard put to it to decide which of the two parties was truly nationalist.

38. For the foregoing reasons he thought that the problem should be approached without any preconceived ideas. The Committee should be guided solely by the report of the United Nations Commission for Ruanda-Urundi and should assume that all the petitioners had spoken in good faith. He wished to avail himself of the opportunity to congratulate the United Nations Commission on its objectivity, and to thank the Belgian Government for its co-operation with the Commission. He did not doubt that the Belgian Minister for Foreign Affairs, with his experience of the efforts made by the European States to draw closer together, would make a major contribution to the solution of the problem with which the Committee was concerned.

<sup>1/</sup> The complete text of the statement made by Mr. Dorsinville was subsequently circulated as document A/C.4/531.

39. The three questions to which the United Nations was called upon to provide answers were the nature of the internal structure and the political régime in Ruanda-Urundi, the date for the accession of the Trust Territory to independence and the date for the termination of the trusteeship. In seeking solutions to those problems the United Nations should be guided by its own legislation—the Charter and the General Assembly resolutions. The first basic principle was that of the self-determination of peoples, enunciated in Article 1 (2) of the Charter, while the other relevant principles were enshrined in Article 73 b, Article 76 b and Article 80 of the Charter, as also in General Assembly resolution 1514 (XV), with particular reference to operative paragraph 3. In his opinion the sole function of the United Nations in the matter was to decide upon the validity of the process of self-determination. If the General Assembly decided that the principle of self-determination had been properly applied and that the elections were valid, it should recognize the independence of the Trust Territory and terminate the Trusteeship Agreement. At the same time it should make suggestions and give advice to the new authorities on what was needed to ensure harmony among the citizens of the country, a good administration, political stability and genuine independence.

40. If, on the other hand, the General Assembly declared the elections void, it would be entitled under Article 85 of the Charter to refuse to terminate the Trusteeship Agreement.

41. In its choice between those two alternatives the General Assembly should be guided by the provisions of resolutions 1579 (XV), 1580 (XV) and 1605 (XV). Those resolutions laid down conditions of two kinds: those relating to pre-electoral arrangements, such as a full amnesty, the return of the Mwami, the resettlement of the refugees and the establishment of broad-based Governments; and those relating to the electoral operation itself.

42. In so far as the preliminary conditions were concerned, it was clear that the Administering Authority had complied with the General Assembly's recommendations regarding a full amnesty. In the matter of the Mwami, on the other hand, the Administering Authority had unfortunately not complied with the resolutions. At the same time it might well be asked whether the Mwami's return was a *sine qua non* for the legality of the referendum. He did not think so. It would in fact be more logical to content that if the Mwami's presence would have amounted to the exercise of moral pressure on the electorate, that would have vitiated the referendum.

43. The extent to which the recommendation concerning the resettlement of the refugees had been put into effect could be assessed from paragraphs 175 and 177 of the report of the United Nations Commission. The tragedy of the refugees was not political; it was a human and social tragedy which, as the Commission indicated in paragraph 190 of its report, had been exploited by political parties for their own ends.

44. The General Assembly had also called for the establishment of broad-based caretaker Governments. In Burundi such a Government had been established. With regard to Rwanda, where the intransigence of the political parties had made that impossible, it could not be said that the General Assembly's recommendations had been disregarded, since the Resident-General, in pursuance of resolution 1605 (XV),

had suspended the Government set up after the Gitarama coup d'état.

45. With regard to the elections themselves, the General Assembly had recommended that they should be held on the basis of direct universal adult suffrage. That request had been complied with in Rwanda. In Burundi, on the other hand, the electoral method had amounted to a kind of two-stage system which was inconsistent with the letter and spirit of resolutions 1579 (XV) and 1605 (XV). It was therefore a matter of surprise to his delegation that there had been more criticism of the elections in Rwanda than in Burundi. The only reason why he would not be inclined to contest the validity of the elections in Burundi was that the Opposition had won a majority and the will of the people had triumphed despite the fact that the electoral system had been weighted against the Opposition.

46. It was disturbing to his delegation to feel that members of the Committee might determine their attitudes to certain political groups on the basis of whether they regarded them as nationalists or as the accomplices of the colonial authorities. He felt that the situation in Rwanda should be considered dispassionately. It was a historical fact that colonial authorities everywhere had supported the feudal chiefs. France and the United Kingdom, conscious of the inexorable progress of their colonial possessions towards independence, had introduced gradual democratic reforms. Belgium, on the other hand, by suddenly transferring its support from feudalism to a democratic régime, had created conditions for an open conflict between the two which had inevitably led to a revolution. The coup d'état in Rwanda had been illegal but the United Nations had legalized it through the referendum. While it was true that there had been troubles in Rwanda before the elections, it should be borne in mind that 95 per cent of the electors had cast their votes and that 80 per cent had voted for the present Government. Moreover, the United Nations Commission had reported that the elections in Rwanda had been carried out in accordance with the legislation; criticism had been directed only at the atmosphere before the elections. In that connexion, it might be asked whether a different pre-electoral atmosphere might have affected the outcome of the elections. His reply to that question was in the negative.

17. On the basis of the foregoing his delegation was of the opinion that the elections both in Rwanda and Burundi should be declared valid. Once the General Assembly had declared the elections valid, the role of the United Nations in respect of Ruanda-Urundi became one of furnishing assistance.

48. His delegation had no faith in the virtue of elections in States where political parties were based on ethnic groups. It was the duty of the United Nations, on the basis of its experience, to give advice to the leaders of Ruanda-Urundi in matters involving their own interests and the interests of Africa and the world. His country, which had refused independence for a number of years until it had been certain that it had the necessary powers, cadres and even markets, did not regard with enthusiasm the accession to independence of a country where public opinion was divided into numerous unstable and amorphous groups. History had shown that all newly independent States needed a strong central government. In the circumstances, his delegation suggested to the majority party that it should appeal to the patriotism of the other



groups and try to bring about some kind of coalition, as had been done in all the other countries of Africa at the time of accession to independence. It regretted the fact that the Administering Authority had selected an electoral system which lent itself to a proliferation of parties instead of a system which favoured the emergence of one or two major parties.

49. Despite the provisions of operative paragraph 3 of General Assembly resolution 1514 (XV) containing the Declaration on the granting of independence to colonial countries and peoples, his delegation thought that a country which acceded to independence without having the necessary police force to maintain law and order was embarking on a dangerous course. It was desirable that before Rwanda and Burundi attained independence the maintenance of law and order should be fully in the hands of the two Governments. If the people saw foreigners in command of the police, they would end by feeling that they had been cheated of the fruits of their victory and would take up the struggle once again, this time in the form of civil disobedience, which would lead to instability. Consequently it was in the interests both of Rwanda and Burundi and of the Administering Authority that the police force should be fully Africanized and controlled by the local Governments. In all newly independent African States the police had been among the first services to be transferred to the new local authorities.

50. At the 1282nd meeting Mr. Mushatsi Kareba had told the Committee that the Administering Authority could no longer protect the members of the Opposition party in Burundi against the Government. In point of fact, it had been the Administering Authority that had warned him and his friends that they had been black-listed. It therefore seemed that the Administering Authority had betrayed the confidence of the Government.

51. He did not think that the Brussels Protocols gave the Governments of Rwanda and Burundi sufficient powers. Until the termination of the trusteeship the Administering Authority should remain responsible for foreign relations and defence, but all other matters, including the maintenance of law and order, the administration of justice, and fiscal matters, should be within the province of the Governments of Rwanda and Burundi. The question of the withdrawal of the Belgian military forces would have to be settled between the Governments of Rwanda and Burundi and the Belgian Government.

52. With regard to the question of unity he noted that whereas at the fifteenth session all the petitioners had told the Committee that Rwanda and Burundi could not survive on their own, at the sixteenth session they were asking for separate independence for the two countries.

53. Unity was an ideal which Europe, which had already had experience of nationalism, was now seeking. In the light of the lessons of history he thought that the United Nations should give advice to the people of Ruanda-Urundi but should not impose a precarious unity which was not based on the consent of the interested parties. The existence of a single Trusteeship Agreement for Ruanda-Urundi did not provide sufficient justification for imposing unity, particularly since the United Nations itself had gone against that principle in the case of the Cameroons under United Kingdom administration.

54. His delegation was in favour of the dispatch of a United Nations commission to Ruanda-Urundi to supervise the transfer of all powers to the Governments of the two countries, with the exception of foreign affairs and defence, which would be transferred upon the termination of the trusteeship. The commission could help the local authorities and the Administering Authority to effect the economic unity of the two countries. Over and above its official functions it could help the political parties to reach agreement among themselves and to solve the problem of the refugees. It should continue to assist the Governments of Rwanda and Burundi for a few months after the two countries had attained independence.

55. He hoped that the Governments of Rwanda and Burundi would heed the advice of his delegation and that the accession of the Trust Territory to independence would strengthen the United Nations.

56. Mr. AKHUND (Pakistan) said that it was unfortunate that, on the verge of independence, the Trust Territory lacked trained personnel. Nothing was to be gained, however, by dwelling on the past errors of omission or commission on the part of the Administering Authority, many of which had been courageously admitted by the Belgian Minister for Foreign Affairs.

57. One of the three main issues to be decided was whether the results of the popular consultations in Rwanda were to be endorsed. The Commission had agreed that the conditions for a truly free poll had not existed. Many of the refugees had been unable to return; there had been the detention and "muzzling" of the Mwami, and some violence had occurred on the eve of the elections. The reservations expressed by the Commission could not be dismissed by saying that the Commissioners had been seeking an unattainable perfection. The point was that the principle of free elections had been vitiated, and that therefore the results, too, might have been vitiated. Whatever might happen in other countries, the United Nations had a special responsibility in the Trust Territory and could not afford to take refuge behind the plea of imperfections elsewhere. There was no easy solution to the problem. The Committee itself could not solve it; it was for the people of Rwanda to find the way to reconciliation. Despite the existing bitterness, he hoped that it would be possible to bury the past. There was no fundamental conflict between the aims of the opposing parties, who knew that they would have to build up their country together. His delegation hoped that the reconciliation talks taking place with the assistance of the conciliation group would be successful. The vital need was the creation of stable conditions and mutual accord which would pave the way for free elections and ensure the rights of minorities.

58. The second issue was that of the relations between Rwanda and Burundi. Except for the period of foreign trusteeship the two countries had had a long history of separate existence. Whether or not Belgium wanted to divide and rule and thus keep a foothold in Ruanda-Urundi was not relevant. In general the principle of the unity of homogeneous peoples was a laudable one; indeed there was an increasing tendency towards greater cohesion in many parts of the world. In the case of Ruanda-Urundi, the principle was reinforced by practical considerations. Both countries were small and poor—though that did not, of course, mean that they should be treated differently from other countries. Although the representatives of both Rwanda and Burundi wanted independence as separate

States, both apparently accepted the merits of union and were willing to negotiate to that end after independence. They had agreed to continue the existing monetary and customs union, among other things. It was to be regretted that the Belgian Government, had succumbed to the pressure of the local Governments and had agreed to dismantle some of the joint technical services. That, however, was not an irreversible decision.

59. The United Nations would be rendering a great service as well as fulfilling its responsibilities by helping to bring about a union between the two countries. His delegation strongly supported the proposal for the appointment of a commission which would lend its good offices to the leaders of Rwanda and Burundi. The commission would also be able to assist both Governments in solving the practical problems arising in the period of transition. The question of law and order would require special attention and it would have a tranquilizing effect on all concerned to know that the commission was taking an active interest in that matter.

60. The third main issue was that of the date of independence. It had been said that, if no specific date was set for independence, the resulting disappointment might lead to a renewal of violence and bloodshed. He could fully understand the impatience felt by a people who were so near their goal of independence, but he did not believe in the "mystique" of an established date. When Pakistan had attained independence, the date had been fixed somewhat arbitrarily three months previously. It seemed to him, looking back, that if there had been less insistence on a rigid timetable some of the upheavals would have been prevented or attenuated and some of the problems still facing Pakistan could have been solved. For Ruanda-Urundi, the date of 30 June 1962 had been mentioned. The purpose of fixing a date was simply to allow time for the solution of some immediate problems. If a United Nations commission was sent to the Territory, the period before independence would not be a vacuum and should not give rise to impatience: the struggle for independence was over, the Governments had been elected and discussions would be continuing. Moreover, a strong lead from the freely elected Governments would reduce the risk of a recurrence of disorders. He was sure that all concerned would cooperate in that task.

61. In conclusion, he paid a tribute to the three United Nations Commissioners for the difficult task they had accomplished. Their efforts should help to strengthen the United Nations as a dynamic force.

62. Mr. VALENCIA (Ecuador) expressed his delegation's appreciation of the report of the United Nations Commission for Ruanda-Urundi, which was worthy of the highest praise. The frank statements made by the Belgian Minister for Foreign Affairs, as well as those of the Deputy Prime Minister of Burundi, the President of the Legislative Assembly of Rwanda and the petitioners, would also assist the Committee in assessing the problem.

63. The question of Ruanda-Urundi's independence was another chapter in the liquidation of colonialism. It was heartening to note that everyone—including the Administering Authority—agreed that the Territory should be granted independence, for there were still Administering Authorities in other parts of the world who were disregarding the fundamental principle of

self-determination. It was far better for the Committee to disagree on the manner of bringing about the independence of the Territory than to disagree on the fundamental question whether the people of Ruanda-Urundi had the right of self-determination.

64. The elections had resulted in the establishment of two different governments; there was a monarchy in Burundi and a republic in Rwanda. In appraising the elections it must be borne in mind that they had been held under the supervision of the United Nations Commission and that the United Nations had thus assumed a special responsibility. The acceptance of the validity of those elections would imply recognition of the existence of two States in the Territory, which had been entrusted to Belgium as a single unit. In Burundi it appeared that the conduct of the elections had been satisfactory and there could be no doubt about the victory of the Unité et progrès national (UPRONA) party; moreover it was significant that in the five communes where appeals had been lodged and fresh elections held, the results had been the same. Difficulties had, however, arisen in Rwanda. His delegation would endeavour to make an objective appraisal of the problem from the point of view of legal principles and on the basis of its traditional friendship with Belgium and at the same time its well-known policy of support for the emerging nations of Africa.

65. There were two important trends of thought in the Committee concerning the action to be taken on the elections in Rwanda. Some, including the Belgian Minister for Foreign Affairs and the Chairman of the United Nations Commission, felt that the elections should be accepted as valid since that would give the people the necessary legal basis for the attainment of independence and would avoid greater upheavals in a country where the political situation was already unstable. They declared, moreover, that it was essential to respect the will of the people as clearly expressed in those elections. For others, the main factor was not the election results but the pre-electoral conditions, which might to some extent have determined the results; they had not, however, suggested that the elections should be invalidated or that new elections should be held, but were simply advocating an interim period during which efforts could be made to achieve national conciliation and an atmosphere of peace and harmony. In his delegation's view the following were the basic factors in the situation.

66. First, until May 1961 the Administering Authority had not co-operated effectively with the United Nations but had tended to disregard and even to oppose the General Assembly's decisions. That had been the position when Mr. Spaak had assumed the office of Minister for Foreign Affairs.

67. Secondly, General Assembly resolution 1605 (XV), with its long and complicated provisions, had required a radical change of policy on the part of the Administering Authority, for it could obviously not have been implemented without the active and sincere co-operation of the Belgian Government and of the local political parties. Moreover, it had had to be implemented in a relatively short space of time. Hence the responsibility laid upon the United Nations Commission, which had been instructed to supervise the electoral operations and to assist and advise the Administering Authority, had been very great.

68. Thirdly, the resolution had had to be applied in a country where the situation was politically explosive

and where such factors as tribal rivalry, racial antagonism and the dominance of a privileged group had led to the events of November 1959 and the Gitarama coup d'état. Moreover, as the Belgian Minister for Foreign Affairs had stressed, at the 1259th meeting, when three separate elections were being held at the same time feelings were bound to run high.

69. Fourthly, PARMEHUTU had had the inestimable advantage of being in control of the administrative machinery of Rwanda. The Commission's report had referred to the political activity of the burgomasters. Similarly the petitioners had stated that the Opposition party had in many places been unable to organize a proper electoral campaign and had even been persecuted.

70. Fifthly, the Administering Authority had not allowed the Mwami to return to Rwanda, despite General Assembly resolution 1580 (XV). It seemed strange that a referendum should have been held on the institution of the Mwami when the latter was an object of persecution and intimidation and was not allowed even to address an appeal to the people over the radio. Moreover, with the administration in the hands of PARMEHUTU, the party opposed to the Mwami, it was clear that the two political trends had not been placed on an equal footing.

71. Lastly, there had been the grave problem of the refugees, although the Belgian Government had co-operated in alleviating it to some extent.

72. Those factors led to the conclusion that the atmosphere called for in the General Assembly resolution had not been created in Rwanda. He agreed with Mr. Gassou, United Nations Commissioner, (1264th meeting), however, that it would have been impossible to create the necessary atmosphere without a radical change in the whole administrative structure. That could not have been achieved in the short time in which the Commission had had to complete its task.

73. In contrast to the pre-electoral atmosphere, the consultations themselves had been conducted in the best possible conditions. The percentage of votes cast had been very high and the victorious party had obtained a large majority. In view of those facts, he thought it probable that, even if the requisite conditions had prevailed, the results would have been roughly the same. That being so, it did not seem to his delegation that there were sufficient grounds to invalidate the elections in Rwanda particularly as no other acceptable solution seemed likely. Even Mr. Rahnama and Mr. Gassou, although they had not shared Mr. Dorsinville's opinion, had not advocated fresh elections.

74. The main problem, therefore, was to ensure the best possible conditions of stability in Rwanda on the basis of the existing situation. There were differences of opinion in the Committee on the question of how best to safeguard law and order, but no one had proposed that the Trusteeship Agreement should not be terminated or that fresh elections should be held; nor had there been a formal proposal that the United Nations should establish a presence of its own in Rwanda which would be tantamount to taking over the administration of the Territory from Belgium. He hoped no one would advocate such an extreme measure as that.

75. The essence of the whole problem, however, was the question of the unity of the Territory. Whether or not Belgium had neglected to promote unity or had

even found it expedient to maintain the division between the two parts of the Territory, the fact remained that there had been a division, and that the leaders of Rwanda and Burundi, as also the petitioners, had declared themselves to be opposed to any idea of unity. It was true that the United Nations was almost unanimous in thinking that the two countries would have a better future if they were to unite. As against that, however, there was the will of the people, who had decided freely in favour of maintaining the division, although they had not actually been consulted on the specific issue of whether they favoured or opposed the union of the two parts of the Territory. The United Nations would be making a grave mistake if it tried to make the union of the two countries a condition for the independence of Rwanda and Burundi.

76. At the 1277th meeting the representative of Ceylon had rightly stressed that there were three parties, not two, to the Trusteeship Agreement: the Administering Authority, the people concerned and the General Assembly. It should be borne in mind, however, that as the solution of the problem would directly affect the future of the people, the freely expressed views of the latter should be the primary consideration. The United Nations had made great efforts to convince the peoples of Rwanda and Burundi that their best future lay in unity, but it could do still more. The economic, monetary and customs union envisaged between Rwanda and Burundi might prove to be the beginning of a future political union, but that was not necessarily so. He therefore thought that it would be well to appoint a special United Nations commission whose primary task would be to promote the union of the two countries in whatever form that might be possible: federation, confederation, administrative union. It should also endeavour to achieve conciliation between the Government and Opposition parties. It could also assist in the task of maintaining public order and in the financial, administrative and technical preparations for independence.

77. If, however, all action in favour of the unity of the Territory failed to produce the desired result, there would be no alternative but to terminate the Trusteeship Agreement and to grant independence to Rwanda and Burundi in the conditions at present prevailing. It would indeed be extremely dangerous to allow the trusteeship to continue for any length of time side by side with Governments freely elected by the people and rightly regarded as lawfully constituted. To refuse independence because the people did not accept union would be to flout their highest aspirations.

78. Turning to the report of the United Nations Commission for Ruanda-Urundi on the assassination of the Prime Minister of Burundi (A/5086), he said that the first conclusion to be drawn from it was that it was imperative that the tribal conflict still prevailing in the Territory should be brought to an end. It was alarming to read that the assassination might well have been a mere "settlement of old scores" between enemy families or clans, for that would mean that there were not adequate guarantees for personal safety in the Territory. No one denied that the administration of justice and the maintenance of law and order were within the exclusive competence of the Administering Authority. Hence the Commission's opinion should be carefully pondered by the Administering Authority. He had welcomed the statement of the Belgian Minister for Foreign Affairs at the 1274th



meeting that his Government wished those accused of the assassination to be tried according to law. His own delegation demanded neither more nor less; there should be no reprisals or persecutions. He hoped that the Belgian Government would enforce

the law with all due diligence, in order to dispel any doubts about its impartiality which the report might have left unresolved.

The meeting rose at 5.55 p.m.