

**Parliamentary Committee of enquiry in charge of determining
the exact circumstances of the assassination of Patrice Lumumba
and the possible involvement of Belgian politicians**

THE CONCLUSIONS OF THE ENQUIRY COMMITTEE

INTRODUCTION

When reading, thinking about and discussing this case, it should be recognised that people will always tend to analyse and comment on the facts from their current perspective on the world and current institutions.

The period investigated runs from 1960 to 1961. Although the fundamental principles of democracy and international policies were also valid then, it is useful to look at the historical context because from certain points, the standards, ethics and norms of international politically correct thinking were different then, than they are today.

Circumstances in Belgium were different then. Belgian politics, institutions, the elite and the media functioned differently then, than they do nowadays.

The international situation was also radically different. We should not forget that the events occurred during the Cold War. Every action taken by a country or its leaders was noted and analysed, sometimes to an absurd degree, in the light of the international situation and the fight against communism. The reports of the national security and intelligence services and also the reports of the council of ministers and the media clearly illustrate this.

It is also important not to forget the political climate and media coverage of that time. Belgian public opinion had been confronted for days, via written and audiovisual media, with reports of tragic events of murder and rape, coming from refugees who had fled, forced to leave all their possessions behind.

In wide sections of the population, one person was held responsible: Patrice Lumumba. The population demanded a very strong response from the government.

The events were part of a process of decolonisation, which is essentially discordant and for which no easy to use formulae were present. This process of decolonisation started on the African continent at the beginning of the fifties.

The Belgian government of the fifties largely underestimated the decolonisation issue.

It should also be noted that the decolonisation process in the Congo was being completed at a very fast pace. As early as 1955, Professor Van Bilsen suggested a gradual approach. Only after the riots in January 1959, did Congolese independence become a political possibility for Belgium. Five months after the Brussels' conference during which preparations were started for independence, it was a fait accompli.

The fact that independence was granted in great haste, without a thorough reflection on the necessary conditions to make this process successful, is undoubtedly rooted in the growing call for immediate independence, stemming from the Congolese leaders themselves, on the one hand, and the fear of the economic and human impact of a war of independence for Belgium, on the other. The experience of France in Algeria and

Indo-China undoubtedly influenced the decision process in this matter. The Belgian government deemed a speedy independence necessary in order to protect Belgian interests against foreign influences.

It is clear that the swift shift in the Congo from a colonial to a sovereign country did not correspond with the development of the mentality of some Belgians, which remained characterized by a colonial thinking pattern for a long time.

It is not the intention of the commission to undervalue the American or UN interventions. They are simply referred to when significant in explaining Belgian attitudes or actions.

I. THE FIGHT AGAINST LUMUMBA

Although the Congo had become an independent and sovereign state on June 30 1960, we must state that this did not stop Belgium and a number of other countries from intervening directly in their internal affairs. However, a distinction must be made where the humanitarian actions of the Belgian government to protect Belgian citizens in the Congo straight after the independence are concerned.

Although the non-intervention principle was only added to the universal regulations following the United Nations resolutions, accepted by the General Assembly in 1965, 1970 and 1981, this principle was part of international legislation in 1960. As such, the General Assembly of the United Nations asks in resolution 290 (IV) dd. 1 December 1949 the States:

“to refrain [...] from any direct or indirect action intended to jeopardize the freedom, the independence or the integrity of any state, to incite any State to internal struggle” (§ 4) [translation].

In resolution 1236 (XII) dd. 14 December 1957, the General Assembly of the United Nations reminds them *to develop amicable and tolerant relationships, based on e.g. non-intervention in the internal affairs of the States* (3^e considerans) [translation].

It is a fact that these principles were only clarified in 1965 in the Declaration of the General Assembly of the United Nations concerning the unacceptability of intervention in the internal affairs of the States, and they were added as such to the Declaration of the General Assembly of the United Nations dd. 24 October 1970 on the principles of international law concerning amicable relationships and collaboration between the States in accordance with the United Nations' Charter. Yet, it is assumed that these texts remain limited to a codification of existing common law.

On the other hand, we must state that because of the Treaty for Friendship, Assistance and Collaboration, even after 30 June a specific relationship existed between the independent Republic of the Congo and the Kingdom of Belgium. Due to the presence of large numbers of Belgian officials and officers a close connection remained. Furthermore, a large majority of these officials and officers felt they were expected to play an important role in the construction of the new state. In reality, their intentions and their superiors were not always clear, although the statute provided the accessibility of the Congolese government. This statute was established in article 250 of the *loi fondamentale* of 19 May 1960 and for its application certain agreements were required, as determined in the Treaty of Friendship.

A. Political Elimination

Lumumba was and remains a striking yet controversial personality. He was called a Satan by some, and honoured as a true people's hero by others. The latter mythologized Lumumba after his death. Indeed, it is a fact that he was the first democratically elected Prime Minister of the Congo.

The different speeches of 30 June 1960 confirmed the mutual distrust between Lumumba and the Belgian government, which undoubtedly influenced their reactions to the subsequent events. From the beginning of the crisis, which came as a surprise to the Belgian government, it was clear that it led to a fundamental split between Lumumba and the government and that gradually, not only the Belgian government, but also many other governments and many layers of Belgian and Congolese society were campaigning, some in a more co-ordinated fashion than others, to bring about Lumumba's downfall politically. Public reaction to the events of July 1960 supported the Belgian government in its actions, especially where military intervention was concerned. From a humanitarian point of view, it was certainly a necessity and subsequently the UN did not consider it aggression. However, the UN did ask for the troops to be withdrawn.

As indicated, the Belgian government found itself pressurised by public opinion which was very harshly opposed to the events in the Congo after independence, even though the government did not always completely and correctly keep them informed; it was hard for the government to justify a laissez-faire attitude regarding the tens of thousands of Europeans in the Congo and it was also worried about the financial and economic losses the Congo crisis could cause. The stakes were high for the Belgian financial groups in the Congo. Repeatedly, this was brought to the attention of the executive branch of the government.

Between 10 and 14 July, following the beginning of the Belgian military intervention and the interruption of diplomatic relations, there was a spiral of mutual accusations, leading to a complete split. During that period, the Belgian government – convinced of the fact that it no longer had to consider the Lumumba government – attempted to influence the creation of a new Congolese government:

— Minister of Foreign Affairs Wigny sent diplomat André Wendelen to the Congo to talk to Bomboko about a "coup";

— Minister Ganshof van der Meersch sent a state security agent to the Congo (Athos) to "work behind the scenes", aiming at political destabilisation.

In general, it can be said that from the beginning, the Belgian government showed little respect for the sovereign status of the Congolese government.

In the battle against the Lumumba government, the Belgian support to Katanga and the Tshombe government was an important element. Its purpose was not so much the secession itself, but a confederal reorganisation of the Congo, aimed at removing the economic base of power from Lumumba and his Unitarian MNC movement. Belgian support for the secession of South Kasai and the plans for a federal or confederal Congo must be seen from the same angle. This policy took shape in the Belgian Technical Mission in Elisabethstad, led by Harold d'Aspremont Lynden. This mission played an important role in the development of the legal and military structures of Katanga as well as for the information and intelligence services. At a later date, the mission was converted into a more limited bureau-conseil, reporting to the Minister of African Affairs while the consul reported to the Minister of Foreign Affairs.

The policy of the Secretary General of the UN, Hammarskjöld, who led his UN troops into Katanga on 5 August, but ignored the Tshombe government, hastened the fall of Lumumba.

In order to finance the policy against the Lumumba government, the Belgian government appealed to so-called secret funds, only some of which were approved by Parliament. The commission has traced at least 50 million Belgian francs (the equivalent of 270 million Belgian francs at its current value, according to the evolution of consumption index as reported by the Belgian National Bank). This money was used to support the opposition press and politicians, to finance radio campaigns (radio-Makala) and undercover operations. These so-called secret funds were managed by the cabinets of the subsequent Ministers of African Affairs. It is impossible to find the origin of this sum, approximately fifty million francs.

These actions, supported by the Belgian government, were only part of the "Belgian opposition" against the Lumumba government. The secession of Katanga would have been impossible without the support of the Union Minière, which made the secession financially possible by paying taxes to the Tshombe government. Besides Union Minière in Katanga, there was similar action from the Forminière in South Kasai . Due to the loss of the tax income from Katanga and South Kasai , the Lumumba government lost nearly all of its financial power. Katanga and the Union Minière were linked in other ways as well: the mining company controlled schools and hospitals, bridges and roads on the territory of its concessions. Furthermore, it is a fact that the Union Minière tried to finance military or paramilitary groups in order to defend its interests in the fight against the armed disciples of Lumumba.

The Belgian action against the Lumumba government gained momentum during the second half of August. During that period, the Belgian General Consulate in Brazzaville (Dupret) played an important role in encouraging the opposition or in providing logistic support. At that same time, Prime Minister Eyskens asked President Kasavubu, via his advisor Jef van Bilsen, to sack Lumumba. Minister Wigny gave, via his diplomats Westhof and Davignon, legal advice to president Kasavubu regarding such an operation. In a note, dd. 12 September 1960, the Cabinet of African Affairs explicitly admits to supporting two networks in Leopoldstad that came to an agreement on the request of the department. One of the networks involved union leaders, another academics. The presence of people with widely differing motivations indicates the different character and the divergent motives of the opposition against Lumumba.

The Belgian action is only one element in a wider group of opposition forces. Crucial to the final fall of Lumumba was the split between the Congolese Prime Minister and the UN Secretary General Hammarskjöld, because it forced Lumumba on the one hand to (openly) ask for the support of the Soviet Union and on the other hand encouraged the United States (behind the scenes) to organise active opposition against Lumumba (with the first plans of physical elimination). The US feared the disintegration of UN power, which would open the door to the Soviet Union. Pressure from US diplomats and the UN was an important factor in the deposition of Lumumba.

The activities of the Commission have been aimed at detecting possible Belgian responsibilities in the murder of Patrice Lumumba. But it is clear that a Belgian, or even an American action had little or no chance of success without the existence of internal opposition within the Congo itself. This opposition became manifest at quite an early stage, in public campaigns by famous opponents of Lumumba, such as Bolikango and

Kalonji, who had many supporters in Leopoldstad. Certain sources indicate the important role these would have played in the mutiny by the Force Publique that began shouting hostile slogans against Lumumba. The antagonism between the Conakat of Thsombe and Munongo and the MNC of Lumumba is part of the origins of the Katanga secession. After the disruption of diplomatic relations with Belgium, the Congolese Senate, with prominent figures such as Ileo and Adoula, became an institution where the policies of the Lumumba government and especially the information policies of Minister Kashamura were criticised. The policies of Kashamura also met with resistance in religious environments, while economic policies were opposed by syndical groups (Christian as well as others). Increasingly, the opposition became extra-legal in character, as the Lumumba government started using exceptional measures to maintain its position (press censoring and extraordinary courts). During the second half of August, a more violent opposition arose out of groups of Jabako and Jepuna, who formed militias following the example of the Lumumba Youth. The ANC campaign against the secession of South Kasai re-ignited the internal contradictions in the Congo and eventually led to a split between Lumumba and Kasavubu.

The Congo crisis was also an internal crisis within a vast country which was extremely diverse on all levels and in which all the centrifugal forces gained strength after the colonial government was dispensed with and because of the lack of solid national parties, a solid administration and a disciplined army.

The aforementioned shows that different factors, domestic as well as foreign, can be shown to have contributed to the deposition of Prime Minister Lumumba on 5 September 1960.

After 5 September, there was a period of great confusion. Lumumba refused to step down and the new Prime Minister Ileo was unsuccessful in consolidating his position. Colonel Mobutu "neutralised" both camps and appointed his College of Commissioners-General. This action came as a surprise to the Belgian government. Mobutu had not yet become strong on a political level and he did not have the unanimous support of the army. In Leopoldstad, the rivalling powers managed to reach a modus vivendi: Kasavubu, Bomboko and Mobutu united in their battle against Lumumba. From the beginning, the Belgian government had openly and enthusiastically supported Kasavubu and Ileo, even though diplomatic links with Congo had not yet been resumed. It reopened diplomatic channels, gave political and legal advice, insisted that Kasavubu appoint his ministers, led Ileo to take action and even financed the printing, in Belgium, of the Congolese Law Gazette, containing the steps necessary for the deposition of Lumumba.

During this period, the Belgian government was especially concerned about the actions of Lumumba. After having given its support to the deposition of Prime Minister Lumumba, it was eager to prevent him from returning to power and this was a real possibility. The first and most important measure in relation to this, insisted upon by the Belgian government, was the arrest of Lumumba. ("*mettre hors état de nuire*" as Minister Wigny put it).

When, finally, Mobutu took action to arrest Lumumba on 10 October, which he had always refused to do until that time, it was in exchange for a Belgian promise to provide technical and military support to the *Armée Nationale Congolaise* (ANC). The Belgian government was opposed to all possible forms of reconciliation, direct or indirect, between the Congolese leaders. The expression "élimination définitive" by Minister

d'Aspremont Lynden on 6 October 1960 - in a telex to the ambassador Rothschild in Elisabethstad - should be seen from this perspective.

B. Physical elimination

Belgian intervention, aimed at the political elimination of Lumumba, was combined with other actions, often described as 'covert actions'.

The Commission wishes to make a clear distinction between political opposition sub A and attempts to physically liquidate Lumumba.

1. *Schemes and unfinished projects*

It is absolutely clear: there were plans to kill Lumumba.

With regard to these plans, the experts have made a thorough analysis of the role of Loos and Marlière. Major Jules Loos was the military advisor of the Ministry of African Affairs, Lieutenant colonel Louis Marlière, the ex-officer of the *Force Publique*, who had stayed in Brazzaville and become the advisor of Colonel Mobutu at the beginning of October. Both were operating under the cover of Minister d'Aspremont Lynden. An analysis of their telexes shows that they were involved in:

- weapon deliveries;
- supporting the arrest of Lumumba;
 - action 58316, the outline of which is unclear but within which an attack on Lumumba could be relevant (within the same scenario, we can also see the actions of ex-resistance member Edouard Pilaet);
 - the kidnapping of Lumumba. Commander Noël Dedeken was given the order to do so by General Charles Cumont, Chief of Staff of the Belgian army, via Major Loos. In Brazzaville, he was supported by Marlière.

During that same period there were – besides three American – also Belgian “plans” aimed at the physical elimination of Lumumba. A first indication was before 5 September 1960, when the creation of an “*Opération-L*” was suggested, a plan within the framework of which a substitution of medicinal drugs was proposed. We do not know the initiator(s) but they were possibly agents of the former Belgian-Congolese security services. At the beginning of October, a journalist, Bogaerts, claimed to have come to the Congo to kill Lumumba. During the first half of November, and on the instruction of Jo Gérard, a hired assassin was sent to the Congo: the Greek “Georges”.

The first two plans to kill Lumumba were not followed up by even the beginning of preparations. The second plan was merely grandiloquence from the person who had concocted it. Jo Gérard's plan was started but failed due to fraud.

In addition, the Commission discovered that:

— Belgian officials helped with the execution of certain plans in Brazzaville and Leopoldstad;

- there was no trace of an order or action to rescind these plans;
- no disciplinary measures were taken against the officials – diplomats, officers or security agents – who knew about these plans or participated in them and who did not refer back to the political responsibility of a Minister.

2. *The murder of Lumumba, Mpolo and Okito in Elisabethstad*

During the investigation it was found that the telex traffic does not mention Mpolo and Okito. They apparently appeared accidentally in the airport. It must be noted, though, that in the case of a change of power Mpolo was an opponent of Mobutu and Okito was in line to take the position of Kasavubu.

From a very early stage, two facts are certain. The Belgian government tried to take Lumumba prisoner and transfer him to Katanga. Following the instructions of the competent ministers and their cabinets, the Belgians in Leopoldstad and Brazzaville tried to realise these objectives. It must be noted that the Belgian advisors in Katanga had always been negative in their advice to the Katanga government about such a plan because they considered it to be dangerous to the position of Katanga.

Apart from one exception (the telex from Dupret to Belext, Brazza 64, 17 January 1961), in the numerous telexes about the transfer to Katanga, before the beginning of the actual operation, there were no signs of concern about the physical safety of Patrice Lumumba.

Although Lumumba was arrested following an arraignment order dd. September 1960 and based on precise charges, in the heavy telex traffic after his deposition, during his actual imprisonment in the official residence, when he fled, during his imprisonment in the army camp of Thysstad, after his transfer to Katanga, the Belgian government authorities never insisted on a trial. In a constitutional state it is an essential rule that no-one should be taken prisoner except on the order of a judge or after the decision of a court.

In any event, a Member of Parliament pointed out to the Ministers who were involved in a debate in the Commission of Foreign Affairs on 13 December 1960 that there was a possible threat to the life of Lumumba in Katanga. Van Eynde substantiated this by referring to an order Munongo had given the platoon chefs of the Katangan gendarmerie on 13 August (« [...] *s'il arrivait à entrer au Katanga d'une façon ou d'une autre, il doit, en ce cas, disparaître* »).

It must also be noted that because of his stay in Katanga between July and August 1960, Minister d'Aspremont, being the head of the Belgian Technical Mission, should have been able to make a good personal assessment of the state of mind of the Katangan leaders and the risk to Lumumba of his transfer there. Furthermore, in Major Loos, his military advisor, the Minister had an active co-worker who had experience in the Congo and excellent contacts in Katanga. Finally, it is also relevant to mention that many Belgian advisors, diplomats or officials were received at the Cabinet of the Ministry of African Affairs after they temporarily returned from Leopoldstad, Brazzaville or Elisabethstad.

On at least one occasion, the Head of State received an indication that the life of Lumumba was in danger; in a letter from Major Weber to the head of the King's Cabinet. It has been proven that the King was aware of this letter.

No signs of disapproval or concern were given to Major Weber, nor to President Tshombe or the Congolese authorities in Leopoldstad about the possible physical elimination of Lumumba. No evidence has been found that either the government or the competent ministers were informed of this letter.

After the arrival of Lumumba in Katanga, which came as a surprise to the Belgian Counsellors, they adopted an attitude of anticipation. There is no evidence, however, that they were involved with, or consulted during the decision-making process, which eventually led to the execution. Neither are there any indications that actions were taken to prevent the execution, which took place less than five hours after his arrival.

Lumumba was killed on the orders of the Katangan authorities which had also agreed with the transfer. Although it is impossible to indicate at what time and how the decision

of the Katangan authorities to kill Lumumba and his allies Mpolo and Okito was made, this act can only be regarded as premeditated murder – a crime that was prepared and executed in a systematic way.

The execution occurred in presence of Katangan ministers and was carried out by Katangan gendarmes or police officers, in the presence, though, of a Belgian police commissioner and three Belgian officers who were under the authority, leadership and supervision of the Katangan authorities.

At no time, did the Belgian government protest to the Katangan government against the unlawful execution of Lumumba, M'polo and Okito, nor did they express regret or disapproval in relation to it.

Even when at least some members of the government were aware of the execution, every involvement with the transfer and every knowledge of the fate of Lumumba was still denied when confronted by public opinion as well as during private meetings with NATO partners.

Conclusion:

— With regard to the exact circumstances of the murder of Patrice Lumumba: after a thorough analysis, it is highly probable that Lumumba was executed in the jungle on 17 January 1961 between 9.40 pm and 9.43 pm, within 5 hours after his arrival in Katanga (for a more detailed description, the commission refers to the experts' report).

— Regarding the possible involvement of Belgian politicians:

– The transfer of Lumumba to Katanga was organised by the Congolese authorities in Leopoldstad, supported by Belgian government authorities, especially the Ministers of Foreign and African Affairs and their colleagues.

Belgian advisors in Leopoldstad collaborated with the organisation of the transfer.

– No single document, of which the commission is aware, indicates that the Belgian government or a member thereof gave the order to physically eliminate Lumumba.

– The investigation does not show that the Belgian authorities premeditated the murder of Lumumba when it attempted to transfer him to Katanga.

– It is very clear, though, that the physical safety of Lumumba was of no concern to the Belgian government. It deemed the safety of Lumumba less important than other interests.

– By not considering the possible risks of the transfer, not asking guarantees for his physical safety or insisting on humane treatment and a trial, the Belgian government and especially the Minister of African Affairs showed a lack of forethought and a lack of respect for the constitutional state.

– After hearing about the events of 17 January, the government, or at least certain members of it, acted irresponsibly by opting to spread lies to the public and all its allies. This attitude inevitably raised doubts about the role of the Belgian authorities.

Considering the preceding, the current norms regarding public morality and, without considering the personal and moral considerations of that time, the commission concludes that certain members of the Belgian government and other Belgian participants were morally responsible for the circumstances leading to the death of Lumumba.

II. CONCLUSIONS

The unaccepted past

It is the commission's opinion that the Congolese, as well as the Belgian population, suffer from an "unaccepted past". Both sides have objections to the events of the colonial and the post-colonial period.

The investigation area of the Commission was only a limited yet important part of this unaccepted past. A number of grievances, which the academic world and the political world could not clarify, continue to exist.

1. Dysfunctions in the decision-making process

a. There is a lack of transparency in the policy and co-ordination between the different Ministers who were involved with Congo policies. The cabinet council repeatedly discussed Congolese issues, took decisions, often because Wigny explicitly asked for directives, but in reality these decisions were frequently rather vague and differently interpreted by the ministers involved and people in the field.

The commission also found that the distribution of power was very vague amongst a number of Ministers, e.g. the Minister of Foreign Affairs Wigny and the Minister of African Affairs d'Aspremont Lynden. There was also a difference in vision. The responsibilities of this department proved to be very flexible. Not only was the department in charge of the custodial territories of Ruanda-Urundi but in practice also of the Congo – as a consequence of the so-called technical assistance.

Another aspect of this chaotic distribution of powers is related to supervision over the Belgian military forces in the Congo. This power escaped from the Ministry of Defence (after October 1960) but arrived at the door of the Ministry of African Affairs. Thus Katangan politics largely escaped the supervision of Foreign Affairs.

b. The regular use of direct, non-hierarchical streams of information and decisions led to poor decision-making and mistaken opinions; e.g. the network of Major Loos which was hidden from the political world but took strong and energetic actions.

There was a good understanding between officials, militaries and diplomats at different levels and locations, who acted together due to their vision of Belgium and distrust of politics.

c. Furthermore, besides the dysfunctions sub a and b, in reality many important decisions were taken by officers, diplomats or officials. At the Ministry of Defence, General Cumont, Chief of Staff, played a crucial role. At the Ministry of Foreign Affairs, actual policies were largely determined by the Congo cell of Rothschild to which Davignon and Lebrun belonged. At the Ministry of African Affairs, Major Loos, the military advisor of the minister, played a crucial role.

There are also indications that Ministers were not always fully informed by their collaborators.

2. The Role of the Head of State

The commission found that there was a conflict between the Head of State and the government regarding certain aspects of Congo politics.

In certain cases, this conflict led to the fact that the Head of State took independent actions. Furthermore, the commission found that the Head of State obtained important information and probably did not inform the government of it.

3. Supervision of the government

a. The commission found that Parliamentary supervision over foreign and African policies was insufficient.

b. The government succeeded in avoiding the control of the Parliament as well as the control of the Auditor's Office when taking on and using funds. The commission has found evidence that at least 50 million Belgian francs (the equivalent of 270 million Belgian francs at its current value, according to the evolution of consumption index as reported by the Belgian National Bank) in so-called secret funds were used while Parliament and the Auditor's Office were only aware of the usage of 20 million Belgian francs.

Also, the spending of these funds was reprehensible.

4. The constitutional state

a. Violations of international law

The Belgian government was to "to refrain from any direct or indirect action intended to jeopardize the freedom, the independence or the integrity of any state, to incite any State to internal struggle [...]" (§ 4 of Resolution 290 (IV) of 1 December 1949).

The Commission found that this UN resolution was violated by the development of a policy against the democratically elected government.

By delivering weapons and supporting different parties, the government violated the UN resolution of 20 September 1960.

b. Violations of internal law

Besides the above-mentioned violations of state compatibility laws, it must be shown that the reaction to punishable actions (hiring assassins, preparing attacks, ...), known to government authorities, was very lax or even inexistent.

5. State and military security

Many reports and much information breached state and military security, in the context of reports: the accuracy and reliability of the information is often in doubt. Essential and relevant information (e.g. in relation to the death of Lumumba) was never given or was given too late.

6. The situation of Belgian officials

The Belgian government did not provide clear information regarding the Belgian officials in the Congo and about their responsibilities and duties, arising from the fact that they were made available to the Congolese authorities. Certain roles of officials, who in spite of their advisory function to Congolese ministers, reported directly to the Belgian State Security or other services, were very ambiguous.

7. Economic interests

In certain instances, and in relation to Katanga, there was a confusion of private and public interests.

Government officials in Katanga, linked to the Belgian Technical Mission or the Bureau-Conseil, used financial advances and other facilities of the Union Minière du Haut Katanga for their own benefits.

8. Condition of the archives

During its activities, the Commission has discovered that important official archives, such as those of the Head of State, will be lost forever if no action is taken. Current means, on a technical level as well as where personnel are concerned, do not allow us to maintain permanent archives.

It is the conclusion of the Commission that the required expertise and research activities in order to determine the responsibilities of Belgian politicians in the murder of Patrice Lumumba were made possible due to access to a large number of private and government archives, which had not been previously accessible until then.

III. RECOMMENDATIONS

For a number of conclusions, dysfunction is superseded so it is not included in the recommendations.

1. Government supervision

a. The investigation of the commission shows that Parliament was not always fully and accurately informed by the government about its initiatives. Although it is evident that it is not always opportune nor desirable to widely announce confidential initiatives, it is still necessary for Parliament to be correctly and completely informed at all times.

The commission does acknowledge that members of parliament do not always respect the importance of the information they receive when exercising their controlling function.

b. The Commission finds it appropriate to submit the partial report on the secret funds and correspondence with the Auditor's Office and other related instances, to the competent Chamber Commission in view of an investigation by that commission or the fact that a repetition of these facts – spending funds without the permission of Parliament and outside the control of the Auditor's Office – has now been made impossible by current legislation.

The Commission finds it desirable to develop a formula of informing Parliament, in extreme cases, about an action of the Government without jeopardising confidentiality. If necessary, the Commission requests a change in the regulations in order to ensure that desired confidentiality.

2. The Head of State

The commission refers to the constitutional stipulations and customs concerning the role of the Head of State.

Every action of the Head of State that could have a direct or indirect political influence should be monitored by a minister.

Therefore, political interventions or initiatives will not conflict with foreign or domestic Government policies.

3. The intelligence services

The commission recommends that while performing its existing Parliamentary supervision, the Comité I must also pay special attention to the efficiency of the intelligence services.

This monitoring must be performed in a permanent and efficient basis.

4. The condition of the archives

The commission invites the government to develop the required initiatives in order to retrieve, make an inventory, structure and safeguard the archives of the different federal National institutions, especially those of the Head of State, by means of an appropriate allocation of financial means and members of staff. It requires an assessment and if necessary adjustment of the legal obligations in this matter in order to preserve the archives of the State.

The commission recommends a re-definition of the rules regarding access to documents under government control.

5. The unaccepted past

The Commission recommends stimulating multidisciplinary and international historical research into the colonial and post-colonial era. Based on objective, scientifically obtained factual materials, the political world may obtain an analysis that may assist in coming to terms with the past.

A first step might be to publish and divulge the results of the activities of the commission in an accessible publication.

6. Final Recommendation

The Commission invites the government to take note of its conclusions and recommendations and asks that its its recommendations regarding the executive branch be implemented, appropriate conclusions regarding international interventions be drawn and action taken based on this document and the subsequent debate in Parliament.

The Commission hopes that its activities have clarified these tragic events and that they will contribute to a better understanding between both populations.

The rapporteurs,

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