

No. 7734

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**UNITED NATIONS  
and  
BELGIUM**

**Exchange of letters (with enclosures) constituting an agreement relating to the transfer of Kamina and Kitona bases to the Republic of the Congo. Leopoldville, 20 March 1964**

*Official text: French.*

*Registered ex officio on 1 May 1965.*

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**ORGANISATION DES NATIONS UNIES  
et  
BELGIQUE**

**Échange de lettres (avec pièces jointes) constituant un accord relatif à la remise des bases de Kamina et de Kitona à la République du Congo. Léopoldville, 20 mars 1964**

*Texte officiel français.*

*Enregistré d'office le 1<sup>er</sup> mai 1965.*

[TRANSLATION — TRADUCTION]

No. 7734. EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT<sup>1</sup> BETWEEN THE UNITED NATIONS AND BELGIUM RELATING TO THE TRANSFER OF KAMINA AND KITONA BASES TO THE REPUBLIC OF THE CONGO. LEOPOLDVILLE, 20 MARCH 1964

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I

Leopoldville, 20 March 1964

Sir :

I have the honour to refer to the conversations held in January and February 1964 at Leopoldville during the meetings of the tripartite commission established at the request of the Congolese Government, and composed of representatives of the Congolese Government, the Belgian Government and the United Nations, to determine the procedure for the take-over/return of the Kamina and Bas-Congo bases.

The exchange of letters which took place in August-September 1960 between the Secretary-General of the United Nations and the Permanent Representative of Belgium to the United Nations dealt with the taking over of those bases by the United Nations. The Secretary-General's letter of 28 August 1960 and the reply of the Permanent Representative of Belgium dated 2 September 1960 stated that it was a provisional measure based on the mandate received from the Security Council and necessary in order to carry out the United Nations programme of assistance to the Congo.

Taking note of the intention repeatedly expressed by the United Nations to relinquish the temporary administration of the bases so that they might once again be placed at the disposal of the Congolese Government, the Belgian Government, acting within the framework of the meetings of the tripartite commission, has concluded an agreement with the Congolese Government and proceeded to an exchange with that Government of letters, copies of which are enclosed herewith, concerning the said bases.

These bases, which had been handed over to Belgium by the United Nations, have been simultaneously returned to the Congolese Government in the state described in the enclosed document, which was drawn up following the visit made to the spot by the delegations of the United Nations, the Republic of the Congo and the Kingdom of Belgium.

<sup>1</sup> Came into force on 20 March 1964 by the exchange of the said letters.

As the United Nations Mission in the Congo was good enough to state in its note of 30 December 1963 to the Embassy of Belgium at Leopoldville, it is understood that the arrangement thus concluded in no way prejudices the negotiations which, following the return of the bases to the Congolese authorities, are to take place between the United Nations and Belgium with a view to settling the matter in dispute relating to the transfer of equipment by Belgium to the United Nations, and to the costs of maintaining the bases which the United Nations is claiming from Belgium.

I have the honour to propose that this letter and your reply should constitute an agreement between my Government and the United Nations.

Accept, Sir, etc.

Ch. DE KERCHOVE  
Count de Kerchove de Denterghem  
Ambassador of Belgium

To Mr. M. H. Dorsinville  
Officer-in-Charge of the United Nations Mission  
in the Congo  
Leopoldville

ENCLOSURE 1

AGREEMENT BETWEEN THE GOVERNMENT OF THE KINGDOM OF BELGIUM  
AND THE GOVERNMENT OF THE REPUBLIC OF THE CONGO CONCERN-  
ING THE KAMINA AND BAS-CONGO BASES

The Government of the Kingdom of Belgium and the Government of the Republic of the Congo have agreed as follows :

*Article 1*

The Belgian State renounces all its rights in the bases of Kamina and Bas-Congo, and in the installations erected there, in favour of the Congolese State without compensation from the latter, and the Congolese State accepts those rights.

*Article 2*

The Congolese State shall have no rights or claims to advance against the Belgian State with respect to the said bases and the installations erected there.

*Article 3*

This Agreement shall be ratified and the instruments of ratification shall be exchanged at Brussels as soon as possible. It shall enter into force upon the exchange of the instruments of ratification.

IN WITNESS WHEREOF the undersigned, duly authorized for the purpose by their respective Governments, have signed this Agreement.

DONE at Leopoldville, in duplicate, in the French language, on 20 March 1964.

For Belgium :

(Signed) Paul-Henri SPAAK  
Minister for Foreign Affairs

For the Congo :

(Signed) C. ADOULA  
Prime Minister

ENCLOSURE 2

EXCHANGE OF LETTERS BETWEEN THE BELGIAN AMBASSADOR AT LEOPOLDVILLE AND THE PRIME MINISTER OF THE REPUBLIC OF THE CONGO

I

Leopoldville, 20 March 1964

Sir,

I have the honour to refer to the Agreement, signed this day, whereby the Government of the Kingdom of Belgium renounces all its rights in the bases of Kamina and Bas-Congo, and in the installations erected there, in favour of the Government of the Republic of the Congo.

I would inform you hereby that the said bases are placed at the disposal of your Government with effect from this day.

These bases and their installations are placed at your disposal in their present state, which is described in the attached document whereby the United Nations hands over the bases and installations therein described to Belgium, which immediately transfers them to the Congo.

Furthermore, as was repeatedly stated during the meetings of the tripartite commission established at the request of your Government, the return of these bases can have no effect on the matter still in dispute between the United Nations and Belgium relating to these bases.

I have the honour to propose that this letter and your reply should constitute an agreement between our two Governments.

Accept, Sir, etc.

COUNT DE KERCHOVE DE DENTERGHEM  
Ambassador of Belgium

His Excellency Mr. Cyrille Adoula  
Prime Minister of the Republic of the Congo  
Leopoldville

## II

Leopoldville, 20 March 1964

Sir,

I have the honour to refer to the letter which you have addressed to me this day and which reads as follows :

[See letter I, p. 89 of this volume]

I have the honour to inform you that the Congolese Government agrees to the foregoing.

Accept, Sir, etc.

C. ADOULA  
Prime Minister

His Excellency Count de Kerchove de Denterghem  
Ambassador of Belgium  
Leopoldville

## II

Leopoldville, 20 March 1964

Sir :

I have the honour to refer to the letter which you have addressed to me this day and which reads as follows :

[See letter I, p. 85 of this volume]

I have the honour to inform you that the United Nations agrees to the foregoing.

Accept, Sir, etc.

Max H. DORSINVILLE  
Officer-in-Charge  
of the United Nations Mission in the Congo

His Excellency Count de Kerchove de Denterghem  
Ambassador of Belgium  
Leopoldville