

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/4727/Add.2
20 February 1961
ENGLISH
ORIGINAL: ENGLISH/FRENCH

ANNEX 4

SUPPLEMENTARY REPORT OF THE SPECIAL REPRESENTATIVE

IN CONTINUATION OF MY REPORT OF 18 FEBRUARY 1961 ON THE ARBITRARY ARRESTS AND DEPORTATIONS OF A NUMBER OF POLITICAL PERSONALITIES WHICH HAVE RECENTLY BEEN CARRIED OUT IN LEOPOLDVILLE BY THE CENTRAL AUTHORITIES, I REGRET TO REPORT THAT DEFINITE INFORMATION HAS NOW BEEN RECEIVED OF THE LIQUIDATION IN BAKWANGA OF SIX OF THE DEPORTED PERSONS. THE FOLLOWING MESSAGE HAS BEEN RECEIVED BY ME ON THE MORNING OF FEBRUARY 20, IN REPLY TO MY MESSAGE OF 16 FEBRUARY TO MR KALONJI, FROM A MR. ANDRE KABEYA, WHO DESCRIBES HIMSELF AS MINISTER FOR JUSTICE IN THE SO-CALLED "ETAT MINIER" OF SOUTH KASAI:

"I HAVE THE HONOUR TO ACKNOWLEDGE THE RECEIPT OF YOUR MESSAGE OF 16 FEBRUARY 1961. I APPRECIATE YOUR CONCERN FOR JUSTICE AND HUMANITY. NEVERTHELESS, IT IS NOT FOR US TO PASS JUDGEMENT ON THE ATTITUDE OF THE PEOPLES OF KATANGA AS REGARDS THE END OF FORMER PRIME MINISTER LUMUMBA. OUR SOLE TASK IS TO CONCERN OURSELVES WITH THE FATE OF THE BALUBA PEOPLES. WE SHOULD LIKE TO SEE YOUR ORGANIZATION CONCERN ITSELF WITH:

1. THE TENS OF THOUSANDS OF BALUBAS, INCLUDING WOMEN AND CHILDREN, MASSACRED AT BAKWANGA;
2. OUR BALUBA FELLOW-CITIZENS RECENTLY ARRESTED AND MARTYRED AT STANLEYVILLE AND BUKAVU;
3. APPROXIMATELY THIRTY BALUBAS KIDNAPPED FROM A TRAIN IN THE REGION OF LUEMA BY BALWBAKAT REBELS.

MESSRS. FINANT, FATAKI, YANGARA, MUZUNGU, ELENGENZA, NZUZI AND KAMANGA WERE INDEED TRANSFERRED TO BAKWANGA BY THE LEOPOLDVILLE AUTHORITIES. A TRIBUNAL CONSISTING OF ALL THE BALUBA, APENDE, TSHIOKWE, BAKETE, BAKUBA, AND BASHILLE CUSTOMARY CHIEFS, MEETING AT BAKWANGA, DULY SENTENCED SIX OF THE PRISONERS TO DEATH FOR CRIMES AGAINST THE MULUBA PEOPLE. THE SEVENTH ACCUSED, MR. GREGOIRE KAMANGA, FORMER MINISTER FOR HEALTH IN THE LUMUMBA

GOVERNMENT, WAS SENTENCED TO FIVE YEARS OF IMPRISONMENT. SENTENCE HAS BEEN EXECUTED. WAR CRIMES ARE PUNISHABLE ONLY BY THE DEATH PENALTY. THE TRIBUNAL OF THE CUSTOMARY CHIEFS OF OUR PEOPLE HAS ONLY FOLLOWED THE EXAMPLE OF THE ALLIES, WHO, BOTH IN JAPAN AND GERMANY, SENTENCED AND EXECUTED POLITICAL AND MILITARY LEADERS GUILTY OF WAR CRIMES.

WE HAVE THE HONOUR TO BE, ETC.

(Signed) ANDRE KABEYA
MINISTER FOR JUSTICE"

THE ABOVE ADMISSIONS OF THE SOUTH KASAI AUTHORITIES RAISE ISSUES OF EXTREME GRAVITY INVOLVING THE FLAGRANT VIOLATION OF HUMAN RIGHTS AND OF ALL CANONS OF LAW AND CIVILIZED BEHAVIOUR. NO INFORMATION HAS BEEN GIVEN REGARDING THE LAW UNDER WHICH THE SUPPOSED "TRIAL" TOOK PLACE, THE POWERS OF THE TRIAL "COURT" OR THE EVIDENCE ON THE BASIS OF WHICH THE SENTENCES WERE PASSED. SEVERAL OF THE EXECUTED PERSONS WERE PROMINENT POLITICAL PERSONALITIES OF ORIENTALE PROVINCE WHO WERE ARRESTED SEVERAL MONTHS AGO AND IT HAS NOT BEEN EXPLAINED AS TO HOW THEY CAN BE EVEN REMOTELY CONSIDERED TO HAVE BEEN RESPONSIBLE FOR THE HAPPENINGS MENTIONED IN THE ABOVE COMMUNICATION. WE ARE TAKING IMMEDIATE ACTION BOTH IN LEOPOLDVILLE AND IN BAKWANGA, TO ASCERTAIN ALL THE RELEVANT FACTS AND CIRCUMSTANCES REGARDING THESE DEPLORABLE EXECUTIONS AS WELL AS INFORMATION REGARDING THE OTHER ARRESTS THAT HAVE TAKEN PLACE TOGETHER WITH A FULL LIST OF THE DEPORTEES.
