

Congo. Disappearance and death of Lumumba..: Congo. Disappearance and death...

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Congo

Report of the U.N. Secretariat
Delegation to the Congo

(Nwokedi - Gardiner report)

March - April 1961

18 March 1961

Mr. F. C. Nwokedi, Mr. R. Gardiner
Secretariat Delegation to the Congo

Dag Hammarskjold
Secretary-General

Terms of Reference of the Secretariat Delegation to the Congo

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

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

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

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

MEMORANDUM, EN DATE DU 18 MARS 1961, ADRESSE PAR LE SECRETAIRE GENERAL
DE L'ORGANISATION DES NATIONS UNIS A MM. F.C. NWOKEDI ET R. GARDINER,
MEMBRES DE LA DELEGATION DU SECRETARIAT AU CONGO

Objet: Mandat de la Délégation du Secrétariat au Congo

1. Je vous charge, aux termes du présent mandat, d'entreprendre, en mon nom et à la lumière de nos entretiens et des communications que j'ai adressées à ce sujet au Président de la République du Congo et à mon Représentant spécial par intérim au Congo, une mission visant à entamer des discussions avec les autorités congolaises appropriées en ce qui concerne la mise en oeuvre de certaines dispositions de la résolution 5/4741 adoptée par le Conseil de sécurité.
2. Je me réfère en particulier: a) au paragraphe A-2 du dispositif de la résolution pour ce qui est des mesures à prendre en vue du retrait et de l'évacuation immédiate du Congo de tout le personnel militaire et paramilitaire belge et d'autres nationalités, et en particulier des conseillers politiques, ne relevant pas du Commandement des Nations Unies; et b) au paragraphe B-2 du dispositif concernant la réorganisation, la discipline et le contrôle des unités et du personnel armés congolais.
3. Votre programme au Congo devra se fonder, dans la mesure du possible, sur l'itinéraire prévu pour la période du 21 mars au 5 avril. Les discussions avec les autorités congolaises devront avoir lieu dans le cadre des paragraphes pertinents de la résolution du Conseil de sécurité et sur la base des principes de mise en oeuvre dont j'ai discuté avec vous.
4. Vous devrez consulter et tenir informés mon Représentant spécial - qui sera responsable de la coordination entre votre mission et les activités pertinentes de l'ONUC - en ce qui concerne l'organisation et le progrès de votre mission, et vous devrez faire appel à lui pour toute assistance dont vous pourriez avoir besoin.

UNITED NATIONS

Press Services
Office of Public Information
United Nations, N.Y.

(For use of information media -- not an official record)

Press Release SG/1017
CO/138

17 March 1961

SECRETARY-GENERAL TO SEND DELEGATION TO CONGO
TO SEEK IMPLEMENTATION OF SECURITY COUNCIL RESOLUTION

The following statement was made at UN Headquarters today by a spokesman for the Secretary-General:

In efforts to expedite the implementation of Security Council resolution S/4741 of 21 February 1961, the Secretary-General has been in communication with representatives of Belgium and of the Congo concerning measures required under Paragraph A 2 of that resolution. The messages exchanged have in part been published as Security Council documents.

Following the recent exchange of communications between the Secretary-General and President Kasavubu, the Secretary-General, after consultation with the Advisory Committee and with their support, has decided to send a Secretariat delegation to the Republic of the Congo as a further step aimed at giving full and speedy effect to the resolution. The delegation will consist of Mr. F.C. Nwokedi and Mr. Robert Gardiner. They will leave New York for the Congo on Tuesday, 21 March. After basic talks at Leopoldville with President Kasavubu, it is proposed that the mission visit such other centers in the Congo as may be necessary.

At Leopoldville the mission will also seek further clarification on the proposals for the reorganization of the Armée Nationale Congolaise that have been put forward by President Kasavubu and will at the same time take the opportunity to emphasize again that it has never been the intention of the Security Council to disarm the ANC and that the limited authorization to use force as a last resort does not refer to the reorganization of the army.

As already announced, Ambassador Sahbani, who is on a special mission to Brussels on behalf of the Secretary-General of the United Nations also in connection with the implementation of the above resolution, is leaving New York on Tuesday, 21 March, and may later join the delegation in the Congo, if necessary.

* *** *

INFO COPY

MAR 29 1961

FILE NO.

ACTION

TO

Lanckey

1

CY28 F LEO 31 30 1659Z =

ETAT

UNATIONS

NEWYORK =

QNUC 1686 FIELDSEV ROBERT GARDINER CMA FRANCIS NWOKEDI

AND ROBIN MILLER DEPARTING LEOPOLDVILLE 31 MARCH ETA NEWYORK SAME

DAY 2025 SN 547 STOP PROVENZANO WILL FOLLOW LATER =

AHMED +

COL 1686 31 2025 547 +

UNITED NATIONS
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TELEGRAPH UNIT

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IN

TIME 2126Z

MESSRS ABBAS, NOV-EDI AND GARDINER
NOW READY HERE FOR CONFERENCE :

B

AFTER CONVERSATIONS IN THE PROVINCES, WE FEEL IT WILL BE USEFUL
TO GIVE AN ORAL ACCOUNT OF THINKING AND ACTION OF VARIOUS LEADERS

THIS FROM MR GARDINER (SPEAKING)

-
THE SITUATION IN THE LAST AREA VISITED ALREADY REPORTED,
PRINCIPLE IS A PRINCIPLE REASON.

NOW MR NOV-EDI SPEAKS:

- DELEGATION AGREED TONITE TO SEND NOV-EDI ONLY, TO NEWYORK THW.
WHILST GARDINER, AND KHIARI, CONTINUE WITH DISCUSSIONS. STOP
DELEGATION, CONSIDERS ORAL REPORT VERY ESSENTIAL.

FROM MR GARDINER*

FROM MR CARDINER*

- SINCE DESPATCH OF CABLE WE HAVE LEARNT , THAT THE PRESIDENT
IS NOW IN TOWN, FURTHER DISCUSSION WILL THEREFORE BE POSSIBLE.
LEADERS WE HAVE MET IN LEOPOLDVILLE,
(THIS IS ALREADY SENT TO YOU).....

CA YR END *

FROM CARDINER:

- PRELIMINARY REPORT ON ITS WAY, PERHAPS AFTER
STUDYING THAT REPORT, YOU COULD LET US HAVE SGS DECISION,
NEXT AVAILABLE PLANE IS THV EIGHT OCKLOCK LOCAL TIME.

o

OVER

'BK BK MOMENT PLEASE ADJUSTING PAPER

RESTART PSE

TKS

ALSO FM CARDINER:

- + OK AGREED IF RECEIVE TONITE AND NUO:EDI MAY LEAVE THV. +

OVER

OK TANKS

END OF CONFERENCE

MR WEISCHOFF IS PRESNET

MR WEISCHOFF IS NOW HERE WHO IS AT OTHER END

SECGEN IS PRESENTLY OTHERWISE ENGAGED STOP HE AXXX HAS ASKED ME TO ASK CONCERNING ONUC 1686 ANNOUNCING ARRIVAL OF GARDINER NWOKEDI AND MILLER IN NEW ORK ON 31ST MARCH SECGEN WAS UNDER THE IMPRESSION THAT FURTHER CONSULTATIONS IN LEOPOLDVILLE AND ELSEWHERE WOULD BE NECESSARY PRIOR TO THEIR RETURN TO NEWYORK. IN THE ABSENCE OF ANY SPECIFIC INFORMATION HE SHOULD LIKE TO BE INFORMED ABOUT THEIRXXX THEIR REASON FOR DEPARTURE TOMORROW OVER

- LAST MESSAGES INDICATED BY YOU HAVE NOT BEEN RECEIVED HERE AS YET . I BELIEVE THAT THE SG HAS THE FEELING THAT BEFORE ANY DEPARTURE ON YOUR SIDE A REPORT HOWEVER PRELIMINARY MAY BE IN ORDER. IF YOU CONSIDER IT ESSENTIAL FOR NWOKEDI TO LEAVE NOW I WOULD WISH TO SECURE AGREEMENT OF THE SECGEN

OVER

- I WOULD SUGGEST THAT AFTER OUR STUDY OF PRELIMINARY REPORT WE WILL ADVISE YOU REGARDING SCS

- I WOULD SUGGEST THAT AFTER OURISTUDXXXXXX OUR STUDY OF PRELIMINARY REPORT WE WILL ADVISE YOU REGARDING SECGEN DECISION. YOU MAY HOLD U DEPARTURE UNTIL SPECIFICALLY ADVISED

OVER

- THERE IS NOTHING MORE FROM HERE I REPEAT THAT THE SECGEN WILL ADVISE YOU WHEN IN HIS OPINION DEPARTURE FOR NEWYORK XXXX IS OPPORTUNE. MANY THANKS GOOD LUCK.

OVER

END OF CONFERENCE

CY 5 S LEO 21 31 10937 =

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ONUC 1693 FIELDSERVICE REOUR 1686 NWOKEDI GARDINER AND
MILLER POSTPONED TRAVEL TO NEW YORK STOP WILL ADVISE =

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MAR 31 1961

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MAR 31 1961

UNITED NATIONS

REPORT OF THE UNITED NATIONS SECRETARIAT
DELEGATION TO THE CONGO (MARCH-APRIL 1961)

20 April 1961

REPORT OF THE UNITED NATIONS SECRETARIAT DELEGATION
TO THE CONGO (MARCH-APRIL 1961)

I. INTRODUCTION

A. Terms of reference

1. As one of the measures taken to assist the implementation of the resolution adopted by the Security Council on 21 February 1961 (S/4741), the Secretary-General appointed a Delegation consisting of two principal officers of the Secretariat to go to the Republic of the Congo to initiate discussions with the Congolese authorities concerning the ways and means by which certain of the Republic's own responsibilities under the resolution should be carried out.

2. The terms of reference of the Secretariat Delegation were set forth as follows in a memorandum from the Secretary-General dated 18 March 1961:

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

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

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

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

3. The members of the Delegation were Mr. F.C. Nwokedi and Mr. R. Gardiner. They were joined in the Congo by Mr. M. Khiari, Senior Consultant for Public Administration, ONUC, and assisted by other members of the United Nations Secretariat.

B. Itinerary and activities

4. The Delegation left New York on 21 March and arrived in Leopoldville on 22 March. It left the Congo on 17 April and returned to Headquarters on 18 April.
5. The itinerary and activities of the Delegation within the Congo were governed in the first place by the existence of four distinct "authorities" exercising control over both the civil administrations and the armed forces in their areas and therefore to be regarded as directly concerned by the relevant paragraphs of the Security Council resolution: namely, those based at Leopoldville, Stanleyville, Elisabethville and Bakwanga. The Delegation visited all of these places, the duration of its stay in each being determined by either the scope of the relevant problems or by the degree of willingness on the part of the authorities concerned to enter into discussions which might help them to find the most appropriate means of playing their part in the implementation of the resolution.
6. At Leopoldville, in the absence during that period of the Chief of State, who was touring the Bas-Congo area, the Delegation called on 23 March on Mr. Joseph Ileo, the leader of the group of authorities regarded by the Chief of State as constituting the Central Government of the Republic; and on that date and on 24 and 25 March it held three meetings with Mr. Ileo and various of his colleagues, namely, Mr. Bolikango (deputy to Mr. Ileo), Mr. Adoula (internal affairs) and Mr. Kasongo (foreign affairs).
7. On 26 March the Delegation flew to Bakwanga, where on the following day it held a discussion with Mr. Albert Kalonji, who was exercising authority over the "Autonomous State of South Kasai." That afternoon it went on to Stanleyville; and on 28 March it had a discussion with representatives of the civil and military authorities controlling the Orientale and Kivu Provinces. These included Mr. Antoine Gizenga and Mr. Christophe Gbenye of the group claiming to be the legitimate Central Government of the Republic; General Victor Lundula; President Manzikula and other members of the Orientale Provincial Government; and members of the Orientale provincial assembly and the national assembly. On 29 March the Delegation flew to Elisabethville, where in the evening it had a meeting with Mr. Moise Tshombe and some of the Ministers of the Katanga Government.

8. Returning to Leopoldville on 30 March, the Delegation resumed the discussions with Mr. Ileo on 31 March. On 4 April it had a meeting with President Kasavubu; this was also attended by Mr. Ileo and by Mr. Bomboko and Mr. Kasongo (foreign affairs). It continued discussions with Mr. Ileo and his colleagues during the following two weeks. On 17 April the Delegation accepted, on behalf of the Secretary-General, the text of an agreement between the President of the Republic and the Secretary-General.

9. In addition to these formal meetings, the Delegation had several other opportunities of meeting the political leaders individually and in groups and of discussing with them the problems with which it was concerned. It also maintained close consultation with the acting Special Representative of the Secretary-General, the Force Commander and his staff, and the Chief of Civilian Operations and his consultants and their assistants. In the Provinces, the ONUC civilian and military representatives similarly placed their knowledge of local conditions, their advice and their assistance at the disposal of the Delegation.

C. Acknowledgment

10. The Delegation wishes to record its appreciation of the courtesy with which it was received by all of the Congolese authorities concerned, and of their willingness in most cases to discuss with it frankly and constructively the problems with which the Delegation was concerned. It expresses its thanks also to all the members of the ONUC civilian and military team who, at Headquarters in Leopoldville and in the field, welcomed it so warmly and advised it so wisely.

II. THE BACKGROUND TO THE DELEGATION'S MISSION

A. Attitudes of the Congolese authorities

11. The particular problems with which the Delegation was concerned -- the removal from the Congo of specified categories of foreign personnel and the reorganization of the armed units -- could not be considered in isolation from the wider problems, circumstances and conditions prevailing in the Congo. Three factors affected, and in some respects obstructed, the task of the Delegation: the relationships of the main Congolese political groupings, the extent of the collaboration of some of them with foreign and particularly Belgian elements, and their widely varying attitudes towards the United Nations. What the Delegation sought to achieve and what it succeeded in achieving, can be properly reported only against the background created by those factors.

12. A major difficulty which confronted the Delegation was the absence of a single, authoritative central government with which to discuss solutions that could be applied throughout the country. This is too familiar a phenomenon in all other aspects of the United Nations' relationships with the Congo to need more than a mention here.

13. Less than two weeks before the Delegation arrived in the Congo, the Chief of State and the leaders of three of the four Congolese "authorities" (those based at Leopoldville, Elisabethville and Bakwanga), together with representatives of smaller "States" more or less in the orbit of Leopoldville ("Leopoldville State", "North Kasai", Equateur, "Eastern Congo", "Central Kongo", "Lomami", and "Maniema"), had met in conference at Tananarive. Among five resolutions adopted there, one was intended to have the effect of recognizing the existence of all the "States" represented at the conference and permitting the establishment of new ones according to criteria to be determined later. Another resolution proclaimed the transformation of the Republic into a confederation of States, represented on the international plane by the President (Mr. Kasa-Vubu), but sovereign in their relations with one another and linked internally through a Council of States which would determine, in unanimity, the general internal and international policy of the confederation. In another resolution they confirmed a military agreement reached at Elisabethville on 28 February between the authorities of Leopoldville, Elisabethville and Bakwanga for the pooling of their military forces; arranged for a meeting of the military authorities to determine the means of applying the agreement; undertook to abstain from any armed intervention against one another; and agreed that each "State" should have its own gendarmerie and police force.

14. The conference of "authorities in law and in fact" also examined the problem of their relationships with the United Nations. In a separate resolution on the subject, they declared "inapplicable and unacceptable" the Security Council resolution of 21 February. They did so on the grounds not only that it violated the Charter and the sovereignty of the Congo, but also that the conferees had already committed themselves to abstain from any armed intervention capable of provoking a civil war and that they had already, by their political decisions, ensured the integrity of the Congo. At the same time, they reaffirmed their desire to collaborate with the United Nations provided that the latter respected the prerogatives of sovereignty.

15. The implications which nearly all of these decisions held for the implementation of the Security Council resolution presaged very great difficulties. The establishment of a strong central authority which could apply a uniform policy in all parts of the country in regard to foreign personnel in the civil and armed services, and also in regard to the reorganization of the armed forces, seemed more remote than ever.

16. It did not belong to the Delegation to express any opinion as to the substance of the Tananarive decisions. But what proved to be of considerable importance to its own mission was to find that the Tananarive decisions did not represent, even in the minds of most of the leading participants, so rigid a position of opposition to the Security Council resolution as had seemed apparent. Nor did they appear to reflect a fully agreed conception of a new political structure for the Congo, leaving aside the question of how far the idea might be supported by the Orientale and Kivu Provinces - or, for that matter, in the long run by the population as a whole.

17. Once it had gained the confidence of most of the leading participants in the Tananarive conference, the Delegation became aware of the fragility of their alliance with Mr. Tshombe, and of their fears that the unity of the country was hardly less in jeopardy than before the conference took place. Concern for this unity appeared more strongly felt - outside of Mr. Tshombe and his colleagues - than at any previous time in the last few months. The fear of disintegration was beginning to provide a bridge between the very large parts of the country represented by the political leaders at Leopoldville and those at Stanleyville. Across that bridge, hopeful passages were starting to be made, at the time of the Delegation's visit, by both politicians and military representatives, with an evidently wide measure of public acceptance on both sides.

18. It was only Mr. Tshombe, in fact, who categorically rejected the idea of national unity. This rejection, expressed at times in a complete lack of concern for the fate of the Congo outside of the Katanga, led him, for example, to refuse to consider the reorganization of the Congolese armed forces in the necessary sense of their reunification, on the grounds that this would require a central authority. At the moment of the Delegation's interview with him, his armed forces, spearheaded by a patrol of mercenaries recruited from South Africa, were concentrating for their drive on Manono - the capital of the very kind of semi-ethnic "State" into which he had no objection to letting the rest of the Congo divide itself.

19. Some of the Congolese leaders in Leopoldville and Stanleyville made it clear that they were becoming more and more aware that the key to the solution of the problems of the Congo lay in the initiatives which they themselves must take towards the unity of the country, and that it was the present policy of the Katanga authorities which stood in the way of that unity. The intransigence of the opposition in Elisabethville, and its open reliance on Belgian and other foreign financial and military support, appeared to the Delegation to be one of the factors that were thus pressing the rest of the Congo to unite in a common cause.

20. The simple, unambiguous manner in which the Congolese leaders at Stanleyville claimed to see Mr. Tshombe's Belgian-supported regime at Elisabethville as the only real threat to Congolese unity came as no surprise to the Delegation. But it was less prepared to find Mr. Tshombe's principal partners at the Tananarive conference so distrustful of Mr. Tshombe's methods and motives. Both groups seemed to believe that the collapse of the Tshombe regime was essential to the solution of the political problems of the Congo, but they differed considerably in their approach: Stanleyville would expect the United Nations to act immediately and drastically to drive Mr. Tshombe's foreign props from under him, or, failing that, would confront Mr. Tshombe with the united determination of the rest of the Congo; Leopoldville would rely on a more diplomatic method to dislodge Mr. Tshombe, if necessary with the help of the United Nations.

21. The Stanleyville authorities had become aware that the Orientale Province since November and the Kivu Province since late December had been made to seem to the outside world a rebellious, chaotic part of the country in which life was systematically being made miserable for Europeans and for all Congolese political opposition, and into which the physical and material support of Eastern European and other sympathetic countries was beginning to flow. At the time of the Delegation's visit they had gone a long way towards correcting the exaggerated aspects of that picture. They could defy anyone to produce evidence of outside aid; they had made a considerable effort to bring soldiers and civilian youths under discipline; and they had greatly reduced the number of arrests and molestations (usually unauthorized) of Europeans.

22. Mr. Gizenga, General Lundula and their colleagues called for the return of the rest of the country to its legal and constitutional foundations. By this they meant essentially that the Parliament should be reconvened in order to settle beyond dispute the question of the Central Government. They seemed to the Delegation to be less insistent on their own claims to legitimacy as the Government originally constituted under Mr. Lumumba than on the exclusive and sovereign right and duty of the Parliament either to confirm them in office or to install a new Government.

23. Since the Stanleyville insistence on a meeting of the Parliament had a direct bearing on the task of the Delegation - in the sense that Mr. Gizenga had his colleagues maintained that only a Central Government endorsed by the Parliament could collaborate with the United Nations in the reorganization of the national army and in building up the civil service - the Delegation urged them to consider taking other initiatives to create a climate more favourable to a free and effective meeting of the Parliament. It suggested that meetings with more limited objectives - preliminary talks on the unification of the army, measures to end the economic blockade, and so on - would help to restore the mutual confidence and also the security needed for a meeting of the Parliament. Although they did not seem to agree to this approach, the fact is that during and after the Delegation's visit contacts between them and Leopoldville were beginning to multiply: a meeting of army officers on the Orientale-Equateur border, a projected meeting between Generals Mobutu and Lundula, the visit of Mr. Kamitatu to Stanleyville, and an announcement from Leopoldville of a partial lifting of the Congo River blockade.

24. The Delegation was, of course, aware that in the same resolution giving rise to its own terms of reference, the Security Council had urged "the convening of the Parliament and the taking of necessary protective measures in that connexion." A suggestion that the meeting should be held at Kamina, with troops of no command except ONUC present, came from General Lundula. Mr. Gizenga and Mr. Gbenye suggested that the security of the deputies could be further guaranteed by calling for a "suspension of military operations" - to be enforced by ONUC - while they were assembling and meeting.

25. The Delegation promised to convey these ideas to the Secretary-General. The reaction of Mr. Ileo to the proposal for an immediate meeting of the Parliament was negative. He took the view that just as Mr. Lumumba had allegedly bribed deputies in order to obtain a majority vote of confidence in September, so also was Mr. Gizenga hoping by some such means to round up enough support to endorse his own claim to leadership.

26. Two weeks after the Stanleyville leaders had reaffirmed to the Delegation their recognition of President Kasa-Vubu as the legitimate Congolese Chief of State, and thereby had appeared to strengthen their stand on "legality" and their demand for the reconvening of the Parliament, Mr. Gizenga was reported to have accepted the credentials of an Ambassador sent to him by one of the countries recognizing his regime, and to have renounced his acceptance of President Kasa-Vubu as the Chief of State.

27. Thus the political unity which, apart from all its other implications, could have given the Delegation the opportunity of discussing the implementation of the Security Council's resolution on something like a national level, remained during its stay in the Congo not much more than a hope.

B. Relations with the United Nations

28. As the Delegation has noted earlier, virtually all of the Congolese "authorities in law and in fact" other than those controlling the Orientale and Kivu Provinces had put their names at Tananarive on 12 March to a declaration that the Security Council resolution of 21 February was "inapplicable and unacceptable" to them.

29. This formal declaration had been preceded and was followed by many similar public statements of objection to and rejection of the resolution on the part of individual Congolese leaders at Elisabethville and Leopoldville in particular, accompanied and embellished by intensive and provocative propaganda. All this had produced the effect of portraying the resolution as an attempt by the United Nations against the sovereignty of the Congo, and as notice of an intention to drive all foreign personnel out of the civil and armed services and to disarm the soldiers of the Congo. On the very day of the Delegation's arrival in Leopoldville, Mr. Ileo was reported to have told a press conference that the Congolese authorities would have nothing to discuss with it unless it proved that it "understood the realities" of the situation in the Congo. Moreover, the Delegation was present in the Congo at the height of the dispute between

the Congolese authorities and the United Nations over the question of Matadi.

30. The Delegation was aware that a prerequisite of any measure of success for its mission was to dispel the prejudices which had thus arisen or had been inspired, to correct the distorted interpretations which had been placed upon the resolution, and to re-establish confidence in the purposes of the United Nations. It took great pains to do so. The result was that with all concerned except Mr. Tshombe and his colleagues, who chose not to budge from their position of outright hostility and defiance, the Delegation felt that it had been able to correct these misunderstandings.

III. THE IMPLEMENTATION OF PARAGRAPHS A-2 and B-2
OF THE RESOLUTION OF THE SECURITY COUNCIL

A. The general situation of foreign personnel and armed units in the Congo

31. In the few weeks before the independence of the Congo, and in the panic that followed the rising of the Congolese soldiers and gendarmes of the former Force Publique against their Belgian officers in July of 1960, the majority of the foreign nationals in the Congo either left the country or, in a later phase, took refuge in the Katanga. Those who departed included most of the military officers and non-commissioned officers and the incumbents of key positions in the Ministries and Departments of the Government, in the parastatal organizations, and in the large financial, mercantile and industrial enterprises which had held a position of great influence on governmental policy before independence.

32. In the Katanga, conditions rapidly returned to "normal"; foreigners resumed their posts in the administration, or entered new ones; and, in particular, there was a steady build-up in the numbers of foreign personnel serving in the armed forces. Elsewhere in the Congo, after the further political crisis in September, a progressively increasing return flow of Belgians and other foreign nationals also took place. A large number of them, especially those with technical qualifications, returned to their previous posts or were transferred to others. The inflow was most marked in the urban centres, and especially in Leopoldville and the provincial capitals. The most important aspect of this trend, from the point of view of the Delegation's mission, was the re-entry into the cabinets of most of the central ministries, and also into some of the government departments, of a number of foreign (mainly Belgian) personnel who were given or assumed responsibilities for advising on matters of government policy.

33. The Delegation knew, as it entered upon its discussions with the Congolese authorities, that some of these foreigners were the original incumbents of their posts; others were newcomers, recruited in Belgium or on the spot. Some entered the civil service, or resumed their posts in it, through the normal channels of the Ministry of the Fonction Publique. Others were engaged by "Ministers" on their own responsibility; their names do not appear on the civil service lists, and they

are understood to be paid by means of Treasury advances. A probably smaller number of foreigners were known to be playing the role of "political advisers" to certain Ministers from positions completely outside the Administration. And, finally, a certain number of military officers entered or returned to service under General Mobutu and also under Mr. Kalonji in the Southern Kasai, although by no means on a scale comparable with that of the Katanga.

34. Although the inflow of foreigners has continued since October in Leopoldville, in the Kabanga, and in a few other parts of the country, the movement came to a halt and was in fact drastically reversed in the Orientale Province after November and in the Kivu Province after Christmas. Now that order has been restored in most parts of the two provinces, a gradual return of foreigners has been observed, but they are believed mostly to be persons with private interests and not to include either military personnel or political advisers.

35. The Katanga Province had seen, at the time of the Delegation's visit, a net increase in the number of foreign military and para-military personnel serving in the gendarmerie and police forces controlled by Mr. Tshombe. An important recent factor in this increase had been the recruiting of mercenaries of all ranks, especially in South Africa. Less was known of the staffing of the civil administration, but ONUC representatives had had contact with a number of Belgians whose functions as political advisers to Mr. Tshombe and his Ministers were apparent, and some of whom officially held that title.

36. In the so-called "Autonomous State of South Kasai," the only other part of the Congo with independent financial and military means, Mr. Kalonji appeared to have taken only one or two foreigners into his Administration, but the discipline and operation of his armed force were in the hands of some twelve European officers.

37. Over the Congo as a whole, the abnormally large military force which the Belgians had designed to police the Congolese, especially through the gendarmerie units, had long since become divided and reformed into four virtually separate commands corresponding with the main lines of the political dismemberment of the

country. The units still known as Armée Nationale Congolaise were split into two roughly equal parts (each containing both gendarmerie and regular army formations) under the commands of Gen. Mobutu at Leopoldville and Gen. Lundula at Stanleyville. In the Katanga, the ANC units present after independence had been dismantled and a Gendarmerie Katangaise had been built up independently of the other Congolese armed forces. The smallest force, that of Mr. Kalonji at Bakwanga, also independent of the others, consisted of remnants of ANC units and new recruits, almost all of them belonging to the Kasai section of the Baluba people. Of these four commands, that in the Katanga relied most heavily on foreign elements, and the southern Kasai force came next. Gen. Mobutu had a small number of foreign officers, and Gen. Lundula appeared to have none at all.

38. Each of the four forces had proved itself tenuously loyal to, or at least co-operative with, the political authorities in its area. All possibility of uniting them under a single command appeared to the Delegation to be wholly dependent on the political re-unification of the country. In the case of the forces commanded from Leopoldville, Elisabethville and Bakwanga, the Tananarive decision to permit each "State" in the confederation to have its own gendarmerie as well as police force appeared to have left Mr. Tshombe in particular feeling free from any obligation to place his forces - or at least the main body of them - permanently under one central command. A military conference representing the three forces, held in Leopoldville on 27 March to try to find ways of co-ordination, was understood to have been without useful result. At the same time, meetings were being arranged between the Leopoldville and Stanleyville commands.

B. The situation by areas; discussions with the authorities

(1) The Delegation's basic approach

39. The Delegation considered that, while other efforts were being made to urge the Belgian Government to play its own necessary part in securing the withdrawal of the Belgian personnel concerned, the best interests of the Congolese people could be served by approaching the problem within the framework of a systematic, accelerated programme of Africanization of the cadres, both civil and military, coupled with a reorganized and intensified programme of United Nations technical assistance, and, in the case of the armed forces, assistance in their reorganization.

40. This approach took into account certain considerations which the Delegation regarded as vital: the need not to impinge, or give the impression of doing so, on the prerogatives of an independent sovereign State; and the certainty that the Security Council had intended its decisions to be implemented not in a negative and disruptive manner but in a positive and constructive way. The Delegation also expected the Congolese authorities, like those of any other independent country, to be jealous of their right to choose freely the foreign personnel whom they felt the country needed. And finally, from the practical point of view, it was to be anticipated that the Congolese would object in general, if not in every particular case, to any suggestion that key posts should be suddenly vacated, to the detriment of efficiency, discipline and, in the case of the army, their own security and that of the population at large.

41. These expectations proved to be well founded. In the case of each group of Congolese authorities, therefore, after clearing the air of the misunderstandings and misinterpretations mentioned earlier in this report, the Delegation urged the Congolese to accept its assurances that it wished only to help them, as masters of their own destiny but bound like every other Member State of the United Nations to the decisions of the Security Council, to find the best ways and means of helping to implement those decisions in the most positive and constructive sense possible. In the case of political advisers, the Delegation offered the services of the United Nations, through representation on a joint Congolese-United Nations Committee, to help the Congolese to establish a list of all foreign personnel in the civil service; to analyse the list and the posts concerned and determine which of them should be regarded as political advisers; and to determine further which of these advisers would need to be replaced at once, and, if so, whether this could be done by the immediate appointment or promotion of Congolese or only by the recruitment of other foreign personnel for a fixed period in each case while a Congolese was being trained. The Delegation suggested that the Congolèse authorities should establish, for the purpose, a Congolese Public Service Commission, with United Nations assistance. All appointments to the civil service would require the recommendation of the Commission. An underlying principle of all these proposals was that the right of the Congolese authorities to appoint personnel of their own choice should be respected, but that in exercising this right they would take the fullest possible advantage of United Nations facilities and advice.

42. In the case of the armed forces, the Delegation came to the conclusion that the withdrawal of foreign military and para-military personnel and mercenaries (paragraph A-2 of the resolution) could not be separated from that of the reorganization of the armed units (paragraph B-2). Following the same principles as for the political advisers, it suggested that the Congolese authorities should, with the assistance of the United Nations, bring about the withdrawal of the personnel concerned within the framework of the reorganization of the armed forces: this reorganization should, therefore, envisage assisted training programmes for Congolese officers and non-commissioned officers, the replacement of the existing foreign personnel, to the extent required, by means of recruiting through the United Nations, and the unification of the armed forces under a national defence organization of the kind proposed by the Chief of State in his letter of 6 March 1961 to the Secretary-General.

43. The greater part of the Delegation's discussions along these lines took place with the authorities in Leopoldville. This is the location of the head offices, and of by far the largest number of employees, of the central Ministries and Departments. In the Katanga, where the scope for action to implement the Security Council's resolution is much greater, the authorities declined to take part in any such discussions.

(ii) Leopoldville

44. Civil service (head offices and provinces):

Total Belgian and other foreign personnel: 2,300 plus (January 1961).

Total classified as political advisers: not established.^{1/}

Armed forces (ANC)

Total Belgian and other foreign personnel: aprox. 12 officers,
including 3 chaplains.

45. The Leopoldville authorities made it clear from the beginning that they were not prepared to examine with the Delegation the ways and means of implementing the relevant parts of the resolution except on a basis of respect for the sovereign

^{1/} The ONUC operations had made it possible to identify a number (about 40) of posts held by foreigners from which it appeared possible to give political advice to the Ministries concerned. However, the basis of the Delegation's approach was that the Congolese themselves, with the assistance of the United Nations, should determine the posts concerned.

rights of the Congo. This principle meant that the Congolese authorities would continue to exercise their freedom of choice of personnel. They were also insistent that there could be no abrupt withdrawal of personnel in a manner which would undermine the efficiency and stability of the Administration and the discipline of the armed forces.

(iii) Stanleyville

46. Civil service (Orientale and Kivu):

Total Belgian and other foreign personnel: not established.

Total classified as political advisers: probably nil.

Armed forces (ANC)

Total Belgian and other foreign personnel: probably nil.

47. The Congolese authorities at Stanleyville, with Mr. Gizenga, Mr. Gbenye and Gen. Lundula acting as principal spokesmen, took a position of complete agreement with all of the provisions of the Security Council resolution and of insistence that the United Nations should use the means at its disposal to see that they were implemented without further delay. Assuring the Delegation that there were no foreign elements in the army units under the command of Gen. Lundula, and that their "Central Government" and provincial administrations had no foreign political advisers, they maintained that the first priority in the implementation of the resolution should be given to the removal of all such personnel from the rest of the Congo and in particular from the Katanga, which the Security Council itself had demanded to be done "immediately". The next most urgent step, in their opinion, was the reconvening of the national Parliament, as recommended in paragraph B-1 of the resolution; the Parliament would put an end to all dispute over the Central Government, which would be the only authority capable of reorganizing the national army and of collaborating with the United Nations both for that purpose and for the development of the civil service, in its central and provincial branches alike.

(iv) Elisabethville

48. Civil service (Katanga)

Total Belgian and other foreign personnel: not established.

Total classified as political advisers: not established.

Armed forces:

Total Belgian and other foreign personnel: 400-500
(estimate by ONUC as of 1 April 1961) These include approx.
200 Belgians and approx. 130 South Africans and 40 British
recruited in South Africa and elsewhere. The "military adviser"
to Mr. Tshombe is a Belgian; the officer commanding the
Gendarmerie is a Belgian.

49. The general attitude of Mr. Tshombe and his ministers towards the United Nations, the resolution of the Security Council, and the mission of the Delegation was antagonistic. On the specific questions under the Delegation's terms of reference, they stated (through Mr. Kibwe, vice-president and minister of finance),

"that there was, in effect, nothing to discuss. The Katanga Government could not reply to any of the points raised without having consulted the other members of the "Council of States". Moreover they were faced with a complete denial by the United Nations of the sovereignty of the Katanga; as far as the United Nations was concerned they simply did not exist. Yet now it was proposing that they should agree to having their own armed forces taken away from their control and making themselves weak, and weakening themselves still further by allowing their own technical personnel to be removed. They did not have to reply, and in any case they had no right to agree without consulting their people in advance."

50. Concerning the withdrawal of Belgian and other foreign military and para-military personnel, political advisers and mercenaries, they stated (through Mr. Munongo, minister of the interior) that they could not accept that the United Nations should expect them to dismiss Belgians and others whom they had freely chosen to work for them. Mr. Tshombe stated that if they had Belgians with them today, they were persons working under the orders of the Katangese, and were not the latter's bosses.

51. Regarding the reorganization and unification of the Congolese army, Mr. Kibwe objected that

"to unify the army would mean to obey the central government, and that was not what the people of the Katanga wanted. Mr. Tshombe could not even discuss the matter without consulting the people, for it was they who had decided that the Katanga should be independent and sovereign."

52. Mr. Tshombe added on this subject that

"before anything needed reorganizing, it must first be shown to be disorganized.... The fact was that by 11 July 1960 they had sent out of the Katanga all of the 6,000 soldiers of the former Force Publique, and they had not needed to wait for the United Nations to tell them how to reorganize their army. They had started from scratch, and had recruited every soldier at present in the army, which was well organized, trained and disciplined and unsurpassed by any other in Africa. They had between 100 and 120 young men under training as officers in Belgium and France. They therefore needed no one to teach them how to organize the army."

53. Mr. Kibwe declared that

"all the Belgians now in the Katanga Government and Gendarmerie were their own men and under their own orders. They had built their army not for the purpose of attacking their brother Africans across the frontier, but only to repulse attacks on themselves, especially by the Balubas."

54. When the Delegation observed that Africans could only deplore the fact that, in the Katanga, fellow Africans were employing white men to kill other Africans, Mr. Munongo replied that he was astonished by the remark, and added that

"When Africans themselves, on Lumumba's orders, had killed, pillaged, raped and looted, the United Nations had done nothing. When the Katanga Government assumed its responsibilities for hunting down the outlaws, and for this purpose found it necessary to employ Europeans who were paid by the Government and were its servants, it was not for the Secretary-General's representatives to make such remarks."

55. In the light of these attitudes, the insistence of Mr. Tshombe and his colleagues that the Katanga was a sovereign and independent State, their hostility towards the United Nations and their lack of interest in the destiny of their fellow Congolese beyond the Katanga border, the Delegation came regretfully to the conclusion that there were no common grounds between it and them for a reasonable discussion of its mission.

(v) Bakwanga56. Civil service (southern Kasai):

Total Belgian and other foreign personnel: probably two or three.

Total classified as political advisers: None definitely known.

ONUC reports (7 April 1961) two recently arrived advisers to the former "President" (now "King"): a French national in charge of public administration and organization of ministries; and a Finnish national, in business in Congo for 22 years, in charge of economic and financial questions.

Armed forces:

Total Belgian and other foreign personnel: ONUC reports approx. 12, all officers and mostly Belgians. They include "military adviser" to Mr. Kalonji, retired (French Army officer); commanding officer (Belgian); commander of special force (believed Canadian, reported missing on 24 March); four Belgian general staff officers; four Belgian company commanders; and commander of military police company (Belgian).

57. Mr. Albert Kalonji, the "President" (and now "King") of the "Autonomous State of South Kasai", who controls a private army estimated at about 2,000 men and 1,000 reservists, told the Delegation that he had no Belgian or other foreign political advisers, and only two Belgians in subordinate position on his staff. In his army, he had a few Belgian and other foreign officers simply because he wanted discipline to be maintained and mutiny to be prevented among his soldiers until they had enough officers of their own. He already had two Baluba colonels; and he had 20 Baluba officers in training at a military academy in Belgium and 11 others in France, at his own expense. They would be returning in August.

58 Mr. Kalonji agreed in principle with the Delegation's suggestions for the removal of foreign military elements, concerning the advantages for the Congo of recruiting foreign personnel through the United Nations, and for the reorganization and unification of the armed forces. He claimed that he wanted to be rid of all Belgian assistance as soon as possible, and would not need it when his officers under training returned from Europe. He agreed that there should

be unity of the Congolese armed forces when the central authorities were capable of maintaining unity and discipline; but he considered that they were not yet capable of doing so, and for the time being he was in favour of "co-ordination" between the armed forces of the Tananarive "States".

59. Finally, Mr. Kalonji maintained that he was in no way dependent upon the Belgians in Bakwanga, and in particular on the diamond-mining company on which the town is based. He claimed that he had established control over the foreign earnings of the southern Kasai; that he was interested in better trade arrangements than Belgians could offer him; that he was creating a bank (but not a separate currency); that he was setting up a chamber of commerce (with the help of the Finnish national mentioned above); and that he had called in the services of an international economic survey company (SORCA) to survey the resources of his domain. He indicated his willingness, however, to examine the possibility of obtaining technical assistance of these kinds through the United Nations.

B. Final discussions and agreement

60. The general position of the Congolese authorities was re-stated in the following terms by the Chief of State when he received the Delegation on 4 April. President Kasa-Vubu stated that they had called upon the United Nations for help in July 1960 instead of upon an individual country because they had believed in its sincerity. While they still did not want to be subjected to pressure from any individual country, and in fact wished to renounce the harmful influence of any such country, they should not be asked to renounce its beneficial influence as well. They should not be told that only the United Nations should help them, because help from any source was acceptable as long as it did not lead to interference in their own affairs. Thus, in the case of the Belgian technicians, while it was true that Belgians had wronged the Congolese in certain ways in the past, there was no reason systematically to eject all the Belgians. The Congolese, added the President, were already telling the Belgians that if their purpose in staying in the Congo was to exert harmful influences, they would be sent away just as others had been. But the Congolese must be left some latitude in determining which of them were harmful and which were not. Their position must not be misunderstood: they knew, and regretted, that the attitude of many Belgians who had left the country with brutal suddenness had not been correct towards the Congolese. On the other hand, if so many of the Belgians had not left the Congo in July and afterwards, the Congolese might not have been able to assume authority in their own country.

61. President Kasa-Vubu stated that respect for the sovereignty of the Congo must also govern the reorganization of the national army. It was the Congolese authorities who must take the responsibility for its reorganization, while making requests to the United Nations for assistance in technicians, equipment and material.

62. The Chief of State, who was attended by Mr. Ileo, Mr. Bomboko and Mr. Kasongo, proposed that the agreements in principle which had been reached between the Congolese authorities and the Delegation should now be set forth in an agreed text. After further consultations with Mr. Ileo, Mr. Adoula and Mr. Kasongo, and at their request, the Delegation prepared for joint examination a tentative, informal, and unsigned working paper in the following terms, designed to facilitate the formulation of an agreed text:

"(1) The sovereign rights of the Republic of the Congo in the choice of personnel for the Congolese Public Service and armed forces and in the reorganization of those forces should be recognized.

"(2) The implementation of paragraphs A-2 and B-2 of the resolution of the Security Council of 21 February 1961 should be carried out within the framework of a programme of Africanization (i.e. the accelerated training and promotion of Congolese personnel) co-ordinated with a revised and expanded programme of UN technical assistance.

"(3) In furtherance of the above, the Congolese authorities should establish a Congolese Public Service Commission, with United Nations assistance and participation, for the purposes of accelerating the training and promotion of Congolese personnel and of recruiting new foreign personnel as required.

"(4) The Congolese authorities and the United Nations should establish a joint Congo-United Nations Committee to effect the withdrawal and evacuation of Belgian and other foreign political advisers. This withdrawal should be effected within.....weeks of the acceptance of these recommendations. Nominations for appointments to fill the posts vacated by such political advisers should be examined by the Congolese Public Service Commission. To assist the Commission to this end, the United Nations should submit lists of candidates for consideration by it. In accordance with paragraph (1) above, the Public Service Commission would have the right to accept or reject any such candidate. The appointment of such personnel should be made by the appropriate Congolese authorities on the recommendation of the Commission.

"(5) The appointment of foreign personnel to other posts in the Congolese public service should also be made by the Congolese authorities on the recommendation of the Public Service Commission. In exercising their right to choose freely the foreign personnel which they require, the Congolese authorities should avail themselves to the fullest possible extent of the recruitment facilities of the United Nations.

"(6) The ONUC civilian operations organization should, by means of the implementation of the foregoing recommendations, be converted into a normal United Nations technical assistance arrangement as in all other States enjoying United Nations technical assistance.

"(7) The withdrawal and evacuation of Belgian and other foreign military and para-military personnel should be carried out in the framework of the reorganization of the Congolese armed forces.

"A joint Congo-United Nations committee, to be appointed immediately, should further examine these questions on the basis of the following principles:

- a) The training of Congolese officers and non-commissioned officers with the assistance of the United Nations;
- b) The replacement of foreign personnel, to the extent required, by personnel recruited by the United Nations and approved by the Congolese authorities;
- c) The determination of a date for the withdrawal of the personnel concerned;
- d) The unification of the armed forces of the Republic under a national defence organization responsible to the Chief of State."

63. The examination of this draft by the Congolese authorities provoked an internal debate in which a number of conflicting factors were discussed. These included the commitments which, in varying degree, were felt to have been made to Belgian and other foreign personnel; divided opinions about the Tananarive decisions and about the extent of support to be given to Mr. Tshombe in an anti-United Nations stand hardened by his apprehensions at the arrival of Indian troops in the Katanga;^{1/} and a gradually strengthening and expanding desire to trust and co-operate with the United Nations. This latter factor was reinforced by an increasing realisation that confidence in the United Nations must be matched by a willingness to implement its decisions.

64. Throughout this internal debate, which continued for nearly two weeks, the Delegation maintained the closest possible contact with the Congolese leaders primarily concerned. The balance of the arguments among the Congolese shifted considerably during the period. Their first formal reaction (by memorandum of 11 April signed by Mr. Ileo and Mr. Bomboko) was in some respects a disappointing shift away from the procedures -- although not so much from the principles -- which had been envisaged in the earlier discussions with the Delegation. In particular, there was a new assertion of the "sovereign rights" not simply of the Republic but rather of the so-called Central Government; there was a revival of the formal rejection of the Security Council resolution; and there was also a refusal of joint Congo-United Nations action to bring about the withdrawal of the personnel concerned. But many of the positive elements which had emerged from the previous discussions were maintained. Moreover, Mr. Bomboko made it clear that the memorandum did not constitute the last word of the Congolese authorities on the fundamental issues, and it was still possible to find a formula of acceptance and implementation of the resolution.

65. In the course of several more formal and informal meetings, the Congolese authorities prepared and submitted for discussion several drafts which finally led to the text accepted by the Delegation on behalf of the Secretary-General.

^{1/} In the latter part of the period, emissaries from Mr. Tshombe were in Leopoldville seeking to revive the spirit of Tananarive.

The text is as follows:

"AGREEMENT ON GENERAL PRINCIPLES
between the President of the Republic of the Congo and the
Secretary-General of the United Nations

"As a Member of the United Nations, the Republic of the Congo, whose sovereignty should not be in doubt, is under an obligation to respect the Charter of the Organization and to carry out the resolution of the Security Council.

"The Republic of the Congo accepts the resolution of 21 February 1961, taking into account

- (1) that the United Nations reaffirms its respect for the sovereignty of the Republic of the Congo in the implementation of the resolution;
- (2) that the aim of the resolution of 21 February, paragraphs A-2 and B-2, is to eliminate all deleterious foreign influence. To this effect the President of the Republic of the Congo will receive all possible assistance of the United Nations;
- (3) that the United Nations is to assist the President of the Republic so that all foreign personnel, whether civilian, military or para-military and all mercenaries and political advisers who have not been recruited or recalled under the authority of the President, be repatriated from the Congo within the shortest possible period of time. To implement the above and taking into account the recognition of the sovereign rights of the Republic and the constitutional powers which he holds, the President of the Republic will re-examine the appointments of foreign civilian, military and para-military personnel made under his authority and will take the necessary decisions compatible with the interests of the Republic of the Congo.
- (4) that the United Nations is to give to the President of the Republic all possible assistance in:
 - (a) recruiting the technicians needed by the Republic of the Congo, without however having a monopoly of such recruitments;
 - (b) training the administrative and technical cadres by granting fellowships and establishing specialized institutes.

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"The Republic of the Congo recognizes the need to reorganize the National Army, it being understood that this reorganization is to be carried out under the authority of the President of the Republic, with United Nations assistance and on the basis of the proposals made by the Chief of State in his letter of 5 March 1961 to the Secretary-General of the United Nations.

"The detailed application of the basic agreement outlined above shall be subject, in each case, to a careful study on the part of the Government of the Republic of the Congo and the United Nations.

"Text accepted by the President of the Republic of the Congo and by the Delegation representing the Secretary-General of the United Nations.

"Leopoldville, 17 April 1961

(Signed)

F. C. Nwokedi

J. Kasa-vubu

R. Gardiner

J. Bomboko"

IV. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

66. The agreement reached with the President of the Republic of the Congo is largely self-explanatory. It reflects the difficulty which the Congolese authorities inevitably experienced in finding a formula which represents, in effect, a substantial reversal of the position they had taken only a month previously at Tananarive in alliance with Mr. Tshombe. The insistence on the sovereignty of the Republic, and on the role of the President being to initiate action and that of the United Nations being to assist him, are the particular devices which the Congolese chose to overcome that difficulty. Even so, the agreement represents a step away from Mr. Tshombe's policies, and a conscious act of reliance upon the United Nations. In this connexion the significance of the first sentence of paragraph 3, relating to foreign personnel not serving "under the authority of the President" -- which in practice means those in the Katanga in particular -- will be appreciated. This category of civil and military personnel who have not been formally appointed into the service of the Congolese Government constitutes a large proportion (over 90%) of the personnel who, in the terms of the resolution of the Security Council, are to be withdrawn and evacuated from the Congo. The President's agreement that the United Nations should assist him in securing the repatriation of these personnel opens the way to Congolese constitutional and popular support for further measures which the United Nations may find necessary to take, under paragraphs A-1 and A-2, in implementation of the resolution.

67. In the Delegation's opinion, and subject to the approval of the Secretary-General, the agreement provides a basis for the elaboration, in a second stage, of the procedures of implementation of the relevant parts of the resolution of the Security Council, including the forms of assistance to be given by the United Nations. The Delegation has no reason to doubt that, given a continuing atmosphere of mutual confidence, these procedures, faithfully followed, will lead to frank and full co-operation between the Congolese authorities and the United Nations. It wishes, however, to emphasize that it is essential that these further steps should be taken without delay, and to this end it submits the following recommendations.

B. Recommendations

68. The Delegation recommends in respect of the Congolese civil services:
- (1) That the Secretary-General should make available to the President of the Republic, in consultation with him, the services of an expert in public administration and such other officers as may be required to assist him in the immediate implementation of that part of the resolution of 21 February dealing with the withdrawal and evacuation from the Congo of Belgian and other foreign political advisers.
 - (2) That a technical assistance programme should be agreed upon between the United Nations and the President of the Republic with the purpose of assisting the President in the replacement, as may be required, of the political advisers to be withdrawn, and in the recruitment of additional personnel for the Congolese civil service, including those needed to fill vacant posts while Congolese personnel are being trained.
 - (3) That the United Nations should provide the President, in accordance with the agreement, with additional facilities for the training of Congolese administrative and technical cadres.
69. The Delegation recommends in respect of the Congolese armed forces:
- (1) That the Secretary-General should make available to the President of the Republic, in consultation with him, the services of a military expert and such other officers as may be required to assist him in the immediate implementation of those parts of the resolution of 21 February dealing with the withdrawal and evacuation from the Congo of Belgium and other military and para-military personnel and mercenaries and the reorganization of the Congolese armed units.
 - (2) That a special technical assistance programme should be agreed upon between the United Nations and the President of the Republic for the training of Congolese officers and other military personnel in the Congo and abroad.

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AGENDA

I. Withdrawal, evacuation and replacement of Belgian and other foreign political advisers.

(1) Purpose of discussion

Jointly to review the staff position in the public service of the Congo in order to determine those posts which fall within the terms of the Security Council decision; to fix a date for the retirement and replacement of the personnel concerned; to consider the means of utilising the resources of the United Nations in order to assist the Congolese authorities in the recruiting and appointment of replacements.

(2) Scope of discussion

The offices and ministries of the central and provincial authorities;
The parastatal organisations;

(3) Method of review

Analysis of the staff position in each of the offices, ministries and parastatal organisations;

Definition of "political advisers"; methods of determination of individual personnel to be defined as political advisers;

Modalities of withdrawal and evacuation of personnel defined as political advisers;

(4) Replacement of personnel

Facilities at the disposal of the Congolese authorities; possibilities of appointment or promotion of Congolese personnel;

United Nations facilities available to the Congolese authorities; recruitment services of United Nations and specialised agencies; establishment of special recruiting offices and travelling missions.

Conditions for the selection of expatriate personnel; terms of employment.

(5) Possible reorganisation of local government structures and machinery

Offer of establishment of a technical working group

(6) Comparative study of constitutional structures

Offer of appointment of a constitutional expert in an advisory capacity.

II. Reorganization of the Congolese armed units

(1) Purpose of discussion

To seek further clarification of the proposals contained in President Kasavubu's letter of 5 March 1961.

(2) Scope of discussion

All armed units and personnel in all parts of the Congo, comprising the Armée nationale congolaise, the armed forces of the Katanga and South Kasai, and armed units and personnel of police forces.

(3) Method of study

Collection of background information regarding the existing organization of the armed units and personnel, strength, disposition.

Preliminary examination of measures for the integration or closer collaboration of Congolese armed units with ONUC military units for the maintenance of law and order in particular areas of the Congo.