

INCOMING CODE CABLE

To : Mr. S. Linner

ROUTINE

From : Mr. Macfarquhar, New York *H.A.*

Date : 5 May 1961

No. : 3203

Your QNUC 2374 and 2375 famine relief situation gave impression that stoppage of food and petrol supplies was due to factors lying within Congolese jurisdiction namely port Francqui situation and Lulua hostility and SecGen's message in our 3051 went on this assumption. However, Grun's RR-80 received today with your CUNCO 222 suggests that denial of priorities for transport and personnel within ONUC is cause of trouble.

May we have immediate appreciation of total situation to enable appropriate decisions to be taken ? Indication of President's reaction to SecGen's message also welcome.

cc: Mr. M. Abbas

INCOMING CODE CABLE

MA

To : Mr. S. Linner

ROUTINE

From : Mr. Macfarquhar, New York

Date : 5 May 1961

No. : 3202

Your ONUC 2367 El Kholi. Unless you have serious misgivings, why not offer him and let Congolese authorities decide ?

cc: Mr. M. Abbas

INCOMING CODE CABLE

S.A.

To : Messrs. Abbas and Ahmed

ROUTINE

From : Mr. Bunche, New York

Date : 4 May 1961

No. : 3198

Reference ONUC 2481. Defer action on contractual services arrangement pending further word from Headquarters after our review of policy.

Dist.: Mr. Ahmed



INCOMING CODE

To : ABBAS, LEOPOLDVILLE

From : SEC GEN, NEWYORK

Date : 4 May 1961

No : 3173

Following sent to Sahbani:

"Sahbani from SecGen, 4 May 1961, No. 73.

La note verbale dont le texte suit a été transmise hier au Représentant permanent de la Belgique:

'Le Secrétaire général des Nations Unies présente ses compliments au Représentant permanent de la Belgique et a l'honneur d'accuser réception de la note verbale de ce dernier en date du 1er mai 1961 concernant la détention de cinq ressortissants belges à Léopoldville.

Après réception de ladite note verbale, le Secrétaire général a appris que le Ministre des Affaires étrangères de Belgique a discuté de cette question avec le Représentant spécial du Secrétaire général à Bruxelles. Ces conversations ont eu pour résultat de clarifier la position des Nations Unies, et certaines propositions faites par le Ministre des Affaires étrangères ont reçu l'approbation du Secrétaire général.

Dans ces conditions, le Secrétaire général ne considère pas qu'il soit nécessaire d'entamer une discussion des points soulevés dans la note verbale. Cependant, il est prêt à fournir au Gouvernement belge, si ce dernier en manifestait le désir, toutes explications utiles au sujet du fondement juridique de l'action des Nations Unies.' "



INCOMING - CLEAR

UNATIONS  
NEW YORK  
4 May, 1961

ONUC  
LEOPOLDVILLE

3172                    MACEOIN from BUNCHE

ONUC 2423. Request for three staff officers  
made to Sweden.



INCOMING CODE

To : ABBAS, LEOPOLVILLE

From : SEC GEN, NEWYORK

Date : 4 May 1961

No : 3171

Following sent to Sahbani.

Sahbani from SecGen. No. 75. Votre 53.

Contenu de votre primo noté.

Votre secundo. Pour votre information, je désire éviter publication, mais souhaite laisser la question ouverte. Moi aussi, j'espère vivement qu'une coopération efficace pourra se dérouler dans une atmosphère favorable, mais je note que jusqu'ici la "collaboration" a été un peu sens-unique et que du côté belge elle n'a été largement manifestée que par des mots; les possibilités qui s'ouvrent maintenant, que représentent-elles au-delà de ce qui aurait dû être fait par eux il y a deux mois sinon six? Cela nous force de maintenir l'argument final qui est le seul possible à une administration pour laquelle les moyens de pression dont un gouvernement dispose sont exclus, c'est-à-dire rendre les comptes rendus publics.

La note verbale belge. Vu le résultat de vos entretiens avec Spaak, la réponse proposée n'a jamais été transmise. Au lieu de cela nous avons envoyé une brève note dont le texte vous est transmis séparément.

Comme vous le savez, Président Bourguiba va rendre visite aux Nations Unies vendredi prochain, le 12. Il me semble qu'il serait utile pour vous de revenir ici, disons mercredi le 10, pour faire rapport; cela vous donnerait l'occasion de voir le Président et mettrait une limite naturelle au stade présent de vos entretiens à Bruxelles (qui naturellement doivent être poursuivis aussitôt après votre visite ici, mais alors sur la base établie à la lumière de votre rapport oral et des discussions auxquelles il donnera sans doute lieu).

INCOMING CODE CABLE

7. A

To : Mr. M. Abbas

ROUTINE

From : Secretary-General, New York

Date : 4 May 1961

No. : 3170

A-1184

Reference A-1131.

What was nature of "crew" sent from Leo ? Presumably it was Belgian, but was it Air Congo personnel or military ?



INCOMING CODE CABLE

(MOST IMMEDIATE)

TO : MR. ABBAS, GEN MACEOIN  
FROM : MR. BUNCHE  
DATE : 4 May 61  
NO : 3169

*F.E. replying.*

Cannot redoncile port Francqui casualty figures given in sitrep 254 ONUC 2462 with casualty figures given in ONUC 2434, since sitrep reports only four ghanaians missing as against figure of forty in ONUC 2434. Please transmit urgently latest estimate of casualties. Report to advisory committee being held until this information received.

cc. Abbas, Maceoin



Incoming Cable

To : Abbas, Leopoldville  
From : Secgen, New York  
Date : 4 May 1961  
No. : 3168

Following message received from President Fulbert Youlou:

" Brazzaville 120 3 2240 Etat Priorité Secrétaire général ONUC Unations NYK 60579.

Monsieur Tshombé Chef Etat katangais a été attiré dans un guet-apens et est prisonnier à Coquilhatville. Sa vie est peut-être menacée. Les conséquences pour le Congo, pour l'Afrique, pour la coopération internationale peuvent être incalculables. En tant que Président de la République du Congo je vous demande de venir immédiatement à Brazzaville prendre avec moi les mesures concrètes propres à libérer Monsieur Tshombé et à sauver la paix. Si votre déplacement est impossible immédiatement et compte tenu de l'extrême urgence je vous demande de donner instructions et pouvoirs à votre Représentant à Léopoldville pour s'entretenir immédiatement avec moi. Très haute considération. Président Fulbert Youlou. "

I sent today the following reply:

" S.E. Monsieur Fulbert Youlou, Président de la République du Congo Brazzaville.

Excellence, J'ai bien reçu votre message concernant la situation dans laquelle se trouve Monsieur Tshombé, Président de la Province du Katanga. Les Nations Unies ont pris les mesures possibles dans le cadre de ses compétences pour la protection des intérêts légitimes de M. Tshombé. Sous ces conditions et dans la situation actuelle, l'entretien entre nous que vous me proposez ne pourrait guère ajouter un élément utile vu surtout les limites qu'impose à l'ONU le respect nécessaire pour la compétence de Monsieur Kasa-Vubu comme Chef de la République du Congo (Léopoldville). Pourtant je vais transmettre par télégramme à mon Représentant à Léopoldville copie de votre message ainsi bien que de ma réponse. Très haute considération .

Dag Hammarskjöld  
Secrétaire général des Nations Unies. "



NEW YORK 4.5.61

INCOMING CLEAR CABLE

ONUC

LEOPOLDVILLE

A-1212

3167 Abbas your ONUC 1987 giving list of personnel of Compagnie Internationale apprehended at Kabalo on 7 April 1961, in which name of HARRY SHER, British Israeli, is included, following is excerpt from letter dated 1 May received from Israeli mission to the UN ; "Enquiries in Israel have established that no name like that listed appears in the central register of Israel nationals. We should therefore be much obliged if you could request the United Nations authorities in the Congo to clarify the basis of the assertion that the man concerned is of Israel nationality. " Pl ease advise. End. SECGEN.



N.A.

INCOMING CODE CABLE

To : Mr. M. Abbas  
From : Secretary-General, New York  
Date : 4 May 1961  
No. : 3165

IMMEDIATE

Sahbani Brussels repeated to Abbas Leo from SecGen. Reply to your 50, regarding Katanga, is given in more general terms indicated by your 52.

Your points 1 to 6 are fully approved.

However, I ask myself on what basis Spaak will establish his list of political advisers. Experience shows that Kasavubu is likely to go much farther than Spaak. It should also be observed that Kasavubu has promised review of those he employs in light of resolution and that this review obviously will be operation in which we will have to press our viewpoints also so as to see to it that there is some balance between treatment of political advisers in Leo and the way in which they are treated in Katanga.

Further, I believe that appeal to mercenaries in Katanga should be backed in same way as in case of British, that is to say by withdrawal of passports. In the case of the Belgian officers no formal link should be established with replacement by U.N. efforts. Our military experts are of opinion that Belgian officers cadre in Katanga is grossly exaggerated in size; for that reason and also reason of principle we can not accept Spaak's idea to reserve for study with U.N. special programme for replacements of officers in Katanga. We agree with Spaak that replacement of officers in Leo is not necessary and that therefore withdrawal can be immediate, but as seen from what I just said I do not see any reason for delays in Katanga either as we would respond quickly on the basis of agreement, as it will be formally recognised by Belgians, is ultimate authority in Katanga and that therefore our steps there must develop within framework of our formal relationship to Chief of State.

7, A  
INCOMING CODE CABLE

To : Gen. MacBain

ROUTINE

From : Mr. Bunche, New York

Date : 4 May 1961

No. : 3164

United States has requested to send a Coleman tractor to support  
USAF aircraft in Leo. One C-124 will arrive Leo 9 May 2300Z. ETD  
1400Z 10 May.

cc: Mr. M. Abbas



INCOMING CODE CABLE

ROUTINE

To : Gen. Mac Bin  
From : Mr. Bunche, New York  
Date : 4 May 1961  
No. : 3163

Reference our 3054 ONUC 2417 2248 and 2453.

1. Abdullah informs 2 May that he can lift all remaining stores ex ELTINGE less 100 tons with USAF globemasters and UN DC-4s from Dar Es Salaam to Congo. Since USAF, owing to own commitments and other UN lifts, has agreed to lift up to 300 tons only, this will in fact mean that UN DC-4s must lift approximately 200 tons. Abdullah recommends that balance of 100 tons not urgently required be shipped on ELTINGE to Matadi. This is agreed to and U.S. requested accordingly.

2. It is not possible to have 461 tons stores ex KIMBROKE air lifted by USAF either from Mombasa or Dar Es Salaam. If UN aircraft cannot undertake lift, these stores will have to be shipped on KIMBROKE to Matadi. Will appreciate your views.

cc: Mr. Abbas

INCOMING CODE CABLE

To : Mr. M. Abbas, Gen. MacEoin  
From : Secretary-General, New York  
Date : 4 May 1961  
No. : 3162

ROUTINE

A-1138

Reference ONUC 2432, 33 and 34.

1. Port Francqui attack is the most outrageous affront ONUC has yet suffered and requires our most serious consideration of moves we should make in counteraction, since we cannot let it go by unchallenged.

① 2. Before the full facts of the tragedy were known, you had already sent a vigorous protest to Kasavubu (A-1077) to which, I gather, you have had no reply at all. Clearly, in the light of the bore serious facts now established, a follow-up message stronger in tone and insistent upon active assumption of responsibility by Kasavubu should be sent to him from me. ② Would wish your views as to both timing and content in the light of your information and feeling of the atmosphere.

3. On the military side, we must carefully weigh the measures we can and should take. We must be back solidly in Port Francqui. But considering the recent experience what strength must we maintain there to give any security to our people ? Moreover, we must insist on appropriate punishment for the ANC guilty of the crime. Your views on this aspect also desired.

Dist.: Gen. MacEoin



INCOMING CODE CABLE

To : Gen. MacEoin  
From : Mr. Bunche, New York  
Date : 4 May 1961  
No. : 3161

ROUTINE

Reference our 2607, 2784 and ONUC 2272 and 2461.

1. We had intended to send Carr to Leo to discuss our proposals with you and Chapman, but Canadian government cannot spare Carr and we have had to abandon that idea. When Chapman's tour of duty out there ends, it would be helpful if he could stay over here for a short while for consultations. Also his replacement will be asked to visit us for a briefing and discussion before reporting for duty. We suppose an overlap in Leo between the two will be arranged.

2. As suggested in our 2784, we feel that much can be done internally to improve our air transport organization. As a first step, we propose early reduction in your air charter to 20 aircraft with indication of when you think this could be made effective. Would have advantage of reducing maintenance load and crowding at Ndjili.

3. In ONUC 2272 you recommended the installation of a special hoisting mechanism for lifting jeeps or other cargo into C-46 and DC4 aircraft. We have asked USAF for advice on this and will inform you shortly.

4. We have taken up with Field Service your recommendation in ONUC 2425, directing them to proceed with chartering 2 YC-97s. As this will increase charter costs, a proportionate decrease in the 20 aircraft charter fleet would be necessary.

5. Our efforts continue to obtain heavier type of aircraft for the force. In this connection Rikhye visited Washington and was informed that release of any C-130s is very doubtful.

/United States may, however.....

No. 3161

United States may, however, be able to arrange use of C-124s by non-American pilots for internal airlift. This is under examination and we hope that it will be resolved satisfactorily. In this connection, USAF propose to send their representatives to Leo to study requirements and we agree. Will inform you their ETA.

cc: Mr. Abbas



INCOMING CODE CABLE

ROUTINE

TO : ABBAS  
FROM : SECRETARY-GENERAL  
DATE : 4 MAY 1961  
NUMBER : 3159

EV-198

Reur A-1123. " In accordance with established practice, we cannot of course acknowledge the message sent by Kibwe, munongo and kiwele. However I feel that the situation in Katanga is developing in such a way that we should keep a reasonable relationship with political leaders there and encourage them along the right path. I am convinced that Dumontet is handling himself correctly.

In suitable form, Dumontet should draw the attention of those officials with whom he comes in contact to the following facts colon and

1. in accordance with well established practices and principles, the UN has not interfered and does not interfere in the internal affairs of the Congo. We have to uphold principles which are well known. In regard to the specific case of Mister Tshombe, we can only urge that " due process of law ", etc is properly observed and this has already been brought to the attention of the President. We will have to study future developments regarding Tshombe in order to see whether any further intercession on our part is called for.

2. It is not the function of the UN to convene or to arrange a conference of political leaders. Such a conference must be arranged by the Congolese themselves but, if properly arranged on a nation wide basis, the UN will always stand ready to render assistance and protection to participants, especially if requested by the head of State.

3. Regarding arrangements concerning the evacuation of Belgian and other political advisers, etc., the UN cannot deal with any regional or provincial government . This long standing UN policy has been specially reinforced by the agreement with Kasavubu of 17 April 1961. Arrangements affecting the position of political advisers, etc., can only be made with the President and with the Belgian government. The Katangese authorities might well serve their own interests if they were, at an early date, to enter into arrangements with Kasavubu on this question . The UN is of course ready to assist them

in all possible ways, including the provision, if necessary, of suitable substitute personnel. It might be explained to the Katanga officials , as no doubt has already been done, that the provisions of paragraph A-2 apply to specified categories of foreigners only.



INCOMING CODE CABLE

ROUTINE

TO : ABBAS  
FROM : SECRETARY-GENERAL  
DATE : 4 MAY 1961  
NUMBER : 3158

*M.A.*

Your A-1126.

1. I would regard Kasa-Vubu's request for the services of military experts as an important move forward but feel that we will have to be extremely careful in regard to any request for the establishment of UN-Congo cooperation.

2. I see no objection to establishing liaison officers, but I have strong objections to joint patrols "wherever possible". In some locations joint patrols have proven feasible for short periods of time and for specified purposes, but I would regard it as premature to make it a point of policy, sanctified by any agreement.

3. I am definitely not in favour of using joint operations for the withdrawal and evacuation of personnel under A-2 because this would involve us in operations which, since the beginning of the Congo operation, we have vigorously avoided. This could lead to developments by which instead of preventing civil war, we would become an instrument in festering civil war.

4. The possibility of Kalonji joining in such an endeavour does not provide a challenge to which I can take kindly at this moment. Even if his forces should be placed under Mobutu's command, I would not be ready to rejoice.

5. While there may be some factors which would favour Congo-UN cooperation, I believe that on balance it poses many serious problems of the kind indicated in your para 4. Arguments contained in sub-paragraphs B C and D speak most forcefully against such cooperation.

6. However, once the ANC has reached the required stage of reorganization and once the political situation in the Congo has been more solidified, arrangements for joint operation may indeed become feasible and even desirable. Therefore, in any discussion with Kasavubu, hope may be held out for some future cooperation once the ANC has been properly reorganized.

INCOMING CODE CABLE

PRIORITE

TO : ABBAS  
FROM : SECRETARY-GENERAL  
DATE : 3 MAY 1961  
NUMBER : 3148

Following received from Sahbani today :

" Vous soumetts aux fins commentaires et instructions programme que nous proposerons vendredi à Spaak :

1. Lettre à envoyer par Spaak à Kasa-Vubu approuvant accord 17 Avril et portant engagement Belgique accepter suites cet accord. Cette lettre comprendra aussi liste de conseillers dont Spaak réclamera départ du Congo
2. Declaration publique promise officiellement par Wigny objet notre note à lui du 4 Avril interdisant tout recrutement ou engagement Belges au Congo et dégageant responsabilité ONU/ devant conséquences pouvant découler du refus des mercenaires de quitter Congo.
3. Appel par gouvernement Belge aux mercenaires pour quitter Katanga
4. Lettres personnelles à adresser aux officiers Belges au Congo les invitant rentrer Belgique.
5. Dispositions legislatives à prendre en conséquence .
6. Adoption d'un calendrier progressif pour retrait du Congo tous elements vises par résolution 21 Fevrier.

Attire votre attention sur fait que Spaak envisage retraits immediat de tous conseillers politiques belges du katanga pour n'en laisser qu'aupres Kasa-Vubu dans mesure ou celui-ci en veult. Quant aux militaires il entend retirer immediatelemt ceux de leo et se reserve d'étudier avec ONU programme special pour militaires du Katanga afin d'éviter que retrait brutal ne precipite province dans chaos et insecurity."



INCOMING CODE CABLE

ROUTINE

TO : LINNER  
FROM : MACFARQUHAR.  
DATE : 3 MAY 1961  
NUMBER : 3142

7.4

ONUC-2639

Your ONUC 2422 unations message . ICAO agreed commercial channel  
be used for such messages and you should therefore not repeat not transmit  
NY 3057. We would like to know why Zazi has not joined Montreal party and  
where he is now.

cc : Abbas.

INCOMING CODECABLE

To : Mr. M. Abbas  
From : Secretary-General, New York  
Date : 3 May 1961  
No. : 3137

MOST IMMEDIATE

H.A.

The following is message transmitted from me to Sahbani, Brussels, as Brussels cable number 66: "re our 64.

In the haste caused by wish to reply immediately to your report, we forgot to stress what is obvious and what you naturally must bring home forcefully to Spaak. We accepted his line on the clear understanding that appropriate steps are taken so that Belgium does not permit people under A-2 to go back to Congo; this is absolutely essential in cases where we have found A-2 applicable and very important also in cases where Leo authorities have found that to be the case whatever our stand. What steps they use for the purpose is their affair, but we act in good faith on basis of clear implication in Spaak's approach and moral obligation flowing therefrom. If these people were to turn up again in Congo, scandal would hit Belgium even more sharply than U.N. We will undoubtedly be questioned re this matter by Kasavubu and here, and clear assurance from Spaak to you is therefore desirable for quotation."



INCOMING CODE

To : ABBAS, MACEOIN, LEOPOLDOVILLE

PRIORITY

From : SEC GEN, NEWYORK

Date : 3 May 1961

No : 3135

ONUC-2492

Reur ONUC-2435, SITREP 243.

Note with considerable concern and surprise reinforcements of Gendarmerie in Nyunzu on 1 May. What has happened? Have our people again permitted themselves to be surprised? Obviously this changes tactical situation in Nyunzu quite considerably to our disadvantage. Impact of reversal of military strength in North Katanga even locally is only too obvious. By the way, we feel that developments of this type should not be just part of SITREP but be reported fully in their own right from Command.

cc. Gen. MacEoin

INCOMING CODE CABLE.

PRIORITY.

H. A.  
✓

To : Mr. Abbas.  
From : Secretary-General.  
Date : 3 May 61.  
No. : 3134.

Reur A-1124.

1. General principle maintained from beginning is that ONUC can never undertake " Joint operation " with other military unit, including the national one. This would be true in particular if national army units were engaged in steps of civil war nature or with strong element of internal conflict. On this very basis we refused operation with Central Government under Lumumba in moves against Katanga.
2. As is clear from our 3112 of yesterday, we can, on the other side, hand over duties regarding maintenance of Law and order, in non-political sense, to ANC units. That requires however Alpha that we can trust them, and Bravo that this does not mean playing with anyone of the Leo or Stan factions separately.
3. In light of these circumstances, we consider it premature to engage on the lines of para. 2. Developments in that direction are for time being excluded in Katanga and should anyway wait for creating of trustworthy units, and for an open going together military of Stan and Leo.
4. Although in theory some kind of coordination of efforts on the lines open to us ( that is on basis of para 2. above ) certainly might lead to better relations with ANC - although that purpose would be furthered even better once we could get started with cooperation for reorganisation - we feel that it would not protect us against outbreaks like the one in Porte Francqui, explained as such incidents probable are by local hysteria of groups regarding themselves as outside central control.



5. Our conclusion is that there is not much use in undertaking now such planning as you indicate. The principles applied should be made clear to Gardiner.

H.A.

INCOMING CODE CABLE

To : Mr. M. Abbas  
From : Secretary-General, New York  
Date : 3 May 1961  
No. : 3131

MOST IMMEDIATE

A-1139

(continuation of 3130)

We have despatched to Sahbani the following instructions, which will give you clear guidance for your activities in regard to this matter: "cable no. 64 from SG to Sahbani.

Greatly appreciate your conversations with Spaak and your excellent statement of our position. Please inform Spaak of following three points:

1. We fully agree with his position regarding repatriation of Henri and Antoine. We have instructed Abbas to make practical arrangements for repatriation in consultation with Longerstay.

2. As for three remaining Belgian nationals, we have informed Kasavubu that our interrogation does not support finding that they come under A-2 but Kasavubu maintains his position that they do fall under terms of this paragraph in view of their functions. We have also taken note of Spaak's position and solution he proposes. In these circumstances best solution for all would seem to be for Spaak to instruct Longerstay to advise the three individuals to agree to their voluntary repatriation .

3. Re Belina, regarding whom we consider that prima facie Belgium under obligation to receive him in view of his legal domicile and provisions on refugees, we will study this matter further and consult with Belgian representative regarding further disposition of case."

You may urgently contact Longerstay in this connection.



INCOMING CODE

MOST IMMEDIATE

To : ABBAS, LEOPOLDVILLE

From : SECGEN, NEWYORK

Date : 3 May 1961

No : 3130

A-1139

Re Belgians we received the following from Sahbani:

"Secgen from Sahbani No. 50.

Convoqué d'urgence ce soir mardi par Spaak. Durée entretien une heure. Sujet affaire belge arrêtés à Coquilhatville. Spaak vexé par détention et interrogatoire exercés par ONU sur demande Kasa-Vubu et aurait souhaité que Secgen résolve directement cette question avec lui. Spaak estime que cette procédure le met en difficulté devant Parlement. En résumé il m'a tenu même raisonnement que celui Loridan dans sa note. Répondu que ONU a agi sur demande écrite Chef Etat congolais contresignée trois ministres, qu'arrestation a été faite par autorités Congo et non ONU, qu'ONU a pris intéressés sous sa protection loin de Coquilhatville où leur sécurité pouvait être menacée. Masa-Vubu a demandé expulsion intéressés par ONU mais pour sauvegarder droits de ceux-ci, ONU a préféré savoir s'ils tombent ou non sous coup résolution 21 février. Investigations ONU ont permis savoir que trois seulement des intéressés tombent sous coup résolution, quant aux autres il appartiendra au Gouvernement Congo décider leur sort. ONU est bien entendu disposée à se dessaisir de ces derniers en les confiant à police congolaise mais je ne pense pas, ai-je ajouté, que traitement que leur réserveraient Congolais soit désirable par Belgique. Gouvernement belge devrait se féliciter intervention ONU et non la critiquer et tel est le sens dans lequel il conviendrait de comprendre détention et interrogatoire par ONU. Ai proposé qu'incident soit rendu sa juste mesure et ne compromette pas chances coopération ONU-Spaak. [ Ai proposé aussi que Belgique prenne en charge retour Bruxelles Henry et Antoine, Gouvernement



belge ne voulant nullement couvrir Belina. ] Spaak a accepté cette proposition, et réclame copie interrogatoire Henry et Antoine. Je suggère donc qu'ONU prenne contact avec Longerstay pour acheminement immédiat ces deux personnes sur Bruxelles. Quant aux trois autres arrêtés ne tombant pas sous effet résolution, Spaak est prêt à les rapatrier en Belgique si tel est leur désir et propose que permission soit donnée à Longerstay pour les rencontrer et recueillir leurs vœux. Si Kasa-Vubu tient à les expulser comme les autres Spaak n'y voit pas d'inconvénient. J'ai donné mon accord à ces deux solutions et promis d'apporter assentiment définitif Secgen courant mercredi. J'ai profité occasion pour critiquer ton réponse Loridan non conforme à esprit inauguré avec Spaak.

A mon avis il convient de liquider sans tarder épisode en donnant apparemment satisfaction à Spaak puisque ses dispositions sur ce cas rencontrent les nôtres. Cela nous permettrait de lui sauver la face devant opposition et de déboucher avec lui sur solution embrassant tout problème. Spaak tient prête liste conseillers à retirer du Congo et nous en discuterons vendredi au lieu de jeudi. Il serait heureux recueillir d'ONU indications sur tactique commune à observer pour trancher différend Katanga. Encore une fois il m'a demandé si nous envisagions quelqu'un pour remplacer Tshombe. J'ai répondu que soucieux maintien sécurité et ordre au Katanga ONU discutera utilement avec lui toutes solutions nécessaires dans intérêt Congo et en particulier un plan graduel pour Katanga.

Serais heureux avoir votre assentiment sur proposition concernant détenus et vos commentaires sur reste.

Vous signale qu'entretien Spaak a commencé atmosphère lourde et s'est terminé dans climat très détendu.



INCOMING CODE CABLE

ROUTINE

TO : ABBAS  
FROM : CORDIER  
DATE : 3 MAY 1961  
NUMBER : 3128

EV-197

Osorio-Tafall (Mexico) has accepted appointment for Congo with intended assignment to Eville. He is coming to Congo via New York. His exact time of arrival Congo not yet quite clear. In any case he could not make it by the 13 or 14th as suggested by Dumontet. If necessary would Dumontet agree to staying few days beyond 21 May ? We plan limiting briefing Osorio to shortest possible time.

INCOMING CODE CABLE

ROUTINE

*McA*

TO : ABBAS, GARDINER  
FROM : SECRETARY-GENERAL  
DATE : 3 MAY 1961  
NUMBER : 3127

Reur 1111 and 1115. Studied with greatest interest Gardiners report from talks in Coquilhatville. Without going into details, with complete trust in his good judgement, we wish, in anticipation of fuller report crystallising emerging understandings, express great appreciation for effective drive on several crucial points which all together form most helpful and encouraging total picture. Only observation, well known to Gardiner, is that of course we have to look out with army reorganisation arrangements so as to avoid laying ourselves open to accusation of partisan stand in relations between Stanleyville ANC and Leopoldville ANC ; difficult to judge about this problem here without knowledge of present relations between the two ANC groups as they have developed after various contacts in recent weeks.



INCOMING CODE CABLE

ROUTINE

TO : ABBAS  
FROM : SECRETARY-GENERAL  
DATE : 3 May 1961  
NUMBER : 3126

*H.A.*

Reference A-1108 and 1110. As an aside to my position as set forth in my 3112 I endorse fully your advise to Dumontet on the three points in A-1110.

INCOMING CODE CABLE.

To : Mr. Abbas, MacEoin.  
From : Secretary General.  
Date : 3 May ' 61.  
No. : 3125.

Reference A-1085.

? - please let me know it 87

1. In view fuel and maintenance angle, we clearly cannot take risk involved in breaking off with Sabena entirely. Our use of their aircraft, however, should be reduced to minimum.

2. We assume that Kasavubu group would not, repeat not, approve of Sabena/Air Congo providing airlift to Katanga Genedarmerie and Kalonjis army. They should be apprised of facts about Sabena activity and their support should be sought in placing restrictions on Sabena/ Air Congo.

Kasa-Vubu

c.c. General Mac Eoin



INCOMING CODE CABLE.

To : General MacEoin.  
From : Bunche.  
Date : 2 May 61.  
No. : 3113.

Reference ONUC 2144, 2188 and our 2824. US Sergeant Kimbroke left Bombay 30 April. ETA Mombasa 7 May. Indian personnel on board ship are 1 Officer, 12 ORs. Indian vehicles on board as follows:

23 3-tonners, 79 1-tonners, 37 Jeeps, 52 Jeep trailers, 16 special vehicles, 29 special vehicle trailers, 14 armoured cars.

Stores as follows:

Rations - 437 tons, Ammunition - 23 tons, Ordnance and miscellaneous - 1 ton.

There are still some vehicles left in Bombay. In view of the cost and complications in transporting vehicles to Katanga, and since the Indian brigade group has already received a considerable number of vehicles from ONUC, we wonder whether the number of vehicles from India for the Indian brigade could be limited to those already shipped to the Congo. Would appreciate your comments soonest, especially in connection with possible further use of USS Sergeant Kimbroke.

c.c. Mr. Abbas.

## INCOMING CODE CABLE

ROUTINEM.A.

TO : ABBAS  
FROM : SECRETARY-GENERAL  
DATE : 3 MAY 1961  
NUMBER : 3112

A-1108 — A-1110

Of course entirely premature to evaluate the way in which various things seem to fall into a rational pattern, in fact closely corresponding to what has been the continuing working hypothesis on our side. However, in view of news on the tickers regarding continued **contact** Leo-Stan and Monongo's reaction, following the interesting exchange on which Dumontet reports, it may be useful for you to get some observations with a follow throughon the policy directive sent to you in our <sup>2624-2625</sup>2634-2635 of 16 April.

X We cannot possibly conclude separate agreements on implementation of Security Council resolution. Kasavubu agreement must be considered valid for whole territory of Congo. On other hand, there is of course a need for clear expression of acceptance also from Eville and Stan, if and when we come that far. In our view that acceptance could take the form of letters from the top men concerned to us or, preferably, to Kasavubu, accepting compliance with Presidents commitments made under agreement. If such letters are addressed to Kasavubu, they should be officially communicated to us. This would be a way to have de facto agreements with various de facto authorities, while strictly maintaining constitutional stand on unity of Congo. X

You may find ways of getting this across to those concerned.

I believe this is also about the time when UN representatives might try to find ways to introduce, with all due subtlety, the idea of meeting of parliament, under UN protection of participants, as something that should follow very close after an acceptance by Stan and Eville of the agreement. The sooner the stamp of constitutionality in that way is put on a central government, we could get under way with various urgent steps for example in financial field and do so with unreserved cooperation with authorities. Such development, formally if possible always on government initiative, would of course also change fundamentally character of



military presence, switching it back to police service. In that context, and once steps is taken to convene parliament, we should be able to renew expressions of our philosophy to the effect that we would wish to start phasing out UN troops to all extent that reorganisation of army renders it capable to undertake normal functions on behalf of Unified Government, leaving that is necessary primo in support of civilian operations, secundo as reinforcement for repression of tendencies to tribal warfare,.Of course this is still a dream but sometimes dreams may be used to give a proper sense of direction and in informal " chats " even UN officials should be permitted to dream - if it serves a good UN purpose .

INCOMING CODE CABLE,

To : Mr. Abbas.  
From : Secretary General.  
Date : 2. May 61.  
No. : 3099.

*H.A.*

Reference A-1061 and 62.

Would appreciate your views on nature and timing, as you see it, of our move in following up the visit of the three officers to Matadi. Is our assumption correct that all three officers have returned to Leo ? Have they reported anything beyond information given in your messages cited above? .



INCOMING CODE CABLE.

To : Mr. Abbas.  
From : Secretary-General  
Date : 2. May '61.  
No. : 3097

A.L.  
Fabry has a copy which he must  
return to you after he has drafted  
a cable to Kasa Vubu. H.A.

Paks Q. Reur A-1098.

1. Following is draft text of note for Belgian Mission on basis of your A-1092 through 1095. We have sent you their note of today. Please send us urgently your comments on both documents. " The Secretary-General presents his compliments to the permanent Representative of Belgium and has the honour to acknowledge the receipt of his note verbale of 1. May 1961 concerning the detention by the United Nations forces at Leopoldville of the following 6 individuals: Alexander Belina Podgaetsky, Roger Marcel Henry, Jean Pierre Antoine, Pierre Droulans, Albert Pirard, and Marc Antoine Mikwlajczak.

These persons were transferred to the custody of the United Nations force by the officials of the Central Government of the Congo acting under the authority of the President of the Republic in pursuance of paragraph A-2 of the resolution of the Security Council of 21 February and the agreement concluded on 17 April 1961 between the President of the Republic of the Congo and the Secretary-General of the United Nations. That agreement provides, in particular, that the United Nations will assist the President of the Republic in the evacuation from the Congo of the foreign personnel who come within the terms of paragraph A-2 of the Security Council resolution. The authority of the United Nations to render such assistance rests upon the resolution of 21 February 1961 of the Security Council.

In view of its responsibilities in paragraph A-2 of the Security Council resolution, the United Nations considers it necessary to conduct interrogations of the individuals transferred to its custody in order to ascertain whether or not they come within the categories of personnel covered by paragraph A-2. The results of the interrogation by United Nations officials in regard to three of the individuals, namely, ~~Belina~~-Podgaetsky, Henry and Antoine, has confirmed the assumption of the President of the Republic that these persons come within the terms of the Security Council prohibition



contained in paragraph A-2. In such circumstances the United Nations cannot consistently with its responsibilities under the Security Council resolution release these individuals but wishes to discuss with the Belgian Government the steps to be taken by the Belgian Government in cooperation with the United Nations to give effect to the resolution. This is appropriate not only in respect to Henry and Antoine who are Belgian nationals but also in respect to Belina Podgaetsky, who has a legal domicile in Belgium and holds a valid Belgian "Titre de voyage ". It is envisaged that arrangements would be made so that these individuals will be transported forthwith from Leopoldville to Belgium.

With regard to the three remaining persons, namely, Droulans, Pirard and Mikolajczak, the results of the interrogations have led the Secretary General to refer the cases back to the President before taking any further action under the resolution or for the release of the persons concerned."

2. Agree you should inform Podgaetsky, Henry and Antoine that, as we are satisfied they fall under A-2, we have to approach Belgians for arrangements with a view to evacuation and so advise Kasavubu. As to remaining three it seems necessary to explain to them that final determination must follow consultation with Head of state and meanwhile their custody must continue on same basis as before. Therefore please submit to Kasavubu summary of evidence concerning Droulans, Pirard and Mikolajczak and enquire whether he has grounds for determining that any or all come within A-2 or on the contrary does not wish to affirm basis on which he initially transferred any of three to ONUC custody. There may of course be legal grounds apart from A-2 for territorial authority acting on its own to take other steps such as deportation. Advise us urgently of his reply for final action.

3. You should now repeat now let Belgian representative Longerstay meet all six without therefore giving him any formal recognition.



INCOMING CODE CABLE.

To : Mr. Abbas  
From : Secretary General.  
Date : 2 May '61.  
No. : 3096.

A.L.  
Copy given to Fabri. Please  
see that it is returned in due  
course D.A.

Reur A-1098 paragraph 2. I believe action in examining documentation justifiable in so far as necessary to determine application of A-2 in particular case. However retaining documents in UN possession so contravergial that it should be done only in exceptional case and when such retention is clearly imperative in protection of legitimate UN interest.

INCOMING CLEAR

UNATIONS  
NEW YORK  
2 May, 1961

ONUC  
LEOPOLDVILLE

3095 ABBAS, MACEOIN from SECRETARY-GENERAL

Following is text of message which I sent on May 1st to President Soekarno:

" As the Indonesian Contingent which has been serving with the United Nations Force in the Congo is about to depart on its homeward journey, I wish to commend its officers and men for their splendid contribution to the United Nations operation in the Congo. The Indonesian Contingent has played an important role in the United Nations effort to assist the Congolese authorities in maintaining law and order and averting civil war and inter-tribal strife. It continues to be my earnest hope, as expressed to you in my cable of 3 March, that you may find it possible, in the light of changed circumstances, to review the question of maintaining Indonesian participation in the United Nations Force. The need for additional troops is still great."



INCOMING CODE

H.A.

To : ABBAS, LEOPOLDVILLE

From : SEC GEN, NEWYORK

Date : 1 May 1961

No : 3094

Following Note Verbale received to-day from Belgian Ambassador:

"Le Représentant permanent de la Belgique présente ses compliments à Monsieur le Secrétaire général de l'Organisation des Nations Unies et a l'honneur d'accuser la réception de sa note du 28 avril 1961 par laquelle il lui fait connaître que six ressortissants belges qui faisaient partie de la suite de M. Tshombe ont été livrés aujourd'hui aux représentants des Nations Unies sur ordre du Président de la République.

Le Représentant permanent de la Belgique, d'ordre de son Gouvernement, marque son étonnement le plus vif des termes de cette note qui indiquent que les personnes en question sont détenues par les Nations Unies aux fins d'interrogation.

Le Gouvernement belge a, à plusieurs reprises, fait connaître au Secrétaire général sa volonté d'appliquer pleinement les décisions du Conseil de sécurité du 21 février relatives au personnel militaire, paramilitaire et conseillers politiques. Sa note du 21 mars ne laissait, à cet égard, aucune équivoque. Les mesures pratiques d'application en sont, à l'heure actuelle, discutées avec M. Sahbani, représentant spécial du Secrétaire général à Bruxelles.

Sans vouloir, pour le moment, examiner si les personnalités en question (dont l'une d'ailleurs, M. Belina, n'est pas belge) sont ou non visées par les décisions du Conseil de sécurité du 21 février, le Gouvernement belge ne peut admettre que des ressortissants belges soient livrés par les autorités congolaises aux représentants de l'ONU au Congo et détenus par ceux-ci aux fins d'interrogation; rien, en effet, dans la note du Secrétaire général n'indique que le comportement des intéressés ait justifié un tel traitement. Aussi, la question se pose de savoir en vertu de quels pouvoirs



juridictionnels les agents de l'ONU au Congo seraient habilités à se saisir de personnes qui, selon toutes apparences, se bornaient à vaquer à leurs occupations.

Le Gouvernement belge est pleinement confiant que le Secrétaire général voudra bien lui faire connaître que les instructions nécessaires pour que soient relâchés immédiatement les cinq ressortissants belges détenus ont été données de telle sorte que la coopération loyale et complète que le Gouvernement belge souhaite maintenir avec le Secrétaire général puisse se poursuivre.

Le Représentant permanent de la Belgique saisit cette occasion de renouveler à Monsieur le Secrétaire général l'assurance de sa très haute considération."



INCOMING CODE CABLE

87.A.  
(ROUTINE)

TO : GEN. MACEOIN  
FROM : MR. BUNCHE  
DATE : 2 May 61  
NO : 3093

Re our 3061 and ONUC 2395.

It is difficult to reconcile your difficulties in airlifting Indian troops from African East Coast and your demand for increase in UN air fleet with offer to rotate Nigerians by Air. US has agreed in principle to undertake all rotations by sea or air and has specifically approved rotation of Nigerians by sea. As sealift would be economical, we asked your views on its practicability. If Nigerians do not find sealift suitable for good reasons, we could press for United States airlift.

cc. Abbas

INCOMING CODE CABLE

(ETATPRIORITE)

TO : MR. ABBAS  
FROM : SECRETARYGENERAL  
DATE : 2 May 61  
NO : 3092

*M.A.*

Reference A-1103 and 1104. In both cases any ultimate action must be left to your on-the-spot judgement on basis of all circumstances.



INCOMING CODE CABLE

(ROUTINE)

S.A.

TO : MR. ABBAS  
FROM: : SECRETARYGENERAL  
DATE : 2 May 61  
NO : 3091

Reference A-1102. Pursuing matter here, thus far without any clue.  
Will inform you as soon as any indication is found.

INCOMING - CLEAR

UNATIONS  
NEW YORK  
2 May, 1961

ONUC  
LEOPOLDVILLE

3090            MACEOIN from BUNCHE

1.            We have been informed by Faruqi and through Sudan Mission that two aircraft from Congo have been detained in Khartoum because no clearances have been requested. Aircraft are Curtis C46 SE-CFC from Sweden and DC4 AIRLIBAN both destined for home bases for overhaul.

2.            Faruqi informs that aircraft are flying on scheduled flights ordered by Air Operations, Leopoldville. We have no knowledge of this flight. Please send immediately all particulars, complete schedule, names of air captains, number of passengers and purpose of flight so that proper flight clearance arrangements can be made. In future all clearances for long external flights must be processed through UN HQ. Mr. Faurqi is TAB resident representative in Khartoum.



INCOMING CODE CABLE

(ROUTINE)

D.A.

TO : MESSRS. ABBAS & AHMED  
FROM : MR. BUNCHE  
DATE : 2 May 61  
NO : 3089

Would appreciate your appraisal of letter of 15 April signed by certain Congolese employed by United Nations <sup>h</sup>treatening a strike of United Nations drivers, domestics and others. Letter sent here indicates that a copy was sent to "direction centrale de lonuc "

cc. Abbas, Ahmed

INCOMING CODE CABLE

(ROUTINE)

M.A.

TO : MR. ABBAS, GEN. MACEOIN  
FROM : MR. BUNCHE  
DATE : 2 May 61  
NO : 3088

Ghana representative has received following message from Chief of Defence Staff of Ghana. Reads;

"The present strength of the Ghana contingent in Kasai is approximately 1650. For purely military reasons, it will become impossible to maintain this strength after the end of July, 1961. Strength during the month of August will be 1350, but it can be increased to 1500 and after the end of August. If ONUC headquarters, Leopoldville considers strength in Kasai must be kept up which I consider essential, then some reinforcement from outside Ghana over and above proposed Liberian contingent will be necessary. The Ghana government propose to try to offset reduction in the strength of the contingent by providing more scout cars but this measure cannot take the place of soldiers required to garrison certain towns.

cc. Abbas, Maceoin



INCOMING CODE CABLE

(ETATPRIORITE)

TO : MR. ABBAS, GEN. MACEOIN  
FROM : MR. BUNCHE.  
DATE : 2 May 61  
NO : 3087

7. A.

Following is text of confidential message from Nkrumah to Secretary-general delivered on 1st May. Reads;

"You probably now have full reports on the recent action in Port Francqui Kasai Congo. I attribute the position to the following;

(1) The fatal mistake of making soldiers behave as policemen which gradually undermines their ability to act in a soldierlike manner in an emergency;

(2) Penny-packed dispersion of UN troops which is against all good military principles;

(3) Far too large a task being given to the Ghana contingent;

(4) Failure to obtain sufficient military support for the UN Congo operation due largely to doubts as to the impartiality of various decisions made by the United Nations command in Leopoldville.

I have already stated to my permanent representative Quaison-Sackey that unless UN reinforcements are sent to Kasai by 10th May I will be compelled to withdraw my contingent to Ghana and I wish to stress that this is no idle threat. You, of course, realize as well as I do that the failure of UN operation in the Congo will have serious repercussions throughout the Congo and Africa as a whole and that vice-premier Gizenga would receive considerable material backing from many African states including Ghana.

Now that Sierra Leone is independent, could it not be prevailed upon to subscribe one battalion to come under the command of the Ghana Brigade in the Congo as relief for any temporary reinforcements you may send to Kasai. Ghana could help over their staging and transport to Luluabourg."

In connection with our reply, your early comments, particularly on numbered paragraph 1 through 4 of his message, would be appreciated.

cc Abbas, Maceoin

INCOMING CODE CABLE

M.A.

(ETATPRIORITE)

TO : MR. ABBAS, GEN MACEOIN  
FROM : MR. BUNCHE  
DATE : 1 May 61  
NO : 3073

Re our 3054.

We are awaiting reply to our 3054.

If normal means of transportation from East African coast to Congo proves difficult, tents, locally purchased stores and other excess stores may be offloaded Eltinge in Matadi.

Please advise.

cc. Abbas, Maceoin



INCOMING CODE

M.A.

To : ABBAS, LEOPOLDVILLE

From : SEGEN, NEWYORK

Date : 1 May 1961

No : 3067

Following letter received to-day from Belgian Ambassador:

"Mon cher Secrétaire général,

Dès la réception de votre lettre concernant la possibilité d'envoi de 18 tonnes d'armements et de munitions de Bruxelles à Brazzaville, je n'avais pas manqué de saisir le Ministère des Affaires étrangères à Bruxelles. Celui-ci vient de me faire savoir qu'il a suspendu tout envoi d'armes et de matériel de guerre vers Brazzaville en attendant les résultats de l'enquête en cours sur la destination définitive éventuelle de ce matériel.

En tout état de cause, aucune autorisation d'exportation ne sera accordée pour Brazzaville sans des garanties sérieuses concernant la réexportation."

N.Y. 3063

ONUC-2405



INCOMING CODE CABLE

PRIORITY

To : Mr. M. Abbas  
From : Secretary-General, New York  
Date : 1 May 1961  
No. : 3062

((  
Reur 1091. I do not believe that you should show records to Leo people. This would be inappropriate in form and of somewhat doubtful value in fact. Suggest that instead you give, in your own words, general picture of situation, however not referring to any special delegation. 7

INCOMING CODE CABLE

7. A.

To : Gen. MacEoin

PRIORITY

From : Mr. Bunche, New York

Date : 1 May 1961

ONUC-2395

No. : 3061

Ref. ONUC 2388 question of rotation of one Nigerian Battalion has been taken up with Nigerian and U.S. mission. Planning has not yet been completed, but you will be informed within a few days. In connection with this rotation 100 Nigerian police will also be dispatched from Lagos to Congo.

cc: Mr. M. Abbas



INCOMING CODE CABLE

77.A-

To : Mr. M. Abbas

PRIORITY

From : Secretary-General, New York

Date : 1 May 1961

No. : 3060

Reur 1098. We shall send note verbale to Belgians re four cases mentioned in para. one first thing tomorrow. You are right, pending outcome of contact with Belgians, to regard them as in some kind of protective custody. I would not ride too hard on formulations, the important thing being that they cannot be released, even if they want to be, short of decision on evacuation question.

Regarding the two remaining, we wait for report on Kasavubu's reaction as we do not want to be accused by him of acting against his judgement, as in fact as territorial authority his wish is our strongest legal basis, presumably he is better informed at least about Essor de Katanga man than we can possibly be on basis of interrogation.

Question of Belina-Podgaetsky has been taken up both with UNHCR and Belgium. Whether we can seize his documents must be studied by our legal experts. As he will be detained for some further time anyway, it seems to us that you should be able to keep question of seizure of documents open until you get further instructions.



OUTGOING CODE

To : SECGEN, NEW YORK

From : LINNER, MACEOIN, LEOPOLDVILLE

*Memorandum*

Date : 31 May 1961

No. : A- 1356

1. Hamid and Cuperus submitted following report on Bukavu situation:

" All-day discussions with Massena delegation may be resumed as follows:

1. Provincial Assembly to be reconvened on Thursday 1st June; its meetings will be protected by combined ANC/ONUC guards.
2. Combined ANC/ONUC measures are taken to protect deputies and ministers during assembly session.
3. Border control along Congo-Ruanda frontier to be strengthened by joint ANC/ONUC effort.
4. Belgian authorities willing to cooperate with ONUC in order stop infiltrations that might hamper smooth running of assembly.
5. Trying very hard to bring to an end transmitting invective communications from Radio Bukavu. There is yet no necessity to bring radio under ANC/ONUC control.
6. Joint ANC/ONUC patrol will be sent out to-morrow to Nyangezi to investigate criminal acts committed, which appear now to be much more serious than first reported.
7. Succeeded with effective assistance Massena in convincing responsible Kivu authorities to liberate arrested ministers and deputies.
8. Minister of Justice Soumialot is to hand over to Cuperus to-morrow files with evidence against all other detainees. Meeting agreed that these cases should be judged by duly appointed-tribunal. As qualified personnel for tribunal not available, it was suggested that these cases should be judged by Cuperus only. Cuperus declined but stated to be willing to advise on these cases with assistance of two Congolese of integrity which practically means that responsibility for prisoners now totalling estimatedly four hundred men rests with ONUC. Being a Lawyer Cuperus fully realizes that this judiciary capacity impressed upon him by Massena, stressing his complete trust in ONUC impartiality, surpasses by far terms of reference of any chief ONUC civilian Officer and is from every legal



angle found wanting. However seem no other possibility to have quick justice done and put an end to arbitrary detentions and further arrests. Please advise if you feel ONUC should not get involved in judiciary action.

9. Investigations will be initiated immediately under supervision of Malayan Officer, concerning murder of two ANC soldiers and consequent reprisals.

10. To-morrow meetings will continue to discuss means to stop further deterioration of already disastrous economic situation.

11. Cuperus asks that in view of present situation due attention be given to Fitzgerald's replacement. "

We have sent following instructions to Cuperus as regards paragraphs 8 and 9 of his report:

" As regards paragraph 8, ONUC must not repeat not get invdved in judiciary action and it would be definitely inadvisable for Cuperus to participate in any trial or to give the impression of acting in a judiciary capacity. However if essential to obtain release of innocent persons from detention or to improve the security conditions and prevent further infringement of human rights, Cuperus may assist by providing technical advice to the competent Congolese authorities in ~~arranging~~ a preliminary screening of available evidence against the detained persons. This screening would have only the aim to determine those persons against whom there is enough proof that they engaged in criminal acts of sufficient gravity to warrant their detention pending trial, in accordance with the provisions of the "Code pénal". Such screening procedure should in no ways prejudice any trial proceedings which would be held later when competent judges are available. Same principles apply to Malayan Officer participating in investigations referred in paragraph 9. "



OUTGOING CODE

To : SECGEN, MACFARQUHAR, NEWYORK

From : LINNER, LEOPOLDVILLE

*Linner*

Date : 31 May 1961

No : A- 1354, 1355

Your 3726 Angola refugees. UNICEF emergency food relief and medical services.

1. The despatch of our comments and project submission was delayed until yesterday's pouch owing to recent developments in the Bakwanga programme and practical problems arising out of the Angola refugee situation. The project basically aims at creating a preventive network of food stocks and organizing and educating the Red Cross on a provincial basis, with the assistance of the League. One of the basic thoughts is that with a well trained provincial Red Cross and modest emergency stocks of food, principally milk, emergency situations that might arise could be tackled more quickly. However, this programme while it might get off the ground in a month or two, is bound to take quite a few months before it produces results. Hence, it is much too early to think of terms of this quadripartite programme being used to tackle the Angola refugee problem.

2. It is true that the Congolese Red Cross is doing its utmost in taking care of part of the refugees in the Bas-Congo. They are doing this with what assistance and guidance the League can give them. So far as we understand at present the Red Cross takes care of approximately one-third of the total of the refugees while the remainder is being taken care of by the Baptist Missions, the Congo Protestant Relief Agency and Caritas Congo.

3. As our understanding is that you wish our participation in the Angola problem to be limited at this stage to the loan of food, we are in no position really to co-ordinate the efforts made by the various agencies.



In our opinion this co-ordination should come from the League who should carry the overall responsibility. We have so far provided a further one hundred ten tons of food on loan. Since our last message to you, Ordnance have agreed that they have a number of "surplus" vehicles in the Western Congo which they have put at our disposal on condition that we make funds available to enable them to buy replacement vehicles in East Africa. We have taken these vehicles and given them "on loan" to the various agencies who will repay us just as soon as procurement gives us exact details of the price.

4. ONUC's connection with the proposed emergency food relief and medical services programme is that we provide the milk required insofar as possible from stocks or alternatively by requesting it from U.S. Government surplus. Food is to be provided only insofar as we have stocks. ONUC would be responsible for the transportation of the food both by river and by truck. We would have to meet the rail and river freight and the petrol for the vehicles. UNICEF will provide the vehicles. We discussed priority movement of supplies requested by UNICEF with Hamilton, their Programme Officer, during his recent visit to Leopoldville and he agreed on the formula that these movements should be given priority "so far as prevailing conditions allow". Clearly a situation might arise in which other movements might have to be given priority or in which security conditions made movements impossible.

5. Finally, I would like to reiterate that there would not seem to be any reason at this stage to start yet another appeal. We, too, are anxious to avoid "unfortunate duplication and highlighting of refugee situation" and it is for that reason that we suggest that surplus ONUC refugee relief stocks be used, that the League uses its \$600,000 of Congo famine funds and that we take up an offer already on the record from the Oxford Committee for Famine Relief of sums already collected. There is every reason to believe that this will cover the foreseeable needs for at least a few months. By then this situation may have become clearer and if an appeal should be necessary at that time, at least it can be launched on the basis of fact and experience.



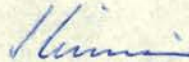
LEOPOLDVILLE  
31 May 1961

OUTGOING CLEAR

IMMEDIATE

UNATIONS  
NEWYORK

A-1353      AMBASSADOR DAYAL FROM LINNER



Your cable of May 29 was indeed greatly appreciated by all members of ONUC, civil and military. May I convey to you our deepfelt gratitude for all the guidance you gave us during a difficult time and our warmest wishes for the future.



OUTGOING CODE

To : SECGEN, NEWYORK  
From : LINNER, LEOPOLVILLE  
Date : 31 May 1961  
No : A-1352

*Linner*

Famine relief. Your 3814.

1. We share your anxiety about entrusting distribution to Kalonji's Refugee Commissioner. However, given the military position, the only alternative to it is giving no food whatever for the next 3-4 weeks when we expect to be able to go back into Bakwanga. We feel strongly that this would lay us open to the accusation that we are deliberately preventing South Kasai from carrying out the programme.

We entirely agree with your suggestion re League supervisors. However, with the resignation and departure of Thelen, the League has only three delegates in the Congo. They are already heavily occupied with the organisation of the Congolese Red Cross, the question of Eastern block Red Cross assistance to Orientale Province and the Angola refugee problem. I therefore feel that the quickest solution might be if you <sup>would accept</sup> ~~could kindly~~ consider the suggestion made in ONUC-2795 to the effect that you ask Beer from your end whether delegates could be made immediately available. If Beer agrees, he could then instruct his delegate here accordingly.

2. Other areas of Kasai requiring relief are places which are centers of inter-tribal strife. There is particular hardship at Tshikapa, Luebo, and Luiza. The Luntus around Lac Mukamba have had at least fifteen villages burned out during recent clashes with Kalonjist forces, causing a shortage of food. However, these situations are caused more by the breakdown of security and transportation than by forced migration, and their relief is not likely to require a continuing programme of



distribution. We are providing supplies of food for free distribution as and when availability of transport and the security situation make it possible to reach these locations.

3. Kasa-Vubu has been reminded that you await a reply to your messages of 30 April and 22 May.

4. Angola refugees. A reply to your 3726 has been sent separately.



OUTGOING CODE

TO: SECGEN, New York  
FROM: LINNER, Leopoldville  
DATE: 31 May 1961  
NO. A- 1351

Following from Gardiner.

Grateful for some indication of what I should say to President and colleagues now that they are back in Leopoldville if they start to ask about military proposals submitted in my A-1215/1216 and examined by MacEoin and Rikhye.