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COMMUNICATION DATED 21 FEBRUARY 1961 FROM THE SPECIAL REPRESENTATIVE  
OF THE SECRETARY-GENERAL IN THE CONGO TO MR. KALONJI

I have received the communication addressed to me by Mr. Kabeya in reply to mine of 16 February, informing me that six political prisoners recently transferred to Bakwanga have been put to death and a seventh sentenced to a term of imprisonment. I immediately communicated this news to the Secretary-General, who transmitted it to the Security Council, which is now meeting in New York to consider the question of the Congo. It is for you to assess the effects, both on the internal political life of the Congo and on the position of that country within the international community, of the odious acts of political violence thus perpetrated.

For my part, I wish only to express the profound indignation aroused by the treatment of political prisoners in disregard of the most elementary principles of law recognized by civilized nations.

Indeed, from the point of view both of substantive law and of criminal procedure and judicial organization, the information given in your communication indicates that the trial and execution of Mr. Finent and five of his fellow prisoners were conducted in the most arbitrary manner.

In view of the part which the United Nations has been called on to play in the Congo, at the request of the Congolese Government, it is my duty to ask you to provide full clarification of the circumstances of this trial. Many questions arise which, in all justice, require clear and specific answers. To cite only the most salient, it would be appropriate to know the exact charges, as provided for under penal law, which were brought against the prisoners; whether specific proof was submitted that the prisoners were personally guilty of the crimes they were accused of; whether they were examined in accordance with the established legal

rules and, in particular, what provision was made for the defence rights guaranteed by law; and whether the tribunal which judged Mr. Finant and his fellow prisoners was legally constituted.

I further request that you provide me with the text of the sentences rendered in this matter, and any other information which would clarify it.

My communication of 16 February referred to six prisoners transferred to Bakwanga and the reply I received deals with the fate of a seventh, Mr. Kamenga. I must inform you, in this connexion, that since that date ONUC has learned that still other persons were recently deported from Leopoldville to Bakwanga. Their fate, like that of Mr. Finant and his fellow prisoners, gave rise to serious fears, which the Secretary-General considered it necessary to transmit to the Security Council on 18 February. The events which have been brought to the attention of the United Nations by the above-mentioned communication from Mr. Kabeya cannot but increase the existing anxiety with regard to those other prisoners.

I therefore most urgently request you to provide me with a complete list of the prisoners transferred from Leopoldville to Bakwanga since the beginning of February, with precise information regarding their fate and the reasons for their detention. In particular, I specifically request that you inform me as to the present fate of Mr. Lumbala, Mr. Lukosha, Mr. Kasendwa, Mr. Mbulu, Mr. Odiuba and Mr. Agandu.