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COMMUNICATION DATED 10 SEPTEMBER 1960 FROM THE PRIME MINISTER OF
THE REPUBLIC OF THE CONGO ADDRESSED TO THE SECRETARY-GENERAL OF
THE UNITED NATIONS

"A solemn appeal addressed by the Government of the Republic of the Congo to the President and members of the Security Council and to all States Members of the United Nations.

By memorandum dated 8 September 1960 addressed to the Secretary-General of the United Nations and the President of the Security Council, the Government of the Republic of the Congo drew attention to the flagrant interference of the United Nations in the internal affairs of the Congo. Ample evidence of this interference was supplied. The statement just made by the Secretary-General of the United Nations to the Security Council, that Mr. Kasavubu had the right to dismiss the Government, only confirms this interference. This position of the Secretary-General moreover runs counter to the sovereign decisions taken by the Congolese Parliament, which has annulled by two separate votes, each by a large majority, Mr. Kasavubu's illegal decree. It is not for the Secretary-General of the United Nations to interpret the Basic Law; that is the responsibility of the Congolese Parliament. Article 51 provides that "the interpretation of laws by way of authority is solely the responsibility of the Chambers". Interpreting, in particular, article 22, under which "the Chief of State appoints and dismisses the Prime Minister and the Ministers", the two Chambers of the Congolese Parliament, in annulling the decree of the Chief of State decided that the appointment and dismissal of any government could take place only after a vote of confidence or non-confidence by Parliament. The Chief of State cannot appoint a Government without Parliament, and that is equally true with regard to dismissal which must follow the same procedure. In their interpretation the Congolese legislative Chambers further state: The Government headed by Prime Minister Patrice Lumumba and the Head of State, Mr. Kasavubu, having been separately invested with office

by Parliament, the latter alone has the power to dismiss one or the other. Relying on the unanimous confidence which the Parliament, the only sovereign organ of the Nation, has expressed in it, the Government of the Republic protests again against the interference by Secretary-General Hammarskjold in the internal affairs of the Congolese nation, which is a dangerous threat to confidence in and the prestige of the United Nations not only in the Congo but throughout the whole of Africa and indeed even throughout the whole world. The Government of the Republic protests also against the repeated refusal of the United Nations authorities in the Congo to co-operate with the Government in the implementation of the Security Council resolutions. In the interests of international peace, the Government urgently requests the United Nations:

1. To recommend firmly to the Secretary-General and his fellow-workers in the Congo that they cease to interfere either directly or indirectly in the internal affairs of our Republic.

2. To adopt no further resolutions concerning the Congo, since the resolutions which have already been adopted are absolutely clear and specific, but, through the bad faith of the Belgian Government and its allies who continue to supply direct aid (planes, arms, munitions, liaison and combat officers..) to the rebel and illegal government of Katanga, are not yet being fully implemented.

To this is added the deliberate slowness of the United Nations authorities in applying the definite and unambiguous decisions of the Security Council. The Congolese Government is not taken in by these intrigues, which take the form of transforming the dispute between the Congo and Belgium into a dispute between the Government of the Congo and the United Nations, and this within ten days from the official admission of our Republic to membership in the United Nations. The Government protests most strongly against the Secretary-General's assertion that the troops of the national army should be disarmed. Knowing full well that the troops of the national army disobeyed a similar request by Mr. Kasavubu, calling on the Congolese militia to lay down their arms, the Secretary-General would like to proceed to a show of strength, with the sole object of causing a war to break out in the Congo which would bring the Congolese population into conflict with United Nations forces. All this with the sole object of placing the Congo under international trusteeship. Moreover, by arbitrarily taking over our national

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radio and all the aerodromes in the Republic, the Secretary-General wants to deprive the Government of the means of broadcasting and putting out information and to allow Tshombe and secret radio stations recently set up in the neighbourhood of Leopoldville by outlaws to succeed with their attempted coup d'état. Every day these stations are conducting an active anti-Governmental propaganda campaign, and spreading lies, slander and insults intended to disparage the legally established Government, which has the overwhelming support of the people. The Government this morning for the fifth time informed United Nations headquarters that it must take possession of its national radio today. Anxious to restore good order and peace prevailing in the Congo and to maintain good relations with the United Nations, the Government of the Republic of the Congo is addressing a solemn and pathetic appeal to all the nations of the world to take action to prevent the Congo from becoming the battlefield of a third world war."

