

In particular, the Commissioners objected to Article 2 of the Ordinance which read as follows: "The amnesty shall not apply to the following offences, unless the persons convicted have been sentenced to a term of imprisonment not exceeding five years: assassination, murder and arson causing loss of life; physical torture; directing assaults calculated to bring about devastation, massacre or pillage."

Article 10 of the Ordinance, however, provided that: "The Resident-General may submit to the judgment of the Commission the appraisal of the political character of any offence which does not qualify for amnesty under the terms of this Legislative Ordinance.". As you will recall, resolution 1605 (XV) spoke of full and unconditional amnesty and recommended in para 9a that the Special Commission examine the few remaining cases of those guilty of very grave crimes.

In order that the Ordinance should meet the aims set by the General Assembly in its resolution the Commissioners felt that Article 10 should be given as broad an interpretation as possible so as to limit the effects of Article 2.

These views were set out in the Commission's letter of June 10 to the Minister of Ruanda-Urundi, the text of which will be found in Annex IV of the Report.

In this same letter the Commissioners also expressed the hope that the Administering Authority would recognize the validity of their comments and that the interpretation to be placed on the Ordinance would not in any way hamper the Commission in the carrying out of its mandate.

The Special Commission received the Administering Authority's reply a few hours before its departure for Usumbura. Among other things the Minister for Ruanda-Urundi stated that: