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REPORT OF THE SECRETARY-GENERAL ON CERTAIN STEPS TAKEN
IN REGARD TO THE IMPLEMENTATION OF THE SECURITY COUNCIL
RESOLUTION ADOPTED ON 21 FEBRUARY 1961

Note Verbale dated 4 March 1961 from the Permanent Representative of
Belgium addressed to the Secretary-General

The Permanent Representative of Belgium presents his compliments to the Secretary-General of the United Nations and has the honour to acknowledge receipt of his Note dated 2 March 1961 in reply to Notes Verbales Nos. 375 and 376 dated 27 February 1961.

Acceding to the desire expressed by the Secretary-General, the Belgian Government wishes to furnish him with the details given hereunder on the points which he has emphasized:

In the first place, the Secretary-General recognizes the Belgian Government's rightful concern for the safety of its nationals. The Belgian Government, therefore, yet again draws the Secretary-General's attention to the urgent duty of the United Nations to secure the liberation of the eight Belgian soldiers wrongfully detained at Stanleyville since 14 January 1961. Furthermore, the position of the 250 Europeans blockaded at Maniema, in conditions which the local United Nations Commander has admitted to be inhuman, calls for immediate intervention by the United Nations. Indeed, the Secretary-General has indicated the extent to which concern for the safety of persons is shared by the United Nations and the arrangements made with a view to translating it into action. But, although the Secretary-General stresses, in the same spirit, that steps will be taken with a view to the replacement and relief, to the extent necessary, of the Belgian officers and non-commissioned officers, he challenges the Belgian Government's right to make compliance by Belgium with its obligations under the Security Council resolution conditional on such replacement and relief. In the light of the Secretary-General's explanations, the Belgian Government does not

believe that there are fundamental differences between them, because it does not intend to make withdrawal contingent on relief, but deems it essential that the two operations should be carried out simultaneously, that being the only way of ensuring that the people will enjoy the uninterrupted security which is the objective both of the Secretary-General and of the Belgian Government.

In the second place, as regards the military personnel under group (b), the Belgian Government has issued orders that they should be recalled to Belgium immediately. The relevant operations are under way: thirty-one officers and non-commissioned officers have received orders to leave forthwith. Nine of them have returned to Brussels, twelve more will arrive there before 12 March and the remaining ten before 19 March.

In the third place, as regards group (c), the Belgian Government can merely confirm that it cannot compel Belgian citizens abroad, even when they are serving in foreign military forces, to return to Belgium; it can only rely on measures of persuasion. Belgian nationals would be in breach of the law, and could be required to return to the national territory under penalty of sanctions only if they should still have military obligations. The Belgian Government is resolved to enforce this procedure, and has instructed its consular representatives to find out as a matter of urgency the names and civil status of all the volunteers, in order to be in a position to determine rapidly which of them still have such military obligations. Furthermore, notices have repeatedly been sent out by the Department of Justice with a view to preventing recruitment operations and further departures.

In the fourth place, as regards "political advisers", the Belgian Government deems it necessary to repeat and to stress that, contrary to what the Secretary-General believes to be the case, the present assignments do not derive from bilateral arrangements between Belgium and the Congo, but from the exercise of the free choice of agents by the Congolese authorities in conformity with article 250 of the Fundamental Law. The choice of these agents, the duration of their stay, their promotion and status are within the exclusive competence of the Congolese authorities. At no time have the Belgian authorities intervened in the posting of these agents, political or otherwise.

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In the fifth place, the Belgian Government will nevertheless readily accede to the wish expressed by the Secretary-General and, while fully respecting Congolese sovereignty, will use its best endeavours with the authorities of the Congo to make them pay due regard to the resolutions of the Security Council relating to the subjects of concern to the Secretary-General.

In the sixth place, all these problems might usefully be examined in detail in Brussels with the representative whom the Secretary-General proposes to send there in the near future. The Belgian Government insists that the senior official entrusted with this mission should be authorized to act as the Secretary-General's representative to the Belgian Government and to hold with it valid discussions on the practical arrangements which should be adopted in the circumstances of which Belgium, the Congo and the United Nations are aware.
