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REPORT OF THE OFFICER-IN-CHARGE OF THE UNITED NATIONS OPERATION IN THE CONGO  
TO THE SECRETARY-GENERAL RELATING TO THE IMPLEMENTATION OF PARAGRAPH A-2  
OF THE SECURITY COUNCIL RESOLUTION OF 21 FEBRUARY 1961

1. Paragraph A-2 of the resolution adopted by the Security Council on 21 February 1961

"Urges that measures be taken for the immediate withdrawal and evacuation from the Congo of all Belgian and other foreign military and para-military personnel and political advisers not under the United Nations Command, and mercenaries;"

By far the largest concentration of such personnel, about 500, was to be found in the Katangese armed forces. Efforts to implement the above provision, which had to be pursued by way of negotiations in view of the lack at this stage of legal authority for the UN to take other steps for implementation of the resolution within the Congo, remained for several months without appreciable results.

2. On 24 August 1961, the President of the Republic of the Congo, upon the advice of the Government, enacted Ordonnance No. 70, providing for the expulsion of all non-Congolese officers and mercenaries serving in the Katangese forces, not under a contract with the Central Government. The Prime Minister of the Republic of the Congo requested UN assistance in the execution of this Ordonnance and in ensuring the evacuation of the personnel falling under the expulsion decree.<sup>1/</sup> These actions gave the UN legal rights within the Congo corresponding to the terms of the aforementioned resolution.

3. On 26 August, Mr. Munongo, Minister of the Interior of the Katanga provincial government, announced that the United Nations was planning to disarm the Katangese armed forces and that 1,500 ANC soldiers in United Nations planes were on their way to Elisabethville to occupy Katanga. This announcement and similar false

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<sup>1/</sup> See Annex I.

rumours created an atmosphere of tension notwithstanding the fact that they were immediately denied by the United Nations. The UN was therefore compelled to take security precautions when, on the morning of 28 August, it proceeded to take measures for evacuating foreign military personnel and mercenaries. It placed a surveillance on Radio Katanga, on Gendarmerie headquarters and on other key points and installations in the city of Elisabethville. During the few hours that this surveillance lasted, the radio continued to broadcast normally, with the sole exception that no statements of an inflammatory nature, likely to lead to an incitement to civil or tribal disturbances in violation of paragraph A-1 of the Security Council resolution of 21 February, were permitted. Moreover an appeal was made to the Katangese gendarmerie to co-operate and to the Katangese population to maintain calm and proceed with their normal occupations. No resistance was encountered from the Katangese armed forces or police in the execution of the evacuation measures, and life continued normally throughout Katanga.

4. Mr. Tshombe was informed by the UN representative of the objectives of the United Nations action. At noon of 28 August Mr. Tshombe stated in a broadcast that his government had approved of the evacuation of foreign military personnel and had terminated the services of all foreigners in the Katangese armed forces effective that day.<sup>2/</sup>

5. In the morning and again in the afternoon of 28 August, UN representatives met with the Elisabethville Consular Corps at their request to discuss repatriation procedures. The Belgian Consul, who presided over these meetings, stated that by arrangement with his colleagues he would undertake the responsibility for ensuring the surrender and repatriation and travel of all personnel required to be evacuated, irrespective of their nationality. He introduced two senior officers who had served in the Katanga Gendarmerie and who were to assist the United Nations in arranging an orderly withdrawal of all foreign personnel who served in the Katangese armed forces. The United Nations agreed to this evacuation procedure on condition that the evacuation would not thereby be delayed and that the United Nations retained the exclusive

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<sup>2/</sup> See Annex II, S/4940/Add.1, to be distributed shortly.

authority to decide who should be evacuated and when. On this understanding the United Nations refrained from continuing to search for and apprehend foreign military personnel, and permitted about seventy Belgian officers to stay in the Belgian Consulate building in Elisabethville until transport for them became available.

6. Unfortunately, these arrangements were not scrupulously observed. Only the officers already stationed in the Belgian Consulate building and officers of the Belgian Army placed at the disposal of Katanga by the Belgian Government were dealt with under this procedure, and even in the case of these officers delays or administrative exemptions were proposed. The foreign officers and mercenaries, profiting from this relaxation of evacuation measures, re-infiltrated into the Gendarmerie, and there were indications that they began distributing arms to certain political or ethnic groupings. The foreign elements also began exercising pressure on some Katangese ministers to dissuade them from moving towards political reconciliation to the authority of the Central Government. Finally, the foreign military personnel, together with the so-called "ultras" among the non-African residents, exercised an adverse influence on the Katangese government, inciting them to terroristic actions and violations of fundamental liberties.

7. Thus, the actions of the political police (Sûreté) which must be regarded as falling under paragraph A-2 of the resolution and which is an instrument of Mr. Munongo largely directed by foreign officers, combined with the inflammatory propaganda broadcast on Radio Katanga and spreading of rumours, caused panic among the Baluba population, who began to throng into UN camps, asking for protection. The influx of Baluba refugees, who constitute the economically and educationally most advanced part of the African population of Elisabethville, began on 24 August following the arrest of their spokesman, Mr. Bintu, and a few other leaders. By 9 September the number of refugees had reached 35,000 and created not only a very serious problem for the United Nations which had to protect, feed, shelter and care for them, but also a situation likely to lead to tribal and civil war.

8. Information obtained by the United Nations from various sources established that Mr. Munongo and his Sûreté officials had conspired, or were attempting, to carry out attacks on United Nations personnel, military as well as civilian. These reports were to some extent confirmed by the occurrence of inspired demonstrations against the United Nations in the first week of September, which resulted in considerable material loss to the UN and in injury to a number of United Nations personnel.
9. Of a much more dangerous character, however, was the menace to the security of the United Nations personnel and property constituted by the terroristic conspiracies and activities of some of the foreign officers in the Katangese armed forces who had thus escaped evacuation measures. Most prominent among them were a group of officers of French nationality, some of whom were unable to return to their own country because of their implication in the recent revolt by French military elements in Algeria. Another group consisted of soldiers of fortune, while a third group were the so-called "volunteers" recruited from amongst foreign settlers in the Congo. Information received to the effect that one such group planned to introduce plastic bombs into the building in which the UN offices in Elisabethville were located compelled the United Nations on 6 September to move its headquarters to one of the military camps. There was also evidence that these officers were organizing a guerilla group among the gendarmerie personnel, that they were maintaining their hold over certain units of the gendarmerie preventing them from co-operating with the UN, and that they organized the attack on the UN garage and the burning of UN vehicles.
10. The day of 9 September was set as the time-limit as of which all foreign military personnel had to report to a United Nations unit for evacuation. By that date, however, only 273 foreign officers and mercenaries had been repatriated and sixty-five were awaiting repatriation. At least 104 foreign personnel were known to have failed to report or to give any account of themselves.<sup>3/</sup> The United Nations representative thereupon called once more on the consuls, asking them to ensure the immediate departure of their nationals, failing which the United Nations would have to resume action for implementing the 21 February resolution by all means at its disposal.

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<sup>3/</sup> See Annex III, S/4940/Add.1, to be distributed shortly.

11. In the morning of 11 September the deputy United Nations representative in Elisabethville was arrested on orders given by a non-Congolese officer of the political police (Sûreté). This was the culmination of a long series of wrongful acts by these officers, including the organization of attacks on the United Nations, repeated threats, and incitements to violence. Moreover, it was impossible to persuade the Baluba refugees to return from the UN camp to their homes as long as they were exposed to threats and arbitrary arrests by, or at the direction of, Sûreté officials. The United Nations therefore requested that all the non-Congolese officers of the Sûreté be evacuated within forty-eight hours.
12. At the instigation of the remaining foreign officers, as well as of the local extremists, heavily armed patrols and guard posts began to be maintained by the gendarmerie at all public buildings and other installations in Elisabethville. The police was reinforced by 300 members of Mr. Munongo's Bayake tribe. Arms were also being distributed to individuals and groups who were not properly trained and disciplined to handle them.
13. On 12 September the "Foreign Minister of the Katanga Government", Mr. Kimba, announced that negotiations had been opened for reinforcing Katangese units with personnel and equipment from Rhodesia.
14. Also on 12 September, UN representatives met with Mr. Tshombe and members of his government in an attempt to obtain a lessening of the tension, a withdrawal or at least reduction of the military elements from the streets in Elisabethville, an end to the inflammatory propaganda, redress of refugee grievances which would permit their return to their homes, and assurance that the evacuation of all personnel falling under paragraph A-2 of the 21 February Security Council resolution would proceed promptly. UN representatives also attempted to persuade the Katanga government to reconcile their political differences with the Central Government by constitutional means and gave assurances concerning Mr. Tshombe's safety if he wished to travel to Leopoldville for discussions. On all these points the answer of the Katangese government was a negative one; they refused emphatically to permit the evacuation of the foreign officers serving in the Katangese Sûreté.

15. In the early hours of 13 September, the UN forces therefore took security precautions similar to those applied on 28 August, and deemed necessary to prevent inflammatory broadcasts or other threats to the maintenance of law and order while the UN resumed carrying out its task of apprehending and evacuating foreign military and para-military personnel. At this point an alert was set since arson was discovered at the UN garage. As the UN troops were proceeding towards the garage premises, fire was opened on them from the building where a number of foreign officers are known to be staying. UN troops were subsequently also resisted and fired at as they were deploying towards key points or while they were guarding installations in the city. UN troops returned fire.

16. While it is yet too early to reconstruct from the incomplete reports the whole story of the events of the day, a report transmitted at noon on 13 September by the Commander of UN forces in Katanga, Brigadier S.K. Rajah, states that the radio station and post office guarded by UN troops were attacked several times and that extensive sniping fire was directed against UN troops and the residence of the UN representative from houses occupied by non-African residents of the city. Non-Congolese officers and mercenaries were observed leading the attacks, directing fire and handling the weapons. On the other hand there is no evidence of any spontaneous or large-scale actions having been taken against the UN by the Congolese personnel of the Gendarmerie.

17. Sporadic sniping and occasional bursts from heavier weapons were reported throughout the day and up to the time of writing this report, the Katanga Radio Station was reported substantially damaged by mortar fire directed at it when the UN sought to use it to appeal for calm and cessation of fire. Casualties so far ascertained include one Indian soldier and one Swedish officer killed, 6 Indian, 3 Swedish, 4 Irish and one Norwegian personnel wounded.

18. The UN representative contacted Mr. Tshombe and attempted to obtain a cessation of the hostilities as soon as possible. A cease-fire was in fact issued by Mr. Tshombe, but was disregarded by the mercenaries involved in the fighting. Throughout the incident, the adjutant of the President, Major Mwamba, assisted the UN headquarters in their efforts to contact responsible authorities who could have used their influence to restore calm.

19. To this end, a meeting was arranged between the UN representative, the United States Consul, Mr. Tshombe and other political and military leaders to take place at noon. Mr. Tshombe and the Congolese leaders did not come to that meeting, however, and contact between them and the UN representative was not re-established up to the time when this report was being drafted. Mr. Kibwe is reported to be in a UN camp.

20. In the afternoon of 13 September, the Central Government of the Republic of the Congo dispatched to Elisabethville a delegation headed by the Commissaire d'Etat for Katanga, Mr. E.D. Bocheley, to assist the provincial authorities in the restoration of law and order. The UN dispatched a team of technical experts to help in the restoration of essential utilities and public services.

ANNEX I

Letter dated 24 August 1961 to the United Nations Chargé de  
Mission in the Congo from the Prime Minister of the Republic  
of the Congo transmitting the text of Ordinance No. 70 of  
the President of the Republic

I have the honour to refer to my letter No. 001148 of 22 August 1961 by which my Government requested the assistance of the United Nations in putting an end to the aggressive activities of the Katanga Gendarmerie and in securing the evacuation of the foreign officers and mercenaries serving in the armed forces of Katanga.

I am taking the liberty of bringing to your attention the text of Ordinance No. 70-1961 issued today by the Head of the State on the advice of my Government and ordering the immediate expulsion from the territory of the Republic of the Congo of all non-Congolese officers and mercenaries serving in the Katanga forces who have not entered into a contractual engagement with the Central Government of the Republic of the Congo.

The Government of the Republic of the Congo requests the assistance of the United Nations in implementing this Ordinance and in securing, in conformity with paragraph A-2 of the resolution adopted by the Security Council on 21 February 1961 and with due respect for considerations of security, the evacuation of the individuals affected by this expulsion order.

I have the honour to be, etc.

(Signed) Cyrille ADOULA



Ordinance No. 70 of 24 August 1961 relating  
to the expulsion of non-Congolese officers  
and mercenaries serving in the Katanga Force

The President of the Republic,

Considering the Fundamental Law of 19 May 1960, in particular its articles 2, 27 and 219;

Considering the decree of 4 June 1956 concerning expulsion, local banishment and prescribed residence;

Considering paragraph A-2 of the resolution adopted by the Security Council of the United Nations on 21 February 1961 requesting that measures should be taken for the withdrawal and immediate evacuation from the Congo of all military and para-military personnel of Belgian and other nationalities not forming part of the United Nations Command as well as of the mercenaries;

Considering the Agreement of Principle dated 17 April 1961 concerning the implementation of that resolution and concerning the assistance to be rendered by the United Nations in that regard;

Considering that it is necessary and urgent to put an end to the aggressive actions of the Katanga Gendarmerie, which are a source of constant suffering to the people and impede the economic rehabilitation of the country;

Considering that these aggressive actions are exclusively attributable to the non-Congolese officers and mercenaries who are commanding and serving in units of the Katanga Forces;

On the proposal of the Ministers of the Interior, of Foreign Affairs and of National Defence;

Orders:

Article 1.

All non-Congolese officers and mercenaries serving in the Katanga Forces who have not entered into a contractual engagement with the Central Government of the Republic of the Congo shall be considered as undesirable aliens who by their presence and their conduct are jeopardizing tranquillity and public order in the country.

Article 2.

All the non-Congolese officers and mercenaries serving in the Katanga Forces who have not entered into a contractual engagement with the Central Government of the Republic of the Congo are expelled from the territory of the Republic of the Congo and must leave Congolese territory forthwith.

Article 3.

The Minister of the Interior and the Minister of National Defence shall be responsible for the fulfilment of this ordinance.

Léopoldville, 24 August 1961.

By the President of the Republic

Joseph Kasa-Vubu

Cyrille Adoula, Minister of National Defence

J. Bomboko, Minister of Foreign Affairs

Ch. Gbenye, Minister of the Interior

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