

INCOMING CODE CABLE

h.A.

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE. : 26. March 61.
NO. : 2058, 2059, 2060.

For your information, I am sending you copies of cables to and from Spinelli, Geneva, in connection with his trip to Khartoum, Sudan.

" Spinelli from Secgen No. 776.

If at all feasible I should like for you to proceed as soon as possible to Khartoum Sudan, in order to enter urgently into discussion with the Foreign Office, or if possible, the President of Sudan, for the specific purpose of persuading the Sudanese authorities to cancel their request for a withdrawal of their contingent from the United Nations command in the Congo.

As background, you are no doubt familiar with the fact that, on March 5th, Sudanese contingent was forced to withdraw from Matadi under circumstances which, while completely honourable, were nevertheless regarded by the Sudanese as humiliating.

A report about these events has been made to the Security Council as Document S/4761 (and also S/4758 and adds) which no doubt are available to you in Geneva. Following the Matadi incident, the Sudanese Government approached me with a request to have their troops repatriated to the Sudan. Even though this was done in an official letter to me, I was privately given to understand that there was no particular hurry for the implementation, because Representative here was under the impression that this request for withdrawal was made, not because it reflected the sincere wish of the Sudanese Government, but because public sentiment forced the Government to take action in that direction.

17 March 1961, I addressed to the Sudanese Government a letter

which I am transmitting to you in clear. It is my understanding that this letter has been published in Khartoum and apparently has had a considerable effect on some section of the Government as well as on public opinion. It is now thought wise, in order to give further support to those who wish Sudanese troops to remain in the Congo, that I should send a Special Representative for the purpose of making a further appeal to the Sudanese Government for reconsideration of the stand it has taken. The fact that the Secretary General is sending a special envoy for this specific purpose is apparently likely to have a significant effect.

It is with this background that I should like for you to go to Khartoum as quickly as possible so that the Government would not be forced prematurely to freeze its position irrevocably.

It would, of course, be quite agreeable to have some or all of the Sudanese troops, perhaps for reasons of morale, repatriated, but it would be my hope that the Sudanese Government would be willing to have them replaced by a new contingent.

In view of the fact that there has been a large increase of Asian troops, it is essential, in order to retain the African character of the Congo operation, that as large as possible numbers of African troops remain under the command of the United Nations.

For your information, it is of some importance to know that the Leopoldville authorities are aware of and appreciate the feelings of friendship of the Sudanese toward the Congolese people (with some of whom, especially in the north, they are ethnically related), and the understandable reluctance of Sudan to be put in a position where Africans would be fighting Africans. Leopoldville is also surely aware of Sudan's important role in preventing arms shipments through its territory. It may therefore be expected that the Leo authorities will henceforth do everything in their power to prevent clashes between the ANC and Sudanese troops under the UN command; for its part, ONUC will endeavour to encourage cooperation in this direction.

The Commander of the force reports that heavy pressure for quick repatriation is being exerted on him by the Sudanese in Leopoldville."

" Secgen from Spinelli UNGVA 726.

Reur 776. First plane connection available leaves Geneva tomorrow arriving Khartoum in the night from Friday to Saturday. Other possibilities arrive Khartoum during night Saturday/Sunday and Sunday/Monday. Am naturally
rel

ready to leave tomorrow but would appreciate knowing most urgently whether in your opinion my arrival Khartoum on Monday morning would make very important difference. Reason this question is that my rather unusually lengthy stay in Geneva has involved me in several engagements and problems which a breathing spell of a day or so would allow me to arrange. It would interest me to know:

A. If my arrival in Khartoum will be announced by you to Sudanese Government or whether I should inform them from here; B. Everything that could be relevant to problems I should discuss in Sudan about President, Foreign Minister and other political personalities whom maybe I shall have to approach; C. (if possible) with reference to what you say about " the understandable reluctance of Sudan to be put in a position where africans would be fighting Africans"; what is our interpretation on the " use of force" authorized by the latest Security Council resolution.

Would also appreciate knowing if you feel that my stay there could be of such duration that coding facilities should be envisaged. "

Spinelli from Secgen No. 780.

Your UNGVA 726, I believe that your arrival Khartoum Monday morning would be satisfactory. Reference your queries:

A. I have already notified the Sudanese Ambassador here about your arrival but will make a direct communication to the Sudanese Government from here. Meanwhile you can communicate directly to their Foreign Office precise dates of arrival.

B. I shall give this further thought and shall advise you shortly. also in regard to C., we will send you further information.

Since your mission should not take more than two or three days in Khartoum, I do not believe that Coding facilities will be necessary. "

Spinelli from Secgen Nos. 792 and 795.

Reur UNGVA 726, (A) Ambassador Adeel here was informed of your trip informally yesterday; today I dispatched message to President Aboud, the text of which is sent in clear for your information. (C) This reference is to certain statements by Adeel in Advisory Committee on the Congo in regard to Sudans position concerning implementation of Secco resolution of 21 February. In this connexion, and only for your information, here are present draft instructions to UN command on preventing armed clashes and civil war, for which, under para. A-1 of the resolution, force may be used as a last resort:

In compliance with the Security Council resolution of 20/21 February

United Nations troops must prevent armed clashes between different sections of the Congolese. Intervention by United Nations troops can arise under the following circumstances:

- (A.) When the situation indicates the possibility of an armed clash;
- (B.) When a clash is imminent;
- (C.) In the event of the breakout of an armed clash;
- (D.) When hostilities threaten to envelop ONUC forces.

A. When the situation indicates the possibility of a civil war situation, the United Nations command should immediately determine the nature and motivation of any fresh movements of Congolese troops or armed bands. The first aim of the command should be to satisfy itself whether a civil war situation exists and then, if it does, to seek to eliminate it by negotiation prior to engaging in any movements of UN troops which could exacerbate the situation.

B. When the situation indicates the possibility of an armed clash or that an armed clash is imminent UN troops should immediately determine the intention of the parties involved by despatch of ONUC emissaries to both sides indicating to each the intention of the UN to prevent a clash. UN representative must negotiate to keep the parties apart. They must aim at freezing all movement, they should arrange cease fire lines and establish neutral zones designed to maintain separation of the parties. UN troops should interpose themselves as a neutral party between the opposing factions in a sufficient strength to prevent a clash of arms. In doing so the UN military commander should attempt to place his troops on ground of tactical advantage, the denial of which to either section would deny movement or reduce their offensive ability and provide the UN security for their own self defence in the event of their being attacked by either party.

C. In the event of the actual outbreak of an armed clash despite steps A. and B. stated above, efforts for ceasefire should continue. Meanwhile any UN troops interposed between the parties may defend themselves from any attack on their position in accordance with existing directives on self-defence. The right of self-defence thus applies to action in support of the measures already taken for the prevention of a clash. If, however, UN troops have not been successfully interposed when firing breaks out, they should attempt to establish a cease fire and when possible they should attempt to interpose between the parties; and, in so doing, they continue to have the right to defend themselves by force, subject to the reservations in paragraph D.

D. If in spite of the steps outlined at (A), (B) and (C) above, actual

hostilities develop, then United Nations troops cannot participate as a third party. The United Nations commander should attempt to retain his position without getting involved in the fire fight and maintain contact with both parties so as to be able to negotiate a cease fire at the first possible opportunity. However, if there is a clear risk of United Nations troops becoming a party to the armed clash, or if the United Nations Commander considers that the safety of his men will be unduly jeopardized, the United Nations troops may be withdrawn. In no case should United Nations troops join with one section against another ". End.

INCOMING CODE CABLE

D.A.

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 26 March 61
NO : 2057

Reference A-800. For Gardiner/Nwokedi.

Fully concur with paragraph 4 A and B as encouraging progress and helpful steps, which offset attitudes described in paragraphs 1, 2 and 3. Position on 4 B, however, should be confined to broad principles and time limit for written proposals should be extended to Tuesday, since our ideas will be taken up with Advisory committee on Monday. Swedish-Ethiopian contracy, provisions of which are being sent to you on 26th, affords valuable precedent.

cc Mr. Abbas, Nwokedi, Gardiner

INCOMING CODE

To : ABBAS, LEOPOLDVILLE

From : SECGEN, NEWYORK

Date : 25 March 1961

No : 2054

Continuation of 2053.

Ai fondé mon objection sur arguments suivants:

- (A) Groupe A formé de nationaux belges étrangers au Congo mis à disposition celui-ci par Belgique conformément article 250 Loi fondamentale certes mais dans cadre accord bilatéral assistance technique.
- (B) Groupe B ne présente aucune différence avec groupe A si ce n'est référence Loi fondamentale.
- (C) Les deux groupes étant au Congo en vertu de mise à disposition il doit donc être possible à Belgique d'appliquer même traitement groupes A et B.
- (D) L'accord bilatéral et Loi fondamentale sont lois internes qui ne peuvent avoir primauté sur décision Conseil sécurité.
- (E) Article 25 fait obligation à Belgique non seulement accepter décision Conseil sécurité mais aussi l'appliquer.
- (F) ONU a envoyé délégation auprès Congo pour l'inviter à se conformer à ladite décision.
- (G) ONU respectant souveraineté Congo n'entend pas résoudre problèmes congolais en conférence tripartite ce qui impliquerait reconnaissance tacite par ONU droits spéciaux Belgique sur pays tiers souverain.

- (H) Belgique doit pouvoir garder quelques moyens de pression sur ses sujets même à l'étranger.
- (I) Contribution financière Belgique aux traitements de ses ressortissants au Congo est en contradiction flagrante résolution Conseil sécurité.

En fin de journée ai attiré attention mes interlocuteurs sur caractère non constructif de leur position et sur conséquences graves d'une telle position. Cette position sera considérée par Conseil sécurité comme dilatoire et refus coopération. Ai demandé à titre de précaution que cette position me soit explicitée et confirmée par note écrite comportant points suivants: (primo) acceptation résolution (secundo) décision de l'appliquer (tertio) décision retrait militaires et paramilitaires (quarto) proposition d'une réunion tripartite pour application retrait.

Cette note m'a été promise pour demain samedi 26. Au cas où elle comprendra tous points énumérés elle contribuera certainement à faciliter tâche Gardiner et Nwokedi. Il me semble que gouvernement moribond ne veut plus prendre aucune initiative. Il convient en plus de l'information attendre prochain gouvernement. Attache beaucoup d'espoir à accession Spaak au pouvoir. Continue cependant contacts persuasifs avec différentes personnalités politiques belges et verrai aujourd'hui Van Offelen Ministre Commerce extérieur et lundi Laroque ancien et éventuel Ministre Affaires étrangères.

Vous serais reconnaissant vos instructions et commentaires.

3. Honneur porter votre connaissance ai rendu hier visite à Spaak auquel ai fait un exposé de ma mission ainsi que des arguments que j'avais présentés en réplique à l'attitude du Gouvernement. Spaak m'a affirmé qu'il approuvait la position Nations Unies et estimait indispensable le retrait immédiat des éléments militaires belges au Congo. Il m'a déclaré qu'au cas où il serait du prochain gouvernement ce serait la première mesure qu'il prendrait. Quant aux conseillers politiques il estime qu'ils

doivent être aussi retirés mais au fur et à mesure que les Nations Unies procéderont à leur remplacement et cela pour éviter que l'administration ne tombe dans un chaos.

4. En prévision entretiens entamerai semaine prochaine sur modalités de retrait conseillers politiques et en absence d'une définition exacte du "conseiller politique" j'estime urgent que la mission Gardiner Nwokedi Khiari m'envoie la liste nominative des conseillers dont le remerciement est jugé indispensable.

INCOMING CODE

To : ABBAS, LEOPOLVILLE

From : SECGEN, NEWYORK

Date : 25 March 1961

No : 2053

For Nwokedi, Gardiner's and your own information, the following cables have been received from Sahbani in Brussels:

1. Ai honneur vous informer ai eu aujourd'hui entrevue d'une heure avec Wigny Ministre des Affaires étrangères, autre entrevue d'une heure trente avec Van den Bosch Secrétaire général aux Affaires étrangères et troisième entrevue avec Ministre Affaires africaines.

Au cours de ces conversations j'ai particulièrement cherché à détendre atmosphère et créer climat propice aux discussions. Il m'a été fait de partout des promesses de coopération et de collaboration.

Intervention Gromyko Assemblée générale a provoqué un choc et je crains, personnellement, que les interventions éventuelles de certains membres du groupe afro-asiatique ne viennent gêner atmosphère et rendre plus difficile ma mission à Bruxelles.

Discussion avec Wigny et Ministre des Affaires africaines a été d'ordre général, ces deux personnalités étant beaucoup plus préoccupées par les élections que par liquidation des affaires de leur département.

La séance de travail avec Van den Bosch a été plus constructive. J'ai expliqué à Van den Bosch objet ma mission, ses limites ainsi que les bases dont il a été convenu dans échange de lettres entre le Représentant permanent de la Belgique et vous-même. Nous avons convenu de traiter en premier lieu, selon vos instructions, les questions militaires. Le problème des conseillers politiques sera étudié par la suite. Cependant, une des difficultés consistera à définir ce que les Nations Unies entendent par "conseiller politique" car, dans l'esprit des Belges, il s'agit de techniciens mis à la disposition des autorités congolaises pour remplir des fonctions techniques et ce sont les Congolais qui ont fait de certains

d'entre eux des conseillers politiques. J'ai répondu à cette objection que je donnerai la liste des personnalités belges exerçant des fonctions politiques au Congo dès que les listes qui vous avaient été promises me seront soumises.

Demain jeudi 23 une première conférence de travail réunira aux Affaires étrangères le représentant du Secrétaire général des Nations Unies d'une part et d'autre part Van den Bosch, Ambassadeur Rothschild, Olvouth directeur des affaires politiques au Ministère des Affaires étrangères, Deschamps Chef du Bureau des Affaires congolaises aux Affaires étrangères ainsi que Deschamps Chef adjoint du Cabinet de Wigny. Cette séance sera consacrée à l'étude des modalités du retrait des éléments militaires belges se trouvant au Congo.

Je verrai demain jeudi Spaak. Ai accepté invitation déjeuner offert pour moi au Ministère par Wigny vendredi 24.

Haute considération.

2. Honneur porter votre connaissance ai eu hier jeudi 23 mars deux séances travail matin et après-midi avec Van den Bosch, Rothschild, Olvout, Deschamps. Ai limité à dessein discussions à aspect militaire.

Voici position belge sur cette question:

- (1) Belgique maintient grosse modo position exposée dans lettre Loridan au Secrétaire général ayant fait objet document Conseil sécurité S/4752 annexe 2.
- (2) Retrait unilatéral par Belgique de ses militaires est considéré comme ingérence belge dans affaires congolaises, les officiers étant fonctionnaires congolais et non belges et dépendant en conséquence strictement de l'autorité congolaise.
- (3) Malgré souhaits Belgique de retirer ses officiers elle ne dispose pas de moyens coercitifs légaux pour le faire.

- (4) Groupe B sera entièrement liquidé le 25 mars par retour en Belgique des dix derniers éléments.
- (5) Groupe A est formé d'officiers congolais n'ayant aucune attache avec fonction publique belge mais groupe B est formé de fonctionnaires belges et voilà pourquoi il a été possible de le retirer.
- (6) Groupe C aucune précision sur nombre ni identité car autorités Katanga refusent coopération avec Consulat belge à Elisabethville (sic) en vue recensement intéressés. Plusieurs de ceux-ci sont recrutés sous faux noms et majorité est composée d'aventuriers et de repris de justice. Le Gouvernement belge se désintéresse toujours de cette catégorie et éprouve difficultés pour savoir ceux qui parmi eux ont encore obligations militaires envers Belgique.
- (7) Gouvernement belge attire attention sur existence Polonais, Allemands, Sud-Africains, Britanniques parmi mercenaires.
- (8) Gouvernement belge qui accepte résolution Conseil sécurité estime qu'application nécessite réunion tripartite ONU Belgique Congo.

INCOMING CODE CABLE

P.A.

To : Mr. Nwokedi, Mr. Gardiner
From : Secretary-General, New York
Date : 26 March 1961
No. : 2052

PRIORITY

Following sent to Sahbani. Reur 2, 3 4.

1. Note with great interest what has emerged in your first contacts. Disappointed with Belgian position as set out in your 2, points 1, 28, but strongly in agreement with your counter-arguments. This being so, I do not see need for any detailed comments or for advice beyond stressing specifically your points (c) repeat (c), (G) repeat (G) and (I) repeat (I).

2. I need not stress that as resolution is not negotiable, you must with all strength and with such arguments as you have already used, applied with all your ingenuity, press for unqualified results. Obviously, it is better for us to give an account, in as precise forms as possible, of our inability to get positive results than to make any concessions or compromises. I have no doubt that with Belgian willingness and proper modalities, resolutions can be fully carried out from Belgian side, as indicated also by Spaak's observations. In such circumstances, nothing short of insistence on thorough and effective implementation to the full extent the matter is controllable from Belgian side, can be justified.

3. We have transmitted your request in your 4 to Gardiner and Nwokedi.

4. We repeat to you cable received today from Abbas for proper use in Brussels. In order to counter this continued and shocking non-compliance with resolution, I have instructed MacEoin to go to E'ville to make top level demarche as background for continued effort of Gardiner-Nwokedi.

cc: Mr. M. Abbas ✓

INCOMING CODE CABLE

N.A.

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 26 March 61
NO : 2051

A-804

Para one. Following for Nwokedi and Gardiner. Your A-787 to 789. Glad to note your initial success in overcoming prejudice against consideration of Secco resolution and especially Para. B-2. May there be in future less misunderstanding and misrepresentation about its scope and purpose. Anyway, this is good beginning.

Para two. Would wish you to bear in mind that many of the problems involved in ANC reorganization are complex and technical and have had little or no consideration here. Clearly, they must have close study in headquarters before any proposals for their solution are put forward in writing or orally to congolese authorities. In future, when question of proposals arises, whether orally or in writing, please put your ideas to us for consideration before making any commitment. Our reaction can ordinarily be indicated by return cable within 24 hours. Do we assume correctly that your "preliminary comments" submitted to Ileo and Adoula as reported in A-787 are not to be interpreted as commitments?.

Para three. I hope before long you will be able to report progress regarding Para A-2 also.

cc. Mr. Abbas, Nwokedi, Gardiner

INCOMING CODE CABLE

To : Mr. M. Abbas, Gen. MacEoin
From : Secretary-General, New York
Date : 26 March 1961
No. : 2050

Reference A-799. We concur in substance of your stand. But referring to my 2049, I feel that this stand will be made more effective through its reinforcement by quick and short visit of MacEoin to E'ville, as advised.

Dist.: Gen. MacEoin

INCOMING CODE CABLE

To : Mr. M. Abbas, Gen. MacEoin
From : Secretary-General, New York
Date : 26 March 1961
No. : 2049

PRIORITY

Reur 786.

A-801

1. This information is deeply disturbing. We cannot wait for Gardiner-Nwokedi's arrival in E'ville, but must act at once. I suggest that MacEoin make 24 hour trip to E'ville, bringing out there what we have reason to suspect, taking strong stand on basis of resolution, indicating as being flagrant violation of A-1 and A-2, demanding immediate revision of policies and warning of necessity to bring matter up with SECCO if such revision is not promptly realized.

2. Situation such as that indicated in cable is one which cannot be treated simply by written exchange or through Dumontet. We must use the heaviest possible approach to E'ville authorities. Simultaneously, what we know is being transmitted to Sahbani so that he can use his influence from Brussels side.

3. It may be that we are not militarily in position to stop this development but if so, minimum requirement is that we act with all the weight we can bring to bear on observance of resolution.

Dist.: Gen. MacEoin

INCOMING CODE CABLE

17.A

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 25 MARCH 1961
NUMBER : 2048

Your A-784 . This is a very old story and cine clear. Once we offer such facilities to individual correspondents , the floodgates will be opened. You should politely decline all such suggestions on the ground that UN flights can be used only for UN purposes.

INCOMING CODE CABLE

M.A.

To : Mr. S. Linner

ROUTINE

From : Mr. Macfarquhar, New York

Date : 25 March 1961

No. : 2045

Many thanks your A-781 American surplus commodities. We have informed Americans and presume you will go ahead with initialling of agreement without further reference to us. Should we advise Americans to continue shipping 1400 tons fortnightly ?

cc: Mr. M. Abbas ✓

INCOMING CODE CABLE

TO : LINNER
FROM : MACFARQUHAR
DATE : 25 MARCH 1961
NUMBER : 2036

M.A.

ONUC-1582

Your ONUC 1459 special report on refugee relief operation. Provisional contents of FAO and WHO liaison offices here unfavourable. We also believe league of Red Cross societies may feel references to their cooperation too light. Comments on retroactive purchases and coordination of donations may impair rather than improve public relations. Please give us time for longer look at report as whole.

cc : Abbas

INCOMING CLEAR

TO : MACEOIN, LEOPOLDVILLE
FROM : CORDIER, NEW YORK
DATE : 25 March 1961
No. : 2031

Refer our 71 and ONUC 1424. RAF has agreed to lift first phase of Malayan reinforcements, 255 men and 10,000 pounds of stores. The troops are reinforcements for the fourth Malayan battalions, advance party for third federation brigade and scout car crews. Lift will be undertaken by 3 Britannia aircraft leaving Betterworth, Malaya, for Kamina first, 6th, 10th April. Details and final schedules will follow.

INCOMING CODE CABLE

*Answered
H.A.*

To : Mr. M. Abbas IMMEDIATE
From : Secretary-General, New York
Date : 24 March 1961
No. : 2011

A-791

Reur ONUC 1519 and A-777. The information contained in ONUC 1519 is as disturbing as that of A-777 is encouraging. I should therefore like to ask you to approach urgently Adoula who as Minister of the Interior must have certain authority to countermand orders of Mobutu. Adoula should be requested by virtue of his position and portfolio in the Leopoldville regime to discuss the question of Coq. with Mobutu immediately or alternately should exercise the necessary authority himself. You might state to Adoula that in the interest of the security of our civilian personnel we will have to take steps to withdraw them, unless assurances can be given that the arbitrary orders of Mobutu be changed.

INCOMING CODE CABLE.

no action necessary

N.A.

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE : 24 March 61.
No. : 2009.

Reur A-780.

In view of hesitation as to what might be behind this invitation believe you have easy way out in expressing necessity to adhere to your heavy work schedule over the week-end.

INCOMING CODE CABLE.

77.A

TO : MACEOIN.
FROM : CORDIER.
DATE : 24. March 61.
NO. : 1998.

ONUC-1554

Reur ONUC 1510. Agree that replacement arms and equipment for Sudanese contingent should be immediately brought from Khartoum by air. If freight involved not too large it would be advisable to use ONUC plane. As part of your message garbled please advise exact quantity and weight if you want us to arrange USAF airlift.

c.c. Mr. Abbas.

INCOMING CODE CABLE

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 24 MARCH 1961
NUMBER : 1997

A-782

Reur A-774 please transmit urgently following observations to Kasa Vubu or Bomboko : ONUC procurement and forwarding agents have been advised by congolese authorities in Matadi that latter have issued instructions to OTRACO forbidding movement of ONUC stores unless customs duties are paid in advance. I most strenuously protest this serious violation of international law and trust it arises from misunderstandings at lower administrative levels. It is incontestably established that article 105 of the United Nations charter directly prohibits assessment of customs or other taxes on goods and property of the organisation and that no member state may place any restrictions on imports by the United Nations. This rule is expressly elaborated by sections even (B) of the convention on the privileges and immunities of the United Nations adopted by the General Assembly on 13 February 1946. This obstruction to the free movement of ONUC stores is equally in conflict with the obligations of the republic of the Congo under articles 25 and 49 of the charter. You will also agree that it is inconsistent with the undertakings in the basic agreement of 27 July 1960 signed by Messrs Bomboko and Bunche. I therefore request that you urgently countermand the reported instructions.

INCOMING CODE CABLE.

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE : 24 March 61,
No. : ~~1997~~ Changed to 1996

Your A-778. noted. Please bring it to immediate attention of Nwokedi and Gardiner so that they can look seriously into this question for action and report to me.

copy of 1997 and 778
to Mr. Nwokedi

INCOMING CODE CABLE.

P.A.

TO : MR. ABBAS, GENERAL MACEBOIN.
FROM : SECRETARY GENERAL.
DATE : 24. March 61.
NO. : 1995.

0NVC-1623

We hope our military command is maintaining and developing its contacts with General Mobutu and ANC and impressing upon them the general aims of the operation without however giving the appearances of running after them. As the ANC is still one of our main law and order problems, we must do what we can to limit the negative aspects of their activities by developing understanding where possible and by firmness where necessary.

c.c. Gen. MacEoin.

INCOMING CODE CABLE.

M.A.

TO : MR. ABBAS, MACEOIN.
FROM : SECRETARY GENERAL.
DATE : 24. March 1961.
NO. : 1994.

Your A-775. Agree.

c.c. Gen. MacEoin.

INCOMING CODE CABLE.

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE : 23 March 61.
NO. : 1986.

Re our 1956.

At this very late hour we do not want to enter upon evaluation of your reply. It contains elements which are deeply worrying, including Tunisian attitude. However, your reaction is clear and must be respected. In circumstances, the plan outlined in our cable cannot be pursued with timetable indicated, and instead you must next few days continue with all energy to reach negotiated solution pending re-evaluation on our side and definitive instructions.

In your continued contacts you may meet some surprises because of repercussions of our plan, as handled by us today when we still had no reason to doubt its military feasibility. I have in mind following two points:

1. We had wednesday morning meeting with Ambassadors of three western big powers, invited because of their possible influence on Kasavubu et al. I gave them a very disillusioned picture of motives, tactics, understanding and integrity, pointing out squarely that present anti-UN tactics, as displayed over last three weeks, are suicidal because, if successfully maintained, they will throw us into alternative of a disintegration of UN operation with continued loss of prestige and position, or a switch over to use of force which would give UN operation entirely changed character, with overtones of the kind of which we are now falsely accused. In both cases the world, the UN and Congolese authorities would all lose out to another party, which would love to see both the Leo authorities and UN discredited while chaos develops in the country. With these consequences of attitudes of Kasavubu, Ileo, Mobutu and others, it must be major duty for those who wish stability and progress in and around Congo to talk irresponsible leaders into entirely new attitude of cooperation with UN, or at least

avoidance of harassment, dropping effort at control and stangulation. Matadi is case in point and return there peacefully, preferably through negotiation, of reasonable guard force within next few days in this context essential. Therefore, Matadi issue much more important than it may seem at first look. Support for UN and pressure on Leo politicians by governments with influence ~~must~~ therefore, while trying to achieve total revision of approach to UN, concentrate on quick acceptance of our return to Matadi.

I believe this strip-tease approach made impression, and I hope that demarches will be made within next couple of days accordingly .. These demarches would prepare ground either, and preferably, for negotiated agreement, or for acceptance of de facto return without resistance (although also without formal agreement.) Parties were informed about plan as outlined in our cable, including intention to go ahead peacefully in case of failure of negotiations and to bring matter immediately to SECO were this effort to fail. This gave them very short time margin and they pleaded for some extension. Reasonable conclusion from their reaction and your evaluation would be that final decision should be taken in light of results of demarches, as registered in your negotiation contacts or through report from parties. Anyway, this justifies some delay and gives us time to consider and comment on your evaluation.

2. Although only top men in three delegations concerned were present at || meeting, substance leaked, and there is considerable risk that vulgarised and exaggerated version of our plan will turn up in world press and in Leo. This result of extremely irresponsible action by some delegation may cut sideways. Combined with political demarches in our favour from big powers, it may soften resistance because of healthy and, I sincerely hope, not unfounded fear of our potentialities. Alternatively, with volatile and excitable temper of congolese, it may lead to renewed harassment and troubles of the type created by will ful misrepresentation of SECCO resolution, by various irresponsible statements and by last Mobutu manoeuvre in Coq. First alternative being helpful, second alternative, on other hand, may of course precipitate events in very worrisome form. What speaks in favour of first alternative as at all realistic in likelihood of serious political pressures in right direction.

In circumstances, thus, you should take no further step on line we suggested but press for urgent settlement in negotiation with some arguments as before, adding however difficulty to keep SECCO out of picture. This is position that cannot be held for long, and we expect therefore daily efforts covered by adequate reports to us , so as to enable us to revert to question for such further instructions as indicated by development of needs.

Irrespective of this , I must seriously consider to bring urgently most

important facts to SECCO in proper report . This would cover status of negotiations statements by Mobutu and Kasavubu's reaction to my question regarding those statements, Ileo's statement regarding Kitona and whatever you rank in same category as objective indications of attitude of authorities . I would like to avoid exposing poverty and pettiness of political thinking on Leo side, but I do not know for how long truth about these kind of threats should be kept out of political picture. Therefore, I wish to get, as soon as possible, report regarding these aspects of situation which can repeat can, if need be, be made public as SECCO document.

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 23 MARCH 1961
NUMBER : 1984

Continuation of 1983.

" Chaque fois qu'elles en ont la possibilité, les forces des Nations-Unies prêtent leur assistance dans l'évacuation de ceux qui désirent quitter le Kivu , qu'ils soient Belges ou d'une autre origine étrangère ou qu'ils soient Congolais. C'est ainsi que comme il a été indiqué en page 6 du rapport public sous la cote S/4745, plus de mille personnes ont pu quitter la région par des convois soit organisés par les Nations-Unies, soit autrement, et qu'un certain nombre d'autres ont quitté la province de leur propre initiative. Le plus grand nombre de ces départs date du 17 Janvier après que des éléments de la population locale eussent été poussés à la violence par l'annonce de la déportation au Katanga de Lumumba et de ses collègues. A l'heure actuelle, comme il est indiqué dans le rapport du 13 Mars, moins de 300 étrangers demeurent dans la province et, depuis lors, les Nations-Unies ont été mises en mesure de commencer également à évacuer les personnes qui désiraient quitter le district de Maniema, et parmi elles, outre des employés de compagnies minières Belges, des missionnaires Américains et Néerlandais. On a remarqué cependant que dans les dernières semaines au moins quarante étrangers avaient regagné Bukavu et Goma ou, par suite de la présence des troupes des Nations-Unies, les conditions de vie sont devenues relativement stables.

Quant à la question des trois ressortissants Belges dont les noms apparaissent dans le document S/4768, il ne saurait faire de doute que les autorités des Nations Unies, tant au Kivu qu'à Léopoldville, ont reçu de nombreuses visites de personnes qui représentaient des firmes étrangères, des communautés ou d'autres intérêts privés. Les trois Messieurs mentionnés par le représentant permanent de la Belgique dans sa note verbale furent parmi ces visiteurs. A aucun moment cependant l'ONUC n'a été avertie que parmi ces visiteurs, certains auraient représenté les intérêts de la population étrangère du Kivu dans son ensemble et ce d'autant moins que chacun ne faisait état que d'intérêts particuliers. En outre, les Nations Unies n'étaient pas en mesure de vérifier ou de reconnaître une prétention quelconque à représenter la communauté étrangère de la province, même au cas où une prétention de cette sorte aurait été émise. Quoi qu'il en soit, le personnel des Nations-Unies s'est toujours tenu prêt à recevoir toute personne demandant aide et à faire de son mieux dans la mesure de ses moyens pour évacuer, protéger ou prêter

assistance d'une manière ou d'une autre à tout individu en difficulté et cela sans tenir aucun compte ni de sa nationalité, ni de la personnalité qui aurait fait appel en son nom.

INCOMING CODE

To : ABBAS, LEOPOLDVILLE

From : SECGEN, NEWYORK

Date : 22 March 1961

No : 1983

Following two notes verbales sent to-day to Belgian Delegation:

(1) "Le Secrétaire général des Nations Unies présente ses compliments au Représentant permanent de la Belgique et a l'honneur de se référer aux différentes déclarations publiques passées par des personnalités congolaises au sujet des bases de Kitona, Banana et Kamina. Outre que ces déclarations suggéraient que ces bases et l'équipement dont elles bénéficiaient fussent placés sous le contrôle congolais, certaines allaient jusqu'à affirmer que les Nations Unies avaient permis aux Belges de démurer ces bases d'un matériel important. D'autres déclarations impliquaient que ces bases étaient devenues des bases congolaises par le fait du Gouvernement belge et devaient par conséquent 'être retournées' aux autorités congolaises.

Dans ce contexte, le Secrétaire général a l'honneur de se reporter à la lettre qu'il a envoyée au Représentant permanent de la Belgique le 21 janvier 1961 et qui a été distribuée ultérieurement comme document du Conseil de sécurité sous la cote S/4651. Le Secrétaire général, constatant que jusqu'à présent cette lettre n'a pas reçu de réponse, se permet de prier le Représentant permanent de bien vouloir y porter son urgente attention."

(2) "Le Secrétaire général présente ses compliments au Représentant permanent de la Belgique et a l'honneur de lui accuser réception de sa note verbale en date du 20 mars 1961 dont il a attentivement étudié la teneur.

Il tient à lui rappeler à ce sujet que, comme mentionné dans le rapport du 22 février 1961, de son Représentant spécial "les Nations Unies ne peuvent offrir à la population civile, malgré des efforts acharnés,

qu'une protection limitée aux moyens dont elle dispose.' (S/4745, p. 7 in fine). Il est certain que par suite de l'affaiblissement de la Force, conséquence du retrait de plusieurs contingents nationaux en janvier-février 1961, et prenant en considération d'autres obligations pressantes, la Force des Nations Unies n'avait pas des troupes en nombre suffisant pour les déployer à travers l'ensemble de la province du Kivu dont certaines parties sont d'un accès difficile et infestées de bandes irrégulières. Comme l'indique déjà le rapport du 13 mars 1961 (S/4768), des efforts incessants sont en cours pour remédier à la situation et l'on espère que lorsque des renforts suffisants seront sur place, une action plus efficace pourra être entreprise. Simultanément, l'ONUC s'efforce d'obtenir la coopération des autorités locales tant civiles que militaires qui sont susceptibles d'exercer au Kivu une influence quelconque sur les groupes armés et la population civile.

L'effondrement de l'autorité dans la province du Kivu qui est à l'origine tant des actions arbitraires conduites par les personnalités locales que des violences populaires dont étrangers et Congolais ont été victimes a été relaté dans le rapport en date du 22 février 1961 (S/4745) du Représentant spécial du Secrétaire général sur la situation dans les provinces Orientale et du Kivu. D'après les dernières informations, les efforts concertés des représentants de l'ONUC à Bukavu, Kindu et Stanleyville ont provoqué une amélioration de la situation et limité l'arbitraire des dirigeants locaux dont certains d'entre eux auraient été arrêtés par les autorités provinciales. Des éléments de l'ANC, qui obéissent aux ordres de leurs officiers, ont été enrôlés dans des tâches de sécurité et coopèrent avec les patrouilles des Nations Unies pour fournir une meilleure protection à la population paisible contre les violences populaires et les sévices des bandes irrégulières. C'est ainsi qu'une forte patrouille vient d'être envoyée à Kasongo où la population congolaise et étrangère était terrorisée par des maraudeurs. Néanmoins, la situation de la sécurité publique dans le Kivu, en particulier dans les

secteurs excentriques et isolés des communautés minières, est loin d'être satisfaisante et les efforts des Nations Unies en vue de l'améliorer se trouvent limités par les considérations mentionnées au paragraphe 15 du rapport du 13 mars 1961 (S/4768).

To be continued in 1984.

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 23 March 61
NO : 1981

Your A-766. This move must be treated most seriously. In first place, such a request to UN must from Kasavubu, as chief of state and not Tshombe. In second place, UN must avoid political appraisals and involvements. In determining its action on such a request, the criterion necessarily is the nature and composition of the conference. It is quite clear that if all repeat all the leaders should agree to attend the conference, that is if Gizenga, Sendwe and the Kivu people joined in, it would be impossible for us to refuse them the Kamina facilities. If fully representative we would and should give assistance, including security protection if requested. On other hand, there would be decisive reason for refusal if the composition should be limited to the Tananarive participants. Basis for this would be in the first instance the nature of our legal position and responsibilities in the bases: our custodial function there could never permit use of the bases for partisanpolitical purposes, as would clearly be the case if a meeting were to be held Kamina on Tananarive Basis and this under UN auspices. We cannot compromise our indispensable position of non-interference in internal political affairs. Thus, advisable procedure is to determine our final position, if and when a request is presented by chief of state, indicating who is invited and who is likely to be present if meeting is held at Kamina.

INCOMING CODE CABLE

H.A.

TO : MR. ABBAS, MR. LINNER
FROM : SECRETARYGENERAL
DATE : 23 March 61
NO : 1980

Your A-760 American surplus commodities. Substance of proposed agreement is acceptable. We await reply to our 1844 on procedure.

Discussions continue with americans on further supplies to be given under title one of Public Law 480 but your agreement should be confined to 8 shipments of wheat flour of an approximate value of 1.5 million dollars under title 2. Counterpart cannot repeat not be used for general budgetary support nor for salary payments. Preferred purpose is public works, but economic development and famine relief would qualify and Americans would be ready to relax ratio between expenditure on labour and other purposes. Agreement might be reworded to provide this flexibility. Please advise us later of any adjustments you feel desirable in use of counterpart.

cc Mr. Abbas, Mr. Linner

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 23 March 61
NO : 1978

Your ONUC 1456. Agreed.

INCOMING CLEAR

TO : MACEOIN, LEOPOLDVILLE

FROM : SECGEN, NEW YORK

DATE : 23 March 1961

No. : 1977

1. In my 1852 para one I emphasized the need we have here for better and more timely information about the military operation in the Congo. It is therefore necessary to establish a report system through which, regularly and as a matter of routine, the most important elements of information can be conveyed to us. These reports should be on the command channel and should cover the following fields:
2. Personnel. A weekly strength report with a breakdown of the total force by country, as now. However, this report should also include a breakdown for each contingent specified in combat units, administrative units, staff personnel (ONUC) and air personnel. A monthly nominal staff list for ONUC specifying the assignment for each staff member. A monthly health report specifying the number of personnel hospitalized in ONUC hospitals, supplemented by a short statement about the general health situation, the main causes of disease and a consolidated list of fatal cases in the period covered. A fortnightly report, by country, of all individuals having been repatriated in the period for medical, juridical, rotational (not unit rotation) reasons. Date of repatriation should also be indicated.
3. ANC and Gendarmerie. A weekly report about approximate ANC and Gendarmerie locations; estimated strength and main activities such as major moves, incidents, state of training and morale.

4. Operation. Continuation of the daily situation report, by province. This situation report should include a thorough description of each incident that has occurred in the period. The description should always include basic factors as: which elements involved (ANC - Gendarmerie - armed bands - UN forces - civilians), location, number, armaments, result of action, analysis of situation, other factors that may have a bearing on the situation. In order to avoid delay, incidents should be reported on first information and a full follow up report submitted soonest. A weekly deployment report of the UN combat and administrative units. We also need copies of all operational orders, instructions and directives which have been issued, copies of your alert plan and SOP. These documents should be kept up to date in UN Headquarters and consequently copies of all changes and amendments should be submitted forthwith. In case special operational orders, warning orders and other important orders for special operations or events are issued, copies should be submitted as a matter of routine. We should have advance information about all major movements of the UN forces and any arrival or departure of UN forces should be reported immediately.

5. Logistics. We need copies of all your administrative orders, instructions, directives and SOPs and should be kept informed of all amendments or changes to these. In case special administrative orders for the UN Force are issued, copies should be submitted. In addition we would need a weekly logistical report to include the level of supply for class one - rations, class three - POL, and class five - ammunition. This report should also be supplemented with a brief statement of the state of the equipment.

N.Y. 1977

ONUC-2444

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 23 March 61
NO : 1976

*CPS sent to Mr. Ahmed.
S.A.*

Your A-758. I would agree with your advice to Ahmed not to engage in negotiation with otraco for handling UN supplies as it would weaken our position in regard to return to matadi . But whatever ad hoc arrangements can be made to keep the flow open should be attempted.

INCOMING CODE CABLE

n.A.

TO : MR. ABBAS, MR. LINNER
FROM : SECRETARYGENERAL
DATE : 23 March 61
NO : 1975

Your A-757. Purpose of our query 1921 was not to close down or curtail any of existing civilian operations. We only wanted to identify, if possible, pressure points. Please consult Gardiner and Nwokedi who will be able to give you clearer idea of our thinking.

cc Mr. Abbas, Mr. Linner

INCOMING CODE CABLE

P.A.

TO : MR. ABBAS, AHMED
FROM : MR. CORDIER
DATE : 23 March 61
NO : 1967

ONUC-1521

We agree to return of Jelinek and Ziernik to headquarters and Veillet-Lavallee to Geneva. Due to latter's family situation he will not be expected to return to the Congo.

cc Mr. Abbas, Mr. Ahmed

INCOMING CLEAR

TO : MACEOIN, LEOPOLDVILLE
FROM : BUNCHE, NEW YORK
DATE : 24 March 1961
No. : 1963

Refer ONUC 1461 no arrangements have been made so far for
airlifting Sudanese contingent to Khartoum. Will keep you informed
about developments.

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 22 March 61
NO : 1956

Answered

In regard to the problem of our return to Matadi, and also Banana, it is my view that within the next few days concrete steps are called for in order to reassert our position. From what we have seen in your latest cables, the UN is likely to be gradually undermined in places like Kitona and Ndjili which are essential for the UN operation in the Congo. We have to maintain our positions so that the UN will be able to execute its functions to maintain peace and order in the territory. We need full freedom of movement as promised in basic agreement and access to all places which are essential for the performance of that task.

Our return to Matadi is part of such general policy. Matadi's position as port of entry for UN supplies accentuates this point. I feel strongly that negotiations having been completely unproductive, this must come to an end, unless you manage to get a last minute conversion, and we must take serious steps if we are not to suffer more serious setbacks in Leo and the provinces. The resolution of 21 February, particularly if one reads paras A 1 and B 2 jointly, although not specific in regard to some of the problems which have been forced upon us within the past two weeks, gives us nevertheless the right to take such counter measures as we are able to mobilize: Other legal elements are to course basic agreement and commitment in Matadi ceasefire talk. We cannot admit at this stage that ANC is a well-organised unit capable of maintaining law and order. The action in Matadi in ousting the UN force, taken together with all of the hooliganism that ANC has indulged in, particularly in Leo area, during the last month speaks for itself.

Keeping these and other related factors in mind, I should like to have you give serious thought to the following proposition which I wish to finalise in the course of tomorrow.

Provided you do not manage change of attitude by thursday morning, you state that matter must be referred to commander for evaluation and action.

Thereafter, in the course.....

Page two (1956)

Thereafter, in the course of Thursday, Mckeown should be approaching the appropriate authorities (Kasavubu, Ileo, Mobutu, etc.) and inform them that in the absence of any negotiated agreement, after these lengthy negotiations, he will be proceeding on Saturday to Matadi accompanied by approximately 200 Tunisians (or other troops if that should be regarded as more suitable by you) for the specific purpose of returning to the warehouse area in Matadi where UN stocks presumably are being stored and where in the past UN materiel has been received. A specific hour should be stated as the time for Mckeowns arrival and it should be stated to the authorities by what means and by which way he intends to arrive. Mckeowns troops are not to use force other than in self-defense under attack. Should they meet ANC resistance, they should halt and try to avoid fire fight. It should be made quite clear that if there were to be any interference with these movements, or indeed threat of interference which has to be taken seriously, an immediate full report on all of the circumstances of interference with UN operation would be made to me, on the basis of which I can make an immediate request for action by the Secco.

You will, of course, note that the pattern of this approach resembles closely my August operation in Katanga. In order to give as much diplomatic support to this move as possible, I would advise western delegations in New York concerning this matter. Knowing their concern about a new Secco meeting, I would hope that they will render assistance to the degree possible in order to enable us to achieve the objective without recourse to Secco.

In my opinion we have reached the point where responsibility for the matadi action must be placed on the shoulders of the Congolese leaders. On the other hand responsibility for the final decision should be shared by proper organ of the UN. For the final presentation which I am preparing for transmission to you tomorrow, further details may have to be worked out.

INCOMING CODE CABLE

M. A.
✓

To : Mr. M. Abbas, General MacEoin

From : Secretary-General, New York

Date : 22 March 1961

No. : 1954

(1) We agree with your A-741 that our A and B did not clearly distinguish the two types of situation we had in mind. When a clash is imminent it is clear that the United Nations Commander must seek to interpose his troop and take other measure designed to prevent fighting. By contrast, situations can and do arise in which an armed clash is not yet imminent and in fact any movement on the part of the U.N. troops might exacerbate the situation. In this latter case, as for example at Ikela, negotiation palaver may be a more successful measure. Thus the arrival of ANC troops who are strangers to the area requires a prompt determination of their affiliation and intentions. Only if it then appears that a clash is probable should the measures described in your combined paragraph be taken.

(2) We would therefore accept your combined paragraph but suggest preceding it by new para A as follows: When the situation indicates the possibility of a civil war situation, the United Nations Command should immediately determine the nature and activation of any fresh movements of Congolese troops or armed bands. The first aim of the Command should be to satisfy itself whether a civil war situation exists and then, if it does, to seek to eliminate it by negotiation prior to engaging in any movements of U.N. troops which could exacerbate the situation.

(3) In your present paragraph B we feel that you unduly restrict possible interpretations of the resolution of 21 February by your insertion that the resolution authorizes force only "if ONUC troops have been interposed between the factions concerned" it seems to us that, while resolution authorizes force only in defensive situations, it will unduly hamper the military means available to you if physical interposition is an absolute precondition. The actual outbreak of an armed clash would not in our view eliminate the possibility that the Command
/could still take effective.....

No. 1954 of 22 March 1961

could still take effective measures to bring it to an end including continued efforts to interpose U.N. troops so long as the conditions stated in the subsequent paragraph do ^{not} act exist. Thus, the outbreak of firing may bring some fluidity of Congolese positions which would offer a new or even superior opportunity to U.N. troops to interpose effectively and without undue risk to themselves.

(4) We would therefore amend paragraph C to read as follows: "in the event of the actual outbreak of an armed clash despite steps A and B stated above, efforts for cease-fire should continue. Meanwhile any U.N. troops interposed between the parties may defend themselves from any attack on their position in accordance with existing directives on self-defence. The right of self-defence thus applies to action in support of the measures already taken for the prevention of a clash. If, however, U.N. troops have not been successfully interposed when possible they should attempt to interpose between the parties; and, in so doing, they continue to have the right ~~to~~ defend themselves by force, subject to the reservations in our paragraph D which remains as unchanged by you.

(5) We still consider paragraph 5 of operational directive Number 9 should be deleted.

INCOMING CODE CABLE

To : Mr. M. Abbas

From : Secretary-General, New York

Date : 22 March 1961

No. : 1953

Your A-755. Consider it inadvisable for Gardiner and Nwokedi to undertake Brazzaville lunch engagement. It is best that they adhere to schedule, seeing Tshombe in Elisabethville. You can refer to lack of time.

P.A.
M.A.
22/3

Incoming Clear Cable

To : Abbas, Leopoldville
From : Secgen, New York
Date : 21 March 1961
No. : 1931,

A. Note verbale dated 20 March received from Belgian Permanent Representative will be issued tomorrow morning as Secco document under symbol S/4768/Add.1.

B. Please send reply in such a form that it can be reproduced as Add.2.

Text of A. follows:

"/ Le Représentant permanent de la Belgique présente ses compliments à Monsieur le Secrétaire général et se réfère à sa lettre No. 468, ainsi qu'au rapport du Représentant spécial au Congo, publié en guise de réponse à cette communication, sous B, dans le document S/4768.

Le Gouvernement belge constate que ce rapport contient l'aveu de l'incapacité de l'ONUC de remplir au Kivu sa mission essentielle qui est d'assurer la sécurité des vies humaines.

Il n'entre pas dans les intentions du Représentant permanent d'entamer une polémique au sujet du rapport du Représentant spécial, mais il croit cependant devoir faire deux observations concernant les points deux et douze du rapport.

- a) Point deux : Si la situation "est devenue dangereuse pour la minorité anti-lumumbiste en Province Orientale et au Kivu," il semble que le Représentant spécial a négligé, en exposant les motifs de cet état de choses, un élément déterminant pour le Kivu : la substitution des membres légalement élus du Gouvernement provincial par un régime de fait assumé par Monsieur Kashamura à la suite d'un coup de force. Ces nouvelles autorités de fait n'ont d'ailleurs pas la situation en mains puisque, dans une note du 30 janvier 1961, le Secrétaire général s'exprime de la sorte : "Monsieur Kashamura a rejeté la responsabilité d'un grand nombre des arrestations sur un chef de sûreté provincial qui a été affecté par la suite à d'autres tâches. Dans une déclaration publique, en date du 28 janvier, Monsieur Kashamura a exprimé sa désapprobation à l'égard des arrestations. Il a promis de prendre des mesures à l'encontre des responsables et d'effectuer la restitution des biens illégalement saisis;

il a déclaré également que le passage frontalier redeviendrait libre sous peu". Dans la même note, on lit encore : "Aucun mouvement de panique ni d'évacuation massive, tant d'éléments belges que de Congolais ne s'est manifesté à Bukavu jusqu'à présent."

Ceci est infirmé par le fait que plus de 2000 ressortissants étrangers ont quitté la région durant la période 16 décembre à 28 février 1961 (Document S/4768, page 2).

Sans doute, le Représentant spécial qui attribue à l'arrestation et à la mort de Monsieur Lumumba la situation périlleuse des étrangers plus spécialement des Belges dans les Provinces en question, ignore-t-il trop délibérément le rôle marquant joué à Bukavu par Monsieur Kashamura après qu'il se fut substitué par la force aux autorités légales.

b) Point douze : Les Représentants de l'ONU disent ne rien "savoir des trois Belges qui se seraient assigné pour mission d'organiser avec l'ONUC à Bukavu l'évacuation des étrangers de la Province du Kivu"; le Représentant spécial du Secrétaire général ne pourrait-il interroger ses collaborateurs à Bukavu pour leur demander si :

- le 15 février dans la matinée, MM. Hubo, Schyns, et Lhermitte ont été reçus par MM. Miller et le colonel Ironsi,
- le 20 février à 9 h. 30, MM. Hubo et Lhermitte ont été reçus par M. Fitzgerald et le brigadier Ward,
- le 21 février à 10 heures MM. Hubo et Lhermitte ont été reçus par M. Fitzgerald,
- le 25 février à 15 heures MM. Hubo, Schyns et Lhermitte ont été reçus par MM. Miller et Fitzgerald,
- et le 27 février à 9 heures MM. Hubo, Schyns et Lhermitte ont été reçus par M. Fitzgerald.

Le Représentant permanent de la Belgique serait reconnaissant à Monsieur le Secrétaire général de bien vouloir publier la présente note et la considérer en tant que document des Nations Unies. "

INCOMING CODE CABLE

To : Mr. M. Abbas

From : Secretary-General, New York

Date : 21 March 1961

No. : 1928 & 1929

*copy despatched to Dumontet.
S.A.
22/3*

Reference your 730 and 733.

I do not feel I can send message in reply to Tshombe in present circumstances but I believe Dumontet's attention should be drawn to following points which he should use in conversation with Tshombe only with background indication that Tshombe's message has been transmitted to me and that I wish to acknowledge receipt through Dumontet:

1. Tshombe's charge of illegality and request for International Court advisory opinion are unrealistic to say the least. Resolution was adopted by Security Council without dissenting vote. Even states strongly favourable to Kasavubu supported it. No representative, not even representative of Leo Government, asserted that resolution violated domestic jurisdiction clause. Council clearly accepted basis premise that prevention of civil war is essential to counteract threat to international peace. This casual connexion between civil war and threat to international peace is considered sufficient for conclusion that action to prevent civil war does not involve intervention in essentially domestic affairs. It has long been accepted by the Council as by the General Assembly that a matter involving a threat to international peace and security cannot be regarded as in the reserved domain of a member state. It is inconceivable in these circumstances that any members of the Security Council would now accept view that Council resolution was illegal or be willing to submit question of illegality to International Court. There is in fact no indication that even a single member state has put forward such a position.

2. The assertion that Tananarive conference has now made SECCO resolution caduque and sans objet is issue for SECCO to determine not individual state. Obviously if civil war should no longer be a danger, /then relevant provisions.....

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then relevant provisions of resolution would require no application by ONUC. However it cannot be denied that at present the country continues to remain divided and that both the danger of civil war and internal disorder continue to exist in fact. Consequently necessity for U.N. troops and action under resolution remains. In any case the question of the termination of United Nations action can be made only by the competent organ, namely, the SECCO and this can be done only after the matter is raised in the proper manner by a member state. Incidentally, it may also be pointed out that the General Assembly has no authority under the Charter to annul a resolution of the Security Council. The SECCO is primarily responsible for matters of peace and security and it is not in this respect subordinate to the General Assembly.

3. We are of course in agreement that technical assistance programme is indispensable for country and we welcome cooperation on all levels. However it must be noted that technical assistance operations under established principles are taken in consultation with internationally recognized authorities although arrangements may be made on local level with other competent governmental officials. Moreover, technical assistance is given without political discrimination and to the extent possible to all parts of the country. Naturally technical assistance operations cannot be expected to continue in situation of internal disorder and danger and therefore in present circumstances the protection of United Nations military forces is essential for continuation of civilian technical operations.

4. Regarding statements on Indian troops, it should be recalled that SECCO accepted basic principle that force in Congo has an international status and is obliged to carry out its duties in accordance with principles of Council and U.N. Command. At the very outset it was made clear that it is for the United Nations alone to decide on the composition of military elements sent to a country. This was accepted by the government of the Republic.

/ Clearly the United Nations.....

No. 1928 & 1929 of 21 March 1961

Clearly the United Nations cannot accept a veto on a particular contingent. It is the duty of the United Nations Command under the SECCO to assure the impartiality and proper conduct of all contingents of the force. It cannot however permit a host state to threaten warlike action against a particular military contingent. Such a threat is itself a grave violation of the letter and spirit of the Charter as well as the specific obligation to assist the United Nations operation affirmed by the Council on the basis of Article 49 of the Charter. Any attempt to undertake a military action against an international contingent would undoubtedly call for self-defence action and the necessary counter-action.

5. Finally, it should be made clear that the Secretary-General continues to be under a binding duty to carry out the SECCO resolution without reservation and in strict accordance with its terms. He cannot accept the position of the authorities of Katanga or the statements of the Tananarive conference as modifying his responsibilities under the SECCO instructions. Secretary-General cannot in the absence of a decision of a competent organ consider the "confederation" as the internationally recognized government of the Congo nor can he accept its decisions as those of the authoritative government. This is of course equally true of the Katanga, which must under the existing decisions of the United Nations organs continue to be regarded as part of the member state of the Congo.

INCOMING CLEAR

TO : ABBAS, LEOPOLDVILLE
FROM : SEC GEN, NEW YORK
DATE : 21 March 1961
No. : 1927

Refer your A-743. Please confirm or clarify if necessary
with drafter words listed as follows:

Page 1 WGT and ESAM missions
Page 2 Last sentence
Page 4 Miss Helen Ioffman
Page 5 In Kindu

A-765

INCOMING CODE CABLE

M.A.

TO : GEN. MACBOIN
FROM : MR. BUNCHE
DATE : 21 March 61
NO : 1925 (MOST IMMEDIATE)

Reference our 1732 and 1874 and ONUC 1365.

ONUC-1465

Please keep us currently informed about arrival of Indian troops and equipment. We would also like to be informed about the heavy weapons included in phase one of the Indian airlift.

cc. Mr. Abbas

INCOMING CODE CABLE

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 21 MARCH 1961
NUMBER : 1924

News agencies carry story to effect that Mobutu has declared publicly that " there was no question of UN troops returning to the ports of Matadi and Banana." Please verify if such statement has been made. If so, bring it to attention of Kasa Vubu, asking him whether he endorses or disowns this statement which is not remarkable in view of fact that -

(a). The Sudanese retreat was on explicit understanding of UN return,

(b). that in negotiations it has repeatedly been said that we could return but that there were difficulties with public opinion (of course a completely artificial reason)

(c). that negotiations are going on and are being continued on clear assumption of return.

If Kasa Vubu were to endorse statement, you can say that we would have to regard negotiations as broken by Congolese, going back on previous promises and on assumptions on which negotiations have been built. This would have to be reported to Secco without any delay for appropriate action.

According to other press releases today, Kasa Vubu has said that he wants UN troops out, but civilian operation continued. Although I do not believe much in psychological effect, it must again be brought home to him that without ONUC there will be no repeat no civilian operation, and that situation is not such that there is substitute for UN civilian operation which would be politically acceptable on international level. Therefore, the Negative stand on Matadi, if maintained, would mean in practice the end also of civilian operation, this not as counter-measure but as automatic and unavoidable consequence which he must take fully into account; counter-measures in case of continued ~~refusal~~ refusal, involving challenge of Secco resolution, would be a matter for consideration of Secco.

INCOMING CODE CABLE

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 21 MARCH 1961
NUMBER : 1923

P.A.
No further action required

Reur a-746. Whatever the motivations behind Tshombe's invitation to you, it clearly cannot be accepted by you. To do so would be highly inadvisable politically. Reasons which Dumontet can convey for your inability are readily found, as indicated in your message. This , of course, does not preclude visit by Gardiner-Nwokedi team for specific purposes of the^{ir} mission

INCOMING CODE CABLE

TO : ABBAS
FROM : SECRETARY-GENERAL
DATE : 21 MARCH 1961
NUMBER : 1922

17.A

Your 741-742. We fully appreciate your predicament and fully realise that negotiation in order to be successful requires some flexibility. But on other hand, every experience shows that flexibility cannot mean compromise with principles or on essentials. As principle and essentials we would in this case characterise (a) that UN and UN alone can be in control of UN troop movements and movements of materials; (b) that Matadi is main line of communication and supply to which this applies, and that therefore UN supplies through Matadi must be maintained and under exclusive UN control. If those two points are firmly upheld, we are quite willing to play with face-saving devices for the Congolese. However, we do not believe this will lead to result because we reach more and more the conclusion that Matadi operation was staged with firm purpose of excluding us in a way which stangles our military operation for reasons easily understood by you in view of indication or arms deal in Paris. If there is no possible compromise, but only the reply that such stangling will be effective also regarding civilian operation and, worse, that it will create situation in which, through the actions of Leo politicians, the country will be laid wide open to big power military intervention.

INCOMING CODE CABLE

TO : ABBAS, LINNER
FROM : SECRETARY-GENERAL
DATE : 21 MARCH 1961
NUMBER : 1921

P.A.
Answered
P.A.

A-757

Please have urgent look at the points on which scaling down of Civilian Operation presents reasonable and an effective counter-argument to efforts to torpedo ONUC from supply angle.

cc : Linner

INCOMING CODE CABLE

TO : MACEOIN
FROM : BUNCHE
DATE : 21 MARCH 1961
NUMBER : 1916

H.A.

ONUC-1824

Ref your 1359 Ceylon delegation are disturbed at Major Caldera's request for repatriation. They state that steps are already being taken by Ceylon army to promote Caldera to lieutenant Colonel. They are not aware of Caldera's reason for requesting repatriation and would like to be informed .

B. If Caldera is asking to return in order not to embarrass major Navaratne who is his senior, Ceylon delegation express their private view that it is not up to Caldera to make such a decision. As his promotion has been approved, both these officers have to accept the decision taken by Ceylon authorities. If, on the other hand, Caldera 's return and your recommendation for it is based on the fact that his replacement by a Norwegian Lieutenant Colonel has already been arranged, then Caldera's return would embarrass Ceylon authorities who have have gone through the drill to arrange his promotion. In such an event we recommend that Caldera could be employed in the team required for the implementation of A-1 of the Security Council resolution. Furtherm as Ceylon has informed us of their intention to contribute an infantry battalion, we consider Caldera's continued presence in the Congo is most desirable

cc : Mr. Abbas

INCOMING CLEAR CABLE

To : Abbas, Leopoldville

From : Secgen, New York

Date : 21 March 1961

No. : 1915

Following note verbale dated 17 March received from Belgian Permanent Representative:

" Le Représentant permanent de la Belgique présente ses compliments à Monsieur le Secrétaire général, et d'ordre de son Gouvernement a l'honneur d'attirer son attention sur la situation dangereuse dans laquelle se trouve le personnel de la firme Plantocitra à Obokote, territoire de Lubutu, au Kivu. Le dirigeant actuel de l'affaire aurait déjà subi à plusieurs reprises des mauvais traitements.

Le Représentant permanent de la Belgique serait reconnaissant à Monsieur le Secrétaire général de bien vouloir signaler cette situation à ses représentants au Kivu afin que soient prises les mesures qui s'imposent en vue d'installer dans ce poste un dispositif de protection effective. "

Please send comments.

INCOMING CODE CABLE

N.A.

TO : ABBAS
FROM : NWOKEDI
DATE : 21 MARCH 1961
NUMBER : 1902

Terms of reference from Secretary-General to delegation as follows:

" 1. I hereby request you to undertake, on my behalf, and in the light of the discussions held with you and the communications which I have addressed on the subject to the President of the Republic of the Congo and to my acting Special Representative in the Congo, a mission to initiate discussions with the appropriate authorities in the Congo concerning the implementation of certain provisions of security Council resolution S-4741.

2. I refer specifically to (A), operative paragraph A2 of the resolution, in so far as it relates to measures to be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para military personnel and, in particular, political advisers not under the United Nations command ; and (B), operative paragraph B-2, concerning the reorganisation, discipline and control of the Congolese armed units and personnel.

3. Your programme in the Congo should be based as far as possible on the itinerary for the period 21 March-5 April. The discussion with the Congolese authorities should take place within the framework of the relevant paragraphs of implementation which I have discussed with you.

4. You are to consult with and to keep informed my Special Representative, who will be responsible for coordinating your mission with relevant ONUC activities in the Congo, concerning the Organisation and progress of your mission, and to call upon him for whatever assistance you may require."

Delegation comprising Nwokedi, Gardiner, R Miller (political officer) and R Provenzano (secretary) arriving Leopoldville Pan American 23rd. Please arrange accommodation. Kaufman (interpreter-translator) will join delegation in Leopoldville.

INCOMING CODE CABLE

To : Mr. Linner

From : Mr. Macfarquhar, New York

Date : 20 March 1961

No. : 1895

Your ONUC 1411. Monetary Fund has appointed Alexandre Hay as Chairman Liquidation Committee. Cochran advised Chairman Conseil Monetaire directly.

cc: Mr. M. Abbas ✓

INCOMING CODE CABLE.

P.A.
/

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE : 20. March 61.
No. : 1893.

Reur A-739. On definite, clear and unambiguous assumption that the visit of the delegation to Leo is something which is coming about entirely independently of us and thus takes place exclusively on responsibility of the two parties, and on the further assumption that our assistance and protection is agreeable to both parties, you should go ahead. (It seems that so far Adoula has not been in touch with you and that the matter has been raised only in Stan.). The record must make it clear that we are outside and neutral in relation to the substantive move as such, whatever we feel about it. Thus, it should be clear that we are not go-betweens either in Stan, trying to push them into Leo orbit, or in Leo, trying to extend their influence to orientale.

As already stated, I find assistance and protection quite in order if this is substantive background and if further both sides are agreeable to our action.

There is the added reason for our assistance -- on the aforementioned and repeated assumption -- that we should do everything we can in order to lift economic blockade of orientale within natural limits of our standing principles and mandates; we are, in fact, unjustly accused of not having done what we could for that purpose.

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : SECRETARYGENERAL
DATE : 19 March 61
NO : 1891 (IMMEDIATE)

Reur A-728. I have more than a shadow of doubt about wisdom of flight, but suggest you act as follows;

Tell Timberlake that you have consulted with me, and that we are agreed that while of course embassy plane can go as they see fit, on their responsibility, we cannot get over the feeling of some anxiety in view of situation in Kindu. We can issue no repeat no guarantee and embarrassing development is possible.

This suggestion assumes of course that your evaluation is the same: we are not quite certain of what is meant by statement that airport is guarded (it is presumably by us, but then with what strength). What I have suggested as oral statement by you will also be said to delegation here.

INCOMING CODE CABLE

TO : MR. ABBAS
FROM : MR. CORDIER
DATE : 18 March 61
NO : 1890

Would appreciate making Kaufman available as interpreter-translator
for Nwokedi Gardiner group while in the Congo.

A-736

INCOMING CODE CABLE.

TO : MR. ABBAS, MCKEOWN.
FROM : SECRETARY GENERAL.
DATE : 18 March 61.
NO : 1889.

- A-738
1. Reference ONUC 1419. In sitrep 208 we learn with surprise that Kitona base has " Only ten days motor spirit reserves but local Government ordered cessation of further deliveries to UN ".
 2. This is most serious development calling for vigorous demarche from you to appropriate authorities. This obviously should be done before impending exodus of main cogs for Bakwanga conference. We cannot tolerate being threatened with ejection from strategic places through strangulation of supply lines.
 3. As indicated in our 1728 we expect matters of this importance to be reported upon separately and more fully than in a sitrep.

c.c. General MacEoin.

INCOMING CODE CABLE.

TO : MR. ABBAS.
FROM : SECRETARY GENERAL.
DATE : 18 March 61.
No. : 1888.

Your A-726. I presume it is not your intention that
Khiari should meet Longerstey alone before the arrival of delegation.
If convenient, delegation will discuss not repeat not negotiate
with Longerstey, but only after discussions with Congolese authorities.

A-735

INCOMING CODE CABLE

PA
D.A.
18/3

To : Gen. MacEoin
From : Mr. Bunche, New York
Date : 18 March 1961
No. : 1886

Kira

Reference our 1411.

ONUC-1692

1. The Malayan reinforcements still to be transported to the Congo amount to 686. Of these, 255 will be ready for departure on 29 March and the remaining 431 in early April. We have requested the United Kingdom to airlift the first group with 10,000 lbs. of stores. Please advise destination for this group. Second group will be sea transported on USNS ELTINGE. Sailing schedule will follow as soon as available.

2. Malayan government enquires whether vehicles for the Malayan reinforcements can be provided locally in the Congo by 1 May. Vehicles are 36 X 1 top, 36 trailer cargos, 20 3-ton cargos and 4 trailer cargos. Please advise.

760
686
1446

cc: Mr. M. Abbas

INCOMING CODE CABLE

To : Mr. M. Abbas, Gen. MacEoin

From : Secretary-General, New York

Date : 18 March 1961

No. : 1885

A-732

The State Department expressed concern today regarding the welfare of Americans in Kivu province. Most of these we understand are American Missionaries. They would be glad to send someone from the Embassy with one of our own people to investigate their status and to assist if necessary in their evacuation.

Dist.: Gen. MacEoin

INCOMING CODE CABLE

P.A' action Taken by F.C.

17.A 18/3

To : Mr. M. Abbas, Gen. MacEoin

From : Mr. Bunche, New York

Date : 18 March 1961

No. : 1884

ONUC-1422

Reference our 1732, 1828 and ONUC 1372 and 1399.

U.S. has been approached to airlift remaining Moroccans directly from Elisabethville to Morocco.

Dist.: Gen. MacEoin

INCOMING CODE CABLE

M.A.

To : Gen. MacEoin
From : Secretary-General, New York
Date : 18 March 1961
No. : 1883

ONUC-1423

Emperor Haile Selassie having given his approval, I authorize the appointment of Brigadier Iyassu as Deputy Commander of the U.N. force in the Congo. Due to delay in appointment of a new Chief of Staff, the appointment of Brigadier Iyassu as Deputy Commander may be announced immediately. Please advise when announcement will be released so that a similar announcement may be made here simultaneously.

AL 20/3
4.0 P.M. Monday / Afternoon
F. Com. will take action
Please B.F. at 3.0 P.M. on Monday 20/3

cc: Mr. M. Abbas

INCOMING CODE CABLE

P.A.
M.A.
18/3

To : Mr. M. Abbas, Gen. MacEoin

From : Mr. Bunche, New York

Date : 18 March 1961

No. : 1874

Reference our 1732.

ONUC -
18 March

U.S. has now laid on twelve additional aircraft which will fly 23 sorties from New Delhi to Leo in order to complete the airlift of phase one of the Indian brigade group. Flight schedule as follows: Aircraft one ETA Leo 21 March 0400Z, ETD 21 March 1900Z and ETA Leo 25 March 1130Z, ETD 26 March 2030Z; Aircraft two ETD Leo 17 March 0815Z and ETA Leo 21 March 1400Z, ETD 22 March 0500Z; Aircraft three ETA Leo 23 March 0830Z, ETD 23 March 2330Z and ETA Leo 27 March 1600Z, ETD 28 March 0700Z; Aircraft four ETA Leo 24 March 0630Z, ETD 24 March 2130Z and ETA Leo 28 March 1400Z, ETA 29 March 0500Z; Aircraft five ETA Leo 26 March 0200Z, ETD 26 March 1700Z and ETA Leo 30 March 0930Z, ETD 31 March 0030Z; Aircraft six ETA Leo 27 March 0800Z, ETD 27 March 2300Z and ETA Leo 31 March 1530Z, ETD 1 April 0630Z; Aircraft 7, 8 and 9 will follow at two hour interval; Aircraft 10 ETA Leo 28 March 0800Z, ETD 28 March 2300Z and ETA Leo 1 April 1530Z, ETD 2 April 0630Z; Aircraft 11 and 12 will follow at two hour interval.

Dist.: Gen. MacEoin

INCOMING CLEAR

TO: ABBAS
MACEOIN
ONUC, LEOPOLDVILLE

FROM: BUNCHE,
UNATIONS, NEW YORK

DATE: 17 March, 1961

NO: 1855

ONUC 1390. Sweden requested to provide Legal Military Adviser as per our 1383. No reply received yet. Follow-up action taken with Swedish mission today, in which the urgent need for the Legal Military Adviser was stressed.

INCOMING CODE CABLE

To : Mr. M. Abbas
From : Secretary-General, New York
Date : 17 March 1961
No. : 1853

Kasavubu ✓

Sec. Gen. ✓

1. Tsimba

2. Belym Rep.

3. announcements

✓ Tsimba

✓ Kalonji

✓ Gizenga

Reference my 1841. Delegation arriving Leopoldville by Pan American on 22nd. Provisional itinerary (not for publication) as follows:

"Afternoon 22nd. courtesy call on President Kasavubu. Morning and afternoon 23rd. and morning 24th. discussions with President Kasavubu and authorities concerned. Afternoon 24th. proceed to Elisabethville and courtesy call on Mr. Tshombe. 25th. meeting with Mr. Tshombe. 26th. proceed to Bakwanga and courtesy call on Mr. Kalonji. Morning 27th. meeting with Mr. Kalonji. Afternoon proceed to Stanleyville and courtesy call on Mr. Gizenga. Morning 28th. meeting with Mr. Gizenga. Afternoon proceed to Leopoldville. 29th. further meeting with President Kasavubu to report on discussions in provinces."

Depending on progress delegation will spend remainder of week and if necessary stay until following week in pursuance of their mission.

In view of importance of early return of delegation to New York I must request you make every endeavour to fix firm appointments with all concerned. In so doing you should make copies of my letter of 16th. to Kasavubu available to Messrs. Tshombe, Kalonji and Gizenga and inform them of delegation's visit to provinces after preliminary discussions in Leopoldville. Request early confirmation of appointments. Needless to say that delegation will be guided by your local experience and advice.
