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REPORT OF THE OFFICER-IN-CHARGE OF THE UNITED NATIONS OPERATION
IN THE CONGO TO THE SECRETARY-GENERAL ON DEVELOPMENTS RELATING
TO THE APPLICATION OF THE SECURITY COUNCIL RESOLUTIONS OF
21 FEBRUARY AND 24 NOVEMBER 1961

A. Report on developments in Katanga with special reference
to the problem of mercenaries

1. As indicated in the report of the Officer-in-Charge (S/5053/Add.1, para. 32), the Katanga provincial authorities had expressed their desire to resolve the mercenary problem by peaceful means. From 27 December, at which date ONUC contacts with these authorities were resumed for the purpose of achieving full compliance with the Security Council resolutions of 21 February and 24 November 1961 (and especially in meetings with Mr. Tshombe and ministers of the provincial government on 27, 28, 31 December and on 1, 12 and 21 January), ONUC officials in Elisabethville continued to press, in the strongest terms, for the urgent and complete elimination, without reservations, of all remaining mercenaries from Katanga.

2. A new meeting was arranged on 24 January between Messrs. Tshombe, Kimba, Munongo and three senior officials of ONUC in Elisabethville. Mr. Tshombe reiterated the provincial government's firm intention to liquidate, once and for all, the mercenary problem and formally committed his government to that course. He asserted that there were no foreign officers in the Katanga Gendarmerie, and that the Gendarmerie officers themselves would never again tolerate them. Mr. Tshombe produced a seven-page paper purporting to be a list of foreign officers and "volunteers" with the severance compensation paid to them. He pointed out the names of Messrs. Faulques, Labourdonnaie and Ege as examples of mercenaries who had been dismissed. Mr. Tshombe further gave details on the expulsion of Mr. Faulques, who had been escorted to the border under military guard during the previous week.

3. The ONUC officials once again stressed the necessity for concrete measures to be taken urgently to eliminate the mercenary problem as a whole. Mr. Tshombe replied that he was preparing a plan for liquidation of this problem and would submit it to ONUC without delay. In communications to ONUC representatives in Leopoldville and Elisabethville, the Acting Secretary-General has emphasized the necessity of making it entirely clear to Mr. Tshombe and all Katangese authorities that if they did not take urgent steps to eliminate the mercenaries, ONUC would not hesitate to take all necessary measures to do so.

4. On 25 January, the Officer-in-Charge, during a short stop-over in Elisabethville, had a meeting with Mr. Tshombe which was also attended by Messrs. Kimba, Munongo, Kibwe and three ONUC officials. The Officer-in-Charge declared that there must be no further delay in complying with the Security Council resolutions concerning mercenaries. He emphasized that the resolutions must be enforced not only in Elisabethville but also at Kolwezi, Jadotville, Kipushi and other such centres which, he had reason to believe, might be used by the mercenaries if they chose to launch military operations again. Mr. Tshombe promised to produce on the following day a plan detailing how the problem in those places could be solved to ONUC's complete satisfaction. He added that Dr. Linner could inform the Acting Secretary-General that he was thus formally committing himself and his government to settling this problem forthwith and in its entirety.

5. On 26 January ONUC officials in Elisabethville again met with Messrs. Tshombe, Kimba and Munongo. Mr. Tshombe submitted orally four points on the question of mercenaries which he confirmed, later in the day, by a letter addressed to the UN representative in Elisabethville (text in Annex I below). The questions raised in the last paragraph of this letter had not been presented, in these discussions, as an element of the scheme.

6. With reference to the proposed joint commission, Mr. Tshombe indicated that it would have access to Jadotville, Kolwezi and any other places it may wish to visit. He also added that in order to accomplish its task, the commission could stay anywhere as long as it wished and call upon anyone.

7. Concerning his proposal for a time-limit, Mr. Tshombe emphasized that he felt one month was the minimum required for the mercenaries to be expelled. He recalled the public statement which he had made on 25 January to the effect that mercenaries

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would be removed, and voiced fear that some of those affected would go into hiding and it would thus take time to round them up.

8. ONUC's reply to Mr. Tshombe's letter had not been communicated at the time of the circulation of this report. It will therefore be circulated later, as an addendum. In its reply, ONUC will note, of course, the commitment of the Katangese authorities to the elimination of all mercenaries from the Province, and to the taking of concrete steps in order to complete that operation without delay. It will request the immediate transmission to ONUC of the list of mercenaries referred to in Mr. Tshombe's letter. The ONUC reply will state that measures for the elimination of mercenaries must be undertaken immediately, and that the proposed one-month delay is unacceptable. Concerning the suggestion of a joint body to verify the elimination of the mercenaries, ONUC will find acceptable the idea of one or more joint bodies which would have free access to all places in Katanga and without limitation on the nature of ONUC's representation.

B. Report on developments relating to Mr. A. Gizenga (continued)

9. It will be recalled from the report of the Officer-in-Charge (S/5053/Add.1, para. 27) that the request for ONUC assistance in bringing Mr. Gizenga to Leopoldville was made on 18 January 1962 by Mr. S. Losala, President of Orientale Province, and General Lundula (see text in Annex II below), and was endorsed by Mr. C. Adoula, Prime Minister of the Central Government (see Annex III).

Mr. Gizenga had made a similar request in his letter to the Prime Minister of 16 January (S/5053/Add.1, Annex VII), and had stated in a message to the Acting Secretary-General that he would hold the Secretary-General responsible for his safety (*ibid.*, Annex VIII). He had also requested ONUC protection orally on his arrival in Leopoldville. This request was agreed to by the Prime Minister (S/5053/Add.2, Annex II), and was promptly granted by ONUC.

10. Accordingly, Mr. Gizenga was provided with suitable accommodation at ONUC Headquarters in Leopoldville, and the necessary measures for his personal safety and security were taken by ONUC. On the day after his arrival, however, Mr. Gizenga addressed to the Officer-in-Charge of the United Nations Operation a handwritten note (*ibid.*, para. 3) in which he stated that his request for "hospitality and security" was for one day only.

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11. The Officer-in-Charge transmitted a photostat copy of this request to the Prime Minister, who replied on 22 January under reference 409/62 (see Annex IV below).
12. In the afternoon of 23 January, the Officer-in-Charge addressed a letter to Mr. Gizenga under reference GVT/127/62 (see Annex V). This letter was delivered in person to Mr. Gizenga by one of the assistants of the Officer-in-Charge. Mr. Gizenga read it carefully and gave the Officer-in-Charge's representative a written acknowledgement of its receipt.
13. On the evening of 23 January, the Central Government decided to transfer Mr. Gizenga from the residence which he had up to then occupied at Avenue Lippens No. 78A, as the Congolese authorities felt that it would be difficult for them fully to ensure the security of Mr. Gizenga if he remained in the middle of a residential area. That evening Mr. Gizenga was given another residence within the area of "Cent Maisons" at Camp Rhodeby.
14. On 25 January the Prime Minister, accompanied by Mr. Kasongo, President of the Chamber of Representatives, Mr. Koumorico, President of the Senate, as well as by Mr. Sendwe, Vice-Prime Minister, visited Mr. Gizenga and spent several hours with him. Following this lengthy meeting the Présidence du Conseil issued a communiqué in the morning of 26 January in which it stated that Mr. Gizenga was not under house arrest, but that the Government had had to take certain security measures to ensure his safety. Mr. Gizenga was reported to be in good health. In this respect the office of the Prime Minister also announced the establishment of a medical commission to ensure that Mr. Gizenga was provided with medical attention at all times and that his living conditions were adequate. This commission is composed of a government doctor, Mr. Gizenga's personal physician, and a third doctor from the Red Cross. In the same communiqué the Government indicated that Mr. Gizenga's family were authorized to visit him any time they wished to do so.
15. In the morning of 25 January the Minister of the Interior of the Central Government, Mr. C. Gbenye, declared to the Press that he could in no way be held responsible for the situation in which Mr. Gizenga now found himself. Mr. Gbenye also indicated that he had been prevented from visiting Mr. Gizenga, at first by ONUC when Mr. Gizenga was accommodated at the Royal, and later by the Congolese guards from the time that Mr. Gizenga's protection was assumed by the Central Government.

16. As regards Mr. Gbenye's statement that he was not permitted by ONUC to visit Mr. Gizenga, the Officer-in-Charge reports that at the time when the normal and usual security measures were taken by ONUC, at Mr. Gizenga's request, to ensure his full protection, it had been decided that no visitors would be allowed to see Mr. Gizenga other than ONUC officials, in the course of their duty, or such other persons as had been previously authorized by the Prime Minister. When Mr. Gbenye expressed the wish to visit Mr. Gizenga, these measures were explained to him. Mr. Gbenye then stated that he would immediately call the Prime Minister. The Minister of the Interior did not again request to visit Mr. Gizenga, and the Officer-in-Charge has no knowledge whether Mr. Gbenye in fact got in touch with the Prime Minister.

ANNEX I

Letter dated 27 January 1962 from the President of the
Province of Katanga addressed to the ONUC representative
at Elisabethville

Following the meeting we have just held concerning the problem of the mercenaries, the Government of Katanga wishes to confirm again that the Katangese Gendarmerie has been under the sole command of General Muke, assisted by his general staff, which consists exclusively of Katangese. The former foreign officers of our Gendarmerie left Katangese territory for good on 28 August 1961.

The Government is determined to expel the mercenaries who are still in Katanga, and to do so within a month.

The Government is prepared to give the United Nations a list of all mercenaries who have been in Katanga. This list will enable the United Nations, if it sees fit, to check with the Governments of the countries of origin of the persons concerned.

As further proof of its genuine and sincere desire to settle this problem once and for all, the Government of Katanga will propose to the United Nations that a joint commission consisting of civilian representatives of the United Nations and the Katangese Government should be set up with the task of seeking out any mercenaries who try to escape the consequences of the measures taken.

The Katangese Government, having thus shown once more its good faith and its willingness to co-operate, requests the United Nations, for its part, to demonstrate its desire for peace by freeing the military camps and industrial establishments, by solving the problem of the refugee camps and by avoiding any action which might prejudice peace or the economic development of the country.

I have the honour to be, etc.

(Signed) Moise TSHOMBE
President of Katanga

ANNEX II

Letter dated 18 January 1962 from the President of Orientale
Province and General Lundula addressed to the ONUC
representative at Stanleyville

Subject: Departure of Mr. A. Gizenga for Leopoldville

I have the honour to confirm the terms of the discussion we held this morning in the presence of General Lundula concerning the departure of Mr. Antoine Gizenga for Leopoldville. In the interests of his safety, my Government insists that Mr. Gizenga should be flown to Leopoldville by a United Nations aircraft, and not by Air Congo. I should be grateful if you would inform United Nations headquarters in Leopoldville of my decision regarding this flight, which should take place immediately.

I have the honour to be, etc.

(Signed) S. LOSALA
President of the Provincial Government

I hereby certify that I am in full agreement with the above request.

(Signed) General Victor LUNDULA

ANNEX III

Letter dated 19 January 1962 from the Prime Minister
of the Republic of the Congo addressed to the Officer-
in-Charge of the United Nations Operation in the Congo

Subject: Mr. A. Gizenga

I have the honour to acknowledge receipt of your letter No. GVT-119/62 of 18 January, transmitting the text of messages received from Mr. Losala, the Provincial President at Stanleyville, and General Lundula.

I hereby agree to Mr. Gizenga's being conveyed from Stanleyville to Leopoldville by ONUC.

I should be grateful if you would inform me of the exact time of arrival of the aircraft bringing Mr. Gizenga.

I have the honour to be, etc.

(Signed) Cyrille ADICOLA
Prime Minister

ANNEX IV

Letter dated 22 January 1962 from the Prime Minister of the
Republic of the Congo addressed to the Officer-in-Charge of
the United Nations Operation in the Congo.

Subject: Mr. A. Gizenga

I have the honour to acknowledge receipt of your letter No. 122 of 22 January 1962, in which you sent me photostat copies of the letter addressed to you by Mr. A. Gizenga.

I note Mr. Gizenga's wish no longer to be placed under United Nations protection.

However, in view of the fact that Mr. Gizenga's presence in Leopoldville might give rise to disturbances which might place his life in danger, the Central Government has decided to take a number of immediate steps to ensure his personal safety.

Accordingly, Mr. Gizenga's transfer from the Royal to 78A Avenue Lippens will take place today at nightfall, and will be carried out by ONUC.

I have the honour to be, etc.

(Signed) C. AECULA

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ANNEX V

Letter dated 23 January 1962 from the Officer-in-Charge of the United Nations Operation in the Congo addressed to Mr. Gizenga

To: Mr. Antoine Gizenga, 78A Avenue Lippens, Leopoldville

I have the honour to acknowledge receipt of the note which you sent me on the afternoon of 21 January 1962, in which you asked me to lift the security measures taken by ONUC at your request, so that you could leave the apartment placed at your disposal in the Royal building by the United Nations Mission to the Congo.

In accordance with your request it was agreed that arrangements would be made for you to leave the Royal, as was your wish; this was done on the evening of 22 January with your consent, thus enabling you to take up residence in the villa made available to you by the Central Government at 78A Avenue Lippens in Leopoldville.

As a result of these new arrangements, I must point out to you that the United Nations Mission in the Congo has been entirely relieved of all responsibility for ensuring your safety since the moment when you were installed by the Central Government in the residence at Avenue Lippens.

Please note that I am sending a copy of this letter to His Excellency the Prime Minister of the Central Government.

I have the honour to be, etc.

