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CONFIDENTIAL

Meeting No. 69
31 July 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Tuesday, 31 July 1962, at 3 p.m.

In the Chair:

U THANT

The Acting SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. WIJEGOONAWARDENA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. HAMID

Ghana

Mr. QUALSON-SACKY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. RONODIPURO

Ireland

Mr. O'SULLIVAN

Liberia

Mr. BARNES

Mali

Mr. TRAORE

Morocco

Mr. BENHIMA

Nigeria

Mr. ASIODU

Pakistan

Mr. Muhammad Zafrulla KHAN

Senegal

Mr. CISS

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. MESTIRI

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. CARDOSO

The Acting SECRETARY-GENERAL: At our last meeting we raised certain issues. It was decided to take up these issues at this meeting since many delegations expressed their desire to refer to their respective Governments for instructions. Therefore, I do not think it will be necessary for me to make any introductory remarks and the floor is open to you. I shall be very glad if members of the Committee can come up with concrete observations on the issues raised at our last meeting.

Mr. CISS (Senegal)(interpretation from French): Mr. Secretary-General, I think that since our meeting last Tuesday the situation in the Congo has evolved to a certain extent. You, yourself, have indicated that this evolution has taken place. I think it would be good for the Advisory Committee on the Congo to hear your comments on the proposals formulated by the Prime Minister of the Congo, and what you yourself think about these proposals. This is the question I should like to ask you and I would be grateful if you would answer it.

The Acting SECRETARY-GENERAL: As you probably are aware I received a communication from the Foreign Minister of the Central Government of the Congo requesting me to think of giving to the Central Government, in the form of technical assistance, some three or four constitutional lawyers or jurists or constitutional advisors to advise the Central Government on the formulation of a new constitution for the Congo, which the Central Government has already drafted. In his request mention was made that the Central Government would be very happy if an African jurist or a constitutional expert could be included. I have given very serious thought to this and actually I am in contact with some Member States with the view to responding to the request of the Central Government. Only yesterday morning I asked Prime Minister Adoula if he would be agreeable to receive three constitutional experts: one from Nigeria, one from Switzerland and one from Canada, because in the request of the Central Government there was one condition to the effect that these constitutional experts should be conversant with the working of a federal constitution. These three countries which I have in mind, of course, as you all know, have federal constitutions. I feel that constitutional experts from these countries will be able to contribute materially

(Acting Secretary-General)

to the success of the endeavours now being made by the Central Government. Of course, the procedure is that these United Nations experts on constitutional law will go to Leopoldville. They will examine the draft which has been prepared by the Central Congolese Government. If the recommendation is acceptable to the Central Government it is my understanding that Prime Minister Adoula will present this to the Parliament for ratification.

That is the latest situation.

Mr. TRAORE (Mali)(interpretation from French): Mr. Secretary-General, my delegation has full confidence in all the initiatives which you took in applying the resolutions of the United Nations on the Congo. My delegation maintains this confidence to this day.

The situation in the Congo is changing with extreme rapidity. Hence, it deserves to be followed and studied from day to day. Hence, one is tempted to get a review of the situation either through a meeting of the Security Council or through a meeting of the General Assembly, and above all in the light of the results of your mission to Europe. My delegation deplores the rather unfavourable results of your mission. But we know how much courage you showed in pushing your endeavours there. However, in order to make a deeper examination of the present situation in the Congo, and particularly in Katanga, we do not think it would be opportune at the present moment to call a meeting of the Security Council in order to obtain a new mandate, although the contents of this new mandate has to be indicated quite clearly in order to liquidate the Katanga secession in a radical way. A meeting of the Security Council perhaps would only exhort you, Mr. Secretary-General, to continue to apply the preceding resolutions adopted by the Security Council and by the General Assembly. Hence, in this light we are in general in favour of a Security Council meeting, but this does not seem to be a particular argument in favour of it if the results were less favourable, because as you said the last time, that would be a victory for Tshombe and for those who support him, namely, the Union Minière and certain other elements. That we cannot accept. That is why we do not think we can recommend to you at the present time to call a meeting of the Security Council. We do, however, favour debate on the Congo, but we prefer this debate to take place in the General Assembly of the United Nations, perhaps at its seventeenth session.

(Mr. Traore, Mali)

We think that the preceding resolutions, particularly those of 21 February and of November, should be entirely applied; that would be adequate for you to continue your work on the Congo.

As to the sending of jurists to the Congo, this is a rather delicate question and has to be studied in more detail since this is a matter of changing the Loi fondamentale of the Congo; that is a problem which is up to the Congolese themselves and up to the National Assembly of the Congo.

This deserves a more careful study, and should be perhaps a bilateral step rather than a multilateral one. I have some concern as to whether United Nations participation is merited. You, Mr. Secretary-General, have indicated there was a further choice of jurists, mainly from Anglo-Saxon countries. You have suggested Canada, Nigeria and Switzerland, but perhaps we should add a person who has some understanding of Latin or Roman law. I do not put this forward as a suggestion, it is only an idea which I am putting forward.

Mr. QUAISON-SACKY (Ghana): There is no doubt, Mr. Secretary-General, that the information which you have just given us regarding the proposals put to you by Mr. Adoula regarding the Constitution of the Congo has put a new complexion on the issue which we discussed last week. Then your main preoccupation was whether this Committee could advise you on the advisability of a meeting of the Security Council, at which you could be given either a new mandate or a clarification of your present mandate. At that time, we gave our preliminary views on the **adviability** of a meeting of the Security Council being convened, and we made it very clear that so far as the Government of Ghana was concerned, a meeting of the Security Council would be useful in so far as you could give that Council a report and also a report on the steps which had been taken to implement the resolutions passed by the Security Council and by the General Assembly. We also made it clear that so far as we were concerned, there was no clarification that the Security Council could then give. I could not then tell you whether, if it came to the use of force, my Government would agree to our forces being used. I am now authorized to say that should you, within the context of your proposals, have to use force, then Ghana troops could be used for the purpose of bringing about the territorial integrity of the Congo and the maintenance of law and order, provided, of course, there was proper logistic support so that the incidents which occurred in Port Francqui, when about fifty Ghanaians were butchered, would not be repeated.

It has always been the view of the Government of Ghana that Mr. Tshombe would never acquiesce in any solution of the problem which subordinated Katanga in its legal provincial status to the central government, unless he was compelled to do so. Mr. Adoula's new constitutional proposals, therefore, must be weighed very carefully. We agree they are an earnest of his good faith and sincere willingness to achieve a solution, but Mr. Tshombe's bad faith has been so clearly and repeatedly demonstrated that it would be unthinkable to defer further United Nations efforts to secure a solution simply because of this new development.

I am afraid we are not in a position to comment in detail on the steps which you have already taken. In fact, you have told us you have already considered appointing jurists from Nigeria, Canada and Switzerland. My delegation is of the view that you are within your rights so far as the provision of technical assistance is concerned, to help the Central Government in any way possible for the purpose of bringing about the achievement of territorial integrity. But we feel that this matter should be approached very carefully. Technical assistance can be given in two ways. If we are going to provide the jurists, then I would assume that the United Nations would pay those jurists. From that point of view, there is nothing to which my delegation could object. We feel that technical assistance in this context is all right. But the implication of the United Nations itself employing certain jurists to advise the Central Government on the construction of the Constitution is what must be weighed very carefully. We feel that it would have been better if the Secretary-General had indicated to the central Government which countries could be approached for such expertise--- Nigeria, definitely, Canada, as you mentioned, Switzerland, any other countries. The United Nations could then pay those jurists. That is to say, the initiative for appointing them would then rest with the central Government.

I say this because if the Constitution was drawn up with United Nations help, with United Nations appointed jurists helping in this effort, and Parliament turned it down or Tshombeshowed bad faith, the United Nations would be discredited, and we would be in a very bad position. Matters would be complicated further. Therefore, if you have not already taken steps, my delegation would prefer that you did not appoint those experts, but definitely advise the Prime Minister of the Congo to approach the countries you have in mind to supply the experts concerned. The United Nations, by means of the Technical Assistance Programme, would pay for it. This would obviate the great difficulty which would be bound to come one day if the bad faith which has been shown again and again by Tshombe was once more shown.

Lastly, my delegation would fully support the steps you outlined to us last week with regard to the economic pressures which could be brought to bear upon the Union Minière, namely, the possibility of having the funds now paid to Tshombe frozen in Brussels and that imports should be routed through Matadi instead of through Angola and the Rhodesias, and, thirdly, that the United Nations would give guarantees of protection to the installations which are now in Katanga.

These are the views which I would put forward in a preliminary way, but we still insist that the Secretariat should be very careful not to involve the United Nations in this constitutional issue which has always bedeviled the situation in the Congo.

Mrs. ROSSEL (Sweden): On behalf of the Swedish Government, I would like to express our sincere appreciation for the patient work which you, Mr. Secretary-General, Mr. Gardiner, and the other members of your staff have done in endeavouring to settle the political and economic questions of the Congo through negotiation. It is, of course, to be regretted very much that the talks between Prime Minister Adoula and Mr. Tshombe were broken off when some results seemed to be under way.

The information just given by you about the plan which foresees United Nations assistance in the drafting of a new constitution for the Congo may give us reason to look upon the situation a little more hopefully than last week. My Government and the Swedish people, as you well know, take a very great interest in the Congo problem and they are anxious to see it solved as soon as possible, but solved in a constructive and peaceful way, that is, along the lines on which you and your staff have worked during the past months.

(Mrs. Rössel, Sweden)

At the last meeting of this Committee, you raised some important questions regarding our opinion as to various actions which you outlined as possible means of putting pressure on the Tshombe regime in order to bring about the solution of the Congo problem. Since then I have had time to communicate with my Government and I am now in a position to convey my Government's point of view concerning the United Nations aims in the Congo, as laid down in the various resolutions of the Security Council and the General Assembly. They have already been presented to you, Mr. Secretary-General, but with your permission, I should like to repeat them and thus put them on record in this Committee.

The principal aim of the United Nations operation in the Congo has been, and continues to be, to contribute, in co-operation with the Congolese authorities, to the maintenance of law and order and to the establishment of such political and economic conditions as must prevail if the Congolese people themselves are to solve their constitutional, administrative and economic problems. One principle which applies to all United Nations activities in the Congo is that the World Organization must not become a party to internal conflicts and that it cannot be the task of the Organization to impose upon the Congolese people specific solutions of their problems with regard to such things as the nature of their governmental system or the relationship between the Central Government and the Provincial Governments, within the framework of the unity of the Congo. Military forces must not be used for such tasks. Instead, they should rather perform the duties of a police force and, beyond that, serve the purpose by their presence of inducing the different groups in the Congo to reach agreement by means of negotiations.

The Swedish Government holds this basic view of the aims of the United Nations in the Congo and has given practical expression to its positive attitude by complying with the various requests which were made for Swedish personnel to be engaged in the service of the United Nations and for materiel of different kinds to be put at the disposal of the United Nations in the Congo. The Swedish Government wishes to stress that the continued observance of the principles indicated above is the basis for Sweden's participation in the United Nations operation in the Congo.

(Mrs. Rössel, Sweden)

With regard to the question as to whether the Security Council should be convened to discuss the Congo situation at this stage, I should like to emphasize that my Government has strong reservations about the advisability of calling such a meeting. It is our feeling that a meeting of the Security Council could easily result in an increased tendency to seek military solutions which would alter the basis for the United Nations' action in the Congo and deprive ONUC of its impartial position. In our judgement, the most acute questions now are the financing of ONUC, the weighing of civilian against military measures and the economic, rather than the political, integration of the Congo.

I should like to stress again that the Swedish Government fully supports the peaceful procedure which you, Mr. Secretary-General, have followed in your endeavour to bring about a solution. It is my Government's sincere hope that your work and that of your collaborators in solving the complex Congo problem will meet with success in the near future.

Mr. GEBRY-EGZY (Ethiopia): Because I have not yet received instructions from my Government, I have no detailed statement to make at this time. I am, however, in touch with them and as soon as I can, I shall attempt to answer every question which was put to us at the last session. If possible, I shall do so in this Committee; otherwise, I shall come to your office, Mr. Secretary-General and present my views to you there.

Mr. ASIODU (Nigeria): I shall address myself first of all to the immediate issues which were put before us at our last meeting and to the questions on which you, Mr. Secretary-General, asked our opinions.

On the question of calling a Security Council session, I am instructed to say that we do not consider it opportune. If a meeting of the Security Council is called in order to obtain clearer instructions than we presently have, it might easily result in acrimonious and inconclusive debate, as was suggested by other delegations here, which would in no way help in resolving the situation in the Congo. Furthermore, we believe that the existing mandate is adequate. On the other hand, if the purpose of calling a session of the Security Council is to acquaint the members of the Council with what has transpired so far, we feel that the latest developments in the Congo provide a sufficient reason for the issuance of the usual type of report to those members. All of us are well aware that once

(Mr. Asiodu, Nigeria)

a meeting of the Council is called, it will not be very easy to limit the debate or to compel members to listen to a factual report on what has happened thus far in the Congo.

The second issue which was raised concerned the measures which the Secretary-General described for putting economic pressure on Mr. Tshombe and his Government in order to convince them to work towards the reintegration of Katanga into the Congo. The Nigerian Government is fully in favour of the measures which were outlined. We are also aware that such action would involve the protection of the installations of the Union Minière from reprisals and acts of sabotage by those who might not welcome any change in their present policies. However, we hope that if international opinion continues to evolve positively in the direction of pressure on Mr. Tshombe, it will not be necessary to undertake any military offensive or in any way to involve the United Nations in any provocative military gestures in order to ensure the security of those installations. We feel that the avoidance of such provocative behaviour is very important not only because of the realities of the situation and the troops which are at our disposal in Katanga but also because it is traditional for this Organization to resist any temptation to become exasperated with Mr. Tshombe's behaviour and to assume provocative military postures on the part of ONUC troops. The Nigerian Government has always supported the efforts of ONUC fully and will continue to do so.

Thus, if we continue in the direction in which we have been working, namely, seeking support among those of us who are already convinced of the justice of our action thus far and who have provided initiative in obtaining good resolutions for the Congo, and also gain the support of those who can exercise decisive influence, we believe that a more satisfactory solution will be achieved. We should not like to have the United Nations justly accused of any military initiative in the matter.

(Mr. Asiodu, Nigeria)

It is very important to end the secession of Katanga, not only because of the diversion of revenues which legitimately belonged to the Central Government, or because the coffers of the Central Government would have to reduce the deficit, but because we also realize, to some extent, the crippling expenditures of the Central Government in maintaining such large security forces may be expected to fall, to be reduced, if the Katanga situation is resolved.

This is another reason why we think that, despite the elements which might appear now in the situation, you should continue with your efforts to see that Mr. Tshombe and his supporters really see the need to co-operate in the spirit of the resolutions we have adopted, so as to ensure the territorial integrity of the Congo.

Now, however, there is a larger issue to which I would like to refer, having given the answers to the immediate questions. It is now fairly clear that the problem of the Congo is really only the question of Katanga. The Nigerian Government considers that there are other aspects to which we must begin to address ourselves with equal attention. In fact, it is pleasing to read of the new proposals, by the Central Government, and the apparent willingness of Mr. Tshombe to accept these proposals in principle; because the mandate of the United Nations in the Congo naturally talks about ensuring the territorial integrity of that Republic, in addition to talking about ensuring that assistance be given in sufficient degree to the Central Government so that as soon as possible they can take over the proper government of their own affairs.

This involves training of troops, training of personnel, and so forth. We do not think that sufficient emphasis or resources are being devoted to this important aspect, because, if we must be frank, we have heard it said so often that even with the maximum we expect from the sale of United Nations bonds, perhaps the United Nations operations in the Congo on the present scale cannot last beyond December 1962. But it is imperative that, when the United Nations withdraws, it does not leave behind a situation of chaos and confusion. It is because of this that we think more should be done to ensure that sufficient Congolese will be left after the United Nations has withdrawn, so that they can carry out the government of their territory in keeping with the mandate. This is the full intention of the United Nations presence in the Congo; and we think it is not too soon to emphasize this aspect.

(Mr. Asiodu, Nigeria)

I listened with great interest to the answer which Mr. Gardiner gave at the last meeting to the question put by the representative of India. Certainly, the picture we got there of the ANC was not reassuring; and this is just one illustration of what I have been talking about.

We believe also that, although this is perhaps looking ahead, since we have not unlimited resources, and since the contributions of many Governments represent quite a burden on those Governments, the United Nations should begin to think about working out a practicable time-table for its withdrawal from the Congo. This involves speeding up these measures we have been talking about to train the Congolese to look after their own affairs; because essentially we are there to assist them precisely to do this.

Finally, I think I must repeat what I had said about the immediate questions which were put to us. We think you must pursue energetically the economic measures which have been proposed. We think that new military initiatives are called for and would be highly desirable. But of course we acknowledge the right of self-defence, and everything must be done to protect the Union Minière installations against reprisals if, in fact, that company and its supporters are willing to co-operate with you in order to end the cessation of Katanga.

Lastly, we think the Security Council need not be called, because the results would be far from useful and might possibly be harmful. If it is to acquaint the members with the factual report, the normal reports which were circulated to them should suffice for the moment.

The Acting SECRETARY-GENERAL: Before I give the floor to the representative of India, I would like to extend a warm welcome to our new colleague, Ambassador Chakravarty, who has been appointed to this post as Permanent Ambassador to the United Nations. I am sure all my colleagues here will share these sentiments; and we all wish Ambassador Chakravarty success and happiness.

Mr. CHAKRAVARTY (India): I must first thank you for the kind words you have said in welcoming me to this meeting today. It is indeed, I consider, a great privilege to be a member of this Committee.

Coming now to the subject for our discussion, we have before us something which has been circulated by the Republic of the Congo, which contains a copy of the letter which has been received by you from the Congolese Foreign Minister, from which we learn that they have already drafted a tentative proposal for the Constitution that could serve as a basis for discussion. It is not very clear from this first hand-out whether, when the Foreign Minister said that we have already drafted a tentative proposal, that that proposal has been made in consultation with Mr. Tshombe. If the chances of such a Constitution being accepted by Mr. Tshombe are reasonable, I presume that you then will not think it necessary to take this case back to the Security Council for a debate. There is also not much point in taking the case to the Security Council unless we can think of some acceptable proposal which could be put before that body.

In view of this new development, I venture to suggest that the situation that was discussed at Tuesday's meeting has changed, let us hope, very much for the better. In that event, we do not think that a further mandate or a reference to the Security Council is called for immediately. If and when you find that these tentative proposals have no chance of being accepted by both parties -- and I am using the word "parties" in the loose sense -- then only can the question be further considered. It is only then that we need go into the specific questions that were put by you at the last occasion.

I need only say that, in so far as the Government of India is concerned, there should be no difficulty in the United Nations utilizing our contingent for the purposes laid down in the Security Council resolutions.

Mr. DIALLO (Guinea) (interpretation from French): During the last meeting of the Advisory Committee I had an opportunity to indicate the feelings of the Guinean delegation after your statement and the statement of your Special Representative in the Congo. I once again express to you now, Mr. Secretary-General, the confidence which my Government has in your ability to find a happy and successful conclusion to the Congolese crisis.

I speak again today to indicate the Guinean point of view on the precise question which you raised here in this Committee. As to the meeting of the Security Council, we said the last time and confirmed today that we have no objection in principle to a meeting. Nevertheless, we feel that the mandate of the Secretary-General is quite adequate, whether it is derived from a Security Council resolution or a resolution of the General Assembly.

However, Mr. Secretary-General, we base ourselves on your own statement, namely, that the great Powers did not agree on the programme which you submitted to them. As far as its effectiveness is concerned, it seems rather inopportune to have a meeting of the Security Council now since if the results are negative it would make the situation worse.

Although we do feel that there are some doubts as to the effectiveness of a Security Council meeting, we feel, on the other hand, that this question, whatever the issue may be, should be placed on the agenda of the next session of the General Assembly. And on precisely this point I should like to know if the Secretariat could provide for the inscription of this item. If the Secretariat cannot do so, I am sure that the African and Asian delegations, and certainly mine, are willing and ready to ensure that this item be included on the agenda of the seventeenth session of the General Assembly, the item called "The situation in the Congo".

We do hope, however, that before this session opens the question will be solved and it will simply be a matter then of summarizing or indicating that a happy solution to the Congolese crisis has been found. However, if this is not the case, and if the Powers which from the beginning agreed to create chaos in the Congo continue their policies, it will be up to us and every delegation here to assume its responsibilities and denounce the manoeuvres which have been taking place in the Congo in opposition to all the interests of the African countries.

(Mr. Diallo, Guinea)

I now turn to the next question which you raised, Mr. Secretary-General, the various ways of exercising economic pressure against Katanga, which is the heart of the Congo crisis. The Government of Guinea entirely approves your proposals, although we feel that there are forms of pressure which are more effective. Hence, we completely support your proposals in the economic realm, but we think that you also have at your disposal -- and no mandate is needed for this either on the part of the Security Council or the General Assembly -- the possibility of exercising military pressure.

I shall explain this. We have numerous military forces in the Congo at the present time. Everyone recognizes that all of the Congo is quiet except for Katanga. Why are troops maintained in the other provinces of the Congo? You mentioned financial difficulties. It is certain that we could reduce contingents as presently placed in the Congo and integrate all of the forces, including the general staff, in Katanga. There is no reason why the Commander-in-Chief of the troops should be in Leopoldville. There is no reason why the troops should not move to Elisabethville, thus leaving it up to the Central Government of the Congo to maintain order and security in the rest of the country.

This offers a possibility of exercising pressure without using force. All of the troops at the disposal of the United Nations should be concentrated in Katanga, with your Special Representative sitting in Elisabethville. We think this would be the most important pressure of all. It would reduce the financial effort and also the effort which the United Nations is exercising in the form of personnel, and it would yield most satisfactory results.

Mr. Secretary-General, you mentioned the problem of the appointment of jurists to give technical assistance to the Central Government of the Congo in the drafting of a new constitution. Here our position is very clear. We believe that the drafting of a constitution is so intimately linked with the sovereignty of the people of a country it is a field in which technical assistance has to be as discreet as possible, almost to the extent, we would say,

(Mr. Diallo, Guinea)

of being entirely excluded. However, the situation being what it is, we do support the Central Government of the Congo if it feels that in a field as delicate as this it is necessary to appeal for technical assistance.

If that is the case, we would say that the Secretariat of the United Nations should exercise maximum discretion and should ensure that the decisions are not United Nations decisions and not decisions of the Secretary-General, but decisions of the Government of the Congo itself.

For this reason, I support the thesis advocated by my friend from Ghana a moment ago. I think that the best thing the Secretary-General could do would be to submit a list of possible candidates to the Central Government of the Congo, leaving it up to the latter to choose both the country and the man.

These are the few points which I wanted to mention in the name of the Government of the Republic of Guinea.

Mr. CARDOSO (Congo, Leopoldville) (interpretation from French): I listened with great attention to the statements which were made by my colleagues. It permitted me to acquire a better understanding of the atmosphere here.

In the first place, I must state that there is a new element which has emerged in the past few days, and that is the proposal concerning a federal constitution. The situation naturally changes; it has been changing for two years. But there are constant elements involved.

Paradoxically, and unfortunately, the most constant element in the situation is the instability of Tshombe. We have come to a point where the Central Government proposes and yet Tshombe disposes. He has the time and the money, and he is in a position to keep his word or not to keep it. In any case, he seems to have achieved impunity.

Without a desire to form an indivisible nation, all constitutions will remain without effect. The desire to have an indivisible nation will not be found in Tshombe. The mediation of legal experts and functionaries of the United Nations, such as Mr. Gardiner, will also suffer a defeat. This is quite probable because we have had our hopes shattered too often.

(Mr. Cardoso, Congo (Leopoldville))

The Congo crisis can be considered a constitutional crisis, and I think that the proposal of the Government is an effort in the direction of creating a constitution which will be acceptable to the Parliament. But we must say that this crisis is also a crisis of authority. Among the 137 deputies and 84 senators, the representatives of Tshombe could vote against the best constitution in the world, and the situation would remain the same. That is why, Mr. Secretary-General and fellow members, I bring to your attention the statement which my Government instructed me to make at this meeting. This statement consists of six points. I will read them to you.

In the first place, I think that in previous meetings there were proposals which tended towards mediation on the part of African chiefs of state. My Government feels that this attempt at mediation does not yield any new elements for a solution. Mediation has been conducted very conscientiously for more than a year by officials of the United Nations and by Mr. Gardiner personally as the champion of the Congolese Constitution. A new mediation effort would only postpone a solution. Mediation is impossible when Tshombe does not abandon the idea of independence for the Katanga Province. Mediation on the part of the United Nations has been conducted on all fronts, we must stress, with economic and financial experts, and others. All questions have been discussed. Tshombe is merely trying to gain time to maintain the state of secession. There is no sincere desire in Elisabethville to establish the unity of the Congo. The Advisory Committee must take into consideration that the idea of mediation is supported only by persons who have for two years been maintaining and supporting secession. It has also been advanced by conservative Belgian and English newspapers that support foreign influences in Katanga. British circles insist on mediation in order to gain time and to exhaust the United Nations in the Congo.

The Government of the Congo cannot make concessions in regard to the territorial integrity of the Congo. The Government of the Congo knows about the influence of foreign Powers which is at the root of the trouble and continues to sabotage Congolese unity. Therefore the positions are irreconcilable and mediation between the Central Government and Tshombe cannot bring any results.

The maintenance of the suspension of the fundamental law is not a question of a central government or of provincial governments. The population and the Parliament must be heard in this situation. The Central Government supports the Parliament in the elaboration of a new constitution of a federal type. For such a

(Mr. Cardoso, Congo (Leopoldville))

constitution only Parliament has the necessary competence.

The Government of the Congo does not believe in the effectiveness of mere economic measures, and calls for the full application of the resolutions of the Security Council in regard to the Congo. Only the complete and faithful implementation of the resolutions will be a guarantee of the territorial integrity of the country.

This is the statement, Mr. Secretary-General and my fellow members, which I was authorized to make at this meeting by the Central Government of the Congo. I hope that this statement will be taken sufficiently into account by you to give direction to the discussion in order to achieve positive results which will not postpone the solution of the crisis.

Mr. RIAD (United Arab Republic): I should like to join my colleagues in thanking you, Mr. Secretary-General, for the information that you have presented to the Committee after your return from Europe. I was hoping that the Secretary-General would be informed during his visit to certain Western Powers that these Powers would implement the United Nations resolutions. But we have been informed by the Secretary-General that the Belgian Government did not officially answer the economic proposals of the Secretary-General, while others refused these mild and modest proposals. I say "mild and modest proposals" because I have certain doubts that such proposals will lead to a final settlement in the Congo. But at any rate it is a forward step in the right direction, and my delegation fully supports these economic proposals.

We are now facing the fact that certain Western Powers, some of them permanent members of the Security Council, are refusing to implement the resolutions of the United Nations. For this reason I believe that any attempt to strengthen the Secretary-General's mandate will fail in the Security Council at this time. But we still have some hope that the Belgian Government and other Western Powers will reconsider their position, and that is why my delegation is not encouraging a Security Council meeting at this stage. At the moment we feel that if all other efforts are exhausted without producing any results, then we must go to the Security Council and maybe to the General Assembly as well if we find that this is suitable.

(Mr. Riad, United Arab Republic)

This question of sending legal advisers is a very delicate question. I hope that these legal advisers will not be described as United Nations representatives. The reason is that United Nations resolutions are clear enough in requesting the full unification of the Congo and respect for the Loi fondamentale, and any new constitution means major changes to the Loi fondamentale. Since the United Nations representatives are supposed to seek only the implementation of United Nations resolutions, they should not commit the United Nations to such action as is highly political and not merely legal.

Of course, we have no doubt that the Central Government of the Congo has a perfect right to make any change in its system of government or in the fundamental law. Therefore, I hope that these legal advisers who may go to the Congo will not be described as United Nations representatives.

Mr. MESTIRI (Tunisia) (interpretation from French): The Tunisian delegation was very grateful to you, Mr. Secretary-General, for the valuable information which you were good enough to communicate to us at the last meeting of the Advisory Committee, on the evolution of the crisis in the Congo. We are equally grateful to Mr. Gardiner for the clarifications which he furnished additionally.

It is not my intention today to review all the matters which you mentioned at that meeting; I wish rather to concentrate my remarks on certain points which I wish to clarify. First of all I want to say that the Tunisian Government feels that the mandate provided in the various Security Council resolutions is already adequate to enable ONUC to function effectively in the solution of the problem of the unity of the Congo. To be sure, this mandate is in some respects vague and, as you yourself have already emphasized, even self-contradictory but it is nonetheless true that the margin it allows for manoeuvring should be adequate. A resolution of the Security Council under the present conditions would, in the opinion of my Government, probably add nothing to this mandate; it could, on the contrary, give to certain countries whose interest is clearly to limit ONUC's scope of action, the opportunity to interpret this mandate in a restrictive manner which could only make the task of the Secretary-General more difficult. Furthermore, a meeting of the Security Council which did not result in an extension or expansion of the already-existing mandate would be a disappointment not only to public opinion in the Congo but also to African public opinion in general, and in any case would serve to encourage Mr. Tshombe in his activities.

For these reasons we are not at the present moment particularly in favour of a meeting of the Security Council the outcome of which is difficult to foretell. Only if you have the assurances from the Security Council members, and particularly from the permanent members, that such a meeting of the Security Council would result in a strengthening of the mandate recently given you -- only then would we advocate such a meeting.

While we are discussing the matter of the United Nations mandate, there can be no doubt that the task laid down by the Security Council for ONUC can be pursued under that mandate at least in one aspect, the matter of the mercenaries, especially if we bear in mind the fact that these mercenaries serve to endanger any final solution of the problem of Congolese unity. The fact that

(Mr. Mestiri, Tunisia)

these mercenaries are more or less integrated into the civilian European population should not, in any case, prevent the United Nations from undertaking action against them, because it would be very difficult to continue to allow hundreds of mercenaries to remain while at the same time wishing to solve the problem resulting from the existence of a particularly powerful Katangese gendarmerie. Mr. Gardiner has, in fact, told us that the Katangese have not stopped strengthening their gendarmerie, and that ONUC is continuing to work on this difficult task. It is certain that the mercenaries play an important part in this veritable army which is at the service of the Government of Katanga in imposing a solution in accord with the secessionist aims of Mr. Tshombe.

With regard to the use of United Nations troops in situations which could ultimately lead to combat, it is very difficult to believe that the Governments which have supplied contingents would refuse to allow these contingents to be used within the terms of the United Nations mandate. I do not believe that the countries which were willing to send military contingents to the Congo did so on the condition that these contingents should not be utilized in carrying out the United Nations mandate.

As to the matter of economic pressures to be applied on Mr. Tshombe, my delegation shares the regret of the Secretary-General over the lack of co-operation on the part of certain Governments in applying such pressures. Still we do have some doubt as to whether any effective economic pressure could be exerted if the Governments of the territories surrounding Katanga are not working with us -- and it is very difficult to imagine the Governments of Rhodesia, South Africa and Portugal, all neighbours and friends of Mr. Tshombe, not giving him all the assistance they can in order to save him, thereby proving that Katanga can make a go of it even in spite of an international blockade which, in the final analysis, can be but a partial blockade.

Finally, as to the latest developments involving modification of the Constitution of the Congo, let us hope that we are not once more going to see more of the dilatory tactics of Mr. Tshombe, and that this is not simply another effort on his part to gain valuable time.

(Mr. Mestiri, Tunisia)

To summarize, it is our opinion, first, that it would not be wise to call a meeting of the Security Council unless assurances have been given that such a meeting will have a favourable outcome; second, that all the troops sent to the Congo were sent within the framework of the resolution of the Security Council, and that therefore there is no occasion for saying whether or not these troops should be used to carry out that mandate; third, that the fight to get the mercenaries out should be continued; and last, that everything must be done in order to keep from falling once again into the trap of Mr. Tchombe's delaying tactics.

Mr. BARNES (Liberia): At our meeting on 24 July a very grim picture of the situation in the Congo was painted for us here. Talks between Mr. Adoula and Mr. Tshombe had broken off. No progress towards reconciliation was seen. The Katangese authorities and people, as a result of the incident of 17 July, were showing continued hostility to the United Nations. The Secretary-General's negotiations with certain Governments to secure economic pressures on Katanga had not achieved the desired result. For all these reasons the Secretary-General had sought the advice of this Committee on the desirability of going to the Security Council to secure a new mandate or to get clarification on the mandates already issued by the Security Council in regard to the Congo.

At that meeting I endeavoured to make clear the position of my Government with respect to a meeting of the Security Council. I pointed out that in our view it was not desirable to go to the Security Council to get a new mandate or clarification of the already-existing mandates, for such a debate would merely be productive of prolixity without any positive action and the end-result would be harmful rather than advantageous. We also held the view that if the purpose of the Secretary-General's going to the Security Council was to report on the situation then prevailing, we saw no objection to that. Our position in that respect remains unchanged.

Now, it cannot be denied that a new complexion has been placed upon the Congo situation as a result of recent developments. You, Mr. Secretary-General have reported to us today that the Congolese Government has requested your assistance, with regard to a new constitution, by recommending experts to elaborate such a constitution. I fully endorse your position in seeking to secure these experts from Nigeria, Switzerland and Canada and I say that, because since 1960 the operations in the Congo, both military and technical, have been under the auspices of the United Nations, and while I have no objections to the Congolese Government itself securing technical assistance, yet if an appeal or request is made to you by the Congolese Government for this purpose, I see no reason why you ought not to acquiesce in it.

(Mr. Barnes, Liberia)

Now whatever constitution may be elaborated by experts or jurists will only be the constitution of the Congo after it has been ratified by the Parliament; and the ratification by the Parliament will provide an opportunity for the people of the Congo to say whether that constitution is to their best interests. So that if the constitution is elaborated by experts appointed by you, Mr. Secretary-General, or by the Congolese Government, it makes no difference. I therefore endorse your position and I see no reason why you should not proceed in seeking to secure these experts in the areas you desire.

At the meeting on the 24th, I think I also said that you had laid your finger on one of the root causes of the situation in the Congo, namely the economic situation, and that you should pursue these efforts in your consultations and negotiations with governments to bring these economic pressures on Katanga. At that time you said, Mr. Secretary-General, if I am correct, that you had not received any reaction from Belgium as to your approach in this matter. I am not aware what the precise situation is with regard to Belgium's reaction. I would be thankful if you could inform me whether the Belgian Government has made any response to your request in this connection..

The Acting SECRETARY-GENERAL: Before calling on the Ambassador from Canada, I wish to extend a very warm welcome to our new colleague, Mr. Tremblay, who is with us today for the first time. I am sure all the members of the Committee share my sentiments in wishing him success.

Mr. TREMBLAY (Canada): Mr. Secretary-General, it is a very great honour indeed for me to join this group and participate in its work. My very first remarks in this Committee are directed at expressing my Government's support and appreciation for your current efforts to reach a negotiated settlement of the Congo problem. We recognize, as you do, the very serious financial situation faced by the United Nations in the Congo and we believe that Tshombe's delaying tactics should not be allowed to continue.

With regard to the first point that you raised at the last meeting, Mr. Secretary-General -- that is, whether a new mandate or a clarification of the present mandate be sought from the Security Council -- in our opinion such a move might become unavoidable at some stage. But we believe that it would be

premature to move in that direction before all possibilities of a negotiated settlement have been exhausted. No one can argue, I think, even on the basis of current press reports, that all possibilities of such a settlement have in fact been explored. As we see it, the danger of a premature reference to the Security Council is that it might well result in a stalemate that would weaken the present United Nations mandate on the Congo, thus defeating the very purpose we have in mind, or that a public debate in the Security Council at this time is very likely to result in weakening public support for the United Nations Congo operation.

You also raised at our last meeting the possibility of seeking a stronger mandate that might involve the use of force by the United Nations. On this point I wish only to say that such a course of action would place the United Nations in a most undesirable position. I submit that whatever the outcome of a United Nations military operation in the Congo might be, it would not serve the best interests of the United Nations.

No one can be certain of the outcome of the military operation. If it fails, it would constitute a blow of the first magnitude to the prestige of our Organization. If it succeeds, we should ask ourselves whether it is in the long-term interests of the Central Government that it be known that its authority over Katanga has been established thanks to an external force and imposed from the outside instead of stemming from the general consent of the Congolese people. If it half fails or if it half succeeds, it appears evident to us that the involvement of United Nations troops in hostilities would seriously damage the public image of the United Nations as a peace organization.

Our conclusion therefore is that your current efforts to effect a negotiated settlement of the Congo problem should be encouraged and supported.

Mr. O'SULLIVAN (Ireland): I would first of all like to express to you, Mr. Secretary-General, my Government's thanks for your efforts in solving the very serious problem with which we are confronted in the Congo, which is becoming more and more urgent, and I would like to assure you of the full support of our Government in reaching a settlement of this problem. I think that in facing up to this question of the Congo and Katanga, one should have in mind at all times

(Mr. O'Sullivan, Ireland)

the principles of the United Nations operation in the Congo. In this connexion I feel that I can do no better than endorse fully what has been so well said at this meeting today by the gracious representative of Sweden, which corresponds exactly with our own view of this matter.

As regards the holding of a Security Council meeting, my Government would not favour the holding of such a meeting unless a clear consensus had previously been reached between the major Powers. We feel that any Security Council discussion which revealed great-Power dissensions or failed to define the future course of the ONUC operation more clearly than the past resolutions, could only encourage Tshombe and confirm him in his recalcitrance.

My Government also believes that all possible means of exerting pressure on Tshombe should be patiently explored before any course is adopted which might result in active hostilities. Therefore, we hope, Mr. Secretary-General -- and indeed we confidently hope -- that you will continue with the negotiations which are at present being conducted with certain Powers in this connexion. We welcome the developments of the past few days and we also welcome and thank you for the action which you have already taken to encourage and promote these developments. The danger which we all see in this Committee in, as it were, adopting a course which might possibly be less firm than some of the measures which have been previously discussed, is that Mr. Tshombe, with his well-known penchant for tergiversation, might profit by the delay which constitutional discussions or negotiations would give him.

(Mr. O'Sullivan, Ireland)

In fact, at the last meeting of this Committee Mr. Gardiner stated, I believe, that Tshombe had been led to believe that if he could hold out long enough, the United Nations would eventually reach a state of complete bankruptcy. My Government feels that it is rather important that Tshombe should be disabused of any such illusion. For this reason, we would suggest to you, sir, and to the other members of this Committee that the Members of the United Nations should be prepared to consider special financial measures to ensure the continuance of the ONUC operation, whatever the sacrifices involved. This is the idea I should like to leave with you.

The Acting SECRETARY-GENERAL: As there are no further speakers, I should like to wind up the proceedings in a few words.

It seems to me that there is a consensus of opinion in this Committee that at the present moment there should be no Security Council meeting. I will take particular note of this.

Some members of the Committee have expressed the view that the item on the Congo should be inscribed in the agenda of the seventeenth session of the General Assembly. The provisional agenda of the seventeenth session is already out now, so if an additional item is considered to be necessary for inscription, I would request that a Member State of the United Nations should take the initiative.

Regarding the query posed by the representative of Liberia on the reply from Belgium, so far, up to this moment, I have not received any official reply from the Belgian Government. But I have been informed that very close consultations have been going on between the Belgian Government and a few other Governments directly involved in the problem of the Congo in the last three or four days, and I understand that discussions are still going on. I expect to hear further on this subject in the course of the next day or two.

Regarding the question of constitutional experts, a Parliamentary Committee of the Congo has been working on a draft constitution for some time, actually as a result of the Kitona declaration. This Parliamentary Committee of the Congo

(The Acting Secretary-General)

comprises, to my knowledge, many shades of political opinion in the Congo, including a representative from the Conakat Party of Mr. Tshombe. The Prime Minister's office, I understand, has also prepared a draft constitution and the Prime Minister now wants the assistance of constitutional experts to put finishing touches to it. Therefore, he has requested me to make available to him three or four constitutional experts with experience in the working of federal constitutions. That is the position.

I want to make it clear that the response to the request of the Prime Minister does not mean that the United Nations is directly involved in the framing of the constitution. What the United Nations will be involved in is the rendering of assistance by way of advice and suggestions and recommendations to the Central Government of the Congo in finalizing the draft constitution which has been drawn up by the Congolese themselves. So, of course, the participation of these constitutional experts will not necessarily reflect the views of the Secretary-General nor the views of the United Nations.

Like all other technical advice in the field of education, finance or agriculture -- and, in passing, I should like to say that we have technical experts in the Congo in other fields -- the advice to be offered by these experts to the Government of course, does not necessarily reflect the views of the Secretary-General. So with this understanding of course, I have decided to respond to the appeal of Prime Minister Adoula and, as I have indicated earlier, I have sounded out the views of the Central Government regarding the nationality of the experts I have in mind. If he has any other proposals or any counter-proposals, I will be very glad to pay heed to them. Let me repeat once again that the provision of these constitutional experts in examining the draft constitution of the Congo will not reflect the views of the Secretary-General nor of the United Nations.

Thus, regarding the Security Council, it is now clear that not a single member of the Advisory Committee is in favour of its convening. So I wish to inform you that it is my intention to submit a written report to the Security Council about the middle of August. The report in itself will not require a meeting of the Security Council, and on the basis of the suggestions just offered I am not inclined to press for one at this time.

(The Acting Secretary-General)

In the course of the discussions this afternoon, opinions have been expressed that the United Nations operations in the Congo should go on uninterrupted despite the new development of last weekend regarding the examination of the draft constitution of the Congo. I agree entirely with this view. Actually our activities in the Congo have been going on uninterrupted, and in strict conformity with the mandate given to me by the previous Security Council and General Assembly resolutions, I have been going ahead with the measures which I consider to be legitimate. Only today I have appealed to all the Member States of the United Nations to co-operate with me in giving effect to certain important aspects of the previous Security Council resolutions.

(The Acting Secretary-General)

My appeal, I understand, is on the way out to the Permanent Missions in New York and, as has been the practice in the past, we do not release such communications to the Press before these communications actually reach the hands of the addressees. Perhaps, my appeal will be in the hands of the Permanent Missions either this afternoon, this evening or tomorrow morning. It is my intention to release this appeal publicly tomorrow morning. For the information of the members of the Committee I shall take the liberty of reading out this appeal:

The situation in the Congo has been, and is now perhaps more than ever, a very serious problem for the United Nations. It is true, of course, that much constructive work has been done in the Congo since the disastrous state in which that country found itself in July 1960. Nevertheless, after more than two years of intensive effort to assist the Government of the Congo, the stability and territorial integrity of the country remain far from established, and the purposes of the United Nations in it, therefore, far from realized. This situation is particularly crucial in view of the lives, effort and money already expended and currently being expended by the United Nations and the financial crisis into which this unprecedented drain on its resources has brought the Organization.

Although there are many contributory causes to this state of affairs, there can be no doubt that the main cause is the continuing attempt at secession by the province of Katanga. Until a satisfactory and constructive solution to this issue is found, it will be very difficult for the Congolese Government to face successfully its responsibilities and problems, or for the United Nations to assist it very effectively. I assure you that no one can be more desirous than I am to see this solution brought about by peaceful means through processes of conciliation and consultation, and the United Nations continues to employ its very best endeavours to this end. Unfortunately, these endeavours so far have not produced fruitful results, and the situation becomes more and more distressing.

I therefore feel impelled to appeal to all member States to use all the influence and exert all the effort which they can bring to bear to achieve a reasonable and peaceful settlement in the Congo. I do not claim that the blame for the abortive talks in the Congo is altogether on one side. But I do assert that secession of any province is no solution for the Congo's ills, that it would serve no interests other than, possibly, those of the mining companies and certain

neighbours, and has neither historical nor ethnic justification. I strongly believe that only a unified Congo can give hope for peace and prosperity in Central Africa. In this connexion I note with satisfaction the latest proposals of Prime Minister Adoula for the drafting of a federal type constitution with the assistance of international experts.

The situation in the Congo has been aggravated and confused by an intensive and skillfully waged propaganda campaign on behalf of Katanga which has never failed to portray the situation in a false light. This campaign, having both money and ability behind it, makes it all the more important to see and portray the Congo-Katanga problem in its true perspective.

The United Nations is very much concerned with the cultivation of useful economic activity everywhere. Indeed, much of its effort in the Congo has been devoted to the protection of the personnel and property of the enterprises which are vital to the Congo's economy. But the situation becomes immensely complicated when one of these great enterprises is found involved, whether intentionally or unintentionally, in disruptive political activities which can be carried on only because of the very large sums of money available. This is a highly undesirable activity, both for the good of the Congo and of the enterprises themselves. Moreover, the overriding importance, both for Africa and for the world community, of the stability of the Congo and the conciliation of the conflicting parties in that country cannot be compared with the short-term and short-sighted interests and ambitions, both economic and political, of a relatively very small group of people. Moreover I have no doubt that, in the long run, the best safeguard for the interests of all concerned, including those I have just mentioned, is the successful establishment of stability and peace in a united Congo.

I appeal, therefore, to all member Governments to use their influence to persuade the principal parties concerned in the Congo that a peaceful solution is in their own long-term interest, as well as in the interest of the Congolese people. If such persuasion should finally prove ineffective, I would ask them to consider seriously what further measures may be taken. In this context, I have in mind economic pressure upon the Katangese authorities of a kind that will bring home to them the realities of their situation and the fact that Katanga is not a sovereign

State and is not recognized by any Government in the world as such. In the last resort and if all other efforts fail, this could justifiably go to the extent of barring all trade and financial relations. I also appeal to all Governments to do everything in their power to ensure that bad advice, false encouragement, and every form of military and non-military assistance be withheld from the authorities of the Province of Katanga. Such efforts should include all possible attempts to control the entry into Katanga of adventurers who sell their services to the Katangese Provincial authorities and whose reckless and irresponsible activities have contributed much to the worsening of the situation.

In making this appeal I wish to make it clear that the United Nations in the Congo, as in the rest of the world, is particularly anxious to preserve and strengthen the economic life of the country. This applies as much to Katanga as to the rest of the Congo. I need hardly add that this appeal is in strict conformity with the resolutions adopted by the Security Council and the General Assembly.

(The Acting Secretary-General)

This is the text of the appeal which I am sending out to all the Members of the United Nations, and this will be released to the Press tomorrow morning.

The Central Government of the Congo has already taken certain steps in this direction, and I think it will be of interest to the members of this Committee if I reveal one of those steps.

As you are no doubt aware, the Katangese authorities have been using the facilities of the Universal Postal Union by taking advantage of their own printed stamps on the envelopes, which is, of course, illegal, and I am sure you will agree with me that no part of a country, no province of a country, no state of a country, can print its own postage stamps and use them for universal transport and postings. Therefore, the Central Government of the Congo has brought this illegitimate and illegal system, which has been prevailing in Katanga for the last two years, to the attention of the Universal Postal Union, with headquarters in Berne, and requested it to put a stop to this practice. I have also endorsed this request, and I am sure that the UPU will give very favourable consideration to this request. That is one of the measures which the Central Government of the Congo has taken.

I am very grateful to the members of the Committee for the very fruitful suggestions and observations which have been presented to us. Let us only hope that our united endeavours for the achievement of the Security Council and General Assembly objectives will be realized at a very early date.

Mr. CARDOSO (Congo (Leopoldville)) (interpretation from French): I would like to say a last word before we end our meeting, and thank you all for the efforts you have undertaken to find a solution for the Congo problem. I should like to thank you most of all for the deep understanding you have shown in regard to our difficulties and for the tact with which you have approached certain projected solutions.

With regard to the designation of experts to help the Central Government, perhaps it might be difficult to find a solution if the Central Government has to make the final choice of the experts. It is my feeling that despite everything there is a fundamental disagreement between those who want the unity of the country and those who desire its balkanization, and I think that if the Central Government chose certain experts, that would be sufficient for the secessionists immediately to come out against that choice and to raise questions. Therefore,

(Mr. Cardoso,
Congo (Leopoldville))

I would like you to keep this possibility in mind in the choice of the experts who are to help the Central Government.

The Acting SECRETARY-GENERAL: I thank you very much for this useful advice; I shall certainly keep it in mind.

The meeting rose at 5.5 p.m.

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CORRIGENDUM

United Nations Advisory Committee on the Congo

Verbatim Record of meeting No. 69, held on Tuesday,
31 July 1962, at 3 p.m.

Mr. Asiodu, Nigeria

Page 16

Delete first paragraph and substitute:

"It is very important to end the secession of Katanga, not only because the diversion of revenues which legitimately belong to the Central Government to the coffers of the Central Government would help to reduce the deficit, but because we also realize that, to some extent, the crippling expenditures of the Central Government in maintaining such large security forces may be expected to fall or be reduced if the Katanga situation is resolved."

Page 16, third paragraph, second line

For "It is now fairly clear ..." read "It is now fairly current ..."

Page 17, third paragraph

Delete third sentence and substitute:

"We think that new military measures are not called for and would be highly undesirable."

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CONFIDENTIAL

Meeting No. 69
31 July 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Tuesday, 31 July 1962, at 3 p.m.

In the Chair:

U THANT

The Acting SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. WIJEGONAWARDENA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. HAMID

Ghana

Mr. QUAISON-SACKY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. RONODIPURO

Ireland

Mr. O'SULLIVAN

Liberia

Mr. BARNES

Mali

Mr. TRAORE

Morocco

Mr. BENHIMA

Nigeria

Mr. ASIODU

Pakistan

Mr. Muhammad Zafrulla KHAN

Senegal

Mr. CISS

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. MESTIRI

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. CARDOSO

The Acting SECRETARY-GENERAL: At our last meeting we raised certain issues. It was decided to take up these issues at this meeting since many delegations expressed their desire to refer to their respective Governments for instructions. Therefore, I do not think it will be necessary for me to make any introductory remarks and the floor is open to you. I shall be very glad if members of the Committee can come up with concrete observations on the issues raised at our last meeting.

Mr. CISS (Senegal)(interpretation from French): Mr. Secretary-General, I think that since our meeting last Tuesday the situation in the Congo has evolved to a certain extent. You, yourself, have indicated that this evolution has taken place. I think it would be good for the Advisory Committee on the Congo to hear your comments on the proposals formulated by the Prime Minister of the Congo, and what you yourself think about these proposals. This is the question I should like to ask you and I would be grateful if you would answer it.

The Acting SECRETARY-GENERAL: As you probably are aware I received a communication from the Foreign Minister of the Central Government of the Congo requesting me to think of giving to the Central Government, in the form of technical assistance, some three or four constitutional lawyers or jurists or constitutional advisors to advise the Central Government on the formulation of a new constitution for the Congo, which the Central Government has already drafted. In his request mention was made that the Central Government would be very happy if an African jurist or a constitutional expert could be included. I have given very serious thought to this and actually I am in contact with some Member States with the view to responding to the request of the Central Government. Only yesterday morning I asked Prime Minister Adoula if he would be agreeable to receive three constitutional experts: one from Nigeria, one from Switzerland and one from Canada, because in the request of the Central Government there was one condition to the effect that these constitutional experts should be conversant with the working of a federal constitution. These three countries which I have in mind, of course, as you all know, have federal constitutions. I feel that constitutional experts from these countries will be able to contribute materially

(Acting Secretary-General)

to the success of the endeavours now being made by the Central Government. Of course, the procedure is that these United Nations experts on constitutional law will go to Leopoldville. They will examine the draft which has been prepared by the Central Congolese Government. If the recommendation is acceptable to the Central Government it is my understanding that Prime Minister Adoula will present this to the Parliament for ratification.

That is the latest situation.

Mr. TRAORE (Mali)(interpretation from French): Mr. Secretary-General, my delegation has full confidence in all the initiatives which you took in applying the resolutions of the United Nations on the Congo. My delegation maintains this confidence to this day.

The situation in the Congo is changing with extreme rapidity. Hence, it deserves to be followed and studied from day to day. Hence, one is tempted to get a review of the situation either through a meeting of the Security Council or through a meeting of the General Assembly, and above all in the light of the results of your mission to Europe. My delegation deplores the rather unfavourable results of your mission. But we know how much courage you showed in pushing your endeavours there. However, in order to make a deeper examination of the present situation in the Congo, and particularly in Katanga, we do not think it would be opportune at the present moment to call a meeting of the Security Council in order to obtain a new mandate, although the contents of this new mandate has to be indicated quite clearly in order to liquidate the Katanga secession in a radical way. A meeting of the Security Council perhaps would only exhort you, Mr. Secretary-General, to continue to apply the preceding resolutions adopted by the Security Council and by the General Assembly. Hence, in this light we are in general in favour of a Security Council meeting, but this does not seem to be a particular argument in favour of it if the results were less favourable, because as you said the last time, that would be a victory for Tshombe and for those who support him, namely, the Union Minière and certain other elements. That we cannot accept. That is why we do not think we can recommend to you at the present time to call a meeting of the Security Council. We do, however, favour debate on the Congo, but we prefer this debate to take place in the General Assembly of the United Nations, perhaps at its seventeenth session.

(Mr. Traore, Mali)

We think that the preceding resolutions, particularly those of 21 February and of November, should be entirely applied; that would be adequate for you to continue your work on the Congo.

As to the sending of jurists to the Congo, this is a rather delicate question and has to be studied in more detail since this is a matter of changing the Loi fondamentale of the Congo; that is a problem which is up to the Congolese themselves and up to the National Assembly of the Congo.

This deserves a more careful study, and should be perhaps a bilateral step rather than a multilateral one. I have some concern as to whether United Nations participation is merited. You, Mr. Secretary-General, have indicated there was a further choice of jurists, mainly from Anglo-Saxon countries. You have suggested Canada, Nigeria and Switzerland, but perhaps we should add a person who has some understanding of Latin or Roman law. I do not put this forward as a suggestion, it is only an idea which I am putting forward.

Mr. QUAILSON-SACKY (Ghana): There is no doubt, Mr. Secretary-General, that the information which you have just given us regarding the proposals put to you by Mr. Adoula regarding the Constitution of the Congo has put a new complexion on the issue which we discussed last week. Then your main preoccupation was whether this Committee could advise you on the advisability of a meeting of the Security Council, at which you could be given either a new mandate or a clarification of your present mandate. At that time, we gave our preliminary views on the adviability of a meeting of the Security Council being convened, and we made it very clear that so far as the Government of Ghana was concerned, a meeting of the Security Council would be useful in so far as you could give that Council a report and also a report on the steps which had been taken to implement the resolutions passed by the Security Council and by the General Assembly. We also made it clear that so far as we were concerned, there was no clarification that the Security Council could then give. I could not then tell you whether, if it came to the use of force, my Government would agree to our forces being used. I am now authorized to say that should you, within the context of your proposals, have to use force, then Ghana troops could be used for the purpose of bringing about the territorial integrity of the Congo and the maintenance of law and order, provided, of course, there was proper logistic support so that the incidents which occurred in Port Francqui, when about fifty Ghanaians were butchered, would not be repeated.

It has always been the view of the Government of Ghana that Mr. Tshombe would never acquiesce in any solution of the problem which subordinated Katanga in its legal provincial status to the central government, unless he was compelled to do so. Mr. Adoula's new constitutional proposals, therefore, must be weighed very carefully. We agree they are an earnest of his good faith and sincere willingness to achieve a solution, but Mr. Tshombe's bad faith has been so clearly and repeatedly demonstrated that it would be unthinkable to defer further United Nations efforts to secure a solution simply because of this new development.

I am afraid we are not in a position to comment in detail on the steps which you have already taken. In fact, you have told us you have already considered appointing jurists from Nigeria, Canada and Switzerland. My delegation is of the view that you are within your rights so far as the provision of technical assistance is concerned, to help the Central Government in any way possible for the purpose of bringing about the achievement of territorial integrity. But we feel that this matter should be approached very carefully. Technical assistance can be given in two ways. If we are going to provide the jurists, then I would assume that the United Nations would pay those jurists. From that point of view, there is nothing to which my delegation could object. We feel that technical assistance in this context is all right. But the implication of the United Nations itself employing certain jurists to advise the Central Government on the construction of the Constitution is what must be weighed very carefully. We feel that it would have been better if the Secretary-General had indicated to the central Government which countries could be approached for such expertise--- Nigeria, definitely, Canada, as you mentioned, Switzerland, any other countries. The United Nations could then pay those jurists. That is to say, the initiative for appointing them would then rest with the central Government.

I say this because if the Constitution was drawn up with United Nations help, with United Nations appointed jurists helping in this effort, and Parliament turned it down or Tshombeshowed bad faith, the United Nations would be discredited, and we would be in a very bad position. Matters would be complicated further. Therefore, if you have not already taken steps, my delegation would prefer that you did not appoint those experts, but definitely advise the Prime Minister of the Congo to approach the countries you have in mind to supply the experts concerned. The United Nations, by means of the Technical Assistance Programme, would pay for it. This would obviate the great difficulty which would be bound to come one day if the bad faith which has been shown again and again by Tshombe was once more shown.

Lastly, my delegation would fully support the steps you outlined to us last week with regard to the economic pressures which could be brought to bear upon the Union Minière, namely, the possibility of having the funds now paid to Tshombe frozen in Brussels and that imports should be routed through Matadi instead of through Angola and the Rhodesias, and, thirdly, that the United Nations would give guarantees of protection to the installations which are now in Katanga.

These are the views which I would put forward in a preliminary way, but we still insist that the Secretariat should be very careful not to involve the United Nations in this constitutional issue which has always bedeviled the situation in the Congo.

Mrs. ROSSELL (Sweden): On behalf of the Swedish Government, I would like to express our sincere appreciation for the patient work which you, Mr. Secretary-General, Mr. Gardiner, and the other members of your staff have done in endeavouring to settle the political and economic questions of the Congo through negotiation. It is, of course, to be regretted very much that the talks between Prime Minister Adoula and Mr. Tshombe were broken off when some results seemed to be under way.

The information just given by you about the plan which foresees United Nations assistance in the drafting of a new constitution for the Congo may give us reason to look upon the situation a little more hopefully than last week. My Government and the Swedish people, as you well know, take a very great interest in the Congo problem and they are anxious to see it solved as soon as possible, but solved in a constructive and peaceful way, that is, along the lines on which you and your staff have worked during the past months.

(Mrs. Rössel, Sweden)

At the last meeting of this Committee, you raised some important questions regarding our opinion as to various actions which you outlined as possible means of putting pressure on the Tshombe regime in order to bring about the solution of the Congo problem. Since then I have had time to communicate with my Government and I am now in a position to convey my Government's point of view concerning the United Nations aims in the Congo, as laid down in the various resolutions of the Security Council and the General Assembly. They have already been presented to you, Mr. Secretary-General, but with your permission, I should like to repeat them and thus put them on record in this Committee.

The principal aim of the United Nations operation in the Congo has been, and continues to be, to contribute, in co-operation with the Congolese authorities, to the maintenance of law and order and to the establishment of such political and economic conditions as must prevail if the Congolese people themselves are to solve their constitutional, administrative and economic problems. One principle which applies to all United Nations activities in the Congo is that the World Organization must not become a party to internal conflicts and that it cannot be the task of the Organization to impose upon the Congolese people specific solutions of their problems with regard to such things as the nature of their governmental system or the relationship between the Central Government and the Provincial Governments, within the framework of the unity of the Congo. Military forces must not be used for such tasks. Instead, they should rather perform the duties of a police force and, beyond that, serve the purpose by their presence of inducing the different groups in the Congo to reach agreement by means of negotiations.

The Swedish Government holds this basic view of the aims of the United Nations in the Congo and has given practical expression to its positive attitude by complying with the various requests which were made for Swedish personnel to be engaged in the service of the United Nations and for materiel of different kinds to be put at the disposal of the United Nations in the Congo. The Swedish Government wishes to stress that the continued observance of the principles indicated above is the basis for Sweden's participation in the United Nations operation in the Congo.

(Mrs. Rössel, Sweden)

With regard to the question as to whether the Security Council should be convened to discuss the Congo situation at this stage, I should like to emphasize that my Government has strong reservations about the advisability of calling such a meeting. It is our feeling that a meeting of the Security Council could easily result in an increased tendency to seek military solutions which would alter the basis for the United Nations action in the Congo and deprive ONUC of its impartial position. In our judgement, the most acute questions now are the financing of ONUC, the weighing of civilian against military measures and the economic, rather than the political, integration of the Congo.

I should like to stress again that the Swedish Government fully supports the peaceful procedure which you, Mr. Secretary-General, have followed in your endeavour to bring about a solution. It is my Government's sincere hope that your work and that of your collaborators in solving the complex Congo problem will meet with success in the near future.

Mr. GERRY-EGZY (Ethiopia): Because I have not yet received instructions from my Government, I have no detailed statement to make at this time. I am, however, in touch with them and as soon as I can, I shall attempt to answer every question which was put to us at the last session. If possible, I shall do so in this Committee; otherwise, I shall come to your office, Mr. Secretary-General, and present my views to you there.

Mr. ASIODU (Nigeria): I shall address myself first of all to the immediate issues which were put before us at our last meeting and to the questions on which you, Mr. Secretary-General, asked our opinions.

On the question of calling a Security Council session, I am instructed to say that we do not consider it opportune. If a meeting of the Security Council is called in order to obtain clearer instructions than we presently have, it might easily result in acrimonious and inconclusive debate, as was suggested by other delegations here, which would in no way help in resolving the situation in the Congo. Furthermore, we believe that the existing mandate is adequate. On the other hand, if the purpose of calling a session of the Security Council is to acquaint the members of the Council with what has transpired so far, we feel that the latest developments in the Congo provide a sufficient reason for the issuance of the usual type of report to those members. All of us are well aware that once

(Mr. Asiodu, Nigeria)

a meeting of the Council is called, it will not be very easy to limit the debate or to compel members to listen to a factual report on what has happened thus far in the Congo.

The second issue which was raised concerned the measures which the Secretary-General described for putting economic pressure on Mr. Tshombe and his Government in order to convince them to work towards the reintegration of Katanga into the Congo. The Nigerian Government is fully in favour of the measures which were outlined. We are also aware that such action would involve the protection of the installations of the Union Minière from reprisals and acts of sabotage by those who might not welcome any change in their present policies. However, we hope that if international opinion continues to evolve positively in the direction of pressure on Mr. Tshombe, it will not be necessary to undertake any military offensive or in any way to involve the United Nations in any provocative military gestures in order to ensure the security of those installations. We feel that the avoidance of such provocative behaviour is very important not only because of the realities of the situation and the troops which are at our disposal in Katanga but also because it is traditional for this Organization to resist any temptation to become exasperated with Mr. Tshombe's behaviour and to assume provocative military postures on the part of ONUC troops. The Nigerian Government has always supported the efforts of ONUC fully and will continue to do so.

Thus, if we continue in the direction in which we have been working, namely, seeking support among those of us who are already convinced of the justice of our action thus far and who have provided initiative in obtaining good resolutions for the Congo, and also gain the support of those who can exercise decisive influence, we believe that a more satisfactory solution will be achieved. We should not like to have the United Nations justly accused of any military initiative in the matter.

(Mr. Asiedu, Nigeria)

It is very important to end the secession of Katanga, not only because of the diversion of revenues which legitimately belonged to the Central Government, or because the coffers of the Central Government would have to reduce the deficit, but because we also realize, to some extent, the crippling expenditures of the Central Government in maintaining such large security forces may be expected to fall, to be reduced, if the Katanga situation is resolved.

This is another reason why we think that, despite the elements which might appear now in the situation, you should continue with your efforts to see that Mr. Tshombe and his supporters really see the need to co-operate in the spirit of the resolutions we have adopted, so as to ensure the territorial integrity of the Congo.

Now, however, there is a larger issue to which I would like to refer, having given the answers to the immediate questions. It is now fairly clear that the problem of the Congo is really only the question of Katanga. The Nigerian Government considers that there are other aspects to which we must begin to address ourselves with equal attention. In fact, it is pleasing to read of the new proposals, by the Central Government, and the apparent willingness of Mr. Tshombe to accept these proposals in principle; because the mandate of the United Nations in the Congo naturally talks about ensuring the territorial integrity of that Republic, in addition to talking about ensuring that assistance be given in sufficient degree to the Central Government so that as soon as possible they can take over the proper government of their own affairs.

This involves training of troops, training of personnel, and so forth. We do not think that sufficient emphasis or resources are being devoted to this important aspect, because, if we must be frank, we have heard it said so often that even with the maximum we expect from the sale of United Nations bonds, perhaps the United Nations operations in the Congo on the present scale cannot last beyond December 1962. But it is imperative that, when the United Nations withdraws, it does not leave behind a situation of chaos and confusion. It is because of this that we think more should be done to ensure that sufficient Congolese will be left after the United Nations has withdrawn, so that they can carry out the government of their territory in keeping with the mandate. This is the full intention of the United Nations presence in the Congo; and we think it is not too soon to emphasize this aspect.

(Mr. Asiodu, Nigeria)

I listened with great interest to the answer which Mr. Gardiner gave at the last meeting to the question put by the representative of India. Certainly, the picture we got there of the ANC was not reassuring; and this is just one illustration of what I have been talking about.

We believe also that, although this is perhaps looking ahead, since we have not unlimited resources, and since the contributions of many Governments represent quite a burden on those Governments, the United Nations should begin to think about working out a practicable time-table for its withdrawal from the Congo. This involves speeding up these measures we have been talking about to train the Congolese to look after their own affairs; because essentially we are there to assist them precisely to do this.

Finally, I think I must repeat what I had said about the immediate questions which were put to us. We think you must pursue energetically the economic measures which have been proposed. We think that new military initiatives are called for and would be highly desirable. But of course we acknowledge the right of self-defence, and everything must be done to protect the Union Minière installations against reprisals if, in fact, that company and its supporters are willing to co-operate with you in order to end the cessation of Katanga.

Lastly, we think the Security Council need not be called, because the results would be far from useful and might possibly be harmful. If it is to acquaint the members with the factual report, the normal reports which were circulated to them should suffice for the moment.

The Acting SECRETARY-GENERAL: Before I give the floor to the representative of India, I would like to extend a warm welcome to our new colleague, Ambassador Chakravarty, who has been appointed to this post as Permanent Ambassador to the United Nations. I am sure all my colleagues here will share these sentiments; and we all wish Ambassador Chakravarty success and happiness.

Mr. CHAKRAVARTY (India): I must first thank you for the kind words you have said in welcoming me to this meeting today. It is indeed, I consider, a great privilege to be a member of this Committee.

Coming now to the subject for our discussion, we have before us something which has been circulated by the Republic of the Congo, which contains a copy of the letter which has been received by you from the Congolese Foreign Minister, from which we learn that they have already drafted a tentative proposal for the Constitution that could serve as a basis for discussion. It is not very clear from this first hand-out whether, when the Foreign Minister said that we have already drafted a tentative proposal, that that proposal has been made in consultation with Mr. Tshombe. If the chances of such a Constitution being accepted by Mr. Tshombe are reasonable, I presume that you then will not think it necessary to take this case back to the Security Council for a debate. There is also not much point in taking the case to the Security Council unless we can think of some acceptable proposal which could be put before that body.

In view of this new development, I venture to suggest that the situation that was discussed at Tuesday's meeting has changed, let us hope, very much for the better. In that event, we do not think that a further mandate or a reference to the Security Council is called for immediately. If and when you find that these tentative proposals have no chance of being accepted by both parties -- and I am using the word "parties" in the loose sense -- then only can the question be further considered. It is only then that we need go into the specific questions that were put by you at the last occasion.

I need only say that, in so far as the Government of India is concerned, there should be no difficulty in the United Nations utilizing our contingent for the purposes laid down in the Security Council resolutions.

Mr. DIALLO (Guinea) (interpretation from French): During the last meeting of the Advisory Committee I had an opportunity to indicate the feelings of the Guinean delegation after your statement and the statement of your Special Representative in the Congo. I once again express to you now, Mr. Secretary-General, the confidence which my Government has in your ability to find a happy and successful conclusion to the Congolese crisis.

I speak again today to indicate the Guinean point of view on the precise question which you raised here in this Committee. As to the meeting of the Security Council, we said the last time and confirmed today that we have no objection in principle to a meeting. Nevertheless, we feel that the mandate of the Secretary-General is quite adequate, whether it is derived from a Security Council resolution or a resolution of the General Assembly.

However, Mr. Secretary-General, we base ourselves on your own statement, namely, that the great Powers did not agree on the programme which you submitted to them. As far as its effectiveness is concerned, it seems rather inopportune to have a meeting of the Security Council now since if the results are negative it would make the situation worse.

Although we do feel that there are some doubts as to the effectiveness of a Security Council meeting, we feel, on the other hand, that this question, whatever the issue may be, should be placed on the agenda of the next session of the General Assembly. And on precisely this point I should like to know if the Secretariat could provide for the inscription of this item. If the Secretariat cannot do so, I am sure that the African and Asian delegations, and certainly mine, are willing and ready to ensure that this item be included on the agenda of the seventeenth session of the General Assembly, the item called "The situation in the Congo".

We do hope, however, that before this session opens the question will be solved and it will simply be a matter then of summarizing or indicating that a happy solution to the Congolese crisis has been found. However, if this is not the case, and if the Powers which from the beginning agreed to create chaos in the Congo continue their policies, it will be up to us and every delegation here to assume its responsibilities and denounce the manoeuvres which have been taking place in the Congo in opposition to all the interests of the African countries.

(Mr. Diallo, Guinea)

I now turn to the next question which you raised, Mr. Secretary-General, the various ways of exercising economic pressure against Katanga, which is the heart of the Congo crisis. The Government of Guinea entirely approves your proposals, although we feel that there are forms of pressure which are more effective. Hence, we completely support your proposals in the economic realm, but we think that you also have at your disposal -- and no mandate is needed for this either on the part of the Security Council or the General Assembly -- the possibility of exercising military pressure.

I shall explain this. We have numerous military forces in the Congo at the present time. Everyone recognizes that all of the Congo is quiet except for Katanga. Why are troops maintained in the other provinces of the Congo? You mentioned financial difficulties. It is certain that we could reduce contingents as presently placed in the Congo and integrate all of the forces, including the general staff, in Katanga. There is no reason why the Commander-in-Chief of the troops should be in Leopoldville. There is no reason why the troops should not move to Elisabethville, thus leaving it up to the Central Government of the Congo to maintain order and security in the rest of the country.

This offers a possibility of exercising pressure without using force. All of the troops at the disposal of the United Nations should be concentrated in Katanga, with your Special Representative sitting in Elisabethville. We think this would be the most important pressure of all. It would reduce the financial effort and also the effort which the United Nations is exercising in the form of personnel, and it would yield most satisfactory results.

Mr. Secretary-General, you mentioned the problem of the appointment of jurists to give technical assistance to the Central Government of the Congo in the drafting of a new constitution. Here our position is very clear. We believe that the drafting of a constitution is so intimately linked with the sovereignty of the people of a country it is a field in which technical assistance has to be as discreet as possible, almost to the extent, we would say,

(Mr. Diallo, Guinea)

of being entirely excluded. However, the situation being what it is, we do support the Central Government of the Congo if it feels that in a field as delicate as this it is necessary to appeal for technical assistance.

If that is the case, we would say that the Secretariat of the United Nations should exercise maximum discretion and should ensure that the decisions are not United Nations decisions and not decisions of the Secretary-General, but decisions of the Government of the Congo itself.

For this reason, I support the thesis advocated by my friend from Ghana a moment ago. I think that the best thing the Secretary-General could do would be to submit a list of possible candidates to the Central Government of the Congo, leaving it up to the latter to choose both the country and the man.

These are the few points which I wanted to mention in the name of the Government of the Republic of Guinea.

Mr. CARDOSO (Congo, Leopoldville) (interpretation from French): I listened with great attention to the statements which were made by my colleagues. It permitted me to acquire a better understanding of the atmosphere here.

In the first place, I must state that there is a new element which has emerged in the past few days, and that is the proposal concerning a federal constitution. The situation naturally changes; it has been changing for two years. But there are constant elements involved.

Paradoxically, and unfortunately, the most constant element in the situation is the instability of Tshombe. We have come to a point where the Central Government proposes and yet Tshombe disposes. He has the time and the money, and he is in a position to keep his word or not to keep it. In any case, he seems to have achieved impunity.

Without a desire to form an indivisible nation, all constitutions will remain without effect. The desire to have an indivisible nation will not be found in Tshombe. The mediation of legal experts and functionaries of the United Nations, such as Mr. Gardiner, will also suffer a defeat. This is quite probable because we have had our hopes shattered too often.

(Mr. Cardoso, Congo (Leopoldville))

The Congo crisis can be considered a constitutional crisis, and I think that the proposal of the Government is an effort in the direction of creating a constitution which will be acceptable to the Parliament. But we must say that this crisis is also a crisis of authority. Among the 137 deputies and 84 senators, the representatives of Tshombe could vote against the best constitution in the world, and the situation would remain the same. That is why, Mr. Secretary-General and fellow members, I bring to your attention the statement which my Government instructed me to make at this meeting. This statement consists of six points. I will read them to you.

In the first place, I think that in previous meetings there were proposals which tended towards mediation on the part of African chiefs of state. My Government feels that this attempt at mediation does not yield any new elements for a solution. Mediation has been conducted very conscientiously for more than a year by officials of the United Nations and by Mr. Gardiner personally as the champion of the Congolese Constitution. A new mediation effort would only postpone a solution. Mediation is impossible when Tshombe does not abandon the idea of independence for the Katanga Province. Mediation on the part of the United Nations has been conducted on all fronts, we must stress, with economic and financial experts, and others. All questions have been discussed. Tshombe is merely trying to gain time to maintain the state of secession. There is no sincere desire in Elisabethville to establish the unity of the Congo. The Advisory Committee must take into consideration that the idea of mediation is supported only by persons who have for two years been maintaining and supporting secession. It has also been advanced by conservative Belgian and English newspapers that support foreign influences in Katanga. British circles insist on mediation in order to gain time and to exhaust the United Nations in the Congo.

The Government of the Congo cannot make concessions in regard to the territorial integrity of the Congo. The Government of the Congo knows about the influence of foreign Powers which is at the root of the trouble and continues to sabotage Congolese unity. Therefore the positions are irreconcilable and mediation between the Central Government and Tshombe cannot bring any results.

The maintenance of the suspension of the fundamental law is not a question of a central government or of provincial governments. The population and the Parliament must be heard in this situation. The Central Government supports the Parliament in the elaboration of a new constitution of a federal type. For such a

(Mr. Cardoso, Congo (Leopoldville))

constitution only Parliament has the necessary competence.

The Government of the Congo does not believe in the effectiveness of mere economic measures, and calls for the full application of the resolutions of the Security Council in regard to the Congo. Only the complete and faithful implementation of the resolutions will be a guarantee of the territorial integrity of the country.

This is the statement, Mr. Secretary-General and my fellow members, which I was authorized to make at this meeting by the Central Government of the Congo. I hope that this statement will be taken sufficiently into account by you to give direction to the discussion in order to achieve positive results which will not postpone the solution of the crisis.

Mr. RIAD (United Arab Republic): I should like to join my colleagues in thanking you, Mr. Secretary-General, for the information that you have presented to the Committee after your return from Europe. I was hoping that the Secretary-General would be informed during his visit to certain Western Powers that these Powers would implement the United Nations resolutions. But we have been informed by the Secretary-General that the Belgian Government did not officially answer the economic proposals of the Secretary-General, while others refused these mild and modest proposals. I say "mild and modest proposals" because I have certain doubts that such proposals will lead to a final settlement in the Congo. But at any rate it is a forward step in the right direction, and my delegation fully supports these economic proposals.

We are now facing the fact that certain Western Powers, some of them permanent members of the Security Council, are refusing to implement the resolutions of the United Nations. For this reason I believe that any attempt to strengthen the Secretary-General's mandate will fail in the Security Council at this time. But we still have some hope that the Belgian Government and other Western Powers will reconsider their position, and that is why my delegation is not encouraging a Security Council meeting at this stage. At the moment we feel that if all other efforts are exhausted without producing any results, then we must go to the Security Council and maybe to the General Assembly as well if we find that this is suitable.

(Mr. Riad, United Arab Republic)

This question of sending legal advisers is a very delicate question. I hope that these legal advisers will not be described as United Nations representatives. The reason is that United Nations resolutions are clear enough in requesting the full unification of the Congo and respect for the Loi fondamentale, and any new constitution means major changes to the Loi fondamentale. Since the United Nations representatives are supposed to seek only the implementation of United Nations resolutions, they should not commit the United Nations to such action as is highly political and not merely legal. Of course, we have no doubt that the Central Government of the Congo has a perfect right to make any change in its system of government or in the fundamental law. Therefore, I hope that these legal advisers who may go to the Congo will not be described as United Nations representatives.

Mr. MESTIRI (Tunisia) (interpretation from French): The Tunisian delegation was very grateful to you, Mr. Secretary-General, for the valuable information which you were good enough to communicate to us at the last meeting of the Advisory Committee, on the evolution of the crisis in the Congo. We are equally grateful to Mr. Gardiner for the clarifications which he furnished additionally.

It is not my intention today to review all the matters which you mentioned at that meeting; I wish rather to concentrate my remarks on certain points which I wish to clarify. First of all I want to say that the Tunisian Government feels that the mandate provided in the various Security Council resolutions is already adequate to enable ONUC to function effectively in the solution of the problem of the unity of the Congo. To be sure, this mandate is in some respects vague and, as you yourself have already emphasized, even self-contradictory but it is nonetheless true that the margin it allows for manoeuvring should be adequate. A resolution of the Security Council under the present conditions would, in the opinion of my Government, probably add nothing to this mandate; it could, on the contrary, give to certain countries whose interest is clearly to limit ONUC's scope of action, the opportunity to interpret this mandate in a restrictive manner which could only make the task of the Secretary-General more difficult. Furthermore, a meeting of the Security Council which did not result in an extension or expansion of the already-existing mandate would be a disappointment not only to public opinion in the Congo but also to African public opinion in general, and in any case would serve to encourage Mr. Tshombe in his activities.

For these reasons we are not at the present moment particularly in favour of a meeting of the Security Council the outcome of which is difficult to foretell. Only if you have the assurances from the Security Council members, and particularly from the permanent members, that such a meeting of the Security Council would result in a strengthening of the mandate recently given you -- only then would we advocate such a meeting.

While we are discussing the matter of the United Nations mandate, there can be no doubt that the task laid down by the Security Council for ONUC can be pursued under that mandate at least in one aspect, the matter of the mercenaries, especially if we bear in mind the fact that these mercenaries serve to endanger any final solution of the problem of Congolese unity. The fact that

(Mr. Mestiri, Tunisia)

these mercenaries are more or less integrated into the civilian European population should not, in any case, prevent the United Nations from undertaking action against them, because it would be very difficult to continue to allow hundreds of mercenaries to remain while at the same time wishing to solve the problem resulting from the existence of a particularly powerful Katangese gendarmerie. Mr. Gardiner has, in fact, told us that the Katangese have not stopped strengthening their gendarmerie, and that ONUC is continuing to work on this difficult task. It is certain that the mercenaries play an important part in this veritable army which is at the service of the Government of Katanga in imposing a solution in accord with the secessionist aims of Mr. Tshombe.

With regard to the use of United Nations troops in situations which could ultimately lead to combat, it is very difficult to believe that the Governments which have supplied contingents would refuse to allow these contingents to be used within the terms of the United Nations mandate. I do not believe that the countries which were willing to send military contingents to the Congo did so on the condition that these contingents should not be utilized in carrying out the United Nations mandate.

As to the matter of economic pressures to be applied on Mr. Tshombe, my delegation shares the regret of the Secretary-General over the lack of co-operation on the part of certain Governments in applying such pressures. Still we do have some doubt as to whether any effective economic pressure could be exerted if the Governments of the territories surrounding Katanga are not working with us -- and it is very difficult to imagine the Governments of Rhodesia, South Africa and Portugal, all neighbours and friends of Mr. Tshombe, not giving him all the assistance they can in order to save him, thereby proving that Katanga can make a go of it even in spite of an international blockade which, in the final analysis, can be but a partial blockade.

Finally, as to the latest developments involving modification of the Constitution of the Congo, let us hope that we are not once more going to see more of the dilatory tactics of Mr. Tshombe, and that this is not simply another effort on his part to gain valuable time.

(Mr. Mestiri, Tunisia)

To summarize, it is our opinion, first, that it would not be wise to call a meeting of the Security Council unless assurances have been given that such a meeting will have a favourable outcome; second, that all the troops sent to the Congo were sent within the framework of the resolution of the Security Council, and that therefore there is no occasion for saying whether or not these troops should be used to carry out that mandate; third, that the fight to get the mercenaries out should be continued; and last, that everything must be done in order to keep from falling once again into the trap of Mr. Tshombe's delaying tactics.

Mr. BARNES (Liberia): At our meeting on 24 July a very grim picture of the situation in the Congo was painted for us here. Talks between Mr. Adoula and Mr. Tshombe had broken off. No progress towards reconciliation was seen. The Katangese authorities and people, as a result of the incident of 17 July, were showing continued hostility to the United Nations. The Secretary-General's negotiations with certain Governments to secure economic pressures on Katanga had not achieved the desired result. For all these reasons the Secretary-General had sought the advice of this Committee on the desirability of going to the Security Council to secure a new mandate or to get clarification on the mandates already issued by the Security Council in regard to the Congo.

At that meeting I endeavoured to make clear the position of my Government with respect to a meeting of the Security Council. I pointed out that in our view it was not desirable to go to the Security Council to get a new mandate or clarification of the already-existing mandates, for such a debate would merely be productive of prolixity without any positive action and the end-result would be harmful rather than advantageous. We also held the view that if the purpose of the Secretary-General's going to the Security Council was to report on the situation then prevailing, we saw no objection to that. Our position in that respect remains unchanged.

Now, it cannot be denied that a new complexion has been placed upon the Congo situation as a result of recent developments. You, Mr. Secretary-General have reported to us today that the Congolese Government has requested your assistance, with regard to a new constitution, by recommending experts to elaborate such a constitution. I fully endorse your position in seeking to secure these experts from Nigeria, Switzerland and Canada and I say that, because since 1960 the operations in the Congo, both military and technical, have been under the auspices of the United Nations, and while I have no objections to the Congolese Government itself securing technical assistance, yet if an appeal or request is made to you by the Congolese Government for this purpose, I see no reason why you ought not to acquiesce in it.

(Mr. Barnes, Liberia)

Now whatever constitution may be elaborated by experts or jurists will only be the constitution of the Congo after it has been ratified by the Parliament; and the ratification by the Parliament will provide an opportunity for the people of the Congo to say whether that constitution is to their best interests. So that if the constitution is elaborated by experts appointed by you, Mr. Secretary-General, or by the Congolese Government, it makes no difference. I therefore endorse your position and I see no reason why you should not proceed in seeking to secure these experts in the areas you desire.

At the meeting on the 24th, I think I also said that you had laid your finger on one of the root causes of the situation in the Congo, namely the economic situation, and that you should pursue these efforts in your consultations and negotiations with governments to bring these economic pressures on Katanga. At that time you said, Mr. Secretary-General, if I am correct, that you had not received any reaction from Belgium as to your approach in this matter. I am not aware what the precise situation is with regard to Belgium's reaction. I would be thankful if you could inform me whether the Belgian Government has made any response to your request in this connection..

The Acting SECRETARY-GENERAL: Before calling on the Ambassador from Canada, I wish to extend a very warm welcome to our new colleague, Mr. Tremblay, who is with us today for the first time. I am sure all the members of the Committee share my sentiments in wishing him success.

Mr. TREMBLAY (Canada): Mr. Secretary-General, it is a very great honour indeed for me to join this group and participate in its work. My very first remarks in this Committee are directed at expressing my Government's support and appreciation for your current efforts to reach a negotiated settlement of the Congo problem. We recognize, as you do, the very serious financial situation faced by the United Nations in the Congo and we believe that Tshombe's delaying tactics should not be allowed to continue.

With regard to the first point that you raised at the last meeting, Mr. Secretary-General -- that is, whether a new mandate or a clarification of the present mandate be sought from the Security Council -- in our opinion such a move might become unavoidable at some stage. But we believe that it would be

(Mr. Tremblay, Canada)

premature to move in that direction before all possibilities of a negotiated settlement have been exhausted. No one can argue, I think, even on the basis of current press reports, that all possibilities of such a settlement have in fact been explored. As we see it, the danger of a premature reference to the Security Council is that it might well result in a stalemate that would weaken the present United Nations mandate on the Congo, thus defeating the very purpose we have in mind, or that a public debate in the Security Council at this time is very likely to result in weakening public support for the United Nations Congo operation.

You also raised at our last meeting the possibility of seeking a stronger mandate that might involve the use of force by the United Nations. On this point I wish only to say that such a course of action would place the United Nations in a most undesirable position. I submit that whatever the outcome of a United Nations military operation in the Congo might be, it would not serve the best interests of the United Nations.

No one can be certain of the outcome of the military operation. If it fails, it would constitute a blow of the first magnitude to the prestige of our Organization. If it succeeds, we should ask ourselves whether it is in the long-term interests of the Central Government that it be known that its authority over Katanga has been established thanks to an external force and imposed from the outside instead of stemming from the general consent of the Congolese people. If it half fails or if it half succeeds, it appears evident to us that the involvement of United Nations troops in hostilities would seriously damage the public image of the United Nations as a peace organization.

Our conclusion therefore is that your current efforts to effect a negotiated settlement of the Congo problem should be encouraged and supported.

Mr. O'SULLIVAN (Ireland): I would first of all like to express to you, Mr. Secretary-General, my Government's thanks for your efforts in solving the very serious problem with which we are confronted in the Congo, which is becoming more and more urgent, and I would like to assure you of the full support of our Government in reaching a settlement of this problem. I think that in facing up to this question of the Congo and Katanga, one should have in mind at all times

(Mr. O'Sullivan, Ireland)

the principles of the United Nations operation in the Congo. In this connexion I feel that I can do no better than endorse fully what has been so well said at this meeting today by the gracious representative of Sweden, which corresponds exactly with our own view of this matter.

As regards the holding of a Security Council meeting, my Government would not favour the holding of such a meeting unless a clear consensus had previously been reached between the major Powers. We feel that any Security Council discussion which revealed great-Power dissensions or failed to define the future course of the ONUC operation more clearly than the past resolutions, could only encourage Tshombe and confirm him in his recalcitrance.

My Government also believes that all possible means of exerting pressure on Tshombe should be patiently explored before any course is adopted which might result in active hostilities. Therefore, we hope, Mr. Secretary-General -- and indeed we confidently hope -- that you will continue with the negotiations which are at present being conducted with certain Powers in this connexion. We welcome the developments of the past few days and we also welcome and thank you for the action which you have already taken to encourage and promote these developments. The danger which we all see in this Committee in, as it were, adopting a course which might possibly be less firm than some of the measures which have been previously discussed, is that Mr. Tshombe, with his well-known penchant for tergiversation, might profit by the delay which constitutional discussions or negotiations would give him.

(Mr. O'Sullivan, Ireland)

In fact, at the last meeting of this Committee Mr. Gardiner stated, I believe, that Tshombe had been led to believe that if he could hold out long enough, the United Nations would eventually reach a state of complete bankruptcy. My Government feels that it is rather important that Tshombe should be disabused of any such illusion. For this reason, we would suggest to you, sir, and to the other members of this Committee that the Members of the United Nations should be prepared to consider special financial measures to ensure the continuance of the ONUC operation, whatever the sacrifices involved. This is the idea I should like to leave with you.

The Acting SECRETARY-GENERAL: As there are no further speakers, I should like to wind up the proceedings in a few words.

It seems to me that there is a consensus of opinion in this Committee that at the present moment there should be no Security Council meeting. I will take particular note of this.

Some members of the Committee have expressed the view that the item on the Congo should be inscribed in the agenda of the seventeenth session of the General Assembly. The provisional agenda of the seventeenth session is already out now, so if an additional item is considered to be necessary for inscription, I would request that a Member State of the United Nations should take the initiative.

Regarding the query posed by the representative of Liberia on the reply from Belgium, so far, up to this moment, I have not received any official reply from the Belgian Government. But I have been informed that very close consultations have been going on between the Belgian Government and a few other Governments directly involved in the problem of the Congo in the last three or four days, and I understand that discussions are still going on. I expect to hear further on this subject in the course of the next day or two.

Regarding the question of constitutional experts, a Parliamentary Committee of the Congo has been working on a draft constitution for some time, actually as a result of the Kitona declaration. This Parliamentary Committee of the Congo

(The Acting Secretary-General)

comprises, to my knowledge, many shades of political opinion in the Congo, including a representative from the Conakat Party of Mr. Tshombe. The Prime Minister's office, I understand, has also prepared a draft constitution and the Prime Minister now wants the assistance of constitutional experts to put finishing touches to it. Therefore, he has requested me to make available to him three or four constitutional experts with experience in the working of federal constitutions. That is the position.

I want to make it clear that the response to the request of the Prime Minister does not mean that the United Nations is directly involved in the framing of the constitution. What the United Nations will be involved in is the rendering of assistance by way of advice and suggestions and recommendations to the Central Government of the Congo in finalizing the draft constitution which has been drawn up by the Congolese themselves. So, of course, the participation of these constitutional experts will not necessarily reflect the views of the Secretary-General nor the views of the United Nations.

Like all other technical advice in the field of education, finance or agriculture -- and, in passing, I should like to say that we have technical experts in the Congo in other fields -- the advice to be offered by these experts to the Government of course, does not necessarily reflect the views of the Secretary-General. So with this understanding of course, I have decided to respond to the appeal of Prime Minister Adoula and, as I have indicated earlier, I have sounded out the views of the Central Government regarding the nationality of the experts I have in mind. If he has any other proposals or any counter-proposals, I will be very glad to pay heed to them. Let me repeat once again that the provision of these constitutional experts in examining the draft constitution of the Congo will not reflect the views of the Secretary-General nor of the United Nations.

Thus, regarding the Security Council, it is now clear that not a single member of the Advisory Committee is in favour of its convening. So I wish to inform you that it is my intention to submit a written report to the Security Council about the middle of August. The report in itself will not require a meeting of the Security Council, and on the basis of the suggestions just offered I am not inclined to press for one at this time.

(The Acting Secretary-General)

In the course of the discussions this afternoon, opinions have been expressed that the United Nations operations in the Congo should go on uninterrupted despite the new development of last weekend regarding the examination of the draft constitution of the Congo. I agree entirely with this view. Actually our activities in the Congo have been going on uninterrupted, and in strict conformity with the mandate given to me by the previous Security Council and General Assembly resolutions, I have been going ahead with the measures which I consider to be legitimate. Only today I have appealed to all the Member States of the United Nations to co-operate with me in giving effect to certain important aspects of the previous Security Council resolutions.

(The Acting Secretary-General)

My appeal, I understand, is on the way out to the Permanent Missions in New York and, as has been the practice in the past, we do not release such communications to the Press before these communications actually reach the hands of the addressees. Perhaps, my appeal will be in the hands of the Permanent Missions either this afternoon, this evening or tomorrow morning. It is my intention to release this appeal publicly tomorrow morning. For the information of the members of the Committee I shall take the liberty of reading out this appeal:

The situation in the Congo has been, and is now perhaps more than ever, a very serious problem for the United Nations. It is true, of course, that much constructive work has been done in the Congo since the disastrous state in which that country found itself in July 1960. Nevertheless, after more than two years of intensive effort to assist the Government of the Congo, the stability and territorial integrity of the country remain far from established, and the purposes of the United Nations in it, therefore, far from realized. This situation is particularly crucial in view of the lives, effort and money already expended and currently being expended by the United Nations and the financial crisis into which this unprecedented drain on its resources has brought the Organization.

Although there are many contributory causes to this state of affairs, there can be no doubt that the main cause is the continuing attempt at secession by the province of Katanga. Until a satisfactory and constructive solution to this issue is found, it will be very difficult for the Congolese Government to face successfully its responsibilities and problems, or for the United Nations to assist it very effectively. I assure you that no one can be more desirous than I am to see this solution brought about by peaceful means through processes of conciliation and consultation, and the United Nations continues to employ its very best endeavours to this end. Unfortunately, these endeavours so far have not produced fruitful results, and the situation becomes more and more distressing.

I therefore feel impelled to appeal to all member States to use all the influence and exert all the effort which they can bring to bear to achieve a reasonable and peaceful settlement in the Congo. I do not claim that the blame for the abortive talks in the Congo is altogether on one side. But I do assert that secession of any province is no solution for the Congo's ills, that it would serve no interests other than, possibly, those of the mining companies and certain

neighbours, and has neither historical nor ethnic justification. I strongly believe that only a unified Congo can give hope for peace and prosperity in Central Africa. In this connexion I note with satisfaction the latest proposals of Prime Minister Adoula for the drafting of a federal type constitution with the assistance of international experts.

The situation in the Congo has been aggravated and confused by an intensive and skillfully waged propaganda campaign on behalf of Katanga which has never failed to portray the situation in a false light. This campaign, having both money and ability behind it, makes it all the more important to see and portray the Congo-Katanga problem in its true perspective.

The United Nations is very much concerned with the cultivation of useful economic activity everywhere. Indeed, much of its effort in the Congo has been devoted to the protection of the personnel and property of the enterprises which are vital to the Congo's economy. But the situation becomes immensely complicated when one of these great enterprises is found involved, whether intentionally or unintentionally, in disruptive political activities which can be carried on only because of the very large sums of money available. This is a highly undesirable activity, both for the good of the Congo and of the enterprises themselves. Moreover, the overriding importance, both for Africa and for the world community, of the stability of the Congo and the conciliation of the conflicting parties in that country cannot be compared with the short-term and short-sighted interests and ambitions, both economic and political, of a relatively very small group of people. Moreover I have no doubt that, in the long run, the best safeguard for the interests of all concerned, including those I have just mentioned, is the successful establishment of stability and peace in a united Congo.

I appeal, therefore, to all member Governments to use their influence to persuade the principal parties concerned in the Congo that a peaceful solution is in their own long-term interest, as well as in the interest of the Congolese people. If such persuasion should finally prove ineffective, I would ask them to consider seriously what further measures may be taken. In this context, I have in mind economic pressure upon the Katangese authorities of a kind that will bring home to them the realities of their situation and the fact that Katanga is not a sovereign

State and is not recognized by any Government in the world as such. In the last resort and if all other efforts fail, this could justifiably go to the extent of barring all trade and financial relations. I also appeal to all Governments to do everything in their power to ensure that bad advice, false encouragement, and every form of military and non-military assistance be withheld from the authorities of the Province of Katanga. Such efforts should include all possible attempts to control the entry into Katanga of adventurers who sell their services to the Katangese Provincial authorities and whose reckless and irresponsible activities have contributed much to the worsening of the situation.

In making this appeal I wish to make it clear that the United Nations in the Congo, as in the rest of the world, is particularly anxious to preserve and strengthen the economic life of the country. This applies as much to Katanga as to the rest of the Congo. I need hardly add that this appeal is in strict conformity with the resolutions adopted by the Security Council and the General Assembly.

(The Acting Secretary-General)

This is the text of the appeal which I am sending out to all the Members of the United Nations, and this will be released to the Press tomorrow morning.

The Central Government of the Congo has already taken certain steps in this direction, and I think it will be of interest to the members of this Committee if I reveal one of those steps.

As you are no doubt aware, the Katangese authorities have been using the facilities of the Universal Postal Union by taking advantage of their own printed stamps on the envelopes, which is, of course, illegal, and I am sure you will agree with me that no part of a country, no province of a country, no state of a country, can print its own postage stamps and use them for universal transport and postings. Therefore, the Central Government of the Congo has brought this illegitimate and illegal system, which has been prevailing in Katanga for the last two years, to the attention of the Universal Postal Union, with headquarters in Berne, and requested it to put a stop to this practice. I have also endorsed this request, and I am sure that the UPU will give very favourable consideration to this request. That is one of the measures which the Central Government of the Congo has taken.

I am very grateful to the members of the Committee for the very fruitful suggestions and observations which have been presented to us. Let us only hope that our united endeavours for the achievement of the Security Council and General Assembly objectives will be realized at a very early date.

Mr. CARDOSO (Congo (Leopoldville)) (interpretation from French): I would like to say a last word before we end our meeting, and thank you all for the efforts you have undertaken to find a solution for the Congo problem. I should like to thank you most of all for the deep understanding you have shown in regard to our difficulties and for the tact with which you have approached certain projected solutions.

With regard to the designation of experts to help the Central Government, perhaps it might be difficult to find a solution if the Central Government has to make the final choice of the experts. It is my feeling that despite everything there is a fundamental disagreement between those who want the unity of the country and those who desire its balkanization, and I think that if the Central Government chose certain experts, that would be sufficient for the secessionists immediately to come out against that choice and to raise questions. Therefore,

(Mr. Cardoso,
Congo (Leopoldville))

I would like you to keep this possibility in mind in the choice of the experts who are to help the Central Government.

The Acting SECRETARY-GENERAL: I thank you very much for this useful advice; I shall certainly keep it in mind.

The meeting rose at 5.5 p.m.

CONFIDENTIAL

Meeting No. 70
12 October 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Friday, 12 October 1962, at 3 p.m.

<u>In the Chair:</u>	U THANT	The Acting SECRETARY-GENERAL
<u>Members:</u>	Canada	Mr. TREMBLAY
	Ceylon	Mr. MALALASEKERA
	Ethiopia	Mr. ABEBE
	Federation of Malaya	Mr. ISMAIL
	Ghana	Mr. QUAISON-SACKY
	Guinea	
	India	Mr. CHAKRAVARTY
	Indonesia	Mr. WIRJOPRANOTO
	Ireland	Mr. AIKEN
	Liberia	Mr. BARNES
	Mali	Mr. COULIBALY
	Morocco	Mr. TABITI
	Nigeria	Mr. WACHUKU
	Pakistan	Mr. CHEEMA
	Senegal	Mr. CISSE
	Sudan	Mr. ADEEL
	Sweden	Mrs. ROSSEL
	Tunisia	Mr. Taieb SLIM
	United Arab Republic	Mr. RIAD
	Congo (Leopoldville)	Mr. KASHALE

The Acting SECRETARY-GENERAL: I have called this meeting primarily for the purpose of reporting with a view to enabling you to be up to date on developments in the Congo. To do this effectively I must speak with full frankness, and I do so in the conviction that my confidence will be respected by everyone here.

Although some time has elapsed since our last meeting, and during that period a great deal of effort has been expended towards achieving reconciliation of differences and unity in the Congo, I am sorry to say that the facts of the Congo as of today would not sustain me in making to you a cheery report of progress. Although the outlook continues cloudy, let me say at the outset that I still believe that the United Nations can achieve its objectives of territorial unity, law and order, and stability in the Congo. To do so, however, some new efforts in new directions will probably have to be made. I will speak of this later.

You are familiar with the Plan which I submitted some time ago to Prime Minister Adoula and Mr. Tshombe. This was summarized in the report to the Security Council in August, contained in document S/5053/Add.11. For your confidential information, I am distributing copies of this Plan to you now. It has the status only of a personal proposal from me to Mr. Adoula and Mr. Tshombe. As you know, both Mr. Adoula and Mr. Tshombe responded to my presentation favourably, stating that they accepted the Plan. Mr. Tshombe typically later referred to his acceptance of the Plan "in principle". I should add that in the exercise of the discretion permitted him, Mr. Gardiner considered it more advantageous not to present the "courses of action" part of the Plan set out in Phase I through Phase IV at the time of presentation of the Plan in Elisabethville. Mr. Tshombe in fact was not in the city at the time.

(The Acting Secretary-General)

Following this, a rather detailed programme of implementation of the Plan was worked out in collaboration between Mr. Gardiner and Headquarters, with the purpose of converting the acceptance of the parties into concrete actions which would end Katanga's secession, thus reintegrating Katanga effectively with the rest of the Congo and making it possible before long for the United Nations to undertake a substantial reduction in the military force it maintains in the Congo. Mr. Adoula explicitly indicated acceptance of the programme of implementation, while Mr. Tshombe, although not replying to Mr. Gardiner on the specific question, gave basis for assuming his acceptance by proceeding to nominate the Katangese members of the three commissions called for in the programme.

I have asked Mr. Gardiner to prepare a report to the Security Council on all developments relating to the Plan and the programme for its implementation and I would expect to submit this report to the Security Council within a week or so. I need refer here to only a few of the developments in this sphere.

About a week ago Mr. Gardiner returned from Elisabethville, where he had gone at my suggestion to ascertain from Mr. Tshombe once and for all whether he intended to proceed with the implementation of the Plan. Mr. Tshombe assured Mr. Gardiner that he intends to do so. This assurance, Mr. Gardiner pointed out last week, will very soon be tested, since concrete measures must be taken in the realms of military integration, revenue accounting and currency.

Mr. Gardiner's visit to Elisabethville last week was necessary because very soon after Mr. Tshombe's implied approval of the programme of implementation, the dilatory tactics with which we have become too familiar began. For example, Mr. Gardiner had, some time ago, informed Mr. Tshombe that the Central Government and ONUC members of the three commissions envisaged by the Plan -- one on military matters and two on financial matters -- had been designated and would be arriving in Elisabethville in pursuance of their work at an early date. When these members of the Commission arrived in Elisabethville, they were welcomed by Mr. Tshombe, and the Katangese members of the three commissions were designated. The Commissions then promptly began to meet in order to get on with the work. All three of them, however, immediately encountered stalling tactics by the Katangese members. The latter did not want to discuss the programme for implementation of the Plan, but rather to debate the provisions of the Plan itself, thus attempting

(The Acting Secretary-General)

to subject to prolonged negotiation provisions of a proposal which Mr. Tshombe himself had already accepted. This, of course, was intolerable to the Central Government representatives and the meetings of all three commissions were abruptly suspended. The Plan was submitted to both parties for acceptance or rejection and it was made entirely clear that it was not subject to negotiation. No one of the commissions had got down to any serious work when Mr. Gardiner went to Elisabethville on 2 October. In fact, on the very day the Military Commission was in its first meeting, a United Nations patrol at the Martini track at the airport was deliberately booby-trapped and lost two of its members, as related in the latest report to the Security Council. The commissions have resumed meeting and Mr. Gardiner has returned to Elisabethville in a further effort to get the implementation of the Plan effectively under way.

(The Acting Secretary-General)

The three commissions are now back at work, and the reports of their deliberations vary from day to day and from good to bad, if I may say so. To give you an idea, I shall ask Dr. Bunche, after I have finished my statement, to read to you our two latest reports on them and also some excerpts from a message sent in by Mr. Gardiner after his return to Elisabethville yesterday and another talk with Mr. Tshombe, in one further effort to obtain some concrete steps towards the reintegration of Katanga.

We are dealing with Mr. Tshombe, and therefore you will understand why I risk no prediction about the implementation of the plan. That will come about, I suspect, only if and when Mr. Tshombe becomes convinced that this world body, the United Nations, really means business and there is no alternative for him but disaster. Yesterday he made a statement in Elisabethville about his immediate intentions, and I am now having it distributed to you. Whether he goes through with even this remains to be seen.

I strike this rather bleak note only on the grounds that it becomes ever more apparent to me that Mr. Tshombe cannot be counted upon to be in earnest simply because he approves something. He indulges always in manoeuvre, usually with the objective of gaining time. His promising words rarely find reflection in helpful deeds. I think that it is clear enough what he hopes to gain by time. He thinks, in the first place, that time runs in his favour because the Adoula Government will sooner or later fall, with the prospects that this will throw Leopoldville and all of the Congo outside of Katanga back into the chaos and semi-anarchy of a year and a half ago. In this calculation Mr. Tshombe could well be right. Secondly, he hopes that as time passes the United Nations will increasingly feel the heavy burdens of the Congo operation and that, through financial strain and frustration at its inability to achieve a peaceful settlement, the United Nations may at last simply throw up its hands and pull out. This, Mr. Tshombe thinks, would mean a complete victory for him and the interests he reflects; some think he dreams of becoming President or Prime Minister of all the Congo. Here, I think, Mr. Tshombe's calculation on the United Nations goes wrong. The twin United Nations burdens of financial strain and frustration are very great, to be sure -- the financial burden being almost unbearable -- but I doubt that in the present circumstances it would be possible to get a vote in either the Security Council or the General Assembly supporting outright United Nations withdrawal from the Congo -- the more especially so since I would suppose

(The Acting Secretary-General)

that if such an issue arose Mr. Adoula and his Government would make an impassioned appeal to the United Nations not to abandon a country which the United Nations had set out to save, a cause in which so much of money and effort, and even lives, had already been invested.

All the while, furthermore, Mr. Tshombe is collecting his substantial revenues from the Union Minière -- in the neighbourhood of \$40 million annually. This he does illegally, since the Central Government receives no part of this intake. This, in my view, is the principal source of Mr. Tshombe's power -- he has at his disposal substantial sums of money. With this money he can buy mercenaries, aircraft and war supplies -- and possibly parliamentarians, for we hear that his money is at work in Leopoldville and elsewhere, and not without effect in some quarters. Thus, I am bound to incline to the belief that there are only two effective ways of really getting at Mr. Tshombe, and removing the constant threat of civil war from the Congo. One is overt force, which ONUC at present has no mandate to employ for the specific end of controlling Mr. Tshombe. The other, and to my thinking the more practical, way is to cut off the flow of Union Minière revenue to Mr. Tshombe, revenue which is the chief source of his power. Measures of this latter nature could be undertaken, perhaps, without any new mandate for ONUC, although the steps which might have to be taken by ONUC to make them effective might well lead to a severe fighting reaction on the part of the Katangese. I shall have more to say about this in a moment.

It has been said, I know, that in the Congo we must have enormous patience. I think that the record of two and one-fourth years of United Nations activity in the Congo will attest to amazing patience and restraint on our part. Mr. Adoula too -- largely, no doubt, because of his regard for the United Nations and his faith in it -- has shown remarkable patience. In this regard, I think we must never lose sight of the fact that excessive patience with Mr. Tshombe and his perpetual delaying tactics is generally at the expense of Mr. Adoula and the Central Government and could lead to fateful consequences for both him and his country.

(The Acting Secretary-General)

I do not mind saying to you within these walls that my own patience begins to wear a little thin. For months on end now, the United Nations in the Congo has been doing everything possible, exerting every reasonable effort, trying every sensible course, in the attempt to bring about a peaceful reconciliation and to avert civil war. There were the Kitona talks in December. There were the two phases of the talks in Leopoldville from March to June of this year. There is the Plan for reconciliation and the programme for its implementation. There is the draft constitution just brought to completion with the contributions of the four constitutional experts recruited by the United Nations at the request of the Government of the Republic. With regard to this, I have been urging Mr. Adoula to make that constitution public and to give Mr. Tshombe and others a chance to study and comment upon it. This would deprive Mr. Tshombe of an effective propaganda counter. Mr. Adoula has now indicated an intention to make the draft constitution available to the provincial Presidents on 15 October. But no one can say that there has been any really appreciable progress toward reconciliation, towards Mr. Tshombe's actually discarding the pretense of separation or secession. To the contrary, as indicated in the report submitted this week to the Security Council, Mr. Tshombe has been indulging in a build-up of Katanga's military strength and employing more mercenaries. Mr. Tshombe, of course, denies this, but this time we have positive evidence. It becomes rather obvious that at least some of Katanga's borders and the neighbours across them are not unreceptive to Mr. Tshombe's military needs and orders. And, all the while, the United Nations Force in the Congo is being subjected to harassments of one kind or another, some resulting in armed clashes with casualties.

These are the harsh facts. They require us to take a good hard look at the future course for ONUC. I feel that we have just about come to the end of the road so far as the course we have been following is concerned. I think that very soon the United Nations in the Congo will have to assume a more vigorous posture. I do not at all mean by this that we should contemplate any offensive military action, for we have no right to do so under our existing mandate, and it seems to me highly unlikely that we could expect to get one for that purpose;

(The Acting Secretary-General)

it being by no means certain in any case that we would have the military strength for it at the moment. But I mean that, once it is clear that there is no longer any hope that Mr. Tshombe will succumb to reason and persuasion and pursue a constructive course, then we must consider measures that could be taken as next steps under the existing mandate, whether or not they have Mr. Tshombe's favour and may involve the possibility, or even the likelihood, of forceful Katangese reaction, thus requiring ONUC to fight in self-defense. Indeed, instituting certain new actions may be the only way of ensuring that Mr. Tshombe will proceed with the implementation of the Plan.

In a general way, I might mention some of the steps and measures that could be taken, with the expectation that at another meeting in a week or two we might have some indication of your Governments' reactions to them.

Without abandoning hope for the Plan and for peaceful reconciliation, there are certain steps we can -- indeed, I believe we must -- take without delay, for it would be a dangerous weakness on our part and an unjustifiable drain on our resources to stand by passively for an indefinite period while waiting for the outcome of the attempts at reconciliation. The Plan itself, in phases IE, II and III, envisages certain actions which would apply pressure of one kind or another on Katanga if the proposal for national reconciliation should fail.

First of all, clearly, in view of our knowledge of the military build-up taking place in Katanga, we must be well prepared militarily to meet any surprise attacks, and especially air attacks, which might be launched by the Katangese. We have to be prepared for the possibility of surprise attacks on Kamina and Elisabethville airfields, which, if successful, would cripple our troops in Katanga by cutting their supply lines. In order to meet such a contingency we are having to reinforce our troops in Katanga by shifting all of the United Nations troops from Kivu Province. This is a calculated risk with regard to what may happen in Kivu, but it has to be taken. This move could be avoided, of course, if we could obtain three or four additional battalions for the Force from any source, if only for a short period. But, as you know, we have for a long time been unable to obtain additional troops, despite my strong appeals. This situation may be changing.

(Acting Secretary-General)

One of the direct results of the action of the Congolese Government in creating a number of new provinces has been an increase in tribal clashes and communal feuds, particularly in Kivu and Kasai. This is a significant and recent development, with only vigilant action by ONUC troops together with the good co-operation which they have been enjoying recently from the local ANC units serving to prevent large-scale bloodshed and a breakdown of law and order. This points the way to an increasingly greater use of the ANC in the first line of action in patrols and other activities having to do with the maintenance of law and order in the provinces. It involves, of course, an increasing support of particular ANC units by ONUC in the way of transport and logistics. This would serve the useful purpose of relieving ONUC troops from certain areas so that they might be deployed more strategically elsewhere.

In order not to create obstacles for the discussions on the plan, the United Nations troops in Elisabethville recently have been extremely restrained in the face of numerous provocations. The time has about come, however, for the assumption of a more vigorous role by the United Nations Force, governed, of course, by its capacity, with respect to such objectives in Katanga as the removal of gendarmerie roadblocks, elimination of onerous restraints on ONUC's freedom of movement and stopping interference with ONUC's flow of supplies.

There are some direct measures which the Congolese Government might consider taking such as applying pressure on Katanga, which would amount to "blacklisting" certain business concerns which are operating throughout the Congo Republic, including Katanga province.

For example, one company has a direct run from Antwerp to West African ports, calling at Matadi and Lobito. It does a substantial business in freight and passenger traffic and has extensive interests in the Congo. Any restrictions on its traffic in the Congo would seriously affect its operations. This company calls at Lobito to load ore for the Union Minière and on its northbound schedule completes its cargo at Matadi. The company could be warned that unless all loading at Lobito were stopped its vessels would not be allowed to enter the port of Matadi. Parallel action could be taken to delay or even forbid financial transfers, banking credits and other local operations as part of the kind of "statutory" practice so widely applied during the Second World War in neutral countries.

(The Acting Secretary-General)

Another example refers to three banks established in the Congo and in Katanga. Union Minière does banking with all three. A warning could be issued, as a first step, that those banks would not be allowed to operate in the Congo if their Katanga branches continued to deal with Katangese interests, and their banking licences could be taken from them.

The major airline serving the Congo would be vulnerable to similar action if it continued to engage in operations to and from Katanga.

Any actions of this nature, naturally, would need to be most carefully weighed in order to be certain that they would not boomerang and in fact adversely affect Congolese interests.

We have for some time been considering the feasibility and advisability of assisting the Congolese Government in the collection of customs duties in Katanga, particularly in Elisabethville, through giving protection to customs personnel sent by the Central Government and through our ability to control some railroad traffic and flow of goods. Similarly, assistance could be given to the Government in the establishment of passport offices in Elisabethville and elsewhere in Katanga. It is recognized that such moves might be opposed by Katangese force, which ONUC would have to be prepared to meet.

I said earlier that the decisive factor is the flow of Union Minière revenue to the Katangese authorities. In this context I have had some ideas about some courses of action which might be effective in checking the flow of Union Minière revenue to Mr. Tshombe. Indeed, I may inform you in confidence that these ideas have already been presented to Mr. Adoula by Mr. Gardiner on my behalf, have encountered favourable reaction from him, and have been carried out by him without public announcement.

The general lines of the courses of action to which I refer are the following:

1. A letter from Prime Minister Adoula to the President of Union Minière reiterating his demand made in his communication of December 1961 that the Union Minière revenue is due and must be paid to the Congolese Government. I have been informed this week that Union Minière officials have advised the Government of Belgium of their readiness to ship minerals through the port of Matadi as soon as the Lubilash Bridge is available to them (this, of course, would mean paying revenue to the Central Government and could be encouraging).

(The Acting Secretary-General)

2. The Congolese Government, on its part, adopts an ordinance prohibiting the export from the Congo of any minerals without provision for payment of the necessary revenues to the Central Government, which could call upon the United Nations and the Government of Belgium for assistance in implementing this provision.

3. Prime Minister Adoula sends also a communication to the Government of Belgium seeking assistance in assuring cessation by the Union Minière of its illegal payment of revenues to Katanga.

4. A similar communication of request for assistance is addressed to me, in my capacity as Acting Secretary-General.

All of the foregoing could, of course, be usefully reinforced by a resolution in the Security Council -- I repeat: all these steps envisaged in the foregoing outline could be usefully reinforced by a resolution in the Security Council -- which would endorse the effort of the Congolese Government to obtain the revenues due to it; call upon all parties concerned to take measures to prevent any continuance of the illegal payments by the Union Minière; and authorize the Secretary-General to take all necessary steps to implement the Security Council decision, including, if required, the protection of Union Minière installations in Katanga. Action along some such lines would in effect give to ONUC a better and more flexible mandate than it now enjoys.

Steps of this nature would apply to the Union Minière. They might provide legal pressures, both national and international, which could well be decisive in persuading them to begin to pay to the Central Government the revenues which are its due, which, of course, would be at the expense of Mr. Tshombe. I think that we can count on earnest co-operation in such a course of action from the Government of Belgium.

Since I place special stress on these actions aimed at cutting off the illicit payment of revenues to Mr. Tshombe, and wish your views particularly on Mr. Adoula's communication to me, I am distributing to you now, for your strictly confidential use, a copy of that communication.

(The Acting Secretary-General)

There may be other courses of action which ONUC could follow, but I submit that actions along the lines I have just indicated could be taken only after a most serious review and appraisal of our military capacity to withstand a possible Katangese reaction in the form of military attack. We cannot risk the disaster of a military defeat, and before I make any new move I must be absolutely certain of our strength, of what we can count upon in the way of numbers of troops, their Governments' willingness to have them exposed to the risk of fighting defensively, the adequacy of their weapons, air support, transport and logistics.

Mr. Christophe Gbenye, formerly Minister of the Interior until dropped from the Cabinet in last summer's shuffle, and member of the MNC-Lumumba party, was arrested by the Government in Leopoldville this week on his return from a visit to the United States under the auspices of a private organization. Mr. Gbenye, incidentally, to the best of my knowledge, did not visit the United Nations while he was in the United States. Mr. Adoula has indicated to Mr. Gardiner that "certain politicians" -- these are his words -- from Kivu and Orientale provinces had been in touch with Mr. Tshombe through his representative, Mr. Niembo, and were plotting a new secession. This is said to be the basis for the arrest of Mr. Gbenye. Mr. Gizenga continues in detention on Bulabemba Island. I understand that he was visited by Ambassador Diallo Telli of Guinea during his recent trip to the Congo.

I apologize for speaking at such unusual length. But since this is in the nature of a reporting meeting, some length was unavoidable. You will readily realize that I have said some things here that I would by no means say publicly, for to do so at this stage could be damaging and even rash. This is no time for rashness. Quite the contrary, the Plan must be given every reasonable opportunity to succeed, within reasonable time-limits. We must avoid doing anything which would expose us in the least to a charge of responsibility for the failure of the Plan. On the other hand, we must look ahead and be prepared for the new course that must be followed if the Plan effort fails and there is no reconciliation and unity. Thus, much of what I have said here is looking ahead in anticipation of a possible need, and I trust that my words and views will be kept strictly within this context.

(The Acting Secretary-General)

Before concluding this report to you, I wish to advise you that, as you may have noted in this morning's press, the so-called American Committee for Aid to Katanga Freedom Fighters is at it again with another propaganda splurge, based entirely on untruth and wilful distortion.

Although I know you will wish to report to and ascertain the views of your Governments on the points I have raised with you today, if you have any immediate questions, reactions, views or suggestions, I invite you to present them now.

Mr. BUNCHE: As the Acting Secretary-General pointed out, these are samples of the most recent reports we have had from Leopoldville and Elisabethville on the work of the three Commissions having to do with the implementation of the Plan. I will also include some excerpts from the most recent message we have had from Mr. Gardiner since his return to Elisabethville yesterday. This was received late last night.

The first is a cable on the "Preliminary Draft of Measures adopted by the Revenue Commission". It reads as follows:

"1. Centralization of the control of customs receipts

"A. The Government of Katanga signifies its agreement to the centralization of the control of customs receipts.

"B. At the beginning of each month the Customs Directorate of Katanga will send to the General Customs Directorate of the Central Government a statement of gross receipts for the preceding month.

"C. The Katangese Government signifies its agreement to the establishment of a neutral control commission consisting of three technicians from an international organization, the United Nations for example, to be placed at the Customs Directorate of Katanga:

one technician attached to the Central Tax Collecting Office;

one technician attached to the Customs Control Office;

one technician attached to the Customs Inspection Service.

(Mr. Bunche)

"2. Restoration of commercial traffic

"Commercial traffic will be restored as soon as possible between Katanga and the rest of the Congo, and more particularly the Katanga/Matadi traffic. Katanga's mining products will be exported through the port of Matadi, to the full extent of transport capacity, so long as the outflow of products is regular. The Central Government will endeavour to persuade carriers to ensure the smooth flow of traffic.

"3. Payment of gross customs receipts

"A. The Customs Directorate of Katanga will pay to the account of the Central Government with the Bank of Katanga the share due to it.

"B. It will be obligatory for the paying-in slips of the Bank of Katanga to mention the numbers of the customs documents referring to each payment. These slips will be sent regularly at the end of each week to the Monetary Council at Leopoldville.

"C. The Bank of Katanga will advise the Monetary Council daily of the total amount of sums paid in and the balance in the account.

"D. The Government of Katanga will open an account with the Monetary Council at Leopoldville into which will be paid its share of the gross receipts from all exports of Katangese origin leaving through the port of Matadi.

"E. It will be obligatory for the paying-in slips of the Monetary Council to mention the numbers of the customs documents referring to each payment. These slips will be sent regularly at the end of each week to the Bank of Katanga.

"F. The Monetary Council will advise the Bank of Katanga daily of the total amount of sums paid in and the balance in the account.

"G. The Central Government's share of Katangese customs duties, both import and export, will be 2 per cent of gross receipts and 2 per cent remaining in Katanga.

"4. Royalties from mining concessions in Katanga

"A. The Government of Katanga will pay to the account of the Central Government with the Bank of Katanga x per cent of the royalties from mining concessions in Katanga as and when these are paid in.

(Mr. Bunche)

"B. The paying-in slips of the Bank of Katanga will be sent regularly to the Monetary Council.

"C. The accounts will be audited by the Monetary Council, which will assign to Elisabethville one or more auditors who will have access to the documents necessary for the exercise of this control."

(Mr. Bunche)

The Secretary-General pointed out that we get both good and bad reports. The second one is an example of the latter category. This was a cable received yesterday giving a summary of the meeting of the Military Commission on 10 October:

"The Military Commission met on the morning of 10 October. The meeting, which was scheduled for 9 a.m., started only at 9.45 because the Katangese delegation was late.

"The delegates first discussed the minutes of the previous meeting. Mr. Yav -- the principal Katangese representative -- made a number of remarks on minor points and criticized the inaccurate recording of the minutes. Agreement was finally reached on all points of dispute after more than one hour of discussion, and the minutes were retyped accordingly.

"Turning to the discussion on the proposals submitted by the Government at the previous meeting, Mr. Ngalula, who is the representative of the Central Government, asked Mr. Yav to state his views on the proposals. Mr. Yav did not give his views on the subject, but, instead, went into a long harangue, arguing that the original conditions as proposed by Mr. Ngalula and the counter-proposals by the Katangese delegations should be discussed rather than the new proposals. Mr. Yav further stated that certain points in the Central Government's proposals of 8 October were outside the Commission's competence. Mr. Ngalula considered his new proposals as a compromise between his previous proposals and those submitted by the Katangese delegation. Mr. Yav could not accept this view. Mr. Ngalula asked whether or not he accepted the counter-proposals, but Mr. Yav did not give any reply to this question.

"Further heated arguments ensued, most of which were not in relation to the conditions for a cease-fire.

"In reply to a question put by Mr. Ngalula as to what was meant by the return of troops to encampments, Mr. Yav stated that Katangese troops should return to North Katanga, for example, to Albertville and Kabela.

"Mr. Ngalula ended the meeting by stating that he would never accept for discussion any conditions for a cease-fire which were in violation of the U Thant plan."

(Mr. Bunche)

Today, however, just before coming to this meeting we received a somewhat more encouraging report on the proposed arrangements for the taking of oaths of allegiance -- this was an agreement reached between the two parties.

"The undersigned, Joseph Ngalula, representing the Government of the Congo, and Joseph Yav, representing the Government of Katanga, have agreed upon the following:

"(1) The Commander-in-Chief of the Katanga Gendarmerie, accompanied by two full-ranking colonels, will take an oath of allegiance to President Kasavubu at Leopoldville on 17 October;

"(2) The oath will take the usual form as follows:

"I swear loyalty and obedience to the President and to the laws of the Republic of the Congo."

"(3) The Government of the Congo hereby undertakes to guarantee the safety of the officers and to permit them to return as they wish;

"(4) The United Nations will be responsible for all arrangements regarding their transport.

"Drawn at Elisabethville on 12 October 1962."

Finally, I have some excerpts from a cable received late last night from Mr. Gardiner, who was in Elisabethville again, following his talk yesterday afternoon with Mr. Tshombe, which took place immediately after Mr. Tshombe had met with the Consuls and issued the statement which has been distributed to you. Mr. Gardiner states:

"I met Tshombe at 14.25 hours to 17 hours this afternoon. He and his colleagues expressed a violent reaction to the Security Council report on mercenaries and alleged that they were being falsely accused in preparation for a possible United Nations attack on Katanga. I reminded Tshombe that I had written him on the subject and that he had dismissed the issue as another illustration of United Nations bad intentions. I invited him to refute the

(Mr. Bunche)

report paragraph by paragraph if he thought the account I had given was inaccurate. After a lengthy discussion, he and his colleagues agreed that they would prepare their own report and submit it in a month. I offered to transmit their comment or rebuttal to Headquarters and, if possible, suggest its publication as an annex to the report; we had nothing to fear; our sole desire was to let the United Nations and the world at large know the facts about the mercenary situation.

"On my arrival here I met the Consuls, who had been called a few minutes before by President Tshombe and given a communique setting out what Katanga had done to execute the U Thant plan. Katanga had decided to pay an advance of \$2 million against contributions she will be called upon to make under administrative arrangements being discussed by the Revenue and Foreign Exchange Commissions. I pointed out that, from the text of the Communique, the payment did not seem to relate to the requirements of the plan and suggested the following redraft, which is to be discussed with Tshombe tomorrow" -- that is today --:

"Katanga has decided to place at the disposal of the Central Government immediately a sum in foreign currency equal to \$2 million as an advance payment against the receipts and foreign exchange which Katanga will pay to the Central Government in accordance with the measures for allocations of receipts and foreign exchange now being prepared by the Foreign Exchange and Revenue Commissions. This sum provides backing for the non-workable documentary credit opened in favour of the Monetary Council."

"I have been informed that the Revenue Commission had finished its work and that the Katangese had suggested contributions of 25 per cent of total revenue, 30 per cent of mining revenue and 30 per cent of earnings of the portfolio. This question of percentages is the only one on which agreement had not been reached between the Central Government and Katanga.

"In connexion with foreign exchange earnings the only point accepted here by the Katangese has been the unification of procedures which, they suggested, would require some time. I pointed out to Tshombe and his colleagues that this was unsatisfactory and would have to be re-examined

(Mr. Bunche)

before my departure. Tshombe had already informed the Consuls of the decision of Katanga to open the Lubilash Bridge on 17 October and to direct the transport of copper via that route to Matadi. The Katangese seem anxious to post troops on their side of the bridge to prevent the bridge being used for the invasion of Katanga by the Central Government. I observed that this would raise certain difficulties, which might be solved if, on the other side, the Central Government also decided to station troops, or that both Parties refrained from having troops in the area and entrusted the protection and neutralization of the bridge to ONUC.

"Tshombe's communique stated that radio-telephone communications would be started with Leopoldville on Saturday, 13 October, but the Katangese complained about military aid being given to the Central Government by Belgium and the United States." He concluded by saying: "Tomorrow" -- that is today -- "will decide for me whether the Katangese seriously intend to go through with the plan."

The Acting SECRETARY-GENERAL: As I stated earlier, I presented these new statements with a view to obtaining your reactions. I suppose that most of you present here would prefer to refer this matter to your respective Governments for directives. In the meantime, perhaps there is some immediate reaction which you would like to offer.

Mr. WACHUKU (Nigeria): I would like to ask a question about this oath of allegiance. The Commander-in-Chief and a few others are to come to Leopoldville to swear an oath of allegiance; the United Nations sees to their safe passage to and fro, and the Central Government guarantees that they will return. What happens to the rest of the army? To me, it does not make sense. Is there anything else besides what has been read out to us? Does the whole thing depend on whether the army will be incorporated in the oath by the others? Or does it only apply to the officers while nothing happens to the rest of the army?

The Acting SECRETARY-GENERAL: Among the three Commissions now in operation there is one dealing exclusively with military matters. Of course, this Commission has not concluded its deliberations, but one of the provisions of the items discussed in the Commission refers to the taking of the oath of allegiance to the Central Government by the Katangese Gendarmerie -- the Katangese armed forces -- and, of course, as a preliminary to the successful integration of the two armies, it was suggested by the Central Government that the Commander-in-Chief of Katanga should first of all take an oath of allegiance to President Kasavubu in Leopoldville. I think that was the substance of the news which we received last night.

(The Acting Secretary-General)

Mr. Bunche has something to supplement what I have just said.

Mr. BUNCHE: This is following the pattern which was adopted with regard to the Army in Orientale Province under General Lundula. General Lundula came to Leopoldville at the invitation of the Central Government to swear an oath of allegiance to the President, Mr. Kasavubu, the President being the Commander-in-Chief of the Congolese Army. Following that, the entire Army came over, under General Lundula's leadership. As a matter of fact, nothing more was ever needed. That was supposed to be an initial step, but it proved to be the only step that was required.

Mr. WACHUKU (Nigeria): But the Katangese situation is not the same -- because in Katanga there are the Belgian military advisers. That was why I said you need a bigger step than the one in Orientale. It is not enough, to my way of thinking, that only these officers can swear an oath of allegiance -- and then they go back and swear it was binding only on them and on no one else.

Mr. BUNCHE: This is simply a first step taken by the Military Commission. It is a step that was taken at the request of the Central Government. The Central Government required this as an initial token of the intentions of Katanga. It was proposed by the Central Government, not by anyone else, and is therefore in conformity with the wishes of the Central Government.

Mr. WACHUKU (Nigeria): Will we have an assurance that the United Nations and the military authorities will assist the Central Government to make sure that you have the type of oath that will be binding on the rank and file, and not only on the officers, because the Katangese situation is not like the one in Orientale at all, from what I observed in the Congo. With regard to the bridge, we are told that the Katangese authorities said, "Well, we are going to post our own troops on our side of the bridge to prevent a possible invasion by the Central Government of Katanga." Well, if this oath of allegiance which is being sworn

(Mr. Wachuku, Nigeria)

is genuine, what is the necessity of thinking of invasion by the Central Government? That is why I feel you should do more. If the assurance is that once the Commander-in-Chief has sworn, like General Lundula, that might help the others to come in, naturally. The moment they have sworn, on 17 October, they should consider the two armies as one. The thought of invasion by the Central Government of Katanga should be ruled out. But the mere fact that they even mentioned that they are going to post their own army to prevent invasion, suggests that there is something fishy about the swearing of the oath. So, there is some evidence already indicating that something better should be done. The Central Government may be genuine about their intention, but knowing the type of persons we are dealing with, I think we should be more discreet than that. I am not a military man, but I am a simple man in the public life of a country.

The Acting SECRETARY-GENERAL: Mr. Bunche has a few words to say on this.

Mr. BUNCHE: It is not a very simple problem actually, because this Military Commission and the Government will have to reach a decision on the size of the army that will come into existence. It is not just a matter of simple integration of what are estimated to be 18,000 Katangese troops into the Central Army, which itself is already too large, whose size we frankly do not know -- estimates run from 20,000 to 28,000. The economy of the country cannot bear an army of this size. There will be a very serious problem of what the size of the integrated army, the reorganized army, is going to be -- and that is going to take very considerable negotiation, obviously.

Mr. WACHUKU (Nigeria): I only asked the two questions for enlightenment. As far as my delegation is concerned, I think the proper thing is to have what you have told us -- and we expect that the verbatim record of your statement will be out soon. Then, you will give us some time to consider the matter for our respective Governments. It may be that we will have something to say about the position. I will support your suggestion that we try to ingest and digest what you said before we contribute an opinion on the whole matter.

(Mr. Wachuku, Nigeria)

We are very grateful to you for being frank with us. My delegation is grateful that you have put this to us. There is only one request I would make if it is possible. You made reference to the fact that the Constitution is now ready and that Prime Minister Adoula is sending it to the Provincial governments. I wonder whether it will be possible for you to obtain a copy for us, confidentially, so that when we are making a contribution we should be able to make a contribution in the light of the Constitution that has been drafted, because that is very pertinent to whatever comments I am likely to make on behalf of my Government. I know that an effort is being made to have a Federal Government. Looking at it like that, the powers of the Central Government that are enumerated, it seems to me, are insufficient. It may be that more things have been added to the Constitution that has been elaborated. If they are there, there will be no necessity for any comment on those things. That may help me not to say some things I might say by looking at the plan itself, as it is.

The Acting SECRETARY-GENERAL: The verbatim record, of course, will be ready tomorrow.

Regarding the availability of the Constitution itself, as Mr. Adoula has made known to us, he will distribute the copies to the Provincial governments on 15 October, that is, on Monday. By that time, of course, the Constitution will be public property. That is my belief. Therefore, I will see that we get a copy of it and make it available to the members of this Committee.

Mr. CHAKRAVARTY (India): Mr. Secretary-General, we are all, I am sure, grateful to you for making this factual statement and taking us into your confidence about what has been going on in the Congo. This is the "U Thant Plan" which we have now seen officially. The first question I should like to ask is that there are certain dates mentioned in this plan. How far are these dates being observed or kept to? That means, are we very much out of date, or are we keeping to the time schedule very carefully?

The second question I should like to ask is that if the time schedule has already been broken, then, with respect to the other phases, do they follow automatically?

(Mr. Chakravarty, India)

The third question I should like to ask, is that you have said, I think Mr. Bunche has said, the distribution of Union Minière profits and taxes will be handed over to the Central Government by Mr. Tshombe's government. Is that a very dependable source of revenue for the Central Government, knowing Mr. Tshombe's attitude? Or would it not be true to say that the Central Government would be completely at the mercy of Mr. Tshombe, whether these funds keep on coming or not?

(Mr. Chakravarty, India)

Your statement has been a very depressing account of what has been going on, and all that one feels is that during the time the United Nations is considering these plans Mr. Tshombe is going on strengthening himself, and the time may well come when the forces that you have at your disposal may be completely inadequate to meet the objectives you may have; not to mention taking any active steps, they may be incapable of even defending themselves. That is a very serious matter, particularly for those who have contributed forces to the Congo. I would like to know something on that.

The Acting SECRETARY-GENERAL: Regarding the time-table, as you will no doubt have seen from the Plan of national reconciliation, it was Prime Minister Adoula's intention to make the constitution available to the Members of Parliament by September. Of course, he did not indicate what date it would be in September, and since he has now decided to make this available by 15 October it is actually two weeks late. I think it follows from this that the other steps to be taken also have to be considered in the context of this delay, which was unavoidable. Regarding the implementation of the other steps, too, there was no definite deadline, and I have indicated them in terms of weeks, but these are also now delayed in turn, so, generally speaking, the whole schedule is two weeks behind time.

Regarding your question about the revenues, as I indicated in my statement this afternoon, Prime Minister Adoula has requested me to take certain steps, and I would like the benefit of your advice and comments on the steps he has outlined, particularly those to ensure that the flow of revenue from the mining companies in Katanga goes to Leopoldville only.

If I have to comply with the request of the Central Government, perhaps, as I indicated in my statement, a reference to the Security Council might be necessary because the implementation of the steps requested by Prime Minister Adoula might encounter certain forcible resistance by gendarmerie, and in such an eventuality, of course, our forces have been authorized to exercise the right of self defence. So all these factors have to be taken into consideration.

(The Acting Secretary-General)

One of the major factors, of course, is the adequacy or the lack of adequacy of our armed forces. On this, also, I would be obliged to get the benefit of your advice.

Just as a matter of information, I should like to say that there is now at least one Member State which has confidentially assured me of a very substantial military assistance, if necessary.

Mr. CHAKRAVARTY (India): We will certainly refer these matters to our Governments, and come back with such advice as we can. But it occurs to me, just speaking on the spur of the moment, that the figures you have quoted with regard to the gendarmerie, and the amount of training that they are getting under competent mercenary officers, lead to the conclusion that you are probably already undermined and probably outmanoeuvred. But, as I would say together with the Foreign Minister of Nigeria, we are not soldiers, and we do not know. You will have to depend on your military advisers. If you are able to get some contributions of additional troops from some Governments, would it not be wise to have them before you are put in an embarrassing position where you cannot defend yourself? Normally, what happens under normal human instinct is that when the forces against which we stand are overwhelming, then we generally submit, without any bloodshed, but when we feel we have a sporting chance of victory, that might lead to a really very sanguinary conflict. That is one aspect I would request you to consider in consultation with your military advisers. On that, I am afraid I cannot be of any assistance.

The Acting SECRETARY-GENERAL: As to the prospect of getting some substantial military reinforcements, I think that our decision has to rest on the advice of this Committee at a second meeting.

Mr. QUAISSON-SACKY (Ghana): The report which you, Mr. Secretary-General, have given us is very clear and very serious, and I agree that it will require some cogitation on the part of our Governments before we give our clear suggestions or advice.

(Mr. Quaison-Sackey, Ghana)

Before I came to this meeting, I received instructions from my Government to state a few points, but these, in fact, you have covered in your report. That is to say, we agree substantially with a number of the points which you have made in the report you gave us this afternoon.

My Government is very much concerned, first of all, by this federal Constitution, not that we are opposed to federalism as such, but we are always afraid that a federal constitution in those cases where a territory is being carved up into a number of provinces might lead to certain results. That was why we were disturbed to hear this afternoon that already there are tribal conflicts as a result of these divisions, and we would like to have more information on the extent of these conflicts and as to how far they may affect the body politic of the Congo nation. On the basis of that report, we will be able to say more about our position.

Secondly, we are concerned by the fact that, as of now, in spite of the Security Council resolutions, we still have secessionist activities backed by outside interests relying on mercenaries continuing in Katanga in defiance of the Central Government of the Congo.

We are also concerned that for more than two years the Katanga Government has illegally annexed the resources of the Congo and has prevented certain revenues due to the Central Government from being paid.

Therefore, we feel that there should be consideration by all Powers, including the great Powers, that this activity in the Congo should be brought to an end, effectively, permanently and unconditionally. We request you to take immediate steps, in collaboration with the Central Government of the Congo, to prevent by force if necessary the illegal exports from the Congo territory, including Katanga, of copper and other minerals on which full duty has not been paid to the Central Government.

(Mr. Quaison-Sackey, Ghana)

Then I am to request you, Sir, to maintain the position necessary for the enforcement of this measure, that is preventing this illegal export, until such time as you are in a position to let the Assembly know that with the agreement of the Central Government that all secession activities are at an end and that the Central Government itself is able to collect without hindrance the taxes due it from Katanga.

I also wish to say that the Secretary-General and the ONUC Commanders, in the event of resistance by armed force in Katanga to these measures, which in fact include those that you have outlined, should take immediate steps to disband the Katanga forces.

Sir, from the background of what I have just said, you will see that in fact we agree with you on the steps which you envisage. My Government is prepared to support you through thick and thin, and we would appeal to all Governments, especially those which have troops in the Congo, to consider this very carefully. But then, as I have said, this is only a preliminary reaction on the part of the delegation of Ghana. We shall study the report which you have given us. My Government will give me full instructions and we shall then be in a position to give our final views on your report.

Mr. WIRJOPRANOTO (Indonesia): Mr. Secretary-General, our delegation is grateful for your clear statement, which is very serious in character. We are grateful because you have given us the real picture of the situation in the Congo.

Our Government is following the developments in the Congo day by day. We are concerned about the situation in the Congo. For the time being, our delegation is not concerned about the revenues or the export of the products of the Union Minière; neither are we concerned about the future structure of the unity of the Congo State. But we are concerned about Mr. Tshombe. If you remember, Mr. Secretary-General, at the last meeting I put only one short question to you, namely, what, in your opinion, was the state of mind of Mr. Tshombe. I did so because we were dealing with him directly and personally.

(Mr. Wirjopranoto, Indonesia)

Now, from your clear and comprehensive statement, our delegation comes to the conclusion that Mr. Tshombe is a dangerous man. He is dangerous because it is our impression that he places his personal interest above the interest of Katanga and the people of Katanga, but even more than that, he places his personal interest over the interest of the State and people of the Congo, including Katanga. For this reason alone, Mr. Tshombe is dangerous.

In listening to your statement, Mr. Secretary-General, we came to another conclusion, which we held at the beginning, namely that Mr. Tshombe is an instrument of the Union Minière. That is a powerful organization -- I do not know whether it is with or without the backing of the Government -- which is playing a role, and a dangerous role, in this matter, one which I can describe in our vocabulary of this time as neo-colonialism. I cannot say that Katanga is a colony, because it belongs to the Congo and the Congo is a sovereign State. But the whole business in Katanga is typical of neo-colonialism. I understand that the whole United Nations is condemning colonialism and also neo-colonialism.

For all these reasons, now is the time for the United Nations, and especially for you, Mr. Secretary-General, because you are in charge of the implementation of the mandate of the Security Council, to act and to act vigorously. I understand you have your Plan and you have informed many Governments of the problems. But Mr. Secretary-General, believe me: you may have a good plan, but what is the backing of your Plan? In my view, it is not \$200 million or \$100 million a year -- that is not the backing. The backing is military force. This is clear because Mr. Tshombe himself in all his activities has developed a backing, and that is the military force of Mr. Tshombe. He has not decreased the number of mercenaries. On the contrary, he has invited mercenaries to return, in addition to the many who have been there from the beginning.

Therefore, against this background and against the military build up of Mr. Tshombe, there is only one answer, and that is the build-up of the United Nations forces. I cannot see any other way. In my view, the matter is simple.

(Mr. Wirjopranoto, Indonesia)

Mr. Secretary-General, if you accept the line of thinking that force can only be met by force, I have to state clearly that it is not our intention to be aggressive. That would be the biggest crime for the United Nations and for those Members that are sending troops. The United Nations must not be stigmatized as an aggressor. If some Member States are going to send troops again, we do not want to take part in any kind of aggression, but rather we shall take part in the defence of legal rights, in the defence of the unity of the Congo, in the defence of the integrity of the Congo State and, above all, in the fight against colonialism and neo-colonialism. That is our only motivation if we are going to take part again in this action.

I think that Mr. Tshombe will understand this language, especially if you are going to ask for a new mandate or a broader mandate from the Security Council. At the same time, and even before that, you must do something about a build-up, about strengthening your military forces; otherwise, the Plan will remain merely a plan.

(Mr. Wirjopranoto, Indonesia)

I am not authorized, Mr. Secretary-General, to state here to you and to my colleagues what my Government is going to do in this connexion; but what I would like to suggest to you is that, besides this report, which we shall send immediately to our Governments with our recommendations, you could, from your side, take some initiative in the sense of sending requests to certain Governments which, in your opinion, might be able on short notice to send military forces, and to get together the details of these matters -- the number, the date, and perhaps whether we can expect transportation -- because that is very important.

I would like to make another suggestion, namely, that once all this has begun, you fix a time. If I am not mistaken, it is your intention to take this matter to the Security Council in perhaps one or two weeks. I think that within ten days or two weeks, perhaps you will have more material concerning not your own problem, your plan, but rather the military problem, the military reinforcements. This is important, and I think that this information will also be useful in the debate in the Security Council, and I hope the Security Council will not be split. Sometimes the Security Council is able to take a unanimous decision, but sometimes they are not able to do so; sometimes they are not strong enough, in fact impotent. But if from your side you can say to the Security Council, "On my part I am prepared to do this, this and this. What is the opinion of the Security Council?", this will facilitate the decision of the Security Council, and I hope they will unanimously support you. Furthermore, this language will be understood by Tshombe and the Union Minière.

The Acting SECRETARY-GENERAL: On this I want to make a very brief estimation. According to the estimates of our military advisors, our existing ONUC forces in the Congo are adequate to cope with the existing situation there in the context of the existing Security Council resolutions. They are, of course, carefully watching the situation and they are confident of their ability to defend themselves in case they are attacked. They would need, of course, strengthening in some directions if new responsibilities are to be imposed on them.

That is the main point. My present thinking is that I do not want to think of reinforcements at this stage without the clear advice of this Committee and perhaps, if necessary, a fresh mandate from the Security Council, because any attempt to reinforce our fighting forces in the Congo might, among other things, involve a tremendous additional expenditure. As you all know, this has been one of my obsessions for some time. Certainly I will keep your observations in mind.

Mr. BARNES (Liberia): I did not want to say anything today, Mr. Secretary-General, because the report that you have made here will necessarily require very careful study before anyone, I believe, will be in a position to make any constructive contributions to the debate in this Advisory Committee. I have just been handed this Plan of national reconciliation. I am sure other members of this body are in the same situation. I have noted here in this Plan that in respect to the question of constitutional arrangements, the establishment of a federal government for the Congo is envisaged. I would like to ask whether the other aspects of this report, dealing with revenues and foreign exchange, military arrangements, amnesty, and the rest -- whether the implementation of these other aspects is dependent upon the establishment of this federal type of government in the Congo.

The Acting SECRETARY-GENERAL: As I said, three commissions are now functioning to implement the provisions of this Plan. They are working collectively, but one is not dependent on the other. The commissions are proceeding on the assumption that the Plan has been accepted by both parties, as it is our understanding that both Prime Minister Adoula and Mr. Tshombe have accepted the Plan. In the three commissions, the Central Government, the Katanga provincial authorities and the United Nations are represented. They are participating in all these commissions, which are proceeding on the assumption that the Plan is to be put into operation without waiting for the constitution.

Mr. COULIBALY (Mali) (interpretation from French): My delegation thanks you, Mr. Secretary-General, for the statement you have just made, which has given us very interesting information concerning the development of the Plan which you have proposed for the solution of the Congo problem. Your statement, to which we listened with great attention, gives proof that the Congo problem has not yet been solved, and that, on the contrary, there have been new developments which require our closest attention.

My Government considers that the Congo is an independent State. Therefore we would have preferred not to interfere in anything involving its constitutional structure. But since we had to do so because of the situation which we all regret, we feel called upon under these circumstances to make certain observations we deem appropriate.

(Mr. Coulibaly, Mali)

We are not yet familiar with the draft constitution which envisages the creation of a federal form of government. But on the basis of documents which we have received and which come from certain political parties in the Congo, we know that certain people in the Congo have expressed many reservations concerning this draft constitution as proposed. Under these circumstances, my delegation anxiously awaits the circulation of the draft constitution, which you have promised will take place.

I recall, Mr. Secretary-General, that at our next-to-the-last meeting you indicated that, in view of the fact that certain Governments seem to be openly giving support, directly or indirectly, to the Katanga Government -- and it is this fact that has enabled Tshombe day by day to stiffen his position -- you would communicate with these Governments and ask them to review in a more objective fashion the situation in the Congo. I would therefore like to know whether, within the framework of your Plan and in view of the statements which you have made this afternoon, and also side by side with the measures which you have envisaged within the Congo, you are also contemplating some action with respect to those Governments whose support, direct or indirect, to the Katanga Government is one of the determining factors that enable Mr. Tshombe to persist in his will to secede.

(Mr. Coulibaly, Mali)

Now because of the importance of the documents which you have communicated to us and which should be brought to the attention of our Governments, I would like to ask whether you intend to have another meeting of our Committee before the Security Council meets so that at the next meeting we could voice the opinions of our Government with regard to these projects which have been submitted to us. My Government was one of the African Governments which at the beginning of the Congo crisis sent troops to support the United Nations action in the Congo, but because of circumstances beyond our control, and which were especially motivated by the orientation and the use of United Nations troops in the Congo at that time, we were led to call for the withdrawal of our troops from the Congo.

Taking into account this new plan that you have submitted, Mr. Secretary-General, we will communicate with our Government and draw its attention to your desire to have a further military strengthening in case the situation would required further action by the United Nations troops, and the opinion of our Government will be communicated to you shortly.

The Acting SECRETARY-GENERAL: On the first point, of course I have been in constant contact with the Governments primarily connected with the Congo and particularly those Governments which in my opinion exert some influence on Mr. Tshombe. These contacts have been continuing without interruption, and of course I can assure you once again that it shall be my constant endeavour to continue this practice.

Regarding the holding of the next meeting, as I have indicated earlier, I am sure the members of this Committee might like to refer this question to their Governments, and I shall be glad to get the benefit of your advice regarding when we should meet again. My guess is that it should be at least after a period of one week. The verbatim records will be made available tomorrow around lunch time, and I should think that at least a week's notice will be necessary. Of course I will be guided by the Committee's advice on this matter.

(The Acting Secretary-General)

Regarding the reference to the Security Council meeting, of course I made it clear in my statement that, if the implementation of Prime Minister Adoula's request is to be put through, the question of whether a reference to the Security Council will be necessary or not also has to be decided at the next meeting. Therefore, I will be glad if members of the Committee could indicate to me what should be the best time for our next meeting.

There is the suggestion that we should meet ten days from now. It has been suggested that either Monday, 22 October or Tuesday, 23 October would be suitable. So let us meet at 3 p.m. on Tuesday, 23 October.

Mr. ISMAIL (Federation of Malaya): Mr. Secretary-General, as I gather it, the essence of your plan is to deny to the Katangese government payment of revenue by the Union Minière. I would like to ask a technical question about the collection of these taxes. Are they just handed over by the Union Minière to the Katangese government, or collected by the Katangese government? If so, at what time are the taxes collected, because that is the essence of your plan to deny the revenue to Mr. Tshombe. So we would like to know how these collections are made, and at what point are they collected?

The Acting SECRETARY-GENERAL: The Union Minière has been paying its taxes for the last two years directly to Mr. Tshombe's government.

Mr. ISMAIL (Federation of Malaya): I am trying to draw a parallel with our Government where we have a lot revenue from mining and where it is the duty of the Central Government to collect the revenue and we levy the taxes at the point of export. This is quite an important point.

The Acting SECRETARY-GENERAL: The Central Government has no officers at the point of export because, as you know, Mr. Minister, the point of export is only in Angola. Now they have of course agreed to divert their export to Matadi, which is in the Congo.

Mr. WACHUKU (Nigeria): There are two additional questions I would like to bring up so that the information I may require will be fuller. I notice that in the report we concentrated on the Central Government and Katanga. In the present position the Congo State is composed of six provinces. Katanga is one of them. There are five other provinces and the assumption is that the Central Government has control over the other five. Now will the Acting Secretary-General be good enough to supply us with information as to the state of affairs, broadly, in these five provinces so as to enable us to be able to assess the extent of control which the Central Government has in these five provinces and how effective it is, and this could be related to the problem of solution of the question of Katanga, particularly when we read that Northern Katanga itself is now under control of the Central Government. If we have a report about the other side, I think that will help us to understand the picture.

My other question is this. Of course we have been talking about reinforcement and military strength. I remember that in the report which was accepted by the General Assembly some time ago, it was recommended that the Congolese army should be reorganized and retrained. We would also like to know to what extent the Congolese Army, which was supposed to be over 25,000 or so, has been retrained and regrouped and reorganized. Because again whatever we may do, the United Nations forces are not going there to stay. Ultimately it will be the Congolese Central Government troops that will keep law and order in their own country. Therefore, it would be useful to my delegation to understand how far this question of retraining and reorganizing has gone, and to see whether the Central Government is either strong or weak in the case of maintaining law and order by itself.

With these two points, in addition to the questions I have asked, and also as regards the constitution and the various reports, I think that in ten days' time we should be able to have a fair idea of the situation so as to express perhaps constructive opinion on the nature of the solution that we may think will be effective in the Congo, bearing in mind the present situation.

The Acting SECRETARY-GENERAL: Regarding the first question I would say this: The Central Congolese Parliament has recently voted to have seventeen new Provinces. As a result of this decision, there are now twenty-one Provinces. Our information is that, apart from South Katanga, the law and order situation in the Congo is comparatively stable, and there is a general feeling that the ANC is in a position to look after this problem. Of course, when we think of the Congo we have to think of the situation in relative terms only. Hence, when we say that there is law and order in the Congo, apart from South Katanga, we mean that although law and order has not been completely restored, in the usual connotation, there are very good reasons to believe that the ANC can very well handle the situation, even without ONUC.

The second question related to ANC training. It will be recalled that I made this offer to Prime Minister Adoula as long ago as January of this year -- nine months ago. I have even gone ahead with the plan to enlist certain instructors from certain French-speaking countries. The response has been very encouraging. But, for reasons which, I think, are more political than anything else, the Central Government has not been able to accept my offer. I think that Mr. Adoula and his colleagues in the Government are thinking in terms of African instructors, if available. Of course, my offer of training the ANC stands. I have made this known to Mr. Adoula on several occasions, and it is up to the Central Government to respond to it. This aspect of the problem has never been lost sight of.

I thank the Foreign Minister of Nigeria for bringing these questions to my attention.

Mr. COULIBALY (Mali) (interpretation from French): The Acting Secretary-General in his statement mentioned the arrest of Mr. Gizenga. Now, when Mr. Gizenga was arrested the United Nations said that it wanted him to enjoy humane treatment and that it desired the safeguarding of human rights in relation to him. At the present time is the United Nations concerned about Mr. Gizenga, or is he being left completely in the hands of the Central Government?

The Acting SECRETARY-GENERAL: I have repeatedly made personal requests to Prime Minister Adoula to see to it that Mr. Gizenga receives treatment in accordance with the law of the land. On purely humanitarian grounds I have several times requested him to see to it that Mr. Gizenga's health and security are not endangered in any way. Only recently, as I have already stated here, our colleague, the representative of Guinea, had an opportunity to visit the Republic of the Congo and he saw Mr. Gizenga personally. We have also made repeated requests to the Central Government to try Mr. Gizenga under the law of the land immediately or to release him. To the best of our knowledge, Mr. Gizenga is receiving reasonably good treatment.

Before the meeting adjourns, I should like to reiterate the appeal I made. I want to stress once again the confidential nature of the statements made at this meeting and of the documents distributed. I am deeply concerned that we should do nothing here to upset any applecarts, because we are passing through a very delicate stage of our operations in the Congo, and I am sure that I reflect the views of all the members of the Committee when I say that we should, all of us, give the Plan every reasonable opportunity to succeed.

We shall meet again on Tuesday, 23 October, at 3 p.m.

The meeting rose at 5.10 p.m.

CONFIDENTIAL

Meeting No. 70
12 October 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Friday, 12 October 1962, at 3 p.m.

<u>In the Chair:</u>	U THANT	The Acting SECRETARY-GENERAL
<u>Members:</u>	Canada	Mr. TREMBLAY
	Ceylon	Mr. MALALASEKERA
	Ethiopia	Mr. ABEBE
	Federation of Malaya	Mr. ISMAIL
	Ghana	Mr. QUAISON-SACKY
	Guinea	
	India	Mr. CHAKRAVARTY
	Indonesia	Mr. WIRJOPRANOTO
	Ireland	Mr. AIKEN
	Liberia	Mr. BARNES
	Mali	Mr. COULIBALY
	Morocco	Mr. TABITI
	Nigeria	Mr. WACHUKU
	Pakistan	Mr. CHEEMA
	Senegal	Mr. CISSE
	Sudan	Mr. ADEEL
	Sweden	Mrs. ROSSEL
	Tunisia	Mr. Taieb SLIM
	United Arab Republic	Mr. RIAD
	Congo (Leopoldville)	Mr. KASHALE

The Acting SECRETARY-GENERAL: I have called this meeting primarily for the purpose of reporting with a view to enabling you to be up to date on developments in the Congo. To do this effectively I must speak with full frankness, and I do so in the conviction that my confidence will be respected by everyone here.

Although some time has elapsed since our last meeting, and during that period a great deal of effort has been expended towards achieving reconciliation of differences and unity in the Congo, I am sorry to say that the facts of the Congo as of today would not sustain me in making to you a cheery report of progress. Although the outlook continues cloudy, let me say at the outset that I still believe that the United Nations can achieve its objectives of territorial unity, law and order, and stability in the Congo. To do so, however, some new efforts in new directions will probably have to be made. I will speak of this later.

You are familiar with the Plan which I submitted some time ago to Prime Minister Adoula and Mr. Tshombe. This was summarized in the report to the Security Council in August, contained in document S/5053/Add.11. For your confidential information, I am distributing copies of this Plan to you now. It has the status only of a personal proposal from me to Mr. Adoula and Mr. Tshombe. As you know, both Mr. Adoula and Mr. Tshombe responded to my presentation favourably, stating that they accepted the Plan. Mr. Tshombe typically later referred to his acceptance of the Plan "in principle". I should add that in the exercise of the discretion permitted him, Mr. Gardiner considered it more advantageous not to present the "courses of action" part of the Plan set out in Phase I through Phase IV at the time of presentation of the Plan in Elisabethville. Mr. Tshombe in fact was not in the city at the time.

(The Acting Secretary-General)

Following this, a rather detailed programme of implementation of the Plan was worked out in collaboration between Mr. Gardiner and Headquarters, with the purpose of converting the acceptance of the parties into concrete actions which would end Katanga's secession, thus reintegrating Katanga effectively with the rest of the Congo and making it possible before long for the United Nations to undertake a substantial reduction in the military force it maintains in the Congo. Mr. Adoula explicitly indicated acceptance of the programme of implementation, while Mr. Tshombe, although not replying to Mr. Gardiner on the specific question, gave basis for assuming his acceptance by proceeding to nominate the Katangese members of the three commissions called for in the programme.

I have asked Mr. Gardiner to prepare a report to the Security Council on all developments relating to the Plan and the programme for its implementation and I would expect to submit this report to the Security Council within a week or so. I need refer here to only a few of the developments in this sphere.

About a week ago Mr. Gardiner returned from Elisabethville, where he had gone at my suggestion to ascertain from Mr. Tshombe once and for all whether he intended to proceed with the implementation of the Plan. Mr. Tshombe assured Mr. Gardiner that he intends to do so. This assurance, Mr. Gardiner pointed out last week, will very soon be tested, since concrete measures must be taken in the realms of military integration, revenue accounting and currency.

Mr. Gardiner's visit to Elisabethville last week was necessary because very soon after Mr. Tshombe's implied approval of the programme of implementation, the dilatory tactics with which we have become too familiar began. For example, Mr. Gardiner had, some time ago, informed Mr. Tshombe that the Central Government and ONUC members of the three commissions envisaged by the Plan -- one on military matters and two on financial matters -- had been designated and would be arriving in Elisabethville in pursuance of their work at an early date. When these members of the Commission arrived in Elisabethville, they were welcomed by Mr. Tshombe, and the Katangese members of the three commissions were designated. The Commissions then promptly began to meet in order to get on with the work. All three of them, however, immediately encountered stalling tactics by the Katangese members. The latter did not want to discuss the programme for implementation of the Plan, but rather to debate the provisions of the Plan itself, thus attempting

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to subject to prolonged negotiation provisions of a proposal which Mr. Tshombe himself had already accepted. This, of course, was intolerable to the Central Government representatives and the meetings of all three commissions were abruptly suspended. The Plan was submitted to both parties for acceptance or rejection and it was made entirely clear that it was not subject to negotiation. No one of the commissions had got down to any serious work when Mr. Gardiner went to Elisabethville on 2 October. In fact, on the very day the Military Commission was in its first meeting, a United Nations patrol at the Martini track at the airport was deliberately booby-trapped and lost two of its members, as related in the latest report to the Security Council. The commissions have resumed meeting and Mr. Gardiner has returned to Elisabethville in a further effort to get the implementation of the Plan effectively under way.

(The Acting Secretary-General)

The three commissions are now back at work, and the reports of their deliberations vary from day to day and from good to bad, if I may say so. To give you an idea, I shall ask Dr. Bunche, after I have finished my statement, to read to you our two latest reports on them and also some excerpts from a message sent in by Mr. Gardiner after his return to Elisabethville yesterday and another talk with Mr. Tshombe, in one further effort to obtain some concrete steps towards the reintegration of Katanga.

We are dealing with Mr. Tshombe, and therefore you will understand why I risk no prediction about the implementation of the plan. That will come about, I suspect, only if and when Mr. Tshombe becomes convinced that this world body, the United Nations, really means business and there is no alternative for him but disaster. Yesterday he made a statement in Elisabethville about his immediate intentions, and I am now having it distributed to you. Whether he goes through with even this remains to be seen.

I strike this rather bleak note only on the grounds that it becomes ever more apparent to me that Mr. Tshombe cannot be counted upon to be in earnest simply because he approves something. He indulges always in manoeuvre, usually with the objective of gaining time. His promising words rarely find reflection in helpful deeds. I think that it is clear enough what he hopes to gain by time. He thinks, in the first place, that time runs in his favour because the Adoula Government will sooner or later fall, with the prospects that this will throw Leopoldville and all of the Congo outside of Katanga back into the chaos and semi-anarchy of a year and a half ago. In this calculation Mr. Tshombe could well be right. Secondly, he hopes that as time passes the United Nations will increasingly feel the heavy burdens of the Congo operation and that, through financial strain and frustration at its inability to achieve a peaceful settlement, the United Nations may at last simply throw up its hands and pull out. This, Mr. Tshombe thinks, would mean a complete victory for him and the interests he reflects; some think he dreams of becoming President or Prime Minister of all the Congo. Here, I think, Mr. Tshombe's calculation on the United Nations goes wrong. The twin United Nations burdens of financial strain and frustration are very great, to be sure -- the financial burden being almost unbearable -- but I doubt that in the present circumstances it would be possible to get a vote in either the Security Council or the General Assembly supporting outright United Nations withdrawal from the Congo -- the more especially so since I would suppose

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that if such an issue arose Mr. Adoula and his Government would make an impassioned appeal to the United Nations not to abandon a country which the United Nations had set out to save, a cause in which so much of money and effort, and even lives, had already been invested.

All the while, furthermore, Mr. Tshombe is collecting his substantial revenues from the Union Minière -- in the neighbourhood of \$40 million annually. This he does illegally, since the Central Government receives no part of this intake. This, in my view, is the principal source of Mr. Tshombe's power -- he has at his disposal substantial sums of money. With this money he can buy mercenaries, aircraft and war supplies -- and possibly parliamentarians, for we hear that his money is at work in Leopoldville and elsewhere, and not without effect in some quarters. Thus, I am bound to incline to the belief that there are only two effective ways of really getting at Mr. Tshombe, and removing the constant threat of civil war from the Congo. One is overt force, which ONUC at present has no mandate to employ for the specific end of controlling Mr. Tshombe. The other, and to my thinking the more practical, way is to cut off the flow of Union Minière revenue to Mr. Tshombe, revenue which is the chief source of his power. Measures of this latter nature could be undertaken, perhaps, without any new mandate for ONUC, although the steps which might have to be taken by ONUC to make them effective might well lead to a severe fighting reaction on the part of the Katangese. I shall have more to say about this in a moment.

It has been said, I know, that in the Congo we must have enormous patience. I think that the record of two and one-fourth years of United Nations activity in the Congo will attest to amazing patience and restraint on our part. Mr. Adoula too -- largely, no doubt, because of his regard for the United Nations and his faith in it -- has shown remarkable patience. In this regard, I think we must never lose sight of the fact that excessive patience with Mr. Tshombe and his perpetual delaying tactics is generally at the expense of Mr. Adoula and the Central Government and could lead to fateful consequences for both him and his country.

(The Acting Secretary-General.)

I do not mind saying to you within these walls that my own patience begins to wear a little thin. For months on end now, the United Nations in the Congo has been doing everything possible, exerting every reasonable effort, trying every sensible course, in the attempt to bring about a peaceful reconciliation and to avert civil war. There were the Kitona talks in December. There were the two phases of the talks in Leopoldville from March to June of this year. There is the Plan for reconciliation and the programme for its implementation. There is the draft constitution just brought to completion with the contributions of the four constitutional experts recruited by the United Nations at the request of the Government of the Republic. With regard to this, I have been urging Mr. Adoula to make that constitution public and to give Mr. Tshombe and others a chance to study and comment upon it. This would deprive Mr. Tshombe of an effective propaganda counter. Mr. Adoula has now indicated an intention to make the draft constitution available to the provincial Presidents on 15 October. But no one can say that there has been any really appreciable progress toward reconciliation, towards Mr. Tshombe's actually discarding the pretense of separation or secession. To the contrary, as indicated in the report submitted this week to the Security Council, Mr. Tshombe has been indulging in a build-up of Katanga's military strength and employing more mercenaries. Mr. Tshombe, of course, denies this, but this time we have positive evidence. It becomes rather obvious that at least some of Katanga's borders and the neighbours across them are not unreceptive to Mr. Tshombe's military needs and orders. And, all the while, the United Nations Force in the Congo is being subjected to harassments of one kind or another, some resulting in armed clashes with casualties.

These are the harsh facts. They require us to take a good hard look at the future course for ONUC. I feel that we have just about come to the end of the road so far as the course we have been following is concerned. I think that very soon the United Nations in the Congo will have to assume a more vigorous posture. I do not at all mean by this that we should contemplate any offensive military action, for we have no right to do so under our existing mandate, and it seems to me highly unlikely that we could expect to get one for that purpose;

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it being by no means certain in any case that we would have the military strength for it at the moment. But I mean that, once it is clear that there is no longer any hope that Mr. Tshombe will succumb to reason and persuasion and pursue a constructive course, then we must consider measures that could be taken as next steps under the existing mandate, whether or not they have Mr. Tshombe's favour and may involve the possibility, or even the likelihood, of forceful Katangese reaction, thus requiring ONUC to fight in self-defense. Indeed, instituting certain new actions may be the only way of ensuring that Mr. Tshombe will proceed with the implementation of the Plan.

In a general way, I might mention some of the steps and measures that could be taken, with the expectation that at another meeting in a week or two we might have some indication of your Governments' reactions to them.

Without abandoning hope for the Plan and for peaceful reconciliation, there are certain steps we can -- indeed, I believe we must -- take without delay, for it would be a dangerous weakness on our part and an unjustifiable drain on our resources to stand by passively for an indefinite period while waiting for the outcome of the attempts at reconciliation. The Plan itself, in phases IE, II and III, envisages certain actions which would apply pressure of one kind or another on Katanga if the proposal for national reconciliation should fail.

First of all, clearly, in view of our knowledge of the military build-up taking place in Katanga, we must be well prepared militarily to meet any surprise attacks, and especially air attacks, which might be launched by the Katangese. We have to be prepared for the possibility of surprise attacks on Kamina and Elisabethville airfields, which, if successful, would cripple our troops in Katanga by cutting their supply lines. In order to meet such a contingency we are having to reinforce our troops in Katanga by shifting all of the United Nations troops from Kivu Province. This is a calculated risk with regard to what may happen in Kivu, but it has to be taken. This move could be avoided, of course, if we could obtain three or four additional battalions for the Force from any source, if only for a short period. But, as you know, we have for a long time been unable to obtain additional troops, despite my strong appeals. This situation may be changing.

(Acting Secretary-General)

One of the direct results of the action of the Congolese Government in creating a number of new provinces has been an increase in tribal clashes and communal feuds, particularly in Kivu and Kasai. This is a significant and recent development, with only vigilant action by ONUC troops together with the good co-operation which they have been enjoying recently from the local ANC units serving to prevent large-scale bloodshed and a breakdown of law and order. This points the way to an increasingly greater use of the ANC in the first line of action in patrols and other activities having to do with the maintenance of law and order in the provinces. It involves, of course, an increasing support of particular ANC units by ONUC in the way of transport and logistics. This would serve the useful purpose of relieving ONUC troops from certain areas so that they might be deployed more strategically elsewhere.

In order not to create obstacles for the discussions on the plan, the United Nations troops in Elisabethville recently have been extremely restrained in the face of numerous provocations. The time has about come, however, for the assumption of a more vigorous role by the United Nations Force, governed, of course, by its capacity, with respect to such objectives in Katanga as the removal of gendarmerie roadblocks, elimination of onerous restraints on ONUC's freedom of movement and stopping interference with ONUC's flow of supplies.

There are some direct measures which the Congolese Government might consider taking such as applying pressure on Katanga, which would amount to "blacklisting" certain business concerns which are operating throughout the Congo Republic, including Katanga province.

For example, one company has a direct run from Antwerp to West African ports, calling at Matadi and Lobito. It does a substantial business in freight and passenger traffic and has extensive interests in the Congo. Any restrictions on its traffic in the Congo would seriously affect its operations. This company calls at Lobito to load ore for the Union Minière and on its northbound schedule completes its cargo at Matadi. The company could be warned that unless all loading at Lobito were stopped its vessels would not be allowed to enter the port of Matadi. Parallel action could be taken to delay or even forbid financial transfers, banking credits and other local operations as part of the kind of "statutory" practice so widely applied during the Second World War in neutral countries.

(The Acting Secretary-General)

Another example refers to three banks established in the Congo and in Katanga. Union Minière does banking with all three. A warning could be issued, as a first step, that those banks would not be allowed to operate in the Congo if their Katanga branches continued to deal with Katangese interests, and their banking licences could be taken from them.

The major airline serving the Congo would be vulnerable to similar action if it continued to engage in operations to and from Katanga.

Any actions of this nature, naturally, would need to be most carefully weighed in order to be certain that they would not boomerang and in fact adversely affect Congolese interests.

We have for some time been considering the feasibility and advisability of assisting the Congolese Government in the collection of customs duties in Katanga, particularly in Elisabethville, through giving protection to customs personnel sent by the Central Government and through our ability to control some railroad traffic and flow of goods. Similarly, assistance could be given to the Government in the establishment of passport offices in Elisabethville and elsewhere in Katanga. It is recognized that such moves might be opposed by Katangese force, which ONUC would have to be prepared to meet.

I said earlier that the decisive factor is the flow of Union Minière revenue to the Katangese authorities. In this context I have had some ideas about some courses of action which might be effective in checking the flow of Union Minière revenue to Mr. Tshombe. Indeed, I may inform you in confidence that these ideas have already been presented to Mr. Adoula by Mr. Gardiner on my behalf, have encountered favourable reaction from him, and have been carried out by him without public announcement.

The general lines of the courses of action to which I refer are the following:

1. A letter from Prime Minister Adoula to the President of Union Minière reiterating his demand made in his communication of December 1961 that the Union Minière revenue is due and must be paid to the Congolese Government.

I have been informed this week that Union Minière officials have advised the Government of Belgium of their readiness to ship minerals through the port of Matadi as soon as the Lubilash Bridge is available to them (this, of course, would mean paying revenue to the Central Government and could be encouraging).

(The Acting Secretary-General)

2. The Congolese Government, on its part, adopts an ordinance prohibiting the export from the Congo of any minerals without provision for payment of the necessary revenues to the Central Government, which could call upon the United Nations and the Government of Belgium for assistance in implementing this provision.

3. Prime Minister Adoula sends also a communication to the Government of Belgium seeking assistance in assuring cessation by the Union Minière of its illegal payment of revenues to Katanga.

4. A similar communication of request for assistance is addressed to me, in my capacity as Acting Secretary-General.

All of the foregoing could, of course, be usefully reinforced by a resolution in the Security Council -- I repeat: all these steps envisaged in the foregoing outline could be usefully reinforced by a resolution in the Security Council -- which would endorse the effort of the Congolese Government to obtain the revenues due to it; call upon all parties concerned to take measures to prevent any continuance of the illegal payments by the Union Minière; and authorize the Secretary-General to take all necessary steps to implement the Security Council decision, including, if required, the protection of Union Minière installations in Katanga. Action along some such lines would in effect give to ONUC a better and more flexible mandate than it now enjoys.

Steps of this nature would apply to the Union Minière. They might provide legal pressures, both national and international, which could well be decisive in persuading them to begin to pay to the Central Government the revenues which are its due, which, of course, would be at the expense of Mr. Tshombe. I think that we can count on earnest co-operation in such a course of action from the Government of Belgium.

Since I place special stress on these actions aimed at cutting off the illicit payment of revenues to Mr. Tshombe, and wish your views particularly on Mr. Adoula's communication to me, I am distributing to you now, for your strictly confidential use, a copy of that communication.

(The Acting Secretary-General)

X There may be other courses of action which ONUC could follow, but I submit that actions along the lines I have just indicated could be taken only after a most serious review and appraisal of our military capacity to withstand a possible Katangese reaction in the form of military attack. We cannot risk the disaster of a military defeat, and before I make any new move I must be absolutely certain of our strength, of what we can count upon in the way of numbers of troops, their Governments' willingness to have them exposed to the risk of fighting defensively, the adequacy of their weapons, air support, transport and logistics.

Mr. Christophe Gbenye, formerly Minister of the Interior until dropped from the Cabinet in last summer's shuffle, and member of the MNC-Lumumba party, was arrested by the Government in Leopoldville this week on his return from a visit to the United States under the auspices of a private organization. Mr. Gbenye, incidentally, to the best of my knowledge, did not visit the United Nations while he was in the United States. Mr. Adoula has indicated to Mr. Gardiner that "certain politicians" -- these are his words -- from Kivu and Orientale provinces had been in touch with Mr. Tshombe through his representative, Mr. Niembo, and were plotting a new secession. This is said to be the basis for the arrest of Mr. Gbenye. Mr. Gizenga continues in detention on Bulabemba Island. I understand that he was visited by Ambassador Diallo Telli of Guinea during his recent trip to the Congo.

I apologize for speaking at such unusual length. But since this is in the nature of a reporting meeting, some length was unavoidable. You will readily realize that I have said some things here that I would by no means say publicly, for to do so at this stage could be damaging and even rash. This is no time for rashness. Quite the contrary, the Plan must be given every reasonable opportunity to succeed, within reasonable time-limits. We must avoid doing anything which would expose us in the least to a charge of responsibility for the failure of the Plan. On the other hand, we must look ahead and be prepared for the new course that must be followed if the Plan effort fails and there is no reconciliation and unity. Thus, much of what I have said here is looking ahead in anticipation of a possible need, and I trust that my words and views will be kept strictly within this context.

(The Acting Secretary-General)

Before concluding this report to you, I wish to advise you that, as you may have noted in this morning's press, the so-called American Committee for Aid to Katanga Freedom Fighters is at it again with another propaganda splurge, based entirely on untruth and wilful distortion.

Although I know you will wish to report to and ascertain the views of your Governments on the points I have raised with you today, if you have any immediate questions, reactions, views or suggestions, I invite you to present them now.

Mr. BUNCHE: As the Acting Secretary-General pointed out, these are samples of the most recent reports we have had from Leopoldville and Elisabethville on the work of the three Commissions having to do with the implementation of the Plan. I will also include some excerpts from the most recent message we have had from Mr. Gardiner since his return to Elisabethville yesterday. This was received late last night.

The first is a cable on the "Preliminary Draft of Measures adopted by the Revenue Commission". It reads as follows:

"1. Centralization of the control of customs receipts

"A. The Government of Katanga signifies its agreement to the centralization of the control of customs receipts.

"B. At the beginning of each month the Customs Directorate of Katanga will send to the General Customs Directorate of the Central Government a statement of gross receipts for the preceding month.

"C. The Katangese Government signifies its agreement to the establishment of a neutral control commission consisting of three technicians from an international organization, the United Nations for example, to be placed at the Customs Directorate of Katanga:

one technician attached to the Central Tax Collecting Office;

one technician attached to the Customs Control Office;

one technician attached to the Customs Inspection Service.

(Mr. Bunche)

"2. Restoration of commercial traffic

"Commercial traffic will be restored as soon as possible between Katanga and the rest of the Congo, and more particularly the Katanga/Matadi traffic. Katanga's mining products will be exported through the port of Matadi, to the full extent of transport capacity, so long as the outflow of products is regular. The Central Government will endeavour to persuade carriers to ensure the smooth flow of traffic.

"3. Payment of gross customs receipts

"A. The Customs Directorate of Katanga will pay to the account of the Central Government with the Bank of Katanga the share due to it.

"B. It will be obligatory for the paying-in slips of the Bank of Katanga to mention the numbers of the customs documents referring to each payment. These slips will be sent regularly at the end of each week to the Monetary Council at Leopoldville.

"C. The Bank of Katanga will advise the Monetary Council daily of the total amount of sums paid in and the balance in the account.

"D. The Government of Katanga will open an account with the Monetary Council at Leopoldville into which will be paid its share of the gross receipts from all exports of Katangese origin leaving through the port of Matadi.

"E. It will be obligatory for the paying-in slips of the Monetary Council to mention the numbers of the customs documents referring to each payment. These slips will be sent regularly at the end of each week to the Bank of Katanga.

"F. The Monetary Council will advise the Bank of Katanga daily of the total amount of sums paid in and the balance in the account.

"G. The Central Government's share of Katangese customs duties, both import and export, will be 2 per cent of gross receipts and 2 per cent remaining in Katanga.

"4. Royalties from mining concessions in Katanga

"A. The Government of Katanga will pay to the account of the Central Government with the Bank of Katanga x per cent of the royalties from mining concessions in Katanga as and when these are paid in.

(Mr. Bunche)

"B. The paying-in slips of the Bank of Katanga will be sent regularly to the Monetary Council.

"C. The accounts will be audited by the Monetary Council, which will assign to Elisabethville one or more auditors who will have access to the documents necessary for the exercise of this control."

(Mr. Bunche)

The Secretary-General pointed out that we get both good and bad reports. The second one is an example of the latter category. This was a cable received yesterday giving a summary of the meeting of the Military Commission on 10 October:

"The Military Commission met on the morning of 10 October. The meeting, which was scheduled for 9 a.m., started only at 9.45 because the Katangese delegation was late.

"The delegates first discussed the minutes of the previous meeting. Mr. Yav -- the principal Katangese representative -- made a number of remarks on minor points and criticized the inaccurate recording of the minutes. Agreement was finally reached on all points of dispute after more than one hour of discussion, and the minutes were retyped accordingly.

"Turning to the discussion on the proposals submitted by the Government at the previous meeting, Mr. Ngalula, who is the representative of the Central Government, asked Mr. Yav to state his views on the proposals. Mr. Yav did not give his views on the subject, but, instead, went into a long harangue, arguing that the original conditions as proposed by Mr. Ngalula and the counter-proposals by the Katangese delegations should be discussed rather than the new proposals. Mr. Yav further stated that certain points in the Central Government's proposals of 8 October were outside the Commission's competence. Mr. Ngalula considered his new proposals as a compromise between his previous proposals and those submitted by the Katangese delegation. Mr. Yav could not accept this view. Mr. Ngalula asked whether or not he accepted the counter-proposals, but Mr. Yav did not give any reply to this question.

"Further heated arguments ensued, most of which were not in relation to the conditions for a cease-fire.

"In reply to a question put by Mr. Ngalula as to what was meant by the return of troops to encampments, Mr. Yav stated that Katangese troops should return to North Katanga, for example, to Albertville and Kabalo.

"Mr. Ngalula ended the meeting by stating that he would never accept for discussion any conditions for a cease-fire which were in violation of the U Thant plan."

(Mr. Bunche)

Today, however, just before coming to this meeting we received a somewhat more encouraging report on the proposed arrangements for the taking of oaths of allegiance -- this was an agreement reached between the two parties.

"The undersigned, Joseph Ngalula, representing the Government of the Congo, and Joseph Yav, representing the Government of Katanga, have agreed upon the following:

"(1) The Commander-in-Chief of the Katanga Gendarmerie, accompanied by two full-ranking colonels, will take an oath of allegiance to President Kasavubu at Leopoldville on 17 October;

"(2) The oath will take the usual form as follows:

"I swear loyalty and obedience to the President and to the laws of the Republic of the Congo."

"(3) The Government of the Congo hereby undertakes to guarantee the safety of the officers and to permit them to return as they wish;

"(4) The United Nations will be responsible for all arrangements regarding their transport.

"Drawn at Elisabethville on 12 October 1962."

Finally, I have some excerpts from a cable received late last night from Mr. Gardiner, who was in Elisabethville again, following his talk yesterday afternoon with Mr. Tshombe, which took place immediately after Mr. Tshombe had met with the Consuls and issued the statement which has been distributed to you. Mr. Gardiner states:

"I met Tshombe at 14.25 hours to 17 hours this afternoon. He and his colleagues expressed a violent reaction to the Security Council report on mercenaries and alleged that they were being falsely accused in preparation for a possible United Nations attack on Katanga. I reminded Tshombe that I had written him on the subject and that he had dismissed the issue as another illustration of United Nations bad intentions. I invited him to refute the

(Mr. Bunche)

report paragraph by paragraph if he thought the account I had given was inaccurate. After a lengthy discussion, he and his colleagues agreed that they would prepare their own report and submit it in a month. I offered to transmit their comment or rebuttal to Headquarters and, if possible, suggest its publication as an annex to the report; we had nothing to fear; our sole desire was to let the United Nations and the world at large know the facts about the mercenary situation.

"On my arrival here I met the Consuls, who had been called a few minutes before by President Tshombe and given a communique setting out what Katanga had done to execute the U Thant plan. Katanga had decided to pay an advance of \$2 million against contributions she will be called upon to make under administrative arrangements being discussed by the Revenue and Foreign Exchange Commissions. I pointed out that, from the text of the Communique, the payment did not seem to relate to the requirements of the plan and suggested the following redraft, which is to be discussed with Tshombe tomorrow" -- that is today --:

"Katanga has decided to place at the disposal of the Central Government immediately a sum in foreign currency equal to \$2 million as an advance payment against the receipts and foreign exchange which Katanga will pay to the Central Government in accordance with the measures for allocations of receipts and foreign exchange now being prepared by the Foreign Exchange and Revenue Commissions. This sum provides backing for the non-workable documentary credit opened in favour of the Monetary Council."

"I have been informed that the Revenue Commission had finished its work and that the Katangese had suggested contributions of 25 per cent of total revenue, 30 per cent of mining revenue and 30 per cent of earnings of the portfolio. This question of percentages is the only one on which agreement had not been reached between the Central Government and Katanga.

"In connexion with foreign exchange earnings the only point accepted here by the Katangese has been the unification of procedures which, they suggested, would require some time. I pointed out to Tshombe and his colleagues that this was unsatisfactory and would have to be re-examined

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(Mr. Bunche)

before my departure. Tshombe had already informed the Consuls of the decision of Katanga to open the Lubilash Bridge on 17 October and to direct the transport of copper via that route to Matadi. The Katangese seem anxious to post troops on their side of the bridge to prevent the bridge being used for the invasion of Katanga by the Central Government. I observed that this would raise certain difficulties, which might be solved if, on the other side, the Central Government also decided to station troops, or that both Parties refrained from having troops in the area and entrusted the protection and neutralization of the bridge to ONUC.

"Tshombe's communique stated that radio-telephone communications would be started with Leopoldville on Saturday, 13 October, but the Katangese complained about military aid being given to the Central Government by Belgium and the United States." He concluded by saying: "Tomorrow" -- that is today -- "will decide for me whether the Katangese seriously intend to go through with the plan."

The Acting SECRETARY-GENERAL: As I stated earlier, I presented these new statements with a view to obtaining your reactions. I suppose that most of you present here would prefer to refer this matter to your respective Governments for directives. In the meantime, perhaps there is some immediate reaction which you would like to offer.

Mr. WACHUKU (Nigeria): I would like to ask a question about this oath of allegiance. The Commander-in-Chief and a few others are to come to Leopoldville to swear an oath of allegiance; the United Nations sees to their safe passage to and fro, and the Central Government guarantees that they will return. What happens to the rest of the army? To me, it does not make sense. Is there anything else besides what has been read out to us? Does the whole thing depend on whether the army will be incorporated in the oath by the others? Or does it only apply to the officers while nothing happens to the rest of the army?

The Acting SECRETARY-GENERAL: Among the three Commissions now in operation there is one dealing exclusively with military matters. Of course, this Commission has not concluded its deliberations, but one of the provisions of the items discussed in the Commission refers to the taking of the oath of allegiance to the Central Government by the Katangese Gendarmerie -- the Katangese armed forces -- and, of course, as a preliminary to the successful integration of the two armies, it was suggested by the Central Government that the Commander-in-Chief of Katanga should first of all take an oath of allegiance to President Kasavubu in Leopoldville. I think that was the substance of the news which we received last night.

(The Acting Secretary-General)

Mr. Bunche has something to supplement what I have just said.

Mr. BUNCHE: This is following the pattern which was adopted with regard to the Army in Orientale Province under General Lundula. General Lundula came to Leopoldville at the invitation of the Central Government to swear an oath of allegiance to the President, Mr. Kasavubu, the President being the Commander-in-Chief of the Congolese Army. Following that, the entire Army came over, under General Lundula's leadership. As a matter of fact, nothing more was ever needed. That was supposed to be an initial step, but it proved to be the only step that was required.

Mr. WACHUKU (Nigeria): But the Katangese situation is not the same -- because in Katanga there are the Belgian military advisers. That was why I said you need a bigger step than the one in Orientale. It is not enough, to my way of thinking, that only these officers can swear an oath of allegiance -- and then they go back and swear it was binding only on them and on no one else.

Mr. BUNCHE: This is simply a first step taken by the Military Commission. It is a step that was taken at the request of the Central Government. The Central Government required this as an initial token of the intentions of Katanga. It was proposed by the Central Government, not by anyone else, and is therefore in conformity with the wishes of the Central Government.

Mr. WACHUKU (Nigeria): Will we have an assurance that the United Nations and the military authorities will assist the Central Government to make sure that you have the type of oath that will be binding on the rank and file, and not only on the officers, because the Katangese situation is not like the one in Orientale at all, from what I observed in the Congo. With regard to the bridge, we are told that the Katangese authorities said, "Well, we are going to post our own troops on our side of the bridge to prevent a possible invasion by the Central Government of Katanga." Well, if this oath of allegiance which is being sworn

(Mr. Wachuku, Nigeria)

is genuine, what is the necessity of thinking of invasion by the Central Government? That is why I feel you should do more. If the assurance is that once the Commander-in-Chief has sworn, like General Lundula, that might help the others to come in, naturally. The moment they have sworn, on 17 October, they should consider the two armies as one. The thought of invasion by the Central Government of Katanga should be ruled out. But the mere fact that they even mentioned that they are going to post their own army to prevent invasion, suggests that there is something fishy about the swearing of the oath. So, there is some evidence already indicating that something better should be done. The Central Government may be genuine about their intention, but knowing the type of persons we are dealing with, I think we should be more discreet than that. I am not a military man, but I am a simple man in the public life of a country.

The Acting SECRETARY-GENERAL: Mr. Bunche has a few words to say on this.

Mr. BUNCHE: It is not a very simple problem actually, because this Military Commission and the Government will have to reach a decision on the size of the army that will come into existence. It is not just a matter of simple integration of what are estimated to be 18,000 Katangese troops into the Central Army, which itself is already too large, whose size we frankly do not know -- estimates run from 20,000 to 28,000. The economy of the country cannot bear an army of this size. There will be a very serious problem of what the size of the integrated army, the reorganized army, is going to be -- and that is going to take very considerable negotiation, obviously.

Mr. WACHUKU (Nigeria): I only asked the two questions for enlightenment. As far as my delegation is concerned, I think the proper thing is to have what you have told us -- and we expect that the verbatim record of your statement will be out soon. Then, you will give us some time to consider the matter for our respective Governments. It may be that we will have something to say about the position. I will support your suggestion that we try to ingest and digest what you said before we contribute an opinion on the whole matter.

(Mr. Wachuku, Nigeria)

We are very grateful to you for being frank with us. My delegation is grateful that you have put this to us. There is only one request I would make if it is possible. You made reference to the fact that the Constitution is now ready and that Prime Minister Adoula is sending it to the Provincial governments. I wonder whether it will be possible for you to obtain a copy for us, confidentially, so that when we are making a contribution we should be able to make a contribution in the light of the Constitution that has been drafted, because that is very pertinent to whatever comments I am likely to make on behalf of my Government. I know that an effort is being made to have a Federal Government. Looking at it like that, the powers of the Central Government that are enumerated, it seems to me, are insufficient. It may be that more things have been added to the Constitution that has been elaborated. If they are there, there will be no necessity for any comment on those things. That may help me not to say some things I might say by looking at the plan itself, as it is.

The Acting SECRETARY-GENERAL: The verbatim record, of course, will be ready tomorrow.

Regarding the availability of the Constitution itself, as Mr. Adoula has made known to us, he will distribute the copies to the Provincial governments on 15 October, that is, on Monday. By that time, of course, the Constitution will be public property. That is my belief. Therefore, I will see that we get a copy of it and make it available to the members of this Committee.

Mr. CHAKRAVARTY (India): Mr. Secretary-General, we are all, I am sure, grateful to you for making this factual statement and taking us into your confidence about what has been going on in the Congo. This is the "U Thant Plan" which we have now seen officially. The first question I should like to ask is that there are certain dates mentioned in this plan. How far are these dates being observed or kept to? That means, are we very much out of date, or are we keeping to the time schedule very carefully?

The second question I should like to ask is that if the time schedule has already been broken, then, with respect to the other phases, do they follow automatically?

(Mr. Chakravarty, India)

3 The third question I should like to ask, is that you have said, I think Mr. Bunche has said, the distribution of Union Minière profits and taxes will be handed over to the Central Government by Mr. Tshombe's government. Is that a very dependable source of revenue for the Central Government, knowing Mr. Tshombe's attitude? Or would it not be true to say that the Central Government would be completely at the mercy of Mr. Tshombe, whether these funds keep on coming or not?

~~Mr. Chakravarty, India~~

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Your statement has been a very depressing account of what has been going on, and all that one feels is that during the time the United Nations is considering these plans Mr. Tshombe is going on strengthening himself, and the time may well come when the forces that you have at your disposal may be completely inadequate to meet the objectives you may have; not to mention taking any active steps, they may be incapable of even defending themselves. That is a very serious matter, particularly for those who have contributed forces to the Congo. I would like to know something on that.

The Acting SECRETARY-GENERAL: Regarding the time-table, as you will no doubt have seen from the Plan of national reconciliation, it was Prime Minister Adoula's intention to make the constitution available to the Members of Parliament by September. Of course, he did not indicate what date it would be in September, and since he has now decided to make this available by 15 October it is actually two weeks late. I think it follows from this that the other steps to be taken also have to be considered in the context of this delay, which was unavoidable. Regarding the implementation of the other steps, too, there was no definite deadline, and I have indicated them in terms of weeks, but these are also now delayed in turn, so, generally speaking, the whole schedule is two weeks behind time.

Regarding your question about the revenues, as I indicated in my statement this afternoon, Prime Minister Adoula has requested me to take certain steps, and I would like the benefit of your advice and comments on the steps he has outlined, particularly those to ensure that the flow of revenue from the mining companies in Katanga goes to Leopoldville only.

If I have to comply with the request of the Central Government, perhaps, as I indicated in my statement, a reference to the Security Council might be necessary because the implementation of the steps requested by Prime Minister Adoula might encounter certain forcible resistance by gendarmerie, and in such an eventuality, of course, our forces have been authorized to exercise the right of self defence. So all these factors have to be taken into consideration.

(The Acting Secretary-General)

One of the major factors, of course, is the adequacy or the lack of adequacy of our armed forces. On this, also, I would be obliged to get the benefit of your advice.

Just as a matter of information, I should like to say that there is now at least one Member State which has confidentially assured me of a very substantial military assistance, if necessary.

Mr. CHAKRAVARTY (India): We will certainly refer these matters to our Governments, and come back with such advice as we can. But it occurs to me, just speaking on the spur of the moment, that the figures you have quoted with regard to the gendarmerie and the amount of training that they are getting under competent mercenary officers, lead to the conclusion that you are probably already undermined and probably outmanoeuvred. But, as I would say together with the Foreign Minister of Nigeria, we are not soldiers, and we do not know. You will have to depend on your military advisers. If you are able to get some contributions of additional troops from some Governments, would it not be wise to have them before you are put in an embarrassing position where you cannot defend yourself? Normally, what happens under normal human instinct is that when the forces against which we stand are overwhelming, then we generally submit, without any bloodshed, but when we feel we have a sporting chance of victory, that might lead to a really very sanguinary conflict. That is one aspect I would request you to consider in consultation with your military advisers. On that, I am afraid I cannot be of any assistance.

The Acting SECRETARY-GENERAL: As to the prospect of getting some substantial military reinforcements, I think that our decision has to rest on the advice of this Committee at a second meeting.

Mr. QUAISSON-SACKY (Ghana): The report which you, Mr. Secretary-General, have given us is very clear and very serious, and I agree that it will require some cogitation on the part of our Governments before we give our clear suggestions or advice.

(Mr. Quaison-Sackey, Ghana)

Before I came to this meeting, I received instructions from my Government to state a few points, but these, in fact, you have covered in your report. That is to say, we agree substantially with a number of the points which you have made in the report you gave us this afternoon.

1) My Government is very much concerned, first of all, by this federal Constitution, not that we are opposed to federalism as such, but we are always afraid that a federal constitution in those cases where a territory is being carved up into a number of provinces might lead to certain results. That was why we were disturbed to hear this afternoon that already there are tribal conflicts as a result of these divisions, and we would like to have more information on the extent of these conflicts and as to how far they may affect the body politic of the Congo nation. On the basis of that report, we will be able to say more about our position.

2) Secondly, we are concerned by the fact that, as of now, in spite of the Security Council resolutions, we still have secessionist activities backed by outside interests relying on mercenaries continuing in Katanga in defiance of the Central Government of the Congo.

We are also concerned that for more than two years the Katanga Government has illegally annexed the resources of the Congo and has prevented certain revenues due to the Central Government from being paid.

Therefore, we feel that there should be consideration by all Powers, including the great Powers, that this activity in the Congo should be brought to an end, effectively, permanently and unconditionally. We request you to take immediate steps, in collaboration with the Central Government of the Congo, to prevent by force if necessary the illegal exports from the Congo territory, including Katanga, of copper and other minerals on which full duty has not been paid to the Central Government.

(Mr. Quaison-Sackey, Ghana)

Then I am to request you, Sir, to maintain the position necessary for the enforcement of this measure, that is preventing this illegal export, until such time as you are in a position to let the Assembly know that with the agreement of the Central Government that all secession activities are at an end and that the Central Government itself is able to collect without hindrance the taxes due it from Katanga.

I also wish to say that the Secretary-General and the ONUC Commanders, in the event of resistance by armed force in Katanga to these measures, which in fact include those that you have outlined, should take immediate steps to disband the Katanga forces.

Sir, from the background of what I have just said, you will see that in fact we agree with you on the steps which you envisage. My Government is prepared to support you through thick and thin, and we would appeal to all Governments, especially those which have troops in the Congo, to consider this very carefully. But then, as I have said, this is only a preliminary reaction on the part of the delegation of Ghana. We shall study the report which you have given us. My Government will give me full instructions and we shall then be in a position to give our final views on your report.

Mr. WIRJOFRANOTO (Indonesia): Mr. Secretary-General, our delegation is grateful for your clear statement, which is very serious in character. We are grateful because you have given us the real picture of the situation in the Congo.

Our Government is following the developments in the Congo day by day. We are concerned about the situation in the Congo. For the time being, our delegation is not concerned about the revenues or the export of the products of the Union Minière; neither are we concerned about the future structure of the unity of the Congo State. But we are concerned about Mr. Tshombe. If you remember, Mr. Secretary-General, at the last meeting I put only one short question to you, namely, what, in your opinion, was the state of mind of Mr. Tshombe. I did so because we were dealing with him directly and personally.

(Mr. Wirjopranoto, Indonesia)

Now, from your clear and comprehensive statement, our delegation comes to the conclusion that Mr. Tshombe is a dangerous man. He is dangerous because it is our impression that he places his personal interest above the interest of Katanga and the people of Katanga, but even more than that, he places his personal interest over the interest of the State and people of the Congo, including Katanga. For this reason alone, Mr. Tshombe is dangerous.

In listening to your statement, Mr. Secretary-General, we came to another conclusion, which we held at the beginning, namely that Mr. Tshombe is an instrument of the Union Minière. That is a powerful organization -- I do not know whether it is with or without the backing of the Government -- which is playing a role, and a dangerous role, in this matter, one which I can describe in our vocabulary of this time as neo-colonialism. I cannot say that Katanga is a colony, because it belongs to the Congo and the Congo is a sovereign State. But the whole business in Katanga is typical of neo-colonialism. I understand that the whole United Nations is condemning colonialism and also neo-colonialism.

For all these reasons, now is the time for the United Nations, and especially for you, Mr. Secretary-General, because you are in charge of the implementation of the mandate of the Security Council, to act and to act vigorously. I understand you have your Plan and you have informed many Governments of the problems. But Mr. Secretary-General, believe me: you may have a good plan, but what is the backing of your Plan? In my view, it is not \$200 million or \$100 million a year -- that is not the backing. The backing is military force. This is clear because Mr. Tshombe himself in all his activities has developed a backing, and that is the military force of Mr. Tshombe. He has not decreased the number of mercenaries. On the contrary, he has invited mercenaries to return, in addition to the many who have been there from the beginning.

Therefore, against this background and against the military build up of Mr. Tshombe, there is only one answer, and that is the build-up of the United Nations forces. I cannot see any other way. In my view, the matter is simple.

(Mr. Wirjopranoto, Indonesia)

Mr. Secretary-General, if you accept the line of thinking that force can only be met by force, I have to state clearly that it is not our intention to be aggressive. That would be the biggest crime for the United Nations and for those Members that are sending troops. The United Nations must not be stigmatized as an aggressor. If some Member States are going to send troops again, we do not want to take part in any kind of aggression, but rather we shall take part in the defence of legal rights, in the defence of the unity of the Congo, in the defence of the integrity of the Congo State and, above all, in the fight against colonialism and neo-colonialism. That is our only motivation if we are going to take part again in this action.

I think that Mr. Tshombe will understand this language, especially if you are going to ask for a new mandate or a broader mandate from the Security Council. At the same time, and even before that, you must do something about a build-up, about strengthening your military forces; otherwise, the Plan will remain merely a plan.

(Mr. Wirjopranoto, Indonesia)

I am not authorized, Mr. Secretary-General, to state here to you and to my colleagues what my Government is going to do in this connexion; but what I would like to suggest to you is that, besides this report, which we shall send immediately to our Governments with our recommendations, you could, from your side, take some initiative in the sense of sending requests to certain Governments which, in your opinion, might be able on short notice to send military forces, and to get together the details of these matters -- the number, the date, and perhaps whether we can expect transportation -- because that is very important.

I would like to make another suggestion, namely, that once all this has begun, you fix a time. If I am not mistaken, it is your intention to take this matter to the Security Council in perhaps one or two weeks. I think that within ten days or two weeks, perhaps you will have more material concerning not your own problem, your plan, but rather the military problem, the military reinforcements. This is important, and I think that this information will also be useful in the debate in the Security Council, and I hope the Security Council will not be split. Sometimes the Security Council is able to take a unanimous decision, but sometimes they are not able to do so; sometimes they are not strong enough, in fact impotent. But if from your side you can say to the Security Council, "On my part I am prepared to do this, this and this. What is the opinion of the Security Council?", this will facilitate the decision of the Security Council, and I hope they will unanimously support you. Furthermore, this language will be understood by Tshombe and the Union Minière.

The Acting SECRETARY-GENERAL: On this I want to make a very brief estimation. According to the estimates of our military advisors, our existing ONUC forces in the Congo are adequate to cope with the existing situation there in the context of the existing Security Council resolutions. They are, of course, carefully watching the situation and they are confident of their ability to defend themselves in case they are attacked. They would need, of course, strengthening in some directions if new responsibilities are to be imposed on them.

That is the main point. My present thinking is that I do not want to think of reinforcements at this stage without the clear advice of this Committee and perhaps, if necessary, a fresh mandate from the Security Council, because any attempt to reinforce our fighting forces in the Congo might, among other things, involve a tremendous additional expenditure. As you all know, this has been one of my obsessions for some time. Certainly I will keep your observations in mind.

Mr. BARNES (Liberia): I did not want to say anything today, Mr. Secretary-General, because the report that you have made here will necessarily require very careful study before anyone, I believe, will be in a position to make any constructive contributions to the debate in this Advisory Committee. I have just been handed this Plan of national reconciliation. I am sure other members of this body are in the same situation. I have noted here in this Plan that in respect to the question of constitutional arrangements, the establishment of a federal government for the Congo is envisaged. I would like to ask whether the other aspects of this report, dealing with revenues and foreign exchange, military arrangements, amnesty, and the rest -- whether the implementation of these other aspects is dependent upon the establishment of this federal type of government in the Congo.

The Acting SECRETARY-GENERAL: As I said, three commissions are now functioning to implement the provisions of this Plan. They are working collectively, but one is not dependent on the other. The commissions are proceeding on the assumption that the Plan has been accepted by both parties, as it is our understanding that both Prime Minister Adoula and Mr. Tshombe have accepted the Plan. In the three commissions, the Central Government, the Katanga provincial authorities and the United Nations are represented. They are participating in all these commissions, which are proceeding on the assumption that the Plan is to be put into operation without waiting for the constitution.

Mr. COULIBALY (Mali) (interpretation from French): My delegation thanks you, Mr. Secretary-General, for the statement you have just made, which has given us very interesting information concerning the development of the Plan which you have proposed for the solution of the Congo problem. Your statement, to which we listened with great attention, gives proof that the Congo problem has not yet been solved, and that, on the contrary, there have been new developments which require our closest attention.

My Government considers that the Congo is an independent State. Therefore we would have preferred not to interfere in anything involving its constitutional structure. But since we had to do so because of the situation which we all regret, we feel called upon under these circumstances to make certain observations we deem appropriate.

(Mr. Coulibaly, Mali)

We are not yet familiar with the draft constitution which envisages the creation of a federal form of government. But on the basis of documents which we have received and which come from certain political parties in the Congo, we know that certain people in the Congo have expressed many reservations concerning this draft constitution as proposed. Under these circumstances, my delegation anxiously awaits the circulation of the draft constitution, which you have promised will take place.

I recall, Mr. Secretary-General, that at our next-to-the-last meeting you indicated that, in view of the fact that certain Governments seem to be openly giving support, directly or indirectly, to the Katanga Government -- and it is this fact that has enabled Tshombe day by day to stiffen his position -- you would communicate with these Governments and ask them to review in a more objective fashion the situation in the Congo. I would therefore like to know whether, within the framework of your Plan and in view of the statements which you have made this afternoon, and also side by side with the measures which you have envisaged within the Congo, you are also contemplating some action with respect to those Governments whose support, direct or indirect, to the Katanga Government is one of the determining factors that enable Mr. Tshombe to persist in his will to secede.

(Mr. Coulibaly, Mali)

Now because of the importance of the documents which you have communicated to us and which should be brought to the attention of our Governments, I would like to ask whether you intend to have another meeting of our Committee before the Security Council meets so that at the next meeting we could voice the opinions of our Government with regard to these projects which have been submitted to us. My Government was one of the African Governments which at the beginning of the Congo crisis sent troops to support the United Nations action in the Congo, but because of circumstances beyond our control, and which were especially motivated by the orientation and the use of United Nations troops in the Congo at that time, we were led to call for the withdrawal of our troops from the Congo.

Taking into account this new plan that you have submitted, Mr. Secretary-General, we will communicate with our Government and draw its attention to your desire to have a further military strengthening in case the situation would required further action by the United Nations troops, and the opinion of our Government will be communicated to you shortly.

The Acting SECRETARY-GENERAL: On the first point, of course I have been in constant contact with the Governments primarily connected with the Congo and particularly those Governments which in my opinion exert some influence on Mr. Tshombe. These contacts have been continuing without interruption, and of course I can assure you once again that it shall be my constant endeavour to continue this practice.

Regarding the holding of the next meeting, as I have indicated earlier, I am sure the members of this Committee might like to refer this question to their Governments, and I shall be glad to get the benefit of your advice regarding when we should meet again. My guess is that it should be at least after a period of one week. The verbatim records will be made available tomorrow around lunch time, and I should think that at least a week's notice will be necessary. Of course I will be guided by the Committee's advice on this matter.

(The Acting Secretary-General)

Regarding the reference to the Security Council meeting, of course I made it clear in my statement that, if the implementation of Prime Minister Adoula's request is to be put through, the question of whether a reference to the Security Council will be necessary or not also has to be decided at the next meeting. Therefore, I will be glad if members of the Committee could indicate to me what should be the best time for our next meeting.

There is the suggestion that we should meet ten days from now. It has been suggested that either Monday, 22 October or Tuesday, 23 October would be suitable. So let us meet at 3 p.m. on Tuesday, 23 October.

Mr. ISMAIL (Federation of Malaya): Mr. Secretary-General, as I gather it, the essence of your plan is to deny to the Katangese government payment of revenue by the Union Minière. I would like to ask a technical question about the collection of these taxes. Are they just handed over by the Union Minière to the Katangese government, or collected by the Katangese government? If so, at what time are the taxes collected, because that is the essence of your plan to deny the revenue to Mr. Tshombe. So we would like to know how these collections are made, and at what point are they collected?

The Acting SECRETARY-GENERAL: The Union Minière has been paying its taxes for the last two years directly to Mr. Tshombe's government.

Mr. ISMAIL (Federation of Malaya): I am trying to draw a parallel with our Government where we have a lot revenue from mining and where it is the duty of the Central Government to collect the revenue and we levy the taxes at the point of export. This is quite an important point.

The Acting SECRETARY-GENERAL: The Central Government has no officers at the point of export because, as you know, Mr. Minister, the point of export is only in Angola. Now they have of course agreed to divert their export to Matadi, which is in the Congo.

Mr. WACHUKU (Nigeria): There are two additional questions I would like to bring up so that the information I may require will be fuller. I notice that in the report we concentrated on the Central Government and Katanga. In the present position the Congo State is composed of six provinces. Katanga is one of them. There are five other provinces and the assumption is that the Central Government has control over the other five. Now will the Acting Secretary-General be good enough to supply us with information as to the state of affairs, broadly, in these five provinces so as to enable us to be able to assess the extent of control which the Central Government has in these five provinces and how effective it is, and this could be related to the problem of solution of the question of Katanga, particularly when we read that Northern Katanga itself is now under control of the Central Government. If we have a report about the other side, I think that will help us to understand the picture.

My other question is this. Of course we have been talking about reinforcement and military strength. I remember that in the report which was accepted by the General Assembly some time ago, it was recommended that the Congolese army should be reorganized and retrained.. We would also like to know to what extent the Congolese Army, which was supposed to be over 25,000 or so, has been retrained and regrouped and reorganized. Because again whatever we may do, the United Nations forces are not going there to stay. Ultimately it will be the Congolese Central Government troops that will keep law and order in their own country. Therefore, it would be useful to my delegation to understand how far this question of retraining and reorganizing has gone, and to see whether the Central Government is either strong or weak in the case of maintaining law and order by itself.

With these two points, in addition to the questions I have asked, and also as regards the constitution and the various reports, I think that in ten days' time we should be able to have a fair idea of the situation so as to express perhaps constructive opinion on the nature of the solution that we may think will be effective in the Congo, bearing in mind the present situation.

The Acting SECRETARY-GENERAL: Regarding the first question I would say this: The Central Congolese Parliament has recently voted to have seventeen new Provinces. As a result of this decision, there are now twenty-one Provinces. Our information is that, apart from South Katanga, the law and order situation in the Congo is comparatively stable, and there is a general feeling that the ANC is in a position to look after this problem. Of course, when we think of the Congo we have to think of the situation in relative terms only. Hence, when we say that there is law and order in the Congo, apart from South Katanga, we mean that although law and order has not been completely restored, in the usual connotation, there are very good reasons to believe that the ANC can very well handle the situation, even without ONUC.

The second question related to ANC training. It will be recalled that I made this offer to Prime Minister Adoula as long ago as January of this year -- nine months ago. I have even gone ahead with the plan to enlist certain instructors from certain French-speaking countries. The response has been very encouraging. But, for reasons which, I think, are more political than anything else, the Central Government has not been able to accept my offer. I think that Mr. Adoula and his colleagues in the Government are thinking in terms of African instructors, if available. Of course, my offer of training the ANC stands. I have made this known to Mr. Adoula on several occasions, and it is up to the Central Government to respond to it. This aspect of the problem has never been lost sight of.

I thank the Foreign Minister of Nigeria for bringing these questions to my attention.

Mr. COULIBALY (Mali) (interpretation from French): The Acting Secretary-General in his statement mentioned the arrest of Mr. Gizenga. Now, when Mr. Gizenga was arrested the United Nations said that it wanted him to enjoy humane treatment and that it desired the safeguarding of human rights in relation to him. At the present time is the United Nations concerned about Mr. Gizenga, or is he being left completely in the hands of the Central Government?

The Acting SECRETARY-GENERAL: I have repeatedly made personal requests to Prime Minister Adoula to see to it that Mr. Gizenga receives treatment in accordance with the law of the land. On purely humanitarian grounds I have several times requested him to see to it that Mr. Gizenga's health and security are not endangered in any way. Only recently, as I have already stated here, our colleague, the representative of Guinea, had an opportunity to visit the Republic of the Congo and he saw Mr. Gizenga personally. We have also made repeated requests to the Central Government to try Mr. Gizenga under the law of the land immediately or to release him. To the best of our knowledge, Mr. Gizenga is receiving reasonably good treatment.

Before the meeting adjourns, I should like to reiterate the appeal I made. I want to stress once again the confidential nature of the statements made at this meeting and of the documents distributed. I am deeply concerned that we should do nothing here to upset any applecarts, because we are passing through a very delicate stage of our operations in the Congo, and I am sure that I reflect the views of all the members of the Committee when I say that we should, all of us, give the Plan every reasonable opportunity to succeed.

We shall meet again on Tuesday, 23 October, at 3 p.m.

The meeting rose at 5.10 p.m.

CONFIDENTIAL

Meeting No. 71
6 November 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Tuesday, 6 November 1962, at 3 p.m.

In the Chair:

U THANT

The Acting SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. MALALASEKERA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. ONG

Ghana

Mr. QUAISON-SACKEY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. SOSROWARDOJO

Ireland

Mr. AIKEN

Liberia

Mr. DOE

Mali

Mr. COULIBALY

Morocco

Mr. BENHIMA

Nigeria

Mr. ADEBO

Pakistan

Mr. HAMDANI

Senegal

Mr. DELGADO

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. Taieb SLIM

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. Bomboko

The Acting SECRETARY-GENERAL: Members of the Committee, we last met on 12 October. Meetings scheduled on two subsequent occasions postponed -- in the last instance for unavoidable reasons well known to you. I regret any inconvenience that you may have experienced because of these postponements.

At our last meeting, as you will recall, I made an extended statement which included references to a number of possible actions on which the views of your Governments were invited. Since then, there have been some new developments in the Congo which your Governments may also wish to take into account in determining their views.

The most important of these new developments are dealt with in a letter to Mr. Adoula and Mr. Tshombe which Mr. Gardiner has recently dispatched on my behalf. I am now circulating this letter to you on a strictly confidential basis, since it is in the hands of the parties and we are awaiting their replies before releasing the text of the letter. It is my intention to include this letter and the replies to it in the report on the Plan to the Security Council which is still in preparation. Mr. Gardiner will be talking to the parties about their replies before they are actually formulated and sent to him. He will be going to Elisabethville again for this purpose, probably this week. We are giving the Plan every chance; we are sparing no effort to make it work. But obviously this cannot go on indefinitely. There must be a limit, a time-limit.

It follows that if the replies to Gardiner's letter are not satisfactory, if Mr. Adoula should be negative, which is not likely, or -- and this is much more likely -- if there is no clear action by Mr. Tshombe to take the necessary moves to ensure reintegration, then obviously the Plan must be abandoned and new measures must be adopted. At that point I shall of course want to consult with you again.

As the letter indicates, the time for the implementation of the Plan is rapidly running out. I am inclined to regard 15 November -- that is, nine days from now -- as a reasonable deadline for receipt of the replies.

(The Acting Secretary-General)

Mr. Gardiner was informed yesterday that Mr. Tshombe is "studying" the letter. Just now Mr. Adoula is preoccupied with the reopening of Parliament. Moreover, as you will note from the text which is just being distributed of the address given by Mr. Tshombe on 3 November at the burial ceremony of two Katangese policemen killed in an incident on 1 November by Tunisian soldiers, Mr. Tshombe still chooses to talk like the head of an independent State. More information about the incident of the Katangese police will be given to you later.

(The Acting Secretary-General)

Since our last meeting also, Prime Minister Adoula has presented the draft Constitution to the Presidents of the Provinces, who were invited to a meeting in Leopoldville for this purpose, although Mr. Tshombe decided not to be represented, reportedly because the invitation to him referred to the Province of South Katanga. The Congolese Government made available a limited number of copies of the draft Constitution for distribution to the members of this Committee on a confidential basis, and you have now had them for some time. Incidentally, an informal analysis of this Constitution by our legal experts in the Secretariat, in terms especially of how it meets the constitutional requirements of the Plan, indicates that it is entirely adequate in this respect. It remains for the new Constitution to be brought into effect through its submission to Parliament by the Prime Minister.

As you know, Dr. Bunche recently made a short visit to the Congo, at my request, to undertake some intensive consultations. In a moment, he will give you some of his impressions.

Knowing that the Foreign Minister of the Republic of the Congo came here more than a week ago with the primary purpose of addressing the meeting scheduled for last Tuesday, which unfortunately had to be postponed, I think it would be the right thing to do to give him the floor for any remarks which he may wish to make at this time. Before I do so, however, I call on Dr. Bunche for a brief report.

Mr. BUNCHE: I may say at the start that I derived encouragement from the observations made and the consultations undertaken in the course of my six-day visit to the Congo. There were certain positive factors in the picture there which were responsible for this. First of all, the ONUC organization was stronger in leadership, in planning, and in its contacts and relationships in both the military and the civilian echelons. Mr. Gardiner, General Kebbede, General Prem Chand and General Klintberg make a fine team and work together most effectively.

(Mr. Bunche)

Secondly, the ONUC operation no longer has to diffuse its personnel and its energies all over the vast territory of the Congo in trying to get a government established or Parliament convened and protected. The ANC is much improved in discipline, in leadership and in reliability. It is showing an ability to take over from ONUC, in a number of areas, full responsibility for security and for the maintenance of law and order, with ONUC providing only limited logistic support to the ANC in these areas. This relieves the United Nations troops for concentration in other areas where they are most needed, and particularly in Katanga.

I may say in this regard that the ANC contingent, which was made available to the United Nations Force some months ago and which is stationed at Kamina base, is working out very well indeed. According to the reports of all our officers, there has been a steady improvement in the performance of this unit, in the pride and industry of its personnel.

A third factor is found in the fact that Mr. Tshombe is gradually being hedged in. In this regard, attention may be called to the situation in North Katanga, which is now mostly under ANC and ONUC control, with only three or four pockets of Katangese gendarmerie remaining in that area. The largest concentration is in the Baudouinville area, where some three battalions of the gendarmerie are deployed. There is a sizable pocket at Kongolo also, but this is completely surrounded -- and has been, for some time now -- by elements of the ANC.

In South Katanga, Elisabethville -- as you know -- is completely under United Nations control, and also Kamina base. What is not known -- there have been no public reports about it -- is that today, in Elisabethville, the Central Government has customs and immigration personnel who have come there for the purpose of setting up, under ONUC protection, customs and immigration offices.

(Mr. Bunche)

These personnel have come to Elisabethville with the consent, albeit perhaps a bit reluctant, of the Katangese authorities. Indeed, just yesterday, the Congolese Minister of Defence, with a number of Congolese military observers, came to Elisabethville, and the Minister of Defence has scheduled a conference with Mr. Tshombe for yesterday afternoon. The military observers are to form the Congolese elements of the mixed military observer teams that are to be deployed in North Katanga.

In this context I also might make passing reference to a conversation I had in Leopoldville with Mr. Ngalula, the chief Congolese representative in Elisabethville for several weeks when the commissions were meeting in connexion with the implementation of the plan. Mr. Ngalula informed me that he had a free run of Elisabethville including the African communes, and that he encountered no hostility on the part of the African inhabitants of that city.

There are three strategic points in the south of Katanga which have still not been penetrated by United Nations troops or personnel, though Kolwezi and Jadotville have on occasion been visited by one or two United Nations officials; Kolwezi being most recently visited -- just last week in fact -- by Mr. Mathu accompanied by two officers. These three strategic points, of course, are Jadotville, Kolwezi and Kipushi, and they are the heart and the nerve centre of the mining industry of Katanga, of the province's export routes, and therefore are the main source of Mr. Tshombe's revenue and, consequently, of his power. The mercenaries remaining in Katanga are largely concentrated in these localities, and also the Katangese air force, which, as the Committee knows from the recent report to the Security Council, has been built up.

ONUC, the United Nations Force, must get to all three of these places. We hope that it can be done without fighting, and I think I can say that there is sound basis for that hope. If the United Nations Force is strong and well prepared, ready to fight if it must but never to initiate fighting, it is the belief of all competent observers that I talked to in the Congo, United Nations and non-United Nations, that the United Nations Force will not be challenged by the Katangese and will never have to fight again.

(Mr. Bunche)

ONUC I found to be strong and secure in Katanga, and especially in Elisabethville and Kamina base, and I may say it is getting stronger. I may say also that in recent months ONUC has been deliberately quite restrained in its actions in order not to hamper efforts under way towards peaceful reconciliation.

There are also, of course, certain negative factors in the picture. First and foremost is the prolongation of the Katanga crisis now for two and a quarter years. This suits Mr. Tshombe's purposes admirably. He constantly plays for time, in fact. Secondly, there is the possibility always of an internal political crisis which could threaten to throw the Congo again into chaos, though I must say that Prime Minister Adoula seemed to me to be quite confident and in good spirits when I last talked with him a week or so ago.

It must be mentioned on the negative side, of course, that the economy of the country is in bad shape. There is a most acute lack of foreign exchange. There has been considerable breakdown in the distribution system and in essential services in the provinces.

Before concluding I should mention, I think, two other matters which have come to the attention of the members of the Committee in one way or another. One is the recent incident involving the Tunisian soldiers. This was an incident involving Tunisian soldiers and Katangese police which took place during the evening of 1 November in Elisabethville. According to a preliminary report from the ONUC representative in Elisabethville a group of Tunisian soldiers went to a movie on that evening, and there they were molested by Katangese police. The Tunisians called their battalion for protection, and during an ensuing altercation they fired, killing one Katangese policeman and wounding another who, it appears, later died. The Tunisians asserted that they acted in self-defence because they were attacked.

The Officer-in-Charge of ONUC, Mr. Gardiner, has ordered an immediate investigation into the incident, and that investigation is now in process. By the terms of the Status of Force Agreement with the Congolese Government members of ONUC are exclusively subject to the jurisdiction of their own Governments and not to the jurisdiction of either the Central Government or the authorities of Katanga. The attempt of the Katangese police to arrest

(Mr. Bunche)

the Tunisians was, therefore, wrong. In the interrogation -- we have just learned from a cable that came in shortly before this meeting -- the Katangese Police Commissioner had acknowledged that he attempted to seize a sub-machine gun from a Tunisian sergeant immediately before the fatal firing.

The other matter is the reopening of Parliament. The two Chambers of Parliament met at nine o'clock yesterday morning 5 November. The Senate, which did not have a quorum -- only thirty-one members were present while the required quorum is forty-three -- immediately adjourned until this morning, and at this morning's meeting it did have a quorum. The Chamber of Representatives, the lower Chamber, had a quorum at yesterday's meeting but did not have one at this morning's meeting. Yesterday the Chamber elected a temporary President and appointed a commission of six to check on the credentials of the alternates who had come forward to take the places of former representatives who are now serving in provincial governments and assemblies. On the eve of the convening of Parliament President Kaso Wubu made a statement over the radio in which he called for the adoption of a federal constitution and a new financial law concerning the division of revenues between the Central Government and the Provinces. He also dismissed the rumour of an imminent dissolution of Parliament.

Mr. BOMPOKO (Congo (Leopoldville)) (interpretation from French): Before dealing with the very specific questions on which I would like to make a statement on behalf of my Government, I should like to thank the Acting Secretary-General for having made this meeting possible during my brief stay in New York. I realize that the attention of this Organization is now turned towards the Caribbean where there is a threat to international peace and security. Although this subject is not directly concerned with our present meeting, I must say how much my Government appreciated your rapid action, your indefatigable efforts, your skill, intelligence and energy in dealing with this serious problem. We found again proof of the courage which you showed during the crisis in the Congo. Indisputably, the situation in the Caribbean should have priority in the United Nations over the older problem of the Congo, but, nevertheless, I should like to focus your attention on the particular mission which my Government has given to me, which is proof of the importance which it attaches to what I am going to say.

I should like to focus attention on the urgent measures which must be taken to ensure the fulfilling of the mandate of the United Nations in the Congo. For the twenty-eight months during which the Organization has been in the Congo, during which time it has borne burdens which are unprecedented in its history, I never doubted for one moment that the personnel executing the mandate planned on accomplishing the task which had been given to it in the shortest possible time. Nevertheless, there are serious reasons for believing that unjustifiable delays have been created and that, instead of bringing the Organization nearer to the accomplishment of its mandate, a certain tolerance or even negligence has kept it away from it.

In speaking about the present situation, I would not like to dwell on how far we are from realizing the goals set out in the United Nations resolutions. This would be too pretentious, because the elements are tremendous and the situation is still very uncertain. But I would like to say, on behalf of my Government, that the Organization is still far from accomplishing the goals set forth in the resolutions, and the very basis of the United Nations would be threatened if that task were not accomplished.

The Government of the Congo asked for assistance and aid from the United Nations at a time when its independence and territorial integrity were threatened. It had confidence in the Organization and accepted its decisions.

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(Mr. Bomboko, Congo (Leopoldville))

Certainly it benefited from considerable technical assistance, but, on the essential matters, so far as the territorial integrity, the exercise of sovereignty on the entire national territory, and the end of foreign secession in Elisabethville are concerned, no progress has been achieved.

I do not intend to deal with all the background of the question, since the members of this Committee know that background, the peaceful attempts by the Government since the conferences at Tananarive, Coquithatville, and Kitona, and the negotiations at Leopoldville. The results of these attempts to reach a peaceful solution are limited to promises which have not been kept and to an attitude on the part of the team in Elisabethville to try to gain time and by all means to perpetuate the secession. We have found only stalling tactics, and these stalling tactics practiced by Tshombe have finally discouraged all those who believed that negotiations formed the only way to follow, and you yourself, Mr. Secretary-General, were obliged to admit the truth of this.

Tshombe and his masters only yield when they feel themselves under heavy pressure and we believe that for this reason you have finally worked out a Plan for the reintegration of Katanga into the Republic of the Congo. We accepted and supported this plan because, on the whole, we believed that it was a valid programme to re-establish national sovereignty over South Katanga and control over the foreign companies in this region. The public statements made in favour of the Plan in Western capitals have encouraged us, and statements that have been made in public have also given us hope. However, neither certain western Powers nor the great mining companies were ready at that time, and they are still not ready today, to put an end to Katangese secession. Neither the British Government nor the Belgian Government have given us the collaboration which is especially necessary for the implementation of the Plan. Their attitude has only encouraged Tshombe to delay the execution of that Plan or simply to refuse to agree to certain concrete points in that Plan.

So far as the Congolese Government is concerned, it has done everything possible to implement the Plan. In the first place, there was the question of the provisions of the Constitution. As the Secretary-General has pointed out, the Congolese Government has finished the drafting of this Constitution, with the help of United Nations experts in federal constitutions. The Prime Minister has communicated that draft to the Provincial Assemblies, and the draft has also been submitted to Parliament. This is what the Plan asked for, and this is what we have done.

(Mr. Bomboko, Congo (Leopoldville))

The second chapter of the Plan concerned financial questions. The Central Government was asked to work out a financial law containing provisions for the division of income. A draft has already been worked out and submitted for the approval of the Chambers. In his address on 4 November, President Kasa-Vubu recommended that the Chambers should examine this bill urgently. He said: "In order to give to the Provinces the material possibilities for survival, it is necessary urgently to enact a financial law providing for a division of the revenue between the Central Government and the provincial bodies. The law will put an end to the difficulties between the Central Executive and the Provincial Executives, it will make it possible for the Provinces to carry out on a good basis their budgetary plans for 1963." This is what President Kasa-Vubu stated in his address.

Still in the financial area, immediate steps -- I would stress the word "immediate" -- have been provided for. Indisputably, the most important aspect of the problem is the financial one, not because for us it is merely a matter of money, but because it is the monopolies and the tremendous income derived from the mining areas of the Congo, which have enabled foreign companies to maintain the secession. This is where foreign financial interests are directly concerned.

The authors of the Plan correctly understood that this was the crux of the problem, and that is why a revenue division commission should be set up immediately. The Central Government appointed representatives and sent them to Elisabethville, but Mr. Tshombe's representatives limited themselves to bringing up again for discussion the validity and the interpretation, and the special provisions, of the Plan. They declined to discuss the terms of the divisions which were provided for in the Plan. Tshombe was satisfied to pay \$2 million to the credit of the Government, on an account in London, of course. He tried to show in this way that he was giving a kind of gift to the Government. This dishonest gesture was described by Tshombe as an indication of good will, but the Central Government did not receive it. The Central Government has demanded only what is legally due to it. The Plan is clear on this point, and it should be applied faithfully and straightforwardly.

(Mr. Bomboko, Congo (Leopoldville))

In regard to foreign currency, for the unification of reserves and for the exchange of currency a second commission was to be set up immediately. Representatives of the Government were named and information was supplied by the Central Government, but instead of co-operating in the implementation of the Plan, Tshombe gave only evasive answers which were equivalent to a refusal. He stated that he did not have any foreign exchange and he refused to send the funds he was supposed to. The Acting Secretary-General's plan did not provide for these exceptions.

Prime Minister Adoula in accordance with the application of the Plan recalled the legislation on the control of exchange and the obligation to pay foreign currency to the Central Government. He particularly requested the collaboration of the Belgian Government with a view to obtaining its support vis-à-vis the Belgian companies in the settlement of the question of exchange. Belgium has not yet even deigned to answer our request, although as you all know that country had publicly stated that it was in favour of the Plan. Mr. Adoula also requested help from neighbouring countries in the area, but neither Portugal in Angola nor Great Britain in Rhodesia have followed up this request.

The third chapter of the Plan stated that the Central Government should invite the UN to request the IMF to instruct its experts to work out a plan for currency unification. A few days ago I learned that the experts had gone to the Congo, but they had not yet arrived when I left.

To consolidate his secession Tshombe and all those who support him have set up a veritable army, although they call it a gendarmerie. This group of mercenaries have great power. No durable solution can be found as long as Tshombe remains at the head of this illegal army. The Acting Secretary-General understood these dangers, and that is why his Plan attached great importance to military problems. First of all there was the provision that all military units, para-military units or gendarmerie should take an oath of allegiance to the President of the Republic. No officer, either then or later, has ever given an oath of allegiance to the President of the Republic, no matter what rumours have been circulated about this. On the contrary, Tshombe wanted to drag the Central Government into vain and pointless discussions.

(Mr. Bomboko, Congo (Leopoldville))

Secondly, a military commission was set up and the Central Government put its delegates at the disposal of the provincial delegates of South Katanga. Here again there were no results because the Katangese negotiators again put in doubt the very principles of the Plan. The Plan provided that the Acting Secretary-General should appeal to the Prime Minister and to Tshombe to stop any movement of troops, this in order to facilitate the reintegration of the Katangese gendarmerie into the army of the Congo. But Tshombe demanded talks with a view to concluding a limited cease-fire, thus transforming the very spirit of the Plan. There was no question of discussing this; it was just a question of acceding to the Acting Secretary-General's appeal and above all of stopping the movement of troops even in South Katanga. The United Nations was to verify compliance by all military units, but it was not able to fulfil its mission because Tshombe forbade it to go to Jadotville and Kipushi in South Katanga. The team in power established bases there as well as refugees for all mercenary soldiers.

With the assistance of the United Nations experts we were to set up in thirty days a plan for the integration and unification of all military units, para-military units and gendarmerie within the Congolese units. Here again Tshombe broke his word. In the third and last place, a period of two months was proposed and was accepted in which the integration and unification would take place. Not only was this not brought about within the sixty days, it has not yet even been begun. We are wondering, therefore, what was the use of insisting on the Plan, on which we placed a great part of our confidence, if it was not to be respected.

Four points remain to be analysed. The first concerns representation abroad. When he accepted the Plan two months ago, Tshombe agreed to abolish his Ministry of Foreign Affairs as well as the missions which have been established abroad. The countries which had received his envoys also publicly agreed to abolish the missions. I must tell this Committee that not only do the missions continue to exist in Brussels, but foreign consulates in Elisabethville continue to consider Mr. Kimba as Foreign Minister. This remark applies to all the consulates in Elisabethville as well as to the consulate of Belgium, which is maintained there in spite of our protests. That consulate has never received the exequatur of the Congolese Government.

The interference of these Consuls has been particularly evident during the last few months of negotiation in Elisabethville. They attempted to influence the parties, including Mr. Adoula's representatives. It is impossible to deny their complicity in the working out and in the signature of the so-called cease-fire agreement.

On the other hand, the Central Government has acted in conformity with the Plan by establishing, on the airport at Elisabethville, immigration services to deliver passports to the Congolese living in that part of the country, as the Acting Secretary-General and Mr. Bunche have just said.

The second point concerns the amnesty. A legislative text is being drafted, but we must emphasize here that it is only political offences which will be the subject of the amnesty. It will be impossible to allow to escape unpunished those who have committed common-law crimes. In any case, the amnesty can only come into effect if the Elisabethville provincial authorities definitely renounce secession.

In the third place co-operation with the United Nations was encouraged. I do not think that anyone can doubt the intention of my Government to collaborate, but one cannot say the same thing about Mr. Tshombe.

Lastly, the Central Government was to be reconstituted. The offer made by Mr. Adoula to Mr. Tshombe and his party is still valid, and at any moment we are ready to ensure the representation of South Katanga in the Central Government. Here again we must emphasize that there is a precondition: South Katanga must be integrated into the Republic. We do not wish, as we say in our country, to put the crocodile in the boat. You know that we had agreed that the Katangese parliamentarians should come to sit in Parliament, although at that moment Mr. Tshombe had not yet renounced secession. What did these gentlemen do? They created in Leopoldville a centre of subversion to bribe the members of Parliament, destroy the Central Government and even attack the United Nations Mission. That is an experience which we cannot forget and my Government cannot agree that members of the Conakat Party of Mr. Tshombe join the Government unless Mr. Tshombe really gives up his idea of secession.

I said at the beginning of my statement that the Congolese Government had accepted the Plan because it believed that its faithful application would be able to settle the Katangese problem. Furthermore, the Acting Secretary-General's proposals both explicitly and implicitly called for firmness and honesty in the application of the Plan.

(Mr. Bomboko,
Congo (Leopoldville))

As far as implementing the Plan is concerned, the authorities of Elisabethville have been quite faithless. Apart from certain spectacular measures, which were really negligible, they have not contributed to the solution of the problem. They have sent some copper for export via Leopoldville while the other exports are still going through Angola and Rhodesia. Since the first two wagonloads were sent, there has not been another which passed through the national route. This shows that it is only for purposes of propaganda that these two wagonloads were originally sent, and as for the construction of the bridge, Mr. Tshombe was permitted to make a speech on it, to say that he had built it. But the bridge was built thanks to the collaboration of the United Nations and the Central Government. Mr. Tshombe took advantage of the opportunity to slander the Central Government and even the United Nations.

They claim to have opened communications with Leopoldville, but in fact, no progress has been made. Belgium is still maintaining its radio and telegraphic communications directly with Elisabethville, thus showing its contempt for the Congolese Government. They say that they are ready to open the airport at Elisabethville, but when we try to do it they arrest the aircraft crews which are flown in and the United Nations does nothing about it.

Mr. Tshombe is only trying to play for time. The dispatch with which the Plan should have been applied point by point is the very essence of it. It is not by chance that the Secretary-General envisaged immediate sanctions. The programme often uses the term "immediately". This does not mean in the future, but immediately; that is to say, as soon as the indispensable conditions are realizable. When we say "immediately" we envisage an action to be taken at once. It should not be held up any longer than necessary except to give the orders and to take the measures for excluding all discussion on the substance of the problem.

As far as the military aspect is concerned, delays of a month or more were envisaged and accepted. But if any delay is not respected, the Plan will be pointless.

The report of the Officer-in-Charge of ONUC, Mr. Gardiner (S/5053/Add.1-2), and the commentaries and explanations, as well as the information provided by the Secretary-General, leave no doubt about the exceptional seriousness of the situation.

(Mr. Bomboko,
Congo (Leopoldville))

My Government is particularly aware of this seriousness because of the fact that, at the moment of the implementation of the Secretary-General's Plan Mr. Tshombe and the Elisabethville authorities seemed to reinforce their position by means of military equipment in a more alarming way than at any time since 1960. While the Central Government, in conformity with its desire to resolve the crisis by peaceful means, took upon itself the task of implementing one after another the points in the Plan Mr. Tshombe has been violating the promises and commitments which had been made, taking advantage of the patience of the Central Government in order to continue to arm himself.

I have no intention of prophesying the future, but certainly Tshombe's intentions are resistance and opposition to the unification of the Congo and refusal of the Plan and of the Federal Constitution. In a word, it will mean the failure of all our efforts. Indeed the growth of the air force of Mr. Tshombe could be of strategic importance. The quantity and quality of his military aircraft, as well as his arms and ammunition, give him an apparent superiority over United Nations forces, if not indeed the power to paralyse all actions of the United Nations. This is an indication of the dangerous possibilities in the development of the situation.

Not only can the United Nations be attacked or continually harassed, but also can be deprived of any means of effective action. It will no longer have the necessary instruments for the realization of an eventual economic pressure. I would say then that if effective measures are not taken immediately, the Organization will experience a grievous failure in the Congo. An urgent plan must be drawn up assuring a logistic support of economic pressures.

The Secretary-General can continue his consultations with the Belgian and British Governments with a view to obtaining supplementary and more positive efforts than in the past for the implementation of the Plan. The acceptance or adherence to the Plan will remain a dead letter unless these Governments forbid and prevent the hostile activities of private companies against the Congo. The two Governments could exercise effective control over the companies which are transporting or providing arms and financial resources for the purchase of such arms. It has always been insisted that the Central Government should have discussions with Mr. Tshombe. In general, it is not with Mr. Tshombe that we should hold discussions because he is not the one who is really responsible. Those who are really responsible are behind him. They are the industrial

(Mr. Bomboko,
Congo (Leopoldville))

companies operating in our country. It would be a good thing to invite those companies to begin discussions frankly with the Central Government. In spite of all the appeals which we have made to them, these companies do not wish to respond to our offers of discussion. They refuse because they know very well that they are the foundation of secession itself.

My Government does not believe that the Belgian and British Governments are incapable of doing this. The nations of the Commonwealth could study and adopt a pressure policy which would be effective as far as the United Kingdom and Rhodesia are concerned. Their intervention could also make a positive contribution to the solution of the problem, as was the case at the time of the Suez crisis, for example.

The Organization could give clearer and more substantial support than it has in the past to the Central Government in the military field. The General Assembly could decide on measures to be taken with regard to South Africa and Portugal, which are directly and overtly encouraging Katangese secession, since up to now Portugal has not replied to the demand of the Central Government regarding the transport of copper. The Security Council and, in its turn, the General Assembly, could authorize the Secretary-General to use the best possible means to institute an economic blockade against South Katanga, for if the use of force is condemned as a means of resolving the Katangese crisis, force could be shown and applied, if not utilized, to assure the effectiveness of economic measures.

The presence of the United Nations Force and its reinforcement would have an indirect effect in supporting the resolutions of the United Nations.

In conclusion, my Government, although it continues to attach importance to the Plan which we have accepted, and which we cannot renounce, requests the United Nations to apply this plan immediately and without delay, no longer discussing with Mr. Tshombe, because when the Plan was presented the question was simply whether Mr. Tshombe would say yes or no. Since that time, Mr. Tshombe has been given the chance of getting out of it because he was given the opportunity of discussing it with us. There have been times, as I have indicated in my speech, when Mr. Tshombe even wished to place in doubt the principles of the Plan which he had already accepted. What we want is to invite Mr. Tshombe to carry out, by concrete, positive acts, what the Plan asks of him, which is to

(Mr. Bomboko, Congo (Leopoldville))

make his contribution to the Plan. The Central Government has already done its part, as I have indicated to the members of the Committee, except for two or three questions such as questions of the amnesty and reconstitution of the Government. The Central Government has put into effect what the Plan has asked of it, except in these cases. Mr. Tshombe must understand that he must put into effect what he has promised. It is necessary above all to finish with these delays and not to go on discussing eternally. We must fix a date so that if Mr. Tshombe goes beyond it, sanctions will go into effect because Mr. Tshombe always counts on the fact that, through discussion, one can continue to the end of next year without any measures having been taken.

This is the only condition on which we are prepared to support the Plan and to carry out all that it demands of us. The Central Government has confidence in the United Nations and that is why we have agreed to the Plan. What we ask now is the faithful application of the Plan.

(Mr. Bonboko, Congo (Leopoldville))

As regards, for example, the stopping of troop movements, the Central Government is prepared to do this. This is demonstrated by the fact that the Minister of National Defence is now in Elisabethville. But these troop movements should not relate only to North Katanga. Troop movements must be stopped throughout Katanga, including South Katanga. Indeed, troop movements could be stopped in the North but the bases would be left at Mr. Tshombe's disposal, and he would continue as always to supply and reinforce his positions in North Katanga.

Furthermore, it is incredible that the United Nations has not so far been authorized to penetrate the very bases of the rebellion of Katanga -- that is, the bases of Kolwezi, Jadotville and Kipushi. That is where Mr. Tshombe has stockpiled his war materiel. That is where, as is known, all the mercenaries are hidden. These hotbeds are in the process of being consolidated, and no action has been taken to destroy them. So long as they are not destroyed, it will be possible for Mr. Tshombe to be the stronger because he will continue to arm and reinforce his military effectives. He will, therefore, accept no peaceful solution because he will believe that his force can oppose that of the United Nations and that of the Central Government. I think that in Katanga we must give a demonstration of force so that we do not have to use it later.

The Acting SECRETARY-GENERAL: I thank the Foreign Minister of the Congo for his very useful statement. At this stage I would make only one comment. I agree with the Foreign Minister that we should not await indefinitely Mr. Tshombe's reply regarding his acceptance or rejection of my Plan. As I said in my earlier statement today, I have set 15 November -- that is, only nine days from now -- as the deadline for the receipt of replies. I have conveyed this information to Mr. Gardiner today, and he will convey it to Mr. Tshombe -- most probably this week, perhaps even on Thursday. I am sure that members of the Congo Advisory Committee will agree with me that a definite deadline should be set at this stage and that it will serve no useful purpose to await indefinitely Mr. Tshombe's reaction.

Mr. CHAKRAVARTY (India): I have asked to speak only to try to undo the mischief which has been created by certain speculative reports that have appeared in the Press. Some of my colleagues here have been asking whether it is a fact that, as has been stated in the Press, India has demanded the immediate withdrawal of the Indian contingent of troops in the Congo. I wish to avoid further speculation by making this short statement. There is no truth in these Press reports. All that happened was this: I came to see the Acting Secretary-General yesterday with the specific object of handing over a certain communication. I naturally took the opportunity to ask him about the situation in the Congo, particularly because our good friend Mr. Bunche had returned from there so recently. But I would like to make it clear that the report that we have asked to withdraw our troops from the Congo area is not correct.

I must, however, also make it quite clear that India -- and I am sure that this applies equally to the United Nations as a whole -- would not like to keep its troops in the Congo indefinitely. We have made it quite clear on various occasions, including those on which I have had the privilege of seeing the Acting Secretary-General, that we would not like to keep the troops in the Congo a day longer than is absolutely essential. We hope that a settlement in the Congo will be achieved very soon, enabling us to withdraw our troops. That is a hope which we have always expressed and which we continue to express.

(Mr. Chakravarty, India)

I would also like to use this opportunity to say that it is a very depressing account that we have heard from the Foreign Minister of the Congo. I can only repeat what I said on the last occasion -- namely, that the time which has been laid down must be strictly adhered to and Mr. Tshombe should not be given an opportunity to delay by interminable negotiations.

Coming back to the Press report, I would repeat that we regret this report, particularly since it is going to help nobody except, perhaps, Mr. Tshombe, who may think that others might withdraw their troops -- something which would be entirely to his advantage.

Mr. ADEBO (Nigeria): In the first place, I should like to associate myself with the view expressed by the representative of India that the account to which we have just listened is a very depressing one. But I must say that it is not a surprising one, because, although we have not had inside knowledge, we have all been following the Press reports on what has seemed to be going on in the Congo.

I am not sure, Mr. Secretary-General, just how much discussion you would like today. You have just informed us that you have now given a dead-line to Mr. Tshombe and Mr. Adoula for the full acceptance of your proposals. I assume, therefore, that we ought to wait until the expiration of that dead-line, and then meet to give you our advice about what should be done.

You have, Mr. Secretary-General, also circulated for our information the draft Constitution which the President of the Congo has submitted to his Parliament. That draft is the result not only of the efforts of the Congolese themselves, but also of the efforts of certain experts whom you have been pleased to appoint. We have received only the French text of this Constitution. It is a document of real importance to us all, even though it has been sent to us for our information only. I therefore took the opportunity a few days ago of asking you, Mr. Secretary-General, as you are aware, whether you would not be kind enough to procure for us an English translation of this document so that we might be able to examine it with intelligent interest. You explained to me what the difficulties were -- that this is a very important legal document and, while you had good people who could translate it into English, no translation would carry the authenticity of the French text. I ventured to observe that,

(Mr. Adebo, Nigeria)

while I understood the difficulties, I still thought that those of us who do not speak French should be given an English translation of this document.

I said that we would be prepared to accept the translation with the reservation that it is not an authentic text, that the only authentic text is the French version.

I would therefore like to take this opportunity to press that request, I hope that my non-French-speaking colleagues will associate themselves with it.

I should like to say that I have not proceeded to express concrete views upon the happenings in the Congo just now, for the simple reason that I am not sure that this is the time to express them. Should this meeting decide that this is the time, then, if the Secretary-General does not mind, I would have to ask for the floor again.

The Acting SECRETARY-GENERAL: On this matter of the Constitution, the original French text, of course, was distributed to the members of the Congo Advisory Committee at the last meeting, and I gave much thought to the advisability of getting some Secretariat members to translate it into English for the benefit at least of the members of this Committee. But I felt that it was rather risky for members of the Secretariat to attempt to translate such a document as the Constitution of a country. Members of the Committee will no doubt agree with me that the Constitution of any country has to be drafted in very meticulous language; not only does it require skilled translators, but only those who know something about the Constitution will be able to handle that sort of activity adequately.

However, since the Ambassador of Nigeria has suggested that the French text alone should be treated as authentic and that the English text should be treated as unauthorized and should be distributed simply for the convenience of the members of this Committee, I will see to it that English copies of the Constitution are made available to the members of this Committee as early as possible. We will try to have them available by Friday of this week.

While on this subject, I also wish to thank the Ambassador of India for his statement before this Committee. I am sure I am voicing the sentiments of all the members of this Committee when I say that India's contribution to the United Nations effort in our search for a peaceful solution of the Congo problem has been extraordinary. Even in the face of the greatest calamity, if I may say so, facing India, the Government and people of India have been most magnanimous in assuring the world that they are prepared to permit their armed forces under the United Nations to operate in the Congo as long as the United Nations considers their presence necessary.

This statement by the representative of India will give assurance not only to the members of this Committee but to the general public, which is much perturbed, I understand, by the rumours circulating in regard to the Indian Government's prospective attitude.

I am sure that the members of this Committee would wish me to convey the grateful thanks of this Committee to the Government of India for its very thoughtful and magnanimous attitude regarding the continued operation of the Indian forces in the Congo under the United Nations.

Mr. RIAD (United Arab Republic): I want to thank the Secretary-General and Dr. Bunche for the information they have given to the Committee. After hearing the statement of the Foreign Minister of the Congo, I think it was a wise move for the Secretary-General to fix the deadline of 15 November for a reply from Mr. Tshombe. If I may be permitted, I would like to propose the adjournment of our meeting today. Perhaps we can hold another meeting after 15 November, when we will hear the reply from Mr. Tshombe. I have another reason, also: I know that Mr. Ruegger, of the International Committee of the Red Cross, is here in New York now and is awaiting a meeting with the Secretary-General. We are all aware of the importance and urgency of such a meeting, which I understood was to be held at about four o'clock. Since it is now half-past four, I propose that our meeting be adjourned.

The Acting SECRETARY-GENERAL: Thank you very much for that very kind suggestion. However, I have the Ambassadors of Guinea and Ghana on my list, and I should like to know whether they are agreeable to the suggestion just made by the Ambassador of the United Arab Republic. Actually, Mr. Ruegger arrived just before I left my office and urgently wanted to see me. I tentatively arranged to meet him at five o'clock this afternoon, but it seems that he wanted to see me earlier than that, if possible. Therefore, if the members of the Committee agree, and particularly if the representatives of Guinea and Ghana do not object, I should like to adjourn the meeting now.

Mr. DIALLO (Guinea) (interpretation from French): I have no objection. However, it was said just a short time ago that the Foreign Minister of the Congo has been waiting here for a week. Would it be possible to ask whether the Foreign Minister of the Congo will be here when we again take up the discussion on substance? Except for that consideration, I would have no objection. It simply seems that, from the point of view of courtesy to the Foreign Minister of the Congo, who is directly concerned in the matter and who has been here for ten days, it might be a bit indelicate to adjourn the meeting without beginning further discussion.

The Acting SECRETARY-GENERAL: I wonder whether the Foreign Minister of the Congo could give us some indication of his travel schedule -- how long he proposes to stay in New York.

Mr. BOMBOKO (Congo (Leopoldville)) (interpretation from French): This question is very important to my country. Even if I went back to the Congo, I would return here if there were a meeting of the Advisory Committee after 15 November. My presence at that time would be necessary.

The Acting SECRETARY-GENERAL: I should like to remind the members of the Committee that the Parliament is in session in the Congo, so the Foreign Minister is very keen to get back there as soon as possible.

Mr. QUAISON-SACKY (Ghana): We have an habitual courtesy which we show on such occasions, and we shall never oppose any move for an adjournment. In any case, as has been indicated by the representative of Nigeria, new documents have been circulated and you, Sir, and Dr. Bunche have made statements which need reflection on our part. Therefore, I also assumed that there was going to be another meeting to enable us to give our concrete views on the statements which had been made. I think, however, that I should ask one question, since the reply to it might be very helpful to my Government when I report to Accra.

You, Sir, said that if the replies from Mr. Adoula and Mr. Tshombe were negative then it was your intention to abandon your plan. My question is as follows. Since the plan which you have put forward -- and we have already spoken on this -- provides for various kinds of coercive measures to ensure the reintegration to which my Government has already agreed, why is it going to be abandoned? And, if it is abandoned, what new measures are being envisaged? I think that these are pertinent questions the answers to which might be helpful to my Government.

The Acting SECRETARY-GENERAL: Of course, that will be the subject of our next meeting, and I think I shall be able to go into greater detail then. If Mr. Tshombe says "No" to the implementation of my Plan, that is, the United Nations Plan, then I shall give reasons to this Committee why that Plan will have to be abandoned -- with, of course, the agreement of the Advisory Committee on the Congo -- and I shall present an alternative plan which I believe will be equally effective. At this stage I do not want to go into details of why I want to abandon the Plan under certain circumstances because we are running into some practical difficulties, but I am sure that the alternative plan which I have in mind, and which I propose to present to this Committee at our next meeting, will be equally effective and will, I believe, render the solution of the Congo problem easier.

Mr. QUAISON-SACKY (Ghana): Thank you, Sir.

Mr. ADEBO (Nigeria): I am very glad that our colleague from Ghana made that intervention because I think it is very important that what is known outside this Committee at the conclusion of this meeting should not be such as to give encouragement to the people in the Congo who are not looking for a settlement. When you opened the discussion, Sir, you said that you were giving information to us on a confidential basis. I have never been sure how much is truly confidential in the United Nations, because after every meeting of the Advisory Committee on the Congo reports have appeared in the Press attributed to "very reliable sources", and whenever there has been any mistake at all in those reports it has been of a tendentious character.

Therefore, I wonder whether it will not be necessary for you to devise some statement which you will release to the Press telling it just what has happened, but telling it so accurately that there will not be distortion. If the thing is kept confidential it will in fact see the light of day, only it will be a garbled account and might do us harm. For example, if it is published that in the event of your receiving a negative reply that is the end of this Plan that would be an achievement for people who do not want the Plan to succeed. On the other hand, if the point was that if they said "No" to it then you were going to put to us a revised plan of a more effective character, that, in my view, would be psychologically an advantage.

Therefore, I would very much like to suggest that, instead of publishing nothing, we should publish something which I am sure we can trust the Secretariat to produce with great discretion.

The Acting SECRETARY-GENERAL: I thank the representative of Nigeria. Just to allay such speculation and, perhaps, distorted accounts of this meeting, I have already arranged with OPI to release a short statement.

I should like also to request the members of this Committee -- although, of course, I know that such a request is not really necessary -- to keep the target date of 15 November strictly confidential, because Mr. Gardiner is going to convey it to Mr. Tshombe on Thursday only, at the earliest, and to the Prime Minister too. So, before this information gets to them, and particularly to Mr. Tshombe, I do not want to give the impression that we are leaking it deliberately at this end. My request to the members of the Committee, therefore, is to keep the proceedings of this meeting strictly confidential, as before. I thank them for their kind co-operation.

The meeting rose at 4.35 p.m.

CONFIDENTIAL

Meeting No. 71
6 November 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Tuesday, 6 November 1962, at 3 p.m.

In the Chair:

U THANT

The Acting SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. MALALASEKERA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. ONG

Ghana

Mr. QUAISON-SACKEY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. SOSROWARDOJO

Ireland

Mr. AIKEN

Liberia

Mr. DOE

Mali

Mr. COULIBALY

Morocco

Mr. BENHIMA

Nigeria

Mr. ADEBO

Pakistan

Mr. HAMDANI

Senegal

Mr. DELGADO

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. Taieb SLIM

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. Bomboko

The Acting SECRETARY-GENERAL: Members of the Committee, we last met on 12 October. Meetings scheduled on two subsequent occasions postponed -- in the last instance for unavoidable reasons well known to you. I regret any inconvenience that you may have experienced because of these postponements.

At our last meeting, as you will recall, I made an extended statement which included references to a number of possible actions on which the views of your Governments were invited. Since then, there have been some new developments in the Congo which your Governments may also wish to take into account in determining their views.

The most important of these new developments are dealt with in a letter to Mr. Adoula and Mr. Tshombe which Mr. Gardiner has recently dispatched on my behalf. I am now circulating this letter to you on a strictly confidential basis, since it is in the hands of the parties and we are awaiting their replies before releasing the text of the letter. It is my intention to include this letter and the replies to it in the report on the Plan to the Security Council which is still in preparation. Mr. Gardiner will be talking to the parties about their replies before they are actually formulated and sent to him. He will be going to Elisabethville again for this purpose, probably this week. We are giving the Plan every chance; we are sparing no effort to make it work. But obviously this cannot go on indefinitely. There must be a limit, a time-limit.

It follows that if the replies to Gardiner's letter are not satisfactory, if Mr. Adoula should be negative, which is not likely, or -- and this is much more likely -- if there is no clear action by Mr. Tshombe to take the necessary moves to ensure reintegration, then obviously the Plan must be abandoned and new measures must be adopted. At that point I shall of course want to consult with you again.

As the letter indicates, the time for the implementation of the Plan is rapidly running out. I am inclined to regard 15 November -- that is, nine days from now -- as a reasonable deadline for receipt of the replies.

(The Acting Secretary-General)

Mr. Gardiner was informed yesterday that Mr. Tshombe is "studying" the letter. Just now Mr. Adoula is preoccupied with the reopening of Parliament. Moreover, as you will note from the text which is just being distributed of the address given by Mr. Tshombe on 3 November at the burial ceremony of two Katangese policemen killed in an incident on 1 November by Tunisian soldiers, Mr. Tshombe still chooses to talk like the head of an independent State. More information about the incident of the Katangese police will be given to you later.

(The Acting Secretary-General)

Since our last meeting also, Prime Minister Adoula has presented the draft Constitution to the Presidents of the Provinces, who were invited to a meeting in Leopoldville for this purpose, although Mr. Tshombe decided not to be represented, reportedly because the invitation to him referred to the Province of South Katanga. The Congolese Government made available a limited number of copies of the draft Constitution for distribution to the members of this Committee on a confidential basis, and you have now had them for some time. Incidentally, an informal analysis of this Constitution by our legal experts in the Secretariat, in terms especially of how it meets the constitutional requirements of the Plan, indicates that it is entirely adequate in this respect. It remains for the new Constitution to be brought into effect through its submission to Parliament by the Prime Minister.

As you know, Dr. Bunche recently made a short visit to the Congo, at my request, to undertake some intensive consultations. In a moment, he will give you some of his impressions.

Knowing that the Foreign Minister of the Republic of the Congo came here more than a week ago with the primary purpose of addressing the meeting scheduled for last Tuesday, which unfortunately had to be postponed, I think it would be the right thing to do to give him the floor for any remarks which he may wish to make at this time. Before I do so, however, I call on Dr. Bunche for a brief report.

Mr. BUNCHE: I may say at the start that I derived encouragement from the observations made and the consultations undertaken in the course of my six-day visit to the Congo. There were certain positive factors in the picture there which were responsible for this. First of all, the ONUC organization was stronger in leadership, in planning, and in its contacts and relationships in both the military and the civilian echelons. Mr. Gardiner, General Kebbede, General Prem Chand and General Klintberg make a fine team and work together most effectively.

(Mr. Bunche)

Secondly, the ONUC operation no longer has to diffuse its personnel and its energies all over the vast territory of the Congo in trying to get a government established or Parliament convened and protected. The ANC is much improved in discipline, in leadership and in reliability. It is showing an ability to take over from ONUC, in a number of areas, full responsibility for security and for the maintenance of law and order, with ONUC providing only limited logistic support to the ANC in these areas. This relieves the United Nations troops for concentration in other areas where they are most needed, and particularly in Katanga.

I may say in this regard that the ANC contingent, which was made available to the United Nations Force some months ago and which is stationed at Kamina base, is working out very well indeed. According to the reports of all our officers, there has been a steady improvement in the performance of this unit, in the pride and industry of its personnel.

A third factor is found in the fact that Mr. Tshombe is gradually being hedged in. In this regard, attention may be called to the situation in North Katanga, which is now mostly under ANC and ONUC control, with only three or four pockets of Katangese gendarmerie remaining in that area. The largest concentration is in the Baudouinville area, where some three battalions of the gendarmerie are deployed. There is a sizable pocket at Kongolo also, but this is completely surrounded -- and has been, for some time now -- by elements of the ANC.

In South Katanga, Elisabethville -- as you know -- is completely under United Nations control, and also Kamina base. What is not known -- there have been no public reports about it -- is that today, in Elisabethville, the Central Government has customs and immigration personnel who have come there for the purpose of setting up, under ONUC protection, customs and immigration offices.

(Mr. Bunche)

These personnel have come to Elisabethville with the consent, albeit perhaps a bit reluctant, of the Katangese authorities. Indeed, just yesterday, the Congolese Minister of Defence, with a number of Congolese military observers, came to Elisabethville, and the Minister of Defence had scheduled a conference with Mr. Tshombe for yesterday afternoon. The military observers are to form the Congolese elements of the mixed military observer teams that are to be deployed in North Katanga.

In this context I also might make passing reference to a conversation I had in Leopoldville with Mr. Ngalula, the chief Congolese representative in Elisabethville for several weeks when the commissions were meeting in connexion with the implementation of the plan. Mr. Ngalula informed me that he had a free run of Elisabethville including the African communes, and that he encountered no hostility on the part of the African inhabitants of that city.

There are three strategic points in the south of Katanga which have still not been penetrated by United Nations troops or personnel, though Kolwezi and Jadotville have on occasion been visited by one or two United Nations officials; Kolwezi being most recently visited -- just last week in fact -- by Mr. Mathu accompanied by two officers. These three strategic points, of course, are Jadotville, Kolwezi and Kipushi, and they are the heart and the nerve centre of the mining industry of Katanga, of the province's export routes, and therefore are the main source of Mr. Tshombe's revenue and, consequently, of his power. The mercenaries remaining in Katanga are largely concentrated in these localities, and also the Katangese air force, which, as the Committee knows from the recent report to the Security Council, has been built up.

ONUC, the United Nations Force, must get to all three of these places. We hope that it can be done without fighting, and I think I can say that there is sound basis for that hope. If the United Nations Force is strong and well prepared, ready to fight if it must but never to initiate fighting, it is the belief of all competent observers that I talked to in the Congo, United Nations and non-United Nations, that the United Nations Force will not be challenged by the Katangese and will never have to fight again.

(Mr. Bunche)

ONUC I found to be strong and secure in Katanga, and especially in Elisabethville and Kamina base, and I may say it is getting stronger. I may say also that in recent months ONUC has been deliberately quite restrained in its actions in order not to hamper efforts under way towards peaceful reconciliation.

There are also, of course, certain negative factors in the picture. First and foremost is the prolongation of the Katanga crisis now for two and a quarter years. This suits Mr. Tshombe's purposes admirably. He constantly plays for time, in fact. Secondly, there is the possibility always of an internal political crisis which could threaten to throw the Congo again into chaos, though I must say that Prime Minister Adoula seemed to me to be quite confident and in good spirits when I last talked with him a week or so ago.

It must be mentioned on the negative side, of course, that the economy of the country is in bad shape. There is a most acute lack of foreign exchange. There has been considerable breakdown in the distribution system and in essential services in the provinces.

Before concluding I should mention, I think, two other matters which have come to the attention of the members of the Committee in one way or another. One is the recent incident involving the Tunisian soldiers. This was an incident involving Tunisian soldiers and Katangese police which took place during the evening of 1 November in Elisabethville. According to a preliminary report from the ONUC representative in Elisabethville a group of Tunisian soldiers went to a movie on that evening, and there they were molested by Katangese police. The Tunisians called their battalion for protection, and during an ensuing altercation they fired, killing one Katangese policeman and wounding another who, it appears, later died. The Tunisians asserted that they acted in self-defence because they were attacked.

The Officer-in-Charge of ONUC, Mr. Gardiner, has ordered an immediate investigation into the incident, and that investigation is now in process. By the terms of the Status of Force Agreement with the Congolese Government members of ONUC are exclusively subject to the jurisdiction of their own Governments and not to the jurisdiction of either the Central Government or the authorities of Katanga. The attempt of the Katangese police to arrest

(Mr. Bunche)

the Tunisians was, therefore, wrong. In the interrogation -- we have just learned from a cable that came in shortly before this meeting -- the Katangese Police Commissioner had acknowledged that he attempted to seize a sub-machine gun from a Tunisian sergeant immediately before the fatal firing.

The other matter is the reopening of Parliament. The two Chambers of Parliament met at nine o'clock yesterday morning, 5 November. The Senate, which did not have a quorum -- only thirty-one members were present while the required quorum is forty-three -- immediately adjourned until this morning, and at this morning's meeting it did have a quorum. The Chamber of Representatives, the lower Chamber, had a quorum at yesterday's meeting but did not have one at this morning's meeting. Yesterday the Chamber elected a temporary President and appointed a commission of six to check on the credentials of the alternates who had come forward to take the places of former representatives who are now serving in provincial governments and assemblies. On the eve of the convening of Parliament President Kasavubu made a statement over the radio in which he called for the adoption of a federal constitution and a new financial law concerning the division of revenues between the Central Government and the Provinces. He also dismissed the rumour of an imminent dissolution of Parliament.

Mr. BOMBOKO (Congo (Leopoldville)) (interpretation from French): Before dealing with the very specific questions on which I would like to make a statement on behalf of my Government, I should like to thank the Acting Secretary-General for having made this meeting possible during my brief stay in New York. I realize that the attention of this Organization is now turned towards the Caribbean where there is a threat to international peace and security. Although this subject is not directly concerned with our present meeting, I must say how much my Government appreciated your rapid action, your indefatigable efforts, your skill, intelligence and energy in dealing with this serious problem. We found again proof of the courage which you showed during the crisis in the Congo. Indisputably, the situation in the Caribbean should have priority in the United Nations over the older problem of the Congo, but, nevertheless, I should like to focus your attention on the particular mission which my Government has given to me, which is proof of the importance which it attaches to what I am going to say.

I should like to focus attention on the urgent measures which must be taken to ensure the fulfilling of the mandate of the United Nations in the Congo.. For the twenty-eight months during which the Organization has been in the Congo, during which time it has borne burdens which are unprecedented in its history, I never doubted for one moment that the personnel executing the mandate planned on accomplishing the task which had been given to it in the shortest possible time. Nevertheless, there are serious reasons for believing that unjustifiable delays have been created and that, instead of bringing the Organization nearer to the accomplishment of its mandate, a certain tolerance or even negligence has kept it away from it.

In speaking about the present situation, I would not like to dwell on how far we are from realizing the goals set out in the United Nations resolutions. This would be too pretentious, because the elements are tremendous and the situation is still very uncertain. But I would like to say, on behalf of my Government, that the Organization is still far from accomplishing the goals set forth in the resolutions, and the very basis of the United Nations would be threatened if that task were not accomplished.

The Government of the Congo asked for assistance and aid from the United Nations at a time when its independence and territorial integrity were threatened. It had confidence in the Organization and accepted its decisions,

/...

(Mr. Bomboko, Congo (Leopoldville))

Certainly it benefited from considerable technical assistance, but, on the essential matters, so far as the territorial integrity, the exercise of sovereignty on the entire national territory, and the end of foreign secession in Elisabethville are concerned, no progress has been achieved.

I do not intend to deal with all the background of the question, since the members of this Committee know that background, the peaceful attempts by the Government since the conferences at Tananarive, Coquilhatville, and Kitona, and the negotiations at Leopoldville. The results of these attempts to reach a peaceful solution are limited to promises which have not been kept and to an attitude on the part of the team in Elisabethville to try to gain time and by all means to perpetuate the secession. We have found only stalling tactics, and these stalling tactics practiced by Tshombe finally discouraged all those who believed that negotiations formed the only way to follow, and you yourself, Mr. Secretary-General, were obliged to admit the truth of this.

Tshombe and his masters only yield when they feel themselves under heavy pressure and we believe that for this reason you have finally worked out a Plan for the reintegration of Katanga into the Republic of the Congo. We accepted and supported this plan because, on the whole, we believed that it was a valid programme to re-establish national sovereignty over South Katanga and control over the foreign companies in this region. The public statements made in favour of the Plan in Western capitals have encouraged us, and statements that have been made in public have also given us hope. However, neither certain western Powers nor the great mining companies were ready at that time, and they are still not ready today, to put an end to Katangese secession. Neither the British Government nor the Belgian Government have given us the collaboration which is especially necessary for the implementation of the Plan. Their attitude has only encouraged Tshombe to delay the execution of that Plan or simply to refuse to agree to certain concrete points in that Plan.

So far as the Congolese Government is concerned, it has done everything possible to implement the Plan. In the first place, there was the question of the provisions of the Constitution. As the Secretary-General has pointed out, the Congolese Government has finished the drafting of this Constitution, with the help of United Nations experts in federal constitutions. The Prime Minister has communicated that draft to the Provincial Assemblies, and the draft has also been submitted to Parliament. This is what the Plan asked for, and this is what we have done.

(Mr. Bomboko, Congo (Leopoldville))

The second chapter of the Plan concerned financial questions. The Central Government was asked to work out a financial law containing provisions for the division of income. A draft has already been worked out and submitted for the approval of the Chambers. In his address on 4 November, President Kasa-Vubu recommended that the Chambers should examine this bill urgently. He said: "In order to give to the Provinces the material possibilities for survival, it is necessary urgently to enact a financial law providing for a division of the revenue between the Central Government and the provincial bodies. The law will put an end to the difficulties between the Central Executive and the Provincial Executives, it will make it possible for the Provinces to carry out on a good basis their budgetary plans for 1963." This is what President Kasa-Vubu stated in his address.

Still in the financial area, immediate steps -- I would stress the word "immediate" -- have been provided for. Indisputably, the most important aspect of the problem is the financial one, not because for us it is merely a matter of money, but because it is the monopolies and the tremendous income derived from the mining areas of the Congo, which have enabled foreign companies to maintain the secession. This is where foreign financial interests are directly concerned.

The authors of the Plan correctly understood that this was the crux of the problem, and that is why a revenue division commission should be set up immediately. The Central Government appointed representatives and sent them to Elisabethville, but Mr. Tshombe's representatives limited themselves to bringing up again for discussion the validity and the interpretation, and the special provisions, of the Plan. They declined to discuss the terms of the divisions which were provided for in the Plan. Tshombe was satisfied to pay \$2 million to the credit of the Government, on an account in London, of course. He tried to show in this way that he was giving a kind of gift to the Government. This dishonest gesture was described by Tshombe as an indication of good will, but the Central Government did not receive it. The Central Government has demanded only what is legally due to it. The Plan is clear on this point, and it should be applied faithfully and straightforwardly.

(Mr. Bomboko, Congo (Leopoldville))

In regard to foreign currency, for the unification of reserves and for the exchange of currency a second commission was to be set up immediately. Representatives of the Government were named and information was supplied by the Central Government, but instead of co-operating in the implementation of the Plan, Tshombe gave only evasive answers which were equivalent to a refusal. He stated that he did not have any foreign exchange and he refused to send the funds he was supposed to. The Acting Secretary-General's plan did not provide for these exceptions.

Prime Minister Adoula in accordance with the application of the Plan recalled the legislation on the control of exchange and the obligation to pay foreign currency to the Central Government. He particularly requested the collaboration of the Belgian Government with a view to obtaining its support vis-à-vis the Belgian companies in the settlement of the question of exchange. Belgium has not yet even deigned to answer our request, although as you all know that country had publicly stated that it was in favour of the Plan. Mr. Adoula also requested help from neighbouring countries in the area, but neither Portugal in Angola nor Great Britain in Rhodesia have followed up this request.

The third chapter of the Plan stated that the Central Government should invite the UN to request the IMF to instruct its experts to work out a plan for currency unification. A few days ago I learned that the experts had gone to the Congo, but they had not yet arrived when I left.

To consolidate his secession Tshombe and all those who support him have set up a veritable army, although they call it a gendarmerie. This group of mercenaries have great power. No durable solution can be found as long as Tshombe remains at the head of this illegal army. The Acting Secretary-General understood these dangers, and that is why his Plan attached great importance to military problems. First of all there was the provision that all military units, para-military units or gendarmerie should take an oath of allegiance to the President of the Republic. No officer, either then or later, has ever given an oath of allegiance to the President of the Republic, no matter what rumours have been circulated about this. On the contrary, Tshombe wanted to drag the Central Government into vain and pointless discussions.

(Mr. Bomboko, Congo (Leopoldville))

Secondly, a military commission was set up and the Central Government put its delegates at the disposal of the provincial delegates of South Katanga. Here again there were no results because the Katangese negotiators again put in doubt the very principles of the Plan. The Plan provided that the Acting Secretary-General should appeal to the Prime Minister and to Tshombe to stop any movement of troops, this in order to facilitate the reintegration of the Katangese gendarmerie into the army of the Congo. But Tshombe demanded talks with a view to concluding a limited cease-fire, thus transforming the very spirit of the Plan. There was no question of discussing this; it was just a question of acceding to the Acting Secretary-General's appeal and above all of stopping the movement of troops even in South Katanga. The United Nations was to verify compliance by all military units, but it was not able to fulfil its mission because Tshombe forbade it to go to Jadotville and Kipushi in South Katanga. The team in power established bases there as well as refugees for all mercenary soldiers.

With the assistance of the United Nations experts we were to set up in thirty days a plan for the integration and unification of all military units, para-military units and gendarmerie within the Congolese units. Here again Tshombe broke his word. In the third and last place, a period of two months was proposed and was accepted in which the integration and unification would take place. Not only was this not brought about within the sixty days, it has not yet even been begun. We are wondering, therefore, what was the use of insisting on the Plan, on which we placed a great part of our confidence, if it was not to be respected.

Four points remain to be analysed. The first concerns representation abroad. When he accepted the Plan two months ago, Tshombe agreed to abolish his Ministry of Foreign Affairs as well as the missions which have been established abroad. The countries which had received his envoys also publicly agreed to abolish the missions. I must tell this Committee that not only do the missions continue to exist in Brussels, but foreign consulates in Elisabethville continue to consider Mr. Kimba as Foreign Minister. This remark applies to all the consulates in Elisabethville as well as to the consulate of Belgium, which is maintained there in spite of our protests. That consulate has never received the exequatur of the Congolese Government.

The interference of these Consuls has been particularly evident during the last few months of negotiation in Elisabethville. They attempted to influence the parties, including Mr. Adoula's representatives. It is impossible to deny their complicity in the working out and in the signature of the so-called cease-fire agreement.

On the other hand, the Central Government has acted in conformity with the Plan by establishing, on the airport at Elisabethville, immigration services to deliver passports to the Congolese living in that part of the country, as the Acting Secretary-General and Mr. Bunche have just said.

The second point concerns the amnesty. A legislative text is being drafted, but we must emphasize here that it is only political offences which will be the subject of the amnesty. It will be impossible to allow to escape unpunished those who have committed common-law crimes. In any case, the amnesty can only come into effect if the Elisabethville provincial authorities definitely renounce secession.

In the third place co-operation with the United Nations was encouraged. I do not think that anyone can doubt the intention of my Government to collaborate, but one cannot say the same thing about Mr. Tshombe.

Lastly, the Central Government was to be reconstituted. The offer made by Mr. Adoula to Mr. Tshombe and his party is still valid, and at any moment we are ready to ensure the representation of South Katanga in the Central Government. Here again we must emphasize that there is a precondition: South Katanga must be integrated into the Republic. We do not wish, as we say in our country, to put the crocodile in the boat. You know that we had agreed that the Katangese parliamentarians should come to sit in Parliament, although at that moment Mr. Tshombe had not yet renounced secession. What did these gentlemen do? They created in Leopoldville a centre of subversion to bribe the members of Parliament, destroy the Central Government and even attack the United Nations Mission. That is an experience which we cannot forget and my Government cannot agree that members of the Conakat Party of Mr. Tshombe join the Government unless Mr. Tshombe really gives up his idea of secession.

I said at the beginning of my statement that the Congolese Government had accepted the Plan because it believed that its faithful application would be able to settle the Katangese problem. Furthermore, the Acting Secretary-General's proposals both explicitly and implicitly called for firmness and honesty in the application of the Plan.

(Mr. Bomboko,
Congo (Leopoldville))

As far as implementing the Plan is concerned, the authorities of Elisabethville have been quite faithless. Apart from certain spectacular measures, which were really negligible, they have not contributed to the solution of the problem. They have sent some copper for export via Leopoldville while the other exports are still going through Angola and Rhodesia. Since the first two wagonloads were sent, there has not been another which passed through the national route. This shows that it is only for purposes of propaganda that these two wagonloads were originally sent, and as for the construction of the bridge, Mr. Tshombe was permitted to make a speech on it, to say that he had built it. But the bridge was built thanks to the collaboration of the United Nations and the Central Government. Mr. Tshombe took advantage of the opportunity to slander the Central Government and even the United Nations.

They claim to have opened communications with Leopoldville, but in fact, no progress has been made. Belgium is still maintaining its radio and telegraphic communications directly with Elisabethville, thus showing its contempt for the Congolese Government. They say that they are ready to open the airport at Elisabethville, but when we try to do it they arrest the aircraft crews which are flown in and the United Nations does nothing about it.

Mr. Tshombe is only trying to play for time. The dispatch with which the Plan should have been applied point by point is the very essence of it. It is not by chance that the Secretary-General envisaged immediate sanctions. The programme often uses the term "immediately". This does not mean in the future, but immediately; that is to say, as soon as the indispensable conditions are realizable. When we say "immediately" we envisage an action to be taken at once. It should not be held up any longer than necessary except to give the orders and to take the measures for excluding all discussion on the substance of the problem.

As far as the military aspect is concerned, delays of a month or more were envisaged and accepted. But if any delay is not respected, the Plan will be pointless.

The report of the Officer-in-Charge of ONUC, Mr. Gardiner (S/5053/Add.1-2), and the commentaries and explanations, as well as the information provided by the Secretary-General, leave no doubt about the exceptional seriousness of the situation.

(Mr. Bomboko,
Congo (Leopoldville))

My Government is particularly aware of this seriousness because of the fact that, at the moment of the implementation of the Secretary-General's Plan Mr. Tshombe and the Elisabethville authorities seemed to reinforce their position by means of military equipment in a more alarming way than at any time since 1960. While the Central Government, in conformity with its desire to resolve the crisis by peaceful means, took upon itself the task of implementing one after another the points in the Plan Mr. Tshombe has been violating the promises and commitments which had been made, taking advantage of the patience of the Central Government in order to continue to arm himself.

I have no intention of prophesying the future, but certainly Tshombe's intentions are resistance and opposition to the unification of the Congo and refusal of the Plan and of the Federal Constitution. In a word, it will mean the failure of all our efforts. Indeed the growth of the air force of Mr. Tshombe could be of strategic importance. The quantity and quality of his military aircraft, as well as his arms and ammunition, give him an apparent superiority over United Nations forces, if not indeed the power to paralyse all actions of the United Nations. This is an indication of the dangerous possibilities in the development of the situation.

Not only can the United Nations be attacked or continually harrassed, but also can be deprived of any means of effective action. It will no longer have the necessary instruments for the realization of an eventual economic pressure. I would say then that if effective measures are not taken immediately, the Organization will experience a grievous failure in the Congo. An urgent plan must be drawn up assuring a logistic support of economic pressures.

The Secretary-General can continue his consultations with the Belgian and British Governments with a view to obtaining supplementary and more positive efforts than in the past for the implementation of the Plan. The acceptance or adherence to the Plan will remain a dead letter unless these Governments forbid and prevent the hostile activities of private companies against the Congo. The two Governments could exercise effective control over the companies which are transporting or providing arms and financial resources for the purchase of such arms. It has always been insisted that the Central Government should have discussions with Mr. Tshombe. In general, it is not with Mr. Tshombe that we should hold discussions because he is not the one who is really responsible. Those who are really responsible are behind him. They are the industrial

(Mr. Bomboko,
Congo (Leopoldville))

companies operating in our country. It would be a good thing to invite those companies to begin discussions frankly with the Central Government. In spite of all the appeals which we have made to them, these companies do not wish to respond to our offers of discussion. They refuse because they know very well that they are the foundation of secession itself.

My Government does not believe that the Belgian and British Governments are incapable of doing this. The nations of the Commonwealth could study and adopt a pressure policy which would be effective as far as the United Kingdom and Rhodesia are concerned. Their intervention could also make a positive contribution to the solution of the problem, as was the case at the time of the Suez crisis, for example.

The Organization could give clearer and more substantial support than it has in the past to the Central Government in the military field. The General Assembly could decide on measures to be taken with regard to South Africa and Portugal, which are directly and overtly encouraging Katangese secession, since up to now Portugal has not replied to the demand of the Central Government regarding the transport of copper. The Security Council and, in its turn, the General Assembly, could authorize the Secretary-General to use the best possible means to institute an economic blockade against South Katanga, for if the use of force is condemned as a means of resolving the Katangese crisis, force could be shown and applied, if not utilized, to assure the effectiveness of economic measures.

The presence of the United Nations Force and its reinforcement would have an indirect effect in supporting the resolutions of the United Nations.

In conclusion, my Government, although it continues to attach importance to the Plan which we have accepted, and which we cannot renounce, requests the United Nations to apply this plan immediately and without delay, no longer discussing with Mr. Tshombe, because when the Plan was presented the question was simply whether Mr. Tshombe would say yes or no. Since that time, Mr. Tshombe has been given the chance of getting out of it because he was given the opportunity of discussing it with us. There have been times, as I have indicated in my speech, when Mr. Tshombe even wished to place in doubt the principles of the Plan which he had already accepted. What we want is to invite Mr. Tshombe to carry out, by concrete, positive acts, what the Plan asks of him, which is to

(Mr. Bomboko, Congo (Leopoldville))

make his contribution to the Plan. The Central Government has already done its part, as I have indicated to the members of the Committee, except for two or three questions such as questions of the amnesty and reconstitution of the Government. The Central Government has put into effect what the Plan has asked of it, except in these cases. Mr. Tshombe must understand that he must put into effect what he has promised. It is necessary above all to finish with these delays and not to go on discussing eternally. We must fix a date so that if Mr. Tshombe goes beyond it, sanctions will go into effect because Mr. Tshombe always counts on the fact that, through discussion, one can continue to the end of next year without any measures having been taken.

This is the only condition on which we are prepared to support the Plan and to carry out all that it demands of us. The Central Government has confidence in the United Nations and that is why we have agreed to the Plan. What we ask now is the faithful application of the Plan.

(Mr. Bomboko, Congo (Leopoldville))

As regards, for example, the stopping of troop movements, the Central Government is prepared to do this. This is demonstrated by the fact that the Minister of National Defence is now in Elisabethville. But these troop movements should not relate only to North Katanga. Troop movements must be stopped throughout Katanga, including South Katanga. Indeed, troop movements could be stopped in the North but the bases would be left at Mr. Tshombe's disposal, and he would continue as always to supply and reinforce his positions in North Katanga.

Furthermore, it is incredible that the United Nations has not so far been authorized to penetrate the very bases of the rebellion of Katanga -- that is, the bases of Kolwezi, Jadotville and Kipushi. That is where Mr. Tshombe has stockpiled his war materiel. That is where, as is known, all the mercenaries are hidden. These hotbeds are in the process of being consolidated, and no action has been taken to destroy them. So long as they are not destroyed, it will be possible for Mr. Tshombe to be the stronger because he will continue to arm and reinforce his military effectives. He will, therefore, accept no peaceful solution because he will believe that his force can oppose that of the United Nations and that of the Central Government. I think that in Katanga we must give a demonstration of force so that we do not have to use it later.

The Acting SECRETARY-GENERAL: I thank the Foreign Minister of the Congo for his very useful statement. At this stage I would make only one comment. I agree with the Foreign Minister that we should not await indefinitely Mr. Tshombe's reply regarding his acceptance or rejection of my Plan. As I said in my earlier statement today, I have set 15 November -- that is, only nine days from now -- as the deadline for the receipt of replies. I have conveyed this information to Mr. Gardiner today, and he will convey it to Mr. Tshombe -- most probably this week, perhaps even on Thursday. I am sure that members of the Congo Advisory Committee will agree with me that a definite deadline should be set at this stage and that it will serve no useful purpose to await indefinitely Mr. Tshombe's reaction.

Mr. CHAKRAVARTY (India): I have asked to speak only to try to undo the mischief which has been created by certain speculative reports that have appeared in the Press. Some of my colleagues here have been asking whether it is a fact that, as has been stated in the Press, India has demanded the immediate withdrawal of the Indian contingent of troops in the Congo. I wish to avoid further speculation by making this short statement. There is no truth in these Press reports. All that happened was this: I came to see the Acting Secretary-General yesterday with the specific object of handing over a certain communication. I naturally took the opportunity to ask him about the situation in the Congo, particularly because our good friend Mr. Bunche had returned from there so recently. But I would like to make it clear that the report that we have asked to withdraw our troops from the Congo area is not correct.

I must, however, also make it quite clear that India -- and I am sure that this applies equally to the United Nations as a whole -- would not like to keep its troops in the Congo indefinitely. We have made it quite clear on various occasions, including those on which I have had the privilege of seeing the Acting Secretary-General, that we would not like to keep the troops in the Congo a day longer than is absolutely essential. We hope that a settlement in the Congo will be achieved very soon, enabling us to withdraw our troops. That is a hope which we have always expressed and which we continue to express.

(Mr. Chakravarty, India)

I would also like to use this opportunity to say that it is a very depressing account that we have heard from the Foreign Minister of the Congo. I can only repeat what I said on the last occasion -- namely, that the time which has been laid down must be strictly adhered to and Mr. Tshombe should not be given an opportunity to delay by interminable negotiations.

Coming back to the Press report, I would repeat that we regret this report, particularly since it is going to help nobody except, perhaps, Mr. Tshombe, who may think that others might withdraw their troops -- something which would be entirely to his advantage.

Mr. ADEBO (Nigeria): In the first place, I should like to associate myself with the view expressed by the representative of India that the account to which we have just listened is a very depressing one. But I must say that it is not a surprising one, because, although we have not had inside knowledge, we have all been following the Press reports on what has seemed to be going on in the Congo.

I am not sure, Mr. Secretary-General, just how much discussion you would like today. You have just informed us that you have now given a dead-line to Mr. Tshombe and Mr. Adoula for the full acceptance of your proposals. I assume, therefore, that we ought to wait until the expiration of that dead-line, and then meet to give you our advice about what should be done.

You have, Mr. Secretary-General, also circulated for our information the draft Constitution which the President of the Congo has submitted to his Parliament. That draft is the result not only of the efforts of the Congolese themselves, but also of the efforts of certain experts whom you have been pleased to appoint. We have received only the French text of this Constitution. It is a document of real importance to us all, even though it has been sent to us for our information only. I therefore took the opportunity a few days ago of asking you, Mr. Secretary-General, as you are aware, whether you would not be kind enough to procure for us an English translation of this document so that we might be able to examine it with intelligent interest. You explained to me what the difficulties were -- that this is a very important legal document and, while you had good people who could translate it into English, no translation would carry the authenticity of the French text. I ventured to observe that,

(Mr. Adebo, Nigeria)

while I understood the difficulties, I still thought that those of us who do not speak French should be given an English translation of this document.

I said that we would be prepared to accept the translation with the reservation that it is not an authentic text, that the only authentic text is the French version.

I would therefore like to take this opportunity to press that request, I hope that my non-French-speaking colleagues will associate themselves with it.

I should like to say that I have not proceeded to express concrete views upon the happenings in the Congo just now, for the simple reason that I am not sure that this is the time to express them. Should this meeting decide that this is the time, then, if the Secretary-General does not mind, I would have to ask for the floor again.

The Acting SECRETARY-GENERAL: On this matter of the Constitution, the original French text, of course, was distributed to the members of the Congo Advisory Committee at the last meeting, and I gave much thought to the advisability of getting some Secretariat members to translate it into English for the benefit at least of the members of this Committee. But I felt that it was rather risky for members of the Secretariat to attempt to translate such a document as the Constitution of a country. Members of the Committee will no doubt agree with me that the Constitution of any country has to be drafted in very meticulous language; not only does it require skilled translators, but only those who know something about the Constitution will be able to handle that sort of activity adequately.

However, since the Ambassador of Nigeria has suggested that the French text alone should be treated as authentic and that the English text should be treated as unauthorized and should be distributed simply for the convenience of the members of this Committee, I will see to it that English copies of the Constitution are made available to the members of this Committee as early as possible. We will try to have them available by Friday of this week.

While on this subject, I also wish to thank the Ambassador of India for his statement before this Committee. I am sure I am voicing the sentiments of all the members of this Committee when I say that India's contribution to the United Nations effort in our search for a peaceful solution of the Congo problem has been extraordinary. Even in the face of the greatest calamity, if I may say so, facing India, the Government and people of India have been most magnanimous in assuring the world that they are prepared to permit their armed forces under the United Nations to operate in the Congo as long as the United Nations considers their presence necessary.

This statement by the representative of India will give assurance not only to the members of this Committee but to the general public, which is much perturbed, I understand, by the rumours circulating in regard to the Indian Government's prospective attitude.

I am sure that the members of this Committee would wish me to convey the grateful thanks of this Committee to the Government of India for its very thoughtful and magnanimous attitude regarding the continued operation of the Indian forces in the Congo under the United Nations.

Mr. RIAD (United Arab Republic): I want to thank the Secretary-General and Dr. Bunche for the information they have given to the Committee. After hearing the statement of the Foreign Minister of the Congo, I think it was a wise move for the Secretary-General to fix the deadline of 15 November for a reply from Mr. Tshombe. If I may be permitted, I would like to propose the adjournment of our meeting today. Perhaps we can hold another meeting after 15 November, when we will hear the reply from Mr. Tshombe. I have another reason, also: I know that Mr. Ruegger, of the International Committee of the Red Cross, is here in New York now and is awaiting a meeting with the Secretary-General. We are all aware of the importance and urgency of such a meeting, which I understood was to be held at about four o'clock. Since it is now half-past four, I propose that our meeting be adjourned.

The Acting SECRETARY-GENERAL: Thank you very much for that very kind suggestion. However, I have the Ambassadors of Guinea and Ghana on my list, and I should like to know whether they are agreeable to the suggestion just made by the Ambassador of the United Arab Republic. Actually, Mr. Ruegger arrived just before I left my office and urgently wanted to see me. I tentatively arranged to meet him at five o'clock this afternoon, but it seems that he wanted to see me earlier than that, if possible. Therefore, if the members of the Committee agree, and particularly if the representatives of Guinea and Ghana do not object, I should like to adjourn the meeting now.

Mr. DIALLO (Guinea) (interpretation from French): I have no objection. However, it was said just a short time ago that the Foreign Minister of the Congo has been waiting here for a week. Would it be possible to ask whether the Foreign Minister of the Congo will be here when we again take up the discussion on substance? Except for that consideration, I would have no objection. It simply seems that, from the point of view of courtesy to the Foreign Minister of the Congo, who is directly concerned in the matter and who has been here for ten days, it might be a bit indelicate to adjourn the meeting without beginning further discussion.

The Acting SECRETARY-GENERAL: I wonder whether the Foreign Minister of the Congo could give us some indication of his travel schedule -- how long he proposes to stay in New York.

Mr. BOMBOKO (Congo (Leopoldville)) (interpretation from French): This question is very important to my country. Even if I went back to the Congo, I would return here if there were a meeting of the Advisory Committee after 15 November. My presence at that time would be necessary.

The Acting SECRETARY-GENERAL: I should like to remind the members of the Committee that the Parliament is in session in the Congo, so the Foreign Minister is very keen to get back there as soon as possible.

Mr. QUAISON-SACKY (Ghana): We have an habitual courtesy which we show on such occasions, and we shall never oppose any move for an adjournment. In any case, as has been indicated by the representative of Nigeria, new documents have been circulated and you, Sir, and Dr. Bunche have made statements which need reflection on our part. Therefore, I also assumed that there was going to be another meeting to enable us to give our concrete views on the statements which had been made. I think, however, that I should ask one question, since the reply to it might be very helpful to my Government when I report to Accra.

You, Sir, said that if the replies from Mr. Adoula and Mr. Tshombe were negative then it was your intention to abandon your plan. My question is as follows. Since the plan which you have put forward -- and we have already spoken on this -- provides for various kinds of coercive measures to ensure the reintegration to which my Government has already agreed, why is it going to be abandoned? And, if it is abandoned, what new measures are being envisaged? I think that these are pertinent questions the answers to which might be helpful to my Government.

The Acting SECRETARY-GENERAL: Of course, that will be the subject of our next meeting, and I think I shall be able to go into greater detail then. If Mr. Tshombe says "No" to the implementation of my Plan, that is, the United Nations Plan, then I shall give reasons to this Committee why that Plan will have to be abandoned -- with, of course, the agreement of the Advisory Committee on the Congo -- and I shall present an alternative plan which I believe will be equally effective. At this stage I do not want to go into details of why I want to abandon the Plan under certain circumstances because we are running into some practical difficulties, but I am sure that the alternative plan which I have in mind, and which I propose to present to this Committee at our next meeting, will be equally effective and will, I believe, render the solution of the Congo problem easier.

Mr. QUAISON-SACKY (Ghana): Thank you, Sir.

Mr. ADEBO (Nigeria): I am very glad that our colleague from Ghana made that intervention because I think it is very important that what is known outside this Committee at the conclusion of this meeting should not be such as to give encouragement to the people in the Congo who are not looking for a settlement. When you opened the discussion, Sir, you said that you were giving information to us on a confidential basis. I have never been sure how much is truly confidential in the United Nations, because after every meeting of the Advisory Committee on the Congo reports have appeared in the Press attributed to "very reliable sources", and whenever there has been any mistake at all in those reports it has been of a tendentious character.

Therefore, I wonder whether it will not be necessary for you to devise some statement which you will release to the Press telling it just what has happened, but telling it so accurately that there will not be distortion. If the thing is kept confidential it will in fact see the light of day, only it will be a garbled account and might do us harm. For example, if it is published that in the event of your receiving a negative reply that is the end of this Plan that would be an achievement for people who do not want the Plan to succeed. On the other hand, if the point was that if they said "No" to it then you were going to put to us a revised plan of a more effective character, that, in my view, would be psychologically an advantage.

Therefore, I would very much like to suggest that, instead of publishing nothing, we should publish something which I am sure we can trust the Secretariat to produce with great discretion.

The Acting SECRETARY-GENERAL: I thank the representative of Nigeria. Just to allay such speculation and, perhaps, distorted accounts of this meeting, I have already arranged with OPI to release a short statement.

I should like also to request the members of this Committee -- although, of course, I know that such a request is not really necessary -- to keep the target date of 15 November strictly confidential, because Mr. Gardiner is going to convey it to Mr. Tshombe on Thursday only, at the earliest, and to the Prime Minister too. So, before this information gets to them, and particularly to Mr. Tshombe, I do not want to give the impression that we are leaking it deliberately at this end. My request to the members of the Committee, therefore, is to keep the proceedings of this meeting strictly confidential, as before. I thank them for their kind co-operation.

The meeting rose at 4.35 p.m.

CONFIDENTIAL

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Meeting No. 72
13 December 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Thursday, 13 December 1962, at 4 p.m.

In the Chair:

U THANT

The SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. MALALASEKERA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. ONG

Ghana

Mr. QUAISON-SACKY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. SOSROWARDOJO

Ireland

Mr. BOLAND

Liberia

Mr. BARNES

Mali

Mr. COULIBALY

Morocco

Mr. TABITI

Nigeria

Mr. ADEBO

Pakistan

Mr. HAMDANI

Senegal

Mr. CISSE

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. Taieb SLIM

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. IDZUMBUIR

The SECRETARY-GENERAL: Since our last meeting on 6 November, I have talked with all members of this Committee, individually or in small groups, about the developments in the Congo. An extensive report to the Security Council on the Plan has been circulated in document S/5053/Add.13 and Add.1, and we have circulated to the Committee in recent days certain letters pertaining to the developments in the Congo. Others are being handed to the members here today. By these various means the Committee has been kept informed and given just about all the information we have.

There was a good deal of Press coverage, including speculations -- before the local papers closed down because of the strike, of which you are all aware -- about the various new plans, such as the so-called Spaak Plan and the McGhee Plan, and so on. There is in fact only one plan, and that is the Plan of National Reconciliation which I have sponsored and which the Committee received a long time ago. It was also reproduced in full in my report to the Security Council.

Mr. Spaak and Mr. McGhee, as you know, have no new plans, but they did advance some ideas about procedures and implementation. But these did not prove feasible. We are therefore going ahead with the Plan in toto and we are now in the stage of calling upon States to give effect to the pressures envisaged in phases I through IV of the Plan. This can be seen from the letters that have been distributed to the Committee. Now as regards the letters, it will be noted that they take different forms, according to the party addressed.

One letter which has been distributed is the letter of warning which Mr. Gardiner has already sent to Mr. Tshombe. As yet there has been no response from, and no public comment on, this letter by Mr. Tshombe.

(The Secretary-General)

Another is a letter from me to the Government of Belgium, which was delivered on Tuesday afternoon, that is, 11 December, at the same time, the letters from me to Portugal and the Union of South Africa were delivered. My letter to the United Kingdom was delivered on Wednesday afternoon, 12 December -- that was only yesterday.

Late yesterday afternoon I received from Prime Minister Adoula a communication informing me of the identical letters which he has sent to countries which are importing Katangese copper and cobalt in varying quantities. These have gone to the Governments indicated in his letter, which, I understand, is already before you.

Also before you is the letter which I am addressing to the same Governments in response to Mr. Adoula's appeal. The letters, calling upon certain States to take actions of one kind or another, spring directly from the Plan. There are, of course, other actions involving pressures which the Congolese Government itself can take; and that Government will, I am sure, take them in due course.

On our part, as you know, there are non-military steps outside the Plan as well as under it, such as I outlined to you in our October meeting which ONUC can take and will proceed to take one by one. In other words, we are now in a phase in which all the pressures available to us will be exerted on the basis of careful selection and planning and with every effort made to avoid armed conflict. If, however, Mr. Tshombe should elect to order his gendarmerie to attack us, we will defend ourselves fully and hit back to the full extent of our capacity. The United Nations troops are alerted and are being prepared for any such eventuality.

Members of the Committee will be interested to learn that Mr. Tshombe now has access to what goes on in this room. In a letter of 7 December, which Mr. Tshombe addressed to Mr. Mathu, our representative in Elisabethville, concerning the fighting at Kongolo, he quotes a passage from the confidential summary of the seventieth meeting of this Committee, on 12 October, circulated to Members of the Security Council for their confidential information. Typically, however, Mr. Tshombe missed the point of the passage.

(The Secretary-General)

The Katangese gendarmerie at Kongolo, who had been surrounded by the ANC for a long time, have left the town. With the concurrence of Mr. Adoula, a detachment of ONUC is being placed in the town and a Nigerian unit is now enroute to Kongolo for this purpose.

The aerial activities by Katangese planes in North Katanga seem to have ceased. Because of the loss of the Ethiopian jet fighters and the Indian Canberras -- under the circumstances of which you are well aware -- the ONUC fighter plane force is now very weak, consisting only at present of three Swedish jet fighters -- only three. However, four additional Swedish jet fighters -- thanks to the very great sense of co-operation and understanding of the Swedish Government -- are being added to the force. The Ethiopian fighter crews will be soon returning to take over the F-86 aircraft which the United Nations is obtaining. We have just been informed -- of course, not officially yet -- that the Philippine Government will provide six jet fighters with crews. And there is good reason to hope for favourable action on an urgent request for additional jet fighters and crews made to Iran. The indications are that the response from Iran will be favourable.

About midday, just at lunch-time, I received a message from Mr. Gardiner, transmitting the text of a letter, dated 12 December, from Mr. Tshombe, addressed to me. The text of this letter has been distributed to you. At first glance, as you will see, it would appear to be an encouraging development. You will readily understand, however, that in view of our experience with Mr. Tshombe, we are not jumping to any hasty conclusions. We are studying it very carefully and have asked Mr. Gardiner to get Prime Minister Adoula's reaction to it. It could be that this development is not unrelated to the new steps.

This, I believe, will serve to bring you fully up to date. I, now, of course, welcome any comments the members may wish to make.

Mr. BARNES (Liberia): Thank you very much, Mr. Secretary-General, for bringing us up to date on the situation prevailing in the Congo. We are now about to enter, I think, the third year of the Congo crisis, and prospects for the settlement of this question do not yet seem to be encouraging. We seem to be still far from our goal.

On a previous occasion I expressed agreement with your position that the solution to the Congo problem would be found in the removal of the economic props from behind Mr. Tshombe, but that it was not within the competence of the members of this advisory group to do that because none of us, so far as I knew, was exporting from Katanga any of its mineral products; that if Katanga was to be brought to heel, it would be necessary to get the co-operation of countries such as the United States, Belgium and the United Kingdom in imposing these economic sanctions by stopping the exportation of copper and cobalt from Katanga. I think our views on this situation are unchanged.

What we must do is to continue to seek the co-operation or the support or the agreement of the United States, Belgium and the United Kingdom to stop the purchase of these products from Katanga. For as long as the Union Minière is permitted to carry on its operations and to pay to Katanga the proceeds of these operations, so long will this unsatisfactory and unsavoury condition of Katanga continue. I have seen the letter you have addressed to Belgium. I just glanced at it here in the document. I do not know what is the reaction of the Belgian Government as to compliance with your proposals. I do not know what is the position of the United States in this matter nor that of the United Kingdom. I was wondering whether you are in possession of any knowledge of the reaction of these countries to discontinuance of the purchase of the products of Katanga -- something which in my view would go a long way towards solving the crisis.

I must say very frankly that my country has been doing its best to contribute to the solution of the Congo problem. We have made available a few of our forces and we have made our financial contribution within the limits of our ability to do so. But this is imposing a great strain and burden upon us, and I am afraid that if the Congo situation continues we may not be in a position to continue this contribution. I would therefore ask you, Mr. Secretary-General,

(Mr. Barnes, Liberia)

whether you are in a position to let us know whether the United States, the United Kingdom and Belgium are prepared to co-operate in the plan of national reconciliation which Mr. Tshombe has, through his usual machinations, tried to destroy.

The SECRETARY-GENERAL: Of course, my letter was handed over to Belgium on the 11th, that is the day before yesterday, and I am sure you will agree with me that it is too early for the Belgian Government to respond officially to this request for economic pressure and for taking certain steps in the implementation of the United Nations reconciliation Plan. Also, I do not think it would be proper for me to reveal to this Committee the unofficial and informal response which has been indicated to me by the Permanent Representative of Belgium. I think it would be more advisable for me to reveal this reply only when I receive it officially. However, I can say at this stage that the Belgian Government has been co-operative with the United Nations in the implementation of this Plan.

As regards the United Kingdom, I handed over my letter only yesterday and so far I have not received any reaction from London. I have not received any response, or any indication of the nature of a response, from Portugal and from the Republic of South Africa, to which I handed over my letters on the 11th, the same day I sent my letter to Belgium.

About the prospective duration of the United Nations operations in the Congo, I am confident that this view is shared by the members of this Committee, that it is very difficult to anticipate when the United Nations can start disengaging from the Congo militarily. The indications, however, are that the United Nations will be at its peak of strength, militarily, next month, as I have outlined and indicated in my statement earlier. So I should think that the United Nations will be in a position to implement the terms of the General Assembly and Security Council resolutions satisfactorily in the next three months. That is my assumption. Of course, it all depends on the unstinting co-operation of the Powers directly concerned with the solution of this problem.

Mr. QUAISON-SACKY (Ghana): I want to thank you very much, on behalf of my delegation, for the progress report you have given. I see in the letters which we have just received two that are very important. One is from Mr. Adoula, informing you of the embargo which the Central Government of the Congo has decided to place on copper and cobalt exports from South Katanga, and his appeal to certain countries named in the letter. This was on 11 December. Then, on the following day, Mr. Tshombe made this offer.

In view of the steps taken by the central authority and the provincial authority, do you think there is going to be a clash? I mean, do you foresee any conflict within the next few days? Because, of course, if the embargo is to be enforced, certain countries must co-operate in this, but in view of the decision which the Government has made, do you think that Tshombe's offer will be considered at all? Would it mean the withdrawal of the decision to carry on with the embargo?

The SECRETARY-GENERAL: Thank you very much for this question. I do not think so, because Prime Minister Adoula's letter to me, dated 11 December, was received here last night. It was strictly in line with the Plan. Mr. Tshombe's letter, addressed to me, was dated yesterday but I just received it. Of course, Mr. Tshombe's letter, if read carefully, has certain "ifs" and "buts", if I may say so, and at the same time, Prime Minister Adoula has not seen it. Of course, I have asked Mr. Gardiner to bring this to the attention of the Prime Minister.

First, I think it will be necessary for us to get the Government's reaction to Mr. Tshombe's proposal, the new proposal, which at least on paper is a very big step forward, in my opinion. However, I do not see any link between Mr. Tshombe's letter and the need for Prime Minister Adoula to withdraw his request. I think the Plan must go ahead.

Mr. QUAISON-SACKY (Ghana): I asked this question because I intended to follow up with this: It seems to me that it is very important that your Plan be enforced, thoroughly and completely, yet from the report you have given us, I do not understand the actual steps that you are taking to enforce the Plan. Perhaps I was not attending closely enough. However, I want to be quite clear

(Mr. Quaison-Sackey, Ghana)

in my own mind exactly what is going to be done to enforce this plan and if you enforce the Plan fully, how fast we can achieve the objectives of the United Nations?

The SECRETARY-GENERAL: On the implementation of the Plan, I have suggested certain steps, immediate steps, concerning the frontiers of Northern Rhodesia and Angola and, to some extent, the Republic of South Africa. These three countries are primarily concerned with the embargo of copper and cobalt from Katanga. Therefore, I have addressed a request to the United Kingdom, Portugal and the Republic of South Africa to take the immediate steps necessary as stipulated in the Plan. On the basis of Prime Minister Adoula's request, I am going to make appeals to all the Governments concerned, perhaps tonight, or at the latest tomorrow, to comply with the wishes of the Central Government of the Congo not to buy the copper and cobalt. It will involve, perhaps, a few more countries, for instance West Germany, possibly Switzerland, and a few others. This will be the second stage. The letters will be sent tomorrow at the latest. Therefore, if the countries primarily involved are willing to co-operate with the United Nations, I have a feeling that we will be able to solve this problem in a very short time. If not, perhaps a Security Council involvement will be necessary.

Mr. ADEEL (Sudan): To carry further the point that was raised by the representative of Ghana, according to the documents we have here, Prime Minister Adoula has addressed identical letters to certain Governments asking them not to accept copper and cobalt into their countries. Of course, Prime Minister Adoula asked you to take some supporting action. As you have just indicated, you are supporting him by having correspondence, also, with these particular Governments. Is there any way, by means of the Security Council, physically to support this embargo? For example, by stopping the flow out of Katanga of these minerals? I think that would be more effective than merely addressing these appeals to the Governments concerned.

The SECRETARY-GENERAL: I think this implies both measures: the stopping of the flow of minerals out of Katanga province and at the same time asking the Governments concerned, their traditional customers, not to buy these minerals. They are, I am sure, in strict conformity with the provisions of the General Assembly and Security Council resolutions.

Mr. ADEEL (Sudan): As I see it, the first step would be more effective. If you can stop the flow from the country you might be relieved of the necessity for taking any other step.

The SECRETARY-GENERAL: We have to see how this first step is implemented by the countries directly involved. As I have indicated, the first step is concerned only with two countries directly, Northern Rhodesia, which for that purpose is the United Kingdom, and Angola, which for that purpose is Portugal, and, to some extent, indirectly, the Republic of South Africa. We have to see the response of these three Governments.

Mr. QUAISON-SACKY (Ghana): It is very difficult for me to speak at full length unless I ask questions. That is why I am anxious to do so. If Prime Minister Adoula has made an embargo on exports, I assume he intends to take action to enforce this embargo. Supposing he does? He has not indicated it in this letter. Supposing he takes sudden steps to implement his embargo. It means there will be a clash. Suppose tomorrow there is a clash? In that case, are you going to support him as you have indicated in your letter? That is the point.

The SECRETARY-GENERAL: It is a rather hypothetical question, and I will not go to the extent of assuming the inevitability of a clash. To come down to the practical measure, if the Prime Minister of the Congo, in conformity with the steps now taken, asked the United Nations to give protection to the Central Government officials dealing with immigration or customs or revenues proposed to be stationed somewhere near the borders -- for instance, in Kipushi -- for the effective implementation of these steps, if he asks the United Nations for protection of these officials, I will respond to his request.

Mr. ADEBO (Nigeria): Like my colleagues who spoke before me, I want to express the appreciation for Nigeria to you and all those associated with you for the efforts you are making to solve this unfortunate problem. It is a great pity that, as you have pointed out, what we are doing and feeling here is not confidential and shortly after we have finished here, certain parties may be aware of them whose interest is to sabotage your efforts and our efforts. For that reason, I would like to refrain from pressing you further on the details that you have in mind.

What we have already had orally from you and what we have gotten from the documents that you have circulated among us, makes me feel that at this time we do mean business. The last time we were assembled here, I made a brief speech in order to stress the importance of our showing, to all concerned, that on these occasions we do mean business. I stressed the importance of our preparing our plans very well, of making quite sure that all of the assistance that is necessary would be forthcoming, and having made certain of that, of going ahead with the implementation of the plan regardless of the consequences. I said, "regardless of the consequences",

Mr. Secretary-General, because I know you are a man of peace, as everybody knows, and that you will do nothing offensive and that you will be deploying the forces at your disposal only in defense of actions which are essentially peaceful. As you have clearly indicated here, only if, in the course of such action, those officers who are implementing this programme, who will be peace officers, are attacked, under those circumstances will the fire be returned.

(Mr. Adebo, Nigeria)

I do not see how, upon that basis, there can be any objection to any part of the plan that you propose. Nigeria has troops under your command. Like every other country which has ever contributed troops or any other form of assistance, we are very anxious that the situation in the Congo should be brought to an end as soon as possible but we are equally anxious that this end should be a successful one from the point of view of the United Nations and its prestige and also, more importantly, for the long-term interest of the people of the Congo as a whole. We have no doubt that the stage has been reached when half measures will not do and I am very much impressed by the comprehensive nature of the measures that you now propose.

At an earlier meeting, there was some reference to a possible abandonment of this plan in such an eventuality. I am glad there is no more talk of such a thing because this plan, when you first produced it, was approved by everybody, was approved by the Government of Adoula and, we were made to understand by Tshombe himself that he approved this plan, so that if we now proceed to implement it fully, I do not see how anybody can object.

Unfortunately, certain Powers, whose assistance is vital, are not represented here but you have, I am sure, the support of all of us here, who are your advisors in this matter, in the appeal that you have addressed to those Powers, and we are very glad that in one or two cases, at least, the response is believed likely to be favourable.

Nigeria supports you in what you are trying to do and we are prepared to support you all the way, within the mandate that you possess and we hope that it will be possible to accomplish the United Nations mission without bloodshed.

We have naturally not been able to read, with sufficient care, the documents that were handed to us only a few minutes ago. The letter of Prime Minister Adoula is quite easy to follow but I must confess, perhaps due to my lack of sophistication, that I have found it a little difficult to follow the letter from Premier Tshombe. Certain parts of it are hardly comprehensible to me. It may be that on a further reading of it I shall get to understand precisely what everything there means, and I would hope, in the interests of all of us and of the Congo, that Mr. Tshombe is sincere in the very forthcoming gesture that his letter here seems to reflect.

(Mr. Adebo, Nigeria)

I apologize for having spoken at greater length than I had intended when I started speaking; but, to sum up, I would like to assure you that in carrying out this plan in the way that you have proposed, you have the support of Nigeria. I will be reporting this whole matter to my Government and I have no reason to feel that there is any portion of what you have proposed that they will take exception to. However, may I stress once more that when we have put a hand to the plow, we must see that for once we carry out this plan to the end. I wish you the best of luck.

Mr. DIALLO (Guinea) (interpretation from French): Just as the speakers who preceded me, I would like most sincerely to thank you for the very fine statement which you made about the situation obtaining in the Congo. I would like to tell you, particularly, how satisfied my delegation is to learn that you have taken a firm decision to pursue the implementation of your plan. In that context, Mr. Secretary-General, coming back to what you, yourself, said about the letter dated 12 December, addressed by Mr. Tshombe to the Secretary-General, I would like to make two or three small comments:

You, yourself, said that this letter contains certain if's and but's; and even a hasty reading of this letter authorizes my delegation to look deeply into it.

For almost three years we have had this matter in hand, and we have seen that, each time an important initiative is about to be taken, Mr. Tshombe undertakes some spectacular initiatives, giving the impression that he was in favour of lessening tension. That is why my delegation is very happy to hear you say that we should not be exaggeratedly optimistic about any initiative from Mr. Tshombe. If Mr. Tshombe is convinced of your determination to implement your plan, then it is quite normal that Mr. Tshombe once again should take some initiative which would somehow delay your action.

We have read through this document rather hastily, and there is a bit of irony in the fact that this document, coming from Mr. Tshombe, mentions African solidarity, that if any point in Africa was threatened, the whole continent was threatened, and so forth, and all other manifestations of nationalism which we were not accustomed to hearing from Mr. Tshombe.

But I would especially like to emphasize two points. This is the last paragraph of the paper: Mr. Tshombe speaks first of all -- and almost on the same level -- about his Government, which he calls the Government of Katanga, and the Government of -- he does not say "Government of Congo": he says "Government of Leopoldville; he puts them on the same level. Secondly, he asks the Government of Leopoldville to ratify the cease-fire agreement.

I recall that, during previous meetings, it had been indicated -- and, I believe by the Foreign Minister -- that the Central Government of the Congo did not recognize this cease-fire agreement. Thus, this is a very skilful manoeuvre. He is making us think that he is undertaking some friendly overtures, but he imposes conditions which, obviously, are unacceptable to the Central Government.

(Mr. Diallo, Guinea)

That is why he asks the Central Government to ratify an agreement which the Central Government has not wished to recognize. But there is even more here: He asks the Government of Leopoldville to promulgate a general amnesty law in conformity with your plan.

Here I will stop a moment to put a few questions, if you will allow me. At the moment, we are without newspapers and, therefore, do not have the latest news; but I thought that President Kasavabu had promulgated an amnesty law and that certain arrested members of Parliament had left prison. I would like to ask whether, in the first place, it is true that an amnesty law has been either voted, passed, or promulgated; and whether, on the basis of that amnesty law, all the political leaders have been released. We have heard many rumours, in this regard, in the corridors of the United Nations.

I would like to ask a second question relating to the first: I would like to ask the Secretariat whether it is in a position to tell us whether Mr. Gizenga eventually benefitted from this amnesty law and whether he is at liberty or whether he is still under detention. Thirdly, we have heard that the central Parliament of Congo requested the suspension of the execution of your plan until such time as they have debated the matter, and that the debate is just about to be undertaken in the Congolese Parliament -- if not already undertaken.

Since the whole policy of the United Nations is based upon your plan, and if the Congolese Parliament asks that it be implemented, then my delegation would like to know what is the exact situation at present. If it is true that the Parliament is seized of a motion calling for the suspension of the plan until such time as the Parliament has taken a decision on the matter, what will be the repercussions of such a position upon the United Nations policy, since this policy is based entirely upon your plan?

These are the few questions I wished to put to you. I believe the replies will be of interest to the whole Committee and will allow us to see the situation with more clarity.

The SECRETARY-GENERAL: Thank you very much for this very useful intervention.

In connexion with the amnesty law, as some Members of the Committee are no doubt aware, President Kasavubu has issued an amnesty proclamation. This proclamation calls for an amnesty covering all political offences. That is the essence of the proclamation. It appears in our document S/5053/Add.13/Add.1, dated 28 November 1962, with the caption: Proclamation by the President of the Republic of the Congo, dated 26 November 1962.

According to our information, Mr. Gisenga is still under detention. Although I am aware of the rumours afloat in the corridors and elsewhere, we have not been able to establish the assumption, fact or rumour that Mr. Gisenga has been released. Our latest information is that he is still under detention, because his parliamentary immunity has been lifted by Parliament.

Regarding the next question, on the prospective debate in Parliament in Leopoldville, on the United Nations Plan of reconciliation, the so-called "U Thant Plan", it was brought up by a member of Parliament approximately a fortnight ago. But I understand that, due to the pressures of other members of Parliament, this debate was held in abeyance, because there was a general feeling in Parliament that the generation of such a debate in Leopoldville at this stage would not be helpful to the central Government, and would damage the objectives of the United Nations in the Congo. That debate, therefore, has been postponed sine die.

(The Secretary-General)

Therefore, I do not see any early prospect of a resumption of the debate on this Plan in Parliament. As I have told the members of the Committee, I am going ahead with the implementation of my Plan from phase I to phase IV with vigour and determination.

Mr. IDEUMBUIR (Congo, Leopoldville) (interpretation from French):

Before this meeting is adjourned, I should like to make a statement on behalf of my Government about this meeting. The text of this will be distributed later, but first of all I should like to read it out.

The last time you convened a meeting of the Advisory Committee on the Congo, Mr. Secretary-General, you gave us a very complete picture of the progress achieved in the implementation of your Plan. Today, you have given us an account of the progress made since that time.

The position of my Government has been set forth in the letter which Prime Minister Adoula addressed to you on 12 November 1962. This letter gave details of all the actions which have been taken in the unstinting support which my Government has given with regard to the implementation of your Plan. I would only like to add a single, recent fact which is significant, that is, the declaration made to our nation on 26 November 1962 by the President of the Republic, Mr. Joseph Kasavubu, who renewed the proclamation of the solemn amnesty which he made to Parliament at Lovanium in July and August of 1962, which affected all the successionists, whatever their political offences, who were ready to rejoin the great Congolese family. The President, in the same spirit of fraternity which he displayed at Lovanium, stated, in particular:

"I proclaim a complete and general amnesty will be granted to all those who return to our country, to this great Congo of ours, whatever the political offences they may have committed. We hope that they will all return without exception, and we await them with open arms, with peace in our hearts, so that all the nation's sons may work together, hand in hand, to build the country, as the people wish, as the members of our great family wish, in concord and prosperity."

This is one more proof of the good will of the Central Government.

I should like, however, to go into further detail on the various points in the application of the Plan, because, in the view of my Government, what is important

(Mr. Idzumbuir, Congo, Leopoldville)

today is to note without any equivocation the violation of the commitments entered into by the Provincial Government of South Katanga. What is important is not to discuss why such and such a provision of the Plan has not been implemented by those in power in South Katanga, but to take the necessary measures which were provided in the Plan to ensure its full implementation. I said last time that the various points of the Plan were to be implemented at a certain time or immediately.

Today, I have to note that not only has the Plan been violated and its implementation hindered at Elisabethville by Mr. Tshombe, but that the Plan does not any more even receive the indispensable support of those who conceived it. Since there was a plan, there was prepared, as a last resort, an ultimate programme of measures which this Organization might take in order to ensure respect for the national sovereignty and the territorial integrity of the Congo.

If today the implementation of this Plan has been delayed, so as to compromise the validity of the Plan, it is only the foreign financial companies which conceived and support this secession which profit by this delay. This can only give encouragement to Mr. Tshombe. As striking proof of this is the fact that he sent a so-called "extraordinary plenipotentiary minister" in the person of Senator Yava, in order to set forth the complaints of Katanga.

Quite recently, in expelling from the Congo the Italian Consul at Elisabethville, a measure which is obviously only within the competence of the Central Government, the South Katangese authorities have given one more proof of their ill will and of the grave danger constituted by this attitude.

On the basis of these facts, we can only conclude that there is a complete absence of any intention to put an end to the secession. The negative attitude of Mr. Tshombe justifies the position of those who no longer believe in these simple promises and declarations and who have advocated concrete and energetic measures.

A demonstration of force is indispensable, for so long as Mr. Tshombe maintains his military superiority over the United Nations forces in South Katanga, he can afford to mock at the Organization and at the Central Government. He will only bow to force or to a demonstration of force. At the moment, he is convinced that the United Nations has other preoccupations and that it no longer has any means of exercising effective pressure upon him, and that they will be easily forced on the defensive if they try to station a force to support an economic blockade.

(Mr. Idzumbuir, Congo, Leopoldville)

Mr. Tshombe openly threatens the United Nations by proclaiming that the application of sanctions would mean a new war in South Katanga. This war, which is so strongly supported and prepared by all the reactionary causes in Europe and America, was announced in those same quarters even before the publication of the Plan. Since the Plan has been allegedly accepted, this has been repeated in an ever more menacing tone which has created an atmosphere of intimidation.

As an example, I can quote an article by Mr. Paul Struye, President of the Belgian Senate, in an editorial of the famous Libre Belgique, on 19 November 1962, entitled "On the eve of a new offensive against Katanga". Moreover, the Elisabethville daily L'essor du Katanga published, although I do not want to say that this was also written by Mr. Struye, a series of articles of a similar nature. What has given rise most of all to my indignation is that after Belgium had officially and publicly accepted the Plan, official persons of that country are publishing at a high level attacks and criticisms of this Plan.

However, my Government is pleased to acknowledge the realistic and courageous attitude adopted by the Foreign Minister of Belgium, Mr. Spaak, but it wonders if Mr. Spaak will receive the effective support of the whole of the Belgian nation.

To give some indication of certain reactions in Belgian quarters, I will quote a letter of protest, which will be found as an annex to this statement, from L'Amicale des Anciens de la Force Publique du Congo Belge, which was addressed to Mr. Spaak. I would like to read this out.

"L'Amicale des Anciens de la Force Publique du Congo Belge, at a general assembly on Saturday, 8 December 1962 at Brussels, gave me the honour of expressing to you the concern it felt when it saw the Belgian Foreign Minister associating himself with the United Nations and certain other States in an attempt to deprive Katanga of the right of self-determination.

"The Association believes that the well-understood interest of the Belgians requires that its Government should also defend Belgian investments in Katanga.

"It also believes that the interests of the Congolese demands that Katanga should not be engulfed in the chaos of the rest of the Congo, but rather that the only region of the former Belgian Congo where order reigns should give an example to the other regions and serve as a crystallization for a regenerated Congo."

(Mr. Idzumbuir, Congo, Leopoldville)

Perhaps I should say, degenerated. The letter continues:

"The Association, which comprises members who have fought to save Katanga and also members whose husbands and fathers have been killed for Katanga, does not understand how a Belgian Minister can at the present time assist in the destruction of the Katangese State."

(Mr. Idzumbuir,
Congo (Leopoldville))

Belgium, moreover, has just replied to the letter of Prime Minister Adoula concerning the collection of customs duties and the assistance that Belgium might be able to furnish to the Congo in that field. Belgium's reply came after that of the Union Minière du Haut-Katanga. That company refuses to pay customs revenue to the Central Government; it maintains that de facto authorities are at Elisabethville. It is easy to disclaim responsibility after having created, installed and supported these so-called de facto authorities. Nor has the Belgian Government gone much further in its promised "co-operation" and in its "spirit" of good friendship for the Congo. Its reply is full of contradictions. It agrees that the Customs Office in Belgium should collect, in favour of the Congo, taxes on goods destined for anywhere in the Congo. It promises its support in the implementation of any measures "decided upon by common agreement" between the Central Government and the men in power in South Katanga. And it puts all this forward while stating that it would equally apply "legal" decisions. I wonder, then, if the Belgium Government is not applying our laws and regulations, those which we inherited from Belgium and those which we have adopted since independence, because it regards them as illegal.

How can anything be clear from the Belgian attitude? In any case, the "favour" as regards the collections of the Customs Office must not be overestimated. That is not the essence of the problem.

This duplicity of policy is also evident in London. At the time when the Secretary-General consulted London on this subject, the Plan was accepted as a whole, including the sanctions to be taken in case there was a refusal to implement. Today, those two Governments do not wish to hear anything about economic sanctions. Everyone is aware of the importance of the financial interests at stake. British and Belgian circles seem to place their financial interests above those of the African peoples in general and the people of the Congo in particular.

We are confronted by a new kind of colonialism. The question which arises for us at this time is the following: Is the international Organization also to bow before this colonialism, yes or no? Will the Congolese finally be able to make their own laws, or are their affairs to continue to be managed from

(Mr. Idzumbuir,
Congo (Leopoldville))

London, Brussels or Paris? At this time, when the Organization must put into effect its guiding principles, are injustice and force to take precedence over right? If after twenty-eight months of the United Nations presence in the Congo, the efforts of the Secretary-General to implement the United Nations resolutions can be sabotaged to this extent by those very countries which approved the resolutions, we might draw the conclusion that colonialism and capitalism are still the masters of this world and recognize that by approving on the one hand the United Nations intervention in the Congo and by sabotaging on the other the efforts of the Secretary-General, certain Powers only wanted to play a comedy at the expense of fourteen million Congolese. Unfortunately for the Congolese, this comedy is really a tragedy.

I hope you will forgive me, Mr. Secretary-General, for having used those words. It is not my intention at all to wound you or anyone else in this room. But if I have used harsh words it is because the problem of Katanga can cast doubt on the usefulness and the very foundation of the United Nations. The United Nations has proclaimed certain principles and has inscribed them in the Charter. The United Nations has fought, and with success, to defend those principles. It has made a large contribution to the liberation of the colonized peoples and countries. Now, at this moment, it is powerless to deal with a handful of irresponsible men who want to continue to exploit the African. We are watching, helplessly, the operations of mercenaries of all nationalities and the actions of international murderers. The people of North Katanga are bombed in broad daylight, under the very eyes of the United Nations.

Were we, then, wrong to request the assistance of the United Nations? And are the people who place their confidence in the United Nations wrong, too? Is the Organization which we know as the protector of the weak and small nations to become an instrument in the hands of a few powerful nations? Those are the questions which we ask you, Mr. Secretary-General, since no one can question the fact that the international Organization assumed the responsibility of intervening by replying favourably to the appeal of the Congo twenty-eight months ago.

(Mr. Idzumbuir,
Congo (Leopoldville))

For its part, the Congolese Government has its responsibilities to the people of the Congo.

The various resolutions adopted so far by the Security Council and the Assembly are sufficiently clear and precise. In my Government's opinion, the mandate which you have received, Mr. Secretary-General, is complete and satisfactory. It is up to you to ensure implementation and, to that end, to use all the means in your power. It is up to you to put an end to the equivocal attitude taken by certain Member States, an attitude which is compromising the implementation of the resolutions adopted by the Council.

The Congolese Government has sent to seventeen countries a letter in which it asks them to place an embargo on copper and cobalt coming from Katanga.

Let the United Nations carry out its task in the Congo. The Central Government remains determined to carry out its task. Success in Katanga will demonstrate to all the peoples of the world the usefulness of our Organization.

The SECRETARY-GENERAL: In implementing the Plan, I shall certainly keep in mind the very useful observations just made by the representative of the Congo (Leopoldville).

Are there any further observations?

Mr. QUAISSON-SACKY (Ghana): If this is to be our last meeting before Christmas, Mr. Secretary-General, I want to wish you in advance a Merry Christmas and to say that we shall watch developments in the operation of your plan; you have our support and we hope that you succeed.

The SECRETARY-GENERAL: Thank you very much for your good wishes. Of course, they are reciprocal.

As things stand at the moment, it does seem that this will be the last meeting of the Committee before Christmas. I very much hope that at our next meeting I shall be in a position to report substantial progress in the implementation of the Plan.

The meeting rose at 5.20 p.m.

CONFIDENTIAL

Meeting No. 72
13 December 1962
ENGLISH

UNITED NATIONS ADVISORY COMMITTEE
ON THE CONGO

Meeting at United Nations Headquarters, New York,
on Thursday, 13 December 1962, at 4 p.m.

In the Chair:

U THANT

The SECRETARY-GENERAL

Members:

Canada

Mr. TREMBLAY

Ceylon

Mr. MALALASEKERA

Ethiopia

Mr. GEBRE-EGZY

Federation of Malaya

Mr. ONG

Ghana

Mr. QUAISSON-SACKY

Guinea

Mr. DIALLO

India

Mr. CHAKRAVARTY

Indonesia

Mr. SOSROWARDOJO

Ireland

Mr. BOLAND

Liberia

Mr. BARNES

Mali

Mr. COULIBALY

Morocco

Mr. TABITI

Nigeria

Mr. ADEBO

Pakistan

Mr. HAMDANI

Senegal

Mr. CISSE

Sudan

Mr. ADEEL

Sweden

Mrs. ROSSEL

Tunisia

Mr. Taieb SLIM

United Arab Republic

Mr. RIAD

Congo (Leopoldville)

Mr. IDZUMBUIR

The SECRETARY-GENERAL: Since our last meeting on 6 November, I have talked with all members of this Committee, individually or in small groups, about the developments in the Congo. An extensive report to the Security Council on the Plan has been circulated in document S/5053/Add.13 and Add.1, and we have circulated to the Committee in recent days certain letters pertaining to the developments in the Congo. Others are being handed to the members here today. By these various means the Committee has been kept informed and given just about all the information we have.

There was a good deal of Press coverage, including speculations -- before the local papers closed down because of the strike, of which you are all aware -- about the various new plans, such as the so-called Spaak Plan and the McGhee Plan, and so on. There is in fact only one plan, and that is the Plan of National Reconciliation which I have sponsored and which the Committee received a long time ago. It was also reproduced in full in my report to the Security Council.

Mr. Spaak and Mr. McGhee, as you know, have no new plans, but they did advance some ideas about procedures and implementation. But these did not prove feasible. We are therefore going ahead with the Plan in toto and we are now in the stage of calling upon States to give effect to the pressures envisaged in phases I through IV of the Plan. This can be seen from the letters that have been distributed to the Committee. Now as regards the letters, it will be noted that they take different forms, according to the party addressed.

One letter which has been distributed is the letter of warning which Mr. Gardiner has already sent to Mr. Tshombe. As yet there has been no response from, and no public comment on, this letter by Mr. Tshombe.

(The Secretary-General)

Another is a letter from me to the Government of Belgium, which was delivered on Tuesday afternoon, that is, 11 December, at the same time, the letters from me to Portugal and the Union of South Africa were delivered. My letter to the United Kingdom was delivered on Wednesday afternoon, 12 December -- that was only yesterday.

Late yesterday afternoon I received from Prime Minister Adoula a communication informing me of the identical letters which he has sent to countries which are importing Katangese copper and cobalt in varying quantities. These have gone to the Governments indicated in his letter, which, I understand, is already before you.

Also before you is the letter which I am addressing to the same Governments in response to Mr. Adoula's appeal. The letters, calling upon certain States to take actions of one kind or another, spring directly from the Plan. There are, of course, other actions involving pressures which the Congolese Government itself can take; and that Government will, I am sure, take them in due course.

On our part, as you know, there are non-military steps outside the Plan as well as under it, such as I outlined to you in our October meeting which ONUC can take and will proceed to take one by one. In other words, we are now in a phase in which all the pressures available to us will be exerted on the basis of careful selection and planning and with every effort made to avoid armed conflict. If, however, Mr. Tshombe should elect to order his gendarmerie to attack us, we will defend ourselves fully and hit back to the full extent of our capacity. The United Nations troops are alerted and are being prepared for any such eventuality.

Members of the Committee will be interested to learn that Mr. Tshombe now has access to what goes on in this room. In a letter of 7 December, which Mr. Tshombe addressed to Mr. Mathu, our representative in Elisabethville, concerning the fighting at Kongolo, he quotes a passage from the confidential summary of the seventieth meeting of this Committee, on 12 October, circulated to Members of the Security Council for their confidential information. Typically, however, Mr. Tshombe missed the point of the passage.

(The Secretary-General)

The Katangese gendarmerie at Kongolo, who had been surrounded by the ANC for a long time, have left the town. With the concurrence of Mr. Adoula, a detachment of ONUC is being placed in the town and a Nigerian unit is now enroute to Kongolo for this purpose.

The aerial activities by Katangese planes in North Katanga seem to have ceased. Because of the loss of the Ethiopian jet fighters and the Indian Canberras -- under the circumstances of which you are well aware -- the ONUC fighter plane force is now very weak, consisting only at present of three Swedish jet fighters -- only three. However, four additional Swedish jet fighters -- thanks to the very great sense of co-operation and understanding of the Swedish Government -- are being added to the force. The Ethiopian fighter crews will be soon returning to take over the F-86 aircraft which the United Nations is obtaining. We have just been informed -- of course, not officially yet -- that the Philippine Government will provide six jet fighters with crews. And there is good reason to hope for favourable action on an urgent request for additional jet fighters and crews made to Iran. The indications are that the response from Iran will be favourable.

About midday, just at lunch-time, I received a message from Mr. Gardiner, transmitting the text of a letter, dated 12 December, from Mr. Tshombe, addressed to me. The text of this letter has been distributed to you. At first glance, as you will see, it would appear to be an encouraging development. You will readily understand, however, that in view of our experience with Mr. Tshombe, we are not jumping to any hasty conclusions. We are studying it very carefully and have asked Mr. Gardiner to get Prime Minister Adoula's reaction to it. It could be that this development is not unrelated to the new stage.

This, I believe, will serve to bring you fully up to date. I, now, of course, welcome any comments the members may wish to make.

Mr. BARNES (Liberia): Thank you very much, Mr. Secretary-General, for bringing us up to date on the situation prevailing in the Congo. We are now about to enter, I think, the third year of the Congo crisis, and prospects for the settlement of this question do not yet seem to be encouraging. We seem to be still far from our goal.

On a previous occasion I expressed agreement with your position that the solution to the Congo problem would be found in the removal of the economic props from behind Mr. Tshombe, but that it was not within the competence of the members of this advisory group to do that because none of us, so far as I knew, was exporting from Katanga any of its mineral products; that if Katanga was to be brought to heel, it would be necessary to get the co-operation of countries such as the United States, Belgium and the United Kingdom in imposing these economic sanctions by stopping the exportation of copper and cobalt from Katanga. I think our views on this situation are unchanged.

What we must do is to continue to seek the co-operation or the support or the agreement of the United States, Belgium and the United Kingdom to stop the purchase of these products from Katanga. For as long as the Union Minière is permitted to carry on its operations and to pay to Katanga the proceeds of these operations, so long will this unsatisfactory and unsavoury condition of Katanga continue. I have seen the letter you have addressed to Belgium. I just glanced at it here in the document. I do not know what is the reaction of the Belgian Government as to compliance with your proposals. I do not know what is the position of the United States in this matter nor that of the United Kingdom. I was wondering whether you are in possession of any knowledge of the reaction of these countries to discontinuance of the purchase of the products of Katanga -- something which in my view would go a long way towards solving the crisis.

I must say very frankly that my country has been doing its best to contribute to the solution of the Congo problem. We have made available a few of our forces and we have made our financial contribution within the limits of our ability to do so. But this is imposing a great strain and burden upon us, and I am afraid that if the Congo situation continues we may not be in a position to continue this contribution. I would therefore ask you, Mr. Secretary-General,

(Mr. Barnes, Liberia)

whether you are in a position to let us know whether the United States, the United Kingdom and Belgium are prepared to co-operate in the plan of national reconciliation which Mr. Tshombe has, through his usual machinations, tried to destroy.

The SECRETARY-GENERAL: Of course, my letter was handed over to Belgium on the 11th, that is the day before yesterday, and I am sure you will agree with me that it is too early for the Belgian Government to respond officially to this request for economic pressure and for taking certain steps in the implementation of the United Nations reconciliation Plan. Also, I do not think it would be proper for me to reveal to this Committee the unofficial and informal response which has been indicated to me by the Permanent Representative of Belgium. I think it would be more advisable for me to reveal this reply only when I receive it officially. However, I can say at this stage that the Belgian Government has been co-operative with the United Nations in the implementation of this Plan.

As regards the United Kingdom, I handed over my letter only yesterday and so far I have not received any reaction from London. I have not received any response, or any indication of the nature of a response, from Portugal and from the Republic of South Africa, to which I handed over my letters on the 11th, the same day I sent my letter to Belgium.

About the prospective duration of the United Nations operations in the Congo, I am confident that this view is shared by the members of this Committee, that it is very difficult to anticipate when the United Nations can start disengaging from the Congo militarily. The indications, however, are that the United Nations will be at its peak of strength, militarily, next month, as I have outlined and indicated in my statement earlier. So I should think that the United Nations will be in a position to implement the terms of the General Assembly and Security Council resolutions satisfactorily in the next three months. That is my assumption. Of course, it all depends on the unstinting co-operation of the Powers directly concerned with the solution of this problem.

Mr. QUAYSON-SACKY (Ghana): I want to thank you very much, on behalf of my delegation, for the progress report you have given. I see in the letters which we have just received two that are very important. One is from Mr. Adoula, informing you of the embargo which the Central Government of the Congo has decided to place on copper and cobalt exports from South Katanga, and his appeal to certain countries named in the letter. This was on 11 December. Then, on the following day, Mr. Tshombe made this offer.

In view of the steps taken by the central authority and the provincial authority, do you think there is going to be a clash? I mean, do you foresee any conflict within the next few days? Because, of course, if the embargo is to be enforced, certain countries must co-operate in this, but in view of the decision which the Government has made, do you think that Tshombe's offer will be considered at all? Would it mean the withdrawal of the decision to carry on with the embargo?

The SECRETARY-GENERAL: Thank you very much for this question. I do not think so, because Prime Minister Adoula's letter to me, dated 11 December, was received here last night. It was strictly in line with the Plan. Mr. Tshombe's letter, addressed to me, was dated yesterday but I just received it. Of course, Mr. Tshombe's letter, if read carefully, has certain "ifs" and "buts", if I may say so, and at the same time, Prime Minister Adoula has not seen it. Of course, I have asked Mr. Gardiner to bring this to the attention of the Prime Minister.

First, I think it will be necessary for us to get the Government's reaction to Mr. Tshombe's proposal, the new proposal, which at least on paper is a very big step forward, in my opinion. However, I do not see any link between Mr. Tshombe's letter and the need for Prime Minister Adoula to withdraw his request. I think the Plan must go ahead.

Mr. QUAYSON-SACKY (Ghana): I asked this question because I intended to follow up with this: It seems to me that it is very important that your Plan be enforced, thoroughly and completely, yet from the report you have given us, I do not understand the actual steps that you are taking to enforce the Plan. Perhaps I was not attending closely enough. However, I want to be quite clear

(Mr. Quaison-Sackey, Ghana)

in my own mind exactly what is going to be done to enforce this plan and if you enforce the Plan fully, how fast we can achieve the objectives of the United Nations?

The SECRETARY-GENERAL: On the implementation of the Plan, I have suggested certain steps, immediate steps, concerning the frontiers of Northern Rhodesia and Angola and, to some extent, the Republic of South Africa. These three countries are primarily concerned with the embargo of copper and cobalt from Katanga. Therefore, I have addressed a request to the United Kingdom, Portugal and the Republic of South Africa to take the immediate steps necessary as stipulated in the Plan. On the basis of Prime Minister Adoula's request, I am going to make appeals to all the Governments concerned, perhaps tonight, or at the latest tomorrow, to comply with the wishes of the Central Government of the Congo not to buy the copper and cobalt. It will involve, perhaps, a few more countries, for instance West Germany, possibly Switzerland, and a few others. This will be the second stage. The letters will be sent tomorrow at the latest. Therefore, if the countries primarily involved are willing to co-operate with the United Nations, I have a feeling that we will be able to solve this problem in a very short time. If not, perhaps a Security Council involvement will be necessary.

Mr. ADEEL (Sudan): To carry further the point that was raised by the representative of Ghana, according to the documents we have here, Prime Minister Adoula has addressed identical letters to certain Governments asking them not to accept copper and cobalt into their countries. Of course, Prime Minister Adoula asked you to take some supporting action. As you have just indicated, you are supporting him by having correspondence, also, with these particular Governments. Is there any way, by means of the Security Council, physically to support this embargo? For example, by stopping the flow out of Katanga of these minerals? I think that would be more effective than merely addressing these appeals to the Governments concerned.

The SECRETARY-GENERAL: I think this implies both measures: the stopping of the flow of minerals out of Katanga province and at the same time asking the Governments concerned, their traditional customers, not to buy these minerals. They are, I am sure, in strict conformity with the provisions of the General Assembly and Security Council resolutions.

Mr. ADEEL (Sudan): As I see it, the first step would be more effective. If you can stop the flow from the country you might be relieved of the necessity for taking any other step.

The SECRETARY-GENERAL: We have to see how this first step is implemented by the countries directly involved. As I have indicated, the first step is concerned only with two countries directly, Northern Rhodesia, which for that purpose is the United Kingdom, and Angola, which for that purpose is Portugal, and, to some extent, indirectly, the Republic of South Africa. We have to see the response of these three Governments.

Mr. QUAISON-SACKEEY (Ghana): It is very difficult for me to speak at full length unless I ask questions. That is why I am anxious to do so. If Prime Minister Adoula has made an embargo on exports, I assume he intends to take action to enforce this embargo. Supposing he does? He has not indicated it in this letter. Supposing he takes sudden steps to implement his embargo. It means there will be a clash. Suppose tomorrow there is a clash? In that case, are you going to support him as you have indicated in your letter? That is the point.

The SECRETARY-GENERAL: It is a rather hypothetical question, and I will not go to the extent of assuming the inevitability of a clash. To come down to the practical measure, if the Prime Minister of the Congo, in conformity with the steps now taken, asked the United Nations to give protection to the Central Government officials dealing with immigration or customs or revenues proposed to be stationed somewhere near the borders -- for instance, in Kipushi -- for the effective implementation of these steps, if he asks the United Nations for protection of these officials, I will respond to his request.

Mr. ADEBO (Nigeria): Like my colleagues who spoke before me, I want to express the appreciation for Nigeria to you and all those associated with you for the efforts you are making to solve this unfortunate problem. It is a great pity that, as you have pointed out, what we are doing and feeling here is not confidential and shortly after we have finished here, certain parties may be aware of them whose interest is to sabotage your efforts and our efforts. For that reason, I would like to refrain from pressing you further on the details that you have in mind.

What we have already had orally from you and what we have gotten from the documents that you have circulated among us, makes me feel that at this time we do mean business. The last time we were assembled here, I made a brief speech in order to stress the importance of our showing, to all concerned, that on these occasions we do mean business. I stressed the importance of our preparing our plans very well, of making quite sure that all of the assistance that is necessary would be forthcoming, and having made certain of that, of going ahead with the implementation of the plan regardless of the consequences. I said, "regardless of the consequences", Mr. Secretary-General, because I know you are a man of peace, as everybody knows, and that you will do nothing offensive and that you will be deploying the forces at your disposal only in defense of actions which are essentially peaceful. As you have clearly indicated here, only if, in the course of such action, those officers who are implementing this programme, who will be peace officers, are attacked, under those circumstances will the fire be returned.

(Mr. Adebo, Nigeria)

I do not see how, upon that basis, there can be any objection to any part of the plan that you propose. Nigeria has troops under your command. Like every other country which has ever contributed troops or any other form of assistance, we are very anxious that the situation in the Congo should be brought to an end as soon as possible but we are equally anxious that this end should be a successful one from the point of view of the United Nations and its prestige and also, more importantly, for the long-term interest of the people of the Congo as a whole. We have no doubt that the stage has been reached when half measures will not do and I am very much impressed by the comprehensive nature of the measures that you now propose.

At an earlier meeting, there was some reference to a possible abandonment of this plan in such an eventuality. I am glad there is no more talk of such a thing because this plan, when you first produced it, was approved by everybody, was approved by the Government of Adoula and, we were made to understand by Tshombe himself that he approved this plan, so that if we now proceed to implement it fully, I do not see how anybody can object.

Unfortunately, certain Powers, whose assistance is vital, are not represented here but you have, I am sure, the support of all of us here, who are your advisors in this matter, in the appeal that you have addressed to those Powers, and we are very glad that in one or two cases, at least, the response is believed likely to be favourable.

Nigeria supports you in what you are trying to do and we are prepared to support you all the way, within the mandate that you possess and we hope that it will be possible to accomplish the United Nations mission without bloodshed.

We have naturally not been able to read, with sufficient care, the documents that were handed to us only a few minutes ago. The letter of Prime Minister Adoula is quite easy to follow but I must confess, perhaps due to my lack of sophistication, that I have found it a little difficult to follow the letter from Premier Tshombe. Certain parts of it are hardly comprehensible to me. It may be that on a further reading of it I shall get to understand precisely what everything there means, and I would hope, in the interests of all of us and of the Congo, that Mr. Tshombe is sincere in the very forthcoming gesture that his letter here seems to reflect.

(Mr. Adebo, Nigeria)

I apologize for having spoken at greater length than I had intended when I started speaking; but, to sum up, I would like to assure you that in carrying out this plan in the way that you have proposed, you have the support of Nigeria. I will be reporting this whole matter to my Government and I have no reason to feel that there is any portion of what you have proposed that they will take exception to. However, may I stress once more that when we have put a hand to the plow, we must see that for once we carry out this plan to the end. I wish you the best of luck.

Mr. DIALLO (Guinea) (interpretation from French): Just as the speakers who preceded me, I would like most sincerely to thank you for the very fine statement which you made about the situation obtaining in the Congo. I would like to tell you, particularly, how satisfied my delegation is to learn that you have taken a firm decision to pursue the implementation of your plan. In that context, Mr. Secretary-General, coming back to what you, yourself, said about the letter dated 12 December, addressed by Mr. Tshombe to the Secretary-General, I would like to make two or three small comments:

You, yourself, said that this letter contains certain if's and but's; and even a hasty reading of this letter authorizes my delegation to look deeply into it.

For almost three years we have had this matter in hand, and we have seen that, each time an important initiative is about to be taken, Mr. Tshombe undertakes some spectacular initiatives, giving the impression that he was in favour of lessening tension. That is why my delegation is very happy to hear you say that we should not be exaggeratedly optimistic about any initiative from Mr. Tshombe. If Mr. Tshombe is convinced of your determination to implement your plan, then it is quite normal that Mr. Tshombe once again should take some initiative which would somehow delay your action.

We have read through this document rather hastily, and there is a bit of irony in the fact that this document, coming from Mr. Tshombe, mentions African solidarity, that if any point in Africa was threatened, the whole continent was threatened, and so forth, and all other manifestations of nationalism which we were not accustomed to hearing from Mr. Tshombe.

But I would especially like to emphasize two points. This is the last paragraph of the paper: Mr. Tshombe speaks first of all -- and almost on the same level -- about his Government, which he calls the Government of Katanga, and the Government of -- he does not say "Government of Congo": he says "Government of Leopoldville; he puts them on the same level. Secondly, he asks the Government of Leopoldville to ratify the cease-fire agreement.

I recall that, during previous meetings, it had been indicated -- and, I believe by the Foreign Minister -- that the Central Government of the Congo did not recognize this cease-fire agreement. Thus, this is a very skilful manoeuvre. He is making us think that he is undertaking some friendly overtures, but he imposes conditions which, obviously, are unacceptable to the Central Government.

(Mr. Diallo, Guinea)

That is why he asks the Central Government to ratify an agreement which the Central Government has not wished to recognize. But there is even more here: He asks the Government of Leopoldville to promulgate a general amnesty law in conformity with your plan.

Here I will stop a moment to put a few questions, if you will allow me. At the moment, we are without newspapers and, therefore, do not have the latest news; but I thought that President Kasavabu had promulgated an amnesty law and that certain arrested members of Parliament had left prison. I would like to ask whether, in the first place, it is true that an amnesty law has been either voted, passed, or promulgated; and whether, on the basis of that amnesty law, all the political leaders have been released. We have heard many rumours, in this regard, in the corridors of the United Nations.

I would like to ask a second question relating to the first: I would like to ask the Secretariat whether it is in a position to tell us whether Mr. Gizenga eventually benefitted from this amnesty law and whether he is at liberty or whether he is still under detention. Thirdly, we have heard that the central Parliament of Congo requested the suspension of the execution of your plan until such time as they have debated the matter, and that the debate is just about to be undertaken in the Congolese Parliament -- if not already undertaken.

Since the whole policy of the United Nations is based upon your plan, and if the Congolese Parliament asks that it be implemented, then my delegation would like to know what is the exact situation at present. If it is true that the Parliament is seized of a motion calling for the suspension of the plan until such time as the Parliament has taken a decision on the matter, what will be the repercussions of such a position upon the United Nations policy, since this policy is based entirely upon your plan?

These are the few questions I wished to put to you. I believe the replies will be of interest to the whole Committee and will allow us to see the situation with more clarity.

The SECRETARY-GENERAL: Thank you very much for this very useful intervention.

In connexion with the amnesty law, as some Members of the Committee are no doubt aware, President Kasavubu has issued an amnesty proclamation. This proclamation calls for an amnesty covering all political offences. That is the essence of the proclamation. It appears in our document S/5053/Add.13/Add.1, dated 28 November 1962, with the caption: Proclamation by the President of the Republic of the Congo, dated 26 November 1962.

According to our information, Mr. Gisenga is still under detention. Although I am aware of the rumours afloat in the corridors and elsewhere, we have not been able to establish the assumption, fact or rumour that Mr. Gisenga has been released. Our latest information is that he is still under detention, because his parliamentary immunity has been lifted by Parliament.

Regarding the next question, on the prospective debate in Parliament in Leopoldville, on the United Nations Plan of reconciliation, the so-called "U Thant Plan", it was brought up by a member of Parliament approximately a fortnight ago. But I understand that, due to the pressures of other members of Parliament, this debate was held in abeyance, because there was a general feeling in Parliament that the generation of such a debate in Leopoldville at this stage would not be helpful to the central Government, and would damage the objectives of the United Nations in the Congo. That debate, therefore, has been postponed sine die.

(The Secretary-General)

Therefore, I do not see any early prospect of a resumption of the debate on this Plan in Parliament. As I have told the members of the Committee, I am going ahead with the implementation of my Plan from phase I to phase IV with vigour and determination.

Mr. IDZUMBUIR (Congo, Leopoldville) (interpretation from French):

Before this meeting is adjourned, I should like to make a statement on behalf of my Government about this meeting. The text of this will be distributed later, but first of all I should like to read it out.

The last time you convened a meeting of the Advisory Committee on the Congo, Mr. Secretary-General, you gave us a very complete picture of the progress achieved in the implementation of your Plan. Today, you have given us an account of the progress made since that time.

The position of my Government has been set forth in the letter which Prime Minister Adoula addressed to you on 12 November 1962. This letter gave details of all the actions which have been taken in the unstinting support which my Government has given with regard to the implementation of your Plan. I would only like to add a single, recent fact which is significant, that is, the declaration made to our nation on 26 November 1962 by the President of the Republic, Mr. Joseph Kasa-Vubu, who renewed the proclamation of the solemn amnesty which he made to Parliament at Lovanium in July and August of 1962, which affected all the successionists, whatever their political offences, who were ready to rejoin the great Congolese family. The President, in the same spirit of fraternity which he displayed at Lovanium, stated, in particular:

"I proclaim a complete and general amnesty will be granted to all those who return to our country, to this great Congo of ours, whatever the political offences they may have committed. We hope that they will all return without exception, and we await them with open arms, with peace in our hearts, so that all the nation's sons may work together, hand in hand, to build the country, as the people wish, as the members of our great family wish, in concord and prosperity."

This is one more proof of the good will of the Central Government.

I should like, however, to go into further detail on the various points in the application of the Plan, because, in the view of my Government, what is important

(Mr. Idzumbuir, Congo, Leopoldville)

today is to note without any equivocation the violation of the commitments entered into by the Provincial Government of South Katanga. What is important is not to discuss why such and such a provision of the Plan has not been implemented by those in power in South Katanga, but to take the necessary measures which were provided in the Plan to ensure its full implementation. I said last time that the various points of the Plan were to be implemented at a certain time or immediately.

Today, I have to note that not only has the Plan been violated and its implementation hindered at Elisabethville by Mr. Tshombe, but that the Plan does not any more even receive the indispensable support of those who conceived it. Since there was a plan, there was prepared, as a last resort, an ultimate programme of measures which this Organization might take in order to ensure respect for the national sovereignty and the territorial integrity of the Congo.

If today the implementation of this Plan has been delayed, so as to compromise the validity of the Plan, it is only the foreign financial companies which conceived and support this secession which profit by this delay. This can only give encouragement to Mr. Tshombe. As striking proof of this is the fact that he sent a so-called "extraordinary plenipotentiary minister" in the person of Senator Yava, in order to set forth the complaints of Katanga.

Quite recently, in expelling from the Congo the Italian Consul at Elisabethville, a measure which is obviously only within the competence of the Central Government, the South Katangese authorities have given one more proof of their ill will and of the grave danger constituted by this attitude.

On the basis of these facts, we can only conclude that there is a complete absence of any intention to put an end to the secession. The negative attitude of Mr. Tshombe justifies the position of those who no longer believe in these simple promises and declarations and who have advocated concrete and energetic measures.

A demonstration of force is indispensable, for so long as Mr. Tshombe maintains his military superiority over the United Nations forces in South Katanga, he can afford to mock at the Organization and at the Central Government. He will only bow to force or to a demonstration of force. At the moment, he is convinced that the United Nations has other preoccupations and that it no longer has any means of exercising effective pressure upon him, and that they will be easily forced on the defensive if they try to station a force to support an economic blockade.

(Mr. Idzumbuir, Congo, Leopoldville)

Mr. Tshombe openly threatens the United Nations by proclaiming that the application of sanctions would mean a new war in South Katanga. This war, which is so strongly supported and prepared by all the reactionary causes in Europe and America, was announced in those same quarters even before the publication of the Plan. Since the Plan has been allegedly accepted, this has been repeated in an ever more menacing tone which has created an atmosphere of intimidation.

As an example, I can quote an article by Mr. Paul Struye, President of the Belgian Senate, in an editorial of the famous Libre Belgique, on 19 November 1962, entitled "On the eve of a new offensive against Katanga". Moreover, the Elisabethville daily L'essor du Katanga published, although I do not want to say that this was also written by Mr. Struye, a series of articles of a similar nature. What has given rise most of all to my indignation is that after Belgium had officially and publicly accepted the Plan, official persons of that country are publishing at a high level attacks and criticisms of this Plan.

However, my Government is pleased to acknowledge the realistic and courageous attitude adopted by the Foreign Minister of Belgium, Mr. Spaak, but it wonders if Mr. Spaak will receive the effective support of the whole of the Belgian nation.

To give some indication of certain reactions in Belgian quarters, I will quote a letter of protest, which will be found as an annex to this statement, from L'Amicale des Anciens de la Force Publique du Congo Belge, which was addressed to Mr. Spaak. I would like to read this out.

"L'Amicale des Anciens de la Force Publique du Congo Belge, at a general assembly on Saturday, 8 December 1962 at Brussels, gave me the honour of expressing to you the concern it felt when it saw the Belgian Foreign Minister associating himself with the United Nations and certain other States in an attempt to deprive Katanga of the right of self-determination.

"The Association believes that the well-understood interest of the Belgians requires that its Government should also defend Belgian investments in Katanga.

"It also believes that the interests of the Congolese demands that Katanga should not be engulfed in the chaos of the rest of the Congo, but rather that the only region of the former Belgian Congo where order reigns should give an example to the other regions and serve as a crystallization for a regenerated Congo."

(Mr. Idzumbuir, Congo, Leopoldville)

Perhaps I should say, degenerated. The letter continues:

"The Association, which comprises members who have fought to save Katanga and also members whose husbands and fathers have been killed for Katanga, does not understand how a Belgian Minister can at the present time assist in the destruction of the Katangese State."

(Mr. Idzumbuir,
Congo (Leopoldville))

Belgium, moreover, has just replied to the letter of Prime Minister Adoula concerning the collection of customs duties and the assistance that Belgium might be able to furnish to the Congo in that field. Belgium's reply came after that of the Union Minière du Haut-Katanga. That company refuses to pay customs revenue to the Central Government; it maintains that de facto authorities are at Elisabethville. It is easy to disclaim responsibility after having created, installed and supported these so-called de facto authorities. Nor has the Belgian Government gone much further in its promised "co-operation" and in its "spirit" of good friendship for the Congo. Its reply is full of contradictions. It agrees that the Customs Office in Belgium should collect, **in favour** of the Congo, taxes on goods destined for anywhere in the Congo. It promises its support in the implementation of any measures "decided upon by common agreement" between the Central Government and the men in power in South Katanga. And it puts all this forward while stating that it would equally apply "legal" decisions. I wonder, then, if the Belgian Government is not applying our laws and regulations, those which we inherited from Belgium and those which we have adopted since independence, because it regards them as illegal.

How can anything be clear from the Belgian attitude? In any case, the "favour" as regards the collections of the Customs Office must not be overestimated. That is not the essence of the problem.

This duplicity of policy is also evident in London. At the time when the Secretary-General consulted London on this subject, the Plan was accepted as a whole, including the sanctions to be taken in case there was a refusal to implement. Today, those two Governments do not wish to hear anything about economic sanctions. Everyone is aware of the importance of the financial interests at stake. British and Belgian circles seem to place their financial interests above those of the African peoples in general and the people of the Congo in particular.

We are confronted by a new kind of colonialism. The question which arises for us at this time is the following: Is the international Organization also to bow before this colonialism, yes or no? Will the Congolese finally be able to make their own laws, or are their affairs to continue to be managed from

(Mr. Idzumbuir,
Congo (Leopoldville))

London, Brussels or Paris? At this time, when the Organization must put into effect its guiding principles, are injustice and force to take precedence over right? If after twenty-eight months of the United Nations presence in the Congo, the efforts of the Secretary-General to implement the United Nations resolutions can be sabotaged to this extent by those very countries which approved the resolutions, we might draw the conclusion that colonialism and capitalism are still the masters of this world and recognize that by approving on the one hand the United Nations intervention in the Congo and by sabotaging on the other the efforts of the Secretary-General, certain Powers only wanted to play a comedy at the expense of fourteen million Congolese. Unfortunately for the Congolese, this comedy is really a tragedy.

I hope you will forgive me, Mr. Secretary-General, for having used those words. It is not my intention at all to wound you or anyone else in this room. But if I have used harsh words it is because the problem of Katanga can cast doubt on the usefulness and the very foundation of the United Nations. The United Nations has proclaimed certain principles and has inscribed them in the Charter. The United Nations has fought, and with success, to defend those principles. It has made a large contribution to the liberation of the colonized peoples and countries. Now, at this moment, it is powerless to deal with a handful of irresponsible men who want to continue to exploit the African. We are watching, helplessly, the operations of mercenaries of all nationalities and the actions of international murderers. The people of North Katanga are bombed in broad daylight, under the very eyes of the United Nations.

Were we, then, wrong to request the assistance of the United Nations? And are the people who place their confidence in the United Nations wrong, too? Is the Organization which we know as the protector of the weak and small nations to become an instrument in the hands of a few powerful nations? Those are the questions which we ask you, Mr. Secretary-General, since no one can question the fact that the international Organization assumed the responsibility of intervening by replying favourably to the appeal of the Congo twenty-eight months ago.

(Mr. Idzumbuir,
Congo (Leopoldville))

For its part, the Congolese Government has its responsibilities to the people of the Congo.

The various resolutions adopted so far by the Security Council and the Assembly are sufficiently clear and precise. In my Government's opinion, the mandate which you have received, Mr. Secretary-General, is complete and satisfactory. It is up to you to ensure implementation and, to that end, to use all the means in your power. It is up to you to put an end to the equivocal attitude taken by certain Member States, an attitude which is compromising the implementation of the resolutions adopted by the Council.

The Congolese Government has sent to seventeen countries a letter in which it asks them to place an embargo on copper and cobalt coming from Katanga.

Let the United Nations carry out its task in the Congo. The Central Government remains determined to carry out its task. Success in Katanga will demonstrate to all the peoples of the world the usefulness of our Organization.

The SECRETARY-GENERAL: In implementing the Plan, I shall certainly keep in mind the very useful observations just made by the representative of the Congo (Leopoldville).

Are there any further observations?

Mr. QUAISON-SACKY (Ghana): If this is to be our last meeting before Christmas, Mr. Secretary-General, I want to wish you in advance a Merry Christmas and to say that we shall watch developments in the operation of your plan; you have our support and we hope that you succeed.

The SECRETARY-GENERAL: Thank you very much for your good wishes. Of course, they are reciprocal.

As things stand at the moment, it does seem that this will be the last meeting of the Committee before Christmas. I very much hope that at our next meeting I shall be in a position to report substantial progress in the implementation of the Plan.

The meeting rose at 5.20 p.m.