

INCOMING CODE

ROUTINE

To : Mr. Linner, Gen. Mac Eoin, Mr. Ahmed
From : SECGEN
Date : 22 June 1961
No. : 4437

82

A-1522

Reference A-1487. We propose to have J. T. Birckhead ex C.A.O. U.N.E.F. and now of the Controllers office undertake this task. He will do basic work here before going to Congo sometime after mid July. Birckhead is exceptionally well qualified by his experience

Dist. : Gen. Mac Eoin, Mr. Ahmed

INCOMING CODE

IMMEDIATE

To : Mr. Linner *h*
From : Secgen
Date : 22 June 1961
No. : 4436

Reur 1508. The following cable to Sahbani may serve as our comments:

"Nous repetons d'urgence communication suivante de Leo, en vous priant de voir Spaak pour lui présenter les points principaux avec le commentaire suivant.

Evidamment le rôle des Nations Unies jusqu'ici a été limité aux efforts d'arriver a la liberation des huit soldats. Une solution maintenant se presente mais sous les conditions qui n'ont pas ete approuvées par nos représentants ni par nous, mais qui nos représentants n'ont pas pu changer. La décision d'accepter ou non ces conditions et les arrangements prevus appartient evidamment aux autorités Belges et en second lieu aux autorités des Etats Unis dont la cooperation semble nécessaire. Les Nations Unies n'y entrent que sur le point irrationnel que la tradition aurait lieu au siege.

Nous observons tout d'abord que les prisonniers n'ont jamais été des prisonniers que de facto et que -en consequence- des qu'ils entrent dans l'avion ils sont en principe libres. Nous observons aussi qu'une tradition au Siege, si permise, preterait au ridicule et à un abus de Siege pour un but etrange aux fonctions de l'Organisation. D'autre part, c'est bien evident que ce n'est pas pour nous de prendre des attitudes qui pourraient entraver la solution de ce problème humanitaire. Nous reservons notre attitude pour savoir quelle est la décision du gouvernement Belge et des Americains et quelles sont leurs réactions en ce qui concerne le rôle des Nations Unies".

copy to M. Pongoulat

INCOMING CODE

ROUTINE

To : Mr. Linner
From : Secgen
Date : 22 June 1961
No. : 4435

SL

Reur 1506.

Vue le point 14 et vos commentaires, nous n'avons pas d'objections que vous assistez avec les arrangements necessaires pour une rencontre entre Sendwe et des representants d'Eville à un lieu indiqué

Handwritten: Kanakambur

INCOMING CODE CABLE.

PRIORITY.

To : Mr. Linner, Leopoldville. *h*
From : Secretary General, New York.
Date : 21 June 1961.
No. : 4427

Reur A-1500. Investigation commission has not yet received replies to questions but expresses strong desire to interrogate Russel-Cargil themselves. If Russel-Cargil willing appear before commission, propose his immediate trip to Geneva at UN expense.

INCOMING CODE CABLE.

PRIORITY.

To : Gen. Maceoin, Leopoldville.
From : Mr. Bunche, New York.
Date : 21 June 1961.
No. : 4419

Re ONUC 3032 and ours 3803.

Canadian government agrees to provide ZD-214 Major LG Normandin as replacement for major Bouffard in operations branch. Travel details will follow.

cc. Mr. Linner.

INCOMING CODE

IMMEDIATE

To : Mr. Linner *SW*
From : SECGEN
Date : 21 June 1961
No. : 4414

*A-1576
A-1521*

I revert to your 3534, point seven. As stated in my comments, matter is extremely delicate. If the view expressed in the para under reference is held, as I guess, by Khiari, Gardiner and Nwokedi, they may wish jointly to send me a message with request that it be transmitted to the committee of investigation. Were they to do so, it may be helpful without creating suspicions that either somebody here or people in Kasavubu's surroundings were trying to stop it. In this respect the three have obviously the most favorable position, being both africans entirely detached from the story under study and charged with key responsibility in reconciliation effort. In my own view it should be fairly obvious that investigation of the matter through U.N., when this matter is primarily of domestic concern, should not be pursued in a way which threatens results of our major and predominant effort: for reconciliation. It seems also clear that if and when constitutional government is invested by Parliament, representing the various factions concerned, investigation should not be pursued unless this new Government so wishes. Therefore, irrespective of political considerations, I feel that as matter of form the Commission would be wise were they to recognise that they should sit back in order to see what develops on constitutional political scene.

I would appreciate an early reaction from the three as to whether they wish to go ahead with my suggestion or not. There is not much time to spare. Your 1505 just received, showing that it is difficult to get all three together. It may then, if unavoidable, be reasonable alternative that Khiari sends me message perhaps saying that he knows that he is speaking for all three.-

INCOMING CODE CABLE.

IMMEDIA TE.

To : Dr. Linner.
From : Secretary-General.
Date : 21 June '61.
No : 4412.

Reur ONUC 3534.

Reur point 2. We feel that the right thing for you would be to present, if possible in informal meeting with both parties jointly, the various practical questions which have to be settled, to take their reactions on them and to see if that would lead them to the practical conclusion that some short delay is called for. We would advise strongly against our proposing any other date and even more, of course, against our pushing any delay. Do not believe that a delay would be possible for more than few days, as opening parliament before end June is likely to be crucial point, value of which to keep up the momentum must not be lost.

Reur point 3. Note with great appreciation Khiari's good intervention and your excellent proposal that Stan delegates should see Kasavubu; hope Gizenga sees eye to eye with us.

Reur point 4. We would not be strict in limiting assistance with transportation to parliament session itself if more liberal approach is considered helpful. However, obvious condition which must be met is that assistance rendered cannot by either one of the parties be regarded as partisan; at least their tacit acquiescence in such service from our side must therefore be ascertained. Provided last mentioned condition is met and maintaining naturally prudent and restrictive attitude to such exceptions from what should be general rule, we leave matter in your hands.

Reur point 5. Agreed.

Reur point 6. Leave to your judgement how best to approach Eville. Share your view that first attempt should be made with the two in Brazza, second attempt through Obrian and third attempt by visit from our Leo group of the one considered most likely to have influence (this may be occasion where the one going should strengthen his hand by bringing Sven Schwartz with him).

Reur point 7. Matter extremely delicate and we do not wish to give rise to any suspicions, but we shall do what we can through proper channels in order to keep this investigation out of the picture at least until things are on the rails (in fact, in case of real reconciliation Gizenga-Kasavubu, the whole Lumumba

investigation is dead issue).

We cross our fingers for you. You are carrying the ball and we trust you would do it well even without our distant and modest backstopping.

INCOMING CODE CABLE.

To : Dr. Linner. *SL*
From : Secretary-General.
Date : 21 June ' 61.
No. : 4411

A-1504

Is Kasavubu still in Bas-Congo query if so, it worries us, as it may cause embarrassing delay of necessary signing of decree convening Parliament. His Government supposedly must be in contact with him, but in view of the agreement, I feel that you too would be entitled to maintain continuous personal contact.

Incoming Clear Cable

Confidential

21 June 1961

Unations,
New York

to

Onuc
Leopoldville

No. 4409 For LINNER from MACFARQUHAR

Agreement for financial assistance. Irving Trust Company have acknowledged receipt of ten million dollars and established account under following designation "Monetary Council of the Republic of the Congo Special Foreign Currency Account - United Nations/Congo agreement of 12 June 1961 c/o Controller of the United Nations, United Nations, New York".

Controller has established New York panel of signatories but they will operate only on written approval of representative designated under Article 5. Please propose person or persons to be designated.

For approval under Article 9 will the designee be the same person or persons ?

INCOMING CLEAR

UNATIONS
NEW YORK
21 June, 1961

ONUC
LEOPOLDVILLE

4408 LINNER from SECGEN.

We issued here tonight the following:

" 20 June, 1961. Comments by the Secretary-General on the Agreement of 19 June between Delegations from Leopoldville and Stanleyville regarding the convening of Parliament.

" We welcome the agreement reached as an important step forward, indicative of the will of the two delegations, and those they represent, to act in unison for national reconciliation and integration through constitutional means. The agreement puts on the UN certain serious responsibilities. The Organization gladly assumes those responsibilities and will do its utmost to meet them so as to help the parties to reach their goal. Instructions have been given accordingly and the representation of the Organization in Leopoldville has already for some days been planning the extensive security arrangements that will have to be put into effect. The Organisation stands ready to assist also in such other ways, within the limits of its competence, as may be requested. It is our firm hope that all parties will shoulder their responsibility and endorse the Agreement reached between the two delegations."

INCOMING CODE CABLE.

ROUTINE.

To : Dr. Linner. *SL*
From : Secretary-General.
Date : 21 June '61.
No. : 4407.

Reur A-1497. Clearly desirable to avoid loss of time in back and forth communications once request for implementation of 19 June agreement is received. As anticipatory step, therefore, you are naturally authorized to exercise your judgement in taking all steps called for by provisions of the agreement.

(Mr. Nwokedi took copy)

INCOMING CODE

To : LINNER, LEOPOLDVILLE *Sh*

From : SEC GEN, NEWYORK

Date : 21 June 1961

No : 4406

Following received from Sahbani:

"Primo. Reference votre 130, honneur vous faire part mes appréhensions que les 44 techniciens réputés 'petits commis' évoqués par Munongo visent à noyer le cas des 23 conseillers réclamés par Spaak. Les deux listes ne se contredisent pas mais il serait illusoire que priorité soit accordée aux 44. Si les choses se passent ainsi, nous risquons de voir le départ des vrais conseillers renvoyé de quelques mois au moins et de nous trouver au mois de septembre avec des listes de partants pompeuses mais sans substance. Il y a lieu de prodiguer tous les efforts pour que ceux qui restent des 23 partent le plus tôt possible d'autant plus qu'ils sont rappelés par Bruxelles. Je propose à ce sujet que la même méthode employée avec Weber soit reprise à leur égard, c'est-à-dire les faire convoquer par notre représentant et leur intimer l'ordre de partir dans un délai précis. L'envoyé spécial de Spaak sur place pourrait aider à la réalisation de cela.

Secundo. La question du comité tripartite nous a été rappelée aujourd'hui par l'intermédiaire discret d'un diplomate américain dont l'Ambassadeur a vu hier Spaak. Quid de mon message 82 en réponse à votre 129?

Tertio. J'ai évoqué dans paragraphe (primo) le mois de septembre parce que j'ai compris que dans l'intention de Spaak l'opération aura atteint sa réalisation raisonnable à cette date. Le mot 'raisonnable' est le terme employé par Spaak dans son intervention devant le Sénat à propos de l'application de la résolution du 21 février.

Quarto. Quid du départ Clemens? "

Incoming Clear Cable

20 June 1961

Unations
New York

to

Onuc
Leopoldville

No. 4385 For LINNER from SECGEN

Following was issued today as Document S/4841:

" Report of the Secretary-General on the implementation of paragraph B-1 of the Security Council resolution of 21 February 1961.

1. Paragraph B-1 of the resolution which the Security Council adopted on 21 February 1961

"Urges the convening of Parliament and the taking of necessary protective measures in that connexion"

and paragraph 5 of General Assembly resolution 1600(XV) of 17 April 1961

"Urges the convening of Parliament without delay, with safe conduct and security extended to the members of Parliament by the United Nations, so that Parliament may take the necessary decisions concerning the formation of a national Government and on the future constitutional structure of the Republic of the Congo in accordance with the constitutional processes laid down in the Loi Fondamentale"

2. In pursuance of these resolutions the Secretary-General requested his representatives in the Congo to explore by discussions with the various Congolese authorities the possibility of an early meeting of Parliament.

3. After preliminary explorations with various authorities, Mr. Gardiner, on instructions of the Secretary-General, visited Stanleyville on 9 June 1961 for discussions with Mr. Gizenga and his collaborators concerning the meeting of Parliament. As a result of these discussions, Mr. Gizenga proposed that he would send to Leopoldville a mission of three persons for the purpose of discussing with representatives of the Leopoldville authorities the modalities for an early reconvening of Parliament. The United Nations undertook to give to the members of this mission all facilities and full protection.

4. On 12 June 1961, after discussions with Mr. Khiari and Mr. Gardiner, the Leopoldville authorities agreed to appoint three representatives to meet with the representatives of the Stanleyville authorities.
5. On 13 June the representatives named by the Leopoldville authorities, namely Mr. Cyrille Adoula, Mr. Jean Bolikango and Mr. Marcel Lihau, met with the representatives of the Stanleyville authorities, namely Mr. Jacques Masséna, Mr. Etienne Kihuyu and Mr. Malango at the Headquarters of the United Nations in Leopoldville.
6. On 19 June 1961, following meetings in which, at the request of both delegations, Mr. Khiari, Mr. Gardiner and Mr. Nwokedi, acting on behalf of the Secretary-General gave occasional assistance, agreement on the modalities for the convening of Parliament was reached. The statement of the representative of the Leopoldville authorities is reproduced in Annex I, the statement of the representative of the Stanleyville authorities is reproduced in Annex II, and the agreement itself is reproduced in Annex III.
7. The Secretary-General has informed the authorities concerned that he accepts all the responsibilities which under this agreement devolve upon the United Nations, and will continue to render all possible assistance to facilitate the meeting of Parliament at the place and date agreed upon. "

" Rapport du Secrétaire général sur l'Application du paragraphe B-1 de la Résolution du Conseil de sécurité en date du 21 février 1961.

1. Le paragraphe B-1 de la résolution que le Conseil de sécurité a adoptée le 21 février est ainsi conçu :

"Demande instamment la convocation du Parlement et l'adoption des mesures de protection nécessaires à cet égard";

Le paragraphe 5 de la résolution 1600(XV) de l'Assemblée générale, en date du 17 avril 1961, est ainsi conçu :

"Demande instamment que le Parlement soit convoqué sans délai, l'Organisation des Nations Unies délivrant des sauf-conduits aux membres du Parlements et assurant leur sécurité, de façon que le Parlement puisse prendre les décisions nécessaires concernant la formation d'un Gouvernement national et la future structure constitutionnelle de la République du Congo conformément aux procédures constitutionnelles définies dans la Loi Fondamentale".

2. En exécution de ces résolutions, le Secrétaire général a prié ses représentants au Congo d'exploiter, par des discussions avec les diverses autorités congolaises, la possibilité d'une réunion prochaine du Parlement.
3. Après des entretiens préliminaires avec diverses autorités, Mr. Gardiner, d'ordre du Secrétaire général, s'est rendu à Stanleyville le 9 juin 1961 pour des discussions avec M. Gizenga et ses collaborateurs au sujet de la réunion du Parlement. A la suite de ces discussions, M. Gizenga a proposé d'envoyer à Léopoldville une mission de trois personnes en vue de discuter avec des représentants des autorités de Léopoldville les modalités d'une reconvoction prochaine du Parlement. Les Nations Unies se sont engagées à accorder toutes facilités aux membres de cette mission et d'assurer leur protection.
4. Le 12 juin 1961, après des discussions avec M. Khiari et M. Gardiner, les autorités de Léopoldville ont accepté de nommer trois représentants chargés de rencontrer les représentants des autorités de Stanleyville.
5. Le 13 juin, les représentants nommés par les autorités de Léopoldville : M. Cyrille Adoula, M. Jean Bolikango et M. Marcel Lihau, ont rencontré les représentants des autorités de Stanleyville : M. Jacques Masséna, M. Etienne Kihuyu et M. Malango, au siège des Nations Unies à Léopoldville.
6. Le 19 juin 1961, à la suite de réunions au cours desquelles, à la demande des deux délégations, M. Khiari, M. Gardiner et M. Nwokedi, agissant au nom du Secrétaire général, ont parfois prêté leur concours, un accord est intervenu sur les modalités de la convocation du Parlement. La déclaration du représentant des autorités de Léopoldville est reproduite à l'annexe I, la déclaration du représentant des autorités de Stanleyville est reproduite à l'annexe II et l'accord est reproduit à l'annexe III.
7. Le Secrétaire général a informé les autorités intéressées qu'il accepte toutes les responsabilités qui incombent aux Nations Unies, en vertu de cet accord, et qu'il continuera de prêter toute l'assistance possible pour faciliter la réunion du Parlement au lieu et à la date convenus".

Three annexes are attached being statement by Bolikango, Statement by Masséna and text of agreement.

INCOMING CODE CABLE.

Copy to Floumeny

PRIORITY.

To : Dr. Linner. *h*
From : Secretary-General.
Date : 20 June 61.
No. : 4380.

In preparing security arrangements for Parliament meeting we should not only provide for complete protection of Louvanium area and its approaches, but should also be prepared for any eventuality, however far fetched, in Leo itself. It would be imperative that the present size of our force in Leo should not be substantially reduced and that the forces needed for Louvanium should to the degree possible be replaced from elsewhere in the Congo. Orientale and Equateur could perhaps be temporarily weakened. Until a Legal Government has taken over, deployment of forces in Leo should be made in such a way as to give complete protection against any surprises, emanating from organised military moves. In this connexion it might be necessary to establish special posts from which military movement within and into the city can be observed.

INCOMING CODE CABLE

To : Gen. MacEoin

MOST IMMEDIATE

From : Mr. Bunche, New York

Date : 20 June 1961

No. : 4379

SL

Reference our 4374 and ONUC 3526. Tunisian mission accepts postponement rotation on condition that it must commence 29 June. United States mission has already been requested accordingly.

United States has also been requested to lift five Ghana ferrets from Leopoldville to Accra in C-130s now at Leopoldville.

cc: Dr. Linner

INCOMING CODE CABLE

To : Gen. MacEoin
From : Mr. Bunche, New York
Date : 20 June 1961
No. : 4374

MOST IMMEDIATE

Reference ONUC 3512.

We understand your position. On other hand, Tunisian government unwilling to reduce troop strength in their country and insist on returning troops being moved first. We are obliged to accept their stand. On receipt your message, we have asked the Tunisian mission urgently to obtain approval of their government for cancellation of move scheduled for 21 June. While we are unable as yet to give exact details we have assured the Tunisian mission that we will do everything possible to arrange move starting 29 June. This being fourth postponement, Tunisia is not likely to agree to any further delay.

It is felt that once Parliament has convened with conditions specified in agreement having been met, it should then be possible to proceed with Tunisian rotation. It should also give you more time to make alternative arrangements.

Tunisian government's decision will be communicated in course of today. Move planned for 21 June should therefore be withheld pending final word. United States mission has been informed.

Incidentally, we informed you about Tunisian rotation in our cable 4316 sent on 16 June.

Note: underlined word nearest to garbled one received.

cc: Dr. Linner

INCOMING CODE CABLE.

Handwritten: ~~th~~ Handwritten

PRIORITY

To : Dr. Linner. *h*
From : Secgen.
Date : 20 June 61.
No. : 4370

Re A-1496. Clearly indicated that you should make request as suggested in penultimate sentence your cable. I should be made with clear reference to Maroti's international status and mentioning that we have to report on matter to High Commissioner.

INCOMING CODE CABLE.

To : Dr. Linner. *SL*
From : Secgen.
Date : 20 June 61.
No : 4369

Re A-1494/1495. The added points 14 and 15 are obviously within range of our possibilities. We naturally must assume also responsibilities as mentioned in point three modified.

Heartened by progress although great difficulties remain. Will wait with further comments until more news received.

INCOMING CODE CABLE.

M. Pongjantat for jumps

To : Dr. Linner.
From : Secgen.
Date : 20 June 61.
No. : 4367

A-1506

Reur A-1493. Whith what authority and for what purpose would Sendwe participate in proposed meeting? Would the Kamina meeting at this time have any bearing on efforts in Leo to convene Parliament.

4366

ONUC-3602

INCOMING CODE CABLE.

To : Dr. Linner, Mr. Ahmed. *h*
From : Secgen.
Date : 20 June 61.
No. : 4365.

Reference ONUC 3506. Agreed.

c.c. Mr. Ahmed.

INCOMING CLEAR

UNATIONS
NEW YORK
19 June, 1961

ONUC
LEOPOLDVILLE

4356 LINNER from BUNCHE

Documents requested your confidential memo
of 13 June being sent by pouch 322 on 20 June.

4344

A-1501

INCOMING CODE CABLE

PRIORITE

TO LINNER, MACEOIN *SL*
FROM : SECRETARY - GENERAL
DATE : 19 JUNE 1961
NUMBER : 4342

Reference ONUC 3494.

Had learned of search incident several hours before receipt of your message through a Reuter's dispatch from Leopoldville reporting announcement attributed to " a UN spokesman" . We were, in fact, inclined to discount the Reuter's report in view of ONUC 3488 and the obvious bad faith involved if it were true. Assume incident is being protested to Mobutu and full explanation demanded from him.

cc ; Maceoin

INCOMING CODE

To : LINNER, LEOPOLDVILLE
From : SEC GEN, NEWYORK
Date : 19 June 1961
No : 4344

EV-245
A-1501

The following received from Sahbani, Brussels, to-day:

"Référence votre 133. Notre attention a été frappée par fait que discussions sur réorganisation Gendarmerie katangaise se déroulent sans participation de tout élément congolais responsable. Cette méthode a deux inconvénients:

- 1° Les Congolais pourront facilement sous pression des circonstances méconnaître validité d'un plan établi sans eux.
- 2° On pourrait nous reprocher de tenir compte du facteur force à l'exclusion du facteur légalité.

Il conviendrait peut-être convaincre discrètement les Katangais de la nécessité leur participation personnelle à ces entretiens par présence d'officiers congolais dont nombre serait au moins égal à celui des Belges. Ces derniers prendront alors caractère de conseillers techniques et non d'interlocuteurs délibérants."

INCOMING CODE CABLE

PRIORITE

TO : LINNER *SL*
FROM : SECRETARY-GENERAL
DATE : 19 JUNE 1961
NUMBER : 4341

A-1500

Reur A-1479 Commission of investigation decided at London meeting to request opportunity to read interrogation report before recommending release of ~~Russel~~-Cargil. Requests witness be persuaded to remain maximum one week unless vigorous protest by him. Presumably commission envisages possibility further questions on basis interrogation report.

INCOMING CODE CABLE

ROUTINE

TO : LINNER
FROM : SECRETARY-GENERAL
DATE : 19 JUNE 1961
NUMBER : 4338.

EV-245

I agree with line in following reply from Sahbani re Clemens (number 85) : "

"Ref votre 131, je pense que le retour de Clemens ne doit être assorti d'aucune condition. Son cas est une illustration rayonnante du tort que peut commettre aux congolais eux-mêmes le comportement d'un technicien qui se mêle de la politique du Congo. Nous devrions répondre que Clemens doit d'abord partir et que ONU aura à coeur de prendre les mesures conformes à l'intérêt de l'université et des congolais. Le retour éventuel de Clemens avec notre approbation ne manquera pas de nous valoir certaines critiques car on allèguera que tant de dérangement n'était pas nécessaire si nous devions lui permettre de retourner au Congo après trois semaines. Techniquement parlant sa présence au Katanga n'est pas indispensable, ~~xxx~~ au moment des examens. Une fois rentré à Bruxelles nous pourrions demander même aux Belges l'envoi d'un professeur en droit qui une fois mis au courant du programme enseigné par Clemens pourra faire subir ces examens il faudrait s'attendre au pire, à des manifestations, de la part des étudiants, mais ces manifestations " spontanées " ne devraient pas être prises au sérieux."

INCOMING CODE

IMMEDIATE

Q

To : Mr Linner *h*
From : Secgen
Date : 17 June 1961
No. : 4335

Nigerian Representative, with apology for short notice, informs that Wachuku is arriving Leo in Nigerian Government aircraft on 18 June, hour unknown. He plans to stay until 25 June and wishes to visit Nigerian personnel in Leo, Bukavu, Kamina and Matadi. Government requests our assistance in facilitating his trip.

INCOMING CODE

PRIORITY

To : Mr. Linner *h*
From : Secgen
Date : 17 June 1961
No. : 4333

Q

Reference A-1479. Fully understand Kanakarathnes view about release of Cargill. But to avoid any recriminations it will be advisable to consult Commission before his actual release. We shall expedite this to extent possible, but in meantime Cargill should be held

INCOMING CODE

ROUTINE

To : Mr. Linner *h*
From : Secgen
Date : 17 June 1961
No. : 4332

rkf

Q

Reference A-1480. Plan as outlined is good. For good and obvious reasons we would propose that an Ethiopian company, as symbol be included in guard detail for Lovanium area.

INCOMING CODE

PRIORITY

To : Mr Linner
From : SECGEN
Date : 17 June 1961
No. : 4330

Re our 4327/4328, from Sahbani repeated to you this morning.
I am quite convinced of wisdom of his reactions and thus I am sure that
you will do what you can in accordance with letter and spirit of this
cable. Please continue to keep us informed in detail for maximum coordination
Brussels

Alie, please provide

INCOMING CODE

ROUTINE

To : Mr. Linner *h*
From : Seogen
Date : 17 June 1961
No. : 4329

ref

Q

You mention circulation by U.S. of Embassy list of 143. I would be most interested if such a list could be pouched to us

INCOMING CODE

MOST IMMEDIATE

To : Linner *h*
From : SECGEN
No. : 4328
Date : 17 June 1961

Continuation of 4327.

Voici quelles ont été Nos principales répliques:

1.- Avons fait remarquer que le nombre est encore insuffisant pour nous encourager à envisager une formule de travail tripartite et fait observer le comité Egge-Crevecoeur et autres ainsi que tout autre comité similaire éventuel ne saurait être considéré comme appelé à négocier ou discuter mais à accélérer, par procédure adéquate, exécution résolution.

2.- ONU continue pression sur Munongo mais succès dépend aussi autorité Gouvernement belge.

3.- Les autres mercenaires belges qui sont tous de petits grades doivent être retirés avant le 15 Juillet.

Avons fait remarquer que réunion 14 Juin ne fut pas aussi coopérative que le pense Spaak et que nos renseignements indiquent attitude obstructive Crevecoeur et consorts, avons réitéré vœu Secgen de voir des mesures prises à l'encontre ces conseillers. Tout travail réorganisation Gendarmerie ou établissement calendrier serait contrecarré par l'esprit de ces gens. Réponse de Spaak a été qu'il enverrait des instructions spéciales à Van de Wale à l'intention de Crevecoeur pour changement telle attitude. Je pense que d'autres interventions de notre part amèneront départ Crevecoeur comme ce fut le cas pour Weber.

Commentaires: je constate que bien que lents et parcimonieux, les résultats commencent à apparaître. Spaak ne va pas aussi rapidement que nous le désirons mais les progrès sont sensibles. Pour avoir plus de substance, j'estime que nous en sommes à un point où tout en maintenant nos pressions sur les Belges, nous devons en exercer davantage sur les congolais car toute hésitation de la part de ceux-ci renforcent inévitablement Belgique. /2

(Continuation from No. 4328)

Nos représentants à Eville devraient être plus fermes et plus expeditifs. Je sens que Spaak est désireux de faire un pas concret et substantiel avant mois de Septembre. Il compte se rendre à l'Assemblée avec un dossier aussi favorable que possible. Il nous appartient de faire en sorte que les réalisations approchent au maximum de nos vœux. L'établissement urgent du plan de réorganisation de la Gendarmerie Katangaise fera beaucoup évoluer le contexte du problème."

INCOMING CODE

MOST IMMEDIATE

To : Mr. Linner
From : SECGEN *sh*
Date : 17 June 1961
No. : 4327

Following received from Sahbani. "SECGEN from Sahbani 17 June number 83/84.

Audience a l'initiative de Spaak aujourd'hui vendredi 16 a quatre heures PM.

1.- Spaak nous a donne liste conseillers politiques effectivement retires: Renard, conseiller a la Surete - Thomas, conseiller economique de Tshombe - Wens, conseiller financier - trois techniciens adjoints au conseiller financier: Van Aken - Nagant - Van Geyte. Le Major Weber rentrera le 17 Juin. Clemens a reçu nouvel ordre formel mais tergiverse encore bien que prevenu par Spaak qu'il ne serait pas defendu s'il etait pris par ONU.

2.- Spaak a fait savoir a Munongo qu'il suspendait traitements accordes par Belgique aux 23 conseillers s'ils ne sont pas congadies et implore ONU d'employer toute pression sur Munongo.

3.- 25 officiers mercenaires faisant partie du cadre suppletif de la Gendarmerie seront rapatriés entre le 1 et le 15 Juillet.

4.- Concernant la Gendarmerie, Spaak mis au courant par les siens de la reunion qui eut lieu le 14 Juin a Eville entre Egge, Crevecœur et autres, croit que cette reunion s'est deroulee dans atmosphere cooperative et estime necessaire attendre accord technique soit realise entre ces personnes. Il s'engage formellement a executer les decisions prises par ce Comite.

5.- Spaak nous a prevenu que des manifestations seront organisées au Katanga contre Gouvernement Belge le 17 courant occasion depart Weber.

6.- Spaak estime comme nous necessaire retrait conseillers politiques avant reunion Parlement mais pense qu'il ne dispose pas de moyens plus exercitifs que ceux qu'il a employes.

7.- Lettre a ete adressée ce jour a Munongo reclamant de nouveau

retour conseillers rappelés.

8.- Une autre lettre adressée ce jour a Bomboko reclamant liberation conseillers politiques rappelés ou pour le moins etablissement par Gouvernement Central liste des conseillers politiques indesirables a Leo.

Je vous enverrai par pli special échange de lettres Spaak-Bomboko et Spaak-Munongo. Ces documents m'ont été communiqués sous le sceau du secret et me suis engagé en votre nom aupres Spaak pour qu'elles restent confidentielles.

9. Spaak nous a confirmé sa déclaration faite devant le Senat dernièrement et approuvée par Parlement affirmant volonté Gouvernement Belge de ne plus intervenir dans la politique du Congo.

10.- Devant connivence Consul actuel Belgique a Eville avec "ultras" Belges, Spaak a l'intention de le muter mais craignant reaction a sursis a mutation et d'envoyer un de ses hommes de confiance pour pratiquement veiller a l'execution des ordres de Spaak. Ce fonctionnaire servira désormais comme agent de liaison technique pour l'execution de la resolution.

11. Un certain nombre de mercenaires Belges sont déjà retirés et la liste nominative nous sera communiquée dans quelques jours.

12.- Le colonel Van de Wale convoqué par Spaak est arrivé cours cette semaine a Bruxelles. Il a déclaré ~~qu'il~~ que l'effectif de la gendarmerie au Katanga a été porté depuis le 30 Juin de 3000 à 9000 personnes. L'encadrement n'a pas accru proportionnellement. Il semblerait que l'encadrement nécessaire serait de 600 officiers alors qu'il n'est actuellement que de 460, pas tous Belges. Le nombre des Belges est resté constant mais des relevés ont eu lieu. Ces informations auraient été communiquées à Egge.

(This message will continue as 4328)

INCOMING CODE CABLE

PRIORITE

TO : LINNER *SL*
FROM : SECRETARY-GENERAL
DATE : 17 JUNE 1961
NUMBER : 4326

Reur 1474.

In view 1475, obviously not too urgent to give you detailed reaction. We shall revert to matter tomorrow after closer study. I send however these preliminary reactions to 1474 :

Point 2- We would have to assume cost if necessary.

Point 3-and 4- We should not be fussy about hardship imposed on our personnel if it does not go beyond reasonable limits, which does not seem to be the case.

Point 5- I find it difficult to refuse, although arrangement is not very agreeable. However, I agree with your other observations and consider it impossible for us to raise objections, whatever our pre-occupations

Point 6- I do not wish to express view on date, beyond saying that no delay should be permitted because of difficulties presented from our side

INCOMING CODE CABLE

ROUTINE

TO : LINNER MACEOIN *h*
FROM : SECGEN
DATE : 17 JUNE 1961
NUMBER : 4325

ONUC-3478

Malayan mission has drawn our attention to Reuter's news item of fifteen June which reports that " about ninety Malaysians are overwhelmed by ANC at Kindu " . Our information is that there are 131 Malaysians in Kindu. Please advise.

cc : Maceoin

INCOMING CODE CABLE

ROUTINE

TO : LINNER MACEOIN *h*
FROM : SECRETARY-GENERAL
DATE : 17 JUNE 1961
NUMBER : 4324

Reference report from Lt. Col Nixon re Ruanda-Urundi border situation sent in Linner's memo of 13 June . Clearly, in light of this report, some thought needs to be given to possible deployment of UN troops along Congo-Urundi border in event of serious trouble on its Eastern side. In such a situation our aim should be to seal the border as tightly as possible.

cc : Maceoin

INCOMING CODE CABLE

ROUTINE

TO : LINNER *sk*
FROM : SECRETARY-GENERAL
DATE : 17 JUNE 1961
NUMBER : 4323

Reur A-1472, 1473, please press investigation all along line and especially the truth of allegations regarding use of UN vehicles and implication of UN staff members, UN military officers, etc. We would appreciate being kept fully informed of developments.

INCOMING CODE CABLE

ROUTINE

TO : LINNER *SL*
FROM : SECRETARY-GENERAL
DATE : 17 JUNE 1961
NUMBER : 4322

Your A-1467 bakwanga famine relief . Conclusion seems to be that unless Kalonji has a change of heart very little can be done now. If you think you can push him in right direction please make approach through channel you think likely to be effective.

INCOMING CODE CABLE

ROUTINE

TO : MACBOIN
FROM : BUNCHE
DATE : 17 JUNE 1961
NUMBER : 4318

Swedish mission has informed of government view that since most of movement control personnel were from Scandinavian countries , Lt Col Folke, deputy CLO, might be considered for position as head of that unit, even though this would be a lower position than that of deputy chief of logistics branch. We took negative position on any precedent of this kind. However, appointment of a Scandinavian on movement control staff would seem justified if there is none at present.

We observed that Folkes present position is more responsible and therefore we could not support the proposed change

cc : Linner

INCOMING CODE CABLE

ROUTINE

TO : LINNER GARDINER
FROM : SECRETARY-GENERAL
DATE : 17 JUNE 1961
NUMBER : 4317

82

A-1502

Reference A-1433 .

Representative of Yugoslavia has also readily agreed to ask
for postponement of Yugoslav flight to Stanleyville until first
week July

cc : Gardiner

INCOMING CODE CABLE

ROUTINE

TO : MACEOIN
FROM : BUNCHE
DATE : 17 JUNE 1961
NUMBER : 4313

Re ONUC 2765.

Swedish government agrees to provide Colonel Kjellgren to serve as OC South Katanga. Colonel Kjellgren will arrive Leopoldville on or about 15 July.

cc : Linner

INCOMING CODE CABLE

ROUTINE

TO : LINNER &
FROM : SECRETARY-GENERAL
DATE : 16 JUNE 1961
NUMBER : 4299 .

EV-246
A-1498

Sending you below Sahbanis comments on your proposals in A-1454.
I tend to agree with him . Would appreciate your consideration and such revised proposals as you may find indicated .

" To Secgen from Sahbani Brussels Number 82.

1. Reference votre 129. L'idée proposée par Linner dans son paragraphe (1) est acceptable et rejoint mes propositions antérieures (notre 80) mais dans mon esprit cet organisme ne doit entrer en fonction qu'une fois deux conditions remplies à savoir repatriement des 23 conseillers politiques du Katanga ainsi que surplus militaires apportés dans cette province après 30 Juin. Ou, il semble que dans l'esprit de Spaak cet organisme sera appelé tout d'abord à trancher cas des 23 conseillers politiques dont renvoi d'environ 20 a été refusé par autorités Katangaises. Linner n'est pas précis à ce sujet et je crains que le point de vue de Spaak n'occasionne de nouvelles négociations à ce sujet cette fois-ci au Congo et à un niveau moindre que celui de Bruxelles. Je ne partage pas point de vue Linner qui prévoit des remplacements nécessaires avec un calendrier ad hoc pour les conseillers politiques ceux-ci devant être purement et simplement retirés en leur qualité de conseillers politiques. Il serait gravement dangereux de soulever éventuellement leur remplacement en cas de conversation avec Belges .

2. Un calendrier peut être effectivement établi pour le retrait des militaires. Mais il ne doit nullement intéresser mercenaires dont on doit obtenir évacuation en priorité. Il est à préciser que dans l'esprit de Spaak la gendarmerie est un corps non-militaire mais policier. Or, comment étudier utilement ce problème si Egge n'a pas établi un nouveau plan pour la réorganisation de cette gendarmerie. Il est évident que nous serons amenés à procéder à la relève des officiers militaires de la gendarmerie

dans cadre, je l'espère, de notre nouvelle réorganisation sinon nous seront contraints à une relève tête par tête. Le représentant de la Belgique fera des difficultés certaines à nos représentants en se cachant derrière absence accord préalable de son gouvernement sur tel ou tel plan qu'il serait simplement chargé d'exécuter. Auquel cas une présence des Nations Unies devra être provisoirement maintenue à Bruxelles pour talonner Spaak et prévenir toutes difficultés possibles. Mais le point essentiel restera l'accélération de notre projet de réorganisation gendarmerie.

3. Linner a tout a fait raison d'exiger départ conseillers politiques avant réunion parlement et d'obtenir approbation autorités Congolaises avant celles de Bruxelles .

4. Verrons aujourd'hui Vendredi Spaak et évoquerons de nouveau cas Crêvecœur et Huyghe et exposerons difficultés à réunir Parlement tant que conseillers politiques existent au Congo. Je crois qu'il serait de bonne tactique de faire partager ce point de vue par Kasa-Vubu afin que déclaration publique soit faite par lui dans ce sens. Cette démarche aura pour effet de neutraliser manoeuvres Bomboko. "

INCOMING CODE CABLE

To : Messrs. Linner and Ahmed *sz*

PRIORITY

From : Secretary-General, New York

Date : 16 June 1961

No. : 4296

A-1484

Reference ONUC 3429.

Please indicate nature of proposed new assignment for Knecht.
His advice should be valuable in connection with U.N. responsibilities
for meeting of parliament.

Dist.: Mr. Ahmed

INCOMING CODE CABLE

PRIORITE

TO : LINNER , MACEOIN *h*
FROM : SECRETARY-GENERAL
DATE : 16 JUNE 1961
NUMBER : 4295

A-1480

Would appreciate having cabled outline of security arrangements contemplated for Parliament meeting , including proposed organizational set-up and assignments of personnel . Copies of any orders and instructions issued on subject should be pouched earliest.

cc : Maceoin

INCOMING CODE CABLE

To : Messrs. Linner and Gardiner *h*

PRIORITY

From : Secretary-General, New York

Date : 16 June 1961

No. : 4288

Reference A-1471. Representative of Ghana has readily agreed to send strong appeal to Accra to defer proposed Ghana flight to Stanleyville until negotiations about convening parliament are over.

dist: Mr. Gardiner

INCOMING CODE CABLE

ROUTINE

TO : LINNER *h*
FROM : SECRETARY-GENERAL
DATE : 16 JUNE 1961
NUMBER : 4287

Reur A-1448 Commission of investigation request colonel
Egge and Kanakaratne interrogate Huyghe at Elizabethville, particularly
with reference to allegations and Russel-Cargill and Brown . Report
of interrogation should be sent to Ofosu-Amash, secretary of Commission
Unations Geneva, with a copy to Schachter at Headquarters .

INCOMING CODE CABLE

ROUTINE

TO : LINNER *fr*
FROM : SECRETARY-GENERAL
DATE : 16 JUNE 1961
NUMBER : 4286

Investigation commission will be in London care of Unations information Centre from eighteen to twenty June and thereafter in Geneva care of European Office . Imperative Kanakaratne send utmost urgency copy of Russel-Cargill interrogatory to Commission by pouch or airmail registered express if no pouch immediately available. In latter case place interrogatory in double envelope, outside envelope addressed to information centre or European Office as case may be, inside envelope addressed to Chairman Commission and marked secret . Please pouch another copy to Headquarters .

INCOMING CODE CABLE

ROUTINE

TO : LINNER **九**
FROM : SECRETARY-GENERAL
DATE : 16 JUNE 1961
NUMBER : 4285

Further your A-1447 as status agreement was carefully prepared in English as well as French we should be glad to have both working languages equally authentic as normally but matter need not be pressed if government has strong preference to sign French text only.

INCOMING CODE CABLE.

ROUTINE.

To : Dr. Linner
From : Secgen.
Date : 16 June 61
No. : 4276

Reur 1461/63.

2
We shall wait for your detailed comments. I know that you share our view that everything must be done from our side to render possible implementation of agreement without any complicating modifications, as smooth and quick sailing now is an imperative need.

INCOMING CODE CABLE.

ROUTINE.

To : Dr. Linner.
From : Secgen.
Date : 16 June 61.
No. : 4275.

Reur A-1459 Commission of Investigation would appreciate your approaching Kasavubu on their behalf with view to receiving invitation from Government as originally requested. They do not consider it indispensable that they arrive on 27 June but hope that they could proceed to Leopoldville before end of June. Endit.

INCOMING CODE CABLE

M. Fabry

ROUTINE.

To : Dr. Linner.
From : Secgen.
Date. : 16 June 61.
No. : 4273.-4274

A-1560

1. Legal Office recommends following change be negotiated in Status agreement draft as pouched 2 June by Fabry.
2. Article 10 relates only to actions against ONUC personnel. New position of Government as party having mutual interest in establishing arbitration procedures under article 11 now justifies some measure for protecting private rights of action where ONUC personnel have claims, at least until courts function adequately. Therefore propose inserting after "Liant" in 10 (c) "ou en faveur d'un" or some similar adjustment.
3. Begin article 13 with "a member of the military personnel or a civil official" (Fonctionnaire). This change provides true reciprocity in which both ONUC and Congolese would have restricted rights to apprehend the military or civil officials of the other. But regarding non-official Congolese ONUC requires a broader right to apprehend as necessary means of enforcing law and order and this does not give rise to problem of reciprocity. To safeguard this point we believe there should also be a final sentence in article 13 stating: "this shall be without prejudice to the authority of ONUC to take other classes of persons into custody for delivery to the Congolese authorities in rendering assistance in the maintenance of law and order in accordance with its mandate."
4. The term "prevent" in article 13 goes too far in allowing Congolese authorities to act on basis of supposed intent of international personnel. We suggest substituting for "prevent" the following: "when he is apprehended in the commission or attempted commission" ("Lorsqu'il est apprehende au moment ou il commet ou tente de commettre une infraction pouvant" etc)
5. Ministry apparently explained changes in article 16 as intended to follow privileges convention. Their text of 16 (a) however goes beyond Convention language and would invite disputes over what ^{TAUTS} tasks represent

payment for particular services rendered. Language of Convention section seven (a) should be followed to cover " La simple rémunération de services d'utilité publique "

6. Propose deleting article 27 (B) defining local personnel . Definition seems to offer no protection to Congolese Government but would interfere with our recruitment . Its language is very broad and could prevent international recruitment in Congo including future possibility of congolese national being taken on regular staff . No definition appears necessary since distinction between local and international staff is basically for internal contractual purposes , while effect of any recruit being local is only to require less privileges from government.

7. New text of article 11 now associates government with claims procedure originally conceived as internal . Article 27 therefore requires clarification to eliminate any possible doubt ONUC alone settles questions arising out of employment of local personnel . UNEF article 38 (C) is standard and can be inserted as final sentence of article 27 :

" Tout différend relatif aux conditions d'emploi et de travail de personnel local sera réglé suivant la procédure administrative que fixera le représentant spécial."

8. We believe

(A) of article 29 can best be deleted . International personnel are already exempt from local social security by articles 16 (A) and 18 (A) . Under principle of article 28 local personnel can be covered regardless of nationality . Special reference to social security coverage is therefore redundant at best but it also conflicts with settled principles of UN exemption to extent it would cut across UN social security system for any congolese who might in future be internationally recruited . If ministry insists on retaining this paragraph however " Ressortissants congolais " should be changed to " personnel local " provided that raises no difficulty as to few non-congolese local personnel .

9. We note staff level discussion of article 16 (B) considered possible language exempting from customs articles imported " Pour le compte de l'organisation" Trust ministry recognizes that customs exemption fully applies where articles are imported in name of organisation by local importing firms .

10. It would conform to diplomatic practice and allow flexibility to add to last sentence of 18 (C) on baggage inspection " or of his representative ".

11. We assume none of these alterations presents serious difficulty . Secretary-General can then pass upon draft agreement in its entirety after government acceptance of above revisions has been obtained . Reur 1447 after

text is approved by Secretary-General it can be signed by you on behalf of Secgen simultaneously with signature by President. We agree there should be no express reference to requirement of parliamentary ratification and consider that agreement would take effect on signature . Should it subsequently be submitted to Parliament and modifications then proposed by government, they would be negotiated and require mutual agreement for acceptance .

INCOMING CODE CABLE

ROUTINE.

To : Dr. Linner. *SL*
From : Secgen.
Date : 15 June 61.
No. : 4272

Reur A-1435.

We have considered matter carefully and regret we have
to maintain our present stand. Endit.