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Mistr.
GENERAL

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REPORT OF THE OFFICER-IN-CHARGE OF THE UNITED NATIONS OPERATION
IN THE CONGO TO THE SECRETARY-GENERAL ON DEVELOPMENTS RELATING
TO THE APPLICATION OF THE SECURITY COUNCIL RESOLUTIONS OF
21 FEBRUARY AND 24 NOVEMBER 1961

Note by the Secretary-General

The Officer-in-Charge of the United Nations Operation in the Congo reports that, in the course of a meeting between him and Mr. Tshombe held on 3 February 1962, Mr. Tshombe delivered to him the two letters which are reproduced below.

1. First letter dated 2 February 1962 from the President of the Province of Katanga addressed to the Officer-in-Charge of the United Nations Operation in the Congo

I have the honour to acknowledge receipt of your letter of 29 January in reply to my letter of 26 January concerning the problem of the mercenaries.

I think it advisable to make clear the position of the Katangese Government on certain points dealt with in your letter so as to avoid once and for all any misunderstanding concerning the problem in question, and I would be very grateful if you would bring my reply to the attention of the Secretary-General.

As I clearly stated in my letter of 26 January, the Government is resolutely determined to expel the mercenaries who may still be in Katanga.

By virtue of this decision, I delivered to your representative at Elisabethville on 30 January a complete list of the foreign officers who were serving in the Katangese gendarmerie up to 28 August 1961. I wish to point out that this list ends with 28 August because it was on that date that the foreign officers of our gendarmerie left Katangese territory for good as I pointed out in the second paragraph of my letter of 26 January.^{1/} With regard to the presence

^{1/} S/5053/Add.3, annex I, first paragraph.

of mercenaries in Katanga after 28 August, I also wish to point out that in addition to the action which has already been taken by the Government and which we firmly intend to continue, I specifically proposed the establishment of a joint commission for the purpose of seeking out the mercenaries who, despite the measures already taken by the Katangese Government, might attempt to hide in Katangese territory. You will agree that this commission needs at least some short time, even with all the means that will be placed at its disposal by the Government of Katanga, to carry out its task and in particular to ensure that all persons affected by our decisions and seeking to escape will be found. The reference in my letter to a period of one month represents what in my opinion is a realistic estimate of the time that will be needed to carry out this operation successfully. There is thus no question of this operation being conditional upon a time-limit. The facts, moreover, speak for themselves, since, as I pointed out to you at our meeting of 25 January, I already took immediate steps for the expulsion of several notorious mercenaries. The operation was begun on our own initiative before the present talks, and in so far as we are concerned, the task of the joint commission will consist merely of continuing and completing this operation to the satisfaction of all.

With regard to the establishment of a joint commission, I have taken note of your counter-proposal which was presented by those of your representatives with whom I talked this morning. I am ready to give you further evidence of our good faith by accepting, firstly, the establishment of several joint commissions and, secondly - despite certain reservations in this regard concerning the efficiency of these commissions - the fact that their membership should be both civilian and military. In so far as we are concerned, we are prepared to appoint the Katangese members of these commissions. We came to an agreement with your representatives concerning clarification of the principles that will govern the activities of these commissions so as to ensure that they will be able to carry out their task efficiently. I shall endeavour to present our proposals on this subject to you without delay, bearing in mind that these commissions must start to function as rapidly as possible.

With regard to the fifth paragraph of my letter of 26 January, I wish to bring to your attention the urgent need for re-establishing normal economic conditions, in particular through the resumption of operations by industrial establishments, if the increasingly alarming threat of prolonged unemployment is to be avoided.

Both you and your representatives assure me that it is the desire of the United Nations to bring about a favourable settlement of this question and of those referred to in the same paragraph of my letter of 26 January. I am sure that you will understand that this is a matter of great urgency.

I should like to add my personal thanks for your visit to us on 25 January, and I only regret that we did not have the benefit of similar contacts before that date.

I have the honour to be, etc.

(Signed) Moise TSHOMBE
President of Katanga

2. Second letter dated 2 February 1962 from the President of the Province of Katanga addressed to the Officer-in-Charge of the United Nations Operation in the Congo

With reference to the question of the joint commissions dealt with in discussions with your representatives, in particular on 1 February, and in my letter of today, I have the honour to present to you the following proposals:

FIRST. There will initially be established two joint commissions responsible for expediting the implementation of the General Assembly and Security Council resolutions concerning the withdrawal and immediate evacuation of all mercenaries and para-military personnel.

SECOND. Each commission will comprise two civilian members and two officers on the Katangese side and two civilian members and two officers on the UNOC side, the military members being allowed to be in uniform.

THIRD. These commissions will have access to all places to which they wish to go and will be granted all facilities in the accomplishment of their task for the purposes of inquiry and investigation.

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FOURTH. These commissions will also have full authority to take all kinds of evidence concerning the mercenaries.

FIFTH. The Katangese Government will supply the commissions with all information in its possession concerning the mercenaries and para-military personnel, and in particular information originating with the gendarmerie, police and security departments.

SIXTH. These commissions will be entitled to visit and inspect the gendarmerie and any other armed Katangese unit.

SEVENTH. The Katangese authorities and the United Nations forces will render all necessary assistance to the commissions so that the mercenaries and para-military personnel may be apprehended and expelled from the Congo.

EIGHTH. The commissions will be authorized to take all necessary measures for the rapid and effective accomplishment of their task.

I have the honour to be, etc.

(Signed) Moise TSHOMBE
President of Katanga

