

UNITED NATIONS
SECURITY
COUNCIL

THE COP
RETURN TO
DISTRIBUTION
Bureau C. 111

Distr.
GENERAL

S/4417/Add.5
11 August 1960

ORIGINAL: ENGLISH

SECOND REPORT BY THE SECRETARY-GENERAL ON THE IMPLEMENTATION OF
SECURITY COUNCIL RESOLUTIONS S/4387 OF 14 JULY 1960 AND S/4405
OF 22 JULY 1960

Addendum No. 5

Memorandum by the Secretary-General on the organization
of the United Nations Civilian Operation in the Republic
of the Congo

When the Security Council adopted its resolutions on the United Nations operation in the Congo, it conceived the civilian part of the operation and the military part as interrelated and mutually supporting elements of the assistance. The essential and long-term contribution would be in the civilian field, but it required the establishment of order and security. For that reason, the United Nations Force was organized and sent to the Congo pending the reorganization of the national army and police at the same time as steps were taken for the building up of a large-scale civilian assistance activity. The Security Council reflected the latter element of its approach and the basic unity of the operation in its resolution of 22 July 1960 when it invited "the specialized agencies of the United Nations to render to the Secretary-General such assistance as he may require".

The basic and necessary unity of the civilian and military operations and the ensuing necessity for a centralized organization and leadership within the United Nations family naturally in no way detracts from the authority and competence of the specialized agencies. It does, however, introduce a factor which the specialized agencies may be expected to take into account in their own planning; at the same time, the resolution, quoted above, adds a new obligation for the specialized agencies to render assistance to the United Nations as requested; this follows from the fact that the Security Council decision under

Chapter VII of the Charter is mandatory in relation to Governments, and therefore necessarily mandatory also in relation to governmental organizations.

As regards the development of the civilian activities, they can be based on the traditional pattern and methods of technical assistance and the Operational and Executive Personnel programme (OPEX), but they must go further. The United Nations must in the situation now facing the Congo go beyond the time-honoured forms for technical assistance in order to do what is necessary, but it has to do it in forms which do not in any way infringe upon the sovereignty of the country or hamper the speedy development of the national administration.

The formula suggested, approved by the Government of the Republic of the Congo and, in part, already implemented, is the following. A distinction is made between, on the one side, technical assistance proper, which is in principle on a technical and advisory level, with the experts having the normal relationship to the national Government and national administration, and, on the other side, activities on a level of higher administrative responsibility, for which the experts employed must receive a new and so far untried status.

This latter group, if introduced into Ministries and administrations in a way accepted for regular technical assistance, might lead to misunderstandings or to a slowing down of the growth of the national administration and false assumptions of responsibilities. The experts, chosen for the task and forming the group, will be attached to the Chief of the United Nations Civilian Operation, Dr. Sture Linner (who is also TA Resident Representative), as his consultants, with each one having his own and specific administrative responsibility for all activities within the range of his expertise.

Thus, the Chief of the civilian activities - who in rank and authority will be the opposite number to the Supreme Commander of the United Nations Force as Chief of the military activities - will have at his disposal, and be the Chairman of, a "Consultative Group" composed of the senior experts with the responsibilities outlined above in relation to the technical assistance operations in the various fields which are covered by their respective activities.

The members of the Consultative Group, the status of which has just been defined, would carry the title of Consultants to the Chief of the Civilian

Operation. They would, however, in accordance with a promise given to the Government, be available at the call of the Government to give advice on various problems and provide the Government with such studies as it may request for the planning of its activities and its decisions.

Thus, the Consultants, without being accredited to the Ministries and having formally functions only within the United Nations orbit, would de facto be able to serve, with senior responsibility, at the request of the Government, the various Ministries and departments. But - and that has to be repeated - they will fulfil the latter function on an ad hoc basis and at the specific request of the Government.

After consultations with the Government of the Congo it has been decided that the following fields will have to be covered by the consultants, members of the Consultative Group:

1. Agriculture
2. Communications
3. Education
4. Finance
5. Foreign trade
6. Health
7. Instruction (national security forces)
8. Labour market
9. Magistrature
10. Natural resources and industry
11. Public administration

It will be observed that in this list certain areas are within the responsibility of one or more specialized agencies. Thus, agriculture corresponds to the field of the Food and Agriculture Organization of the United Nations (FAO), communications corresponds to the field of the International Telecommunication Union (ITU), the Universal Postal Union (UPU), the International Civil Aviation Organization (ICAO) and the World Meteorological Organization (WMO) and education to the field of the United Nations Educational, Scientific and Cultural Organization (UNESCO). Health corresponds to the field of the World Health

Organization (WHO) and finally, labour market corresponds to the field of activity of the International Labour Organisation (ILO). In addition, finance, in part, is a field in which consultations are carried on with the International Bank for Reconstruction and Development (IBRD) and the International Monetary Fund (IMF). In the other cases, the activities are exclusively within the field of the United Nations itself.

In order to organize this administrative system in a way which fully reflects the constitutional situation and, thus, avoids any interference with the activities of the specialized agencies or infringement upon their competence, while reflecting their added responsibilities, the following line has been chosen.

The specialized agency concerned appoints a local representative of such seniority as to correspond to the duties which he will have in the field, taking fully into account, on the one side, the scope of the operation, on the other side his senior responsibilities as adviser to the Government at its request. Naturally, the local representative appointed by the specialized agency remains in the regular relationship to his agency and under its authority. Such representatives have already been appointed in several cases and that has in all cases been done in consultation with the United Nations. The Secretary-General, in turn, appoints the local representative of the specialized agency as consultant and member of the Consultative Group, thus adding to the representative's normal responsibilities, providing for full integration with the other activities and reflecting in an adequate form the basic unity of the total operation. In cases where several agencies are concerned, the appointments have been made by the United Nations in close consultation with the agencies.

The activities of the specialized agencies will profit from the fact that they can act under the security provided by the United Nations Force and use the services provided by the United Nations administration and the United Nations communication system and, finally, seek guidance from the head of the whole United Nations operation in the Congo, who has the position of political adviser and personal representative of the Secretary-General; naturally such consultation should take place through the Chief of the Civilian Operation. These advantages obviously add a further reason for the administrative arrangements to which reference has just been made.

The Secretary-General has been approached by the Government of the Republic of the Congo with a request for assistance at the earliest possible moment for the establishment of plans for its administrative and economic activities. Special stress has been put on the problem of unemployment. The Secretary-General has, likewise, been approached by a number of Member Governments with requests for early indication of the needs for technical assistance experts in the various fields with specification as to number and qualifications. These requests indicate a first major task of the Consultative Group, under the chairmanship of the Chief of the civilian activities. It is to be hoped that the Group can start its work early next week.

The Secretary-General is reluctant to embark on a diffuse programme whose effectiveness would be doubtful until the Consultative Group has had an opportunity to advise on what is wanted. A number of appointments were necessary to cope with the emergency and these have been, or are being, made. These apart, it is desirable to follow as orderly a course as possible and the Consultative Group will give its first attention to setting up necessary surveys and working teams to report to it.

All posts approved by the Secretary-General will be financed from United Nations funds. This would, of course, not preclude the specialized agencies from financing activities under their regular programmes. It is assumed, however, that such projects would first be the subject of consultation with the Chief of the United Nations Civilian Operation in the Congo and would be co-ordinated with the total programme outlined by the Government of the Republic of the Congo.

Ordinarily, the procedure will be that, subject to due approval by, or consultation with, the Government of the Republic of the Congo, the Secretary-General will sanction a number of posts in specified areas of activity; the specialized agencies will then proceed to recruit, contract with and pay personnel against reimbursement by the United Nations. Until the situation is clearer, the United Nations policy is to grant initial contracts for outside experts only on a short-term basis, namely six months as a maximum. Conditions of service will be in accordance with the rules applicable to technical assistance personnel.

The United Nations will reimburse the specialized agencies on the basis of their "extra costs" in respect of all seconded agency staff and technical assistance experts employed by the agencies in posts approved by the United Nations to participate in the United Nations Congo operation on the following basis:

1. The United Nations will reimburse the agencies for salaries and related costs in respect of any temporary assistance staff required to be employed as replacements for the agencies' regular staff assigned to the Congo.
2. The United Nations will reimburse the agencies for salaries and related costs in respect of all agreed technical assistance experts employed specifically to participate in the United Nations Congo operation.
3. The United Nations will reimburse the agencies for transportation and travel subsistence costs incurred in connexion with travel to and from the Republic of the Congo for their seconded regular staff and technical assistance experts, but not for any dependants of such personnel.
4. The United Nations will reimburse the agencies for any extra costs they may incur in connexion with death, disability or illness to their staff members and technical assistance employed in the Congo operation.

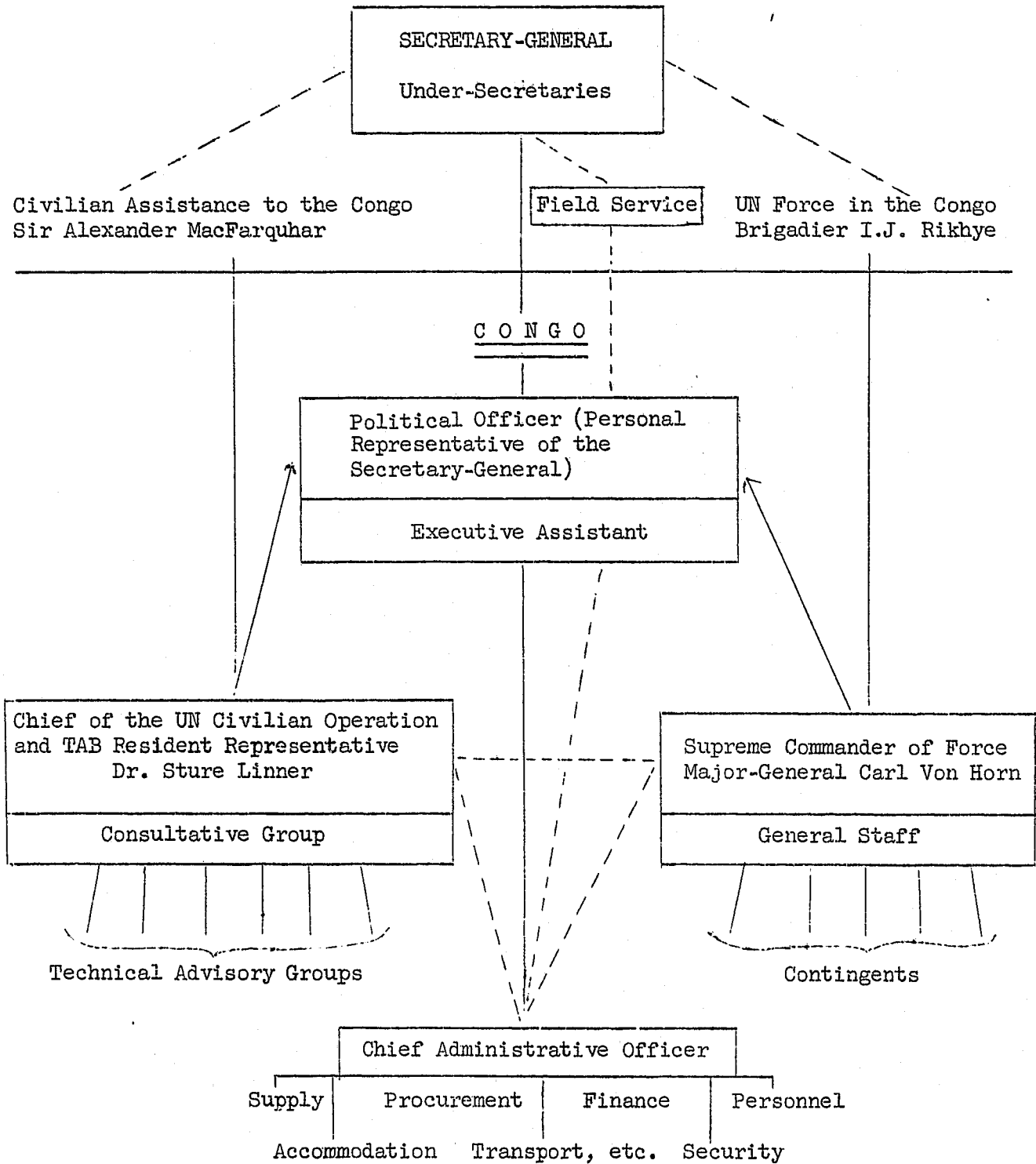
United Nations financial responsibility must be limited to the costs in connexion with posts for which it has given advance agreement. United Nations agreement will stipulate the number of posts authorized and may indicate the approximate grade and level contemplated.

The Chief Administrative Office of the United Nations Force in the Congo (ONUC) will provide all administrative services for such personnel, including payment of emoluments and allowances payable in the Republic of the Congo.

GENERAL ORGANIZATION

United Nations Headquarters (UNHQ) and
The United Nations in the Congo (ONUC)

NEW YORK



CIVILIAN OPERATIONS

Chief of the UN Civilian Operation and
 TAB Resident Representative

Deputy

Chief Assistant

Consultative Group

1. Agriculture
2. Communications
3. Education
4. Finance
5. Foreign trade
6. Health
7. Instruction (national security forces)
8. Labour market
9. Magistrature
10. Natural resources and industry
11. Public administration

Technical Advisory Groups

<u>Agriculture</u>	<u>Communi- cations</u>	<u>Education</u>	<u>Finance</u>	<u>Foreign trade</u>	<u>Health</u>	<u>Instruc- tion</u>	<u>Labour market</u>
Consult- ant Assist- ant	Consult- ant Assist- ant	Consult- ant	Consult- ant Assist- ant	Consult- ant Assist- ant	Consult- ant Assist- ant	Consult- ant	Consult- ant Assist- ant
Technical Experts	Technical Experts	Technical Experts	Technical Experts	Technical Experts	Technical Experts	Technical Experts	Technical Experts

<u>Magistra- ture</u>	<u>Natural resources and in- dustry</u>	<u>Public adminis- tration</u>
Consult- ant Assist- ant	Consult- ant Assist- ant	Consult- ant
Technical Experts	Technical Experts	Technical Experts