

CHAPTER VII

QUESTIONS RELATING TO THE SITUATION IN THE REPUBLIC OF
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periods 20 September-20 December 1960 and 7 March-21 April 1961.

CONSIDERATION BY SECURITY

COUNCIL, JULY-SEPTEMBER 1960 (By the Republic of the Congo)

On 13 July 1960, the Secretary-General, acting under Article 99 of the United Nations Charter (which authorizes him to "bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security"), asked for an urgent meeting of the Security Council so that he might report on a demand for United Nations action in

July, the President of the Republic and its Prime Minister had asked him for the urgent despatch of military assistance in order to protect Congolese national territory, complaining that the arrival of Belgian metropolitan troops in the Congo constituted aggression and that the provincial authorities of Katanga had declared secession as a result of "colonialist machinations."

At a meeting of the Security Council held on the night of 13-14 July, the Secretary-General

observed that the only sound and lasting solution to the difficulties which had developed in the Congo was for the instruments of the Government, particularly its security administration, to be rendered capable of ensuring the maintenance of order and the protection of life. Technical assistance, which he had already undertaken at the request of the Congolese Government, would, however, take some time to produce satisfactory results. For the intermediary period, he strongly recommended that the Council accede to the request for military assistance and authorize him to take the necessary steps in consultation with the Congolese Government. It would then be understood that the Belgian Government would see its way to a withdrawal of its troops.

If his recommendation were accepted, the Secretary-General indicated, his actions would be based on principles he had set out in a report of 1958 on previous experience in this field (issued in connexion with the United Nations Emergency Force).² The United Nations Force beyond self-defence; it would not take any action which would make it a party to internal conflicts in the country; and the selection of personnel for the Force would be such as to avoid complications because of nationalities used. He intended to obtain, in the first place, units from African nations, and to exclude units from any of the permanent members of the Security Council.

The Tunisian representative proposed a draft resolution whereby the Security Council would call upon Belgium to withdraw its troops from the Congo and would authorize the Secretary-General to take the necessary steps, in consultation with the Congolese Government, to provide that Government with the necessary military

¹ Unless otherwise indicated, all references to the Republic of the Congo in this section relate to the state, formerly under Belgian administration, with its capital at Leopoldville.

² See Y.U.N., 1958, pp. 52-54.

assistance until it felt that through its efforts with the technical assistance of the United Nations, the national security forces were able to meet their tasks fully.

f During the discussion which followed, members of the Council agreed on the need for approving the Secretary-General's recommendation for the provision of military assistance to the Congo. The representatives of China, France, Italy, the United Kingdom and the United States, however, expressed reservations about the clause in the Tunisian proposal call-

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technical assistance to the Congo and not to permit any degree of recognition for an independent Katanga. He explained that the communication of 17 July from his President and Prime Minister testified to a certain impatience and mistrust which must be seen in its context, and affirmed that his Government continued to rely upon the United Nations and was grateful fo Tw1a638

QUESTIONS RELATING TO THE SI

ends. He explained that his visit to Elisabethville had been

prejudice to the rights and claims of the parties concerned, and had arranged with Belgium for the retention of the necessary number of technicians in a civilian capacity. Delays occurred, however, in the withdrawal of Belgian combat troops, allegedly because of misunderstandings and the inadequacy of means of transport; they led to several protests by the Secretary-General and replies from Belgium between 29 August and 23 September 1960.

The Secretary-General soon became concerned with the problem of external assistance to the Central Government and the Katanga authorities, particularly in view of the Security Council's request of 22 July to all states to refrain from any action which might tend to impede the restoration of law and order and the exercise by the Congo Government of its authority.

On 4 and 8 September, he asked the representative of Belgium for information on Belgian officers attached to the Katanga forces and other groups in armed conflict with the Central Government, and on the unloading of Belgian weapons at Elisabethville. The Belgian representative replied on 9 September that, in addition to Belgian officers who had continued service in the Congo under the terms of the treaty of friendship between Belgium and the Congo, a small number of Belgian experts had been supplied to Katanga's corps de gendarmerie as technical assistance. He claimed that the Katanga authorities had the right to recruit their gendarmerie for the maintenance of order, while refraining from any aggression against the forces of the Central Government, that the withdrawal of Belgian technical assistance would appreciably weaken the forces of order in Katanga, and that such assistance was not contrary to the Council's resolution. He expressed regret that some light Belgian weapons, ordered on behalf of the Force publique before 30 June, had been delivered in Elisabethville owing to the incompetence of an ill-informed official, and assured the Secretary-General that requisite measures had immediately been taken to prevent recurrence of such action.

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Soon after, on 5

stations and encouraged anti-popular diversion-

tinuation of the United Nations operation and felt that assistance to the Congo should be provided through the United Nations and utilized with the co-operation of the Central Government, in order to avoid international

and 2 (Poland, USSR) against, with France abstaining; it was not adopted since one of the negative votes was that of a permanent member.

The representative of the United States then stated that he would not press his draft resolution to a vote. He proposed a new draft resolution to call an emergency special session of the General Assembly to consider the question before the Security Council; it was adopted by 8 votes to 2, with 1 abstention.

CONSIDERATION AT FOURTH EMERGENCY
SPECIAL SESSION OF GENERAL
ASSEMBLY, 17-20 SEPTEMBER 1960

This emergency special session of the General Assembly—the fourth of its kind—was convened on the night of 17 September 1960. It met for six plenary meetings and ended in the early morning of 20 September.

Opening the discussion, the representative of the United States said that, while the Security Council's action in the Congo had been based on the premise that the Congo must not become a battleground in a conflict between the great powers, the USSR had intervened by the despatch of so-called technicians, transport aircraft and trucks to the Congo. By opposing the Ceylon-Tunisia draft resolution in the Council, it had asserted a unilateral right to introduce military personnel and material into the Congo. The consequences of such a position made it necessary for the United States to act without delay. The United States representative asked the Assembly to clarify and reinforce the United Nations mandate, declare that external assistance to the Congo during this critical period should be provided through the United Nations,

Several representatives argued that, though there might be differences of opinion concerning the implementation of the mandate given to the Secretary-General, Member states should not question the good faith and honesty of the Secretary-General. They noted that the Secretary-General had consulted the Security Council on the major questions of policy.

Replying to various criticisms, the Secretary-General said that, contrary to allegations by certain representatives, consultations between the United Nations and the Government of the Congo had been of unusual intensity. He could not, however, permit a sovereign government to turn the United Nations Force into a national force to be used for its own ends. As to criticism that he had not ensured the complete elimination of the Belgian military presence, he pointed out that the Security Council had not adopted enforcement measures and that his power was limited to the moral and legal weight of Council resolutions. Referring to the strong personal attacks by the USSR representative, he said that the General Assembly knew him well enough to realize that he would not wish to serve beyond the point at which such continued service would be, and would be considered to be, in the best interests of the Organization.

A number of representatives emphasized that all assistance to the Congo for military purposes should be provided through the United Nations, that the United Nations operation should be continued, and that the mandate of the United Nations Force should be clearly interpreted so as to permit it to give effective protection to the civilian population against violence. Several representatives stated that, while they recognized the Congo's sovereign right to receive external assistance, they would support a call by the General Assembly against military assistance as a temporary measure to avoid dangerous complications.

Several representatives criticized Belgium for providing assistance to the secessionist forces in the Congo and stressed the need for the withdrawal of all Belgian military personnel. Some other representatives expressed satisfaction that Belgium had withdrawn its troops, and claimed that the danger was no more the Belgian but the USSR intervention. The representative of Belgium, protesting criticisms of his Government,

said that it had withdrawn all combat troops from the Congo and taken steps to prevent the supply of arms to and recruitment of volunteers for Katanga. He agreed that no assistance for military purposes should be sent to the Congo except through the United Nations.

A number of representatives felt that, while the Congo's internal problems should be settled by the Congolese themselves, the United Nations might appeal to the political leaders to settle their differences by peaceful means and might help the process by insulating the internal conflicts from outside influences. They thought that the appointment of a good offices committee might help promote national reconciliation. Others suggested that this was essentially an African problem to the solution of which the African Member states could make a great contribution.

Several representatives stressed the urgent need for economic and financial assistance to the Congo to solve the enormous problems caused by the disruption of its administrative and economic life and the breakdown of public services. They supported the Secretary-General's proposal for the creation of a United Nations Fund for the Congo, but there was

the exercise by the Government of the Congo of its authority, and also to refrain from any action which might undermine the unity, territorial integrity and the political independence of the Republic of the Congo; (5) request all Member states to accept and carry out the Security Council decisions; and (6) without preju-

of partiality in implementing the resolutions and suggested efforts to ensure the normal functioning of the Congolese Parliament and the "legitimate" Government headed by Mr. Lumumba.

Some other speakers advanced various suggestions with regard to United Nations action. Thus, the President of Ghana suggested that the Assembly should make it clear that the over-riding responsibility of the United Nations Force to preserve law and order could only be fulfilled by supporting the parliamentary framework of the state, that the national army should be retrained and reorganized in co-operation with the legitimate Central Government and that the United Nations should act in the Congo through the medium of independent African states.

The President of the United Arab Republic suggested that the situation in the Congo should be restored to what it had been before the recent events.

The Foreign Minister of Liberia stated that a purely African command over the United Nations Force would seem contrary to United Nations principles and that the composition of the Congolese Government could be determined by no Member state as it was a matter for the Congolese people.

The representative of Saudi Arabia saidf So39(tTc)-5b5MemnMe(o)TwM2.1(t)-157he

up consideration of the situation in the Congo, it had before it the second progress report of the Special Representative of the Secretary-General covering the period 21 September—31 October 1960. He said that the situation both in Leopoldville and throughout the provinces had markedly deteriorated because of the complete lack of progress towards a political settlement which could provide a stable and recognized government. Political chaos had spread in a large measure to the provincial governments and the financial and economic situation had also grown steadily worse. The most disturbing development during the period was the steady and often rapid breakdown of law and order, with the Armée nationale congolaise (ANC) becoming the principal fomenter of lawlessness. The eruption of the Army into the political scene inhibited peaceful political activity and constituted one of the greatest menaces to peace and security. Moreover, there had been increasing evidence of the return of Belgian nationals into many phases of public life in the Congo. The activities of a significant number of Belgian advisers who had returned to governmental ministries appeared to be clearly at variance with the basic objectives of ONUC. While the withdrawal of Belgian troops had been completed, with the sole exception of technical personnel required at the Kamina base, Belgian nationals remained in the Katanga gendarmerie and police. Belgian officers had directed and led separatist forces which had been responsible for brutal and oppressive acts of violence in Katanga and Kasai.

The continued constitutional crisis had posed a dilemma for ONUC in complying with the requirements of the General Assembly resolution of 20 September that it should continue to assist the Central Government in the restoration and maintenance of law and order. ONUC's efforts to maintain an attitude of strict impartiality had led to frequent criticism and hostility of the rival contenders for power. On 20 September 1960, the President had issued an ordinance designating a college of 14 commissioners-general and 14 commissioners, following their installation by a military occupation of the administrative buildings under the orders of the Army Chief of Staff. Mr. Lumumba and certain other parliamentarians had demanded that ONUC should counter the actions of the Congo-

lese troops. On 27 and 28 September, the President and Mr. Ileo had announced that a round-table conference of the principal political leaders of the six provinces would be convened by the College of Commissioners-General within a

and 19 October, he had conveyed to the former his opinion that no technical or financial aid should be furnished to the Congo except through the United Nations and had requested that the Belgian Government withdraw the military, para-military or civil personnel which it had placed at the disposal of various Congolese authorities and henceforth channel all aid to the Congo through the United Nations. He had pointed out that the agreements entered into between Belgian technicians and various Congolese authorities had not been approved by any Government or authority that could rightly claim to be the legitimate Central Government of the Congo. In a reply of 28 October, the representative of Belgium contended that the Secretary-General's request for the removal of Belgian technicians had no legal basis and constituted interference in the domestic affairs of the Congo and that the withdrawal of Belgians would only hinder the functioning of the administration and economy, as well as efforts to re-establish order. Again on 29 October, the Secretary-General drew the urgent attention of the Belgian representative to the despatch of members of the Congolese National Army and of the so-called Katanga army to Belgium for military training, and indicated that such arrangements were contrary to the letter and spirit of the General Assembly resolution of 20 September.

Also on 8 October, the Secretary-General had asked Mr. Tshombe, the president of the Katanga provincial government, for his co-operation in connexion with the withdrawal of Belgian personnel and suggested efforts to resolve the Katanga problem in a spirit of conciliation and unity in the interests of the future of the Congo and of international peace. He felt that if the Belgian factor could be fully circumscribed and eliminated, and if the groundwork could be laid for a reconciliation between Katanga and the rest of the Congo, the disquieting situation in Leopoldville might be rectified and the way towards a pacification of the country would be opened.

In a reply of 27 October, Mr. Tshombe had claimed that the confused situation in Leopoldville had prevented a study of possible new structures of the Congolese community, rejected the contention that the presence of Belgian personnel in the Congo had contributed to

continuing tension, and objected to any proposal to replace Belgian personnel in Katanga

Guinea, USSR and Poland argued in support of the eight-power draft resolution that the Government headed by Mr. Lumumba was the only legal government since it alone received the confidence of the Parliament. They emphasized the importance of convening the Parliament so that normalcy and legality might be restored in the country.

Referring to the Special Representative's report, the spokesmen for Poland and the

courage elements opposed to him and hinder such co-operation.

Several representatives indicated that they would abstain on the vote since the political and constitutional position in the Congo continued to be confused and since a stand in favour of one party or another might hamper the work of the Conciliation Commission. Some others stated that they would prefer not to vote on the Committee's recommendation but would feel obliged to endorse it if it was put to the vote. The representative of Nigeria stated that, as Chairman of the Conciliation Commission, he would not participate in the vote.

At the two plenary meetings of the Assembly on 22 November, two moves were made to postpone a vote on the Credentials Committee's recommendation. The representative of Ghana proposed adjournment pending a report by the Secretary-General on the incidents on the previous night between members of the United Nations Force guarding the residence of the Ghana Chargé d'Affaires in Leopoldville and the Congolese army.⁶ The motion was rejected by a vote of 50 to 34, with 13 abstentions. The Assembly also rejected, by 47 votes to 32, with 16 abstentions, a motion by the representative of Mali for an adjournment of the debate pending publication of a letter from the President of the Congo to the Secretary-General on his attitude towards the Conciliation Commission.

At its second plenary meeting of 22 November, the Assembly rejected by a roll-call vote of 50 votes to 32, with 14 abstentions, the Guinean amendment (to the Credentials Committee's draft) to postpone a decision. The Credentials Committee's recommendation was adopted by a roll-call vote of 53 to 24, with 19 abstentions, as resolution 1498 (XV).

As a consequence of this decision, the representatives of Guinea and Mali announced that their Governments would withdraw from the Conciliation Commission for the Congo (see below). In communications of 27 November and 3 December respectively, the Presidents of Ghana and Mali expressed their view that the Assembly's decision accepting credentials issued by the Chief of State of the Congo, who had been appointed by the Parliament, implied recognition of the Lumumba Government endorsed by the Parliament.

ESTABLISHMENT OF THE CONCILIATION COMMISSION

Meanwhile, on 5 November 1960, the Advisory Committee on the Congo established a Conciliation Commission for the Congo consisting of representatives of Ethiopia, the Federation of Malaya, Ghana, Guinea, India, Indonesia, Liberia, Mali, Morocco, Nigeria, Pakistan, Senegal, Sudan, Tunisia and the United Arab Republic. The Commission's terms of reference were to study the situation and make efforts, without interference in the internal affairs of the Congo, towards the attainment by the Congolese of solutions that would be conducive to the maintenance and strengthening of the country's unity, territorial integrity and political independence, within the framework of the constitutional and legal structure of the Republic and the resolution of the fourth emergency special session of the General Assembly. The Commission was asked to endeavour, in particular, to assist in decisions being reached with a view to the speedy restoration of parliamentary institutions.

The Commission held its first meeting in New York on 17 November, elected its officers, with Jaja Wachuku of Nigeria as Chairman, and decided to assemble in Leopoldville on 26 November. The President²³⁶ 57.1(e)11.2A8a494 o088(f)-1-21.9

Secretary-General reported that the provincial authorities in Stanleyville had threatened re-

legal Government. He opposed the four-power draft resolution on the grounds that it was intended to lead the Security Council away from the necessary and urgent measures and that it implied approval of crimes committed by Colonel Mobutu.

The sponsors of the four-power draft resolution argued that the General Assembly's decision on the Congo's representation implied that Mr. Tttt

hand, opposed consideration of the question in the Council and the adoption of any resolution as interference in the domestic affairs of the Congo.

The representative of the Congo (Leopoldville) called for United Nations action concerning the Parliament members imprisoned in Stanleyville, complaining that they had been grossly ill-treated.

In reply to various comments in the Council concerning the United Nations operation, the Secretary-General pointed out that any action by force to liberate Mr. Lumumba, or to disarm the Armée nationale congolaise (ANC) under Colonel Mobutu, would mean ov

ment but was a hostile act against the United Nations. They requested immediate steps to restore the legal position of the United Nations and adequate measures against those responsible.

On 15 December, an Austrian medical unit of ONUC in Bukavu was imprisoned by local authorities. After repeated efforts to obtain their release had failed, owing to the resistance of Congolese soldiers acting in disregard of the orders of the local authorities and their own officers, the Nigerian unit of the United Nations Force was obliged to secure their release by a military operation on the next day.

CONSIDERATION BY GENERAL
ASSEMBLY, 16-20 DECEMBER 1960

The General Assembly resumed discussion of
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grave deterioration of the situation in the Congo and the threat of a civil war. Calling for measures to ensure effective functioning of the United Nations in the Congo, they argued that the mandate given to the Secretary-General was adequate but needed to be interpreted more liberally and exercised more fully than in the past in view of the changed situation. They criticized the two-power draft resolution as providing for the acceptance of the fait accompli in the Congo and as ignoring that the Chief of State had delayed the visit of the Conciliation Commission, opposed the convening of the Parliament and become a party to political disputes.

The sponsors and supporters of the United Kingdom-United States draft resolution claimed that the proposals contained in the eight-power text would: exceed the limits of the competence of the United Nations and the decisions of the Security Council; constitute interference in the internal affairs of the Congo and a violation of the sovereignty of that Member state; and impose unconstitutional and impractical responsi-

debate on the representation of the Congo, Member states had been deeply divided, he asked that the dangerous influence of this division on the Organization's efforts should not be overlooked.

On 20 December, the Assembly rejected the eight-power draft resolution by 42 votes to 28, with 27 abstentions. The United Kingdom-United States draft resolution received 43 votes in favour, 22 against, and 32 abstentions, but was not adopted since it failed to obtain the required two-thirds majority. The Assembly then adopted, without objection, a resolution (1592 (XV)) on a proposal by Austria whereby the Assembly, noting that previous resolutions of the Security Council and the General Assembly on the subject were still in effect, decided to retain the item on the agenda for the second part of the Assembly's session (scheduled to resume in March 1961).

On 21 December 1960, the Secretary-General drew the attention of the President of the Congo to the discussion in the Assembly and emphasized that, though a definitive decision had not been adopted, Member states had shown a strong concern about the relationship between the United Nations and the Congolese authorities. The discussion had shown widespread and strong opinion that the convening of Parliament and the return to democratic practices was a matter of great urgency, that due process of law should be applied, and that Member states should refrain from assistance for military purposes in the Congo. The Secretary-General also expressed his concern about a developing civil war in the Congo that would have its unavoidable effect upon the presence of the United Nations Force. He concluded that the time had come for the President to use his influence urgently for a peaceful solution of the Congo's internal problems and to make an unequivocal declaration against interference with the United Nations Force in the performance of its tasks.

CONSIDERATION BY SECURITY

between 12 and 14 January. The representatives of Belgium and the Congo (Leopoldville) were invited, at their request, to participate in the Council's deliberations.

Ceylon, Liberia, and the United Arab Republic submitted a draft resolution whereby the Council would: (1) call upon Belgium, as the Administering Authority of the Trust Territory of Ruanda-Urundi, immediately to cease all action against the Republic of the Congo and to observe strictly its international obligations; (2) further call upon Belgium to withdraw immediately from the Congo all Belgian military and para-military personnel, advisers and technicians; and (3) recommend that the General Assembly consider the action taken by Belgium as a violation of the trusteeship agreement.

Several other members of the Council, however, considered the accusations against Belgium as unfounded or exaggerated, and expressed satisfaction with the Belgian assurances. The

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The representative of France contended that the Congolese complaint against the United Arab Republic was well-founded, that the question of prisoners was part of the general problem of human rights, that the United Nations should take action to stop the violation

the Member states for which the Organization
was of decisive importance or the

with a view to the elimination of any possibility of their interference in the political life of the Congo; and (7)

the second three-power resolution was revised by its sponsors. By this revised text, the Council,

the Indian Government would despatch a brigade to the Congo as reinforcements to help in

movement. Many persons in Leopoldville, including wives and children who were without means of livelihood in the area, were not permitted to return to their homes in Stanleyville and other areas, while numerous Congolese and Europeans in Orientale and Kivu provinces were not allowed to leave those areas. ONUC repeatedly made representations on this matter and tried to impress on the authorities con-

On 22 February, the President of the Congo informed the Security Council that his Government was of the view that the United Nations had no authority to lay down a procedure for the employment of foreign technicians, to conduct investigations in the Congo without the prior agreement of the Government, or to

QUESTIONS RELATING TO THE SI

The Secretary-General felt that the Belgian position was not fully satisfactory since, in his view, the Belgian Government was under a legal obligation to take all measures to the full extent of its power, including adaptation of national legislation if necessary, to give effect to the mandatory decision of the Security Council, without making any exceptions. On 8 March, he appointed Ambassador Taieb Sahbani of Tunisia as his representative to work out the necessary arrangements with Belgium for applying the Security Council resolution. The Belgian Government delivered a note to Mr. Sahbani on 1 April reiterating that the withdrawal of persons employed by the Congolese authorities posed certain difficulties and suggesting that the departure and replacement of these personnel be discussed by representatives of the Secretary-General and the Congolese and Belgian authorities.

Meanwhile, on 2 March, after the reply from Belgium concerning steps it would take to implement the resolution, the Secretary-General wrote to the President of the Congo asking for his co-operation in ensuring the withdrawal of foreign personnel, and offering United Nations assistance, including the provision of personnel to assume legitimate and necessary protective functions. As a first step, he called for accurate and comprehensive information concerning personnel covered by the provisions of the Security Council resolution and the steps he was taking to comply with the resolution.

Also on 2 March, the Secretary-General ad-

of the President of the Republic; that the re-organization must embrace the whole country; that the re-organization plan should be drawn up by a National Defence Council set up by the President and including Congolese and United Nations officers; and that the Congolese Government should have the right to accept or reject the technicians proposed.

On 16 March 1961, the Secretary-General informed the President of the Congo that his suggestions could to some extent serve as the starting point for a joint study, and that Mr. Gardiner and Mr. Nwokedi had been asked to consult with him on the matter.⁹

(vi) Investigation of Circumstances of Deaths of Mr. Lumumba and his Colleagues. After discussion of the means to implement the provision of the Security Council resolution concerning the investigation of the death of Mr. Lumumba and his colleagues, the Advisory Committee on the Congo recommended that a Commission of four members, nominated by the Governments of Burma, Ethiopia, Mexico and Togo, be set up to conduct the investigation, and suggested

It noted that the Chief of State had dissolved the Council of Commissioners-General on 9 February and replaced it by a "provisional government" headed by Mr. Joseph Ileo, and that Mr. Ileo had told the Commission that he intended to broaden its base so as to make it a national unity government. The Commission considered this move an encouraging step toward an early return to constitutionality, though the Ileo government could not be considered legal until it was approved by Parliament. The "provisional government" could not, however, bring about an improvement of the situation or contribute to the solution

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illegal and aimed at the disintegration of the Congo.

Several other representatives expressed confidence in the Secretary-General and criticized proposals for the re-organization of the Secretariat. They argued that the attacks against the Secretary-General were designed to wreck the authority and effectiveness of the United Nations, and were particularly detrimental to the interests of small states. Several representatives suggested that the question of the structure of the Secretariat of the United Nations should not be linked to the question under discussion. A number of representatives opposed the USSR proposal for the termination of the United Nations operation within a month as it was likely to lead to anarchy and chaos.

Several representatives supported the last resolution of the Security Council. They expressed grave concern over the conflicts between Congolese armed units and .3(N)7.50807 74s

Congo's membership in the United Nations would be affected if President Kasa-Vubu repudiated the Loi fondamentale and implemented the decisions of the Tananarive Conference. Some representatives claimed that only the Parliament could modify the constitution and that the Tananarive Conference could not be considered as the summit meeting

Volta. The Assembly thereby would: (1) take note of the report of the Conciliation Commission; (2) reaffirm the previous resolutions of the Assembly and the Security Council, "more particularly the Security Council resolution of 21 February 1961"; (3) call upon the Congolese authorities concerned to desist from attempting a military solution to their problems; (4) consider it essential that the Secretary-General should immediately take necessary and

with 23 abstentions, as resolution 1600 (XV).

The USSR draft resolution was rejected by a roll-call

- S/4498. Communication of 10 September 1960 from Prime Minister of Congo.
- S/4499. Letter of 10 September 1960 from Representative of Ghana.
- S/4500 and Add.1. Cable of 10 September and message of 11 September 1960 from President of Congo.
- S/4502. Cable of 10 September 1960 from President of Congo.
- S/4503. Note verbale of 5 September 1960 from Secretary-General to USSR delegation and Note verbale of 10 September 1960 from USSR delegation to Secretary-General.
- S/4504 and Add.1. Letter of 11 September 1960 from Secretary-General to President of Security Council enclosing communications from Prime Minister and President of Congo, and cable of 11 September 1960 from President of Congo.
- S/4505 and Add.1,2. Messages and memorandum of 11 September 1960 from Special Representative of Secretary-General in Congo.
- S/4506. Letter of 12 September 1960 from Representative of USSR.
- S/4507. Cable of 13 September 1960 from Prime Minister of Congo.
- S/4508. Report by Secretary-General on credentials of Representative of Indonesia.
- S/4509. Letter of 13 September 1960 9me

"Taking note of the resolutions of 14 July, 22 July and 9 August 1960 of the Security Council,

"Taking into account the unsatisfactory economic and political conditions that continue in the

- A/4560. Exchange of messages between President of Congo and President of General Assembly.
- A/4578. First report of Credentials Committee, containing draft resolution submitted by United States (A/CR/L.4) and adopted by Committee on 10 November 1960, meeting 38, by 6 votes to 1 [Morocco and United Arab Republic did not participate in vote].
- A/4598. Cable of 27 November 1960 from President of Ghana.
- A/L.319. Guinea: draft resolution.
- A/L.319/Rev.1 and Add.1.2. Ceylon, Ghana, Guinea, India, Morocco, United Arab Republic: draft resolution.
- A/L.319/Rev.2. Ceylon, Ghana, Guinea, India, Indonesia, Mali, Morocco, United Arab Republic: draft resolution.
- A/L.322 and Rev.1. Guinea: amendment to draft resolution recommended by Credentials Committee, and revision.

RESOLUTION 1498 (xv), as submitted by Credentials Committee, A/4578, adopted by Assembly on 22 November 1960, meeting 924, by roll-call vote of 53 to 24, with 19 abstentions, as follows:

In favour: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Cameroun, Chad, Chile, China, Colombia, Congo (Brazzaville), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, France, Gabon, Greece, Guatemala, Haiti, Honduras, Iceland, Italy, Ivory Coast, Japan, Jordan, Laos, Luxembourg, Madagascar, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Senegal, Spain, Thailand, Turkey, Union of South Africa, United Kingdom, United States, Uruguay.

Against: Afghanistan, Albania, Bulgaria, Byelorussian SSR, Ceylon, Cuba, Czechoslovakia, Ghana, Guinea, Hungary, India, Indonesia, Iraq, Mali, Morocco, Poland, Romania, Saudi Arabia, Togo, Ukrainian SSR, USSR, United Arab Republic, Yemen, Yugoslavia.

Abstaining: Burma, Cambodia, Canada, Central African Republic, Ethiopia, Federation of Malaya, Finland, Iran, Ireland, Israel, Lebanon, Liberia, Libya, Pakistan, Somalia, Sudan, Sweden, Tunisia, Venezuela.

"The General Assembly,

"Accepts the credentials of the representatives of the Republic of the Congo (Leopoldville) issued by the Head of State and communicated by him to the President of the General Assembly in a letter dated 8 November 1960."

S/4592. Letter of 9 December 1960 from Representative of USSR.

S/4593. Telegram of 9

- munications from Secretary-General to President of Congo, to Mr. Tshombe and to Mr. Gizenga, and from Special Representative of Secretary-General in Congo to Messrs. Gizenga, Manzikala, Lundula and Kashamura.
- S/4637/Add.1. Message from Mr. Tshombe received by Secretary-General on 1 February 1961.
- S/4639. Cable of 24 January 1961 from President of Congo and President of College of Commissioners-General and Commissioner-General for Foreign Affairs.
- S/4640. Report by Secretary-General on intended withdrawals of certain contingents from United Nations Force in Congo.
- S/4641. Letter of 26 January 1961 from Permanent Representatives of Ceylon, Ghana, Guinea, Mali, Morocco, United Arab Republic and Yugoslavia.
- S/4643. Exchange of communications between Secretary-General and President of Congo.
- S/4644. Letter of 29 January 1961 from Permanent Representative of USSR.
- S/4646. Cable of 27 January 1961 from Permanent Representative of Mali.
- S/4648. Telegram of 30 January 1961 from Minister of External Affairs of India.
- S/4649. Communications to Secretary-General from Permanent Representative of Belgium: note verbale of 30 January 1961.
- S/4650. Note of 29 January 1961 from Permanent Representative of Libya.
- S/4651. Letter of 21 January 1961 from Secretary-General to Permanent Representative of Belgium.
- S/4652. Letter of 30 January 1961 from Permanent Representative of India.
- S/4653. Letter of 30 January 1961 from Permanent Representative of Czechoslovakia.
- S/4654. Letter of 31 January 1961 from Permanent Representative of Yugoslavia.
- S/4655. Cable of 31 January 1961 from Minister for Foreign Affairs of Indonesia.
- S/4656. Lf Y

- S/4693. Letter of 13 February 1961 from Permanent Representative of Gabon.
- S/4694. Cable of 13 February 1961 from President of Senegal.
- S/4695. Cable of 13 February 1961 from Chief of State and President of Council of Chad.
- S/4697. Cable of 13 February 1961 from President of Upper Volta.
- S/4698. Cable of 13 February 1961 from His Majesty the King of Morocco.
- S/4699. Telegram of 13 February 1961 from Permanent Representative of Cameroun.
- S/4700. Cable of 13 February 1961 from Minister for External Affairs of Cuba.
- S/4701. Letter of 13 February 1961 from Permanent Representative of Yugoslavia.
- S/4702. Cable of 14 February 1961 from Secretary of State for Presidency and National Defence of Tunisian Government.
- S/4703. Cable of 14 February 1961 from President of Guinea.
- S/4704. Letter of 14 February 1961 from Permanent Representative of USSR.
- S/4705. Cable of 14 February 1961 from President of Mali.
- S/4706. USSR: draft resolution, rejected by Council on 20 February 1961, meeting 942, by 1 vote to 8, with 2 abstentions.
- S/4707. Letter of 14 February 1961 from Permanent Representative of Czechoslovakia.
- S/4709. Letter of 15 February 1961 from Permanent

REPORT OF THE UNITED NATIONS
CONCILIATION COMMISSION
FOR THE CONGO

A/4696. Note from Advisory Committee on Congo transmitting two messages from Chairman of United Nations Conciliation Commission for Congo.

A/4711 and Corr.1, and Add.1 and 2. Report of United Nations Conciliation Commission for Congo.

CONSIDERATION BY GENERAL
ASSEMBLY, MARCH-APRIL 1961

GENERAL ASSEMBLY—15TH SESSION

Plenary Meetings 961, 965, 967-972, 974-980, 982-985, 987.

A/4696. Note from Advisory Committee on Congo transmitting two messages from Chairman of United Nations Conciliation Commission for Congo.

A/4697. Letter of 20 February 1961 from Charge d'Affaires, a.i., of Ghana.

A/4698. Letter of 14 February 1961 from Permanent Representative of Czechoslovakia.

A/4702. Letter of 15 February 1961 from Minister for Foreign Affairs of Albania.

A/4707. Letter of 9 March 1961 from Vice-Chairman of delegation of Congo.

A/4711 and Corr.1, and Add.1,2. Report of United Nations Conciliation Commission for Congo.

A/4732 (S/4790). Report from Acting Special Representative of Secretary-General in Congo concerning interrogation of 30 mercenaries apprehended in Kabalo on 7 April 1961.

A/4733 (S/4791). Report from Acting Special Representative of Secretary-General in Congo concerning civil war situation in Katanga and United Nations action in implementation of Security Council resolution of 21 February 1961.

A/L.339 and Add.1-5. Burma, Cambodia, Ceylon, Ethiopia, Federation of Malaya, Ghana, Guinea, India, Indonesia, Iraq, Liberia, Libya, Mali, Morocco, Nepal, Saudi Arabia, Sudan, Togo, United

of the Government officials involved and, in practice, most of the senior consultants were invited to work directly with the Ministries.

The broad fields in which the United Nations gave assistance to the Congo, and for which senior consultants had been appointed, as of 15 March 1961 were as follows: agriculture, communications, education, finance, foreign trade, health, judicature, labour, instruction (of military forces), natural resources, and public administration. Under each senior consultant, there was a technical advisory team to carry on the day-to-day operational and instructional functions necessary in the various fields.

At the end of January 1961, after more than six months of activity, the entire Civilian Operations Mission numbered 204 people of 31 different nationalities. In addition, through an arrangement with the International Red Cross (see p. 114, below), there were 25 Red Cross teams working with the United Nations Mission.

The Mission represented a combined effort of the

lems, such as: the outbreak of rinderpest in Equator province (for which vaccine was supplied in January 1961); the agricultural aspect of the refugee relief programme (which is described in the section on OTHER CIVILIAN ACTIVITIES, p. 116); the selection of public works projects in the agricultural field; and the initiation of training courses for agricultural workers. A three-year course for agronomists was begun at Lovanium University in October, and 25 students were accepted for the first year.

COMMUNICATIONS

As a result of the large-scale departures of Belgian technicians before and immediately after independence, the continuance of many of the communications facilities of the Congo had to be assured by United Nations personnel. Their assistance was provided in the fields of rail and river transport, civil aviation, telecommunications and postal services, meteorology and radio

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Meteorology. The chief of the meteorological team and the nine experts and advisers who were assigned by the World Meteorological Organization (WMO) during the first six-month period devoted their time primarily to the re-activation of weather forecasting services for the normally heavy air traffic. This objective was partially achieved, despite substantial difficulties in assuring the transmission of the necessary weather information from one part of the country to the other, and from outside the Congo. One means by which the chief meteorological adviser overcame the transmission problem was by making an arrangement with the authorities in Brazzaville whereby their weather maps covering Africa and most of Europe were picked up once a day by United Nations helicopter and brought across the river.

A second objective of the team was the training of Congolese meteorologists, and, for this

QUESTIONS RELATING TO THE SITUATION IN THE CONGO

theless, the presence at that time of eight United Nations customs specialists, the opening of a training course for Congolese inspectors, and preliminary negotiations with authorities of contiguous territories were hopeful signs.

5. Advice on the status of the para-statal organizations—the autonomous bodies in the fields of public utilities, social services, finance and research and resources, which are under Government control; guidance in the preliminary negotiations by which the administration of these organizations—the backbone of the Congo economy—would be transferred from Brussels to Leopoldville; help, through United Nations experts sent to Brussels, in gathering information as a basis of negotiation.

6. Gathering of information, through an economic analysis and policy unit attached to the finance team, about all phases of the Congo economy—this information to be used as an aid in advance planning.

FOREIGN TRADE

A senior consultant, an expert in foreign trade and a specialist in commodity marketing were assigned by the United Nations to the Civilian Operations Mission at a time when the following situation prevailed: (i) foreign exchange reserves were practically exhausted; (ii) foreign currency proceeds from the reduced level of exports were not being received into the Central Treasury; and (iii) the lack of exchange had brought imports to a standstill and put an end to non-commercial transfers.

The foreign trade experts concentrated their efforts on the establishment of an export-import control system which would assure that foreign exchange proceeds from exports would be available for the use of importers. This system was adopted by Congolese authorities and the necessary legislation signed by the Chief of State on 3 October 1960.

Thereafter an Office de Changes and an Office des Licenses were opened under the authority of the Commission de Changes. Thereafter, the role of the United Nations experts consisted of watching over the activities of these offices, training their staff on an in-service basis and developing the principles and systems for distribution of the available foreign currency in accordance with the most urgent needs of the

country. In developing this priority system, they had to cope with the realities of a foreign debt accumulated in earlier months, a decrease in the already insufficient volume of exports and a need to import some items (such as rice) which were available domestically before the disorders in the interior.

HEALTH

Between July 1960 and February 1961, some 60 experts provided by the World Health Organization (WHO) and 100 doctors and medical aides provided by the International Red Cross helped the Congo to keep its basic health services going and to prepare its own people eventually to take over these services.

The presence of some 25 Red Cross teams provided at the request of the United Nations by various countries belonging to the League of Red Cross Societies, assured the maintenance of hospital service in five provinces. Since many of these hospitals had been left in July without surgeons, doctors and supervisory personnel, the assignment of the Red Cross teams was an emergency measure of the first priority. Another was the organization of mobile teams of United Nations and Congolese medical aides to reactivate preventive services in rural areas at a time when epidemics were threatened. Towards the end of 1960, the United Nations began to assign a first group of district medical officers to carry on this preventive work as United Nations employees, until their services could be transferred directly to the Congolese Government. By the end of January, there were 13 such officers, with health team was

its participation in the refugee relief programme described below in the section on OTHER CIVILIAN ACTIVITIES. A fourth (the health and social—begin-)]TJ10.2489

tems. As at the beginning of February 1961, ll

time that the country achieved independence, and only a handful of students in advanced medical courses. Against this background, the United Nations attempted to accelerate the rate of training in the various categories of medical education; first, by sending 68 young men to Europe for courses leading to a doctor of medicine degree; secondly, by adding Civilian Operations staff to the faculty of Lovanium University so that the student enrolment could be expanded; thirdly, by organizing various courses at the local level—such as a course for sanitarians.

During the entire period, the United Nations health advisers worked in close collaboration with the Central Ministry of Health, guiding the new officials in the area of policy making and in dealing with the day-to-day health situation. As far as the political situation allowed, this guidance was also extended to the provincial ministries of health.

JUDICATURE

The United Nations provided the services of a senior legal consultant and a police instructor.

The consultant studied possible solutions to a situation whereby only a handful of the people who exercised legal functions within the judicial system of the Congo remained in the month after independence—and whereby the first Congolese lawyer was to graduate in a year's time. During the six months of his assignment, he explored the means by which the United Nations would recruit lawyers from abroad for service until a cadre could be trained locally. While political conditions in the country made it impossible to implement his plan immediately, preliminary steps were taken towards such recruitment. The consultant also took part in the organization of a school of law and administration (which is described in the section on PUBLIC ADMINISTRATION, p. 116). In addition to preparing the basis for legal courses to be given at this new school, he made proposals for revising the existing law courses at Lovanium University, to adapt them to the more pressing needs of the country. Finally, he collaborated in the drafting of new laws governing the Congolese civil

made it impossible to carry out the other activities visualized. Nevertheless, the United Nations intensified its efforts to advise on the necessary re-organization and training and to encourage the professional spirit prerequisite to any real programme of instruction.

NATURAL RESOURCES

From the last week of August until the end of September 1960, a senior consultant in the field of natural resources studied the status of the mining situation with a view to suggesting future policy to the Government. Towards the end of his assignment, he visited Katanga Province and established contact with the officials of the Union Minière company. Through Union Minière, he was able to study extensively their mining, metallurgical, electrical and social activities in one of the important districts of the Province.

A second expert in mining studied the state of the mining industry in the other provinces.

PUBLIC ADMINISTRATION

There were two United Nations senior consultants in the field of public administration, one serving from the end of July until the beginning of

have the most immediate impact on the economy of the country.

A month later, the United Nations made another \$630,000 available and, on 30 January 1961, an additional \$500,000 to assure the continuance and/or expansion of these projects which—by the end of January 1961—were employing a total of 4,000 workers. They were divided among the provinces as follows:

(a) Equator Province. Drainage of low-lying residential areas in the town of Coquilhatville, which are flooded during the rainy season. Began January 1961; contract for 4.5 million Congolese francs, to employ 200-500 workers, for about 8 months.

(b) Leopoldville Province. Swamp drainage in vicinity of capital city to reclaim land for agricultural production. Began October 1960; 2,300 workers employed.

(c) Kasai Province. Three projects in Luluabourg: (i) water supply to Luluabourg airport; (ii) road works in Luluabourg communes; (iii) municipal maintenance of road works and drainage. Began October 1960, with contracts for 4.1 million Congolese francs; 1,000 workers employed.

(d) Kivu Province. Roads and drainage in Bukavu—although continuing, affected and handicapped by political developments.

(e) Orientale Province. Farm resettlement project which has also been proceeding slowly, but with difficulty, as a result of political conditions.

The difficulties experienced in the eastern provinces and the general lack of security for the engineers whose exploratory work often brought them into unprotected areas acted to keep United Nations participation in the public works programme at a lower level than originally planned. The original list of

S/4387 of 14 July 1960 and S/4405 of 22 July 1960. Addendum 5: Memorandum by Secretary-General on organization of United Nations Civilian Operations in Republic of Congo.

S/4482. Fourth report by Secretary-General on implementation of Security Council resolutions S/4387 of 14 July 1960, S/4405 of 22 July 1960, and S/4426 of 9 August 1960.

GENERAL ASSEMBLY—FOURTH EMERGENCY SPECIAL SESSION

Plenary Meeting 863.

A/L.292/Rev.1. Ceylon, Ethiopia, Ghana, Guinea, Indonesia, Iraq, Jordan, Lebanon, Liberia, Libya, Morocco, Nepal, Saudi Arabia, Sudan, Tunisia, United Arab Republic, Yemen: draft resolution.

RESOLUTION 1474(ES-IV), as submitted by 17 powers, A/L.292/Rev.1, adopted by Assembly on 20 September 1960, meeting 863, by roll-call vote of 70 votes to 5 : 0 abstentions. TD7 -85()abst

ber 1960 were submitted by the Secretary-General to the General Assembly on 24 October 1960. These estimates, totalling \$66,625,000, provided for the organization, operation and maintenance during 1960 of a United Nations Force in the Congo totalling 20,000 men, as well as for the expenses of the Office of the Personal Representative of the Secretary-General, the Supreme Commander and his General Staff, the Office of the Chief of the United Nations Civilian

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opinion, ran counter to the decisions of the Security Council and the General Assembly and were therefore illegal.

On 15 December 1960, on the basis of a revised proposal by Pakistan, Senegal and Tunisia, the Fifth Committee approved by a roll-call vote of 41 to 15, with 25 abstentions, a draft resolution on the ONUC estimates for 1960. This was subsequently adopted at a plenary meeting of the Assembly on 20 December, by 46 votes to 17, with 24 abstentions, as resolution 1583 (XV).

The General Assembly thereby recognized that the expenses involved in the United Nations operations in the Congo for 1960 constituted "expenses of the Organization" within the meaning of Article 17, paragraph 2, of the Charter, and that the assessment thereof against Member states created binding legal obligations on such states to pay their assessed shares. It noted with appreciation the willingness of certain Members not to request reimbursement for the cost of air transport facilities they had provided to move troops and supplies to the Congo, and that additional financial assistance had been pledged voluntarily which would enable a reduction to be made in the level of assessment of those Members having the least capacity to pay. Among other things, the Assembly decided to establish an ad hoc account for the expenses of the United Nations in the Congo; it approved the Advisory Committee's recommendation that the total 1960 requirements should be held to \$60 million, noted that the waiver of airlift costs announced by certain Governments would reduce the level of expenses to the amount of \$48.5 million, and decided that this amount should be apportioned among the Member states on the basis of the regular scale of assessment subject to reductions, within the amount of voluntary contributions, of up to 50 per cent for Member states which were admitted during the fifteenth session of the General Assembly and for other states which received assistance during 1960 under the Expanded Programme of Technical Assistance. The resolution also called upon the former administering power of the Republic of the Congo (Leopoldville) to make a substantial contribution in order that it could be applied to reduce further the assessment of the Member states referred to above.

Actual expenditures during 1960 for ONUC, including unliquidated obligations, totalled \$48,432,153 and the unencumbered balance, as at 31 December 1960, was \$67,847. The Secretary-General, in his financial report for the year

and operations of the Force after 31 December 1960.

The Secretary-General undertook to submit estimates for the continuing costs of m

the nature of the costs involved, and emphasized that the approval of the estimates for the financial year 1961 or any particular future portion therefore could not be considered as a prejudgement of the duration, nature and scale of the operations.

The Fifth Committee, however, devoted most of its attention to the means of financing the costs of the operations.

1961 COST ESTIMATES AND FINANCING
(DECISION OF 3 APRIL 1961)

On 30 March 1961, the Fifth Committee considered the question of the expiration on 31 March 1961 of the expenditure authorization contained in General Assembly resolution 1590 (XV), and approved by 38 votes to 9, with 29 abstentions, a

upon the Government of Belgium, a state directly concerned with the situation in the Republic of the Congo (Leopoldville), to make a substantial contribution; it was decided to apply these additional contributions of Member states to offset the deficit resulting from the implementation of the authorized reductions in the assessments of certain Member states.

ADMINISTRATIVE AND BUDGETARY
PROCEDURES OF UNITED NATIONS

The second draft resolution, which dealt with the examination of the administrative and budgetary procedures of the Organization, was submitted to the Fifth Committee by Canada and amendments to it were submitted jointly by Colombia, Mexico, Peru and Venezuela. The draft resolution, as amended, was approved by the Committee by a roll-call vote of 26 to 24, with 29 abstentions. It was adopted, with the deletion of two preambular paragraphs, by a 162-0-8835

Committee on 15 December 1960, meeting 819, by

ville), Denmark, Federation of Malaya, Finland, Gabon, Greece, Iceland, Iran, Ireland, Israel, Italy, Japan, Liberia, Luxembourg, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Panama, Paraguay, Portugal, Senegal, Sudan, Sweden, Thailand, Tunisia, Turkey, United Kingdom, United States, Uruguay.

Against: Albania, Bulgaria, Byelorussian SSR, Czechoslovakia, Guinea, Hungary, Morocco, Poland, Romania, Ukrainian SSR, USSR.

Abstaining: Afghanistan, Belgium, Bolivia, Burma, Cambodia, Central African Republic, Ceylon, Chad, Cuba, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, France, Ghana, Guatemala, Haiti, Honduras, India, Indonesia, Iraq, Ivory Coast, Jordan, Laos, Lebanon, Libya, Madagascar, Mexico, Nepal, Niger, Nigeria, Peru, Philippines, Saudi Arabia, Somalia, Spain, Togo, Union of South Africa, United Arab Republic, Venezuela, Yemen, Yugoslavia.

"The General Assembly,

"Noting that its resolution 1583(XV) of 20 December 1960 provides for the financing of the United Nations operations in the Congo for the period from 14 July to 31 December 1960 in an amount of \$48.5 million and establishes an ad hoc account for that purpose,

"Having been informed by the Secretary-General that, if continued at their present level into 1961, such operations may be expected to involve expenditures of upwards of \$8 million a month,

"1. Decides that, at it

Brazil, Bulgaria, Byelorussian SSR, Chile, Colombia,
Costa Rica, Czechoslovakia, Ecuador, El Salvador,
Honduras, Hungary, Mexico, Panama, Paraguay,

In favour: Australia, Austria, Burma, Canada, Cen-

OTHER QUESTIONS RELATING TO AFRICA