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Tunisia - 1961

-22-28 July

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Press Release SG/1047  
22 July 1961

STATEMENT BY SECRETARY-GENERAL DAG HAMMARSKJOLD  
TO THE SECURITY COUNCIL, SATURDAY MORNING, 22 JULY 1961

News reaching us from Tunisia indicates that the serious and threatening development which the Council took up for consideration yesterday continues, with risks of irreparable damage and to international peace and security. In view of the obligations of the Secretary-General under Article 99 of the Charter, I consider it my duty in the circumstances to make an urgent appeal to this Council. Whatever the problems which may arise in an effort to get a complete and definitive resolution, there is need for immediate action which cannot wait for the more time-consuming consideration necessary in order to reach an agreed conclusion to this debate.

I therefore take the liberty to appeal to the Council to consider, without delay, taking an intermediary decision pending the further consideration of the item and conclusion of the debate.

Such a decision should not prejudice the final outcome of the deliberations of the Council, as it should, in my view, only request of the two sides concerned an immediate cessation, through a cease-fire, of all hostile action. Naturally, this demand should be combined with a demand for an immediate return to the status quo ante, as otherwise the cease-fire would be likely to prove too unstable to satisfy the urgent needs of the moment. I repeat that this is an appeal which is related exclusively to the immediate dangers and does not pretend to indicate the direction in which a solution to the wider conflict should be sought.

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Press Release SG/1048  
28 July 1961

STATEMENT BY SECRETARY-GENERAL DAG HAMMARSKJOLD  
TO THE SECURITY COUNCIL, FRIDAY AFTERNOON, 28 JULY 1961

I am happy to meet the request of the representative of Liberia. He has recalled that I have paid a short visit to Tunisia in the last few days at the invitation of the President of Tunisia. I arrived there in the afternoon of Monday, 24 July, and left in the afternoon of Thursday, 27 July, that is to say, yesterday afternoon. In the course of my visit I had the opportunity of having extensive personal contacts with President Bourguiba and with senior members of the Tunisian Government.

I think that you, Mr. President, and the members of the Council will appreciate that both the character of this visit at the invitation of President Bourguiba and the limits which naturally impose themselves on me in a situation where a matter is pending before the Security Council restrict the field that I should cover in any reply to the question of the representative of Liberia, but I shall say what I feel I can say at this time.

As the invitation of President Bourguiba and my reply have been circulated as Security Council documents, the Council will have noted that the aim of the visit was defined by President Bourguiba as a direct and personal exchange of views regarding the developments following the interim resolution of the Security Council of Saturday, 22 July.

The Council will also remember that I noted in my reply that the question of substance -- to which operative paragraph 2 of the resolution may be considered to refer -- was considered by me as falling outside my personal competence in view of the fact that it was pending before the Council. The scope and character of my visit are thus clearly defined by these two documents.

Quite apart from the fact that it is naturally the duty of the Secretary-General to put himself at the disposal of the Government of a Member State, if that government considers a personal contact necessary, my acceptance of the invitation falls within the framework of the rights and obligations of the Secretary-General, as Article 99 of the Charter authorizes him to draw to the

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attention of the Security Council what, in his view, may represent a threat to international peace and security, and as it is obvious that the duties flowing from this Article cannot be fulfilled unless the Secretary-General, in case of need, is in a position to form a personal opinion about the relevant facts of the situation which may represent such a threat.

My discussions in Tunis, as well as the visit to Bizerte on which I decided, fell entirely within the framework thus outlined. I had the advantage of getting from the Chief of State and his collaborators a full picture of their views on the situation and their problems -- specifically as regards the implementation of the resolution of 22 July. I also was in a position through personal observation to become acquainted with the circumstances relevant to the implementation of the resolution.

Without, of course, in any way assuming the role of mediator -- a role for which obviously neither the terms of the Tunisian invitation nor the invitation of itself could provide a basis -- but with a view to getting a better understanding of the difficulties with which efforts to establish a direct contact between the parties have met, difficulties which might be explained by a lack of communication, I took the initiative of expressing to the French Government my hope that it would inform me about its views regarding the questions on which I had been informed of the Tunisian viewpoint. The letter I addressed to the Foreign Minister of France with that in view has been circulated to the Security Council, along with the Foreign Minister's reply, and I have therefore no reason to go further into this aspect of the matter.

As is well known, and as appears also from my letter to the French Foreign Minister, the implementation of the Security Council resolution of last Saturday remains so far incomplete. It is true that the cease-fire has been established, but that does not seem to have led to an immediate cessation of all actions which, under such a cease-fire, should be ruled out; nor, as the Council knows, does it mean that the integral demand by the Council for a return of the armed forces to their original positions has been met.

In view of the need for coordination of steps to be taken from the two sides, various efforts have been made to establish a contact between the two parties prior to the full implementation of the resolution. The two delegations most directly concerned have both referred to those efforts. The Council is of course aware of the fact that so far the efforts have not met with success. The situation

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is unprecedented, and that may in part explain the difficulties which have arisen. In part it may, as already explained, have been a question of a lack of communication. But there are questions of substance involved regarding the place for the contact, and perhaps also its objective. As stated to the parties, it seemed obvious to me from the resolution and from the general principles of the Charter, that the objective of such a contact should be the coordination of steps needed for the implementation of the resolution, and that the choice of modalities should take into account the prevailing legal situation.

By personal observation I can confirm the already well-known fact of the presence in the city of Bizerte, and at a fairly considerable distance from Bizerte on the main road to Tunis, of French military units at the time of my visit; in the city itself, I observed a number of French tanks; the main part of the troops which I observed were French paratroopers. By personal experience I can also confirm that these troops, at the time of the visit, exercised functions for the maintenance of law and order in the city which normally belong to organs of the sovereign government.

Regarding the facts of the situation, I should perhaps add that testimony given in personal contacts -- testimony which I have reason to regard as trustworthy -- appears to confirm that actions difficult to reconcile with the principle of a cease-fire have also occurred after the time of the cease-fire, and that French military personnel have been involved in these actions. I must, however, repeat here that, since I have no information from the French side regarding these same matters, my statement should be evaluated with that in mind.

It is not for me here to pass any judgment on the situation either in terms of what it may involve by way of risks of a breakdown in the cease-fire in case of an incident, or in terms of the resolution, or in terms of international law. I felt that I should limit myself to a factual statement, and I feel that it is for the members of the Security Council to make comments and draw conclusions.

In view of the aims of the present meeting of the Security Council, and in view also of my interpretation of the limitations of the competence of the Secretary-General in the present phase of the work of the Council, I have naturally not touched upon the wider problem of substance involved.

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