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**GENERAL
ASSEMBLY**

FIFTEENTH SESSION

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**FOURTH COMMITTEE, 1120th
MEETING**

**Tuesday, 28 March 1961,
at 11 a.m.**

New York

C O N T E N T S

	Page
Requests for hearings (<i>continued</i>)	
Requests concerning agenda item 13 (Report of the Trusteeship Council) (<i>continued</i>)	139
Agenda item 45:	
Question of the future of Ruanda-Urundi (<i>continued</i>)	
Hearing of petitioners (<i>continued</i>)	139

Chairman: Mr. Adnan M. PACHACHI (Iraq).

Requests for hearings (*continued*)

REQUESTS CONCERNING AGENDA ITEM 13 (REPORT OF THE TRUSTEESHIP COUNCIL) (A/C.4/469/Add.4) (*continued*)*

1. The CHAIRMAN drew the Committee's attention to the requests for hearings in document A/C.4/469/Add.4. He would consider the absence of any objection as an indication of the Committee's decision to grant hearings, as requested, to Mr. Tetang, Mr. Manga Mado and Malam Yero.

It was so decided.

AGENDA ITEM 45

Question of the future of Ruanda-Urundi (A/4689-A/4692, A/4694, A/4706 and Add.1, A/C.4/471) (*continued*)

HEARING OF PETITIONERS (*continued*)

At the invitation of the Chairman, Mr. Germain Gasingwa and Mr. Aloys Munyangaju, representatives of the Association pour la promotion sociale de la masse (APROSOMA) and Mr. Calliope Mulindahabi and Mr. Fidèle Nkundabagenzi, representatives of the Parti du mouvement de l'émancipation hutu (PARMEHUTU), took places at the Committee table.

2. Mr. CHATTI (Tunisia) asked when the idea of holding the Gitarama meeting had first been invoked and whether a change in the institutions of the State had already been envisaged at the time when the elections had still been scheduled for January 1961. He also wished to know whether the Belgian authorities had made any material contribution to the organization of the meeting at Gitarama.

3. Mr. GASINGWA (Association pour la promotion sociale de la masse) replied that the Provisional Government of the State did not suit the people and that the political parties had said so at the Kisenyi and the Ostend talks. When the people had learnt of the postponement of the legislative elections they had decided to set up responsible permanent institutions. The new institutions had been set up as an expression of the will of the people and the Belgian authorities had played no part in the proceedings.

* Resumed from the 1118th meeting.

4. Mr. CHATTI (Tunisia) remarked that much testimony to the contrary was in the possession of the Fourth Committee.

5. Referring to statements by petitioners at the 1119th meeting to the effect that PARMEHUTU and APROSOMA favoured reconciliation among the parties, he asked whether those two parties accepted the principle of a general amnesty, the return of the refugees, the holding of a referendum and the dissolution of the institutions set up at Gitarama.

6. Mr. MULINDAHABI (Parti du mouvement de l'émancipation hutu) said that although his party was in principle in favour of an amnesty, certain practical details had to be settled first. In the present situation in Ruanda, where there had been bloodshed only eighteen months earlier, an unconditional amnesty would be unwise. For instance, while tempers were still running high, the release of prisoners might expose them to reprisals. His party was in favour of a round-table conference at which the parties in power could confer with the opposition in order to discuss the practical details of proclaiming an amnesty. It was therefore asking the United Nations to help in the organization of such a conference.

7. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) said that APROSOMA and PARMEHUTU wished to pursue a constructive policy and for that reason were in favour of popular unity. Although numerous problems arose, they could all be solved, because what divided the political factions were only questions of practical detail. APROSOMA and PARMEHUTU were not absolutist parties and they realized that theirs were not the only proposals. It was for that reason that they were asking their fellow-countrymen who had left the State to come back, so that the differences of detail in the way of reconciliation could be resolved at a round-table conference. Those two parties, which represented majority opinion, were seeking such a conference not out of weakness but as a sign of goodwill. They were not in favour of keeping people in prison because prisoners could not make a constructive contribution to the life of the country; they were, however, afraid that the release of prisoners and the return of refugees might give rise to grave troubles. A genuine will to co-operate should prevail on all sides. In the present circumstances, the opposition parties might claim that the release of prisoners demonstrated their own strength and the success of their mission to the United Nations: in other words electoral capital would be made out of the release of prisoners.

8. As for the institutions set up at Gitarama, the two parties believed that democratic institutions provided the framework in which the people could participate in the government of their country; they were in favour of equality of rights and consequently were opposed to oligarchy. That they should proclaim a monarchy was unthinkable.

9. As for the legitimacy of the new institutions, while it was true that the procedure laid down in the decrees had not been followed, it should also be pointed out that the legislation in force was silent on the subject. The Committee was already aware of the circumstances which had prompted the action taken at Gitarama. The Administering Authority had not told the people when the new elections were to be held. A menacing situation existed along the frontier with the Congo. There had been no responsible authorities in the State. While it could be argued in the Committee that it was the duty of the Administering Authority to attend to everything, his party considered that in the exercise of its very delicate task the Administering Authority should have the assistance of the indigenous inhabitants. The United Nations had not so far recommended a date for the legislative elections. The people of Ruanda had found such a long delay disconcerting and had taken the responsibility into their own hands. Belgium had recognized the situation and had immediately granted recognition to the authorities set up at Gitarama. The new Government was being obeyed by the majority of the people and all public services operated normally.

10. He and his colleagues were not there to ask for the *de jure* recognition of the new Government. The dissolution of the institutions set up at Gitarama would have an unfortunate impact on the efforts being made by the majority of parties to meet the opposition at a round-table conference, at which the views advanced by the opposition might conceivably be adopted. He therefore appealed to the Committee to include in the draft resolution which it would adopt on the question a call to the opposition to respond to the majority parties' appeal for a round-table conference at which the solutions to the problems besetting the country might be found.

11. Mr. MULINDAHABI (Parti du mouvement de l'émancipation hutu) recalled that before the events at Gitarama the State had been governed by a Provisional Government which had, admittedly, played a role in the pacification of the country. The new Government had been set up in the interests of law and order and its dissolution would be a blow to the efforts designed to achieve a *rapprochement* with the opposition.

12. Mr. CHATTI (Tunisia) noted the statement by Mr. Mulindahabi that people were being kept in prison in the interest of their own safety. He attached great importance to Mr. Munyangaju's statement that electoral reasons militated against the release of prisoners and the return of refugees.

13. The petitioners had stated that the authorities set up at Gitarama represented the will of the people. The truth was, however, that those taking part in the Gitarama meeting had been elected communal councillors and had not been given a mandate to set up a government or change the institutions of the State.

14. He had not received a reply to the question whether PARMEHUTU and APROSOMA accepted the principle of a general amnesty, the return of the refugees, a referendum and the dissolution of the institutions set up at Gitarama—which could in any case be replaced by a provisional government of national unity.

15. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) said that he had never expressed the view that his party was opposed to the return of the refugees. On the contrary, it believed that the refugees should come home and that the prisoners

should be released. The majority parties were sincere in stretching out their hand to the opposition. As political parties responsible for the future of the people, they were asking for joint measures for the practical implementation of the principles defined in the Fourth Committee. At the same time, they wished to avoid a situation in which electoral capital could be made out of the release of prisoners.

16. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) said that for his party to accept the principle of a referendum on the monarchy would be tantamount to renouncing its own republican ideology. It was not, however, afraid of a confrontation between its ideology and other ideologies and for that reason it was ready to take part in a round-table conference. If the opposition could prove that the people preferred a monarchy to a republic, his party would bow to the arguments of the opposition. The majority parties were not totalitarian and were not shutting the door to discussions. Before the latest developments they had agreed that the people should decide the régime at elections to be held by direct universal suffrage. They still held that the decision should rest with the elected representatives of the people and it was for that reason that those elected in the communal elections had set up new institutions.

17. The institutions set up at Gitarama were guaranteeing peace and order and their dissolution might lead to disturbances. The *de facto* institutions were more viable than anything which might be set up on the basis of legal quibbling. It should be remembered that the law was not an end in itself but that its purpose was to regulate a situation in which the demands of life in society were satisfied. It was no simple matter to talk of the dissolution of the institutions set up at Gitarama. If the only institutions in existence did what was required of them it would not be prudent to dissolve them until others could be established. Detailed discussions were necessary in which the people of Ruanda, the Administering Authority and the United Nations should take part.

18. Mr. CHATTI (Tunisia) observed that the petitioner's position as a burgomaster did not entitle him to modify the institutions of the country. If he was truly democratic in his views he must be prepared to agree to a referendum.

19. Secondly, the petitioner had referred to the recognition of the institutions in question by the Belgian authorities. The General Assembly would not be likely to follow the Belgian Government's example in that respect.

20. Thirdly, the petitioner appeared to endorse the situation which had resulted from the *coup d'état* at Gitarama. That situation was, however, an illegal one which must be changed as a preliminary to any reconciliation.

21. The petitioner's statements did not appear to show a genuine desire for reconciliation.

22. Mr. WEEKS (Liberia) asked whether the petitioners represented political parties or a Government, or whether they were present in their private capacity.

23. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) said that the petitioners were speaking in the name of their parties, PARMEHUTU and APROSOMA, but when a question concerning the Provisional Government was asked the petitioners felt it was their duty to give the Assembly information about the situation in Ruanda.

24. Mr. WEEKS (Liberia) asked whether the Administering Authority had informed the parties of General Assembly resolution 1579 (XV), which stated that the best future for Ruanda-Urundi lay in the evolution of a single, united and composite State.

25. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) and Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) said that their parties had been informed of the resolution.

26. Mr. WEEKS (Liberia) asked whether the parties represented by the petitioners recognized the resolution.

27. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) said that his party was in favour of the objective proposed by the United Nations, i.e., the evolution of a single, united and composite State. Nevertheless the facts must be recognized. When the Mandate had been entrusted to Belgium there had been two separate States and up to the present there had been only one attempt to unite them, the establishment of a General Council for Ruanda-Urundi, which had included representatives of both States. That Council, however, no longer existed. He felt sure that if the Territory were to achieve independence immediately the two States would fly apart. There were no institutions at present on which unity could be based.

28. Mr. WEEKS (Liberia) said that he had received no reply to his question whether the petitioners' parties recognized the General Assembly's decision regarding the evolution of a single, united and composite State.

29. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) replied that PARMEHUTU and APROSOMA accepted the resolution in principle but considered that the means of putting it into effect must be studied. That was why they regarded a round-table conference as essential.

30. Mr. WEEKS (Liberia) said that in the light of the petitioners' replies he assumed that the parties they represented recognized the General Assembly resolution.

31. He asked why they had not studied the resolution before organizing the *coup d'état*.

32. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) said that the authors of the *coup d'état* had known of the General Assembly resolution. The situation created by the *coup d'état* in no way obviated the establishment of a unitary State. None of the institutions at present existing in Ruanda-Urundi were definitive.

33. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) agreed with Mr. Nkundabagenzi that nothing that had been done in the Territory was final. The country could be built up with common institutions while respecting the individual character of each State. He did not think a really unitary State could be achieved as yet. In any event it was the Administering Authority rather than the political parties which should be asked what had been done to implement the General Assembly resolution. He hoped that the Belgian Government would again be requested to organize a round-table conference.

34. Mr. WEEKS (Liberia) said he understood that two views regarding the General Assembly resolution had been expressed: one that it favoured certain parties or groups in the Territory, the other that it constituted interference with the internal affairs of the Territory,

which were the concern of Belgium. He asked whether those criticisms had been made by Belgians or by members of the Provisional Government.

35. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) said that his party did not consider the resolution to constitute an interference in the internal affairs of Ruanda, which in any event was not a sovereign State. It might be maintained that some of the recommendations made by the United Nations trespassed on the functions of the Administering Authority, but that would be a matter between the Administering Authority and the United Nations and was not the business of the political parties.

36. His party had not claimed that the resolutions supported the Union nationale ruandaïse (UNAR), but it could not be denied that they could be regarded as supporting the monarchist parties. General Assembly resolution 1580 (XV) reopened the question of the monarchy. PARMEHUTU was not in favour of doing that.

37. Mr. WEEKS (Liberia) observed that the petitioner had not answered his question about the origin of the criticisms of the General Assembly resolution: had those criticisms been voiced by the group which controlled the Government, by the opposition party or by the Belgians?

38. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) replied that no criticism could be levelled at the United Nations resolutions from a legal point of view, since such resolutions were covered by article 7 of the Trusteeship Agreement; in any case, the political parties which the petitioners represented were not parties to that Agreement. On the other hand, they were entitled to express a political opinion regarding the resolutions and that opinion was not only the view of their parties but of the people of Ruanda, whom they represented.

39. Mr. WEEKS (Liberia) said that the petitioner was clearly unwilling to admit that his party had found fault with the General Assembly resolution, though he had claimed that he had a right to make such criticisms.

40. He would like some information regarding the recent *coup d'état*: how and by whom it had been organized and whether the event had been connected with the criticisms which had been expressed of the United Nations resolutions.

41. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) agreed that one of the factors behind the *coup d'état* had been opposition, on political rather than legal grounds, to the resolutions. In particular, the recommendation that the elections should be postponed had been ill-adapted to the actual situation in the country, since the date of those elections had been agreed upon and the population was expecting them to take place. Delay would have meant a prolongation of the provisional régime and all parties had been eager to see the end of that provisional arrangement.

42. With regard to the organizers of the *coup d'état*, that was a question of detail which he did not feel it necessary to go into. The communal chiefs and councillors had been called together, democratic institutions had been elected and a republican régime set up.

43. Mr. GASINGWA (Association pour la promotion sociale de la masse) said that he would be able to provide the Committee with documents on the matter at the meeting the following morning, at which time he would reply to the Liberian representative's question.

44. Mr. RASGOTRA (India), speaking on a point of order, said that he was not satisfied with the refusal of the petitioners to give information on the vital matter in question. He requested that copies of any documentation which was provided should be circulated.¹

45. The CHAIRMAN said that it was in order for a petitioner to reserve his reply until a later meeting if he so wished.

46. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) felt that the Liberian representative's question was partly answered in the interim report of the United Nations Commission for Ruanda-Urundi (A/4706 and Add.1). He agreed with the Indian representative that the matter was important but hoped that the detailed written report which Mr. Gasingwa had promised to submit would give that representative satisfaction.

47. Mr. WEEKS (Liberia) requested that the final reply to his question should include information on the role played by the Belgians in the matter; the indications were that the development had been condoned by the Belgian authorities.

48. Mr. ACHKAR (Guinea) said that all the statements of the petitioners bore out that there had been a plot, organized by the Administering Authority, to thwart the decisions of the United Nations.

49. At the previous meeting, a petitioner had made a reference to delegations which were sowing confusion in Ruanda and were giving support to UNAR. He would like to know which delegations were meant.

50. Mr. MULINDAHABI (Parti du mouvement de l'émancipation hutu) explained that he had been referring to certain groups which were financing the travel to the United Nations of a number of UNAR members living abroad. No reference had been implied to any State or to the United Nations.

51. Mr. MUNYANGAJU (Association pour la promotion sociale de la masse) said that the Guinean representative had spoken of a plot by the Administering Authority to thwart the United Nations resolutions. He was not in a position to know anything about the designs of the Administering Authority and it was for that Authority alone to reply to the Guinean representative's comments. He was present as the representative of a Ruandese party, which was proud of being a popular and working-class party, and there was certainly no question of a conspiracy with the Belgian authorities as far as his party was concerned. Furthermore, his party was anxious to co-operate with the United Nations, as well as with the opposition parties, and had shown its desire for reconciliation.

52. With regard to those who had shown the members of UNAR hospitality during their exile, he welcomed such action and deeply regretted that some of his UNAR friends should have been forced to leave the country as a result of the social revolution which had taken place. He was sincerely anxious to see those exiles return to their country and co-operate in removing the faults of Ruandese society, and in building a viable, independent State.

53. Mr. ACHKAR (Guinea) said that the concern of his delegation was for the welfare of the people; it was vital to ensure democracy in Ruanda-Urundi and see that the Territory acceded to real independence. He was not interested in the question of any groups

which were financing Ruandese political parties. Furthermore, he wished to point out that once a resolution was passed by the General Assembly it was a decision of the Assembly and not of any group of countries.

54. He agreed with Mr. Munyangaju that it was for the Administering Authority to answer the point he had raised regarding a plot to thwart the United Nations. As to the assertion that the General Assembly resolutions involved interference in the internal affairs of Ruanda, that was a strange interpretation of the Trusteeship Agreement. When Ruanda-Urundi became independent, his delegation would be the first to oppose outside interference, but the United Nations clearly had the right to know what was happening in the Territory at the present time.

55. One petitioner, although he had claimed to be speaking for the people, had said that the resolution regarding the Mwami would have the effect of bringing the Mwami back to Ruanda. He would like that apparent contradiction to be explained. A referendum was a democratic procedure which would help to make the position clear.

56. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) said that it was not his view that the result of the proposed referendum would be to bring the Mwami back to power, though naturally the result could not be known in advance. The proposal to hold a referendum suggesting one particular form of government did, however, seem to imply a preference for that form of government.

57. He felt that the question of the system of government had been settled by the indigenous population. If, however, it was considered necessary to reopen the question, he would suggest that the elected representatives could decide on the system of government. It was very rare for the form of government in a country to be decided by referendum; as far as he knew that had not happened in any of the independent African States.

58. Mr. ACHKAR (Guinea) said that the principle of a referendum had particular significance for his country, which had become independent as the result of a referendum. If the parties represented by the petitioners wished to co-operate with the United Nations, they should comply with the resolutions.

59. He could not agree with the claim of those who were in power as the result of a *coup d'état* to represent the people.

60. It had been stated at the previous meeting that the present institutions exercised effective authority; did that mean that Belgium no longer accepted its responsibilities under the Trusteeship Agreement?

61. Mr. NKUNDABAGENZI (Parti du mouvement de l'émancipation hutu) thought that a distinction should be made between local powers and foreign relations, as also between the *de jure* and the *de facto* aspects of the situation. The present Government recognized that Ruanda was still under trusteeship but the Administering Authority had granted that Government internal autonomy. It was for the Administering Authority itself to explain the scope of the autonomous powers it had granted.

62. As for the *de facto* situation, there could be no question that the present institutions were exercising the attributes of authority: namely, the maintenance of law and order, and the adoption, implementation and enforcement of legislation.

The meeting rose at 1 p.m.

¹ The documentation in question was subsequently circulated under the symbol A/C.4/477.