

UNITED NATIONS
SECURITY
COUNCIL



Distr.
GENERAL

S/4727^{1/}
18 February 1961

ORIGINAL: ENGLISH

REPORT OF THE SPECIAL REPRESENTATIVE OF THE SECRETARY-GENERAL
CONCERNING ARREST AND DEPORTATION OF POLITICAL PERSONALITIES
DATED 18 FEBRUARY 1961

1. I wish to report on a serious situation which has developed in Leopoldville involving the arbitrary arrest and deportation of a number of political personalities by the local authorities in violation of fundamental human rights thus creating an atmosphere of fear and apprehension which may give rise to serious consequences.
2. It will be recalled that in Leopoldville and elsewhere in the Congo, there was a wave of arbitrary arrests of political personalities and others during the months of October and November 1960; many, but not all, of the arrested persons were subsequently released. During the last week or so, arrests of political personalities without cause assigned have been resumed in Leopoldville, and a particularly disturbing feature is that deportations are taking place to Bakwanga, capital of the so-called "Etat Miniere" of South Kasai, an area which does not consider itself to be under the jurisdiction of the Leopoldville authorities. Although the arrests and deportations have been carried out in conditions of secrecy, they have come to the knowledge of ONUC as a result of numerous complaints and inquiries from anxious friends and relatives, and have been followed up by detailed investigations. This report deals with cases about which definite information has been gathered and it cannot be regarded as complete or exhaustive.
3. It will be recalled that on 7 October 1960, Mr. Finant, President of the Government of the Province of Orientale, was suddenly arrested by elements of the ANC, who, on 10 October, similarly arrested Major Fataki, Commanding Officer of the Stanleyville gendarmerie. A few days later, they were brought to Leopoldville

1/ Three annexes relating to this report will be issued on 19 February 1961 as an addendum to this document.

and confined in the Luzumu prison. It has now been established beyond reasonable doubt that on 9 February 1961 a group of prisoners was transferred by air from Leopoldville to Bakwanga. The party which included Messrs. Finant, Elengesa, Nzuzi, Lumbala, Yangara and Major Fataki was accompanied by a Mr. Kazadi, then Commissioner for National Defence, who is himself a resident of South Kasai and an associate of Mr. Kalonji, the President of the so-called "Etat Miniere". On 16 February 1961, Mr. Kamenga, Minister of Health in the First Central Government of the Republic of the Congo who had been arrested on an unknown charge, was similarly deported to Bakwanga, presumably on orders of Mr. Kazadi.

4. In spite of repeated attempts, it has not been possible to ascertain from the Ministry of the Interior either the names of the arrested persons, the charges against them or the reasons for their deportation, but it is clear that they subscribe to a political persuasion other than that of the Leopoldville authorities. Mr. Nzuzi was President of the MNC (L) Youth Movement, Mr. Lumbala was Secretary of State in the First Central Congolese Government. It may be added that as far as we have been able to ascertain, the cases of the arrested persons have not been submitted to the Office of the Procureur General which, according to Congolese criminal law and procedure, is responsible for the preparation of criminal charges. It also appears that the ethnic affiliations of many of the deported persons are antagonistic to those of the population of South Kasai and of Mr. Kalonji himself, which constitutes an added danger to their safety.

5. There have been persistent rumours of the physical liquidation of many of the deported persons on their arrival in Bakwanga. Messrs. Finant and Fataki are rumoured to have been killed there on a date unknown, while Mr. Lumbala is reported to have been assassinated on 14 February together with some other persons.

6. While it has not been possible, because of the evident difficulties including the failure to obtain any information from the Leopoldville or Bakwanga authorities, to obtain verification of these rumours, the known deportations are a matter for grave concern, considering the fate of Messrs. Lumumba, Okito and Mpolo, who had been similarly held as political prisoners by the Leopoldville authorities and were killed in Katanga followed their transfer there on 17 January 1961.

/...

7. It will be recalled that the Conciliation Commission had made repeated requests for an interview with Mr. Finant who had, before his deportation on 9 February, been incarcerated in the nearby prison of Luzumu. Despite promises by the Chief of State, the Commission was unable to interview Mr. Finant. Representatives of the International Committee of the Red Cross have also recently been attempting again to interview Mr. Finant and others, equally without success. It may be added that the Chief of the Surete, Mr. Nendaka, when contacted by ONUC representatives on 16 February, categorically denied the existence of any political prisoners in Leopoldville, although it has been conclusively established that not only were there numerous political prisoners on that date, but that political arrests were continuing and deportations had just taken place.

8. In view of the seriousness of the situation caused by these arbitrary acts, prejudicial to the efforts of the Conciliation Commission and to the restoration of normal life in the country, the Special Representative addressed a letter on the subject to Mr. Ileo on 16 February drawing these facts to his attention and urgently requesting information regarding the arrests and the fate of the arrested persons, drawing attention to the responsibility of the Leopoldville authorities, and offering United Nations co-operation in the re-establishment of a sense of security among the population. Measures were further taken to set up a UN protected area in Leopoldville where threatened persons could seek temporary asylum. A letter was also addressed on the same date by the Special Representative to Mr. Kalonji seeking information from him regarding the deported persons and asking that they be given humane treatment and accorded due process of law. No replies have as yet been received to these communications. In view of the grave anxiety which prevails in Leopoldville concerning the violations of human rights which have been taking place and the perils to which the deported persons are exposed, the Special Representative deems it his duty to call the attention of the Secretary-General to the matter.

