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EXCHANGE OF COMMUNICATIONS BETWEEN THE
SECRETARY-GENERAL AND THE PRESIDENT OF
THE REPUBLIC OF THE CONGO (LEOPOLDVILLE)

The Secretary-General has the honour to bring to the attention of the members of the Security Council, for their information, the following communications:

- A. Letter dated 28 January 1961 from the President of the Republic of the Congo, countersigned by the President of the College of Commissioners, Commissioner-General for Foreign Affairs, addressed to the Secretary-General.
- B. Letter dated 29 January 1961 from the Secretary-General addressed to the President of the Republic of the Congo.

- A. Letter dated 28 January 1961 from the President of the Republic of the Congo, countersigned by the President of the College of Commissioners. Commissioner-General for Foreign Affairs, addressed to the Secretary-General

I have the honour to acknowledge receipt of the letter dated 14 January sent by your Special Representative at Leopoldville in reply to the thirteen-point memorandum I sent to you on 7 January.

I do not intend to take up, point by point, the various problems raised in that letter, whose understanding attitude towards our arguments I am glad to note. It is that attitude that moves me to inform you today of the reactions of the Government of the Republic to the way in which the United Nations views its mission in the face of the situation which is developing in Orientale and Kivu Provinces.

All the arguments developed in the letter are based on an analogy that is drawn between the situation in those two Provinces and that in Katanga in August 1960; this analogy is emphasized by the reference to the report you yourself presented to the Security Council on 6 August 1960. Yet there cannot be the slightest comparison between the two situations: when Katanga rose against the Central Government of the Congo, it was - and it still is - under the control of a proper Government, which had been set up as a result of regular elections and whose legality had never been contested. Its disagreements with the Central Government raised a question of relations between equally valid authorities and it was obviously not within the competence of the United Nations Mission in the Congo to arbitrate in a dispute between those two powers, especially since the Central Government wished to use the strength of the United Nations to settle a dispute concerning legal competence in its favour.

It is quite a different matter in the case of Orientale and Kivu Provinces. Gizenga, Kashamura and their associates have no legal authority; they have supplanted, imprisoned or put to flight the provincial Ministers and, thanks to the support they are receiving, they have usurped power and have seized the police and military apparatus, which gives them an authority based on terror. Having usurped power, they are now engaged in a ceaseless course of extortion, pillage, arrest and torture. Terror, devastation and death reign in those Provinces. The armed gangs have been able to give all their instincts free rein to such an extent that they are already beyond the control of their chiefs.

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Things have reached such a pitch that diplomatic representatives have informed us of their very serious concern and delegates of the International Red Cross who have returned to Leopoldville have called together the heads of diplomatic missions to inform them of the tragic facts they have established. The United Nations cannot remain inactive before such a situation; it is not a dispute concerning powers between a Central Government and a provincial Government but a fight to the death carried on by subversive elements against a legal central power. Throughout the area they control, these subversive elements are sowing terror and desolation. If the United Nations Force was sent to the Congo in order to maintain peace and security, it is not interference in the internal policy of the Congo if it helps the legal Government to restore order and to prevent torture, pillage and harassment of every kind, carried out under the protection of some fishers in troubled waters who claim to be a Government.

When, therefore, the Government of the Congo, properly accredited to the United Nations, appeals to the United Nations Force to help it to wipe out this reign of terror, it is appealing to the only authority that can give it rapid and large-scale military assistance under the Security Council resolutions, and it is astonished at the legal and other objections that are raised at a time when the gravity of the situation calls for immediate action. It is of the greatest importance that the Government should receive this military assistance within the framework of the United Nations, for otherwise it will be compelled to seek such assistance outside the United Nations, despite the manifest danger that would entail of the conflict becoming international.

It is indeed impossible to allow whole populations to go on suffering the direst evils, under the yoke of a dictatorship that they have certainly not invited and to whose extortions every class of the terrorized population must submit. I therefore urge that the United Nations Force should intervene, if necessary by force, to put an end to this violence and to place the legal authorities in power again, which will be the necessary prelude to the restoration of peace and tranquillity in the country. Unless we have United Nations support there will still be time for terrorism to bring its weight to bear on numbers of people and many human lives will be lost before the loyal forces of the national army will be sufficiently reorganized to restore order everywhere.

It is inconceivable that whole garrisons of United Nations troops should meanwhile stand with their arms ordered, obliged to witness these acts of violence without exercising their true mission of restoring order and security, while all the Member States are making heavy sacrifices in order to enable the Force to be efficient and present everywhere. In October the local Press published a photograph of a Ghanaian soldier at Leopoldville who, with his arms crossed, was watching a gang of hooligans raining blows and injuries on Mr. Ndele, the Commissioner-General. This photograph made a profound impression in all circles. If in the next few days the United Nations contingents continue to remain inactive before the most serious acts of violence, this photograph will become the most accurate representation of their attitude in all the large centres of the two Provinces suffering from subversion. It will be the image of the complete failure of United Nations action in the Congo.

Nobody in the Congo wants to see this failure, nobody in the world is ready to accept it except those who, from outside, are stirring up subversion. I therefore urge you, Sir, to do everything there is still time to do to restore peace.

The matter of the United Arab Republic aircraft, which is parked at Demena for the time being after having landed at Lisala without authorization, will be dealt with in a separate communication.

I have the honour to be etc.

(Signed) KASA-VUBU
President of the Republic

(Signed) J. BOMBOKO
President of the College of
Commissioners-General,
Commissioner-General for
Foreign Affairs

B. Letter dated 29 January 1961 from the Secretary-General addressed to the President of the Republic of the Congo

I wish to acknowledge your letter of 28 January 1961. Without any detailed observations on my side, I shall bring it to the attention of the Security Council. I wish, however, to state that the constitutional problems raised in your letter remain subject to considerable international discussion and have not been resolved, as far as the United Nations is concerned, by any decision by the General Assembly or Security Council; therefore, I am obliged to reserve also my own position in regard to the interpretation which you have given them.

I have the honour to be, etc.

(Signed) Dag HAMMARSKJOLD

Secretary-General

