

## **Covering-up the Truth about Dag Hammarskjöld's Death:**

### **The UK government's refusal to comply with the UN's request to appoint an independent and high-ranking official to review its intelligence and security records**

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The failure of the United Kingdom to cooperate with the United Nations regarding its current investigation into the death in 1961 of UN Secretary General Dag Hammarskjöld is tantamount to a cover-up. This is consistent with its behaviour over the many years since the deaths in 1961 of Hammarskjöld and the fifteen people with him, when their plane plunged in the middle of the night of 17-18 September into thick forest near Ndola in the British colonial territory of Northern Rhodesia (now Zambia).<sup>\*</sup> Hammarskjöld and his UN team had been on a mission to seek to bring peace to the Congo (now the Democratic Republic of the Congo), which had become independent from Belgian colonial rule in 1960.

The former Chief Justice of Tanzania, Mohamed Chande Othman, was appointed by the UN Secretary General António Guterres in 2015 as the 'Eminent Person' to lead the UN investigation into the tragedy. Judge Othman has discovered a mass of new information and has reviewed evidence that was neglected or dismissed in earlier years, such as the testimony of Zambian witnesses in 1961. (Please see the addendum to this paper for a brief history of previous investigations.)

'It appears plausible,' [observed the Judge in his report of 2017](#), 'that an external attack or threat may have been a cause of the crash, whether by way of a direct attack ... or by causing a momentary distraction of the pilots.'

#### **The intelligence, security and defence records of key Member States**

The Judge is now preparing a further report for submission to the Secretary General in July 2019. In the course of this work, he produced an [interim report in November 2018](#) with information about the cooperation – or otherwise – of Member States.

In the view of the Judge, 'the non-disclosure of potentially relevant new information in the intelligence, security and defence archives of Member States constitutes the biggest

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<sup>\*</sup> Northern Rhodesia belonged in 1961 to the British territory of the Central African Federation, also known as the Federation of Rhodesia and Nyasaland and (more commonly) as the Rhodesian Federation, which comprised Northern Rhodesia, Southern Rhodesia (now Zimbabwe) and Nyasaland (Malawi).

barrier to understanding the full truth of the event'. He therefore asked Member States with potential information to appoint an independent and high-ranking official to review the files of their security, intelligence and defence agencies, in order to identify all records relevant to his inquiry. The burden of proof, he said, had shifted to relevant Member States to show that they have conducted a full review of all records and archives in their custody or possession, including those within intelligence, security and defence archives.

Thus far, the following relevant Member States have complied fully with Judge Othman's request: Angola, Belgium, Canada, the Democratic Republic of the Congo, France, Germany, Portugal, Russia, Sweden, Zambia, and Zimbabwe. The USA has appointed an official, but he is neither independent nor high-ranking, as requested by the Judge. South Africa and the UK have failed altogether to cooperate: neither has appointed an official.

Judge Othman wrote to the UK with his request in March 2018. In November that year – eight months later – the UK government finally sent a response. It stated that the UK did not intend to appoint an independent and high-ranking official, because all information of direct value to the investigation had been made available by the UK to the UN in previous years, or had been released to The National Archives where it is available publicly. It also stated that having previously and recently searched, there was no further information of direct value to the investigation.

This cannot be accurate.

### **The Secret Intelligence Service – MI6**

A number of the discoveries I made in the course of research for my book [\*Who Killed Hammarskjöld? \(2011\)\*](#) illustrate the inaccuracy of the UK government's assertion.

One of these discoveries occurred at the University of Essex, where I was studying the archived papers of Cuthbert Alport, who was the British High Commissioner to the Rhodesian Federation in 1961 – and who was at Ndola airport on the night of the crash of Hammarskjöld's plane. It was Lord Alport who closed down the airport when the plane failed to land, on the inexplicable grounds that it must have 'gone elsewhere'. I found a secret despatch from Lord Alport to Duncan Sandys, the Secretary of State for Commonwealth Relations. It was dated 25 September 1961, less than a week after the crash. At the back of the despatch was a 14 page appendix written by a MI6 official who was involved in a mission in and around Ndola around this time. The inclusion of this appendix in Alport's papers is likely to have been a mistake; we can assume that he would not have wanted it to be included in his archive.

This MI6 official was Neil Ritchie, who was attached to the British High Commission in Salisbury (now Harare) as First Secretary. But this was his cover. And his mission in September 1961 was top secret: over six days, he organized the flight of Moïse Tshombe, the self-proclaimed President of Katanga, from the Congo to Ndola, in order to meet with Hammarskjöld.

Katanga had seceded from the Congo and was involved in a bitter conflict with the UN; Tshombe's forces, augmented by mercenaries from different parts of the world, were fighting UN troops. Ritchie was involved in that conflict in some way, but it is not clear how. What *is* clear, though, is that Ritchie was in close contact with Union Minière du Haut Katanga, the huge Belgian multi-national that owned most of the mines in Katanga and which was tied to Tanganyika Concessions (Tanks), a British company that was interlinked with Anglo-American, the Rhodesian Selection Trust, and the British South African Company. Union Minière actively backed Tshombe and the secession of Katanga.

Union Minière supplied Ritchie with various kinds of assistance, including a radio telephone set and a communications expert. Also in contact with Union Minière were Denzil Dunnett, the British consul in Elisabethville (now Lubumbashi), the capital of Katanga, and members of an informal but powerful group on the right wing of the UK Conservative Party, known as the Katanga Lobby.

Immediately there are questions to ask. What was the nature of MI6's relationship with Katanga's leader, who was at war with the UN? What was the full nature of the UK government's relationship with Katanga? Why were British officials being assisted by Union Minière?

Finding Ritchie's report in the Alport archive was a substantial step forward in my research. The report was the first piece of evidence I had found, which confirmed what many have suspected for a long time – that MI6 was in the vicinity on the night of the crash and in the days surrounding it.

This is not surprising. After all, Daphne Park – the most senior woman working for MI6 at that time – is on record about her service in the Congo in 1959-1961, under cover as First Secretary in Leopoldville (now Kinshasa). It is clear that Ritchie's presence in the region was not merely incidental, but institutional.

I was eager to find out more. If Ritchie was so closely involved in this episode, it is likely that more information about it lies in the records of MI6. It is hard to believe that Ritchie's appendix to Alport's report was the only document produced.

But it was hopeless. I was unable to discover any further information about Ritchie's operations. There was nothing in The National Archives. The security and intelligence agencies are not subject to the same requirements as are other government departments, under public records legislation, regarding transfer of their records to The National Archives. Successive Lord Chancellors have authorised the retention by the agencies of their records – so that they are not transferred to The National Archives – beyond the time limits with which other departments must comply. This means that the agencies can judge themselves when to declassify their records and when to transfer them. Most government departments select records for transfer in consultation with the staff of The National Archives; but the security and intelligence agencies in practice make their own decisions.

### **The tip of an iceberg**

This lack of transparency may seem startling. But let us remember that the security and intelligence agencies were not even acknowledged officially until the passing of the Security Service Act in 1989 (covering MI5) and the Intelligence Services Act in 1994 (covering MI6 and GCHQ).

And I could not submit a Freedom of Information (FOI) request to MI6, because the records of MI6 – as well as of MI5 and GCHQ – are excluded from the Freedom of Information Act of 2000. Furthermore, information held by those government departments which *are* covered by the Act is exempt from disclosure, if it relates to – or was supplied by – the security and intelligence agencies.

The impact of this exclusion can be Kafkaesque, as [was revealed to Katie Engelhart, a journalist at VICE news, in 2015](#). She was trying to discover if GCHQ had searched for relevant records for Judge Othman. She reported that VICE News contacted the GCHQ, which would not comment on whether it had been included in the Hammarskjöld's panel search. But the department did invite VICE News to submit a Freedom of Information request on the matter, so that GCHQ could formally decline the Freedom of Information request, on the grounds that GCHQ is not obliged to respond to Freedom of Information requests.

Since the publication of *Who Killed Hammarskjöld?* in 2011, further information about Ritchie's activities in and around Ndola has emerged. Not much – but some.

In 2017, Judge Othman was shown a file by the Foreign and Commonwealth Office (FCO), which contains a number of references to Ritchie. The FCO reviewer of that file was evidently unaware of Ritchie's role; if they *had* been aware, they would have followed standard practice and redacted his name.

But this is just the tip of what must be an iceberg. And Judge Othman needs an account and an analysis of that iceberg. He needs the UK to appoint an independent official to review all the records of MI6 that relate to the exploits of Ritchie and of other relevant MI6 activities in the region in 1961.

Furthermore, MI6 and CIA shared information; there is evidence of such collaboration in several sources, including the [2008 memoir of Larry Devlin](#), the CIA Chief of Station in the Congo in the early 1960s, who shared information with Daphne Park. This underlines the potential value of an official appointed by the UK government liaising with the official appointed by the US government: together they would be able to piece together a richer picture and identify significant gaps.

### **The Security Service – MI5**

Judge Othman also needs an independent and senior official to review the records of MI5. The file mentioned above, which was shown to the Judge by FCO in 2017, confirms the activity in the region of David Driver, the Security Liaison Officer for MI5 in Central Africa, stationed in Salisbury. (As in the case of Ritchie, if the FCO reviewer of that file had been aware of Driver's role, they would have followed standard practice and redacted his name.) But hardly any information is available about the activity of Driver and MI5.

This is not surprising, given that – according to Ian Cobain in [The History Thieves \(2016\)](#) – around 4,000 MI5 files had been passed to The National Archives at the time he was writing his book. He adds that this represented only about one per cent of its archive and that all the released papers predate 1959.

We can assume that communications between MI5 and the Rhodesian intelligence and security agency, the Federal Intelligence Security Bureau (FISB), are represented in the files of MI5 – and possibly also of MI6. Some of the papers of FISB are included in an archive held by the University of Oxford; but most are difficult to trace. The surviving records of FISB may be in Harare. These are likely to be searched for, among other records, by the high ranking official who was appointed by the Zimbabwean government in response to Judge Othman's request ([Zimbabwe acceded to his request swiftly and fully](#)). If the UK were also to appoint an official, the officials of these two Member States would be able to liaise productively.

Once an official has been appointed by the UK, they need to bear in mind the possibility that key records have been destroyed. In the case of MI5, there were several phases of destruction. In the early 1990s, observes Ian Cobain, 'its incinerators had again

been active.’ By the time this purge had been completed, adds Cobain, ‘it was estimated that around forty per cent of MI5’s historical archive no longer existed.’ It is to be hoped that where documents relating to Judge Othman’s investigation have been destroyed, destruction schedules were made to record this loss.

### **Government Communications Headquarters – GCHQ**

And, importantly, the Judge needs an independent and senior official to review the records of GCHQ, the UK’s secret listening post. There are a number of compelling reasons for this.

After the publication of *Who Killed Hammarskjöld?*, I was contacted by Sixten Svensson, the brother-in-law of Boris Hagelin, the founder of [Crypto AG, the Swiss company that produced the CX-52 cryptographic machine](#). He claimed that the US National Security Agency (NSA) had covertly monitored the communications sent from the CX-52 machine used by Hammarskjöld on his mission to Ndola, through a ‘backdoor’ in the encryption – and shared the intelligence with CIA and GCHQ.

The claim was taken seriously and investigated both by the Sedley Commission and by Judge Othman.

Another reason why the Judge needs an official to review the records of GCHQ is because of the testimony of Charles Southall, a US naval officer working for the NSA listening station in Cyprus in 1961. Southall heard the recording of a pilot’s commentary as he shot down Hammarskjöld’s plane: ‘I see a transport plane coming low. All the lights are on. I’m going down to make a run on it. Yes it is the Transair DC6. It’s the plane.’ Then he heard gun cannons firing—and the pilot exclaiming: ‘I’ve hit it. There are flames! It’s going down. It’s crashing!’ Southall told me that he had the impression the pilot was ‘expecting the plane’, and that the communication was one-sided. Southall said that this information was, to his recollection, shared with GCHQ.

Not only from Cyprus but from Ethiopia, too, nearly 2,000 miles north of Northern Rhodesia, some of the airwaves used in Ndola could be heard. In the middle of the night of 17–18 September, a few miles outside Addis Ababa, a Swedish flying instructor heard a conversation over short-wave radio between flight controllers, one of whom was at Ndola airport and expressed surprise that as far as he could tell, one plane was being unexpectedly followed by another.

Yet another reason for the Judge to be given information about GCHQ records is that on the tarmac at Ndola airport on the night of the crash were two United States Air Force

aircraft, which were joined by a third the next day. These aircraft had high-powered communication equipment with the capacity to transmit, receive, relay and intercept communications. Any such communications involving these planes may have been intercepted by, or shared with, GCHQ.

A further reason is that in the FCO file mentioned earlier, which was shown to the Judge in 2017, there are references to the interception of UN communications by the Rhodesian and UK authorities. In a communication from Lord Alport to London in October 1961, reference is made to ‘evidence which Federal authorities have obtained through intercepts with regard to alleged infractions of ceasefire by United Nations.’ Lord Alport states that he has seen some of these intercepts and that he has been informed that ‘all United Nations signals are ... now being transmitted in code’, which the Rhodesian and British authorities apparently were able to decode. The intercepts included communications from UN headquarters in Katanga to UN air operations in Leopoldville. Information about these intercepts must surely lie in the records of GCHQ.

Judge Othman has referred to the ‘possibility of the interception of communications on the travel arrangements for the Secretary-General’s mission to Ndola.’ Should it surface that such communications were intercepted, observes the Judge, ‘it would have rendered futile the United Nations efforts to maintain the confidentiality of the journey.’ Such interception of UN communications would have exposed the flight to the possibility of ill-intended or hostile action while en route.

### **Ministry of Defence (MOD)**

The independent official tasked with the review of secret records should also be given access to the papers of the Ministry of Defence.

On the one hand, MOD – unlike the security and intelligence agencies – is required to comply with the statutory time limits for the transfer of its selected records to The National Archives. However, MOD has also, on multiple occasions, been authorised by the Lord Chancellor to retain records beyond the statutory period.

Cobain discovered in 2013 that MOD had a large and secret repository in the small town of Swadlincote in Derbyshire. At first it appeared that more than 66,000 files were being held unlawfully. Then a fuller picture emerged: that MOD was legally holding around 8.5 million files at Swadlincote. The National Archives’ Advisory Council, explains Cobain, had advised the Lord Chancellor that it would be proper for him to authorise their retention – that is, that they should be kept by MOD and not transferred to The National Archives.

However, the Advisory Council had a very limited knowledge of their contents. Even MOD's own archivists were unaware of what lay inside many of the files. As well as the holdings at Swadlincote, adds Cobain, MOD holds around 100,000 of its most sensitive files on a Royal Navy base at Portsmouth.

This huge quantity of MOD records is effectively being held contrary to the intentions of public records legislation. These records may have a bearing on the investigation into Hammarskjöld's death. 'Military intelligence,' observes Dr Mandy Banton, formerly Principal Records Specialist (Diplomatic and Colonial) at The National Archives and author of [Administering the Empire, 1801-1968: A Guide to the Records of the Colonial Office in The National Archives of the UK](#) (2<sup>nd</sup> edn, 2015), 'may not have been a key player but no doubt they will have been copied into much that was going on.'

### **Cover-up**

At every stage of his investigation, right from its initial phase in April 2015, Judge Othman has asked the UK for assistance and for information. But the UK has been largely uncooperative. In a response to the Judge on 10 June 2015 (replying to a letter sent by the Judge in April 2015), FCO replied that it had 'co-ordinated a search across all relevant UK departments. None of these departments have identified any pertinent material.' When FCO was asked by UN Legal Counsel in 2016 whether 'all relevant departments' included MI5, MI6, and GCHQ, FCO effectively refused to answer the question.

In 2017 FCO supplied the Judge with the file mentioned earlier in this paper, which contains references to Neil Ritchie of MI6, David Driver of MI5, and the interception of UN communications. This file comprises FCO documents; however it contains rich information relating to the security and intelligence agencies, which has been judged by Judge Othman as highly relevant to his investigation. This is a further indication that pertinent documents are likely to exist in the records of the security and intelligence agencies.

It is very disappointing that the UK does not intend to appoint a senior and independent official to review and report on these records. But such obfuscation is not new. As indicated at the start of this paper, the UK government has been covering up its involvement in the circumstances surrounding the crash of Hammarskjöld's plane ever since 1961. A mass of evidence has now emerged that reveals, for example, that UK and colonial officials knew that the plane had crashed – and the site of the crash – many hours before the official discovery time of 3.15 pm on 18 September 1961.

At least six hours before the wreckage of the plane was officially found, the Northern Rhodesian authorities were informed about it by Timothy Jiranda Kankasa, who became a minister in the new government after Zambia's independence in 1964; in 1961, he was the board secretary of Twapia township, which was adjacent to the crash site. Some charcoal burners had come across the burning plane in the early morning and rushed to tell Kankasa; he immediately went to the site and then contacted the authorities. But no assistance or ambulances were sent to the site. 'There were no police at all, no police, no one from the army, nobody at all until the afternoon,' explained Kankasa. Even though he gave the exact site of the crash, they still went a long way round. Kankasa was appalled: 'We could not understand why they did not respond.'

This makes it all the more horrifying that the sole survivor, Harold Julien, lay badly injured under the blazing sun through most of the day, without the medical care that could have been provided many hours earlier. He died a few days later, although he had been expected by his doctors to survive.

There is also evidence, uncovered in UK Foreign Office records by Hans Kristian Simensen, a Norwegian researcher, that the UK attempted in 1961-62 to influence the conclusions of the initial inquiries conducted by the Rhodesian colonial government and by the UN. This attempt is discussed by Judge Othman in his 2017 report (paragraphs 117-119).

### **Grounds for hope**

Recent precedent in the UK offers some reason to hope that the UK government can be persuaded or pressurized to change its stance. For in 2013, a group of elderly Kenyans successfully sued the UK government over their shocking and brutal treatment during the suppression of the Kenyan Land and Freedom movement (the so-called Mau Mau). That court case resulted in the [release of previously concealed archives relating to the security activities of the British colonial administration in Kenya](#).

Initially the UK government asserted that it did not have these records; then the records were revealed and the government was forced to admit that it had lied. And this revelation led in turn to the discovery of a vast mass of other documents relating to the administration of the British empire. Many of these records have now been released.

A further ground for hope is that in relation to enquiries about the security and intelligence agencies, the UK government normally takes a Neither Comment Nor Deny (NCND) approach. However, GCHQ recently breached this practice: in [2017, in response to the allegation by President Trump's press secretary](#) that it had bugged Trump Tower; and

then in [2019, when Trump claimed that the UK spied on his 2016 election](#) campaign. There are therefore precedents of breaching the NCND policy when it was considered appropriate to do so.

But, for now, in the case of the mystery of Hammarskjöld's death, the UK government is intransigent. It is time for the UK to cooperate fully with the UN in its search for the true facts and to appoint an independent and high-ranking official to review the records of its security and intelligence agencies. 'It remains our shared responsibility,' urges UN Secretary General Guterres, 'to pursue the full truth.... I consider this to be our solemn duty to my illustrious and distinguished predecessor, Dag Hammarskjöld, to the other members of the party accompanying him and to their families.'

Many people across the world cannot understand why the UK, a Permanent Member of the Security Council, is so firmly opposed to transparency about Hammarskjöld's death. 'What...could be so toxic,' asked [Alan Cowell in the New York Times on 6 September 2016](#), 'that those records must remain occluded today?'

#### **Addendum: Previous investigations**

The first three inquiries into the cause of the crash took place in 1961-62: the Board of Investigation, which was set up immediately by the Rhodesian Department of Civil Aviation; the Rhodesian Commission of Inquiry, which included public hearings; and the UN Commission of Inquiry. All these inquiries were conducted under the conditions of British colonialism and white minority rule, which were little different from apartheid in South Africa.

The dismissal of Zambian witnesses was strongly criticised at the time by Timothy Jiranda Kankasa, who was the board secretary of Twapia township, adjacent to the crash site. It was 'incredible,' objected Kankasa, 'that all the black witnesses were supposed to be unreliable. And the white witnesses, those who gave evidence, if they gave evidence in favour of the fact that there was nothing fishy, that it was pure accident, were reliable.' Also rejected were the recollections of the survivor, an American security officer named Harold Julien, who spoke of 'sparks in the sky' and said that the plane 'blew up' before it crashed.

The [report of the Board of Investigation](#) was unable to reach any firm conclusion. It stated: 'the evidence available does not enable them to determine a specific or definite cause.' It regarded pilot error as one of several probable causes, but also considered other possibilities, including the 'wilful act of some person or persons unknown which might have forced the aircraft to descend or collide with the trees'. It regarded this as unlikely but was unable to rule it out, 'taking into

consideration the extent of the destruction of the aircraft and the lack of survivor's evidence.' Seventy-five to 80 per cent of the fuselage had been burnt.

The [report of the subsequent Rhodesian Commission of Inquiry](#) drew on the work of the Board of Investigation, but reached a conclusion which it claimed was 'more precise': it identified pilot error as the cause of the crash. It did not make this claim because there was any positive evidence for it, but on the basis of an elimination of the other suggested causes. This explanation of pilot error became widely accepted over subsequent years as the reason for the crash.

However, the [UN Commission, which reported in April 1962](#), reached an open verdict and did not rule out sabotage or attack. The UN Commission noted that: 'the Rhodesian inquiry, by eliminating to its satisfaction other possible causes, had reached the conclusion that the probable cause of the crash was pilot error.' But the UN Commission did not accept this conclusion. It argued that while it could not exclude this possibility, it 'has found no indication that this was the probable cause of the crash.'

Because the UN Commission reached an open verdict, the [General Assembly adopted a Resolution in October 1962](#) requesting the Secretary-General to inform the General Assembly of any new evidence relating to the disaster.

In 1992, Bengt Rösiö, who was the Swedish consul in Leopoldville in 1961-62, was asked by the Swedish government to conduct a small scale survey. [Rösiö's report in 1993](#) concluded that the pilot made an error of judgement regarding altitude. However [he withdrew this claim in 2012](#), when he saw a report in a Swedish newspaper with previously unreleased material and testimony. "I am not sure of this anymore," he said. "There is so much that is unclear." He added: "There are truly murky circumstances. You wonder whether the Rhodesian accident committee deliberately wanted to hide something."

In 2012-13, at the invitation of an [independent body of Trustees chaired by Lord Lea of Crondall](#), the [Hammarskjöld Commission](#) was set up to determine whether there was a case for reopening the UN inquiry in the light of the 1962 Resolution. This Commission was chaired by Sir Stephen Sedley of the UK and included Justice Richard Goldstone of South Africa, Ambassador Hans Corell of Sweden, and Justice Wilhelmina Thomassen of the Netherlands. The [Commission's report](#) concluded that significant new evidence existed. "There is persuasive evidence," it stated, "that the aircraft was subjected to some form of attack or threat as it circled to land at Ndola." It recommended that the UN reopen its investigation.

On 29 December 2014, the UN General Assembly adopted a Resolution submitted by Sweden, authorising the Secretary General to appoint an independent Panel of Experts to examine all the available evidence and report to him. Fifty-five nations joined Sweden to co-sponsor the Resolution, which was adopted by the consensus of all 193 Member States. The Head of the Panel was Judge Othman, selected by the Secretary General as the Eminent Person to take the inquiry forward; the other members were Kerryn Macaulay of Australia and Henrik Larsen of Denmark. [The](#)

[Panel's report of 2015](#) found 'significant new information that it assessed as having sufficient probative value to further pursue aerial attack or other interference as a hypothesis of the possible cause of the crash.'

The Panel's work was followed by the adoption of two further Resolutions by the General Assembly and two additional stages of inquiry, again conducted by Judge Othman. As with his report of 2015, his [second report of 2017](#) was read with huge interest globally. It was welcomed by the Secretary General, who called upon the General Assembly 'to remain seized of the matter and to endorse the report of the Eminent Person and his recommendations, with a view to ensuring comprehensive access to relevant information and to establishing the truth.'