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REPORT OF THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD
TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF
INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

(covering its work during 1967)

Rapporteur: Mr. Mohsen S. ESFANDIARY (Iran)

CHAPTER XII

FRENCH SOMALILAND

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* This document contains chapter XII of the Special Committee's report to the General Assembly. Parts I and II of this chapter were previously reproduced in documents A/AC.109/L.377 and Add.1. The general introductory chapter will be issued subsequently under the symbol A/6700 (Part I). Other chapters of the report are being reproduced as addenda.

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I. ACTION PREVIOUSLY TAKEN BY THE SPECIAL COMMITTEE AND
THE GENERAL ASSEMBLY

1. In 1966, the Special Committee considered French Somaliland at meetings held in June and October. The Special Committee did not at that time adopt any recommendations concerning the Territory, but decided to transmit to the General Assembly the information contained in the relevant working paper prepared by the Secretariat, together with the statements made on the item by representatives and by petitioners.^{1/}

2. The General Assembly, at its twenty-first session, considered the chapter of the report of the Special Committee relating to French Somaliland^{2/} and subsequently adopted resolution 2228 (XXI) of 20 December 1966, the operative part of which reads as follows:

"The General Assembly,

...

"1. Reaffirms the inalienable right of the people of French Somaliland (Djibouti) to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

"2. Calls upon the administering Power to ensure that the right of self-determination shall be freely expressed and exercised by the indigenous inhabitants of the Territory on the basis of universal adult suffrage and with full respect for human rights and fundamental freedoms;

"3. Urges the administering Power to create a proper political climate for a referendum to be conducted on an entirely free and democratic basis;

"4. Requests the administering Power, in consultation with the Secretary-General, to make appropriate arrangements for a United Nations presence before, and supervision during, the holding of the referendum;

"5. Requests the Secretary-General to transmit the text of the present resolution to the administering Power and to report on its implementation to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

"6. Decides to retain the question of French Somaliland (Djibouti) on its agenda."

3. On 23 February 1967 the Secretary-General submitted a report (see annex) as called for by paragraph 5 of resolution 2228 (XXI).

^{1/} A/6300/Add.8, chap. XII, para. 219.

^{2/} A/6300/Add.8, chap. XII.

II. INFORMATION ON THE TERRITORY^{3/}

Status of the Territory

4. French Somaliland is described as an Overseas Territory of the French Republic.

Present political structure

5. The main organs of government and administration are the Governor, the Government Council and the Territorial Assembly. The Governor is the head of the Territory (Chef du Territoire) and the representative of the French Republic. He is appointed by the French Government and is directly responsible for the administration of "State Services" (Services d'Etat).

6. The Government Council, under the presidency of the Governor, is composed of eight members who have the titles of minister and are elected by the Territorial Assembly from within or outside its membership. The Senior Minister has the title of Vice-President of the Government Council. The Government Council is responsible for the administration of territorial interests. It may not be dissolved except by decree of the French Government after consultation with the Territorial Assembly.

7. The Territorial Assembly consists of thirty-two members elected from seven multi-member electoral constituencies. The vote is based on universal adult suffrage. The Assembly is empowered to take decisions on territorial matters in the form of regulations.

8. French Somaliland is represented in the French Parliament by a deputy and a senator. It also has a representative in the French Economic and Social Council.

Political developments and the announcement of a referendum on the status of the Territory

9. Following the demonstrations held during the visit of President de Gaulle to Djibouti on 25 and 26 August 1966,^{4/} three ministers of Somali origin announced

^{3/} More detailed background information on the Territory is contained in the report of the Special Committee to the General Assembly at its twenty-first session (A/6300/Add.8, chap. XII, paras. 1 to 66). The information presented in this section, which has been derived from published sources, deals mainly with political developments during the period 31 August 1966 to 31 July 1967.

^{4/} For a description of the events which occurred in the Territory in August-September 1966, see A/6300/Add.8, chap. XII, paras. 47-60.

their resignation and Mr. Ali Aref, Vice-President of the Council of Government since 1960 and leader of the Rassemblement démocratique Afar (RDA) left for Paris and agreed to confide his post in an acting capacity to Mr. Hassan Gouled. A new Governor of French Somaliland, Mr. Louis Saget, was appointed some days later.

10. On 21 September, following a meeting of the French Council of Ministers, it was announced that in view of the internal and external situation of French Somaliland and having regard to the provisions which could be made by law with regard to its status and destiny in relation to the general interest of the Republic, the Government had decided that the population of the Territory would be directly consulted on that subject by means of a referendum before 1 July 1967. The draft law concerning that consultation would be laid before the Parliament.

11. The Governor of the Territory, on his return from consultations in Paris, on 9 October, stated that in the forthcoming referendum, the population would be offered a choice between complete independence and approval of the principles which would be included in the new statute of the Territory. The new statute would be drawn up after the referendum by the representative authorities of the Territory. The main principles, however, would be determined before the referendum.

12. Mr. Ali Aref, Vice-President of the Council of Government, submitted his resignation to the Governor in October, and on 5 November, the Territorial Assembly elected a caretaker Council of Government^{5/} headed by Mr. Mohamed Khamil, a leader of the Union démocratique Afar (UDA), one of the parties which was formerly in the opposition. The new Council, in which the various political opinions and ethnic groups in the Territory were represented, was composed as follows:

Vice-President and Minister of Public Works and the Port	Mr. Mohamed Khamil
Minister of Finance	Mr. Raymond Pecoul
Minister of Internal Affairs	Mr. Idriss Farah
Minister in charge of the Civil Service . . .	Mr. Ib. Ahmed Bouraleh
Minister of Public Health and Social Affairs .	Mr. Bourhan Abdallah
Minister of Education	Mr. Hassan Gouled
Minister of Labour	Mr. Abdi Ahmed Warsama
Minister of Economic Affairs and the Development Plan	Mr. Ahmed Hassan Ahmed

^{5/} Following the referendum, a new Council of Government was elected on 6 April 1967 (see paras. 40-42 below).

Organization of the referendum

13. On 2 December the French National Assembly discussed and adopted the draft law organizing the referendum to be held on French Somaliland. The Senate discussed and adopted it on 14 December, and the law was promulgated on 22 December 1966.
14. The law provided that before 1 July 1967 the population of French Somaliland would be invited to state in a referendum whether it wished to remain part of the French Republic with a revised statute of government and administration, or to be separated from it. The population would be informed in advance of the main features of the new statute.
15. If the population opted for the new statute, the latter would be submitted to the French Parliament, in accordance with the provision of article 74 of the Constitution, within four months from the date of the referendum.
16. The Parliament would be called upon to express its views on the choice made by the population. From the date of the referendum, and until the Parliament had reached a decision, the Government would, when necessary, be empowered to take by government order, in accordance with article 38 of the Constitution, any legal measure which might be required by the situation in French Somaliland. The bill for the ratification of the orders would, in this case, be submitted to Parliament before 1 December 1967.
17. All persons registered on the electoral rolls of French Somaliland who were able to provide evidence that they had been resident in the Territory for at least three years would be qualified to participate in the referendum.^{6/}
18. In the case of a dispute regarding the residence requirement, the claim would be adjudicated by a commission composed of three judiciary magistrates appointed by decree of the French Government on the recommendation of the Minister of Justice.
19. A commission, to be known as the Returns and Adjudication Commission (Commission de recensement et de jugement) would adjudicate any claims arising
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- 6/ During the discussion of the draft law in the Senate, the Secrétaire d'Etat, Mr. Habib-Deloncle, declared that the revision of the electoral rolls of French Somaliland, which began on 1 December 1966, would be completed on 28 February 1967.

from the poll and would draw up the final results of the referendum. The Commission would be composed of a Conseiller d'Etat, a Conseiller à la Cour de cassation, and a Conseiller Maître à la Cour des Comptes appointed by decree of the French Government, adopted in the Council of Ministers.

20. The procedure for the application of the law of 22 December 1966 was established by decree of 26 January 1967 which contains, inter alia, the provisions indicated below:

(a) The voters would be required to answer "yes" or "no" to the following question:

Do you wish the Territory to remain part of the French Republic with the new statute of government and administration which has already been outlined?

(b) The choice of the electorate would be determined by the majority of votes cast.

(c) Each voter would be provided with two ballot papers, one white paper bearing the answer "yes" and one blue paper bearing the answer "no".

(d) A list of voters admitted to participate in the referendum would be prepared in each administrative district. The list would include all persons registered on the electoral rolls of the Territory who were able to provide evidence that they had resided in the Territory for at least three years, the date for calculating the period of residence being the date on which the electoral roll was closed.

(e) Any person registered on the electoral rolls of the Territory might contest the inclusion of a voter on the list of voters entitled to participate in the referendum or his own omission from the said list. Compliance with the three-year residence requirement would be provided by the production of an identity paper used for administrative purposes.

(f) Each political party would be entitled to designate a delegate to be present at each polling centre to supervise the voting, the sorting of the ballot papers and the counting of votes.

(g) The supervisor of each polling centre would be appointed in the manner established by the laws and decrees in force in the Territory. The functions of scrutineer would be undertaken by a representative of each political party,

selected on the eve of the poll by the delegates referred to above (f) from among voters registered in the administrative districts.

(h) Each person entitled to participate in the referendum would be given a special card, known as "referendum participant's card", indicating the polling centre which the holder was required to attend on the day of the referendum.

(i) All political parties which were duly registered would be entitled to participate in the campaign prior to the referendum. This campaign would open on the second Sunday preceding polling day and would close on the Friday preceding polling day.

(j) During the campaign prior to the referendum, the representative of the Republic of France in the Territory would take the necessary measures to ensure that the following documents giving information on the purpose and scope of the referendum were posted on boardings reserved for such use and were supplied to each voter:

- (i) The text of the law organizing the referendum.
- (ii) The text of the decree establishing the procedure for the referendum.
- (iii) The document outlining the institutions which the Territory would have in the event of an affirmative answer.

(k) A special commission, called the Commission de contrôle, composed of a president and five members appointed by decree of the French Government from the ranks of high officials and magistrates, would ensure that voters in the referendum can express their views freely and frankly. The Commission might be represented in each administrative district by one or more delegates.

Date of the referendum

21. On 18 January the French Council of Ministers fixed 19 March 1967 as the date on which the referendum would be held in French Somaliland.

Revised statute for French Somaliland

22. Following the meeting of the Council of Ministers held on 18 January, the Minister of State for Overseas Departments and Territories announced that a text containing the main elements of a revised statute for French Somaliland had been approved.

/...

23. The main elements of the revised statute, as contained in the statement of the Minister of State for Overseas Departments and Territories in the French National Assembly during the discussion of the law organizing the referendum include the following:

(a) French Somaliland would have the status of an Overseas Territory within the French Republic endowed with a large measure of autonomy. Its population would be represented in the French Parliament and in the Economic and Social Council. The organs of government and administration would be a Council of Government (Conseil de gouvernement) and a Chamber of Deputies (Chambre des députés).

(b) The Council of Government, in which the various communities of the Territory would have equitable representation, would be elected by the Chamber of Deputies and would comprise a president, two vice-presidents and seven other ministers. The Council would be responsible for the administration of territorial services, and would prepare draft laws to be submitted to the Chamber of Deputies. The Council would assume the existing functions of the Governor in his capacity of Head of the Territory (Chef du territoire).

(c) Members of the Chamber of Deputies would be elected by universal suffrage according to rules approved by the Chamber itself, bearing in mind the equitable representation of the various communities. Both organs, the Chamber of Deputies and the Council of Government, would have the initiative in proposing legislation concerning territorial matters with the exception of financial matters in which only the Council would have the initiative.

(d) The Council of Government would be responsible before the Chamber of Deputies. A motion of censure of the Council could be proposed by the Chamber of Deputies. Conversely, on the advice of the Council of Government, the High Commissioner (see (e) below) would be empowered to propose to the Government of France the dissolution of the Chamber of Deputies.

(e) The Government of France would be represented in the Territory by a High Commissioner, who would assume responsibility for external affairs, defence, currency, enforcement of laws and international accords and the safeguarding of individual rights and liberties.

24. A delegation which included Mr. Mohamed Khamil, Vice-President, Mr. Hassan Gouled, Minister of Education and nine other members, elected by the Territorial Assembly, was reported to have gone to Paris for consultations on the new statute early in January.

25. According to later reports, on 20 January four members of the Governing Council had sent their resignations to the Governor of French Somaliland. They were: Mr. Hassan Gouled, Minister of Education; Mr. Abdi Warsama, Minister of Labour; Mr. Idriss Farah, Minister of Internal Affairs; and Mr. Ibrahim Ahmed Bouraleh, Minister in charge of the Civil Service.

Political parties

26. Political organizations in the Territory are the following:

27. Union démocratique Afar (UDA). Mr. Mohamed Khamil, Vice-President of the Council of Government, and Mr. Mohamed Ahmed Issa are prominent members of this party. In October last year, the party was reported to have declared itself in favour of independence, and to have formed, with the Parti du Mouvement populaire (FMP), a co-ordinating committee under Mr. Mohamed Ahmed Issa.

28. In January 1967, after the consultations on the new statute mentioned in paragraph 24 above, Mr. Mohamed Khamil was reported to have made public a declaration announcing that he would campaign for a "yes" vote in the referendum. Having consulted the Committee of the UDA, it was reported, he considered that the draft statute of which the main lines were examined in Paris with representatives of the French Government, constituted at present a satisfactory stage on the path towards independence. In his opinion, it represented an intermediate solution between maintaining the statute of 1957 which was outdated and a premature, immediate independence.

29. Rassemblement démocratique Afar (RDA). This party is led by Mr. Ali Aref, former Vice-President of the Council of Government. Another prominent member of the party, Mr. Hamadou Barkat Gourat, is at present the senator for French Somaliland. The party favoured a "yes" vote in the referendum.

30. Parti du mouvement populaire (FMP). Mr. Ahmad Idriss Moussa, its leader, was until April 1967 French Somaliland's deputy in the French National Assembly. The Secretary-General of the party is Mr. Hassan Gouled, former senator and Minister of Education. The party was reported to favour a "no" vote in the referendum.

31. Union démocratique Issa (UDI). The leader of this party was Mr. Hassan Gouled. In February 1967, Mr. Umar Farah denied a report broadcast by Radio Djibouti according to which the Union démocratique Issa had merged with the Parti du mouvement populaire, and announced that the party would shortly be issuing a manifesto declaring its stand on the coming referendum.

32. Representatives of the political movements outside the Territory, Front de Libération de la Côte des Somalis (FLCS), centred in Mogadiscio, and Mouvement de Libération de Djibouti (MLD), centred in Dire Dawa, were heard by the Special Committee in 1966.

The referendum

33. The official returns of the referendum in French Somaliland, which was held on 19 March 1967, were reported to be as follows:

Registered voters:	39,312
Votes cast:	37,221
In favour of continued association with France:	22,555
Against:	14,666

34. The eligible electorate totalled 39,000. French citizens over twenty-one years of age who could justify three years' residence in French Somaliland were eligible to vote. About 14,700 Somalis were registered, compared with 22,000 Afars. In addition, there were about 1,400 Arab and 900 French expatriate registered voters.

35. The total population of the Territory was reported to be 125,000 of which some 58,000 were Somalis while the Afars numbered approximately 48,000. The population also included Europeans and Arabs. Out of the total of 125,000, some 87,000 were considered to have French citizenship.

Disturbances after the referendum

36. On 20 March 1967, violent rioting broke out in Djibouti following the announcement of the referendum results. At least eleven persons were killed that day, as French troops were called in to crush rioting in the Somali quarter. The Governor declared a state of emergency, all meetings and gatherings of more than five persons were forbidden and a curfew was imposed from 6.30 p.m. to 6.30 a.m.

On 26 March, it was reported that there had been more than twenty deaths since the riots broke out.

37. About 1,000 French paratroopers were flown in from France. More than 2,000 Somalis from Djibouti were reported to have been rounded up by French troops and taken to a deportation camp in the desert. On 22 March, the camp was reported to contain more than 4,000 people who were being screened to decide which of them would be expelled to the neighbouring Republic of Somalia, about twelve miles away.

Territory's political life after the referendum

38. On the morning of the referendum, the leader of the Parti du Mouvement Populaire (FMP), Mr. Ahmad Idriss Moussa, declared that his party would not take part in the Territory's formal political life. This stand was confirmed by Mr. Hassan Gouled, the Secretary-General of the FMP and a former government minister, who declared that the party would not take part in any new government and would not participate in any discussion of the new statute. It was claimed by the party that the referendum had been rigged.

39. On 26 March, the Governor met with five Somali leaders, including Mr. Hassan Gouled, and asked them to reconsider their position on participation in the political life of the Territory. The Somali leaders were reported to have declared that they would consider joining the Government if France met several conditions that amounted merely to rescinding the security measures imposed after the rioting broke out. The Governor said later that he had planned to cut back the security measures if calm continued. The Somali members of the Assembly subsequently agreed to the reconvening of the Assembly.

Meeting of the Territorial Assembly and election of the new Government Council

40. The Territorial Assembly of French Somaliland was convened in extraordinary session on 5 April and on 6 April elected a new Government Council headed by Mr. Ali Aref, leader of the Rassemblement démocratique Afar (RDA) as Vice-President.^{7/} Mr. Ali Aref was also Vice-President of the Government Council from 1960 to 1966, when he resigned following the incidents accompanying the visit of President de Gaulle and was replaced by Mr. Mohamed Khamil, leader of the Union démocratique Afar (UDA).

^{7/} The President was Mr. Louis Saget, Governor of the Territory.

41. None of the ministers in the new Council was Somali. The four Somali ministers of the previous Government Council had resigned in January 1967. Somali deputies attended the extraordinary session of the Territorial Assembly with the exception of Mr. Ahmad Idriss Moussa, leader of the FMP, but refrained from designating candidates for election to the Government Council.

42. Later, on 7 July, a new Council was elected, also headed by Mr. Ali Aref. This Council included two Issa ministers but remained under control of the Afars.

Election of a deputy to the French National Assembly

43. The election of a deputy from French Somaliland to the French National Assembly took place on 23 April. The successful candidate was Mr. Abdoukadar Moussa Ali, an Afar who polled 20,167 votes compared with 11,052 votes for his chief rival Mr. Idriss Farah Abaneh, a Somali. These figures were released on the morning of 24 April. The previous deputy to the French National Assembly (see paragraph 30 above), had been Mr. Ahmad Idriss Moussa, a Somali who had decided not to run for re-election as a gesture of protest against the results of the referendum of 19 March which he contended had been rigged. Only inhabitants with valid French citizenship papers were allowed to vote.

Action of the French National Assembly on the results of the March referendum

44. On 13 June, the French National Assembly passed a bill relating to the organization of the Territory. The bill gave effect to the results of the referendum held in the Territory on 19 March, according to which the Territory was to remain within the French Republic under a revised statute.

45. The provisions of the bill which were largely in conformity with the details announced prior to the referendum (see paragraphs 22-25 above) had been approved by the Territorial Assembly with certain amendments, some of which were accepted and some rejected by the French National Assembly.

46. Among these proposals, the National Assembly approved an amendment concerning the retention of authority of the French State over the aerodrome, the port of Djibouti and immigration. On the other hand, while accepting the principle of equitable representation in the Territorial Chamber of Deputies, the Assembly turned down a suggestion that representation of groups in the Chamber should be on a pro rata basis.

47. A proposal by the Territorial Assembly to change the name of the Territory to that of Territoire française des Afars (French Territory of the Afars) was replaced by an amendment changing the name of the Territory to Territoire française des Afars et des Issas (French Territory of the Afars and the Issas).

48. Following the adoption of the renewed statute by the French National Assembly on 13 June, the French Council of Ministers appointed Mr. Louis Saget as High Commissioner of the Territory. Mr. Saget had been Governor of the Territory since September 1966.

Lifting of the curfew

49. The curfew imposed as a result of the disorders which occurred after the referendum of 19 March was lifted on 22 June. It was reported that the announcement on the same day of the adoption by the French Parliament of the new law on the organization of the Territory had been received with no apparent reaction.

III. CONSIDERATION BY THE SPECIAL COMMITTEE

Introduction

50. The Special Committee considered French Somaliland on four separate occasions during 1967. It first considered the Territory at its 499th, 500th, 502nd and 503rd meetings held at Headquarters between 9 and 15 March, shortly before the holding of the referendum.

51. During its consideration of this item, the Special Committee had before it, in addition to the petitions listed below, the report (see annex) submitted by the Secretary-General in compliance with paragraph 5 of General Assembly resolution 2228 (XXI), and a letter on the question of French Somaliland (A/AC.109/233) addressed to the Chairman of the Special Committee by the Permanent Representative of Somalia to the United Nations.

52. In a letter dated 27 February 1967 (A/AC.109/225), the Permanent Representative of Somalia to the United Nations requested that his delegation be allowed to participate in the Special Committee's consideration of French Somaliland. The Committee decided without objection to accede to that request.

A. Written petitions

53. The Special Committee circulated the following petitions concerning French Somaliland:

Petitioner

Document number

Mr. Abdillahi Ardeye
Front de Libération de la Côte
des Somalis (FLCS).

A/AC.109/PET.579

Messrs. Ibrahim Egeh,
exiled Secretary of Trade Union,
Omer Abubakar Farah,
Front de Libération de la Côte des Somalis (FLCS),
and Mohamed Ali Subakleh,
exiled Treasurer, Parti du mouvement populaire

A/AC.109/PET.615

Messrs. Abdulrahman Ahmed Gabot,
ex-Parliamentarian and Vice-President of the
Front de Libération de la Côte des Somalis (FLCS)
and Mohamoud Obsiye,
ex-Parliamentarian and Secretary-General of FLCS

A/AC.109/PET.616

Petitioner

Document number

Mr. Ali Ahmed Udun,
ex-Parliamentarian and member of the
Union Démocratique Afar

A/AC.109/PET.617

Mr. Abdillahi Youssouf,
Secretary-General,
Co-ordination Bureau of the
Parti du Mouvement Populaire and Union Démocratique Afar

A/AC.109/PET.618

Mr. Abdillahi Abery,
Vice-President,
Parti du Mouvement Populaire

A/AC.109/PET.619

Mr. Abdillahi Osman and four others,
Deportee Centre Committee,
Zeilah

A/AC.109/PET.620

B. General statements

54. The representative of Somalia said that an explosive situation which was a potential threat to the peace of Africa had developed in French Somaliland, particularly since August 1966. In his report (annex, para. 4) the Secretary-General had informed the Committee that he had been unable to obtain a reply from the French Government regarding arrangements for a United Nations presence before and during the holding of the referendum, in accordance with operative paragraph 4 of General Assembly resolution 2228 (XXI). The matter was urgent, as the referendum was to be held on 19 March 1967.

55. In October 1966, the Committee had heard petitioners from French Somaliland who had painted a sad picture of the irregularities in the 1958 referendum and of the situation of the inhabitants since that time. They had shown that the 1967 referendum would not be a true expression of the popular will unless the French colonial authorities drastically changed their policies, which included political arrests, the suppression of political activities within the Territory, and arbitrary expulsions. Since November 1966 the number of refugees from the Territory in Somalia had risen to 8,000. The vast majority were bona fide citizens of the Territory who had been expelled because the local authorities believed that they would vote "no" in the referendum. Most of them were destitute and the Somali Government had been obliged to call on international humanitarian

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organizations, including the United Nations High Commissioner for Refugees, for assistance. As the Somali delegation had repeatedly emphasized, the population of French Somaliland was relatively small, and measures which deprived even a few thousands of their right to vote in the referendum could, therefore, have a decisive impact on its outcome.

56. General Assembly resolution 2228 (XXI) reaffirmed the inalienable right of the people of the Territory to self-determination and independence and requested the administering Power, in consultation with the Secretary-General, to make arrangements for the United Nations presence before, and supervision during, the holding of the referendum. The nature of that presence was not prescribed, so that the wishes and sensibilities of the administering Power were taken into full consideration. It was most regrettable that the French Government had not seen fit to accede to the General Assembly's request.

57. The French Government was also disregarding other provisions of that resolution which were intended to ensure a fair referendum. The referendum was governed by Act No. 66-949, of 22 December 1966, adopted by the French Parliament, and by a French Presidential Decree, No. 67-73, of 26 January 1967. The voters were to vote "yes" or "no" to the following question: "Do you wish the Territory to remain part of the French Republic with the revised statute of government and administration, the essential elements of which have been brought to your knowledge?" There was no reference to independence, and the revised statute of government and administration had still been unavailable on 3 March 1967, when the Secretariat's working paper on French Somaliland (see paras. 1-49 above) had been circulated.

58. In order to vote, an elector had to fulfil three requirements. First, his name must appear on the electoral rolls. Secondly, he must prove at least three years' residence in the Territory by producing official documents, such as identification papers, an iniquitous and unreasonable requirement for a population which was largely nomadic and unfamiliar with written documents. Thirdly, his name must be on the special voters' list for the referendum, an additional stipulation which would undoubtedly cost many indigenous inhabitants their vote. Only persons already on the general electoral rolls could be put on the special list. Thus, anyone excluded from the general roll was automatically excluded from

the special list. He was also denied the right to protest against his exclusion, as protests could be made only by persons on the general electoral rolls and there was no provision for complaints on behalf of third persons. Furthermore, the complaint had to be made within five days after the completion of the lists, and in a strict legal form. Lastly, all complaints were considered by the Returns and Adjudication Commission, which was composed of three persons, all French nationals. He did not wish to suggest that they were biased, but he could not help regretting that the indigenous population was not represented on any of the bodies running the referendum.

59. The people's participation in the actual balloting was restricted also. Each authorized political party was, in principle, entitled to participate in the supervision of the voting and counting of the votes but it must be registered before the promulgation of the Decree of 26 January 1967 and have made its request not more than three days afterwards. In addition, the supervisor must himself be on the special voters' list for the area concerned. Thus, in areas where the pro-independence parties were weak and had no delegates registered, they would be unable to participate in the supervision of the balloting. The French colonial authorities were making participation even more difficult in other ways also. For instance, there were thirty-five new polling stations, all of which were located in remote and sparsely populated areas where the pro-independence parties could be expected to be weak. As had already been pointed out in the Committee, a colonial Power might well elude its responsibilities under General Assembly resolution 1514 (XV) by manipulating elections; the inhabitants of French Somaliland would view the referendum with greater confidence if the procedures for conducting it were such as to remove all doubts of its fairness.

60. Campaigning in the referendum was restricted in two ways. Only political parties fulfilling the requirements of the Decree of 26 January 1967 were entitled to campaign, which meant that campaigning by individuals or informal groups could be prohibited and punished. Secondly, even the authorized political parties could campaign only during a period of twelve days ending two days before the balloting. That was a severe handicap to the political parties, as campaigning in a country like French Somaliland was arduous and time-consuming. In addition, political leaders who favoured independence had either been imprisoned on trumped-up charges

or denied their democratic right to form political associations and hold public meetings. There was discrimination also in the registration of the voters, indigenous citizens being given less time to register than foreign residents who had no stake in the political future of the Territory. Furthermore, it was unjust that younger voters, who had not been old enough to be put on the electoral rolls when they had last been up-dated, should be excluded from participation in the referendum. Four Somali ministers had resigned in protest against the French colonial administration's attitude towards different political groups and its preparations for the referendum.

61. There were, therefore, legitimate grounds for doubting the intentions of the French Government regarding the Territory's future. For that reason, the General Assembly had decided that a United Nations presence before and during the referendum was desirable. The fact that the French Government had not responded to the General Assembly's request did not relieve the United Nations of its responsibilities in the matter.

62. The Organization of African Unity had considered the latest developments in French Somaliland on 4 March and had appealed to France to do its utmost to ensure that the coming referendum was conducted in a just and democratic manner and to the people of the Territory to continue their united efforts to achieve self-determination and independence.

63. The Committee must express itself clearly and without delay on the situation in French Somaliland. It might wish, among other things, to set up a sub-committee to go immediately to the Territory and obtain impartial information about the situation there before, during, and immediately after the referendum. If the sub-committee could not go to the Territory, he was authorized by his Government to invite it to obtain pertinent information in Somalia, in a place or places to be determined by the Committee or the sub-committee, as appropriate. He did not, however, wish to impose any solution on the Committee, which would doubtless know how to acquit itself of its urgent responsibilities under General Assembly resolution 2228 (XXI).

64. The representative of the United Republic of Tanzania said it was regrettable that the Secretary-General had not yet received any response from the Government of France concerning the implementation of General Assembly resolution 2228 (XXI). The question of French Somaliland had been before the

United Nations for a long time and yet the administering Power had ignored a request from the United Nations made in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples which was fully applicable to that Territory. It was true that, although the French Government had refused to participate in any discussion of the rights of the people of French Somaliland to self-determination and independence, it had decided to hold a referendum in the Territory. Unfortunately, however, the referendum had certain features which could only be described as intimidating. As The Economist had pointed out, the French had been brutally frank about their judgement of the prospects of the Territory if it chose independence. It was well known that the people of French Somaliland had been told that if they chose independence, the administering Power would sever relations, discontinue aid and provide no assistance whatsoever. His delegation had always maintained that economic and territorial considerations should not be used to impede independence. Furthermore, the question which was to be put to the people was not at all clear. They were to be asked whether or not they wished the Territory to remain part of the French Republic with the new statute of government and administration which had already been outlined. There was no real choice and no guarantee that, if they did not vote "yes", they would obtain independence.

65. In addition, it had been reported that several thousand citizens of the Territory had been refused registration for the referendum because they had not participated in the French presidential elections, and thousands more who had recently reached voting age had also been refused registration. That was another form of intimidation. It was therefore the duty of the Committee to make provision for a United Nations presence in French Somaliland to see that the people of the Territory were given a free choice without any form of intimidation. The Committee should ask the Secretary-General to consider the possibility of sending a mission to French Somaliland for that purpose as soon as possible. He expressed the hope that, despite all intimidation, the people of French Somaliland would exercise its right to self-determination and independence.

66. The representative of Mali said that no response had yet been received by the Secretary-General from the Government of France to the request made in operative paragraph 4 of General Assembly resolution 2228 (XXI). That recommendation was morally binding upon the administering Power and it should take steps to comply with it.

67. His delegation had always held that the people of the Territory concerned must always be consulted in any act of decolonization. In French Somaliland, however, the process of consultation had already begun. The people were to be asked a clear and specific question, namely whether they wished the Territory to remain part of the French Republic with the new statute of government and administration which had already been outlined to them. The decision now lay with the people themselves; if they voted in favour, it would mean that they agreed to remain part of the French Republic, and if they voted against, it would mean that they wanted total independence. He himself was entirely confident in the people of French Somaliland who alone were in a position to know their best interests, and his country would respect their decision. Moreover, it was confident that, as General de Gaulle had stated, France would have no objections if the people chose independence.

68. The Committee should therefore give new instructions to the Secretary-General regarding his report. There were two alternatives: either the Secretary-General could be requested through the Chairman of the Committee to urge the Government of France to furnish information as a matter of urgency regarding the steps taken or envisaged by it in implementation of General Assembly resolution 2228 (XXI), or the Committee could implement the resolution adopted by the Organization of African Unity on 4 March 1967 appealing to the administering Power to allow the referendum to take place in freedom and justice.

69. From its own experience, Mali knew that when the French Government organized a referendum a clear question was put to the people; it had itself proceeded to independence by means of a referendum and the French Government had respected its decision. It believed that in French Somaliland too, France would respect the decision of the people.

70. The representative of Scmalia said that the first procedure outlined by the representative of Mali, while certainly desirable, was not sufficient. An invitation to the French Government at the present stage to furnish information on the preparations for the referendum would be a mere formality. Ever since the so-called referendum in 1958, France had taken the position that the people of French Somaliland had exercised their right to self-determination and that the Territory was no longer a Non-Self-Governing Territory. It had accordingly refused to submit information as required under Article 73 e of the Charter. The French Government had refused to participate in the debate on the question of French Somaliland during the twenty-first session of the General Assembly and it was clear from the Secretary-General's report (see annex) that it did not intend to implement any of the relevant resolutions. Had France lived up to its responsibilities, the Committee would now be in a position to deal expeditiously with the question. However, unless it had all the facts before it, it could hardly make valid and reasonable recommendations.

71. The Committee should also bear in mind the time factor. Admittedly, the decision made in the referendum would be the people's decision. However, the Committee should ensure that the people were allowed to express themselves freely. One way of enabling the Committee to gain more information would perhaps be to ask the visiting mission which was soon to go to Aden to examine the situation prevailing in French Somaliland. At a recent meeting of the Committee (A/AC.109/SR.487), the representatives of Yugoslavia, Iran and Mali had expressed themselves in favour of the dispatch of visiting missions to examine the situation in small Territories. They had advocated a United Nations presence as a general method of helping the cause of colonial peoples, although, admittedly, their comments had related to the organization of the Committee's work and not to the situation of the kind now existing in French Somaliland. The Committee could not adopt a leisurely approach; a referendum was imminent and General Assembly resolution 2228 (XXI) not only requested United Nations presence before, and supervision during, the referendum, but gave the Special Committee particular duties and responsibilities, as was obvious from the fact that the Secretary-General had been asked to report to the Committee about the arrangements. In

other words, the Committee should not confine itself to discussing the theoretical advantages of a United Nations presence and a visiting mission but should consider what it should do about the refusal of the administering Power to make such arrangements.

72. It was regrettable that the Committee had not dealt with the situation in French Somaliland with the urgency it deserved. At the last session, every possible manoeuvre had been used to delay a debate on the question and the Committee had merely submitted all the evidence it had gathered to the Fourth Committee and had not formulated any recommendations. The situation at present was similar; the Working Group had considered the matter and had not thought fit to give the question of French Somaliland adequate priority. In view of the fact that ten days before the referendum was to take place France had still not made the arrangements requested by General Assembly resolution 2228 (XXI), the Committee should take action and not merely issue a last-minute appeal for information. Such ineffective measures would damage the trust placed in the Committee by the peoples concerned and harm the reputation of the Committee within the United Nations. He had, in that connexion, been encouraged by the remarks made by the representative of Tanzania. He could not, however, agree with the remarks made by the representative of Mali concerning France. France was a colonial Power and would remain a colonial Power as long as it had colonial Territories in its possession. The Committee itself had recognized that French Somaliland was a Non-Self-Governing Territory, and, as such, it was entitled to the consideration of all members of the Committee.

73. While it would have been preferable for a United Nations presence to have been established in French Somaliland during the referendum - and the Committee might perhaps wish to make a last-minute appeal to that effect - he felt that the Committee should take all the necessary steps to dispatch a sub-committee to the border region of French Somaliland to investigate the situation for itself.

74. The representative of Mali said that his delegation was convinced that the process of decolonization had already begun in French Somaliland. Mali had always fought to ensure that people were consulted regarding their right to self-determination and their future, in conformity with General Assembly resolution 1514 (XV). As a result of certain political events which had taken

place in 1966, the Government of France had now put a clear and specific question to the people of French Somaliland. Therefore, it was for the people of that Territory to decide whether they wished to remain French or to become independent, and Mali would respect their decision. With regard to the conduct of the referendum, he reiterated that Mali had proceeded to independence in the same fashion and had complete confidence in the French Government.

75. The representative of Ethiopia said that Ethiopia continued to believe that French Somaliland had the right to be freed from colonial rule. It stood by the people of the Territory in the defence of their interests. It wished to maintain and strengthen mutual relations, interdependence and co-operation based upon mutual respect and benefit. It looked forward to the day when all the peoples of Africa would be able to put aside the petty differences and prejudices which were the unfortunate heritage of their colonial past and strive together in harmony for their mutual benefit.

76. The report of the Secretary-General (see annex) stemmed from operative paragraphs 4 and 5 of General Assembly resolution 2228 (XXI). When the resolution had been discussed in the Fourth Committee, a number of delegations, including his own, had felt that, since France had already taken steps to hold a referendum in French Somaliland, it would be untimely to ask the General Assembly to recommend a United Nations presence at that particular stage. He himself had stated that, while it did support the general principle of a United Nations presence, his delegation did not think that a United Nations presence was necessary in each and every case of decolonization. In view of the fact that the referendum had been set for a specific date, and that preparations for it were well under way, it had been thought that insistence on a United Nations presence in French Somaliland might in fact hamper the movement towards freedom. Two other considerations had also been taken into account.

77. First, the Conference of African Heads of State and Government, in its resolution of 9 November 1966, had merely noted the decision of the French Government to hold a referendum and expressed the desire that the voting should be on an entirely free, democratic and impartial basis. At a recent meeting the Council of Ministers of the Organization of African Unity had appealed to the administering Power to do its utmost to ensure that the referendum was conducted

in a just and democratic manner in accordance with the relevant resolutions of the United Nations and of the Organization of African Unity. It had also appealed to the people of the Territory to continue their united effort in achieving their inalienable rights to self-determination and independence. Both those bodies had recognized that the referendum should be given a trial and that the referendum was a decisive step forward in the process of decolonization.

78. The second consideration had been the knowledge that many countries in both Africa and Asia had achieved their freedom without a United Nations presence. It had been thought that, if the United Nations had insisted on such a presence, arguments about decolonization would still be going on in countries which were now independent, to the obvious advantage of the colonial Powers. Admittedly, freedom from colonial rule had not been achieved easily or without great sacrifice; the will and the determination of the peoples themselves had been the principal factors in the victory for freedom. Furthermore, such colonial Powers as Portugal and South Africa, which were blind to the dictates of justice and reason, had to be distinguished from those which recognized the need for a change from a relationship based on servitude to one based upon mutually beneficial relations between free and sovereign peoples. France itself, though regrettably and, in his view, unjustifiably absent from the Committee's deliberations, had given a commendable example of peaceful decolonization, which he hoped it would live up to in French Somaliland. He was, however, particularly unhappy about its lack of response to the Secretary-General's communication, and appealed to the Government of France to resume its place in the Committee and establish communication with the Secretary-General.

79. One of the major difficulties the Committee faced was the lack of full and accurate information on the prevailing situation, in particular with reference to political parties. It was difficult, and even dangerous, to rely on information derived from a single source. The Committee had to hear the views of all sides if its conclusions were to be valuable and just. That was precisely why he would urge the administering Power to supply the supplementary information which would enable the Committee to draw fair and valid conclusions.

80. While he had reservations about the advisability of insisting on a United Nations presence in French Somaliland, he did feel that respect for General Assembly resolutions was of paramount importance. He therefore urged the Government of France to assist the Secretary-General in a spirit of positive co-operation and of dedication to the principles of the Charter.

81. The representative of Syria thanked the representative of Somalia for his very useful statement at the previous meeting which had helped to keep the Committee informed about French Somaliland. He did, however, feel some anxiety about the situation. The referendum called for by the French Government was to present the people with a choice between attaining total independence and remaining part of the French Republic with a new statute of government and administration. While his delegation welcomed the decision of the administering Power to hold the referendum, thus recognizing the right to self-determination and independence of yet another dependent Territory, it was important, as the Council of Ministers of the Organization of African Unity had confirmed in its recent appeal to the administering Power, that the right to self-determination and independence should be expressed freely and democratically, without intimidation or pressure. For that reason the General Assembly, in resolution 2228 (XXI), had urged the administering Power to create a proper political climate for the referendum. His delegation had voted in favour of operative paragraph 4 of that resolution recommending a United Nations presence before, and supervision during, the holding of the referendum in French Somaliland because it was convinced that that was the only way the people of the Territory would be able freely to determine their political status in accordance with operative paragraph 2 of General Assembly resolution 1514 (XV).

82. The representative of Sierra Leone recalled that General Assembly resolution 2228 (XXI) had urged the administering Power to create a proper political climate in French Somaliland for a referendum to be conducted on an entirely free and democratic basis. His delegation was disappointed at France's failure to co-operate, as reported by the Secretary-General (see annex). By its silence, France gave the impression of treating the United Nations with contempt. His delegation had always regretted France's refusal to supply information on the Territory under Article 73 e of the Charter, and hoped that it would adopt a more enlightened approach in future.

83. The French Government's decision to hold a referendum, taken after demonstrations in French Somaliland during President de Gaulle's visit in August 1966, had been a tacit admission that the Territory had not been decolonized and that at least a sizable part of the population demanded some change. Such a move on France's part had been most welcome. But there were complaints about the choice to be offered the inhabitants in the referendum, scheduled for 19 March 1967. When an administering Power was considering a form of association rather than independence, it was imperative that the people should choose freely and on the basis of absolute equality. But the people of French Somaliland had been informed that if they chose independence rather than association, France would pull out completely and sever all connexions, including financial assistance. That constituted a threat and a curtailment of the people's freedom of choice. Moreover, the people of the Territory should have greater latitude to opt for other kinds of self-determination. There had been complaints, too, about the way in which the electoral rolls had been compiled, the exclusion of certain voters, and the deportation of people who claimed to be inhabitants of the Territory.
84. In the circumstances, it might have been better for the administering Power to allow a United Nations presence before, and supervision during, the holding of a referendum. An administering Power should create a climate of confidence; instead, by its non-co-operation with the United Nations, France had given rise to controversy and fear for the free expression of the people's will. It was perhaps not too late for the Special Committee and France to agree to a United Nations presence in the Territory. But if France should refuse to accept a United Nations offer to supervise the referendum, his delegation would urge that the Committee should consider the Somali Government's invitation to send a mission to the area. Such a step would have a salutary psychological effect on the peoples of French Somaliland, reassuring them of the Organization's active participation in their struggle for independence.
85. The representative of the Union of Soviet Socialist Republics said that his delegation had voted for General Assembly resolution 2228 (XXI) reaffirming the inalienable right of the people of French Somaliland to self-determination and independence. The resolution had also invited the administering Power to ensure that the right of self-determination was freely exercised and to create a proper

political climate for a referendum to be conducted on a free and democratic basis. But the information received by the Committee indicated that the political rights and freedoms of the population, as well as the activities of political parties in favour of independence, were being curtailed. He expressed the hope that the administering Power would take the resolution of the General Assembly and the Declaration on the Granting of Independence to Colonial Countries and Peoples into account and afford the people of French Somaliland a genuine opportunity to express their sovereign will concerning their future. The USSR delegation had indicated its position in the past and remained in favour of a United Nations presence in the Territory during the referendum.

86. The representative of Somalia said he was glad the Ethiopian representative agreed that, if the Committee was to make a proper judgement on the situation in French Somaliland, it must have all the facts. It would be dangerous for the Committee to act on any representation by one State or party; that was why his delegation had invited the Committee to send a mission to the area. He did not agree with the representative who had said that, because his country had undergone the same process of decolonization which French Somaliland was experiencing, there should be no need for a United Nations presence. Particular situations required particular treatment.

87. During the debate on French Somaliland at the twenty-first session of the General Assembly, the representative of Ceylon had eloquently argued the case for a United Nations presence during the proposed referendum. He had expressed doubt as to whether the question to be put to the people - whether they wished the Territory to remain within the framework of the French Republic under a remodelled Statute - would give them a genuine opportunity to exercise their right to self-determination and independence. Many former French Territories that had opted for limited self-government within the French community in 1958 were now fully independent States, and it was hard to see why French Somaliland should be discriminated against. The French Minister for Overseas Territories had stated that if the people chose independence they would have to accept the "risks" of such a course: the likelihood of civil war and foreign invasion (A/C.4/SR.1666, pp.13 and 14). It was clear that the administering Power was pressuring the people on a matter of vital importance to their future. The withdrawal of all aid from the

Territory merely because it opted for independence was scarcely a sign of goodwill on the part of the administering Power. It accorded ill with what General de Gaulle had said about the great assistance given by the Somalis of French Somaliland to the cause of peace and freedom during the Second World War.

88. The people of French Somaliland had paid dearly for their attempt to bring their situation before the United Nations. Many had been killed, wounded or rendered destitute in their demonstrations for freedom. Time was running out, and the Committee must take immediate action. He hoped that, concurrently with further representations to France, the Committee would establish a sub-committee to go to the area. If the people of French Somaliland should vote "no" in the referendum and France decided to withdraw in the same manner as it had withdrawn from Guinea, the people of a Non-Self-Governing Territory would be thrown onto the international market. The United Nations had a responsibility to exercise foresight, so that it would, if necessary, be in a position to give the Territory all the assistance it required until it was able to stand firmly on its own feet.

89. The representative of Somalia, pointing out that only a few days remained before 19 March, the date fixed for the referendum in French Somaliland, noted that the international Press, and even the French Press, had published reports, confirming the information which he had submitted to the Committee on the abnormal political situation in the Territory and demonstrating the urgent need for action to remedy that situation.

90. For example, a Reuters dispatch dated 10 March said that Foreign Legion troops had cordoned off the native part of Djibouti and had checked the identity cards of the people there. Similarly, Le Monde of 11 March, had carried an Agence France Presse report which said that the armed forces and local police had instituted new identity controls, that streets had been blocked off and that inhabitants not carrying identity cards had been arrested and taken away in trucks, the soldiers being booed by bystanders. In its issue of 11-12 March, the newspaper Le Figaro had provided further details about the cordoning-off by troops of various sections of the town and had reported that in one incident six persons had been wounded by tear-gas grenades thrown by the troops into a group of students.

91. Djibouti lay on a peninsula connected with the mainland by a neck about seven kilometres wide. Barbed wire had been strung along the entire seven-kilometre line some time previously in order to prevent an influx of people from the interior into the town. Since the incidents of August 1966, according to Le Figaro, it had

taken on the aspect of a military fortification and suspects, in other words, persons unable to prove that they were residents of the town, were being deported to the area outside that line.

92. In those conditions, it seemed doubtful whether the Territory would be able to exercise its right to self-determination freely and peacefully, particularly in view of the strict conditions that the inhabitants had to fulfil in order to participate in the referendum: they had to be enrolled on the electoral list, furnish proof of three-year residence, and be enrolled on the special voters' list for the referendum. As those lists had long been closed, persons not possessing identity papers could not influence the outcome of the referendum, and it was, therefore, difficult to see why they were being harassed. It was also difficult to understand why the Le Monde of 11 March should describe as anti-French the appearance of the slogan: "Let us struggle for freedom and independence".

93. Recent petitions from French Somaliland personalities who had been expelled or deported stressed the gravity of the situation in the Territory.

94. For example, a cable (A/AC.109/PET.615) signed by the secretary of a French Somaliland trade union, a member of the French Somaliland Liberation Front, and the treasurer of the Popular Movement Party, all three of them exiles, protested against the fact that 8,000 persons possessing all required documents had been refused registration on the electoral lists. The exiled vice-president of the Popular Movement Party referred to the illegal issuance of citizenship documents or voting cards to non-indigeneous persons, including their families, and newly arrived French soldiers, and denounced the establishment of bogus political parties (A/AC.109/PET.619). Five members of the Deportee Centre Committee at Zeilah asserted (A/AC.109/PET.620) that the illegal deportation of citizens was continuing to take place and that mass arrests were deliberately designed to reduce the number of indigenous voters; they also referred to the unfair distribution of polling stations, citing as an illustration the fact that Djibouti had only twelve balloting stations, while in the smaller town of Tadjora, where a "yes" vote was expected, the number had risen from eight to twenty. That complaint was also made by the vice-president and the secretary-general of the Liberation Front of French Somaliland, both former parliamentarians of the Territory (A/AC.109/PET.616). According to another petition from a former parliamentarian and member of the Afar Democratic Union, the authorities had ruled that political parties would be forbidden to send representatives to polling stations as observers. (A/AC.109/PET.617).

95. He recalled that the Popular Movement Party and the Afar Democratic Union had united their efforts with a view to gaining independence. As he had said on 9 March, the French Government Decree of 27 January 1967 specifically provided for the presence of authorized observers from the political parties as supervisors of the balloting; that system, although circumscribed by severe restrictions, was the only one under which indigenous persons could participate in the organization of the referendum.

96. Lastly, he quoted from the petition from Mr. Abdillahi Youssouf, Secretary-General of the Co-ordination Bureau of the same two parties. In his communication, the petitioner said that the Co-ordination Bureau had been destroyed by the local authorities, who had imprisoned fifty-five of its members, including its chairman, and had deported its Secretary-General, although he had been born and educated at Djibouti and had never been imprisoned; it was known that a provision not included in the Decree of 27 January 1967 excluded from voting all persons who had ever served a prison sentence of thirty days or more, irrespective of the date or cause of that imprisonment.

97. It was no wonder that the petitioners should appeal to the Committee to emphasize the need for a United Nations presence. Those French Somaliland parliamentarians and public figures had been expelled in violation of articles 11 and 13 of the Universal Declaration of Human Rights and General Assembly resolution 2105 (XX); he drew the Committee's attention to the preamble and operative paragraph 5 of the latter document. He recognized that the Committee was not obliged to accept without question the statements of the petitioners or even those in the Paris Press, and recalled that he had merely urged that the Committee should obtain as much information as possible and, to that end, send a sub-committee to French Somaliland or the adjacent border regions of Somalia.

98. In resolution 2228 (XXI) the General Assembly had solemnly urged that the referendum should be conducted on a democratic basis and had decided to retain the question of French Somaliland on its agenda; therefore, the Committee's responsibilities towards the Territory would not come to an end on 19 March.

99. In that connexion, he believed there was a possibility that disturbances and complications might arise following the referendum, and that possibility should be borne in mind by the Committee. The next few months would, in any case, be crucial

for the future of the Territory and its people. In the event of a "yes" majority, it was clear from the revised statute which had been prepared by the French Government that the Territory would still be non-self-governing within the meaning of resolution 1514 (XV). The revised statute differed very little from the present statute for the Territory which had been established by the Basic Law of 23 June 1956. In any case, only the outline of the revised statute was known and it would probably lead to protracted discussions in the event of a "yes" majority.

100. He pointed out that if the vote went in favour of independence, under the French Law of 22 December 1966, which spoke of "consultation" rather than "referendum", the results of the vote would be submitted to the French Parliament for further decision, and the French Government was, in the meantime, authorized to declare a state of emergency in the Territory and to issue any ordinances to repeal, suspend or change any existing statute, with the sole reservation that such ordinances must be ratified by the French Parliament. As a result, the French Government would have complete freedom of action in the Territory between 19 March and 1 December and would even be able to continue to legislate by ordinance after that date, with the authorization of the French Parliament. Alternatively, the Government could decide to withdraw suddenly from the Territory immediately after the referendum, if the result was in favour of independence. If that happened, his delegation hoped that the Committee would see that power was transferred in an orderly manner and would take all the necessary measures to ensure a proper transition.

101. His delegation did not claim to prejudge the outcome of the referendum of 19 March or to predict the events which would follow it. It only hoped that the referendum would be conducted fairly and justly but it considered it its duty to draw the Committee's attention to the present situation and to the unfortunate complications or crisis which might subsequently arise. The Committee should not close its eyes to the realities of the situation but should be prepared to discharge its functions in as constructive a manner as possible.

102. The representative of Bulgaria restated the position of principle of his country, which had always supported the full implementation of General Assembly resolution 1514 (XV) and the granting of independence to all colonial Territories, large or small. Thus, at the twenty-first session of the General Assembly, his

delegation had voted in favour of resolution 2228 (XXI), in which the General Assembly had reaffirmed the right of the people of French Somaliland to self-determination and independence and urged the administering Power to create favourable conditions for the organization of a free and democratic referendum.

103. In that connexion, he endorsed the position of the Organization of African Unity which, in a resolution adopted at Addis Ababa on 4 March, had requested the administering Power to do everything possible to ensure that the referendum could be held in complete freedom and justice. In his delegation's opinion, it was certainly both necessary and appropriate that the Special Committee, which was quite properly considering the question of French Somaliland on the recommendation of the Working Group, should in its turn address a similar appeal to the administering Power to meet the needs of the present situation. Some previous speakers had mentioned restrictions imposed on the inhabitants of the Territory in the exercise of their rights and freedoms and on the activities of political parties which were in favour of independence. At the same time, there was every indication that the movement for independence was gaining strength. His delegation therefore hoped that the administering Power would create favourable conditions in order to enable the people of French Somaliland to exercise their right to freedom and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples.

IV. ACTION TAKEN BY THE SPECIAL COMMITTEE

104. At its 502nd meeting on 14 March 1967, the Special Committee had before it a draft resolution (A/AC.109/L.383), co-sponsored by Afghanistan, Sierra Leone, Syria and the United Republic of Tanzania.

105. At the same meeting, the Chairman drew the Committee's attention to a revised text of the draft resolution (A/AC.109/L.383/Rev.1), co-sponsored by Afghanistan, Iraq, Sierra Leone, Syria and the United Republic of Tanzania. Later, in the course of the same meeting, the Chairman announced that after informal consultations, the sponsors had agreed upon a further revision in the hope that it might help to ensure unanimous adoption of the text. The revised text was subsequently circulated as document A/AC.109/L.383/Rev.2.

106. The representative of the United Republic of Tanzania, introducing the draft resolution as first revised (A/AC.109/L.383/Rev.1) said that he greatly deplored the negative attitude of the French Government which had refused to co-operate in any way and to allow a United Nations presence to prepare and organize the forthcoming referendum in French Somaliland. Such an attitude on the part of the administering Power was contrary to the provisions of General Assembly resolution 2228 (XXI) and to the letter and spirit of resolution 1514 (XV), which explicitly recognized "the important role of the United Nations in assisting the movement for independence".

107. The refusal of the French authorities to allow a United Nations presence before and during the referendum was all the more serious since United Nations help and supervision were necessary in the circumstances, in view of the situation prevailing in the Territory; indeed, there seemed to be every indication that the administering Power was not observing faithfully and strictly the provisions of the Charter of the United Nations, the Universal Declaration of Human Rights and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

108. In that connexion, his delegation could only condemn the measures of intimidation to which the administering Power had resorted, since the latter did not hesitate to use threats and to speak of the "harsh consequences" that might befall the people if they decided to sever the ties which bound them to the colonial Power.

109. The petitions which had been addressed to the Committee, and which were reproduced in documents A/AC.109/PET.615-620, denounced the gross irregularities

which, according to the petitioners, characterized the organization of the referendum, and threw light on the many difficulties which the population had to overcome in order to exercise its legitimate rights.

110. The sponsors of the revised draft resolution (A/AC.109/L.383/Rev.1) had taken full account of the realities of the situation. In the present circumstances, on the eve of the referendum, the Special Committee should encourage the people of the Territory by appealing to them to continue their efforts to achieve their inalienable right to self-determination and independence. It was also urgently necessary that the administering Power should comply with all the provisions of resolution 2228 (XXI), especially by ensuring that the forthcoming referendum was conducted in a just and democratic manner. Lastly, the sponsors of the draft resolution were convinced that the question of French Somaliland should be maintained on the agenda of the Committee until the conclusion of the referendum, since the Committee might be called upon to review the situation in the Territory.

111. The representative of Iraq said it was of the utmost importance that the Special Committee should adopt the draft resolution before it without delay and, if possible, unanimously. The situation prevailing in French Somaliland - which the representative of Somalia had described to the Committee - called for urgent decisions. Only a few days before the referendum, the administering Power had still not implemented General Assembly resolution 2228 (XXI), which requested it to make arrangements to ensure a United Nations presence before and during the referendum. The administering Power had also failed to reply to the communication addressed to it by the Secretary-General concerning the implementation of that resolution and had refused to take part in the Committee's discussions on a question concerning a Territory under its administration. Moreover, as the representative of Tanzania had pointed out, the administering Power was using intimidation and threats. The wording of the question put to the population was ambiguous and the inhabitants of the Territory had been told that if they chose independence they would not receive any technical, economic or other assistance. The Committee should take the opportunity to point out that the Organization had a duty, under the Charter, to see that the people were given all the help they needed if they chose independence.

112. He drew the Committee's attention to operative paragraph 5 of the revised draft resolution (A/AC.109/L.383/Rev.1), to which his delegation attached particular importance. He thought that the Special Committee should remain alert in the existing circumstances and maintain the question of French Somaliland on its agenda so that it could consider the situation at any time if the referendum was held in conditions and in a manner which did not comply with the decisions of the General Assembly.

113. The representative of Uruguay, speaking after the introduction of a further revised text of the draft resolution (A/AC.109/L.383/Rev.2) said that General Assembly resolution 2228 (XXI) contained no innovations that could justify objections on the part of the administering Power. Its operative paragraphs were fully in keeping with General Assembly resolution 1514 (XV), and it had been adopted by an overwhelming majority. The administering Power itself had not participated in the vote. Uruguay, in line with its consistent policy in favour of the liberation of colonial peoples, had voted in favour of the resolution, including operative paragraph 4, in which the administering Power was requested to make arrangements, in consultation with the Secretary-General, for a United Nations presence before and during the holding of the proposed referendum in French Somaliland.

114. Uruguay had always held that such procedures should be supervised by the United Nations. In the booklet Las Naciones Unidas y la Descolonización, former Ambassador Velazquez had stressed that, in accordance with General Assembly resolution 1514 (XV), the act of self-determination should take place in complete freedom and with all guarantees that the popular will was being authentically expressed; he had further suggested that the resolution opened the door to United Nations supervision over the procedures of popular consultation. The general principle that United Nations organs should supervise the procedures leading up to referendums and the actual holding of such referendums had been accepted by the Special Committee and by the General Assembly. The fact that there had been no United Nations supervision of the procedures leading to the recent constitutional changes in the territories of the Eastern Caribbean had led to protracted debate in the Committee, although the United Kingdom representative had co-operated fully with the Committee and given full answers to all questions put to him.

115. In the case of French Somaliland, the attitude of the administering Power had been different. In his report to the Committee (see annex) in pursuance of General Assembly resolution 2228 (XXI), the Secretary-General reproduced the text of a letter which he had addressed to the Permanent Representative of France on 10 January 1967. The Secretary-General reported that he had not as yet received any response from the French Government. The General Assembly's resolution, and the present Committee, had thus been totally ignored by the French Government.

116. Meanwhile, the French Government was proceeding with arrangements for a referendum in which, according to the Secretariat working paper (see para. 20 above), the voters would be required to answer "yes" or "no" to the following question:

"Do you wish the Territory to remain part of the French Republic with the new statute of government and administration which has already been outlined?"

It was not known what system would be imposed in the event of a negative result, although logically, and in accordance with the precedents in similar cases, that should mean independence for the Territory. In fact, the text of the new statute had not been published, although according to the decree governing the procedure of the referendum, the voters were to be provided with the text of the document outlining the institutions which the Territory would have in the event of an affirmative result. The same decree mentioned the appointment of a special commission by the French Government to supervise the holding of the referendum and other detailed arrangements, but it gave no recognition to the international organs which were responsible for assisting in the process of decolonization.

117. Without passing judgement on the merits of the arrangements made by the administering Power, he could not ignore the important revelations made by the representative of Somalia in his well-documented statement at the Committee's 492nd meeting. In the circumstances, the Committee was fully justified in deploring the situation. The French Government's attitude was disappointing to those who had always admired France. While he was inclined to share the view of those who expressed their faith in France's intentions with regard to French Somaliland, he could not forget Diderot's warning that it was as dangerous to believe everything as to believe nothing. Faith was a beautiful thing, but that did not make it

incompatible with reason and healthy criticism. All might still end happily, as other speakers had prophesied and he joined in the hopes expressed by the representatives of Mali and Ethiopia. Nevertheless, resolutions 1514 (XV) and 2228 (XXI) and other relevant United Nations resolutions had not yet been implemented in respect of French Somaliland, and the administering Power's attitude constituted a regrettable failure to comply with obligations which were binding on all Members of the United Nations, whatever doctrinal positions they might adopt regarding the functions inherent in sovereignty and the competence of international organs in such a matter as the liberation of peoples from colonialism. While he fervently hoped that France would yet adjust its conduct to the norms laid down by the United Nations, his delegation was bound to support the draft resolution as further revised (A/AC.109/L.383/Rev.2).

118. The representative of Tunisia recalled that in its resolution 2228 (XXI) on the question of French Somaliland, the General Assembly had requested the administering Power, in consultation with the Secretary-General, to make appropriate arrangements for a United Nations presence before, and supervision during, the holding of the referendum on the constitutional and political future of the Territory and had requested the Secretary-General to report to the Special Committee on the implementation of the resolution. According to the Secretary-General's report (see annex), however, France had not replied to the General Assembly's request. The French Government's attitude, which seemed almost contemptuous of the United Nations, was a matter of regret to his delegation, particularly because it believed that France could play an important part in strengthening the Organization and bringing about a new world order based on justice and mutual respect. He had no doubt that France was engaged in an irreversible movement towards complete decolonization, but it would have been far better if France had endeavoured to carry out that movement in association and co-operation with the United Nations, which represented the international community.

119. France's attitude, like that of the United Kingdom in the case of the Caribbean islands, might be invoked as a precedent by some colonial Powers whose intentions were less admirable. The United Nations had been entrusted by the overwhelming majority of its Members with a mission which it could better accomplish

with the assistance and co-operation of all Powers. Such co-operation, if offered by France, in connexion with the Territory under consideration, would have raised the prestige of the United Nations without casting the slightest doubt on the good faith of the French Government. His delegation's concern about the situation was reflected in the wording of the newly revised draft resolution (A/AC.109/L.383/Rev.2).

120. The representative of Chile associated his delegation with those which had expressed uneasiness concerning the situation in French Somaliland. He did not doubt that the French Government intended to give the people of French Somaliland a full opportunity to exercise their legitimate rights in a fair and democratic referendum. Nevertheless, it was most regrettable that France's failure to reply to the Secretary-General's request had made it impossible for United Nations observers to be present during the referendum. Chile was convinced that the United Nations could play a useful role in such matters; it had, therefore, supported General Assembly resolution 2228 (XXI) and would now support the draft resolution in its newly revised form. Operative paragraph 4 of the draft resolution was, in his delegation's view, simply a call for national unity and not a directive from the Special Committee to the people of the Territory on the way in which they should exercise their right of self-determination; any such directive would be completely improper and unacceptable, since the people alone had the right to decide their own future. With that understanding, his delegation supported the revised draft resolution and hoped that it would be adopted unanimously.

121. The representative of Poland said that his delegation believed that the future of Non-Self-Governing Territories should be decided solely by the peoples of those Territories in a democratic atmosphere, free from any pressure or intimidation and with full knowledge of the various possibilities open to them. The Special Committee, as the United Nations body entrusted with the task of decolonization, should play a prominent role in the emancipation of dependent peoples. Experience gained in connexion with the question of French Somaliland could be very useful to the Committee in the future in dealing with the particular problems of so-called small Territories. Moreover, his delegation believed that a United Nations presence before and during the referendum in French Somaliland would serve as an additional guarantee that the referendum was conducted in a just and democratic manner.

122. He hoped that the administering Power would do its utmost to ensure that the referendum was conducted in the manner provided for in operative paragraph 3 of revised draft resolution A/AC.109/L.383/Rev.2, for an atmosphere of complete freedom without pressure or constraint was essential to a valid expression of a people's free will. With that understanding, his delegation would support the draft resolution.

123. The representative of Afghanistan said that a United Nations presence in French Somaliland before and during the proposed referendum, as recommended in operative paragraph 4 of General Assembly resolution 2228 (XXI), was one of the most important steps by which the fairness of the consultation of the people regarding their future political status could be guaranteed. It would dispel any apprehensions as to the objectivity of the referendum and would make it difficult to cast doubt on the validity of its results. His delegation acknowledged the initiative of France in holding the referendum but deplored the French Government's failure to hold it in conformity with the provisions of resolution 2228 (XXI).

124. The revised draft resolution, of which Afghanistan was a co-sponsor reflected his delegation's views on the question before the Committee. Afghanistan unreservedly supported the right of peoples to self-determination and independence and associated itself with the just demands of subjugated peoples.

125. The representative of the Ivory Coast recalled that his delegation had stated both in the Fourth Committee and in the General Assembly, that a United Nations resolution on the question of French Somaliland would be untimely. The people of French Somaliland, like all the peoples of the former French territories, had had occasion to exercise their fundamental right of self-determination. They had been offered a choice in September 1958 and had chosen to retain the status of an overseas territory. The administering Power had now decided to hold a referendum to enable the people of the Territory to make a further decision about their future. That decision did honour to the French Government, which was certainly in a better position than the Committee to appreciate the aspirations of the peoples concerned, whatever one might think about its attitude towards the United Nations.

126. His delegation had therefore abstained from the vote on General Assembly resolution 2228 (XXI) and it was surprised that the revised draft resolution before the Committee invoked the resolution. He remained convinced that it would be untimely for the Committee to adopt a resolution a few days before the referendum. Furthermore, certain provisions of the draft resolution might give the impression that the Committee was taking sides. The paramount consideration should be the desires of the people concerned regarding their future, and yet the draft resolution appealed to the people of the Territory to continue their united efforts to achieve their inalienable right to self-determination and independence. Admittedly, some of the people did desire independence; but others wished to maintain the status quo. It was for the people themselves to decide if and when they were to attain independence; the Committee should not seek to force their hand by means of a draft resolution. His delegation, therefore, would vote against the draft resolution.

127. At its 503rd meeting, on 15 March 1967, the Special Committee adopted the revised draft resolution (A/AC.109/L.383/Rev.2) by a roll-call vote of 16 to 1, with 7 abstentions as follows:

In favour: Afghanistan, Bulgaria, Chile, Ethiopia, India, Iran, Iraq, Poland, Sierra Leone, Syria, Tunisia, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia.

Against: Ivory Coast.

Abstaining: Australia, Finland, Italy, Madagascar, Mali, United Kingdom of Great Britain and Northern Ireland, United States of America.

128. The text of the resolution (A/AC.109/234) on French Somaliland adopted by the Special Committee at its 503rd meeting on 15 March 1967 reads as follows:

"The Special Committee,

"Having considered the report of the Secretary-General concerning the question of French Somaliland (A/AC.109/223), 8/

"Recalling General Assembly resolutions 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2228 (XXI) of 20 December 1966,

8/ See annex to the present report.

"Taking note of the appeal of the Council of Ministers of the Organization of African Unity in March 1967 relating to this question,

"1. Reaffirms the inalienable right of the people of French Somaliland (Djibouti) to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

"2. Expresses its regret that the administering Power has not as yet complied with all the provisions of General Assembly resolution 2228 (XXI);

"3. Urges the administering Power to ensure that the forthcoming referendum is conducted in a just and democratic manner in accordance with General Assembly resolution 2228 (XXI);

"4. Appeals to the people of the Territory to continue their united efforts to achieve their inalienable right to self-determination and independence;

"5. Requests the Secretary-General to immediately transmit the present resolution to the administering Power;

"6. Decides to maintain the question of French Somaliland (Djibouti) on its agenda."

V. FURTHER CONSIDERATION BY THE SPECIAL COMMITTEE

Introduction

129. The Special Committee further considered the question of French Somaliland at the meetings listed below:

- (i) At the 508th meeting, held at Headquarters on 6 April 1967;
- (ii) At the 537th and 538th meetings, held in Dar es Salaam on 16 and 19 June 1967; and
- (iii) At the 557th and 559th meetings held at Headquarters on 12 and 13 September 1967.

A. Hearings by the Special Committee in April 1967

130. Hearing of petitioners. At its 508th meeting on 6 April 1967, the Special Committee heard Mr. Abdillahi Wabery, Vice-President of the Parti du mouvement populaire (FMP) and Secretary-General of the Central Committee for Deported from French Somaliland, Mr. Abdulrahman Ahmed Hassan Gabot, Vice-President of the Front de Libération de la Côte des Somalis (FLCS), and former member of the Territorial Assembly of French Somaliland, and Mr. Abdillahi Youssouf, Member of the Central Committee of FMP and former Secretary of the Co-ordinating Bureau of FMP and the Union démocratique Afar.

131. Mr. Gabot, speaking as a Vice-President of the Front de Libération de la Côte des Somalis (FLCS) and former member of the Territorial Assembly of French Somaliland, recalled the conditions under which France had decided to hold the referendum of 19 March in French Somaliland. In October 1966, the French colonialists had set in motion a plan to falsify the results of the referendum by means of assassination, internment in concentration camps and expulsion. Other measures, too, had been devised in order to rig the voting: parties favouring independence had been prevented from sending delegates into the interior, thousands of electors thought to be favourable to independence had been illegally struck from the rolls, four fifths of the population had been refused registration on the electoral rolls, women had been denied the right to vote, a United Nations supervisory commission had been refused entry, Europeans who failed to satisfy the residence requirements had taken part in the vote, a curfew had been imposed during the electoral campaign, and meetings of more than five persons had been barred.

132. On 10 March, the French police, acting on orders from Governor Saget, had raided the premises of the Union démocratique Afar, which was calling for a negative vote in the referendum, and seized the party's files. The following day, the Governor had refused to amend a decree providing that political parties not registered in a region could not designate poll-watchers in that region.

133. Despite the wall of silence which surrounded the Territory, international opinion had been outraged by the rigging of the referendum and the attack on a defenceless crowd in which thirty-nine people had been killed and several dozen wounded. The proclamation of a state of emergency and accompanying measures left the people of French Somaliland with only the alternatives of yielding to violence or fighting.

134. He then analysed the causes of the Territory's deep-seated troubles. The desire for independence, which was voiced by the Parti du mouvement populaire, clashed with the interests of the colonial Power, whose proposals for self-governing status were merely a blind since the High Commissioner would continue to have the last word on foreign relations, the police, the maintenance of law and order, finances, the armed forces and censorship. France's objective was not to lead the Territory towards self-government or independence but to maintain itself there - for obvious economic reasons. In its efforts to deepen its economic penetration of Africa, starting from "friendly" Algeria, France was facing competition from the Anglo-Saxon countries in the extension of the Maghreb that was Libya; it therefore wished to stay in Djibouti in order to keep its oil supply route open and was unwilling to grant independence to French Somaliland, even though the latter was a burden to the French taxpayer.

135. France's decision to hold a referendum in French Somaliland, even though article 86 of its Constitution provided that its colonies could attain independence by a simple vote of their legislative assemblies, was essentially prompted by two circumstances. Firstly, the Co-ordinating Committee of the Union démocratique Afar and the Parti du mouvement populaire represented more than two thirds of the elected members of the Territorial Assembly and therefore could have obtained a vote in favour of independence; secondly, the referendum had made it possible for France to be sure of the result. In the case of French Somaliland, the referendum had been a trick to deceive international opinion and enable President de Gaulle to continue to pose as a champion of independence.

136. In view of the conditions under which the 19 March referendum had been held and the inflexible designs of the French Government, the petitioners urged that a United Nations investigating committee should be sent to French Somaliland to study the conduct of the referendum and report on the situation in the Territory; they also called upon France to set a date for the independence of the Territory pursuant to General Assembly resolution 1514 (XV).

137. He also wished to point out that by expelling more than 8,000 inhabitants from the Territory (Mr. Wabery, Mr. Youssouf and he himself had been expelled and, despite all their efforts, had been unable to return to the Territory to participate in the referendum), France had created in that part of Africa a new refugee problem which the United Nations could not ignore.

138. Mr. Abdillahi Wabery on behalf of the Parti du mouvement populaire and Central Committee for Deportees from French Somaliland said that the petitioners were being denied their civil and political rights and the right to live and work in their homeland. Their only crime had been to oppose colonial rule and seek to achieve independence for their country.

139. The French policy of mass deportations was not of recent origin; it dated from the referendum held in 1958, when the people had asked for independence. The Committee had been informed of that fact by petitioners during its visits to Africa in 1965 and 1966.

140. It was after President de Gaulle's visit that the situation had taken a very grave turn and repression had become rampant. Between August and December 1966, 5,870 persons had been deported under deplorable circumstances, without regard to their physical condition or family situation, and expelled from the Territory. After being halted for a time, the deportation had been resumed in February 1967 and had continued right up to the referendum. A total of 8,819 persons had been deported.

141. In order to deceive public opinion, the French colonial administration had given the impression that the deportees were not nationals of the Territory. That was wholly untrue. However, the authorities had taken advantage of the fact that the persons concerned had never had, or no longer had, identity documents in order to exert pressure on the people and discriminate against those who opposed a continued colonial presence. A United Nations investigating committee was thus highly desirable.

142. French Somaliland had been the victim of grave injustices. In addition to the approximately 9,000 deported, 5,000 persons had been interned outside Djibouti. /...

Such a situation must not be permitted to continue, and he urged the Committee to come to the aid of the inhabitants of the Territory.

143. Mr. Youssouf, speaking* as a member of the Central Committee of PMP and former Secretary of the Co-ordinating Bureau of PMP and the Union démocratique Afar denounced the ingratitude shown by France, which was today oppressing those who had once fought to save it. With the aid of Ali Aref, one of its henchmen, France was trying to make people believe that without its presence as an arbitrator the Afars and the Somalis, the two ethnic groups of the Territory, would have slaughtered each other and that the Afars favoured the French presence.

144. That was all untrue. At the time of General de Gaulle's visit on 25 August 1966, the entire population of Djibouti, responding to the appeal of the Territory's two main parties (PMP and UDA), had expressed their firm determination to achieve sovereignty. After General de Gaulle's decision that the inhabitants of French Somaliland would freely determine their future by means of a referendum, UDA had declared itself in favour of independence, since France had done nothing for the political, economic and social advancement of the Territory and there was every reason to believe that it would do nothing in the future. Inasmuch as the French presence could have only adverse effects, the Territory could not grow and flourish without national sovereignty. For that reason, the party of the Union démocratique Afar, believing that freedom was not a subject for bargaining, had demanded a vote in favour of independence. To the supporters of a continued French presence, who spoke of the Territory's economic weakness and the spectre of insecurity, he would point out that the nomads who formed the majority of the population lived as they had in pre-colonial days and that the Territory had substantial economic resources and possibilities, particularly the port of Djibouti. Surely, it should be added, neither the Somali Republic nor Ethiopia would want to violate the integrity of the Territory.

145. As to national unity, it must not be forgotten that Afars and Somalis had lived side by side for thousands of years and were quite capable of getting along with one another and merging into a single nation. Although the colonialists spoke of antagonism between the two groups, no such antagonism existed, and France had no need to set itself up as a policeman. The Parti du mouvement populaire denounced the schemes of the colonialists, who, in order to entrench themselves more firmly, were making every effort to create a climate of misunderstanding between the peoples. In spite of those manoeuvres, the population had recognized the need to unite, and that was how the Co-ordinating Bureau of the Parti du mouvement populaire and the Union démocratique Afar had come into being.

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146. When France had seen that its policy of continued enslavement was doomed to defeat, it had attempted to deceive international opinion with lies and had decided to strike a crippling blow at the Co-ordinating Bureau: five active members of the Bureau, including its Chairman and Mr. Youssouf himself, its General Secretary, had been expelled from their country for having tried to defend it.

147. In conclusion, he warned the Committee against the manoeuvres of certain opportunists who would stop at nothing to gain their ends. It would be unjust for the free world, particularly Africa, which had suffered the same fate as French Somaliland, to approve the position of France, which wanted to reduce the people of an entire Territory to slavery.

148. In reply to questions from members of the Special Committee Mr. Youssouf said that the main cause of the riots which had followed the announcement of the results of the referendum of 19 March had been the illegal manner in which the referendum had been organized. The population had shown its dissatisfaction and the French gendarmes and the legionnaires had intervened in order to prevent the peoples of Djibouti, 70 per cent of whom had voted "no", from making known their feelings to the world.

149. Another cause had been the provocative attitude of the French Government, which had brutally repressed by every possible means any activity in favour of independence.

150. As to the role of the Foreign Legion, the petitioner said that the Legion's intervention at Djibouti had taken two forms: first, as part of the French armed forces, it had participated in the repression; and, secondly, French legionnaires in mufti had taken part in the vote, as had the entire army.

151. Asked what France had done to train the people of French Somaliland, he said that after 105 years of French presence, the Territory had only two university graduates and no engineers or physicians. A lycée had been established at Djibouti in 1962, replacing a less extensive course of secondary studies (cours complémentaire), but there was discrimination in the award of diplomas and only two graduates had obtained the baccalauréat during the previous year.

152. Replying to a question concerning France's interest in the Territory, Mr. Gabot (FLCS) said that, in President de Gaulle's view, the Territory was an important strategic point for the control of the Red Sea. France wished to retain the Territory as part of its policy of "grandeur". Moreover, the port of Djibouti was an important outlet for Ethiopia and that was a further political reason for the maintenance of the status quo by France.

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153. In reply to a further question, Mr. Wabery (PMP) said that restrictions had been imposed on the categories of persons eligible to participate in the referendum. In particular, 70 to 75 per cent of the nationalists had not been allowed to register; women had also been excluded.

(b) Statement by the representative of Somalia

154. In a letter dated 6 April 1967 (A/AC.109/225/Add.1) addressed to the Chairman of the Special Committee, the Permanent Representative of Somalia requested to be allowed to make a statement on the question of French Somaliland following the hearing of the petitioners. The Special Committee decided without objection to accede to that request.

155. In his statement, the representative of Somalia said that Somalia, which had many ties with French Somaliland, could not remain indifferent to the present events at Djibouti.

156. Now that it had heard the statements of the petitioners, the Committee should concern itself with the application of General Assembly resolution 1514 (XV) to the Territory.

157. Members were aware that, by resolution 2228 (XXI), the General Assembly had called upon the administering Power "to ensure that the right to self-determination shall be freely expressed and exercised by the indigenous inhabitants of the Territory on the basis of universal adult suffrage and with full respect for human rights and fundamental freedoms" and "to create a proper political climate for a referendum to be conducted on an entirely free and democratic basis".

158. On 14 March, a few days before the referendum, the Committee had expressed its concern at the situation in French Somaliland and had urged the French Government to ensure that the referendum was "conducted in a just and democratic manner".

Completely disregarding those resolutions, the administering Power had refused to have a United Nations presence in the Territory before or during the referendum and had tried, by applying various unjust and anti-democratic methods, to falsify the results. Out of a population of 125,000 inhabitants, less than 40,000 had been registered on the electoral rolls and approximately 36,000 had actually taken part in the vote. It could not, therefore, be said that the referendum had been carried out "on the basis of universal adult suffrage", as called for by the General Assembly. Furthermore, prior to the referendum political parties opposed to French rule had been proscribed and their leaders imprisoned, and thousands of inhabitants

convicted or suspected of favouring independence had been deported. Tens of thousands of others had been denied the right to vote by various devices on the part of the administration, ranging from the imposition of unduly strict residence requirements to the use of brute force. The authorities had made systematic efforts, by means of promises or threats, to incite the inhabitants of the northern regions, who were less sophisticated politically, against those of their compatriots who were calling for independence and to make them vote in favour of maintaining the French presence. Thus Mr. Gouled, a former Chief Minister and former Minister of Education of the Territory, had said: "This referendum was characterized by trickery and force". Despite all those endeavours, the so-called referendum had not produced a peaceful and definitive solution to the problem of French Somaliland; it was actually just one more episode in that Territory's struggle for self-determination and independence. In that connexion, two points should be noted. Firstly, no significant change had been made in the statute of French Somaliland, as was clear from the working paper prepared by the Secretariat. Understandably, the proposals summarized in that document had been considered unacceptable by the representatives of French Somaliland when they had been submitted to them in Paris a few weeks prior to the referendum. In fact, those proposals had never been officially made public, and the people had been asked to decide, so to speak, on a revised statute which did not exist. The representative of the Ivory Coast had expressed surprise about what was happening in Djibouti in the sphere of education; but what was happening in the political sphere was just as surprising.

159. Secondly, the events which had occurred since 19 March were ample proof that the non-self-governing status of the Territory still persisted. Where else but in a colony could the administering Power have resorted to brutal police methods and direct military intervention? In Djibouti there were 10,000 soldiers for less than 100,000 inhabitants, and army helicopters had dropped countless grenades on the population. Several thousand inhabitants had been transported into the desert and left there without any protection against the sun and without adequate sanitary and medical facilities. Where else but in a colony could the army break into people's houses, arrest and deport them and inflict on them indignities of every kind?

160. The situation was not only regrettable but anachronistic, incompatible with decolonization and contrary to the letter and spirit of resolution 1514 (XV), which the Committee was pledged to implement. The French law of 22 December 1966, which had laid down the rules for the referendum, had provided that security measures, the declaration of a state of emergency, would not be subject to restrictions established

by law but only to approval by the French Parliament. The local authorities had therefore decided to continue their policy of wholesale arrests and deportations against persons who favoured independence or were dissatisfied with the manner in which the referendum was conducted.

161. Since the referendum, some 5,000 people had been taken to "transit camps" in the open desert, whence they were to be deported to the Somali Republic, in violation of international law and the Universal Declaration of Human Rights. Even if the nationality of some of those people was in doubt, their forced deportation to a neighbouring sovereign State, apart from being inhuman, was an unfriendly act towards that State.

162. The Government of the Somali Republic, justifiably concerned over the fate of the deportees, felt that it was their right to return at once to their homeland, where they should be protected from any persecution. In the meantime, their presence was creating a very difficult economic and political problem for the Somali Government. The French authorities' policy of mass deportations and arrests might jeopardize the peace in the area but it would neither solve the problem of French Somaliland nor stabilize the régime of the administering Power. The Somali Republic had at first admitted the deportees to its territory essentially for humanitarian reasons, while endeavouring without success to induce the French authorities to stop the expulsions and arrange for the return of the deportees before the referendum. In those circumstances, Somalia had concluded that admitting new deportees to its territory might create an explosive situation and compromise its relations with France. Since 19 March, therefore, it had refused entry to thousands of other inhabitants of French Somaliland. By acting thus, in accordance with international law, it had endeavoured not to complicate the problem of the deportees' return, in order to prevent a tragedy similar to that of the Palestine refugees from being repeated in a part of Africa whose peoples had maintained the most friendly relations with one another throughout the ages.

163. Unfortunately, the French local authorities were using the internees living under frightful conditions in the transit camps as hostages to exert pressure on the major political party of the Territory and induce it to extricate the Government and the administration from the present dangerous impasse.

164. The Ethiopian representative had said that the petitioners represented only a section of the population. That was true, but the fact was that they were a

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pro-independence section. If the Ethiopian representative or any other members of the Committee were not satisfied with the statements they had heard, the Committee need only go to the scene and make its own inquiry, for it should not rely on a working paper which did not give a real picture of the situation. The Prime Minister of Somalia had certainly shown foresight when he had proposed at the preceding session of the General Assembly that there should be a United Nations presence in the Territory before and during the referendum. His proposal had indeed been accepted by the Assembly in its resolution 2228 (XXI) of 20 December 1966, but it had been categorically rejected by the administering Power despite the Secretary-General's efforts.

165. The Somali Government considered it essential that the Committee should obtain impartial evidence on the situation in French Somaliland and on the refugee problem in Somalia; in that way it would be in the best position to determine the policy to follow, for the present situation called for close attention and vigorous action. One of the members of the Committee had stated that his country endorsed the results of the referendum, whereby the people had allegedly decided against independence. There was not one people in Africa that was not up in arms against colonialism, and all the evidence showed that the inhabitants of French Somaliland aspired to independence. The truth was that the outcome of the consultation had been predetermined, and that the referendum had been merely a cruel masquerade. The Committee should also express its concern over recent developments in the Territory, and call upon the administering Power to discontinue its present policies and:

- (a) terminate police repression and abolish emergency regulations and martial law;
- (b) release all those detained in the "transit" camps, and all other political prisoners;
- (c) arrange with the Government of the Somali Republic, perhaps through the good offices of the Committee, for the return of the deportees of the Territory.

166. In his Government's view, it would be extremely useful to appoint a sub-committee to conduct an inquiry in the Territory. His delegation realized that the Committee intended to travel to Africa at the end of May, but it wondered whether the urgency of the situation would not justify earlier action. However, if the Committee did not find it advisable to send a sub-committee to French Somaliland, the Somali Government believed that it should take up the question as a matter of priority during its stay in Africa. The Somali Government would then give the Committee its full co-operation.

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B. Hearings by the Special Committee in Dar es Salaam^{9/}

167. Although the Special Committee did not formally discuss the question of French Somaliland during its meetings in Africa, it nonetheless conducted hearings on this subject at its 537th and 538th meetings held in Dar es Salaam on 16 and 19 June 1967.

168. In a letter dated 19 May 1967 (A/AC.109/241), the Permanent Representative of Somalia to the United Nations requested that representatives of his Government be permitted to participate in the Special Committee's consideration of French Somaliland during its meetings in Dar es Salaam. At its 537th meeting on 16 June 1967, the Special Committee decided, without objection, to accede to that request.

169. Hearing of petitioners. At its 537th meeting on 16 June 1967, the Special Committee heard Mr. Abdillahi Waberi, Mr. Abdillahi Youssouf and Mr. Osmen Abubaker, Vice-President, Secretary for External Relations and Under-Secretary, respectively, of the Front de Liberation de la Côte des Somalis (FLCS).

170. Mr. Youssouf (FLCS) said that in the memoranda submitted to the Special Committee at Mogadiscio on 1 June 1966 and in New York on 1 October 1966 and 6 April 1967, FLCS had tried briefly to describe the political and economic situation in the Territory. The situation was deteriorating daily. So-called French Somaliland was inhabited by two main ethnic groups: the Afars and the Somalis, who were members of the Hamitic race, speaking the Cushitic language. They had the same physical characteristics, the same culture, the same traditions, the same way of life and the same religion. They spread far beyond the artificial frontiers of the Territory. The pasture-land of the Somalis extended close to the country's main economic assets: the port of Djibouti and the first eighty-nine kilometres of the Franco-Ethiopian railway. The Afars were mainly nomads. There were only a few at Djibouti. The two ethnic groups were roughly equal in size - a fact which could have facilitated the introduction of a harmonious policy, especially as

^{9/} Additional comments on the question of French Somaliland are contained in the statements made at the opening of the Special Committee's meetings at Kinshasa, Kitwe and Dar es Salaam (see chapter II of the Special Committee's report (S/6700 (Part II))).

relations between the Afars and Scmalis had been most cordial up to 1958. The alleged antagonism between Afars and Scmalis was an invention of France. Indeed, the term "Afar" had been used only for the past ten years or so, and only at Djibouti.

171. In 1957, however, Western-type politics had been introduced into the Territory; that had led to the creation of a party for each population group. Yet in the 1957 territorial elections the Rassemblement Démocratique Scmali (RDS), led by Mr. Mohamoud Harbi, had won thirty seats. All classes of society had been represented in that party.

172. Under the Loi-cadre of 23 June 1956, which still governed the Overseas Territories, the Territorial Assembly could deal only with questions of internal administration. The Government Council conducted the day-to-day business, as it still did. It was not competent to deal with important matters such as defence, foreign affairs, justice, finance, territorial security, the Treasury, labour inspection and social welfare, meteorology services, civil aviation, maritime inspection, the police and the militia. The entire administrative machinery had therefore been and still was under "remote control" from Paris through the Governor, representing the colonial authority, who was assisted by European administrators acting as technical advisers.

173. Before the referendum of 28 September 1958, which was to be a landmark, the head of the Government, Mr. Mohamoud Harbi, had campaigned for "no". However, the French authorities had brought extensive resources into play and his efforts had failed, despite his large following among the indigenous population. The French Government had tried unsuccessfully to get rid of him. The Territorial Assembly had then been dissolved and Mr. Mohamoud Harbi had gone into exile.

174. At the next elections, Mr. Hassan Gouled, the new Deputy to Paris, who was of Scmali origin, had been elected Vice-President of the Government Council. On 11 December 1958, the new Assembly had declared itself in favour of maintaining the status quo. Convinced that the "yes" vote did not constitute an obstacle to independence, Mr. Hassan Gouled had asked Paris to grant the Territory greater autonomy to manage its internal affairs. His efforts had been fruitless.

175. Most fortunately, the wave of nationalism which had swept over the African continent and in particular the creation of the Scmali Republic had awakened the national conscience. At the legislative elections of 18 November 1962, the Parti

du Mouvement populaire (PMP) had managed to have one of its candidates, Mr. Moussa Ahmed Idris, elected Deputy for Djibouti.

176. The French authorities had become alarmed at the upsurge of nationalism and decided to resort to new methods. They had put an Afar (Dankali), Mr. Ali Aref, into power. France had decided that in future it would exploit antagonisms between clans. In addition, in order to avoid further surprises when the new Territorial Assembly was elected, on 30 June 1963 the French Government had enacted a new electoral law under which the representation of the Scmalis was reduced considerably in favour of the Afars (Danakils) and a number of candidates supporting Mr. Ali Aref were elected from among the Afars. However, an internal crisis had arisen in the Afar party and increasing opposition to Mr. Ali Aref had emerged. Many Ministers had broken with him. Yet, Mr. Ali Aref had clung to his post, despite the coolness of the Afars towards the French Government.

177. When the French radio and television had announced on 21 July 1966 that the French Chief of State was to visit Djibouti, the PMP and the Union Démocratique Afar (UDA), led respectively by Mr. Moussa Ahmed Idris and Mr. Ahmed Mohamed Issa, called "Cheko", had set up a Co-ordination Committee and decided to join forces to denounce the status imposed by force eight years previously and to obtain independence. During the visit of General de Gaulle to Djibouti on 25 August 1966, tragic incidents had occurred, in which 100 persons had been killed and 200 wounded. General de Gaulle had said that he was "surprised, to say the least", since the Governor's reports had described the Territory as "a haven of peace" and had assured him of the people's undying loyalty to France. The Decolonizer of Africa had had no alternative but to promise a referendum in French Somaliland. However, the referendum had been only a sham designed to deceive international opinion.

178. In violation of the French Constitution, Somali women did not have the right to vote, while European women did. Over 12,000 persons holding French identity cards had asked to be included on the electoral rolls. Permission had been refused by the Constitutional Committee, composed of six Frenchmen. General Assembly resolution 2228 (XXI) of 20 December 1966 had not been implemented.

179. Professor Berque, a Deputy in the French Legislative Assembly, had asked for observers with "freedom of action" to be sent to the Territory. The request had been denied. The total population of 105,000 included 58,000 Somalis and

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45,000 Afars. Only 14,000 (4 per cent) of the Somalis had been able to vote, compared with 22,000 (47 per cent) of the Afars.

180. In the districts of Dikhil, Tadjourah and Obock, which were Afar strongholds, there had been twice as many voters as in the town of Djibouti. It was strange that in that part of the Territory, where the population was illiterate, there had been hardly any invalid ballots, while there had been many in the districts of Djibouti and Ali Sabiet, which were Somali strongholds and where the population was literate. That clearly showed that the ballot had been rigged. Assuming that two thirds of the population had been able to vote, as they had done in the districts of Dikhil, Tadjourah and Obock, there should have been 32,000 Somali voters in the town of Djibouti alone. If that had been the case, the result of the referendum would have been quite different. In the interior, the polling centres had been spaced out over large distances, so as to discourage nomads.

181. In order to persuade the Afar chiefs - since ultimately it was they who voted for their subjects - to vote "yes", the French had spoken of annexationist designs on the part of the Somali Republic and Ethiopia and had tried to sow discord between the Somalis and the Afars. The French Government had arranged for the ballot papers to be different colours: white for "yes" and blue - blue was the colour of the Somali flag - for "no". The French had told the Afar chiefs that if they voted for blue they would be voting for the Somali Republic, which would absorb French Somaliland, and that argument had influenced the illiterate chiefs. In addition, for the nomads of the interior, who still led the same life as they had done before the arrival of the French, the so-called referendum had been meaningless.

182. He then read out an extract from the Moroccan newspaper L'Opinion, issue No. 648 of March 1966, which described many irregularities that had marred the conduct of the referendum. For France, the referendum had simply been a way of gaining time. Unfortunately, on 20 March, during a peaceful demonstration in which the people had expressed their dissatisfaction with the conditions in which the ballot had been held, the army had opened fire on the crowd killing thirty-five and wounding twenty-five.

183. On 21 March, on the false pretext of searching for weapons, the army had raided the native quarters. No weapons had been found but 5,000 persons - men, women, children, old people and invalids - had been taken to a concentration camp

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in the desert, called a "Transit Camp", where they had been left in the scorching sun, without shelter or water. That step had been taken under the law of 22 December 1966, which had provided for the proclamation of a state of emergency after the so-called referendum. The French authorities had arrested those persons as hostages, so that they could exert pressure on PMP.

184. The persons detained in the concentration camps had been subjected to inhuman treatment. Their only food had been a handful of rice cooked in water. Sometimes they had gone several days without food. The sanitary conditions had been equally deplorable. Most of those in custody had been suffering from tuberculosis and various skin diseases. For some, the ordeal had lasted until 26 April, when they had been deported to the Somali Republic or Ethiopia.

185. The referendum had done little to change the political climate in the Territory. Mr. Ali Aref had been protected by the French Government and remained in power, thanks to the decree of 22 July 1957 under which the Territorial Assembly, having appointed the Ministers, sometimes by a relative majority, could not subsequently dismiss them, even if they were the subject of a motion of censure. However, that puppet had not been able to dispel the political uneasiness reigning in the Territory. The French Government had had to recall him to France and had set up a caretaker Government, composed of equal numbers of Somalis and Afars, under the leadership of Mohamed Hagi Khamil, who was himself of Afar origin. It was then that the Governor had obtained discretionary powers, proclaimed the state of emergency and martial law in the Territory, and imposed a curfew. Meetings of more than five persons had been prohibited. After the demonstration of 14 September 1966, the native quarters had been sealed off with barbed wire and steel plates. Houses had been looted, women and girls raped. Opponents of the régime had been expelled or put in concentration camps.

186. On the pretext of maintaining order, Paris had sent to French Somaliland three aircraft carriers filled with paratroopers and 600 riot police specializing in psychological warfare. Over 10,000 soldiers had been billeted at Djibouti, a town of 62,000 inhabitants. About 700 persons, including the President of UDA, Mr. Ahmed Mohamed Issa, called "Cheko", several influential members of the Co-ordination Committee and religious leaders, had been arbitrarily arrested and imprisoned. From August 1966 to March 1967, 8,819 persons had been deported to the Somali Republic.

187. Meanwhile, the caretaker Government, under Mr. Mohamed Hagi Khamil, which was to deal with day-to-day business until the next elections - in other words, during the two months following the referendum - had been dissolved. There had no longer been any question of giving the Territory a new statute granting it greater autonomy.

188. Faced with the refusal of PMP to take part in the Government, the French Government had again turned to Mr. Ali Aref. His first action had been to announce in the Press and on the radio that all those who had voted "no" in the referendum would be expelled from the Territory and that no Somalis would be given posts in the administration. The port of Djibouti had been paralysed by a strike. Large companies had complained to Paris and the threat had disappeared as if by magic.

189. Then, at the instigation of Governor Saget, a motion had been introduced requesting that the name of the Territory be changed to "French Territory of the Afars and Issas". France had thus hoped to foster fratricidal strife which would justify its presence.

190. However, the Territorial Assembly was not competent to change the name of the Territory. Under the Loi-cadre, its functions were limited to internal matters. The vote on the change in the Territory's name had been obtained by intimidation.

191. Some time before the extraordinary meeting of the Assembly, one of the country's great figures - Mr. Abdurahman Adolé, former trade-union leader, member of the Committee of Wise Men - had been taken from his home to an unknown destination. He had been tortured and shot twice in the head. At his wife's request, an autopsy had been performed at Pelletier hospital. The French doctor had certified that he had been subjected to the most barbarous torture; his teeth had been pulled out with pincers and an eye had been put out; he had been covered with soapy water and given electric shocks. All his property had been confiscated. All the members of the Council of Government had been threatened with the same fate as Abdurahman Adolé.

192. That was the situation currently prevailing in the Territory. Yet the treaties concluded between the Afars and Issas and France clearly showed that French Somaliland was a protectorate and that consequently it had never renounced independence.

193. He urged the Special Committee to exert pressure on the administering Power to implement General Assembly resolution 2228 (XXI) and fix the earliest possible date for the accession of French Somaliland to independence, after a referendum on the basis of universal suffrage, under the supervision of international organizations. He asked the Committee to obtain the release of the detained political, trade-union and religious leaders and permission for the exiled political leaders and refugees to return to their country. He asked for the dispatch of a commission of inquiry to the concentration camps and assistance from UNHCR and the various specialized agencies. Lastly, he asked the Committee to intervene so that the peoples of French Somaliland could recover their freedom and their dignity.

194. The patience of the peoples of French Somaliland was exhausted and, if the United Nations could not help them, they were determined to fight for their sacred and inalienable rights.

195. Mr. Wabery (FLCS) said that the French National Assembly had recently confirmed the changing of the name of French Somaliland to Côte française des Afars et des Issas. To change the traditional and historical name of a Territory without the approval of its inhabitants was an illegal act that could not be justified by international law and practice. The Territory had had its former title for well over a hundred years, and the colonialists could not change it unilaterally overnight in defiance of the majority of the people. That tragic event should be denounced by world opinion and international organizations. FLCS urged the Special Committee to condemn very strongly that stratagem designed to prolong French domination and repression.

196. In reply to questions of Committee members, Mr. Wabery said that just before the referendum there had been a violent demonstration, during which forty persons had been killed. As a result, thousands had been put in concentration camps and tens of thousands had been deported. There had been many cases of killing, beating and rape in the concentration camps. During the state of emergency some 6,000 military gendarmes and paratroopers were living in Djibouti and no one was allowed to pass through the town or to travel from Djibouti to other regions without a pass.

197. Replying to other questions, Mr. Youssef said that in August 1966, when General de Gaulle had visited French Somaliland, FMP and UDA had decided to establish a Co-ordination Committee with the idea of merging the two parties. In September,

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the President of UDA, Mr. Khamil, who had assumed leadership of the Government, had been Honorary Chairman of the Co-ordination Committee. At that time, the parties had been able to engage freely in their political activities. They could no longer do so at present and the Co-ordination Committee had been decapitated by the French colonialists. He himself had been Secretary of the Co-ordination Committee and had been deported in February 1967. The French Government had feared the influence which the Committee might exert on the population. By the time of the referendum, the Co-ordination Committee and the two political parties had ceased to exist.

198. France, the petitioner said, had used two tactics to persuade people to vote "yes": psychological warfare and violence. In order to influence the masses, the French had spread the rumour that, if the Territory became independent, the Somali Republic and Ethiopia would occupy it by force. However, that propaganda to justify the result of the referendum - which was a foregone conclusion - had had no effect on the population, except the French themselves. The population had not voted to maintain the French presence in the Territory. At Djibouti, where the population was literate, 72 per cent of the votes had favoured independence. As for the Bedouins, they would certainly not be influenced by the French.

199. With regard to the policy of FLCS, the petitioner said that, if the Special Committee did not find a way of persuading France to grant independence to French Somaliland, the Somali nationalists would resort to armed warfare.

200. Asked whether the voting had been by secret ballot, and whether FLCS officials had been allowed to witness the voting, the petitioner said that in theory the ballot had been secret. It had indeed been secret at Djibouti, where the political parties had been represented at the polling centres. Journalists in that town could have unmasked the dishonesty of the French authorities. In the rest of the country, however, there had been no ballot. The political parties had been denied the right to send representatives to the polling centres. The electorate had not voted; the ballot boxes had been filled by the cercle commanders and by administration officials. He did not claim that the entire population had favoured "no". Colonial history had shown that there were always people who were swayed by colonialist propaganda. In French Somaliland, however, there were not many.

201. Out of a total population of 105,000, only 36,000 - about 30 per cent - had participated in the referendum. Women and those who could influence the result of the referendum had been denied the right to vote.

202. There had been a great deal of intimidation before and after the referendum of 18 March. The French Government had conducted a powerful campaign for "yes".

France had been both judge and party. Despite the intimidation, 70 per cent of the population of Djibouti had voted for independence. In the interior, there had been no vote; the ballot boxes had been filled by French officials.

203. Mr. Waberi (FLCS) added that the political parties had asked to be allowed to send observers to the polling stations but, except in the case of Djibouti, the French authorities had refused. The authorities had, moreover, prevented 75 per cent of the inhabitants from registering and participating in the so-called referendum.

204. Statement by the representative of Somalia. The representative of Somalia said that it was very surprising to the Somali Government and to all who strove objectively to bring about the end of colonialism in Africa, that France was maintaining in the Territory of so-called French Somaliland all the worst features of colonial rule, which was all the more regrettable because France in the recent past had been praised for its role in the liberation of colonial peoples. The Somali Government earnestly hoped that, with regard to French Somaliland, wiser counsel would soon prevail and that France would practise the principles it had made famous - liberty, equality and fraternity.

205. In the meantime, an unsatisfactory colonial situation existed in so-called French Somaliland, which was necessarily the concern of the Special Committee. It had heard testimony in New York concerning the oppressive and undemocratic political conditions existing in the Territory before, during and after the referendum of 19 March 1967. In Africa, it had obtained further evidence from the petitioners to the effect that the political atmosphere remained unsatisfactory and that independence was still not in sight.

206. Ever since the visit of General de Gaulle in August 1966, when a series of popular demonstrations had occurred in favour of independence, the Government of the Somali Republic had striven for one thing only: to ensure that the people of French Somaliland, with whom it had the closest ties of history, geography and kinship, exercised their right to self-determination and independence. It had been a great disappointment not only that that sacred right, at present enjoyed by so

many former colonial peoples, was still withheld from the people of French Somaliland but also that, through selfish interest or apathy, the glaring injustices of French rule in the Territory were being accepted with complacency by some States Members of the United Nations.

207. That attitude became even more incomprehensible when compared with other situations studied by the Special Committee, where there had been hardly any question of the intentions of the colonial Power or the wishes of the people involved, but where the Committee had indulged in lengthy debate and taken great pains to ascertain whether self-determination had actually been achieved. Yet, in the case of French Somaliland, where political and military intimidation was the order of the day, where democratic political procedure was flagrantly violated, and where more than thirty inhabitants of the Territory had been brutally shot down by the armed forces of the administering Power because they had protested against the suppression of their democratic rights, it was with considerable difficulty that the Committee could be persuaded to debate the matter at all and there had been marked reluctance even on the part of some African States to censure France strongly and deservedly.

208. In spite of the clearest evidence, supported by reputable witnesses from the Territory and by reports in the international Press, that the referendum of 19 March was not a true expression of the wishes of the majority of the population, it had been suggested that the United Nations could accept the result of the referendum and consider the question of French Somaliland settled. But the United Nations could not ignore the question of French Somaliland even if some of its Members wished it to do so, without also ignoring its declared purposes to assist colonial peoples in their fight for independence.

209. In December 1965 the General Assembly had rejected the French delegation's contention that French Somaliland was fully self-governing and had therefore ceased to be a Territory in respect of which France had the responsibility to transmit information under Article 73 of the Charter. By including French Somaliland in its schedule of Non-Self-Governing Territories to which resolution 1514 (XV) was applicable, the General Assembly had affirmed its belief that the people of the Territory had not yet exercised their right to self-determination in accordance with their freely expressed wishes. Since the referendum of 19 March the situation

in the Territory had not changed. The evidence showed that the referendum was not a free expression of the wishes of the majority of the people and the promised new statute had not yet been produced to give some basis to the claim that the constitutional status of the Territory had been altered. In any case, a careful examination of the text containing the main elements of the proposed new statute would show that the basis of the proposed government would be essentially the same as before. The powers of the High Commissioner which covered censorship, foreign relations, the police, law and order, national status, finance and the armed forces were so wide that they were practically the same as those of the former Governor. The question of French Somaliland was therefore still within the Special Committee's purview and merited its deepest concern.

210. He recalled the salient events in the Territory leading up to the present situation so that a proper assessment of the situation could be made and appropriate action taken.

211. A good starting point for reviewing the situation in so-called French Somaliland was General Assembly resolution 2228 (XXI) of 21 December 1966, in which the General Assembly indicated that France's promise to hold a referendum in the Territory was not of itself a sufficient guarantee that the Declaration on the Granting of Independence to Colonial Countries and Peoples would be properly implemented in so-called French Somaliland. Having regard to the irregularities of the situation in the Territory, the General Assembly had called on France to ensure that the right of self-determination would be freely exercised by the indigenous inhabitants of the Territory on the basis of universal adult suffrage and with full respect for fundamental human rights and freedoms, had urged it to create a proper political climate for the referendum to be conducted on an entirely free and democratic basis, and had requested it to arrange for a United Nations presence before, and supervision during, the holding of the referendum. Not one of these provisions had been carried out by the French authorities.

212. The General Assembly, through the Secretary-General, had tried to persuade the French Government to comply with its request for a United Nations presence in the Territory but had received a negative response. The practice of having an impartial United Nations presence to supervise the process of self-determination in a colonial Territory was one which had generally been welcomed and adopted by

the Special Committee on such occasions. For example, a United Nations presence in the Cook Islands had greatly contributed to the satisfactory referendum held. Even more important, the General Assembly had clearly endorsed and supported the general rule that United Nations bodies should control and supervise the processes preceding referendums and also the holding of such referendums to ensure strict respect for the principle of self-determination set forth in the Charter of the United Nations.

213. The Somali Government firmly supported the principle and believed that, in the case of so-called French Somaliland, and indeed in all such cases, a United Nations presence would be in the interest of the Territory, of the United Nations itself and of the administering Power. Had there been such a supervisory body before and during the referendum in so-called French Somaliland, it would certainly have pointed out and done its utmost to eliminate the irregularities which had actually marred the referendum and its outcome would not have been open to so much criticism. It could only be assumed that the unwillingness of the French Government to co-operate indicated its awareness of the injustices that were being committed and its determination to persist along those lines.

214. Another important aspect of the matter was the creation of a proper political climate for the referendum to be held on a free and democratic basis. The political climate existing in the months before the referendum and on the day on which it had been held could only be described as undemocratic.

215. The policy of imprisoning or deporting political leaders who favoured independence had begun with the founding of the popular independence movement in 1957. It had been continued in the pre-referendum period and extended to unprecedented lengths. Political leaders had been deported and, between August 1966 and March 1967 over 8,000 citizens, whose only crime had been that they were likely to vote for independence, had been taken to the border in trucks and forced to cross over into Somalia, often at bayonet point.

216. The Special Committee had seen and heard evidence to disprove the allegation that those people were not bona fide citizens of so-called French Somaliland. It had been shown that many of the deportees actually had their identity cards: many had not been allowed to go home to obtain them; and many more had never held such cards because they had not been obliged to do so in the past.

217. The attempt by the French authorities to create divisions between the two ethnic groups in the Territory and to prevent them from forming a united political front had been one of the most distasteful features of the pre-referendum period. Leading members of the Bureau for co-ordinating the political activities of the parties representing the two ethnic groups had been imprisoned and every opportunity taken to engender mistrust and suspicion. Lest it should be thought that that allegation was a fanciful one held only by the Somali Government, he quoted an extract from the United Arab Republic newspaper Al-Goumhouria of 21 March:

"France has flouted French Somaliland's wish for independence not only by jailing opposition party leaders but by resorting to the most vile methods used by colonialists, provoking conflicts between ethnic groups."

218. The French newspaper France Nouvelle of 21 March had commented in the same vein:

"General de Gaulle has dramatized to the utmost ethnic rivalries, inviting one group to Paris and sending others to jail, hoping to 'divide and rule'.... A few days before the referendum the situation is extremely tense. This is not due to international agitation. It is the result of the intimidation and repression perpetrated by the Gaullist authorities."

219. The intimidation referred to was another feature of the period before and during the referendum. Measures of military terror, which could only be compared to the police state methods of outmoded dictators, had been systematically applied to the inhabitants of Djibouti. That charge was substantiated by the Press of France itself. L'Humanité of 20 March thus described the day of the referendum:

"French Somaliland is completely cut off from the outside world; its frontiers and its harbours are closed; Djibouti is isolated from the rest of the country with barbed wire and minefields to prevent entry except at checkpoints guarded by soldiers. Inside the town the African districts have been completely encircled by the army. And it is inside this area that the great majority of Somalis who will vote "No" can be found. This mass military presence undoubtedly constitutes pressure."

A sober comment on the results of that policy was given in the Tanzanian newspaper The Nationalist of 27 March:

"The so-called referendum was conducted with the country and the capital in particular in a virtual state of siege by French paratroopers.... France as a colonial Power has in the past earned the reputation of sublime indifference to nationalist campaigns for independence. But she has invariably lost, from Indochina to Algeria. This is a lesson which she should now recall."

Another method used by the French Government to create an atmosphere favourable to its own wishes was economic intimidation. The threat that France would immediately withdraw every kind of aid to the Territory if it voted for independence was a gesture that was not conducive to the free and democratic expression of the wishes of the people. Referring to that threat by the French Government, the French publication Le Nouvel Observateur of 22 March 1967 commented: "In this referendum 'under arms', blackmail has been added to intimidation."

220. To the complete lack of a free political atmosphere for the holding of the referendum should be added the denial to so many of the indigenous inhabitants of the Territory of their right of self-determination on the basis of universal adult suffrage and with full respect for human rights. Thousands of citizens had been deported and so denied their right of self-determination, and the brutal conditions of their deportation constituted a denial of their fundamental human rights and freedoms.

221. The Scotsman, a newspaper known for its impartial reporting, had made the unequivocal comment: "The French made sure of the result by either removing the Somalis altogether - 6,000 were sent back to Somalia - or declaring them 'foreigners' and depriving them of the franchise."

222. The deliberate rigging of the electoral procedures to produce a result favourable to France was a further cause of frustration and just anger on the part of the indigenous population. The period allowed for political campaigning was severely limited and accompanied by a curfew; the chief political parties which had their headquarters in Djibouti, the main centre for the independence movement, had not been allowed to campaign in the interior where the more unsophisticated tribesmen were considered to be pro-French; the political parties had not been allowed to have observers at the polling booths in the areas where they had not been registered; above all, unrealistic residential and other qualifications had ensured that thousands of eligible Somali voters would be denied their right to vote. This serious charge was clearly proved by the following extracts from the international Press. Roy Blackman of The Daily Express of 20 March had written:

"Today's referendum... was an elaborately contrived affair with a built-in bias. Not to put too fine a point on it, the pro-French communities were given bigger voting power. My own calculations show that likely pro-French voters received twice as many votes per hundred of the population as the anti-French Somali population. Indeed, thousands of Somalis have been refused a vote under the three-year residential qualification."

The unreality of expecting three-year residential qualifications from a population whose traditional way of life was nomadic had been pointed out to the Special Committee by several of the petitioners.

223. The Times of London, always considered a highly reputable source of information and comment, had noted in its issue of 30 March:

"The voting pattern in the electoral districts showed that in many areas where only Afars live, 100 per cent of the registered vote was cast for France. Such a result can only have been organised. No supervisory commission from the United Nations or elsewhere would have accepted the result without reserve."

224. The Daily Mail of 20 March included the following short but telling summary of the electoral arrangements:

"The electoral list of 39,000 out of 125,000 people includes only 14,000 of the 58,000 independent-minded Somalis, while 22,000 of the 45,000 pro-French Afar tribesmen are registered."

Out of a population of 125,000, 39,000 male voters including over 2,000 non-indigenous people with no permanent stake in the country had thus constituted the universal adult suffrage of the indigenous inhabitants required by General Assembly resolution 2228 (XXI).

225. The whole conduct of the referendum was summed up in the Washington Post of 23 March:

"In less time than a week France has demonstrated its determination to hang on to its last colony in Africa and has proved it can savagely crush any challenge to its authority. The very harshness of the crackdown - the machine-guns, the tear gas, the massive presence of troops, the knocks on the doors, the temporary concentration camps, the deportations, the shots in the dark during rigid curfews - has ensured that French Somaliland will remain a hot spot and an occupied territory. This solution bears little resemblance to the one prescribed by General de Gaulle last August when he promised the territory's rioting inhabitants self-determination and a free and fair choice for independence. Nor has its application in the last few days been pleasant to witness.... When voting requirements were finally established and the list of eligible voters compiled it became clear that the French could not lose. Although Somalis comprise at least 50 per cent of the population, the rival Afar tribe was given a 60 per cent majority on the voting rolls. Not surprisingly the final returns from the referendum showed 60 per cent majority for continued French rule."

226. He had quoted at length from the reports and comments in the international Press because Somalia had been accused of championing the cause of its brothers in so-called French Somaliland out of self-interest. It was therefore particularly important that the accusations levelled against France for her conduct of the referendum should be made by other voices than that of Somalia. No one who had heard those voices could possibly maintain that self-determination had been exercised by the people of the Territory.

227. The holding of the referendum had not even brought to an end the sufferings of the indigenous people of so-called French Somaliland, let alone their mental frustration at the flagrant denial of their political rights. The brutalities inflicted on those who had shown their just dissatisfaction with the conduct of the referendum by making a public demonstration were well documented by reports and photographs in the international Press. While there had been no fatal casualties among the French forces ordered to quell the demonstration, more than thirty Somalis had been callously shot by the mercenaries of the Foreign Legion and hundreds more wounded when helicopters had dropped percussion grenades to disperse the crowds. Time magazine, reporting on those incidents, said:

"Bystanders as well as rioters were shot down, no questions asked."

The New York Times of 21 March commented:

"The French Somaliland referendum was confused, messy, and in the end bloody with familiar displays of brutality by the Foreign Legion."

228. Four thousand people had then been indiscriminately rounded up and taken to a detention camp in the desert. From there a further 2,500 Somalis had been taken by night to a desolate area on the border and forced to cross, at bayonet point, into Somalia in spite of the Somali Government's protests at the violation of its sovereignty, and in defiance of international law and human rights. The French authorities had claimed that law and order had been restored to the Territory - the Special Committee could judge for itself on what basis.

229. The last charge against the French Government was perhaps the gravest of all. It was attempting to do something which would have been considered reprehensible even in the heyday of colonialism. He had already mentioned its attempts to eliminate by deportation and to subjugate by political and other forms of

oppression the major ethnic group of the Territory, because that group was particularly vociferous in its demand for independence. The attempt by the French authorities to create distrust and suspicion between the Somalis and Afars had been one of the most distasteful features of the pre-referendum period. That policy constituted an attempt to "de-Somalize" the Territory. The choice as leaders of the new Government of certain Afar politicians who held the most extreme and unrepresentative views on Somali-Afar relations, and the dissemination, through the information media, of the most inflammatory anti-Somali opinions by such politicians were further indications of the stepping-up of that policy.

230. Afars and Somalis had lived side by side in peace for hundreds of years with no more friction than occurred normally between related families. They belonged to the same ethnic family; their languages were similar; they intermarried, had the same customs and way of life and shared a common religion. All Afars and Somalis of goodwill and good sense were aware of the attempt to divide them and knew where their common interests lay.

231. The original proposal that the name of the Territory should be changed to the "French Territory of the Afars" could not be justified on geographical, historical or technical grounds. When the French had first come to the area, they had given it the name which best expressed its ethnic composition and the purpose of the move to change the name of the Territory was to obscure its essentially Somali character.

232. The implication of that change, which went far beyond questions of nomenclature and ethnic majority, was brought out in a far-sighted editorial of the Tanzanian newspaper The Nationalist:

"What is unfortunate, however, is the possibility that this move will shift attention away from the crux of the political evolution of the territory. So much acrimony may enter on a change of name that the struggle for the political emancipation of the territory may be obscured."

233. The name of a Territory should only be changed at the express wish of the majority of the people after they had achieved real and complete independence.

234. The French Parliament had later approved the change of the name to "French Territory of the Afars and Issas". The first move had come from the Territorial Assembly of French Somaliland which had recommended a change of the name to "French Territory of the Afars". The modification of the title by the French National Assembly to "French Territory of the Afar and Issa" was a vivid example of the

inconsistency of French policy and the intention to perpetuate a divide-and-rule policy in the Territory regardless of the wishes of the people.

235. His delegation protested very strongly against a change motivated purely by France's desire to prolong its colonialist administration in the Territory and urged the Special Committee to condemn the French Government for adopting a measure contrary to the wishes of the people.

236. Observers of the scene in so-called French Somaliland had often asked why France had been willing to use all means, fair or foul, to retain the colonial status of that particular Territory, whereas it had allowed other Territories with far greater economic resources to obtain their freedom. The answer was not easy, but it was interesting to note that French Radio Television's information supplement No. 1337 of 1965 stated clearly that the decision of France to remain in the Territory could be attributed "... to the context of the over-all interests of the Western Powers in the Indian Ocean.... It follows, more precisely, from the fact that Djibouti constitutes a strategical and logistical staging-post for linking up with the Pacific Ocean settlement where there are plans to situate the experimental installation for the French nuclear bomb and where it is planned to remove the seat of government in the event of the occupation or destruction of metropolitan France". If that was the reason, it was a classic example of a type of colonialism which had been repeatedly condemned by the United Nations.

237. In view of the above comments by impartial observers, it was obvious that French Somaliland was still a Non-Self-Governing Territory within the purview of the Special Committee and merited its deepest concern. He suggested, first, that the Committee should retain the question of French Somaliland on its agenda. Second, the Committee should reject the referendum conducted by the French authorities, which had been a mockery and a farce. Third, the Committee should call upon the administering Power to discontinue its present policies and take appropriate measures to normalize all aspects of life in the Territory. It should call on France to ensure the termination of all special police, emergency and military measures and martial law; to release all detainees in the so-called transit camps and all other political prisoners; to arrange with the Government of Somalia - perhaps through the Committee's good offices - for the orderly return of the deportees from Somalia to the Territory. Fourth, the Committee, acting in the defence of human rights, should strongly censure the administering Power for the

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brutality and loss of life inflicted on the indigenous people by its military forces. The Committee could not ignore the fact that over thirty people had been callously shot down and hundreds more seriously wounded by those troops.

238. Finally, it was the earnest hope of the Somali Government that the Special Committee would agree to appoint a fact-finding sub-committee which could either visit the Territory, if it were permitted to do so, or visit neighbouring Territories to enable it to make its own impartial assessment, based on facts obtained by its own members concerning the situation in the Territory and the refugee problem in Somalia. That action had been strongly recommended by the Permanent Representative of Somalia to the United Nations in the weeks before the referendum, when such a visit would have been of even greater value. However, it still appeared essential that a fact-finding sub-committee should be appointed so that the General Assembly could obtain impartial information when the question of the Territory came before it again.

239. In conclusion, he thanked the Special Committee for the priority which it was according to the question of so-called French Somaliland and assured it of the Somali Government's fullest co-operation in its constructive efforts.

C. Consideration by the Special Committee at Headquarters

240. As stated in paragraph 129 above, the Special Committee further considered the question of French Somaliland at its 557th and 559th meetings held at Headquarters on 12 and 13 September 1967.

241. In a letter dated 11 September 1967 (A/AC.109/272), the Chargé d'Affaires of the Permanent Mission of Somalia to the United Nations requested that his delegation be permitted to participate in the Special Committee's consideration of French Somaliland. At its 557th meeting on 12 September, the Special Committee decided, without objection, to accede to that request.

242. Written petitions. The Special Committee circulated the following written petitions concerning French Somaliland:

<u>Petitioner</u>	<u>Document number</u>
Mr. Abdillahi Ardeye, Secretary-General, and Mr. Omar Ahmed, Member of the Central Council, <u>Front de Libération de la Côte des Somalis (FLCS)</u>	A/AC.109/PET.579/Add.
Mr. Abdillahi Ardeye, Secretary-General, <u>Front de Libération de la Côte des Somalis (FLCS)</u>	A/AC.109/PET.579/Add.
Mr. Osman Aden Youssouf, Secretary for International Relations and Controller General, <u>Front de Libération de la Côte des Somalis (FLCS)</u>	A/AC.109/PET.579/Add.
Mr. Osman Aden Youssouf, Secretary for International Relations and Controller General, <u>Front de Libération de la Côte des Somalis (FLCS)</u>	A/AC.109/PET.579/Add.
Messrs. Ali Ahmed Odfom, President, and Hagi Samod Farah, Secretary-General, <u>Front de Libération de la Côte des Somalis (FLCS)</u>	A/AC.109/PET.579/Add.
Mr. Abdillahi Wabery, Vice-President of the <u>Parti du Mouvement Populaire (PMP)</u> and Secretary-General of the Central Committee for Deportees from French Somaliland, Mr. Abdulrahman Ahmed Hassan Gabot, Vice- President of the United National Front of French Somaliland and former member of the Territorial Assembly of French Somaliland, and Mr. Abdillahi Youssouf, member of the Central Committee of the PMP and former Secretary of the Co-ordinating Bureau of the PMP and <u>Union Démocratique Afar</u>	A/AC.109/PET.616/Add.1-3
Mr. Ali Ahmed Udun, President Liberation Front for French Somali Coast, on behalf of the <u>Parti du Mouvement Populaire and Union Démocratique Afar</u>	A/AC.109/PET.617/Add.1
Mr. Mohammed Aborashid on behalf of the Somali Students' Association in America	A/AC.109/PET.626
Mr. Ali Jame, President of the Somali Community in Aden	A/AC.109/PET.627
Messrs. Abdullehi Waberi, Abdullehi Yusuf and Osmen Abubaker	A/AC.109/PET.691

243. Statement by the representative of Somalia. The representative of Somalia said that much had happened since the Special Committee had last discussed the item at Headquarters. First, on 3 July 1967, the French Government had issued a new Statute for the Territory. Secondly, the Committee, while in Africa, had received additional petitions and heard more petitioners; his delegation hoped that appropriate conclusions would be drawn from the statements made. Thirdly, those petitions and the new Statute were but two aspects of the deplorable situation in the Territory, which showed increasing dangers of deterioration. Many citizens were still in gaol, and the thousands who had been expelled to Somalia had not yet been permitted to return to their homeland and were consequently in great distress. His Government had always done whatever it could to improve their situation, but the fact remained that they were innocent victims of unfair police measures and possessed an inalienable right to return to their homeland. Furthermore, since the referendum of 19 March 1967, French authorities in the Territory had been pursuing a deliberate policy of discrimination and persecution against the Somali majority of the inhabitants. By systematically encouraging a small group of extremists and placing them in important positions, they had silenced all the nationalist and moderate elements of the population.

244. The spectre of colonialism, once thought to be gone for ever, had been raised again by the course of events. In August 1966, spontaneous demonstrations demanding self-determination and independence had been harshly suppressed and had been followed by punitive measures. A referendum on the future of the Territory had been arranged; mounting evidence that the referendum would not be fair had prompted the General Assembly, in its resolution 2228 (XXI), to request the administering Power to conduct it "on an entirely free and democratic basis" and to arrange for "a United Nations presence before, and supervision during, the holding of the referendum". The administering Power had, of course, completely disregarded that appeal, and thousands of eligible voters had been disfranchised. The outcome of the referendum could certainly not be considered genuine. When protests had been voiced, however, the oppression had been intensified. All the efforts and proposals of the Somali Government to solve the problem of the expellees had been of no avail. The Somalis in the Territory had been deprived of any means of political action through the dissolution of the party which many of them supported.

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245. It was in that context that his delegation believed the new Statute for the Territory should be viewed. That Statute was incompatible with the letter and spirit of the United Nations Charter, the Declaration on the Granting of Independence to Colonial Countries and Peoples, and the noble traditions of France. It gave the colonial Power unlimited authority in all matters of importance and was a scarcely disguised effort to turn back the clock. It precluded any possibility of the Territory's evolution towards self-determination.

246. The preamble stated that the Statute established a large degree of administrative autonomy, but a cursory examination of it revealed how small that autonomy was. The spirit of the Statute was illustrated by the warning contained in article 3, which said that the President and the Ministers were liable to prosecution for crimes and misdemeanours committed in the exercise of their functions. The fact that the enactment of criminal laws and the administration of justice were entirely in the hands of the French Government showed what powers the latter possessed. In recent months, it should be noted, numerous leading personalities in the Territory had been imprisoned or expelled. The Statute also provided for a local Chamber of Deputies whose members did not enjoy parliamentary immunity. The Chamber could be dissolved at any time if the local government council so desired and the French Government agreed (article 37). It had virtually no right of initiative and could propose nothing which would create or increase a public expenditure (article 33).

247. Vast powers were reserved to the administering Power, which was represented by a High Commissioner in the Territory. The list of matters exclusively in its hands included foreign relations, external communications, the Treasury, credit, external trade, radio and television broadcasting, justice, nationality, civil status, control of immigration, and the policing of foreigners. In general, the administering Power also had the exclusive prerogative to handle all matters pertaining to defence. The new Statute (article 38) defined defence as covering not only the external safety of the Territory but also general security and the maintenance of law and order. The scope of that definition was obvious.

248. The High Commissioner's powers were similarly wide and vague. Although he no longer presided over the local government council, his deputy could attend any meeting of the Council with the right to speak, thus taking away its privacy.

Perhaps even more important, the High Commissioner possessed prerogatives which made him a veritable nineteenth-century viceroy in the Territory. He promulgated all laws and decrees and ensured their execution. He ensured respect for public freedoms. He supervised the legality of all the acts of the authorities of the Territory. He could, without having to give any reason, demand a second reading of any act of the local Chamber of Deputies and the reconsideration of any act of the local Government Council. Such a demand could not be refused. The High Commissioner could suspend the implementation of any act for ninety days. Neither the people nor the elected authorities of the Territory had any influence on the selection of the High Commissioner or his deputy. Both were appointed by the French Cabinet by decree.

249. In the light of those provisions, it was clear that the local authorities had no powers in the affairs of their Territory. Indeed, a deputy in the French National Assembly had pointed out that fact.

250. The arrangement governing the port of Djibouti, the largest economic asset of the Territory, was worth mentioning. After the referendum, the French Government had entertained the idea of taking the port altogether out of the Territory by making it a separate public institution, with a legal personality and financial autonomy of its own. The separate port authority was to be supervised directly by the French Minister for Overseas Territories and administered by a board of directors composed in equal numbers of representatives of France, of the Territory and of the users. That proposal had been withdrawn because it went too far. Under the new Statute, however, the port would continue to be administered as a quasi-extra-territorial entity by a separate public authority under what was known as "régie directe". That decision was based on the Franco-Ethiopian Treaty regarding the Djibouti-Addis Ababa railway. The financial provisions of the treaty, which were very unfavourable to the Territory, remained in effect.

251. The new Statute had been sharply criticized even in the French National Assembly. An Opposition spokesman, referring to the numerous prerogatives reserved to the French Government and the High Commissioner in the Territory, had asked what the Minister for Overseas Territories was leaving to the inhabitants. He had denied that the referendum of 19 March 1967 had yielded a true majority in favour of continued Territorial status, pointing out that, of the 87,000 "French

citizens" in the Territory, only 39,024 had been permitted to vote. Those had included 22,000 of the 48,000 Afars and 14,000 of the 58,000 Somalis.

252. He then quoted the French Opposition deputy's description of Djibouti during the referendum as a city under martial law and pointed out the concern of many prominent individuals in France at the policy of mass imprisonment and deportation.

253. His final important point had to do with the contrast between the promises made before the referendum and what had been done after it. That was basic to a proper evaluation of developments in the Territory. The very question on the ballot paper had been whether or not the voter preferred the Territory to remain within the framework of the French Republic under a remodelled Statute. His delegation reserved the right to submit a detailed comparative study of the promises made before the referendum and the instrument that had emerged on 3 July 1967. For the moment, it was sufficient to mention that, contrary to the promises made, the new Statute did not give the Territory's Chamber of Deputies the power to establish its own electoral rules, and that, in spite of the prior commitments, the Chamber was now under the threat of dissolution by the Territory's Government Council or the French Government. Furthermore, the High Commissioner had far-reaching powers. Under the new Statute those contradictions had not been lost on the Territory's Assembly when the draft Statute was sent to it for discussion - but not for approval. It must be stressed that a majority of the Territory's population had been wholly unrepresented in the Assembly, since the Somali members had refused to take part in it. A new Assembly should have been elected in order to discuss the new Statute. Instead, the French Government had submitted the draft Statute to a local rump Assembly and accepted some innocuous changes demanded by it but had rejected the more important ones, such as the one relating to administration of the port.

254. Similarly, the voters had been warned before the referendum that a change was planned in the name of the Territory.

255. French Somaliland was a small and poor country, lacking in natural resources. All the energies of its people should be harnessed to improve their living standards, so that it was all the more deplorable to stir up tribal antagonism as a prop for a dying colonialism. It was untrue that the Afars constituted a majority of the population, that the desire for independence existed only among the Somalis

in the Territory and that that desire was due to agitation carried on by Somalia. If the referendum showed a slight majority in favour of continued territorial status, that was due, among other things, to the fact that tens of thousands of potential "no" voters had been denied the right to vote. The Afars and the Somalis were very closely related in language, religion, customs and culture. They had never been at war with each other, and they had been co-operating politically. After the demonstrations of August 1966, the principal Afar party, the Union Démocratique Afar, had formed a coalition Government with the other majority party, the Parti du mouvement populaire, which had many Somali adherents. It was also interesting to note that the head of the coalition Government, Mr. Mohammed Kamil, had favoured independence. When he had changed his mind, the party had deposed him. A joint committee of the two parties had worked for independence until the colonial authorities arrested its members. Even the leader of the Afar party had been imprisoned during the referendum and thus prevented from campaigning. After the referendum, the PMP had been suppressed and outlawed. At present, there was no free political life in the Territory.

256. In conclusion, he pointed out that the draft Statute had proposed the name "French Territory of the Afars and the Somalis" for the Territory but an amendment had been introduced in the French National Assembly naming it "French Territory of the Afars and the Issas". The change of name had been decided upon in the National Assembly without any serious debate and without the knowledge of the people of the Territory, who had learnt about it as an accomplished fact. His delegation did not believe that an artificial name could change the character of a country, obstruct the course of history or deprive a people of their right to self-determination.

257. The situation in French Somaliland should be of the utmost concern to the Committee. The flagrant acts of discrimination and persecution against anyone suspected of desiring independence were based on an unfair referendum which, despite all the circumstances surrounding it, had nevertheless shown that 40 per cent of those permitted to vote were unequivocally in favour of independence; under the circumstances, that was a very high percentage. Since the referendum, the local Government had been completely unrepresentative of the sentiments of the people; the new colonial Statute did not grant true local autonomy and, in addition, the very name of the Territory was to be obliterated.

258. The representative of Ethiopia said that her delegation would state its position in regard to the question of French Somaliland at the twenty-second session of the General Assembly.

VI. FURTHER ACTION TAKEN BY THE SPECIAL COMMITTEE

259. At its 559th meeting, held on 13 September 1967, the Special Committee decided to transmit to the General Assembly the information contained in the relevant working papers prepared by the Secretariat (see paras. 1-49 above), together with the statements made on the item by representatives and by petitioners. It also decided that, subject to any decision that the General Assembly might take at its twenty-second session, the Committee would consider French Somaliland during its meetings in 1968.

ANNEX*

REPORT OF THE SECRETARY-GENERAL

1. Resolution 2228 (XXI) of 20 December 1966 on the question of French Somaliland adopted by the General Assembly at its twenty-first session read as follows:

"Question of French Somaliland

"The General Assembly,

"Having considered the question of French Somaliland (Djibouti),

"Recalling its resolution 1514 (XV) of 14 December 1960 containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

"Having considered the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to French Somaliland (Djibouti), 1/

"Noting the decision taken by the Assembly of the Heads of State and Government of the Organization of African Unity at its third ordinary session, held at Addis Ababa from 5 to 9 November 1966,

"Having noted the recent political developments in the Territory and the subsequent announcement made by the administering Power that a referendum will be held in the Territory before July 1967 to enable the people to decide their political future,

"1. Reaffirms the inalienable right of the people of French Somaliland (Djibouti) to self-determination and independence in accordance with General Assembly resolution 1514 (XV);

"2. Calls upon the administering Power to ensure that the right of self-determination shall be freely expressed and exercised by the indigenous inhabitants of the Territory on the basis of universal adult suffrage and with full respect for human rights and fundamental freedoms;

"3. Urges the administering Power to create a proper political climate for a referendum to be conducted on an entirely free and democratic basis;

* Previously reproduced under the symbol A/AC.109/223.

1/ A/6300/Add.8, chapter XII.

"4. Requests the administering Power, in consultation with the Secretary-General, to make appropriate arrangements for a United Nations presence before, and supervision during, the holding of the referendum;

"5. Requests the Secretary-General to transmit the text of the present resolution to the administering Power and to report on its implementation to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples;

"6. Decides to retain the question of French Somaliland (Djibouti) on its agenda."

2. By letter dated 10 January 1967, the Secretary-General transmitted the text of resolution 2228 (XXI) to the Permanent Representative of France to the United Nations. This letter is reproduced below:

"I have the honour to transmit herewith, for the attention of your Government, the text of resolution 2228 (XXI) concerning French Somaliland, adopted by the General Assembly at its 1500th plenary meeting, on 20 December 1966.

"In forwarding this resolution, I would draw your attention, in particular, to operative paragraph 4, which 'requests the administering Power, in consultation with the Secretary-General, to make appropriate arrangements for a United Nations presence before, and supervision during, the holding of the referendum'.

"As the Secretary-General is requested in operative paragraph 5 of same resolution to report on this matter to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I would appreciate receiving from Your Excellency information regarding the steps taken or envisaged by the Government of France in this regard.

"Accept, Sir, the assurances of my highest consideration."

3. Taking into consideration the decision of the French Government fixing 19 March 1967 as the date for holding the proposed referendum in French Somaliland, the Secretary-General, subsequent to this letter of 10 January 1967, also discussed the matter with the Permanent Representative of France to the United Nations.

4. The Secretary-General has not as yet received any response from the Government of France.