

INVTY

1961 FEB 28 PM 4:13
O.N.U.C.

UC058

UC058

CUE 030

000 CUA

DE CUE 45/28

O 281500Z FEB CUE

FM ONUC EVILLE

TO ONUC LEO

BT

UNCLAS ELLEO 187 STOP DAVAL MACEOIN FROM BERENDSEN KJELGREN STOP
FOLLOWING IS UNOFFICIAL ENGLISH TRANSLATION OF AVE QUOTE PROTOCOLE
D'ACCORD MILITAIRE UNQUOTE SIGNED TODAY AT ELISABETHVILLE STOP QUOTE
STOP BEING CONSCIOUS OF THE THREAT OF A TYRANNICAL COMMUNIST REGIME
ON THE TERRITORY OF THE EX BELGIAN CONGO AND GIVEN THE BLAMEWORTHY
PASSIVITY OF UUNN LEADERS CMA THE UNDERSIGNED LOCAL AUTHORITIES HAVING
MET TOGETHER ON 28 FEBRUARY AT EVILLE AR UNANIMOUS IN POOLING ALL
THEIR MILITARY FORCES IN ORDER TO FIGHT THIS DANGER STOP IN CONSEQUENCE
CMA THY HAVE AGREED TO ESTABLISH PERMANENT CONTACT BETWEEN THEM IN
THE POLITICAL AND MILITARY FIELDS TO COORDINATE THEIR ACTIONS STOP

242

PAGE TWO CUE 45/28

THEY CHARGE THE MILITARY AUTHORITIES OF SOUTH KASAI AND KATANGA AND
THOSE DEPENDENT ON ARMY HEADQUARTERS IN LEOPOLDVILLE TO STUDY TOGETHER THE
ORGANIZATION WHICH WILL PERMIT THE REALIZATION OF THESE OBJECTIVES STOP
THEY ARE DETERMINED TO DECIDE FOR THEMSELVES THEIR POLITICAL PROBLEMS
WITHOUT TOLERATING IN ANY MANNER FOREIGN INTERFERENCE STOP SIGNED
AUTHORITIES DE LEOPOLDVILLE CMA LE PREMIER MINISTRE JJJ ILEO
STOP AUTORITES DE BAKWANGA CMA LE PRESIDENT DU SUD KASAI AAA KALONJI
STOP AUTORITES D'EVILLE CMA LE PRESIDENT MOISE TSHOMBE STOP UNQUOTE
THEY ANNOUNCED THEY WOULD MEET AT MADAGASCAR CMA INSTEAD OF GENEVA
STOP THEIR MORALE WAS REPORTED TO BE HIGH STOP ENDALL

BT

CFN ELLEO 167 28

28/1500Z FEB CUE

1610

cf Bol 100

RECEIVED
C. G.
P. 27
08:11

yc7 s ny 260 26 2359z =

etat priorite

onuc

leopoldville =

635 dayal from secgen following note verbale was transmittedn today by representative of belgium quote Le representant permanent de la belgique presente ses compliments a monsieur le secretaire general des nations unies et a lhonneur de se referer a sa communication du 24 janvier s.154. La mission = p2 =

a la charge de denoncer une nouvelle fois au secretaire general les abus, sevices et exactions dont continuent a etre quotidiennement victimes entre autres les ressortissants belges dans la province orientale et dans celle du kivu. Le mandat des nations unies au congo les rend responsables du maintien =

p3 =

de lordre et cres pour elles le devoir de mettre tout an oeuvre, y compris, en cas de besoin, lemploi de la force, pour proteger toute personne contre des actes qui constituent une violation aussi flagrante des droits de lhomme. Le gouvernement belge ne peut =

p4 =

accepter le principe du refus pour les nations unies de recourir a la force afin dassurer la protection des etrangers au congo. Lonuc est en effet la seule force internationale qui puises assumer cette tache, elle ne peut, sans contrevenir a ses responsabilites, demeurer passive devant =

p5 =

des sevices pouvant aller jusqu' la perte de la vie. Le gouvernement belge tiendrait a connaitre les directives qui ont ete donnees par le secretaire general a ce sujet ainsi que le facon dont elles ont ete appliquees par lonuc sur place. Le representant permanent saisit cette occasion =

p6/10 =

de reiterer a monsieur le secretaire general etc stop unquote +

col 635 24 s.154 +

02

4/100

RECEIVED
O.N.U.C.

PR

1961 JAN 27

08:06

52

yc6 s ny 321 26 2359z =

etatpriorite

onuc

leo =

633 dayal from secgen following letter was transmitted today by the representatives of ceylon ghana guinea mali morocco uar and yugoslavia to president of seccouncil colon quote upon instructions from our respective governments we have the honour to inform your excellency of the following colon

(1) the =

p2 =

above mentioned governments strongly protest against the inhuman and brutal treatment to which mr. lumumba coma prime minister of the republic of the congo coma mr joseph okito coma vice president of its senate and mr maurice mpolo coma its minister of youth coma were subjected upon their recent illegal =

p3 =

transfer to katanga coma and which was eyewitnessed and attested to by united nations personnel on the scene stop

(2) our governments strongly believe coma therefore coma that the continued illegal incarceration of mr lumumba will only increase disunity and render extremely difficult the preservation of the congo's territorial integrity =

p4 =

and the establishment of law and order stop (3) fruitful negotiations aiming at increasing harmony among political factions and at preserving the congo's territorial integrity cannot be conducted coma in fairness and seriousness coma as long as some of the congo's most prominent national leaders coma such as mr lumumba =

p5 =

and members of his government and of the congolese parliament coma remain illegally detained coma are subjected to inhuman and brutal treatment and thus are unable freely to express their views and participate in such deliberations stop para for these considerations coma the permanent representatives of ceylon coma ghana coma =

p6 =

guinea coma mali coma morocco coma uar and yugoslavia upon instructions from their governments have the honour to request your excellency to convene a meeting of the security council to examine the alarming recent developments in the congo which are hampering efforts for the preservation of law and order in =

p7/21 =

that country coma as well as its territorial integrity coma and which coma therefore coma endanger international peace and security unquote +

col 633 (1) (2) (3) +

UC083CUE 23

FFF CUA DE CUE T67/10

FM ONUC BUKAVU

1961 JAN 10 PM 3:11

TO ONUC LEO

O.N.U.C.

BT

ROUTINE

C/Pd 100
Q2 CUE 290/12
104
cc Mr Gumbert

UNCLAS BULE 22/61 FOR LOWENSTEIN OMS INFO GUIBERT UNICEF CMM RABAT

FAO CMM GRUN ONUC BAKWANGA FROM FITZGERALD STOP FOLLOWING FROM DE MAEYER

IRSAC LWIRO QUOTE DU CIRCONSTANCES POLITIQUES ET INSECHRITE LWIRD

JE SUIS DANS LIMPOSSIBILITE ME RENDRE BAKWANGA IMMEDIATEMENT UNQUOTE END

BT FN 22/61

10/1430Z JAN CUE

RECEIVED

1510

Z

REFERS QUERIES
HQ ONUC
MESSAGE CENTRE

*et
c/Pol 100
12/1*

210
YC5 S NY CK LATER 26 2359 Z ;

ETATPRIORITE

ONUC

LEO ;

634 DAYAL FROM SEC GEN FOLLOWING NOTE VERBALE WAS TRANSMITTED
TODAY BY REPRESENTATIVE OF BELGIUM COLON QUOTE LE REPRESENTANT
PERMANENT DE LA BELGIQUE PRESENTE SES COMPLIMENTS A
MONSIEUR LE SECRETAIRE GENERAL ET A LHONNEUR DE SE REFERER
A SES NOTES DES 16 ET 19 JANVIER, RELATIVES A LA ;

P2 ;

DETENTION ILLEGALE EN TERRITOIRE CONGOLAIS DE HUIT MILITAIRES
DE NATIONALITE VLGE, AINSI QUA LA NOTE DU SECRETAIRE
GENERAL EN DATE DU 20 JANVIER. SELON DES INFORMATIONS DIGNES
DE FOI, LES MILITAIRES BELGES ENTRES PAR ERREUR AU CONGO ET
QUI ONT ETE CAPTURES SANS OFFRIR AUCUNE RESISTANCE, ;

P3 ;

ONT ETE SOUMIS A DES SEVICES GRAVES. CE FAIT EST D'AUTANT
PLUS REVOLTANT QUE CES HUIT RESSORTISSANTS BELGES AURAIENT
DU ETRE RELACHES SANS DELAI PUISQU'ILS NE PEUVENT EN AUCUNE
MANIERE ETRE CONSIDERES, A DEFAUT D'ETAT DE BELLIGERANCE,
COMME DES PRISONNIERS DE GUERRE. LE GOUVERNEMENT BELGE NE ;

PA ;

PEUT ADMETTRE QUE L'ONUC NE PUISSE PRENDRE LES MESURES
NECESSAIRES POUR ASSURER LEUR LIBERATION. ON POURRAIT COMPREN-
DRE LE RECOURS A UNE PROCEDURE PLUS LENTE SI L'ONUC AVAIT
PU RENDRE VISITE AUX PRISONNIERS ET S'ETAIT ASSUREE QU'ILS
ETAIENT EN BONNE SANTE ET HUMAINEMENT TRAITES. A DEFAUT DE
PAREILLES ASSURANCES ;

P5 ;

ET EN PRESENCE, AU CONTRAIRE, D'INFORMATIONS LES PLUS
ALARMANTES A LEUR SUJET, LE GOUVERNEMENT BELGE ESTIME QU'IL EST
DU DEVOIR STRICT DU SECRETAIRE GENERAL, INTERPRETE DE LA
CONSCIENCE MONDIALE, D'EXIGER LA VISITE DES PRISONNIERS
DANS LE PLUS BREF DELAI ET D'OBTENIR LEUR ELARGISSEMENT SANS QU'IL ;

P6 ;

SOIT DANS CE DOMAINE OPPOSE AUCUNE RESISTANCE A L'ACTION DE
SES AGENTS. IL S'AGIT EN L'OCCURRENCE
POUR LA FORCE INTERNATIONALE, NON PAS D'INTERVENIR DANS LES
AFFAIRES INTERIEURES DU CONGO, MAIS D'OBTENIR LA LIBERATION
D'ETRANGERS INNOCENTE ARBITRAIREMENT DETENUS. LA REPRESENTANT
PERMANENT DE LA BELGIQUE SAISIT CETTE OCCASION ;

P7/10 ;

DE REITERER A MONSIEUR LE SECRETAIRE GENERAL ETC STOP UNQUOTE "

PLEASE READ CK 310 RPT 310 "

COL 634 16 19 "

C/POL 100

INCOMING TELEGRAM delivered to:	
Spec. Repr. SG	Chief Gen. Serv.
Mil. Assist. SG	Publ. Info Off.
Chief Civ. Ops	Civil Aviation
Chief Adm. Off.	WHO
Chief Fld. Adm.	Air & Travel
Chief Pers. Off.	Language Serv.
Chief Fin. Off.	UN Food Relief
Chief Proc Off.	Welfare Office
MILITARY recipients:	

I.L.O.
UNESCO
RECEIVED
1960 DEC 30 AM 2:16
O.N.U.
Comm. Off.

YC7 NY 496 30 80222 ;

PVSS

ONUC

LEO ;

4546 FOLLOWING TWO ANNOUNCEMENTS ISSUED TWENTYNINTH DECEMBER
COLON ONE STOP QUOTE SEC GEN DAG HAMMARSKJOLD ANNOUNCED
TODAY THAT CMA FOLLOWING CONSULTATIONS WITH PRESIDENT JOSEPH
KASAVUBU CMA THE CONCILIATION COMMISSION DASH ORGANIZED
BY THE ADVISORY COMMITTEE ON THE CONGO UNDER THE RESOLUTION
OF THE GENERAL ASSEMBLY OF TWENTY SEPTEMBER ;

P2 ;

1960 DASH WILL ARRIVE IN LEOPOLDVILLE ON THREE JANUARY STOP
THREE MEMBERS CMA WHO ARE THE PRESIDING OFFICERS OF THE
CONCILIATION COMMISSION CMA ARE ALREADY IN THE CONGO STOP
THE OTHER MEMBERS WHO HAVE CONFIRMED THEIR WILLINGNESS TO
PARTICIPATE WILL JOIN THEM IN THE CONGO FOR A FIRST MEETING
OF ;

P3 ;

THE CONCILIATION COMMISSION IN LEOPOLDVILLE ON THE AFORE-
MENTIONED DATE UNQUOTE PARA FYI BUT NOT REPEAT NOT TO BE
ATTRIBUTED TO UNATIONS SOURCES COLON MEMBERS NOT JOINING
COMMISSION ARE UNITED ARAB REPUBLIC CMA GUINEA CMA MALI CMA
INDONESIA PARA TWO STOP QUOTE AS ALREADY ANNOUNCED CMA SEC GEN
WILL GO TO THE ;

UNION OF SOUTH AFRICA FOR CONSULTATIONS UNDER THE MANDATE
GIVEN TO HIM BY THE SECCOUNCIL ON ONE APRIL 1960 (S/4300)
STOP IT HAS BEEN AGREED BETWEEN THE GOVERNMENT OF THE UNION
AND THE SEC GEN THAT HE WILL VISIT THE UNION FOR THAT PURPOSE
FROM FIVE TO FOURTEEN JANUARY 1961 ;

P5 ;

PARA STOP THE SEC GEN WILL LEAVE NEWYORK ON TWO JANUARY 1961
ON HIS WAY TO THE UNION THE SEC GEN WILL STOP OVER IN LEOPOLDVILLE
STOP ON THE WAY BACK HE WILL STAY ONE DAY IN SALISBURY
NORTHERN RHODESIA CMA AND TWO DAYS IN CAIRO STOP DURING
THE STAY IN CAIRO ;

P6 ;

IT IS HIS INTENTION TO PAY A VISIT TO UNEF IN GAZA PARA IF
CIRCUMSTANCES PERMIT CMA THE SEC GEN WILL GO FROM CAIRO TO
DOMBAY FOR A MEETING WITH THE UNATIONS SCIENTIFIC ADVISORY
COMMITTEE WHOSE MEMBERS HAVE BEEN INVITED TO INDIA BY THE
GOVERNMENT FOR THE INAUGURATION OF THE NUCLEAR ;

P7 ;

FACILITIES AT TROMBAY IN CONNECTION WITH THE PROGRAMME OF
PEACEFUL USES OF ATOMIC ENERGY STOP FROM INDIA IT IS THE
INTENTION OF THE SEC GEN TO RETURN DIRECTLY TO HEADQUARTERS
IN NEWYORK PARA ON HIS VISIT TO THE UNION OF SOUTH AFRICA
CMA THE SEC GEN WILL BE ACCOMPANIED BY DR HEINREICH ;

WIESCHHOF CMA WILHELM WACHMEISTER AND WILLIAM RANALLO

STOP ON THE VISIT TO INDIA CMA PHILLIPE DE SEYNES WILL JOIN
THE COMPANY SEMICOLON DR WIESCHHOFF WILL RETURN FROM CAIRO
TO NEWYORK PARA DURING THE ABSENCE OF THE SECGEN QUESTIONS
WHICH REQUIRE HIS IMMEDIATE PERSONAL ATTENTION WILL BE SUBMITTED
TO HIM EVEN ;

P9 ;

DURING THE JOURNEY STOP OTHER QUESTIONS WILL BE HANDLED IN
ACCORDANCE WITH THE ESTABLISHED PRACTICE THROUGH DELEGATION
TO UNDERSECRETARIES STOP A SPECIAL ARRANGEMENT WILL BE MADE
REGARDING QUESTIONS RELATING TO THE UNATIONS OPERATIONS
IN THE CONGO STOP DR MEKKI ABBAS CMA EXECUTIVE SECRETARY
OF THE UNATIONS ECONOMIC COMMISSION FOR AFRICA ;

P10/46 ;

CMA HAS BEEN CALLED TO HEADQUARTERS CMA AND DURING THE ABSENCE
OF THE SECGEN HE WILL BE IN CHARGE OF THE COORDINATION FROM
HEADQUARTERS OF THOSE OPERATIONS CMA IN CONSULTATION WITH
OTHER SENIOR OFFICIALS WHO HAVE SPECIFIC TASKS IN RELATIONS
TO THE CONGO ENDALL ;

OMNIPRESS NEWYORK "

COL 1960 1960 (S/4300) 1961 1961 "

C/POL 100
C/ORG 130/1/4

-TEXT OF STATEMENT BY THE SECRETARY-GENERAL -
-IN THE GENERAL ASSEMBLY -
ON 17 DECEMBER 1960
(Provisional Text)

The item to which this debate refers is called the situation in the Congo. I do not believe that anybody is in doubt that for some the real issue might better have been called the situation in the United Nations. The discussion of this question was opened in September, during the general debate, and from then on it has been continued, overtly and covertly, in all the organs of the United Nations here at Headquarters.

The methods used in interventions concerning this question have been new to the United Nations and given the discussion a significance going beyond the underlying problems of the administrative structure of the Organization or of the relative influence of this or that group. They have done so because they have brought us to a point where many may be tempted to ask whether facts, or truth, or law no longer count and whether it is possible to debate without respect for some basic rules of debate, as developed in parliamentary life, either as regards form or as regards substance. If questions regarding the intellectual integrity of the discussion can be asked, it means that we are facing a great threat to this Organization and its stature. Popular or not, proper for me or not, I feel that it is my duty to voice concern.

For reasons made clear to the Members of the Assembly in September, a concerted and consistent effort has been made in order to create conditions for a radical change of the administrative structure of the Organization, and, with that in view, to corrode whatever confidence there may be among Members in the integrity of its Secretariat. No argument has been left untried. It would be vain to try and make a catalogue of all misrepresentations of facts to which the Members have had to listen, all demands which cannot be realized or proposals for which those putting them forward would not be willing to share in the responsibility in action and all distortions of the actions of the representatives of the Organization. And yet if such a catalogue is not made and every point is not dealt with by me, you will undoubtedly hear again that the criticisms of the Secretariat must be correct as they have not been countered.

In spite of this, I will not repeat what I have said already on most of the points raised, although the attacks, to which my observations have been the reply, have been repeated in the current debate, in the obvious hope that by repetition they will create conviction. I shall limit myself to a few points which seem to represent innovations.

The delegate of the Soviet Union said in his intervention yesterday that the Secretary-General has been acting against demands for the convening of the Congo Parliament and now even has some doubts of the legality of that organ. The delegate has no basis for such a statement. The facts are that I have been working consistently for the re-establishment of Parliament in its proper position and that the flimsy basis that Mr. Zorin may believe he can invoke in support of his second allegation is simply that I pointed out in the Security Council the obvious fact that we, the United Nations, cannot ourselves convene Parliament nor put military force as a sanction back of a suggestion to the proper authorities to convene Parliament.

Further, Mr. Zorin told the General Assembly that I have acted against the Conciliation Commission. Fortunately, in this case, the

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verbatim records of the meetings of the Advisory Committee are there, and 18 members of that Committee sit in this Assembly. The records show, and the members can tell, that there is no basis whatsoever for what Mr. Zorin says. But that is not sufficient. Mr. Zorin has said it and if I do not here present evidence, showing that what he says is false, I guess it is supposed to be accepted as the truth. Even if I took up the time of the Assembly with such a detailed refutation, I am sure we would soon have the same allegation reheated.

But more revealing than Mr. Zorin's statement, as an example of the way in which the question of the Congo is now discussed by a certain group, is the statement of the delegate of Hungary. The Members will, therefore, permit me to give it some special attention.

Let me start out with a quote from Mr. Peter's speech here yesterday--a quote to which I guess that a number of Members will have given all the attention it merits. The delegate said: "Speaking from the human and moral point of view, it is absolutely impossible to understand what the psychological motivation may be of a person's attitude when there is not the slightest sign of self-examination when confronted with an enormously grave situation partly or entirely provoked by actions under his command." It seems that he feels that we have now reached the stage in a certain modern ritual where it is time for confession to be followed by repentance and judgment.

With this background of concern about my supposed unwillingness to evaluate the actions of the Secretariat, the delegate of Hungary wishes to help me and presents eight points indicating our grave omissions. Let me repeat them and comment on them in order.

First, the delegate of Hungary says that at the very beginning the Secretary-General did not clarify in his first proposals to the Security Council for what purpose, with what limitation, he was taking the responsibility for military action in the Congo. May I remind the delegate of the fact that I did not ask for any powers but that the responsibility was put on me by the Security Council which supposedly itself had formed an idea about what was expected and certainly was capable of expressing it. Let me further remind him of the fact that exactly those points which later on proved controversial--for example, non-intervention and limitation of military action to self-defense--were made very clear by me both in my very first presentation of the problem on the 13th of July and later on in the first report. The Security Council acted with that background, and their action must have involved approval of the principles I outlined as it formally endorsed my report. Thus, the first point of the delegate of Hungary has no substance for those who care about the history of the case.

The second point of the delegate of Hungary is that the Secretary-General, when he supposedly realized that actions within the scope as he originally imagined it could not meet the situation, did not report to the Security Council nor ask for new instructions. I believe the members of the Security Council can confirm that it has been exactly the other way around and that at every doubtful point during the decisive phases of this operation, I have brought the matter back to the Security Council for its consideration.

Third, it is said that I did not inform Mr. Kasavubu early in September that the United Nations could not continue its assistance any longer unless the Constitution was observed and, further, that I did not inform the Security Council about the entirely new situation resulting from the move of Mr. Kasavubu at that time. Certainly,

.../...

the delegate does realize that the Secretary-General had no right to threaten with a cancellation of an operation decided by the Security Council. Certainly, the delegate also remembers that Mr. Kasavubu's step was taken on the 5th of September and that I reported in writing and orally on the situation in the course of the same week. However, as it does not fit into the picture, this fact is left out, obviously in the hope that nobody will remember or check on the matter.

Fourth, the Secretary-General has not complied with Article 99 of the Charter as he has not initiated meetings of the General Assembly or the Security Council as the situation grew more dangerous. I will not enter upon any constitutional discussion with the delegate, but he has here presented a new interpretation of Article 99, especially as regards the situation when the General Assembly is in session, forgetting that the initiative of the Secretary-General is subsidiary and that his duty under Article 99, in the prevailing situation, has been fulfilled when, by reports and documentation, he has fully provided the members with the facts, giving them a chance to judge for themselves.

Fifth, it is said that the Secretary-General has omitted to report in due time regarding several serious aspects, and as an example it is said that he only at the last meeting of the Security Council reported on the fact that in South Kasai some 200 people were dying daily from starvation. If the delegate had asked me before making that statement, I could have told him that this piece of disturbing news was received the very same day it was reported to the Security Council.

The sixth point is that as the Secretary-General has not asked for necessary clarifications of his mandate, he has become an autonomous organ of the United Nations, being himself above the legal organs. I have to refer the delegation to the record and to what I said under point two: it just is not so.

The seventh point is that I have neglected the views of the Member States which undertook responsibility for the situation in the Congo by providing military units. Can it be that the delegate is unaware of the fact that all of those Member Governments are represented in the Advisory Committee which has had meetings at least every week in which so far--with one single exception--agreement has been reached on actions to be taken and in which every Member has been free to raise whatever point he wanted? The single exception was when in the last meeting the delegate of Guinea took a stand against the sending of a vanguard of the Conciliation Commission to the Congo.

The eighth point of the delegate is that I request the Member States to continue their undertakings, sharing the responsibility for a situation created mainly by failures of the Secretariat. Certainly, if I had not requested them to continue, that would also--and with justification--have been listed as an omission.

What is interesting in the eight points of sins of omission or commission, allegedly committed by me, is less their lack of substance than the fact that, by implication, they exclude even the possibility of any responsibility of the Security Council and its members, or of the General Assembly and its members, or of anybody in the Congo. Everything is left at the doorstep of the Secretariat. The concentration on my activities is such that for a moment even the imperialists and colonialists seem to fade out of the picture. Why? Those who remember some things said in this

.../...

hall in September and early October and who have followed the interventions of a certain group of countries all through the General Assembly--in a follow-up of the operation started in the general debate--know the reply. As I have not been willing to pave the way for reforms of the Secretariat desired by a certain party by resigning "so to say in a chivalrous manner," the desired result has to be achieved in a way the least weakness of which is that it is not chivalrous. I said at the beginning that this debate, for some, basically has been one about the United Nations. In what sense this is true is clear from what I have recalled here about some of the arguments used.

On an entirely different level from the points to which I have found it necessary to refer, by way of illustration of a trend in the present debate, is the open or implied question directed to me regarding the way in which I look at the present need for United Nations action in order to achieve what, from the beginning and all through the operation, has been the aim to which the Organization wished to contribute: stable and peaceful political conditions in the Congo, with its integrity safeguarded against all actions from outside--irrespective of the source--and with its sovereignty upheld by the subordination to the wish of the authorities of the Congo of all assistance given. To state and restate this obvious aim, in more or less detailed form and with more or less specific indications of this or that aspect, is neither to indicate how the aim is to be achieved nor to provide the means for its achievement. These distinctions must be made.

First, as regards the aim. Nobody has come out in opposition against the aim as I have here brought it again to your attention. Some have, however, in various ways acted so as to endanger the possibilities to achieve it. This is true of parties both outside and inside the Congo. It is anybody's guess whether those who have acted in this way have done it wilfully, with aims of their own in mind, or not.

Second, with this aim the United Nations has decided on certain military and civilian assistance to the Republic of the Congo and charged the Secretary-General with executive responsibility. The mandate of the United Nations representatives has been to work for the aim within the legal limits set by the Charter and by the decisions of the Security Council and the General Assembly to all the extent rendered possible by the means put at the disposal of the executive organ. Certainly the mandate has never been understood as being the achievement of the aim irrespective of the legal limits set to the United Nations actions and irrespective of the adequacy of the means provided.

Third, as regards the means. The main instrument provided has been a United Nations Force set up by the Security Council without explicit reference to Article 39 or 40 and, a fortiori, without basing itself on Articles 41 or 42. As at early stages, both in substance and in form, I brought this to the attention of the Security Council, there can never have been any misunderstanding on this point. It follows from this and it has been stated at the very beginning of the operation--and approved by the Security Council--that the Force was not entitled to military action unless in self-defense or to protect life and property and that the Force could not be used as an instrument for solutions of domestic political problems, constitutional or otherwise.

The discussion of principle which has characterized the development of the question, here at the United Nations, has tended

.../...

to confuse the aim with the mandate and also to reinterpret the question of the means in terms of the mandate irrespective of legal consideration. For that reason, I did in the Security Council, at its most recent series of meetings, ask for a clarification of its interpretation of the mandate and a provision of means corresponding to the mandate, if it were so that the Council felt that the mandate should be widened beyond what I have said above, or beyond what present means permit. In that context, I reminded the Council of the fact that such a clarification and possible expansion of the mandate and of the means had to proceed strictly within the limits set by the Charter. I added that I felt that it would be fair for the Security Council or the General Assembly, in an appropriate form, to share in the responsibility for the carrying out from day to day of the mandate and, of course, also in the decisions on the use of the means. Thus, I myself did not ask for a widening of the mandate or for new means, but I did ask the Council to do away with the ambiguities which had arisen mainly through the discussion around the Council table. The only new point I brought in myself was the suggestion for an arrangement for an appropriate sharing of responsibilities, and I have noted with encouragement that this idea was taken up by the distinguished Foreign Minister of the United Arab Republic.

If I did not ask for a widened mandate or for new means, it is because I do not believe that it is by such new means, within the limits set by the Charter, that the present problem of the Congo can be solved. This is so for two reasons. First, I reject everything that would have a touch of control or direction of the Congo's internal affairs--noting with some surprise that proposals in that direction have been made from highly authoritative African sources--and further because I do not believe that the use of military initiative, or pressure, is the way to bring about the political structure, in terms of persons and institutions, which at present is the first need of the Congo. Certainly, the United Nations can help in such a direction but that is by the normal political and diplomatic means of persuasion and advice, not by the use of force or intimidation.

Nor, of course, can widened means of the kind on which the Security Council and the General Assembly may decide, resolve the problems presented by various forms of external support or intervention--although a solution especially to the question of support to the ANC is probably vital to the future of the UN Force--such political moves naturally having to be made, also by the organs of the United Nations, on a political level and by political means. For example, an influx of technicians, considered not to be desirable, can be counteracted by attempts to exercise direct influence on the country from which they come and on those in the Congo who have hired them, but I do not believe that we have the right to break individual contracts nor to use our military means for the arrest and deportation of individuals, at least not short of a direct request to that effect from such authorities as unquestionably would be entitled to take such actions themselves.

These question marks as regards the usefulness of a wider mandate or new means should not be construed as a negative attitude from my side on decisions by the General Assembly by which the Assembly morally and politically would strengthen the hand of its representatives in their efforts to work, by peaceful and legal means, for the aim we all should have in common. On the contrary, such a strengthening is highly desirable as the authority of the United Nations has been challenged from very many quarters although for opposite reasons. In case of such strengthened authority, which might find one of its expressions in the sharing of

.../...

responsibilities which I have mentioned as desirable, I would envisage the future in brief as follows:

The over-riding consideration must be one of, on the one side, return to constitutionality, on the other side national reconciliation. With this background I feel that the United Nations should exercise its influence in favour of the restoration of Parliament to its proper position in the constitutional system, facilitating by available means its resumption of action. Combined with that I feel that it is necessary to work in the direction of a reduction of the Army to its constitutional place as a subordinate instrument for the national executive in the maintenance of law and order. This--which highlights the importance of an elimination of foreign support in money or men--indicates the necessity for the re-establishment of a civilian government which must have constitutional legitimacy and a sufficient basis to command nationwide authority and which, further, must have a minimum degree of inner cohesion achieved by reconciliation and compromise between various factions and leaders as normal in political life. The key position and responsibility of the Chief of State in such a development as the one indicated here is obvious, but it would be improper for me to comment on it beyond this simple statement.

Naturally, the development I envisage would require the establishment of a certain balance between various factions in Congolese political life, a balance which in the stormy first months has been tipped for some time in one direction and at other times just as one-sidedly in other directions. The secessionist tendencies must in this context be broken if we are to be entitled to hope for future stability in the area. What can the Organization and its members do to further a development of this kind? First, there is the obvious duty for all members, as stated already by the General Assembly in its resolution of the 20th of September, to abstain from everything that would counteract the desired development. This applies both to comments on the situation in the Congo, to actions in relation to various parties in the Congo and to actions in the Congo itself.

Second, the General Assembly itself can, as I have said, in various ways strengthen the hand of the Organization in support of progress in the direction envisaged, but for reasons already mentioned I do not feel that it can do so by such concrete measures as, whatever their legality, would represent a direct interference by pressure of force in favour of any specific solutions in terms of persons or parties. Therefore, a formal decision of the Assembly would in a large part have to represent an effort to advise and to guide by an expression of world opinion as regards various elements appearing to be necessary as part of a situation corresponding to the ultimate aim of the Organization. Thirdly, members know that the presiding officers of the Conciliation Commission have gone to Leopoldville. I firmly believe in their possibility, and later in the possibility of the Commission itself, to help towards the aims of the Organization. Naturally, I do, and will do what I can for that same purpose, but the contribution of the Commission and its forerunners is an important new element in our assistance.

I believe that I should in this intervention say also a word about the civilian operation.

References have been made to the need of assisting the Congo Government in the civilian field and of channelling all technical assistance through the UN. In this connexion, the request for the withdrawal of Belgian civilians has been strongly voiced. Those who have followed my various reports on the Congo operation will

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no doubt recall that I have repeatedly urged that personnel for the Congo should be channelled through UN agencies and that unilateral and competitive assistance can only lead to the most undesirable consequences. This is a matter of record.

Some statistics may be helpful in placing this problem in its proper perspective. Prior to independence, there were employed in the administrative apparatus of the Congo more than 7,000 Belgians, most of whom left after the events of early July. An assessment of the needs of the Congo Government for non-Congolese staff, which has recently been undertaken by Mr. Gardiner, a Ghana citizen, who was for a while seconded from ECA to Leopoldville, indicated that the number of Belgians employed was high and that some 1,800 non-Congolese would be necessary to assist the Congolese in managing their own affairs, until some Congolese will have been trained. Most of these are in the categories of technicians, but about 10 per cent of those required--some 180 persons--would have to be assigned to posts which would be regarded as on the policy-making level, posts which would be sufficiently sensitive to be filled only by persons of impartiality and utmost integrity, ready to serve the interests of an independent Congo only.

Of the 1,800 posts required, only a fraction are presently filled. The United Nations maintains 233 technicians, including 76 Red Cross personnel, and Belgian technicians are estimated between 320 and 970; it is impossible presently to secure more reliable information. It is even more difficult to state how large the number of Belgians is serving in the category of "policy-making" positions. Staff recruited for these levels by the UN amount so far to only some 25.

It must be obvious that the lack of technical services has a significant impact on the political crisis in the Congo, and it is even more obvious that as long as the non-Congolese staff on the policy level is not exclusively concerned with the fostering of the interests of the Congo, the political crisis is likely to be aggravated. I need not repeat here my deep conviction that the United Nations contribution could be most significant, provided that the Organization is willing to shoulder, at least temporarily, through the Congo Fund or by other means, the responsibility for underwriting adequately the civilian programme which has been initiated. It is not sufficient to request the withdrawal of technicians provided outside the United Nations framework, if no steps are suggested as to how the gap created by such withdrawals can be filled by the United Nations itself.

Even the very modest civilian operation which the situation in the Congo has so far made it possible to get under way could not be maintained in the country short of the degree of protection of life and property achieved through the United Nations Force. But that Force might have to be discontinued, as I have pointed out in the Security Council the other day, either because of political developments in and around the country or because of withdrawals of such magnitude as to render the remainder of the Force ineffective. Thus, a reasonably stable solution to the domestic problems of the Congo, the attitude of Member Governments to the Force, the maintenance of protection of life and property within the country and the maintenance of the badly needed technical assistance under United Nations auspices are all linked together into a whole of which no one part can be jeopardized without endangering all the others.

From early September, and even more so from the time of the debate on the representation of the Congo in the General Assembly,

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this Assembly has been deeply divided. This same split characterizes also the group of African members. In the earlier stages the operation had the unanimous support of the Security Council, the General Assembly and the African group. This development is not of the making of the Secretariat. Is it permissible to overlook its dangerous influence on the effort of the Organization to help the people of the Congo to find and break its own way to a situation giving full substance to its independence?

STATEMENT BY THE SECRETARY-GENERAL TO THE
 SECURITY COUNCIL ON 13 DECEMBER 1960

In my statement to the Council on 7 December I said "Withdraw the United Nations Force and, it is my fear, everything would crumble, short of a substitute being created for the force from the outside, thus putting us back from denationalized multilateral assistance to bilateral assistance with all that this means." I stated as my opinion that, therefore, the imperative international reasons for the United Nations operation remained valid. In the light of later developments I feel that there is reason to elaborate on what I then said. The evaluation that follows has the full support of Ambassador Dayal and his senior colleagues in the Congo.

If the United Nations operation were, for whatever reason, now to be forced out of the Congo, I am convinced that the consequence would be immediate civil war, degenerating into tribal conflicts fought in the most uninhibited manner. And such a situation could last for years. It would also mean a complete disintegration of whatever fabric of national unity still remains, as it can be foreseen that the country would be disrupted into fragments. Of course, the economic life of the country in such circumstances would be totally paralyzed. I believe it can be safely anticipated that the outside world would not stand aside in such a situation, but that assistance of a military nature, in one guise or another, would be forthcoming for the different factions. If and when that were to happen, the world would be facing a confused Spanish war situation, with fighting going on all over the prostrate body of the Congo and pursued for nebulous and conflicting aims.

Could such a situation be contained? and if not contained, how would it influence peace and war in the world?

I need not elaborate on this point, as I am sure that nobody doubts what perspectives would be opened.

These, gentlemen, are the stakes: these are the stakes for the people of the Congo, and for other nations -- in Africa or outside, contributing to the force or not. These are the stakes for the United Nations and what it represents.

In these circumstances, it seems obvious that the United Nations operation must continue. It is, however, necessary to consider in what circumstances it can continue.

It cannot continue if it is being pushed around by various leaders and factions in the Congo, able also to activate against the United Nations this or that member country, or group of member countries, willing -- for whatever reason -- to keep the operation under a fire of criticism and suspicion. It cannot continue if it is enfeebled from within by division or by withdrawals, or by a lack of financial and material support, depriving it of its weight as a serious and authoritative factor in the local situations.

Were any one of these possible, or indeed threatening, situations to develop, the United Nations would find itself in an untenable position: it would, on the one side, be forced to remain in operation in the Congo, with the sense of responsibility which must guide the actions of the organization, while on the other hand, it would be reduced to a situation of emasculated passivity. The organization might still stop complete chaos from developing in the Congo but it might itself quickly get corroded, saddled as it would be with grave responsibilities while powerless to act beyond the insufficient capabilities open to it in view of the actions of its own member nations.

From some speeches in the Council, a listener might have been tempted to draw the conclusion that he was attending a lawsuit against the organization by its own members, with the Secretary-General and his collaborators in the dock. Thus, strong statements have been made regarding the responsibility of the Secretariat -- as well as, of course, of the Belgians and other foreign powers alleged to be supporting them. But few words have been heard about the responsibility of those major organs of the United Nations which have formulated the mandate and which, if the interpretation of the mandate now put forward from the critics were correct, would at least have had the responsibility to state it explicitly -- not to speak about their obvious responsibility, in such circumstances, for providing the executive organs with the means by which such a broader mandate could be handled.

Nor have we, from the same quarters, heard anything about any responsibility for the political leaders in the Congo. On the contrary, when I referred to their responsibility, the comments were that this showed a colonialist attitude. May I ask: who shows respect for a political leader, the one who, as I did, counts on his ability and therefore on his responsibility -- in a critical sense or not -- or the one who, like my critics in this context, seem to regard that leader as outside any consideration of responsibility?

This would be unimportant were it not for the desperate need for an unemotional, unpolitical, clear-headed analysis of the sickness from which the Congo is suffering; short of such an analysis, how can this body hope to find a remedy?

Certainly, the sickness is not cured by even the most eloquent descriptions of this or that symptom, neglecting to take all the factors into account, neglecting also to analyse the sequel of cause and effect, and therefore, never reaching a balanced consideration of remedies.

Before indicating in what direction I personally see need for action, I would like to mention a few facts which merit attention.

First of all, the economic situation remains desperate. It may be that, as a spokesman of Belgium said on a television interview the other day, Belgium left the Congo "A portfolio of \$750 million". However, to the best of my knowledge those means are not, at present, available to the Congo. Instead, the treasury remains depleted, so that the United Nations has had to try to meet the most desperate budgetary needs to the extent that this was possible for political reasons, and so the question of where salaries for the Commissariat and their advisers and the troops are financed from can legitimately be asked, the United Nations not being in the picture in a way which provides an explanation.

Two months passed before the so-called coup d'etat, with the then functioning central government under Mr. Lumumba carrying the responsibility. What was done? Were, for example, the unemployed cared for? The negative replies are known to all. Since then, another three months have passed, and the questions can be repeated -- on the whole with the same replies.

Today we are facing a situation where, for example, between 250 and 300 thousand people are actually starving in South Kasai, with an estimated 200 people dying daily from sheer starvation. This is an extreme case, but it is significant and it does show that there may be greater problems from the point of view of human rights

than those which get the greatest publicity. However, these various problems are not unrelated. Responsibility is not a question of political terminology or rhetoric. It is a question of fact, and if the facts are not seen now, all the same they will remain on record.

The question for the United Nations in this latter context is a simple one. Is it less important to bring help to one quarter of a million people who are starving than to find what the proper constitutional framework for such consultation would be as would formally entitle the United Nations to that action? Yet I know that if we take such action -- as we should and will -- we may come to be accused of supporting this or that faction, or of acting outside a mandate requesting consultation with a - non-functioning - central government. In parenthesis, I wish to inform the council that I have requested a full report on the situation in Kasai to which I have just referred, and that this report will be circulated to the members of the Organization for their urgent consideration.

A second point I wish to mention is this: In two démarches dated 8 October but completed only some few days later, I approached the Government of Belgium and Mr. Tshombe personally. In communications which have been circulated to the members of the United Nations, I gave my interpretation of operative paragraph 5(a) of the resolution of 20 September. On the basis of that paragraph, I pressed for the elimination of the Belgian political element in Katanga and for a switch-over from the bilateral assistance from Belgium, which had been requested by the authorities of Katanga and by various others claiming to be speaking for the Congo, to assistance within the framework of the United Nations operation. My stand was met from the Belgian side with the most emphatic criticism. However, I am certain of the correctness of my interpretation of the intentions of the General Assembly, and, back of the General Assembly, the Security Council. But so far my démarches have received no formal support from either of those two organs. Admittedly, I have not asked for such support, but the lack of it should be noted and on record when criticism is voiced against my policy in relation to Belgium.

The comments voiced have run along other lines. It is said that our démarches have been only formal, or that we have not gone far enough. In this context - beyond reminding you of the fact that no support has been forthcoming for my interpretation of the General Assembly decision - I would like to draw your attention to what I said in the Fifth Committee. Unless the United Nations disposes of the necessary funds, how can it insist on the withdrawal of technicians provided on a bilateral basis to meet essential needs, and claim that either those technicians should be employed under the UN flag or that the United Nations should in other forms provide the necessary assistance? If multilateral assistance cannot be provided, it is difficult to go to a country and request, for this or that political reason, that they should not ask for, or receive, bilateral assistance which is badly needed - and offered.

Therefore, regarding the question of Belgian return, I have to remind you both of my stand as made clear two months ago and of the fact that neither formally nor economically has that stand so far received any support from within the organization. Members will recall that Belgium has transmitted a Note Verbale with comments on the second Progress Report of the Secretary-General's Special Representative in the Congo. This Note Verbale has been circulated as document S/4585. I have already said, concerning this document, that I have no factual confirmed information of relevance to this debate, to add to the Dayal Report. Obviously, the Secretary-General is not in a position where he is entitled to express guesses or fears and -

as Mr. Krishna Menon pointed out - we neither do nor could maintain an intelligence service. I may, however, be permitted to express my hope that the Belgians show the first and most essential quality of friendship: that in their actions they put the interests of the Congo before their own interests, and that they realize that a people, like an individual, has problems into which especially a friend knows that he should not permit himself to intrude.

At the end of the Belgian Note Verbale it is said: "In a spirit of mutual understanding, the Belgian Government also proposed to the Secretary-General, in its note of 28 October, that a special envoy should be sent to New York to clear up any misunderstandings between the Secretary-General and the Belgian Government. That offer still stands".

That offer still stands, and it has not, as rumoured, been rejected, but I have said that I want to know on what assumptions such contact could come about. It seems to me that if it is on the assumption warranted by statements of the Belgian Government to the effect that the Belgians returning do so on the basis of individual arrangements outside the responsibility of the Belgian Government, the question raised by the Belgian return should be discussed between United Nations representatives and Congolese authorities, not with the Belgian Government. On the other hand, if directly or indirectly the Belgian Government recognizes responsibility for this return, I have set out what I understand to be the line of principle established by the United Nations on these questions.

As already recalled, my interpretation has been rejected by the Belgian Government. Since, obviously, I cannot discuss on any other basis than the one laid down by the General Assembly and the Security Council, interpreted to the best of my understanding of the intentions, it is difficult to see, also on this assumption, how in those circumstances the suggested contact could be useful.

Another point: Without reopening the legal discussion, I have to make a few observations regarding the stand of the General Assembly and the Security Council on the basis on which this operation functions.

In interventions in the course of this debate in the Council, I have pointed out that the Council has never explicitly referred to the Charter article on the basis of which it took action in the Congo. In particular, it is significant that the Council did not invoke Articles 41 and 42 of Chapter VII, which provide for enforcement measures and which would override the domestic jurisdiction limitation of Article 2(7).

I mention this as one of the reasons why some far-reaching interpretations of the mandate of the Force to which we have listened here are difficult to understand. Those interpretations would require at least that the Security Council had clearly taken enforcement measures under Articles 41 and 42.

In fact, I may recall to the Council that, at the 887th meeting, I pointed this out to the Council in the following statement: "In the light of the domestic jurisdiction limitation of the charter, it must be assumed that the Council did not authorize the Secretary-General to intervene with armed troops in an internal conflict when the Council has not specifically adopted enforcement measures under Articles 41 or 42 of Chapter VII."

No one in the Council raised any question about this statement. It is true that, in its resolution of 9 August, the Council referred to Articles 25 and 49 as the basis for the legal obligation imposed on the states concerned by the Council's action, but this is cer-

tainly not the same as invoking enforcement measures.

My own view, which I have expressed to the Council, is that the resolutions may be considered as implicitly taken under Article 40 and, in that sense, as based on an implicit finding under Article 39. But what I should like to emphasize is that neither the Council nor the Assembly has ever endorsed this interpretation, much less put such endorsement in a resolution. What is even more certain is that the Council in no way directed that we go beyond the legal basis of Article 40 and into the coercive action covered by Articles 41 and 42. Certainly, the organization, as represented by the Security Council and the General Assembly, must consider its responsibility as an executive organ to take carefully into account the limits on its authority as indicated by the facts which I have just recalled.

I said before, and I have to repeat, that the criticism voiced in this debate has been directed mainly against the Secretariat, without much effort to see what has been the basis on which the Secretariat was acting or could act and what therefore was the responsibility of the Security Council itself. As members will remember, it has been said that the aims of the operation have been distorted by me and in proof of that a quote was made from the cables from Mr. Kasavubu and Mr. Lumumba. These cables were what provoked me to action under Article 99. The resolution was in response to my proposals, and the main operative paragraph was in fact for all practical purposes a quote from my statement. I believe it is appropriate in these circumstances to ask those who talk about distortion to look again at my proposal as being at least equal in significance to the cables which, by the way, did not even figure on the Agenda.

A few speakers have, with opposite intentions, referred to the discussion of the mandate in the Security Council which took place on the basis of my report of 12 August. I have little to add to what was said on that point by the distinguished delegate of Tunisia, but it might be worth recalling that not only did no member of the Council put forward any proposal for a clarification of the mandate as a result of the challenge from the Congo of my interpretation, but the same situation was facing the Emergency Special Session, and the resolution resulting from the debate of the Assembly - which had before it all documents relevant to the discussion about the mandate - asked the Secretary-General to continue vigorously his action, without questioning the mandate. The resolution was passed, as will be recalled, with 70 votes in favour and none against, and it must be considered as concluding the debate of the substance of the mandate in favour of the stand taken by myself.

Of course, this leaves any member free to ask for a revision of the mandate or a clarification, but I believe that it does not entitle members to say that I have misinterpreted or distorted the mandate in the past.

The members have also heard criticism of our "Lack of courage to give candid information". The reply is simply that there is no information which I have felt the slightest reason to withhold in protection of the Secretariat, but some information which I have not found it in order to put to the Council, following normal diplomatic rules as regards interests of various member nations. Nor, of course, do we apply to the Congo case new rules as to the circulation of documents. Papers which would never be circulated in other cases, because of their character or because of their origin, should not be circulated in this case either, unless explicitly requested by members.

I must now turn for a moment to the statement of the representative of the Soviet Union to which we just listened. As he kindly asked me not to take offence, I shall treat it with chivalry

The representative of the Soviet Union said that there was no need for the United States to send any troops, as the United Nations staff in the area was to such a great extent from NATO countries. He obviously found some difficulty with the fact that those in responsible positions were not from NATO countries, but he got round it by talking about their dependents or subordinates and the possibility of errors. I would not like to burden the Council with a detailed discussion of the set up in the Congo, but I should like to draw attention to two fundamental facts which seem to be overlooked by the Soviet Union representative.

The first one is that servants of the United Nations who are loyal to their oath of service accept one undivided loyalty, and that one is to the United Nations. Therefore, they cannot be treated as, and are not, representatives of any national interest. I am proud of the fact that the majority of the members of the Secretariat show this single-mindedness.

And I am sorry, but I must regard it as an affront to the staff, to believe that, for example, somebody who happens to have a Norwegian passport is a kind of emissary of NATO. But different countries or different organizations may have different ideas on this point, and maybe I should not be surprised by the fact that distinguished people overlook this character of the international Secretariat.

I am more surprised that he accepts as a matter of course the dependence of the policy-making senior staff on their subordinates. I can assure him that in that respect, we, in the United Nations, have established a discipline which is satisfactory, although of course, perhaps not so far reaching as that achieved in some countries.

The representative referred in person to Mr. Dayal and to General Kottani. I am afraid that they will read his comments with some surprise.

Mr. Zorin dealt also at length with the way in which my short observation to the representative of Ceylon the other day had - according to the Soviet Representative - shown my partiality.

If Mr. Zorin does not see the difference between using the normal means at our disposal, mainly diplomatic, in order to anticipate a move about which we had, generously, been forewarned to the effect that what Mr. Zorin called "The legitimate provincial authorities" intended within 48 hours to take some 1,000 or more hostages and execute a few of them unless we met certain demands of theirs - I say, if he does not see the difference between that and the use of military initiative to liberate somebody who has been arrested, then I find it difficult to discuss, because it is then obvious that we do not speak exactly the same language.

I was also interested to note the reference to "The legitimate provincial authorities", in view of the fact that the provincial president is arrested by supporters of Lumumba and that the competence of whatever authorities remain in power there is strictly limited according to the Loi Fondamentale, to normal police activities. May it be that a double standard should in this respect be applied to the interpretation of the Loi Fondamentale?

I can assure Mr. Zorin that if an evacuation of Europeans takes place in Orientale province, it will not be by United Nations planes,

as we have no such planes available in this case, any more than we had in the case to which Mr. Zorin referred. We are very short on the transport side in general, and will be even more so for our most elementary needs if some of the now threatening withdrawals come about.

As regards the point which I made to the representative of Ceylon concerning the legal rights of the Security Council when it comes to the liberation - I repeat, liberation - of Mr. Lunumba or the disarming of the forces or the recalling of parliament, the representative of the Soviet Union chose to overlook what I thought I made perfectly clear, and I repeat that the Secretary-General can use and has used all diplomatic means at his disposal to achieve results in line with the resolutions of the Security Council. What I pointed out to the representative of Ceylon concerned another matter: the limits to the possibility open to the Security Council to decide on the use of military force - that is to say, to take military initiative -- in order to liberate a person held on the authority of the Chief of State, or to do the same in order to disarm military units under the orders of the Chief of State, or to threaten to do the same in order to enforce the convening of a parliament which should be convened by the Chief of State. The distinction between the use of force and the use of persuasion is fundamental, and it should be obvious that it is not possible to conduct a useful discussion if it is blurred.

Needless to say, there is no contradiction between the "Dayal Report" to which we listened and what I said. But I am afraid it would really not be fair to the Council to burden it with a detailed discussion of that matter at this moment. Let me end this rejoinder to the statement by noting the very far reaching interpretation that Mr. Zorin obviously puts on Chapter VII of the Charter and perhaps also his lack of interest in the Constitution when it comes to the question of the authority of the Chief of State.

One final remark. The representative of the Soviet Union interpreted the attitude of those countries who have announced their wish to withdraw as expressing the desire to avoid "scilling their good name." What about all those African and Asian states which do not intend to withdraw?

For the rest, I do not believe that it would, on the whole, be in keeping with the seriousness of the situation and with the aims of this debate to take up all the various points made in supposed support of the thesis that the Secretariat has not been doing its duty. However, there are a few specific points on which you may rightly expect me to comment.

The distinguished spokesman of the Republic of the Congo (Léopoldville) asked me two direct questions in clarification of something I said on Saturday regarding the restraint which present conditions impose on the United Nations. In order to simplify the matter, let us forget about the political role of the army and ask whether the distinguished delegate does not consider it natural that, once units of the Armée Nationale have engaged in a series of hostile acts against the UN force - taking, for example, military initiative in attacking units of that force when acting under orders strictly in line with its mandate, and further taking material belonging to the force at gun point without fully restoring it even after protests and complaints - we have to reconsider our continued assistance. He will also remember that public statements have been made not only by Colonel Mobutu but also by some of the Commissioners, containing the strongest attacks on the UN Force as if it were a hostile element.

The distinguished delegate also sought a clarification of what I said about the budget. I can use the same example. Once the

Army in Leopoldville has openly turned against the United Nations as well as taken upon itself a role in purely political respects, it would be difficult for the UN to justify contributions to the salaries of that same Army without running counter to the injunction from the General Assembly and the Security Council that the UN should not lend its support to any political faction. We want to use all the means put at our disposal for the benefit of the Congolese people, and we shall do so, but we have to do it in such forms as to avoid that this indirectly means involvement in internal problems to which we must not be a party.

We have heard in this debate an eye-witness account by one who was present at the penultimate and the last meetings of the Congolese parliament. I might note other eye-witness accounts that add to this description. These latter eye-witnesses stated that some scores of members of the ANC -- then loyal to Mr. Lumumba -- were present in the hall of the Chamber of Deputies during the debate and the voting, and were fully armed with rifles and sub-machine guns. During this tense period in Leopoldville UN troops, were, stationed, by request, next to and outside the Parliament building to prevent incidents. At no time did they prevent anyone from entering the building nor did they enter it themselves. After the two meetings had taken place in the two chambers on successive days, Congolese army elements obstructed entry to the building.

Referring to certain alleged policies and actions on our part in a manner which I have already had reason to correct, one speaker talked about a "logique des attitudes" of the United Nations. Indeed, I hope that there is such a "logique des attitudes" on our side -- although in a different sense than the one the honourable speaker had in mind. On the other hand, I note that there is also in certain quarters a "logique des interpretations", in the sense that everything that may be turned into an argument in favour of the thesis that we act in favour of certain interests is brought out while everything else is forgotten. This "logique des interpretations" goes very far when, for example, it is said that we are the ones who confirmed the secession of Katanga, whereas the truth of the matter is that the fact that we got the United Nations force into the Katanga under the central leadership of a command in Léopoldville -- thus giving emphatic expression to the unity of the Congo and creating the conditions for the withdrawal of troops under Belgian command from Katanga -- is to my knowledge the most marked setback for secessionist policies in the Katanga which has come about during these five months. Mr. Krishna Menon, in his speech the other day, made the important point that changing situations may call for a change in reactions; what the Secretary-General said several months ago, as he stated, may not be what he would say today. I certainly agree with this pragmatic attitude so long as it is not a question of principles. But agreeing with the stand taken by Mr. Krishna Menon, I would ask you if the same does not also apply in another respect, that is to say, for example, whether what was true about a certain person and his position in July may not be untrue in December? Neither as regards attitudes of the UN nor as regards the evaluation of the facts of the situation in the Congo is any immobilism permissible. I say this because it is of decisive significance for the judgement of the future policies of the UN. Obviously such policies must start from the facts, whatever our attitude to those facts and however much we may disapprove or approve of them. The principles remain, but the actions must translate those principles in terms of today's situation.

Where do we get with such an approach? I shall try to state it as briefly as possible. I have already expressed my opinion that the UN operations must continue, and this is true both of the mili-

tary and of the civilian field. I have further stated that this is not possible unless conditions are maintained under which the operations can continue without making the UN a hostage of a particular factions or powers, or a dumb witness of developments contrary to the aims of the organization and therefore leading to corrosion of the Organization.

This means - outside the framework of all the resolutions - that I must appeal to members to avoid using the UN and its operations in the Congo as a pawn in games for unrelated purposes.

But further - and within the range of the resolutions -- I would ask the Security Council to clarify the mandate if it is its collective view that an extension is necessary beyond the present one, as so far interpreted, and I would ask the Council, if it does so, to provide me and my collaborators with the means by which such a wider mandate could be fulfilled, keeping carefully in mind the limits set by the Charter to the authority of the Council. I would further invite the Council to consider such arrangements as would mean that member nations would formally assume their share of the responsibility for the policy pursued from day to day in the Congo.

This does not mean that the operations of the Secretary-General or his Special Representative should be put under some kind of stultifying control of a parliamentary body: conditions do not permit such a policy. Nor does it mean, from my side, any reservations as regards the extremely useful activities of the Advisory Committee, the members of which, however, do not carry any formal responsibility for the policy pursued. Nor does it mean any reservations as to the most valuable contribution that the Conciliation Commission, or its forerunners, might give to the development of a sound policy. What I have in mind is that there are daily decisions, involving interpretations in detail of the extent of our power, which I and my collaborators have now had to take alone for five months.

Representatives of the Council or the General Assembly might well shoulder, on behalf of the General Assembly or the Council, the fair share of the responsibility of those organs for current interpretations of the mandate.

Were the Council to define its stand clearly in the respects to which I have referred, and were as I would hope - countries who have now announced a wish to withdraw to reconsider their attitude in the light of this development, I believe that we may look forward with increased confidence. Were that not to happen, we would continue to do our best on the Secretariat side, knowing, however, that we would still be weakened by ambiguities and that our efficiency might continue to be reduced by a political war waged around our activities.

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THE SITUATION IN THE REPUBLIC OF THE CONGO

REPORT TO THE SECRETARY-GENERAL FROM HIS ACTING SPECIAL
REPRESENTATIVE IN THE REPUBLIC OF THE CONGO, GENERAL RIKHYE

22 November 1960

1. According to information published by the Congolese authorities, the Chief of State on 4 October 1960 addressed a note to the President of the Republic of Ghana declaring personae non gratae three persons described as Mr. Ayk Djin, Ambassador of Ghana at Leopoldville, and Messrs. N. A. Welbeck and Botsio, Ministers of the Government of Ghana, and requesting their recall. According to the same information, no reply to this request was ever received. As neither Mr. Djin nor Mr. Botsio was known to be on the territory of the Congo at the present time, the issue of the recall has in fact been confined to Mr. Welbeck, the Chargé d'affaires.
2. On 15 November 1960, a secretary of the Ambassador was arrested by the Congolese troops guarding the residence of Mr. Patrice Lumumba and detained in a military camp in Leopoldville on charges of carrying documents to Mr. Lumumba of an internal political character.
3. The broader allegation was made that the Ghana Embassy had been using its diplomatic status to serve as the main link between Mr. Lumumba and his outside contacts. The Commissioner-General of the Interior was reported as having stated in a press conference on 18 November that the Ghana Mission must leave the country. On 19 November, he issued an ordinance on behalf of the President of the Republic reciting that the three named individuals were personae non gratae for having compromised the security of the territory, and proclaiming their expulsion. They were required to leave by direct air route within forty-eight hours.
4. On the same day, the Acting President of the Collège of Commissioners, at his request, discussed with a representative of ONUC their respective positions in the matter. He emphasized the insistence of the Congolese

authorities that the Chargé d'affaires of Ghana must leave the country. At the same time, he gave assurances that it did not lie within their intention to use force for this purpose.

5. The ONUC representative in turn gave assurances that ONUC did not in any way contest the determinations of the Chief of State as to the acceptability or not of any diplomat in the Congo. This was entirely a matter between the two governments concerned. ONUC trusted that the immediate question would be settled in accordance with the customary diplomatic procedures.

6. It was only necessary for ONUC to explain, in counselling against any act of force, that it would necessarily fall within its mandate - in the domain of the maintenance of law and order and international peace and security - to protect the diplomatic premises against any assault or invasion in violation of international law. In the circumstances, ONUC's responsibility could not extend beyond protecting the ambassadorial residence from any forcible incursion or from an act of violence against the person of the Chargé d'affaires. In a communiqué of 19 November 1960, the Ministry of Foreign Affairs of the Central Government then confirmed that there had been no breach of diplomatic relations with Ghana. From this it followed that there could therefore be no doubt as to the inviolability of the premises.

7. In the course of 19 November, a notice to quit the territory - within a time limit left blank - was served on the Chargé d'affaires by an Immigration Officer of the Ministry of the Interior.

8. On 21 November, ONUC learned of the impending arrival - that afternoon - of the Chief of Staff of the Ghanaian Army and a senior official of the Foreign Ministry of Ghana, in a government aircraft. ONUC passed this information to the Commissioners and in the early evening urged upon the Acting President of the College and the Commissioner-General of the Interior that the presence of these emissaries should be used to settle the problem at once by diplomatic means, and that no demonstration of force could be justified when the other government concerned was now proceeding along customary diplomatic lines.

9. In the meantime, a tense situation had been building up before the Ghanaian premises during the day of 21 November. In addition to the usual six members of the Ghana police, ten guards of the Tunisian Brigade were on duty at 0600 hours. When troops of the Congolese National Army put in an appearance, Headquarters Military Operations requested the Tunisian Brigade to increase the guard, at 0700 hours, to one platoon. At 1215 hours the Congolese troops were reinforced to approximately one company. At 1700 hours the Tunisians were increased to a strength of 215. At 1810 hours one armoured car and five truck-loads of Congolese troops - which could amount to some 100 men - were reported to be standing by at a distance of one block from the Ghana premises.

10. In the course of the same day, the Acting Special Representative of the Secretary-General made a direct personal appeal to the Chief of Staff of the Congolese Army that any clash between the two forces be avoided. The latter agreed to a deferral of the expulsion by twenty-four hours but coupled this with a statement that the attitude of the Chargé d'affaires could oblige the Congolese to use methods which they would not like to employ. At 1400 hours the Commissioner-General of the Interior and a captain acting for the Sûreté called on the Chargé d'affaires and presented him with a Sabena air ticket made out for Kano, Nigeria, for departure at 1600 hours. He is reported to have been warned that he would be taken out by force, if necessary, and is understood to have refused to comply.

11. At 1940 hours on 21 November 1960, when no less than seven Commissioners were in ONUC Headquarters demanding that the Chargé d'affaires be handed over to them, while the two senior representatives of Ghana were standing by for discussions, and while the Acting Special Representative of the Secretary-General was urging upon the Acting President of the College that advantage should be taken of this fact to assure a diplomatic solution, firing broke out at the Ghana residence. The Acting President and the Commissioner-General of the Interior immediately set out together with the Commanding Officer of the Tunisian Brigade for the scene, with the intention of seeking a cease-fire, though without success.

12. Three different accounts of the incident have been obtained by ONUC Headquarters, as follows. The Chief of Staff of the Congolese National Army

has stated to the Acting Special Representative of the Secretary-General that his Commanding Officer presented himself on the scene, unarmed, with four men, also unarmed, to enter the premises for a discussion with the Chargé d'affaires, and that the United Nations troops thereupon opened fire.

13. The Lieutenant in charge of the Tunisian Company reports having taken up positions in the Embassy gardens at 1640 hours, a platoon of the Congolese National Army (some 40 men) then posting itself on the opposite side of the street, facing the premises, at 1715 hours. The report states that a battalion surrounded the premises, together with two half-trucks, at 1800 hours, which is approximately the hour of nightfall. Discussions held between the two Tunisian lieutenants and Congolese officers indicated that responsible officials were seeking settlement at ONUC Headquarters. At 1915 hours, Lt. Col. Kokolo of the Congolese National Army arrived, accompanied by two civilians. The report states that he declared in an angry voice that he would attack in one quarter of an hour and take the building by force. A little later, he sought to enter the precincts, but was told by the Tunisian officer-in-charge that he might do so only if he entered alone and unarmed. Thereupon, the report continues, Lt. Col. Kokolo flatly refused, struck the Lieutenant while one of the civilians held the Lieutenant by the collar, and Congolese soldiers knocked him down. The civilian is said to have shouted the order to fire, resulting in several volleys from the Congolese side. The Lieutenant in command was slightly wounded and the other Lieutenant seriously hit, falling on the spot. Accordingly, at about 1940 hours, Tunisian counter-fire began. For about two minutes there was heavy small arms fire in all directions. Until approximately 2215 hours firing continued in sporadic and intermittent bursts. The Tunisian Lieutenant's report speaks of receiving successive machine-gun, sub-machine gun, 37 mm and small arms fire, as well as a certain number of grenades. His cries for a cease-fire were in vain.

14. A number of independent witnesses have stated that firing began on the ONUC side but only in answer to a mass charge from the Congolese side. Opening fire in such circumstances would be in accordance with standard military principles of self-defence to prevent an ONUC unit or position from being overwhelmed or effectively infiltrated. The charge was led by Lt. Col. Kokolo, who was felled by a burst of submachine gun-fire and died instantly.

15. During the first lull in firing the ONUC Military Hospital sent out ambulance cars to collect the wounded. The bodies of Lt. Col. Kokolo and one Tunisian and

four wounded Tunisians were evacuated.

16. In the meantime, contact was established between the Acting Special Representative of the Secretary-General and the Congolese Chief of Staff in an effort to obtain a cease-fire. The latter was asked to bring up his loud speaker vehicles in view of the extreme difficulty of bringing about a cessation of small arms fire during hours of darkness. A Congolese Lieutenant was sent by the Chief of Staff to accompany the Acting Special Representative to the scene and to order the Congolese troops to withhold their fire. When, therefore, an apparent lull in the firing had been reached, the Acting Special Representative proceeded to the area in an effort to ensure the effectiveness of the cease-fire. He was accompanied by the Chief of Staff of Ghana and the Ghana Foreign Ministry representative, who had decided to remove the Chargé d'Affaires to the airport for immediate departure. Unfortunately the headlights of the Indian ambulance car evacuating more casualties induced heavy firing on both sides, and the group was pinned down for approximately one hour.

17. When it became evident that the cease-fire efforts had failed, the Chief of Staff of the Congolese National Army agreed with the Acting Special Representative of the Secretary-General that both sides should withdraw at 0600 hours (approximate daybreak) on 22 November. Firing recommenced at 0100 hours and 0430 hours but was short lived, although sporadic shots continued through the night and even after first light; the Acting Special Representative maintained contact with Congolese officials during the night.

18. Total ONUC casualties were one soldier killed, and one officer, two non-commissioned officers and six other ranks wounded. Apart from the one Congolese officer killed and one Congolese soldier wounded, both evacuated by ONUC, it has not been possible as yet to ascertain the extent of Congolese casualties.

19. The cease-fire was effectively enforced as from about 0700 hours on 22 November. Between 0730 and 0800 hours the Chief of Staff of the Ghana Army proceeded to the Ghana residence with ONUC officers and, as arranged, two officers of the Congolese National Army. The staff was evacuated and the Chargé d'Affaires was removed to the airport, whence he departed by Ghana aircraft at 1020 hours.

20. During the night of 21 November, and again in the morning of 22 November, Congolese troops stopped numerous ONUC cars carrying ONUC civilian and military personnel, and subjected them to arrest at gun point. Some twenty-eight ONUC personnel, from five or six cars, were detained and crowded into a small room from 2245 hours on 21 November to 0630 hours on 22 November. During this period they were repeatedly threatened but finally released unharmed, at 0630 hours, 22 November. After this release, they were again stopped by another armed patrol, detained for twenty-five minutes and again released, unharmed. In the morning of 22 November, additional ONUC personnel were arrested in several parts of Leopoldville, a number of their cars confiscated, and the personnel held by Congolese troops for several hours. A group of 15 ONUC military and civilian personnel were arrested, held in Camp Leopoldville II and released only in the afternoon of 22 November, some having been held overnight. Their release was on the order of the Chief of Staff of the Congolese National Army. It is believed that at the time of this report, no international personnel are still under detention. Houses of some personnel were broken into.

21. Throughout the day Congolese troops established various road-blocks and seized many ONUC motor vehicles, sometimes in connection with indiscriminate arrests of personnel, occasionally simply turning out the driver wherever he might be. At the time of this report, approximately 40 ONUC motor vehicles - automobiles and small buses - are missing.

22. With the departure of the Ghana staff and the carrying out of the mutual withdrawal arrangement, operational considerations prevented replacement of the guard at the Ghana residence. It is reported that the building has been looted. Although Congolese troops have left the immediate vicinity, they have dug in along the nearby river-front and around the ONUC hospital, and Congolese reinforcements of heavy vehicles and light armoured cars have been brought up from Thysville.

23. The Acting Special Representative of the Secretary-General has appealed to the Chief of Staff of the Congolese National Army and to a representative of the College of Commissioners for every effort to be made to restore discipline, quiet feelings, and re-establish a spirit of co-operation between ONUC and the Congolese authorities in order that the ONUC programme for the benefit of the Congolese people may be carried forward.

18 November

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Brigadier-General I.J. Rikhye,
Special Representative a.i. of the Secretary-General
S. Linner, Chief of Civilian Operations

The Commissioners-General dinner last evening was attended by some 175 people. Amongst those present were practically all the leading representatives of the Embassies (I could not see Mr. Welbeck though) and nearly all members of the Consultative Group of the Civilian Operations, as well as quite a few from the Administrative Branch.

The Acting President of the College des Commissaires, Mr/ Ndele, acted as host; the guests of honour were Colonel and Mrs. Mobutu, the American and British Ambassadors and their wives, and Mr/ and Mrs. Linner. Mr. Ndele made a speech in which he stressed that the time of petty squabbles between various personalities was now definitely over. It was imperative for the Congolese to forget personal political ambitions and to unite in an endeavour to create and maintain a unified Congo. In this connection he made specific mention of the Katanga problem, saying that their Congolese brothers in Katanga must now realise that Katanga forms, and will form, part of the Republic of the Congo. He furthermore paid handsome tribute to Colonel Mobutu who, he said, by restoring the Congolese army was the first one who had established a real feeling of independence amongst his fellow countrymen. Every Congolese, he said, who witnessed the parade earlier in the day felt for the first time pride and happiness in being Congolese. The speech was made in a quite dignified and impressive manner. No other speeches were made. The UN was not mentioned in any way.

After dinner there was dancing and social activities. As far as I am concerned one Commissioner General after another went out of his way to show friendliness and appreciation, and many of my colleagues had the same experience. Even Mr. Kappella, the Acting Commissioner General for Information, who has for quite some time indulged in vitriolic and vicious attacks against the UN, welcomed the opportunity of dining with me early next week, so as to discuss matters more informally. Mr. Makoso of the "Courrier d'Afrique" also accepted a similar invitation, and stressed that he was most anxious to co-operate with UNOC as regards Civilian Operations, although he made no secret of his being in complete disagreement on several issues of a political nature.

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PRIORITY

EU 15

SSS CU DE CUE 51/08

FM BUKAVU

TO ONUC LEO

BT

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UNCLAS BULE 58 STOP

FOR LINNER MCDIARMID MINISTER ECONOMIC AFFAIRS PUBLIC WORKS AND

MINES RECEIVED VOTE NO CONFIDENCE AND DISMISSED BY

PROVINCIAL ASSEMBLY YESTERDAY STOP NEW MINISTERS BEING ELECTED

TODAY

BT

CFN BULE 58

08/1255Z NOV CUE

ONUC HQ In	08/1330Z
Serial Number	54
For Action : C	2 ✓
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1330Z

Dear Sture,

I apologise for doing this longhand but Mlle de la Celle is having a spot of trouble getting acclimatized - what with low blood pressure and the altitude - and is not in this morning.

Robin Miller and I went to see the President last Wednesday morning and I am glad to say that my forebodings that we would meet with a cold, flat refusal proved wrong in so far as, at least, the general atmosphere was more cooperative than it has been in the last few weeks and the President's reaction was not wholly negative. I had had second thoughts about our general line of approach and, in brief, reminded the President of his request for someone to advise and help him - a request made in Commandant Tracey's office some two or three weeks ago. I explained also that I myself, overburdened with many different matters, had asked for assistance, too, and that in reply to these two requests Robin Miller had been assigned to Bukavu. He had come down as another civilian officer who, like myself, had in principle general rather than specific responsibilities. I explained that Robin Miller had considerable experience of Africa and of developing constitutions for newly independent states and that as such he might be able to help the President in this particular field. The President did some hedging on the issue but finally said he wanted to discuss it with the Council of Ministers and would let me know the outcome. I think - but I cannot be sure, of course - that this means that in principle R.M. has been accepted, and that is the most important thing at the moment. Now we will have to see how and how fast this can be developed into something concrete and active.

I have already reported to you that I have heard strictly confidentially that the President has written to someone in Belgium to ask him to come to Bukavu as his adviser. I have since been able to get hold of this person's name, which is RITTWELER de MOOR. He used to be Belgian Consul at Bukavu. From what I gather this person seems to have a rather peculiar "roving" mission, doing a lot of travelling from Brussels to Usumbura and then to Katanga, with side trips to Shangugu (just across the border from here) and even quick,

unofficial trips into Bukavu. It is said that Rittweger has funds at his disposal amongst others from the Katanga Government which might be available to the Kivu - but I don't know on what conditions. This is all I can say on the subject. If there should be any information available at Leo that might enable me to penetrate this question a little more deeply at this end I know you will let me have it. (You will doubtless realise the political importance of having Ruanda Urundi just across the border. Local frontier traffic is virtually free!!)

I mentioned the Mr. Trips who apparently arranged for the visit of the Min. of Mines to Brussels. It appears upon further enquiry that he too apparently travels ~~tra~~ rather freely. He is reported to have been in Bukavu for 7-10 days only a few weeks ago. As background I can only pass on the information that he is an old settler who has gone through two fraudulent bankruptcies here and that he is now apparently in the Ministère des Affaires Africaines in Brussels, particularly in charge of "fellowships".

There has been a development on the provincial political scene which may or may not prove serious and consequential. I would ask you to refer to the attached clippings marked 1, 2 and 3, from which you will see that the Provincial Assembly is being asked to place a vote of no confidence in the Provincial Government. The puzzling and interesting aspect of the signatories is that they cut right across all political factions and do not come from only one specific group. I have been unable so far to get any further sound background but will keep you informed.

I'm afraid I must leave it at this for to-day. I hope to get a more solid report off by next Thursday's pouch.

With kind personal regards,

I am, Yours,

(sgd.) JOHN

P.S. I've received the text of the S.G.'s letter to the Belgian Government and will, of course, treat it as confidential. You have not by any chance any of the more expanded background thinking on it? e.g. does the S.G. mean all Belgians, even the ordinary civil servant, or is he thinking particularly of "advisers"?

UNITED NATIONS — NATIONS UNIES

INDICATE
PRIORITY

S V C Service	FFFFF Routine	SSSSS Priority	PRIORITE NATIONS
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Priorite Nations traffic
is strictly limited.

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C/POL 100

Address(es)

ONUC
STANLEYVILLE

2 November 1960

(TEXT & SIGNATURE)

insert prefix & / or number as required

USE DOUBLE SPACING.

BRZAK SECGENS MESSAGE TO BELGIAN GOVERNMENT HAS BEEN MAILED TO YOU STOP PLEASE
NOTE IT IS FOR YOUR OWN PERSONAL USE ONLY AND NOT TO BE PUBLISHED OR CIRCULATED
LINNER

I. N. 5980 — 200,000 - 7/60

T. O. R.

BY :

Drafted by : S. Linnér

Authorized :

T. O. D.

Date :



INTER-OFFICE MEMORANDUM

27 October 1960

TO : SL

FROM : WWC

SUBJECT : Policy on Belgian personnel

Herewith, as requested, copies of notes verbales from S-G to Belgian Permanent Representative setting the policy against unilateral aid, including civilian personnel, being provided to any authority in the Congo. I underline the elements of the GA resolution on which this policy can be based:

"The General Assembly . . .

"5. Requests

"(a) All States to refrain from any action which might tend to impede . . . the exercise by the Government of the Republic of the Congo of its authority and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo"

noted
RUC 29/10

(2529)

10 Oct. 60

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~~d'examiner ensemble la situation et de jeter ainsi des bases solides sur lesquelles vous pourriez étudier plus avant le problème dans le sens que j'ai indiqué.~~

I also transmit herewith the letter which I shall be transmitting to the Permanent Representative of Belgium on the same subject. This of course constitutes a parallel action.

"Le Secrétaire Général de l'Organisation des Nations Unies présente ses compliments au représentant permanent de la Belgique auprès des Nations Unies et à l'honneur de déclarer que, du regard à la résolution adoptée par l'assemblée générale le 20 septembre 1960 et après examen attentif des conditions qui existent à l'heure actuelle au Congo, il est plus que jamais convaincu qu'il est absolument indispensable qu'aucune aide technique ou financière ne soit fournie à aucune des autorités dans le Congo si ce n'est par l'intermédiaire des Nations Unies.

Il conclut en conséquence que l'aide unilatérale que le gouvernement Belge continue de fournir aux autorités tant dans le Katanga que dans le Kasai méridional n'est pas conforme à ce que demande l'assemblée générale, notamment au paragraphe 5 (a) de la résolution, et qu'en fait elle entrave le rétablissement d'une situation politique et économique normale dans la république du Congo.

Procédant de cette conclusion, le secrétaire général tient à prier le gouvernement Belge de retirer tout le personnel militaire, paramilitaire ou civil qu'il a mis à la disposition des autorités au Congo et de suivre dorénavant l'exemple de nombreux autres états ne faisant parvenir toute aide au Congo, ou à toutes autorités dans le

Congo, par l'intermédiaire des Nations Unies.

Le Secrétaire Général est convaincu que seule l'acceptation de ces requêtes permettra d'éviter que ne se produisent, au Congo, des événements qui risqueraient de faire du pays le théâtre d'un conflit de portée mondiale et qui serait des plus dangereux pour le pays lui-même. "

Le Secrétaire Général tient à informer le gouvernement belge qu'il a adressé à M Tschombe un message personnel dont copie est jointée à la présente pour information." This message is dated "8 octobre 1960".

INCOMING CODE CABLE

To: DAYAL
From: SEOGEM
Date: 20 October 1960
Number: 2788

Following is text of note verbale handed to Belgian Ambassador today: "Se référant à la note verbale qu'il a eu l'honneur d'adresser au représentant permanent de la Belgique le 14 octobre 1960, le Secrétaire Général de l'Organisation des Nations Unies désire informer le représentant permanent que, selon des rapports récents émanant de son Représentant Spécial à Léopoldville, 114 officiers et 117 autres militaires belges servent encore dans la gendarmerie des Autorités Katangaises et 58 officiers belges sont actuellement au service de la police du Katanga. Il ressort en outre de ces rapports que tous les postes clés du Katanga, tant dans le domaine civil que dans celui de la sécurité, sont soit directement entre les mains de fonctionnaires belges, soit sous le contrôle de conseillers belges détachés auprès de fonctionnaires congolais. Telle est la situation qui règne actuellement, bien que la mission belge d'assistance technique ait apparemment été retirée le 13 octobre 1960. En ce qui concerne le prétendu état autonome du Sud-Kasai, les rapports continuent à affirmer que le colonel Crevecoeur porte l'uniforme belge dans l'exercice de ses fonctions et est assisté par un officier belge, le colonel Lavaureg, et que tous deux s'occupent à entraîner de nouvelles unités militaires au service des autorités du Sud-Katanga. A ce propos, il est déclaré que le médecin-chef de forminière, de nationalité belge, sert d'inspecteur médical pour ces unités militaires.

Il est signalé d'autre part que de l'équipement militaire léger est transporté du Katanga au Kabinda par le territoire de Mwene-Ditu et

qu'un homme d'affaires belge donne son appui à ce trafic d'armes.

Le Secrétaire Général desire attirer également l'attention du représentant permanent sur de récentes informations selon lesquelles une agence de recrutement pour le Congo a été créée à Bruxelles sous la direction du professeur Lacroix et avec le soutien du professeur Verhagen, tous deux de l'université de Lovanium. Il semble que le but de l'agence soit d'envoyer au Congo un nombre sans cesse croissant de fonctionnaires belges, d'ont plusieurs ont déjà assumé leurs fonctions auprès de ce que l'on nomme le collège des commissaires. Les autorités des Nations Unies au Congo ont déjà été saisies de plusieurs cas où ces experts belges ont sérieusement empêché la mise en oeuvre du programme d'assistance technique des Nations Unies. Certains de ces experts ont même retardé soiemment la présentation de demandes d'assistance technique des Nations Unies par les autorités congolaises.

Il est évident que l'emploi d'experts belges par les autorités congolaises et les activités de ces experts, souvent dirigées contre l'organisation des Nations Unies, ne peuvent qu'être la source de graves conflits, notamment en raison de la situation politique instable qui règne actuellement au Congo. A ce propos, le Secrétaire Général se doit de noter que les accords entre des techniciens belges et les diverses autorités congolaises ne sont approuvés par aucun gouvernement ni aucune autorité qui puissent prétendre à juste titre être le gouvernement centrale légitimé du Congo.

Le 19 octobre 1960"

C/POL 100

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ONUC HQ In	22 1960
Serial Number	92
For Action : C	M 1
As Info : C	2
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CU071

EU 023

SSS CU DE CUE 66/22

FM ONUC ELISABETHVILLE

TO ONUC LEOPOLDVILLE

BT

IMMEDIATE - ELLEO 69 - DAYAL VON HORN FROM BERENDSEN X FOLLOWING IS THE TEXT OF THE LETTER ADDRESSED TO SECGEN BY PRESIDENT TSHOMBE DATED 22/10/60 AND RELEASED TO THE PRESS THIS AFTERNOON AT 1600 HOURS LLTT X QUOTE X MONSIEUR LE SECRETAIRE GENERAL DS NATIONS UNIES , J'AI L'HONNEUR DE VOUS FAIRE PART DE CE QUI SUIIT: COMME VOUS LE SAVEZ ,LE GOUVERNEMENT DU KATANGA A CONCLU RECEMMENT A ELISABETHVILLE AVEC VOTRE ENVOYE SPECIAL, LE GENERAL RIKHYE, UN ACCORD PREVOYANT LA CREATION DE ZONES DE DEFENSE DANS CERTAINES REGIONS DU NORD KATANGA OU LES FORCES DES NATIONS UNIES INTERVIENDRAIENT DANS LE MAINTIEN DE L'ORDRE D'UNE FACON PLU ACTIVE AVEC LE DEGRE DE FORCE NECESSAIRE. LEUR MISSION CONSISTERAIT PRINCIPALEMENT A EMPECHER LA CIRCULATION ET L'ACTION DES BANDES ARMEES ET A PREVENIR DES ACTES DE PILLAGE ET DE PROTEGER LES INSTALLATIONS VITALES A L'ECONOMIE DU PAYS.

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PAGE TWO CUE 44/22

LE 20 OCTOBRE ECOULE, FURENT PORTES A LA CONNAISSANCE DE MON GOUVERNEMENT CERTAINS FAITS QUI INDICUAIENT QUE, PRINCIPALEMENT DANS LA REGION DE KABALO, LES FORCES DES NATIONS UNIES CHARGEES DE L'EXECUTION DE LA MISSION DECRIE CI-DESSUS AVAIENT FAILLI GRAVEMENT AUX DEVOIRS QUI LEUR ETAIENT PRESCRITS.

ELLES S'ETAIENT RENDUES COUPLABLES DE CERTAINS EXCES ET DE PASSIVITE DANS LEUR ATTITUDE VIS-A-VIS DES BANDES ARMEES.

AU RECU DE CES NOUVELLES ET DEVANT LA GRAVITE DES FAITS, LE GOUVERNEMENT KATANGAIS S'EST VU CONTRAINT D'ADRESSER UNE

PROTESTATION IMMEDIATE AUPRES DU DELEGUE PERMANENT DES NATIONS UNIES A ELISABETHVILLE. IL A EN MEME TEMPS PRIS L'INITIATIVE DE

PROPOSER A MONSIEUR BERENDSEN QU'IL ACCOMPAGNE DANS LE PLUS BREF DELAI POSSIBLE LE MINISTRE DE L'INTERIEUR, MONSIEUR MUNONGO, A KABALO POUR EFFECTUER UNE ENQUETE SUR PLACE.

AU RETOUR DE CETTE MISSION, LE 21 OCTOBRE 1960, LE MINISTRE DE L'INTERIEUR FIT TENIR SON RAPPORT ET COMMUNIQUEA SES CONCLUSIONS. CELLES-CI FONT APPARAITRE QUE LA PLUPART DES FAITS INCRIMINES S'AVERAIENT EXACTS D'APRES LES NOMBREUX TEMOIGNAGES ET CONSTATATIONS ECRITES FAITS SUR LES LIEUX. DES ATROCITES INQUALIFIABLES ONT ETE COMMISES PAR DES BANDES ARMEES

PAGE THREE CUE 44/22

DANS LA CIRCONSCRIPTION URBAINE DE KABALO SANS LA MOINDRE INTERVENTION DES FORCES DES NATIONS UNIES . CEPENDANT, NIAINT L'EVIDENCE , ET REFUSANT MEME AU DELEGUE DU GOUVERNEMENT KATANGAIS DE CONFRONTER SES CONSTATATIONS AVEC CELLES DES OBSERVATEURS DE L' ONU CITES COMME TEMOINS PAR LES REFUGIES. MONSIEUR LE REPRESENTANT DES NATIONS UNIES A ELISABETHVILLE A MINIMISE DELIBEREMENT LES EVENEMENTS EN NECOMMAISSANT COMPLETEMENT LES TEMOIGNAGES ENREGISTRES. IL A ETE MEME JUSQU'A INSINUER QUE LES AUTORITES KATANGAISES AURAIENT SCIEMMENT EXAGERE LES EVENEMENTS EN VUE DE METTRE FIN A LA MISSION DE PACIFICATION CONFIEE A L'ONU EN VERTU DES ACCORDS MENTIONNEE PLUS HAUT. JE M'ELEVE CIOLEMENT CONTRE DE TELLES ALLEGATIONS QUI NE SONT PAS DIGNES D'UN REPRESENTANT D'UN ORGANISME MONDIAL DONT LE PREMIER SOUCI DEVRAIT ETRE D'OBSERVER UNE ABSOLUE OBJECTIVITE EN TOUTAS CIRCONSTANCES. IL M'A ETE DONNE. DU RESTE. DE CONSTATER DANS D'AUTRES OCCASIONS UN MANQUE COMPLET DE CLAIRVOYANCE ET UNE INDECISION INCOMPREHENSIBLE DE LA PART DE SON REPRESENTANT. CELUI-CI A MANIFESTE A DIVERSES REPRISES UNE INCOMPREHENSION TOTALE DES PROBLEMS KATANGAIS ET MEME UN MANQUE D'ESPRIT DE COLLABORATION AVEC LE GOUVERNEMENT. LE GOUVERNEMENT DU KATANGA ESTIME QUE , PAR SON COMPORTEMENTNIL NUIT GRANDEMENT AUX

PAGE FOUR CUE 44/22

BONS RAPPORTS QU'IL A TOUJOURS ETE DESIREUX D'ENTREtenir AVEC LES NATIONS UNIES. EN AGISSANT DE LA SORTE , MONSIEUR BERENDSEN DESSERT INCOMTESTABLEMENT LES INTERETS DE VOTRE ORGANISATION AUPRES DES POPULATIONS KATANGAISES. EU EGARD A CE QUI PRECEDE , JE ME VOIS DANS L' OBLIGATION DE VOUS DEMANDER DE BIEN VOULOIR ENVISAGER A TRES BREF DELAI LE RAPPEL DE MONSIEU BERENDSEN, VOTRE REPRESENTANT A ELISABETHVILLE, ET SON REMPLACEMENT PAR UNE PERSONNE PLUS QUALIFIEE. JE ME PROPOSE EGALEMENT DE VOUS SUGGERER INCESSAMMENT D'APPLIQUER DES MESURES SIMILAIRES ENVERS CERTAINS OFFICIERS DU SOUS-COMMANDEMENT DE P'ONU A ELISABETHVILLE , CONT LE COMPORTEMENT ET L' ATTITUDE ANTI-KATANGAISE ME PARAISSANT EGALEMENT ENTRAINER DES SANCTIONS, ET AU SUJET DESQUELS UNE ENQUETE EST EN COURS. DANS L' ESPRIT DE MON GOUVERNEMENT , LES MESURES QUE JE VOUS DEMANDE DE PRENDRE NE METTENT NULLEMENT EN CAUSE L'ATTACHEMENT DU KATANGA AUX PRINCIPES DEFENDUS PAR LES NATIONS UNIES; TOUT COMME PAR LE PASSE, IL ACCEPTE PLEINEMENT DE DE COLLABORER LOYALEMENT AVEC VOUS A L' EXECUTION DES DECISIONS PRISES PAR LES NATIONS UNIES, PARTICULIEREMENT DANS LE DOMAINE DU MAINTIEN DE L'ORDRE. C'EST DANS LE MEME ESPRIT QUE LE GOUVERNEMENT KATANGAIS A ACCEPTE RECOMMENT DE RECONNAITRE AUX FORCES DE L'ONU LE DROIT D'INTENSIFIER SES PATROUILLES EN VUE DE LA PACIFICATION DE CERTAINES REGIONS DU KATANGA. IL ENTEND RESPECTER SES ENGAGEMENTS DANS CE DOMAINE DANS TOUTE LA MESURE OU LES FORCES DE L'ONU S'ACQUITTENT DE LEUR MISSION EN TOUTE LOYAUTE ET SANS PORTER

PLON 1012
General Number
For Action : C
As info : C
M

PAGE FIVE CUE 44/22 ATTEINTE AUX DROITS DE SOUVERAINETE DE L'ETAT KATAN
 MAIS QUI EST SEUL RESPONSABLE, EN DERNIER RESSORT , DE LA PROTECTION DES
 VIES ET DES BIENS DES POPULATIONS. JE SAISIS L'OCCASION POUR VOUS
 RENOUVELER L'ASSURANCE DE MA HAUTE CONSIDERATION . UNQUOTE X STOP END
 BT

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22/1935
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C/Pol 100

INDICATE
PRIORITY

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is strictly limited.

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Address(es)

TO: ONUC LEO

FROM: ETH GDE STAN

FILE: Politics

SL

(TEXT & SIGNATURE)

Insert prefix & / or number as required

USE DOUBLE SPACING.

THE RUSSIAN PILOTS AT STANLEYVILLE HAVE RECEIVED ORDERS AND ARE READY TO FLY AT
2130 LT. DIRECTION AND DESTINATION OF FLIGHT UNKNOWN. WHEN STARTING TO FLY AND
DESTINATION KNOWN WE WILL INFORM YOU

YC74 S NY 103/99 &30 2236Z ;

TAT PRIORITE

ONUC

LEOPOLDVILLE ;

1382 CORDIER FROM SEC GEN. FOLLOWING NOTE VERBALE HAS BEEN
RECEIVED FROM BELGIAN MISSION CLN QUOTE LA MISSION PERMANENTE
DE LA BELGIQUE A LHONNEUR DE CONFIRMER LA DEMARCHE VERBALE
ACCOMPLIE PAR ELLE AUPRES DU SECRETARIAT DES NATIONS UNIES
AU SUJET DE L'ARRESTATION, A LULUABOURG, DE ;

P2/53/49 ;
MR. CRAVATTE, RESSORTISSANT LUXEMBOURGEOIS, ADMINISTRATEUR-DIRECTEUR
GENERAL DU CHEMIN DE FER DU BAS-CONGO AU KATANGA (B.C.K.).

PARA LA MISSION PERMANENTE SERAIT TRES RECONNAISSANTE A

MONSIEUR LE SECRETAIRE GENERAL DE BIEN VOULOIR PRENDRE LES
MESURES EN SON POUVOIR POUR ASSURER LA LIBERATION DE MR.
CRAVATTE. UNQUOTE "

COL 1382 "

Opal 100
File: 'Politics'

(5)

Loge

10045

FORMULE DE MESSAGE

(GRAND FORMAT)

N° D'ENREGISTREMENT

4/Pol 100 130148

(1)

(2) Pour le Centre de Transm. seulement:

(3)

(4)

(5) URGENCE - ACTION

URGENCE - INFO

DIFFERE

GROUPE DATE-HEURE

INSTRUCTIONS POUR LE DESTINATAIRE

(6) DE :

072750 B

(10) COMPT. : GR.

(7) POUR : 09 3 OPT

(11) SECURITE :

Premier Ministre et Ministre de la Défense
Nationale

QG Armée Nationale Congolaise-

QG G. M. U.

Aux Représentants de la Chambre

(12) No DE L'EXPÉDITEUR

(8) INFO :

2795

(9)

L'Armée Nationale Congolaise indignée de constater la prise position de guerre de l'ONU sur le territoire de la République du Congo. L'G.M.U. opère secrète est dans complet BELGE de fausser manoeuvre troupe Nationale Congolaise déjà à son but pour dressement situation KATANGA et KASAI - BANYANGA en particulier. Cette constatation nous parvient d'une part d'intervention étatsunaise avion notre général LUMBILLA révoquant d'une grande tournée mission difficile à l'accroissement de REJILI par groupe G.M.U. d'autre part à l'intérieur de notre groupement de multiples accrochages entre ANG et G.M.U. sont enregistrés de jour à jour dont voir ce message de Cie Gd KINSHU. Votre tg n° NIT du 6 sept. Constate avec l'ONU pour laisser descendre avion. Dit il quand l'avion descend on va seulement tirer. L'ONU a reçu l'ordre de leur général de LENOUILVILLE même suit. Si ANG arrive dans l'avion on va tirer. Dans pour éviter guerre ne doit pas venir avion plane avion KINSHU. Telle est la copie exacte du message en notre genre de message n'a été envoyé de CONGO. Regrettons de pouvoir rallonger d'autres troupes innombrables de l'ONU qui sont pour nous dans cette affaire en les généralisant avec les préventions. L'G.M.U. nous coupe l'intervention directe dans les affaires intérieures et de notre pays sans aucune autorisation de notre gouvernement central. Dans cette condition l'ANG exige sans délai l'atterrissage libre des avions de la République dans tous aéroports du CONGO. Vu et approuvé par le Général LUMBILLA

Page

de

Pages.

SE REFERE AU MESSAGE

CLASSIFIE

OUI ☐NON ☐

NOM DU REDACTEUR BUREAU NATIONAL

Pour l'opérat.
seulement

IN

Date

Heure

Système

Opérateur

OUT

Date

Heure

Système

Opérateur

Signature de
l'Officier Délégué

07/09 1745

V

KINSHUA