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NOTE

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THIRTEEN HUNDRED AND SEVENTY-SIXTH MEETING

Held in New York on Tuesday, 14 November 1967, at 3.30 p.m.

President: Mr. Mamadou Boubacar KANTE (Mali).

Present: The representatives of the following States: Argentina, Brazil, Bulgaria, Canada, China, Denmark, Ethiopia, France, India, Japan, Mali, Nigeria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

Provisional agenda (S/Agenda/1376)

1. Adoption of the agenda.
2. Complaints by the Democratic Republic of the Congo: Letter dated 3 November 1967 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council (S/8218).

Adoption of the Agenda

The agenda was adopted.

Complaints by the Democratic Republic of the Congo

Letter dated 3 November 1967 from the Permanent Representative of the Democratic Republic of the Congo addressed to the President of the Security Council (S/8218)

1. The PRESIDENT (*translated from French*): In accordance with the decision taken at the 1372nd meeting, I propose with the consent of the Council, to invite the representatives of the Democratic Republic of the Congo, Portugal, Burundi, Zambia and Algeria to participate without vote in the discussion and to take the places reserved for them.

At the invitation of the President, Mr. J. Umba di Lutete (Democratic Republic of the Congo) and Mr. F. de Miranda (Portugal) took places at the Council table.

At the invitation of the President, Mr. T. Nsanzé (Burundi), Mr. J. B. Mwemba (Zambia) and Mr. T. Bouattoura (Algeria) took the seats reserved for them.

2. The PRESIDENT (*translated from French*): The Council will now continue its discussion of the item before it. The first speaker is the representative of Portugal, and I now call on him.

3. Mr. DE MIRANDA (Portugal): I thank you very much indeed for giving me the floor.

4. I have what I believe to be a communication of some importance to make to the Council but, before I do so, I wish to answer the concrete questions asked on Friday, 10 November [1374th meeting], by one of the delegations participating in this debate.

5. The first question was: "Are the authorities of Lisbon prepared to deny that they have played, or are playing, any role, either direct or indirect, in the activities of the mercenaries?"

6. My delegation's answer is that we do deny that the Portuguese authorities have played, or are playing, any role, either direct or indirect, in the activities of the mercenaries.

7. The second question was: "Is Portugal indeed in a position to certify that it has never had any knowledge whatsoever of the recruitment of mercenaries in territories under its jurisdiction?"

8. My delegation's answer is that we have never had, nor do we have, any knowledge of the recruitment of mercenaries in Portuguese territories and in fact we deny that any such recruitment has ever taken place.

9. The third question was: "Is the Lisbon Government really in a position to state that it is completely unaware of the fact that mercenaries preparing for an assault against the Congo have been located on any territory under its jurisdiction?"

10. My delegation's answer is that we deny that any mercenaries have been located in any Portuguese territory for the purpose of assaulting any neighbouring or other country. We do not allow such activities in our territories.

11. Having answered these questions I wish now to draw the attention of the Council to the statement issued by the Portuguese Government on 12 November which was circulated on the following day to the members of the Council at the request of the Permanent Mission of Portugal to the United Nations [S/8238]. That statement reveals:

(1) That two groups of refugees totalling 492 persons crossed into Angola from the Congo towards the end of last week;

(2) That the unarmed persons will be repatriated in accordance with their wishes;

(3) That among the refugees there were 75 Europeans and 213 Congolese, all carrying arms;

(4) That these have been disarmed by the Portuguese authorities;

(5) That the 75 Europeans will be sent to their respective countries while the 213 Congolese will be given asylum in terms of international law should they so desire;

(6) That there was no Portuguese national among the refugees.

12. My delegation ventures to hope that the countries of which the seventy-five armed Europeans are nationals will take adequate steps to ensure that such persons, if they are mercenaries, are not given new passports enabling them to travel again to the Congo.

13. My delegation would also like to refer to some practical questions. Who are the mercenaries really? Are they only white men or are they also the Congolese who follow their call? Do they include the so-called volunteers serving in the Congolese army, or are these to be called mercenaries only when they turn against their employers?

14. These are not mere rhetorical questions. Since Portugal has been accused in regard to mercenaries in the Congo, my delegation feels entitled to an answer to these questions. We have to know the mind of the Council for our future guidance, lest we should be brought here once again to be subjected to judgements based on mere presumptions.

15. Finally, I hope the Council realizes that, having spent so many hours on accusations against Portugal, those who have used the Council for this purpose have not succeeded in diverting the attention of the world from the real problems of international peace and security.

16. Mr. ADEBO (Nigeria): The African case on the subject before the Security Council in support of the representative of the Democratic Republic of the Congo has been amply and most effectively put forward by those designated by the African group of countries for this purpose, namely, the representatives of Burundi, Zambia and Algeria, and very effectively supported, as will be recalled, by my friend and colleague, the representative of Ethiopia.

17. In this brief intervention, I wish to make a comment upon this general question of the presence of mercenaries in Africa and their use to the detriment of the sovereignty and national integrity of African countries. My colleagues will recall that a meeting of a special committee of the Organization of African Unity took place a couple days ago in Kinshasa, and that the President of the Democratic Republic of the Congo made a very important statement on that occasion.

18. I think that from this my colleagues will realize that we have not had the last word from Africa on this question of the presence of mercenaries in our continent. It is a general question which we wish to pursue and I can assure the Council that it will be pursued energetically as soon as possible.

19. That is the brief intervention that I wished to make at this stage of our proceedings.

20. Mr. PARTHASARATHI (India): The Security Council, within four months of its consideration of a complaint from the Government of the Democratic Republic of the Congo regarding the activities of a group of mercenaries on its territory, is called upon once again to examine a similar complaint from the same Government. Members will recall that in July this year and before that in October 1966 the Council also met to deal with exactly the same situation. This frequency of interference by external forces in the domestic affairs of a State Member of the United Nations is a matter of great concern to my delegation, a concern which, I have no doubt, is shared by the other members of the Council. My delegation attaches the highest importance to the principle of non-intervention in the internal affairs of Member States and consequently deplores any such interference or attempted interference from any quarter.

21. We all know the history of the friendly country of the Democratic Republic of the Congo and how it has been subjected to foreign forces of colonialism, in one form or another, since its emergence to independent statehood over seven years ago. Soon after it became independent the country was engulfed in a bitter civil war which, as we all know, was engineered and controlled from outside. The United Nations, whose assistance was asked for and provided on a massive scale, succeeded, after four years of ceaseless efforts, in restoring the territorial integrity and sovereignty of the country. The Government of India is proud of this achievement of the world Organization and of its own contribution to it.

22. Everybody hoped that the Congo would be able, thereafter, to live in peace and to consolidate its internal position so as to devote its energies to the cause which is so dear to all the newly independent countries, namely, the improvement of the standards of living of our peoples. But, alas, this was not to be the case for the Democratic Republic of the Congo, which continued to be the victim of foreign interference and which has, as a result, been obliged to spend a good deal of effort and resources on combating the reactionary elements from outside.

23. My delegation listened with great care and sympathy to the statement made by the Deputy Foreign Minister of the Democratic Republic of the Congo on 8 November [1372nd meeting]. I wish to assure the Deputy Minister that my delegation, far from becoming weary, appreciates the trouble and efforts made by his delegation to apprise the Council of the unhappy situation existing on the borders of the Congo.

24. The principal source for the recurrent troubles faced by the Democratic Republic of the Congo from outside seems to be the Portuguese colony of Angola. The representative of the Democratic Republic of the Congo gave a detailed exposé of the latest incidents involving the activities of mercenary bands which came into the Katanga province of the Congo from Angola with a view to carrying out their usual destructive plans. The representative of Portugal, as was to be expected, denied that Angola was being used or was allowed to be used as a base of operations for interfering in the domestic affairs of the Congo. But, as

was rightly pointed out by the representative of the United Kingdom:

“... it is hard—it is very hard—to believe that the latest band of mercenaries, who apparently came into the Katanga Province of the Congo from Angola, could have been assembled and armed in Angola without the knowledge of the Portuguese authorities” [1372nd meeting, para. 63].

25. That mercenaries had entered the Congo cannot be doubted by any one. And the only place they could have come from is Angola. The disclaimer of the representative of Portugal, therefore, did not and could not sound convincing. As the representative of the United States stated:

“It is very difficult for my delegation to understand how foreign mercenaries could be present in Angola, make preparations for such a misadventure and then leave Angola for the Congo without the knowledge or at least acquiescence of the Portuguese authorities. The implications of Portuguese responsibility, even if only tacit, would therefore appear to be serious.” [Ibid., para. 86.]

26. My delegation would like to express its most serious concern at the reported and repeated attempts of the Portuguese authorities to use and permit the use of their African colonies for the purpose of interfering in the domestic affairs of the neighbouring independent African States. I have advisedly used the noun “State” in the plural because my delegation recalls that the Governments of Zambia, Senegal and Guinea have also complained of the active interference in their internal affairs by the Portuguese authorities in Angola and so-called Portuguese Guinea. These complaints were made by Zambia on 5 January 1967 [S/7664], by Senegal on 10 October 1967 [S/8186] and by Guinea on 13 October 1967 [S/8193]. In fact, the Security Council deemed it necessary to include a paragraph in its resolution 226 (1966) of 14 October 1966 which reads:

“Urges the Government of Portugal, in view of its own statement, not to allow foreign mercenaries to use Angola as a base of operation for interfering in the domestic affairs of the Democratic Republic of the Congo”.

27. My colleagues from Ethiopia, Liberia, Burundi, Zambia and Nigeria gave a very accurate analysis of the situation obtaining in southern Africa today. They explained how the problem of mercenary activities was only a ramification of more fundamental problems in southern Africa with which the United Nations has failed, up to now, to deal effectively. My delegation agrees with the views of our African colleagues. It is obvious that the difficulties of the Congo and some other African countries will not be completely eliminated until the people in Angola, Mozambique and so-called Portuguese Guinea achieve their freedom and independence.

28. The Deputy Foreign Minister of the Democratic Republic of the Congo has appealed to the Council for help. He told us in very moving terms that his country wanted only one thing. I quote from his statement:

“... we have suffered a great deal and many countries represented here have helped us in our misfortunes. All

we want is to live in peace in our own country, and we want both the Congolese and the foreigners living among us to be able to go about their business in peace without having to defend themselves against highway robbers and mercenaries.” [1372nd meeting, para. 32.]

29. Surely the Security Council cannot fail to heed this appeal from the Democratic Republic of the Congo. I want to assure the representative of the Congo that my delegation will give full support to any measures which would help his country rid itself of the curse of the mercenaries. We hope that the Security Council will deal effectively with the complaint of the Democratic Republic of the Congo, in the discharge of its responsibilities for the maintenance of international peace and security.

30. Mr. DE CARVALHO SILOS (Brazil): My delegation is happy to join those which have preceded it here in expressing gratitude to Ambassador Tsuruoka of Japan for the able manner in which he discharged his duties as President of the Security Council during the month of October. We are happy also to express to you, Mr. President, our confidence in your competence and integrity—a confidence which is shared by all in this Council.

31. My delegation has examined carefully the statements made before this Council on Wednesday, 8 November, by the Deputy Foreign Minister of the Democratic Republic of the Congo and the representative of Portugal. From what we heard, three points are of particular importance for our deliberations here. In the first place, according to the Deputy Foreign Minister of the Democratic Republic of the Congo, “the mercenaries stationed in Angola launched an aggressive attack on our country on 1 November 1967” [1372nd meeting, para. 14], penetrating through Luashi. Secondly, the representative of Portugal read for us a note from his Government stating categorically that “there are no bases in Angola and there have been none at the service of mercenaries, nor have any groups, whether armed or unarmed, crossed the frontier posts in the direction of the Congo” [ibid., para. 59]. Thirdly, the representative of Portugal reiterated an invitation by his Government to investigate the charges which the Congolese Government has levelled against Portugal. It is in the light of those three elements that I should like to state the position of the Brazilian delegation.

32. There is no denying that, if established, the facts alleged by the Deputy Foreign Minister of the Democratic Republic of the Congo are of a most serious nature in themselves, irrespective of the violations they constitute of the Security Council resolutions 226 (1966) of 14 October 1966 and 239 (1967) of 10 July 1967. The Brazilian Government has already made clear in this chamber its position in regard to the recruitment, training and transit of mercenaries used for subversive activities. My delegation voted for the Security Council resolution adopted on 10 July 1967 and in this context I should like to recall that at the time we suggested here that the Council should go a step further and condemn all kinds of subversive activities and all breaches of the principles of the Charter, regardless of who carried out those activities—mercenaries or volunteers motivated by ideological reasons. We stand by our views.

33. This is not the first time that the Security Council has been faced with the task of determining responsibilities for actions that endanger world peace and security. In recent history we have been called upon to tackle problems of this nature many times and it has not proved to be an easy task. The weight that condemnation by this Council carries is a strong reason for us to consider each and every fact thoroughly and with the utmost care. This Council has often refrained from passing a verdict or taking a clear-cut decision when it has considered that there was not sufficient evidence to warrant such action.

34. That should not be construed as a failure of the Council to fulfil its responsibilities but only as a measure of the caution and care that must necessarily frame our deliberations. The gravity of the matters brought to this body makes it imperative that any decisions taken by us, especially those of a condemnatory nature, be based on solid, unequivocal evidence. The evidence presented here at the 1372nd meeting was not sufficient, in our view, to establish in an unequivocal way the participation of the Portuguese authorities in the recent events in Katanga.

35. Furthermore, it appears to my delegation that it would perhaps be difficult to single out any one country, or rather the citizens or organizations of a single country, as mainly responsible for the mercenary operations in the Democratic Republic of the Congo. Are not those operations, I ask, by their nature, scale and purpose of a multinational character and launched from different places? In the view of my delegation, the Council should try first to investigate all aspects of the activities relating to the recruitment, training and transit of mercenaries used against the Democratic Republic of the Congo.

36. Mr. RUDA (Argentina) (*translated from Spanish*): We are meeting once again to consider a complaint from the Democratic Republic of the Congo regarding mercenary troop activities in that country. We are confronted, regrettably, with a phenomenon that seems to be endemic in that region, and one which the United Nations must vigorously condemn. It is not permissible for the territory of one State to be used for the perpetration of serious crimes against the personality of others. Only a short time ago, in July, we pointed out that such phenomena were not new to the Council. Only a few days after the Congo became independent, in July 1960, the Council was already appealing to all States to refrain from action which might jeopardize the political independence of the country; and the appeal has been repeated several times, both by the General Assembly and by the Security Council.

37. Despite all this, we again have to face apparently similar situations which recur from time to time in the Congo. We are thus confronted with what is an evident example of interference in the life of a people struggling hard for its economic and social development and its political independence.

38. We must emphasize again that we condemn all forms of intervention, particularly those censured in the principles set forth in General Assembly resolutions 2131 (XX) and 2225 (XXI). The latter resolution, adopted last year, calls upon all States "to refrain from armed intervention or the

promotion or organization of subversion, terrorism or other indirect forms of intervention for the purpose of changing by violence the existing system in another State or interfering in civil strife in another State".

39. We endorse the contention of the Democratic Republic of the Congo that measures are called for to put an end to the activities of mercenary troops seeking to gain a foothold by force of arms in order to attain goals which are unavowable or, at any rate unknown. We believe that with the evidence we have at hand, though it is not all we should have liked in order to act with greater authority, we can verify the inaction on the part of Congo's neighbour States to prevent the territory in question from becoming the bridgehead for intervention in other territories.

40. I believe that we must act realistically and objectively in regard to intervention and must deplore it whenever it occurs for the very reason that it has been committed, without reference to notions as difficult to define and to prove as intent and complicity. We believe that intervention is a pathological phenomenon of international life which we must make every effort to extirpate.

41. The PRESIDENT (*translated from French*): As there are no more speakers on the list, and as no other member has expressed a desire to speak it is now the turn of the delegation of Mali to speak. I shall therefore speak on behalf of the delegation of MALI.

42. I should first like to say how much my delegation appreciates the flattering things said here about my country and its representatives. I would add that if over its seven years of active participation in international life my country has earned your praise, it has been due rather to the virtues of its people than to the competence of the unassuming individuals who have had the signal privilege of representing it here since its accession to independence. And as I said on 27 September 1967 [*1368th meeting*], the position I occupy among you will be used exclusively in the cause of international justice, peace and security.

43. My country, involved as a militant in the cause of peace, resolutely anti-colonialist and anti-imperialist, will spare neither efforts nor resources to help the Security Council settle the world's problems. Let me assure you that we are not trying to blow our own trumpet or to pretend that we have a monopoly of physical courage; our attitude stems from the simple rule of intellectual and moral probity which imposes upon all of us a rigorous respect for our commitments to the United Nations, whose Charter our countries have freely signed. I pledge my co-operation in advance to all men of good will working for peace and justice.

44. Having said this, I should now like to give my own views, on behalf of the delegation of Mali, on the matter before us today.

45. Once again we are faced with a complaint by the Government of the Democratic Republic of the Congo against Portugal. The clear statement by the Deputy Minister for Foreign Affairs of the Democratic Republic of the Congo, backed up by concrete facts substantiating the

annexed documents placed before the Council by his delegation, constitutes an irrefutable and damning accusation against Portugal, which has now been condemned at the bar of this Organization for the third time and for the same reason. Even the most cautious members of the Council have found a strong presumption of guilt on the part of Portugal.

46. Portugal has ignored the recommendations and resolutions of the General Assembly and the Security Council; and has been encouraged to do so in large measure by the reprehensible apathy of this Organization. The pious denials by the representative of Lisbon cannot deceive anyone. Portugal and the Non-Self-Governing Territories it administers—the favourite haunt of stateless persons and adventurers of every description—have been and still are the rallying and transit point for all the hordes of mercenaries who have attacked without ceasing the territorial integrity and independence of the Democratic Republic of the Congo.

47. Are not Angola's airports being used for large shipments of weapons and war equipment to those mercenaries? Are not these marauders using certain towns in that Territory as bases for aggression against the Democratic Republic of the Congo? Is not Portugal, with the most brazen impunity, pursuing war of genocide in Angola, Mozambique, Guinea (Bissau) and the Cape Verde Islands? And is not Portugal vigorously supporting the illegal régime of Southern Rhodesia and the shameful *apartheid* régime of Pretoria?

48. If Portugal is thus defying the international community, it is because it enjoys active complicity among us in the name of blocs, pacts and other alliances which, when all is said and done, no longer cater for the objective needs of a world where science and technical progress have radically upset the logistics of any conflagration that might occur. Furthermore, States whose representatives have joined their colleagues here in officially condemning the policy and conduct of this retrograde régime continue to maintain their relations with it at the same level. We shall never cease to express to world public opinion our denunciation of this masquerade—the outcome of the policy of blocs.

49. Portugal, an under-developed country with no resources owes its very survival to the fact that it has managed to foist its shaky future onto the bandwagon of the economic, political and strategic interests of international imperialism. It could not by itself simultaneously maintain colonial wars and foment subversion against other States if it was not helped, directly or indirectly, by certain Powers. The enormous sums it receives as "rake-off" from the capitalist monopolies entrenched in its colonial Territories are supplemented by massive arms and war matériel deliveries—equipment supplied under the terms of a certain pact.

50. Thus, no matter how strong the terms of the resolutions we adopt here, Portugal will ignore them as long as it continues to enjoy the aid which enables it, an exhausted colonialist Power, to bolster its capacity to resist. This is proved by the cynical scorn lately shown by the

Lisbon authorities for the most recent resolution of the Fourth Committee of the United Nations, and reported by the world Press in the following terms:

"Lisbon, 11 November. The approval by the Fourth Committee of the United Nations of the Afro-Asian resolution condemning Portugal's attitude in Africa was received calmly in Lisbon. Official circles say they are used to such resolutions, which contain nothing new and are merely meaningless repetitions of previous votes. They point out, incidentally, that the most important States did not approve the resolution, and that only its sponsors and their friends, the Afro-Asian bloc and the communist countries, voted for it which is the best proof that it has no relation to the facts of life."

51. The next move is now with the States Members of the United Nations, who are bound in duty to honour fully their commitments towards the international community.

52. By the standards of international morality, to which we all freely subscribed, aid to Portugal is no longer justifiable, whatever the legal foundations of contracts entered into with it. If we still wish to make even a modest effort to shoulder our responsibilities in the world generally and in the Congo in particular, we must put a stop to the criminal actions committed by Portugal in supplying mercenaries, those latter-day pirates and highway men.

53. The United Nations cannot shirk its responsibilities in the Congo, a crucified country with which the Organization has been sadly involved since the early days of its independence. The people of the Democratic Republic of the Congo has shed enough blood—including that of one of its eminent sons, a great African, the late Patrice Lumumba—for us indefinitely to continue, in the name of the international community, to give kid-glove treatment to Portugal, the last survivor of the most abject colonial system of our time, a country implicated, either as an active accomplice or an active party, in all the tragic and dramatic episodes which have shaken Africa.

54. Shall we continue to harangue this unregenerate Portugal? My delegation regards Portugal's reactionary cynicism as an insulting challenge to the international community which we must take up immediately.

55. Before appealing to the United Nations, the Government of the Democratic Republic of the Congo did its duty, and did it whole-heartedly, towards its brave people, by crushing the mercenaries at Bukavu and breaking up the hordes in the south of the country. It now remains for the Organization in its turn to do its duty, for it is with the Security Council's responsibility for maintaining international peace and security in mind that the Democratic Republic of the Congo has again brought this distressing issue before it. We must therefore live up to this responsibility and adopt adequate and firm measures to put an end to Portugal's criminal intrigues against the Congo.

56. My delegation endorses the very pertinent observations and the thorough and accurate analysis of the mercenary system made by the representative of the Democratic and Popular Republic of Algeria in this chamber on 10 November at the 1374th meeting.

57. The Security Council is surely able to induce the States Members of the United Nations to prohibit the degrading practices of recruiting and brigading mercenaries on their territory. Now that genocide is recognized as a crime the whole world over, regardless of the colour of its victims, the mercenaries on the run, those common criminals, should be dealt with as such in the States of origin or arrival, or should be handed over to the authorities of the Democratic Republic of the Congo to meet the fate they deserve from the Congolese people who are the victims of these adventurers. We shall thus be spared the gloomy spectacle of mercenaries with bloody hands parading as heroes through the streets of Europe and granting interviews like playboys on chalet terraces and beaches.

58. This is the only way by which we can stamp out the mercenary scourge, that other scandal of our time.

59. Speaking once again as PRESIDENT of the Council, I note that there are no more speakers on my list for this afternoon. After unofficial consultations, the members of the Council are apparently agreed that our next meeting on the complaint by the Democratic Republic of the Congo should be tomorrow, Wednesday, 15 November, at 3 p.m. If there are no objections, I shall take it that this is so decided.

The meeting rose at 4.50 p.m.