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Chairman: Miss Angie BROOKS (Liberia).

In the absence of the Chairman, Mr. Lulo (Albania), Vice-Chairman, took the Chair.

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 and 2, 517 and Corr.1, 522 and Add.1-4, 532 and Corr.1, 533-535; A/C.4/L.730) (continued)

STATEMENT BY MR. AMANDIN RUGIRA, PRESIDENT OF THE LEGISLATIVE ASSEMBLY OF RWANDA

1. The CHAIRMAN informed the Committee that Mr. Rugira, the President of the Legislative Assembly of Rwanda, had requested permission to make a statement. If there was no objection, he would invite Mr. Rugira to take a place at the Committee table.

It was so decided.

At the invitation of the Chairman, Mr. Amandin Rugira, President of the Legislative Assembly of Rwanda, took a place at the Committee table.

2. Mr. RUGIRA (President of the Legislative Assembly of Rwanda) said that the representatives of the Government of Rwanda had examined draft resolution A/C.4/L.730 with great interest and had found it highly satisfactory on the whole. His Government was fully prepared to co-operate with the United Nations in its implementation. It felt, however, that operative paragraph 7 was not sufficiently specific in that it did not set a definite date for independence. The Government and the people were not given any guarantees concerning the early termination of the trusteeship. In that way the draft resolution tended to prolong a disquieting and even dangerous sense of insecurity, which should be dispelled as early as possible.

3. He felt he should inform the Committee that the major concessions that the Government of Rwanda had made to the Opposition in the Agreement of 8 February 1962 (A/C.4/532 and Corr.1) had been conditional on the establishment of an irrevocable date for national independence, acceptable to the Government of Rwanda, at the current session of the General Assembly. It was not his intention to reopen the ques-

tion of the conciliation Agreement; he simply wanted to be aware of the spirit and the conditions in which the Agreement had been concluded. He would also like the Committee to realize that failure by the United Nations to determine the future of the country was likely to encourage further nefarious activities on the part of certain elements of the Opposition, to endanger law and order and to hamper the Government in the effective exercise of its functions. Moreover, the Government of Rwanda would be unable to avoid the impression of having granted appreciable political advantages to the Opposition without gaining anything in return and without securing guarantees that the Opposition would contribute to the maintenance of law and order. His Government was firmly convinced that the setting of a definite date for independence was a sine qua non for reconciliation and the maintenance of law and order.

Mr. Amandin Rugira, President of the Legislative Assembly of Rwanda, withdrew.

CONSIDERATION OF DRAFT RESOLUTIONS (A/C.4/L.730 (continued))

4. Mr. BITSIOS (Greece) said that the two outstanding merits of draft resolution A/C.4/L.730 were that it looked to the future rather than to the past and that it demonstrated the sincere and active interest of the United Nations in the welfare of a Trust Territory. It was because the draft resolution had so much merit that his delegation regretted the vague wording of operative paragraph 7, the crucial element in the text. As it stood, it was not likely to encourage the local Governments to settle the outstanding issues. Moreover, although those issues were certainly of great importance, there was nothing either in the Charter or in the letter or the spirit of the Declaration on the granting of independence to colonial countries and peoples contained in General Assembly resolution 1514 (XV), that would entitle the Committee to make the independence of Ruanda-Urundi conditional on their settlement.

5. The Charter laid down no specific provisions concerning the manner in which the Trusteeship Agreement should be terminated. There was, however, an authoritative interpretation to the effect that, since Rwanda and Burundi had formed their own political institutions and attained the stage of self-government, the trusteeship régime was null and void both legally and morally. The consent of both the Administering Authority and the United Nations to the termination of the Trusteeship Agreement, though necessary, was a mere formality which the Committee was not entitled to postpone sine die or to make conditional on other issues.

6. In the light of the Nigerian representative's statement at the previous meeting to the effect that the intention of the sponsors was to ensure that a further attempt at reconciliation should be made and not to impose the wishes of the United Nations on the people

of Ruanda-Urundi, he thought that he and the sponsors were thinking along the same lines. In the circumstances he could not interpret operative paragraph 7 as meaning that the termination of the Trusteeship Agreement might be postponed beyond 1 July. That paragraph should therefore be amended to indicate that 1 July 1962 was the date by which the people of the Trust Territory could expect independence.

Miss Brooks (Liberia) took the chair.

7. Mr. QUAISON-SACKEY (Ghana) said that the draft resolution had been prepared as the result of a considerable number of mutual concessions and with the wishes of the people of the Trust Territory in mind. The essential element in the draft resolution was the decision to establish a commission for Ruanda-Urundi. His delegation hoped that the Chairman of the Fourth Committee would be associated with it.

8. The tasks which the commission would be asked to carry out were enumerated in operative paragraph 3. The interpretation which the sponsors gave to operative paragraph 3 (e) was that the Belgian forces should be withdrawn by the date of independence. He hoped that complete agreement on that point would be reached between Ruanda-Urundi and Belgium and that no difficulties would arise. That would require the recruitment and training of indigenous forces capable of maintaining law and order, and placed under the command of the central government.

9. With reference to operative paragraph 4, the sponsors felt that every effort should be made to effect the reconciliation of the people of Rwanda and Burundi, who had lived together under one Administering Authority, sharing common services, and had had common aspirations. That was why, despite the attitude adopted by the representatives of Burundi and Rwanda, his delegation had felt that a last effort should be made. It would be unfortunate if it was said that the Trusteeship System encouraged the balkanization of Africa, a process which most African States were trying to stem. He felt that the conference proposed in operative paragraph 4 should be held outside Ruanda-Urundi—perhaps in Addis Ababa, where United Nations services were available.

10. With reference to operative paragraph 5, it was his understanding that the Administering Authority itself was anxious to hand over powers to local Governments. In the circumstances it should be an easy matter to ensure the transfer of all internal powers, including control over financial affairs, to the legislatures of Rwanda and Burundi. Such a transfer of powers would establish the confidence needed to facilitate the work of the conference and of the commission. He also felt that in the months between the transfer of internal powers and the attainment of independence the Belgian Government should keep the local authorities informed of any action taken in the field of foreign affairs.

11. The date of 1 July 1962 mentioned in operative paragraph 7 was the result of a compromise, the intention being to make it possible for the conference and the commission to carry out their tasks. He hoped that the commission would achieve satisfactory results and would not find it necessary to request the reconvening of the General Assembly before June 1962.

12. Ruanda-Urundi's accession to independence could not be postponed. It was clear from the statements by the Administering Authority and by the leaders of

Burundi and Rwanda that it would be fatal to delay it. He therefore hoped that, whatever happened, it would be possible for Ruanda-Urundi to accede to independence by 1 July 1962.

13. Mr. ROSSIDES (Cyprus) said that, although his delegation had participated in the discussions on the draft resolution in the African-Asian group, it had not become a sponsor because it considered the draft resolution to be unrealistic.

14. There had originally been two different points of view. The first, supported particularly by the representatives of the Governments of Rwanda and Burundi, was that independence should be granted very soon, or even immediately, irrespective of the conditions prevailing in the Territory. The other was that conditions must first be restored to normal in order to bring about real independence without the danger of further conflict arising later. Those holding the latter view had also considered it essential that Ruanda-Urundi should be prepared for independence as one single Territory, though with local autonomy.

15. Valid arguments could be adduced in support of both views. He could understand and sympathize with those who wanted immediate independence; he had in fact taken a similar stand with regard to his own country. It was also understandable that the Administering Authority was anxious to withdraw as soon as possible. There were equally valid arguments for the other view, among them the example of the Congo, which, having been granted independence very swiftly without the necessary preparation, had subsequently run into manifold problems and involved the United Nations in great efforts and expenditure.

16. The difficulty was that the draft resolution, instead of representing either one view or the other, endeavoured to represent both. The African-Asian group had largely taken the second view, namely, that the ground must be thoroughly prepared. To that end it had proposed that the commission should be entrusted with the series of long-term tasks enumerated in operative paragraph 3 and that a conference should be convened with a view to achieving a unitary State. It would be something of a miracle if all that could be accomplished within a period of a few months.

17. At the same time the first view, recommending 1 July 1962 as the date for the termination of the Trusteeship Agreement, had been interjected into the draft resolution. That was almost equivalent to demanding independence at once, irrespective of the prevailing conditions. If that date was to be adhered to, it would be essential to jettison some of the burden imposed on the commission under operative paragraphs 3 and 4, for the commission could not be expected to complete all those tasks before 1 July. If the sponsors were reluctant to take that course, the only alternative was to extend the period of preparation and hence set a later date for independence. He would be only too happy to be proved wrong in his assumptions, but he felt very strongly that the two propositions embodied in the draft resolution were incompatible with each other.

18. Mr. GRINBERG (Bulgaria) inquired how soon the Secretariat could prepare the statement of financial implications which would have to accompany the draft resolution under rule 154 of the rules of procedure.

19. The CHAIRMAN said that the question of the financial implications of the draft resolution had been

raised at the 145th meeting of the General Committee that morning; it was a matter which would have to be taken up by the Fifth Committee.

20. Mr. COTTRELL (Secretary of the Committee) said that, according to his information, a preliminary provisional estimate would be ready for the afternoon meeting. One difficulty was that the place of meeting of the conference referred to in operative paragraph 4 had not yet been specified. Another difficulty arose concerning the "military and police" advisers mentioned in that paragraph. The estimate would be based on the assumption that the commission would be proceeding to Usumbura.

21. Mr. THEODOLI (Italy) asked whether the United Nations advisers mentioned in the last sentence of operative paragraph 4 were required in connexion with all the commission's tasks in the Territory or only in connexion with the conference. He assumed that the advisers would accompany the commission to the Territory and proceed later to the conference. That point would affect the financial implications and should be made quite clear. It was important, too, to reach a decision on the place where the conference was to be held. For many reasons, Geneva would be preferable to Addis Ababa.

22. Mr. QUAISON-SACKEY (Ghana) said that the Italian representative's question was partly answered by operative paragraph 11. Only financial advisers would be required for the conference, but military and police experts would be needed immediately for the maintenance of law and order and for the training of indigenous forces, in compliance with operative paragraphs 3 (d) and (e).

23. He announced that the Federation of Malaya and Gabon had asked to join the sponsors of the draft resolution.

24. Mr. KOSCIUSKO-MORIZET (France) wished to make a few preliminary observations on the draft resolution, although his delegation had not yet had time to study it thoroughly. While paying a tribute to the sponsors on the outcome of their labours, he would like to ask for elucidation of some points and to make a few suggestions.

25. Firstly, he noted that the draft resolution made no mention of the Special Commission for the Amnesty. He thought it only right that the General Assembly should express appreciation of that Commission's work.

26. Secondly, the draft resolution called for a resumption of the sixteenth session of the General Assembly. The French delegation had always had reservations of principle with regard to the prolongation of the sessions of the General Assembly, but in the present case the general view appeared to be that a resumption would be necessary and his delegation would not oppose it, on the understanding that it would debate only the question of the future of Ruanda-Urundi and that its duration would be limited.

27. Turning to the text of the draft resolution itself, he said that operative paragraph 3 was one of the most important. He would not comment on it in detail until he had heard the views of the Administering Authority, but would point out that a Trusteeship Agreement was an agreement between the United Nations and the Administering Authority under which the latter had certain responsibilities and certain prerogatives. If the matter was to be brought to a

successful conclusion there must be agreement between the United Nations and the Administering Authority. The drafting of paragraph 3 was unsatisfactory, since it seemed to imply a division of responsibility between the Administering Authority and the United Nations commission. The commission would of course be able to give advice, offer its good offices and even exercise supervisory functions, for example in connexion with the maintenance of law and order, but the wording of paragraph 3 gave the impression that the commission would actually take part in the administration of the Territory. The representative of Nigeria, when presenting the draft resolution at the 1292nd meeting, had made it clear that that was not the intention of the sponsors. The wording of the paragraph should therefore be amended, perhaps on the following lines: "Instructs the Commission to proceed immediately to the Territory with a view to assisting the Administering Authority in the achievement of the following objectives".

28. With regard to operative paragraph 4, he realized that the proposal that the conference should consist of five representatives of each of the Governments of Rwanda and Burundi was intended to provide a kind of parity between the United Nations commission and the Government representatives. He wondered, however, whether that was really necessary, especially in view of the financial implications; moreover, he doubted whether each of the Governments of the two countries would be able to spare five Ministers, in view of the important tasks that would have to be carried out in the Territory. Furthermore, while he agreed that the presence of the Chiefs of Government would be desirable, he questioned whether it was within the power of the United Nations to summon them to attend the conference. He did not think the draft resolution should do more than express the hope that they would be able to attend.

29. With regard to operative paragraph 7, he agreed with the representative of Greece that the word "envisages" was unlikely to satisfy the people of the Territory in the light of the views expressed before the Committee by the representatives of their Governments. His delegation considered that in the interests of peace and tranquillity in the Territory it would have been preferable to fix a definite date for the attainment of independence.

30. Mr. ACHKAR (Guinea) wished to reply to some of the observations made by the representatives of France and Cyprus.

31. He agreed with the French representative that there should be a reference in the draft resolution to the Special Commission for the Amnesty. He hoped that the other sponsors would agree that the omission should be remedied.

32. The French representative had suggested that the resumed session should confine itself to debating the question of the future of Ruanda-Urundi and that its duration should be limited. The delegation of Guinea would agree to the first part of that suggestion, but felt that it would be difficult to fix the length of the resumed session in advance, since that would depend on whether the conditions laid down in the draft resolution had been fulfilled.

33. With regard to operative paragraph 4, it had not been the intention of the sponsors that the representatives of the Governments of Rwanda and Burundi should all be Ministers. They hoped that the delega-

tions would be led by the Chiefs of Government, since the decisions to be reached would be of such great importance for the Trust Territory, but the other representatives might be members of Parliament or diplomats.

34. With regard to operative paragraph 7, while he agreed that the present text was not entirely satisfactory, it had been the only wording to which all the sponsors could agree. There had been two trends of opinion in the drafting committee: one that a definite date for independence should be fixed and the other that the commission should be given time to carry out its work. That was why the present compromise formula had been adopted.

35. Replying to the representative of Cyprus, he agreed that the commission was being entrusted with a heavy task and it might be questioned whether the time allowed was sufficient. Nevertheless, the Belgian Minister for Foreign Affairs, whose country was still responsible for the administration of the Territory, had not objected to the commission's being entrusted with the tasks enumerated in operative paragraph 3. The performance of those tasks need not take very long. The process of reconciliation had already begun; agreement had been reached by the Government and the Opposition of Rwanda, and the political factions in Burundi, too, might well be reconciled. If a Government of national union were formed in Rwanda most of the refugees would probably return. The guarantees of human rights and fundamental freedoms could be decided upon immediately. The maintenance of law and order should present no difficulty provided the agreement of the Administering Authority were obtained. The replacement of Belgian forces would also depend on the co-operation of Belgium and would not take unduly long provided the Belgian Government acted with goodwill and decision. The commission's

activities could continue during the holding of the conference envisaged in operative paragraph 4; some of the members of the commission and of its staff could remain in Ruanda-Urundi. In the light of those considerations his delegation felt that the programme outlined in the draft resolution was feasible.

36. Lastly, he recalled that General Assembly resolution 1514 (XV) laid down that inadequacy of preparedness should never serve as pretext for delaying independence. The sponsors of the draft resolution were, however, firmly convinced that Ruanda-Urundi was a special case. Their concern was to preserve the unity of the Territory which they believed to be as important as independence. They also wished to see understanding and peace established in the Territory. Those were not, however, prior conditions to the granting of independence; the sponsors were anxious to help the Territory to achieve independence as soon as possible and in the best possible conditions.

37. The CHAIRMAN pointed out that the Committee would have to reach a decision on the place at which the conference should be held so that an estimate of expenditure could be made.

38. Mr. YOMEKPE (Ghana) asked whether two estimates could be prepared, one with Addis Ababa as the site of the conference and the other with Geneva.

39. Mr. KAKITSUBO (Japan) asked that his delegation's name should be placed on the list of sponsors of the draft resolution.

40. His delegation, like that of Guinea, agreed with the French representative's suggestion that the draft resolution should include a reference to the Special Commission for the Amnesty.

The meeting rose at 12.50 p.m.