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NOTE

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Documents of the Security Council (symbol S/ . . .) are normally published in quarterly *Supplements* of the *Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

1886th MEETING

Held in New York on Wednesday, 4 February 1976, at 3.30 p.m.

President: Mr. Daniel P. MOYNIHAN
(United States of America).

Present: The representatives of the following States: Benin, China, France, Guyana, Italy, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania and United States of America.

Provisional agenda (S/Agenda/1886)

1. Adoption of the agenda
2. The situation in the Comoros:
 - (a) Telegram dated 28 January 1976 from the head of State of the Comoros addressed to the President of the Security Council (S/11953);
 - (b) Letter dated 3 February 1976 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the President of the Security Council (S/11959)

The meeting was called to order at 4.40 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT: As the members of the Security Council know, it is the pleasant practice of incoming Presidents to speak about their predecessors, and it is part of the civility of the Council always to find something gracious to say, even to the point of taxing the inventiveness of some of us on occasion. It is my much happier opportunity to speak not only the sentiments of the United States but I think I can say those of all the members of the Council in praise of, and in gratitude for, the exceptional performance of my predecessor, the representative of the United Republic of Tanzania, Mr. Salim, who served with such equanimity and, on occasion, fortitude and understanding through a most difficult month in which the gravest questions that come before the Council were dealt with, and dealt with in the full solemnity to which they were entitled, which they demanded, but also with a degree of civility and openness that is unhappily rare. It was the singular culmination of this presidency that brought us only on Friday of last week [*1885th meeting*] to a unanimous judgement with respect to a matter of the greatest seriousness, and an issue which not seven months earlier had brought discord to the Council, had resulted in a singular record of

discord, and had greatly diminished hopes and expectations with respect to a matter of profound seriousness.

2. It was surely a mark of the President's leadership that this time the occasion ended not in discord but in an all but unprecedented display of firmness and unity in the Council. More we could not ask of a President, and nothing less did we receive from Mr. Salim.

Adoption of the agenda

The agenda was adopted.

The situation in the Comoros:

- (a) Telegram dated 28 January 1976 from the head of State of the Comoros addressed to the President of the Security Council (S/11953);
- (b) Letter dated 3 February 1976 from the Permanent Representative of Guinea-Bissau to the United Nations addressed to the President of the Security Council (S/11959)

3. The PRESIDENT: I should like now to inform the members of the Security Council that I have received a telegram this morning from the head of State of the Comoros concerning the appointment of a representative of the Comoros for the Security Council discussion of the matter placed before the Council by his Government [*see S/11964*]. If there is no objection, I therefore intend to invite the representative of the Comoros, in accordance with rule 37 of the provisional rules of procedure, to participate in the discussion without the right to vote.

It was so decided.

At the invitation of the President, Mr. Sultan (Comoros) took a place at the Council table.

4. The PRESIDENT: We welcome the representative of the Comoros. In addition, I have received letters from the representatives of Algeria, Guinea, Guinea-Bissau, Kenya, Madagascar and Somalia, containing requests that they be invited to participate in the discussion of the item on the agenda. Accordingly, if there is no objection I propose that the Council agree, in accordance with the usual practice, to invite the representatives I have just mentioned to participate in the discussion without the right to vote.

It was so decided.

5. The PRESIDENT: In view of the limited number of seats available at the Council table, I invite the representatives of Algeria, Guinea, Guinea-Bissau, Kenya, Madagascar and Somalia to take the places reserved for them at the side of the Council chamber, on the usual understanding that they will be invited to take a place at the Council table when they address the Council.

At the invitation of the President, Mr. Rahal (Algeria), Mr. Camara (Guinea), Mr. Fernandes (Guinea-Bissau), Mr. Maina (Kenya), Mr. Rabetafika (Madagascar) and Mr. Hussein (Somalia) took the places reserved for them at the side of the Council chamber.

6. The PRESIDENT: In a telegram dated 28 January 1976 [S/11953], the head of State of the Comoros requested that the Security Council be convened urgently, and that request was supported by the representative of Guinea-Bissau in a letter dated 3 February addressed to the President of the Council on behalf of the Group of African States [S/11959]. I should like to draw attention also to the text of a letter, of today's date, from the representative of Uganda [S/11960].

7. The first speaker is the representative of the Comoros. I invite him to make his statement.

8. Mr. SULTAN (Comoros) (*interpretation from French*): I should like to thank you most sincerely, Mr. President, for the honour you have done me in enabling me to participate in the debate in this illustrious Council. I should also like to thank all the representatives of members of the Council for the diligence with which they agreed to meet at the request of my Government. The Government of the Comoros has chosen me, and Mr. Said Omar, Ambassador Plenipotentiary and head of Mission, to represent it in this debate with regard to the complaint submitted by the head of the Comorian State to the Security Council concerning the territorial integrity of our country, which is threatened by France.

9. The head of the Comorian Mission, travelling from Moroni and now in London, has not yet been able to reach New York, but I am expecting him at any moment. In his absence, I shall therefore confine myself to reminding the members of the Council of the position of the Comorian Government. That position was clearly expressed in the telegram dated 28 January 1976 from the head of the Comorian State to the President of the Security Council. The telegram reads as follows:

[The speaker read out the text of document S/11953.]

We reserve our right to speak again, as soon as the head of the Comorian Mission arrives, in order to give you all the additional information necessary in the light of the gravity and urgency of the situation.

10. Mr. de GUIRINGAUD (France) (*interpretation from French*): Mr. President, before entering into the substance of the discussion of the item on the agenda, I should like to convey to you my congratulations upon your assumption of the presidency of the Security Council. Your distinction, your qualities, your abilities, which are widely known, are a guarantee to us that you will conduct our proceedings with the authority appropriate for such an important and responsible body as ours. Also before going into the substance of the matter, I should not like to omit to say to your predecessor, Mr. Salim of the United Republic of Tanzania, how indebted and grateful we are to him for having conducted the proceedings of the Council over the last month with so much tact, intelligence, political sagacity, skill and impartiality. Mr. Salim, for whom we all have great respect and esteem, has once again demonstrated the diplomatic and statesmanlike qualities that distinguish him. I should like to say how grateful we are to him for the way in which he presided over the Council in January.

11. The matter which is before us is nothing which a serious, profound and objective discussion cannot clarify, and we are not against a debate taking place in the Council on the complaint lodged by the Comoros. Our institution has the right to examine difficulties—well-founded or not—which arise between its Members.

12. The true nature of the problem, however, should not be presented in inaccurate terms. Because next Sunday it is organizing on part of its territory a referendum which is perfectly democratic and open to all investigations, France has been accused of aggression. Obviously, this is unjustifiable. Permit me to give a brief summary of the background of the problem.

13. First of all, what happened in the Comoro Archipelago itself? The French Government affirmed on 15 June 1973 that the archipelago was destined for independence. Then, on 22 December 1974 it organized a consultation of the Comorian population. The results showed a very strong majority of voters in favour of independence, but two thirds of the votes of the island of Mayotte were negative. In order to take account of this difference the French Parliament, on 30 June 1975, adopted a law providing for the drafting of a constitution which would preserve the political and administrative identity of the islands. In order to come into effect this text had to be approved by a majority of voters in each of the four islands. Following the consultation, the French Parliament alone was able to decide to transfer sovereignty.

14. Breaking with the procedure which had thus been prepared, the Chamber of Deputies of the Comoros decided on 6 July 1975 to proclaim independence. In spite of this unilateral action, the French Government immediately took note of the fact. On 31 December 1975 the French Government adopted a law recognizing the independence of the islands of Grande-

Comore, Anjouan and Mohéli but providing for the people of Mayotte to make a choice between the islands remaining within the French Republic or being integrated with the new Comorian State. This consultation will be organized on 8 February next.

15. The Members of the United Nations will also recall the circumstances in which the Republic of the Comoros was admitted to the Organization. France did not oppose that admission out of loyalty to its ideal of universality. In particular, we did not want to go back on our promise to lead to independence the Comorian people who wished it. However, we could not agree to the definition given of the geographical make-up of the Comorian State in the draft resolutions submitted which prejudged the will of the people concerned. France did not wish to involve itself in polemics on this subject at the time of the admission to the Organization of the Comorian State. But the reservation we made at the time stressed—and our representatives said so—that France kept entirely to its view as to the obligations which its very Constitution made incumbent upon it with regard to the integrity of its territory. Those are the facts.

16. Members of the Council will have noted at least one salient feature, that is, the continuity with which France, the administering Power of the former Territory of the Comoros, enabled the people concerned to express their will, whether in the course of local elections which preceded the period in question or in the more decisive consultations subsequently scheduled in order to permit the people of the Comoros to decide on their future. It is precisely those procedures that have been challenged here and described as aggression.

17. Let's be serious. A free vote has never been included among the elements of a definition of aggression. At no time and in no way has the use of armed force appeared, which is the characteristic of aggression. So there is at least impropriety of language here, because everyone knows that if a problem exists in Mayotte it is that of achieving by means of peaceful consultations a clarification of the difficulties which emerged at the time of the voting that took place last year. Is it committing aggression to ask the inhabitants of an island who appear to have some difficulty in coming to an agreement with their neighbours to choose their future a second time?

18. The problem of Mayotte is not a new one. As far back as the twenty-eighth session of the General Assembly we stressed that it would still be necessary, at the request of the Comorians themselves and before they achieved independence to establish the necessary conditions for independent national life. The organization of Comorian national life, we said at that time, presupposed that various problems which arose from the fact that the Comoros was not a homogeneous Territory would be resolved.

19. It's true that we also recognized the fact that the Comoros was destined for independence, the independence of the entire archipelago, which forms a natural geographical whole. We had hoped that the Comorians would end by agreeing among themselves. France certainly has no interest in keeping Mayotte within its constitutional framework. We have done nothing to influence the choice of any part of the Comoro Archipelago and have no wish to do so. We have not manoeuvred in order to prevent any one of the islands of the archipelago from remaining united with the others—quite the contrary. Once again, we are putting before the inhabitants of Mayotte this very simple question: Do you want to be part of the Republic of the Comoros or to remain part of the French Republic?

20. The question which will be asked on Sunday results from the scrupulous application of the principle of self-determination, which, in France's view, as indeed in the eyes of the United Nations, remains the fundamental criterion whereby the destiny of peoples and their framework of existence may be determined.

21. Within the canons of contemporary political law and morality this principle cannot be subordinated to any other. Of course, the famous resolution 1514 (XV), on which France, I note incidentally, did not vote, includes a second principle: the territorial integrity of Territories destined for independence. Here I do not want to go into a long political and juridical discussion. I shall simply say that respect for territorial integrity inherited from the limits of the colonial Territory, is a custom—or an ideal, if you prefer—which yields in importance however to the requirement of self-determination.

22. If territorial integrity according to the limits of the former colonies were to take precedence over self-determination, we would very rapidly be back in the time when the geography of the world was the result of a perpetual conflict between chance and force and the fate of peoples was decided not by them but by marriages and alliances between princes or chiefs having recourse to war in order to have the territorial principle take precedence over that of liberty.

23. To come back to more concrete considerations, permit me, in my turn, to raise some questions for those who so lightly accuse France of not recognizing its duties. Is it not obvious that everywhere in the world the possibility of choosing one's own destiny is acknowledged as belonging to entities determined by history and geography? Do we not all agree, are we not all aware, that misunderstandings can arise in the case of an archipelago or, to take continental examples, the cases of Bangladesh and Belize? Those examples confirm that self-determination is the supreme principle, even if it is not the only one and even if political wisdom dictates avoidance, where possible, of what is known as the Balkanization of regions which have some interest in remaining homogeneous.

24. Furthermore, I should like to challenge and rebut one of the arguments adduced in the telegram of the Moroni authorities which we have just heard read out, that is, the idea that French laws of 1912 defined the unity of the Comoro Archipelago. This is not the place to give a lecture on administrative history. I should simply like to make it clear that it was for reasons of convenience that the four islands of the archipelago were grouped together in 1912 within the same administrative unit. That measure was never supposed to prejudice the individual character of each of the islands nor to place Mayotte—where the French presence came first—on the same footing as the other three islands which came under France's control only at the end of the nineteenth century. In addition, I should like to point out that the law of 1912—again, for reasons of convenience—placed the four islands under the authority of the French Governor of Madagascar, but, as far as I know, Madagascar has never used that as an argument to claim sovereignty over the Comoros.

25. It is quite clear that the administrative limits established under such circumstances cannot be used as a basis for defining the limit and relationships within a future independent State. The definition of French territory is juridically and historically prior to that of the new State, and the principle of territorial integrity cannot be invoked in just one direction. It is precisely the reply, which has hitherto been different, of Mayotte with regard to the questions raised within the framework of self-determination which constitutes I repeat, the whole problem.

26. This is the only fact we have to consider. We should not try to prevent the second referendum which will be taking place in four days' time. On the contrary, we should allow it to yield a reply for us.

27. In the light of these various considerations, the reasons adduced by the Comorian Government for requesting a meeting of the Council do not appear to my delegation to be convincing. They are not in keeping with the existing situation. No armed confrontation has pitted the inhabitants of the islands against each other, and certainly not Comorians against France. There is, therefore, no aggression. The situation boils down to this: disagreement, which does exist, with regard to the geographical limits of the new State, and at the most we could ask the interested parties to attempt to resolve that problem.

28. I should like to make it clear here that the French Government attaches great value to the historical links and long-standing friendship between France and the new Comorian State, and we are ready, if this is in keeping with the wishes of the Comorian authorities, to send them at a very early date a representative charged with a mission of goodwill.

29. That having been said, the situation is for us clear. The inhabitants of Mayotte have the right to

clarify their will as to their future. France has the duty to provide them with the means of making a democratic and impartial choice.

30. On 12 November last I stated that the consultations—which, as we announced, a few weeks ago, will take place on 8 February—could take place in the presence of international observers. This was confirmed on 10 December by the competent French Minister, Mr. Stirn, in the course of debate in Parliament. Mr. Stirn said:

“All observers, whether they be journalists or international observers, will be able to go and to verify that the Mahorais are enjoying freedom of expression”.

31. I am authorized to repeat here that my Government is ready to invite as observers in the voting which will take place on Mayotte on 8 February representatives of members or non-members of the Security Council who wish to attend these consultations. These observers would be able to go to Mayotte as envoys of their Government and attend the electoral proceedings, respecting the competence of the organs entrusted with ensuring the regularity of the consultation.

32. The PRESIDENT: I now call upon the representative of Guinea-Bissau to take a place at the Council table and to make his statement.

33. Mr. FERNANDES (Guinea-Bissau): Mr. President, if you will allow me, at the outset I should like to congratulate my colleague from the United Republic of Tanzania, Mr. Salim, for the way in which he guided our discussions during the last month, and we believe that, being the man that he is, he did true justice not only to the United Republic of Tanzania but to Africa as a whole. I think that the debate which took place in the Council last month was probably one of the most difficult and, if I might say so, probably one of the most crucial ones, and my colleague and brother from the United Republic of Tanzania showed himself to be more than equal to the task which he had to deal.

34. Mr. President, I do not really know how to be diplomatic about your presidency in the Council, because Guinea-Bissau and your country, during the previous session of the General Assembly, probably did not enjoy the best of relationships, but I am willing, Sir, to give you and your country the, let us say, benefit of the doubt, and I will probably give you a rain-check until the end of this month. And I do believe that with your expertise in international law you will be able to guide the Council in the proper manner so that we can find a solution of the problem of the Comoro islands confronting the Council.

35. As we approach the end of an era it is only normal that problems connected with the end of that

era will proliferate and become more acute. It is probably wrong to use the word "proliferate" since the problems of decolonization have been with the Organization since the signing of the Charter of the United Nations.

36. Within a short span of time, considerably less than a generation, I would say, we have seen the political fate of a continent with its millions of people undergoing a radical change. The Comoro islands are only a link in this long chain of decolonization. The Comoro islands are, for France today, what the Republic of Guinea—I am talking of Guinea (Conakry)—was to France in the late 1950s, and to some extent, I should say, what some of the ex-Portuguese colonies are to Portugal at this very moment.

37. It took a considerable amount of investment of human resources, as well as of wealth, for the colonizers to dominate the African continent. It took a lot of oppression, and even sometimes outright genocide, to maintain a European presence in Africa. As we approach the end of an era, as we are now working out new relationships with the old metropolis, it is in the interest not only of Africa but also of the colonizing Power that we part in peace, that there should not be hatred in the heart of the colonized nor frustration in the mind of the colonizer. We should part in peace and look forward to an era of co-operation, reconciliation and friendship. For, as we have always said in our country, the struggle was directed only against a system and never, never against a people.

38. I think that what is happening today between Guinea-Bissau and Portugal could be a case in point. We do have a very good working relationship with Portugal, and we probably are looking to and, if I may say so, trying to have a better one in the future if possible.

39. We follow the affairs in the Comoros very closely—and here, if I may be permitted, I am talking in the name of the Organization of African Unity (OAU), as I am Chairman of the group of African States for this month—and we are very happy with regard to the steps which France took at the very beginning in connexion with this problem. However, with a feeling of distress, we saw that France did not participate in the voting when the problem came up for discussion in the Council [see 1848th meeting].

40. My Government is convinced—and I am again talking in the name of Africa—that the island of Mayotte should not become a thorn, should not become a point of contention, between the Comorian Government and the Government of France, nor indeed between France and the rest of Africa.

41. The Comoro islands are a full member of OAU, and this organization recognizes Mayotte as an integral part of the Comoro Archipelago. Indeed, General Assembly resolution 3291 (XXIX) of 13 December

1974, *inter alia*, reaffirmed the unity and territorial integrity of the Comoro Archipelago. General Assembly resolution 3385 (XXX) of 12 November 1975, by which the Comoros were admitted to membership in the United Nations, reaffirms the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed "of Anjouan, Grande-Comore, Mayotte and Mohéli".

42. My Government is quite aware of the difficulties and problems which arise when one is trying to build a nation consisting of territories which are physically separated from one another. It is perfectly natural that there should be some differences, and there are—local idiosyncrasies and regionalism between islands. And this is not the case of the Comoros alone but is, I would say, the case of any group of islands, probably, anywhere in the world living under the same circumstances.

43. If you would allow me, Mr. President, I could probably use an example close to home. In the early 1960s, if the Portuguese Government had used a referendum in the Cape Verde Islands the chances are very good—I would say probably very great—that Portugal would have been able to form at least two countries in the islands, not to say probably 14, because there are 14 islands.

44. My Government maintains—and we are quite sure of it—that in the situation in the Comoro islands one should not accentuate the negative aspects of the situation. France has the moral duty to help the Comorians forge a nation. France has the moral obligation to preserve this group of four islands as a united republic and as a viable entity. France has to show courage and leadership in carrying on the process of decolonization. France should not look back and get immersed in nostalgia of the past, of an era which did not bring much glory to the French Republic. My Government is therefore disturbed by the circumstances under which there will be a referendum in Mayotte on 8 February. We believe that this referendum will be accentuating—and I repeat, will be accentuating—the negative. That will probably be the beginning of a long struggle between France and the Government of the Comoros and, indeed, if I may say so, the beginning of a confrontation between France and the rest of Africa.

45. OAU has always stood, and my Government stands and always did stand, for the principle of self-determination. We believe that people everywhere have the right to choose their own destiny and political affiliation. The case of Mayotte is not—and I repeat, is not—the same thing. We see the case of Mayotte as one of political manipulation of local parties by the French Government in order to preserve some degree of influence in that region in the foreseeable future. A referendum in Mayotte, in the present circumstances, is but, I would say, an interference in the internal affairs of the Republic of the Comoros.

46. In conclusion, my Government is not making demands—I have nothing to demand, and, if I may say so, even Africa is not demanding—but making an appeal to the French Government to desist from carrying out the referendum. We are making an appeal that the French should work hand in hand with the majority of the Comorians in order to forge a united, viable, prosperous and friendly country in that area of the world.

47. Mr. KIKHIA (Libyan Arab Republic): Mr. President, first of all, I should like to extend to you my congratulations, as well as our wishes for your success in performing the duties of the high office of President of the Council for this month. We hope that your contribution will prove effective and beneficial to the Council in the fulfilment of its important responsibilities.

48. May I also express gratitude and appreciation for the distinguished service which our colleague and brother from the United Republic of Tanzania, Mr. Salim, performed in his role as President of the Council in the month of January, guiding our deliberations during a whole series of Security Council meetings on the questions of the Middle East and Namibia.

49. When the independence of the Comoros was declared on 6 July 1975, the entire world recognized the territorial unity of this new African State. The General Assembly endorsed this recognition on 12 November 1975 in its resolution 3385 (XXX), admitting the Comoros, consisting of the four islands of Anjouan, Mayotte, Mohéli and Grande-Comore, to membership in the Organization.

50. In spite of the fact that the French Government initially recognized the unity of the archipelago, it does not recognize the sovereignty of the new State over the island of Mayotte and has decided to organize a referendum there next Sunday, 8 February 1976. Mayotte forms an integral part of the Comorian territory. Ever since 1912 the French laws have recognized the *de facto* and *de jure* unity of the archipelago.

51. France initiated its occupation of the archipelago in 1841, when it took possession of Mayotte, and extended this occupation to all the islands by the end of the nineteenth century. In 1886 the sultans of the other three islands were placed under French protection. In 1914 the archipelago was placed under the jurisdiction of the Governor-General of Madagascar and in 1925 was granted its own local administration. The Territory was made an autonomous administrative entity in 1947 and became an overseas territory of France.

52. The Comoros voted to retain overseas territory status in a referendum held in 1958. In 1960 they were granted internal autonomy. The Comoros Archipelago,

in all these aforementioned developments, was consistently considered one united Territory. French law sanctions this national unity and territorial integrity. The law of 22 December 1961, outlining the political organization of the archipelago, was amended on 3 January 1968. According to this law, the Territory possesses a juridical identity—*personnalité juridique*—and exercises internal self-government. For purposes of administration, each island constitutes an administrative district under the direction of a prefect. Each district is subdivided into cantons. The Territory has a Governing Council and a Chamber of Deputies. The Joint Declaration on the Accession to Independence of the Comoro Archipelago,¹ signed on 15 June 1973 in Paris, marks an important progressive step for the Territory. France affirmed in this Joint Declaration the readiness of the archipelago for independence, which was to be achieved no later than five years following the date of the signature of the Declaration.

53. During the transition period the people of the Territory pressed for an early declaration of independence, to be achieved no later than 1976, and warned against any attempts to destroy partially or totally the national unity. They were particularly apprehensive of the threat of any consultations on this question that would fail to treat it in its totality.

54. A separatist movement in Mayotte, encouraged, if not created, by certain lobby groups in the archipelago and in Paris, attempted to contest the legitimacy of independence by maintaining that Mayotte wished to remain under French administration. Yet in the elections for the new Chamber, held in December 1972, the separatists obtained only about 9,000 votes out of a total of approximately 105,000 and only 5 seats out of 39. Leaders and intellectuals from Mayotte expressed their anti-separatist position.

55. In the face of the defeat of the separatist movement and the reaction of the Comorian people condemning these manipulated attempts to divide the archipelago, the French Government issued a declaration reaffirming the unity of the Territory. On 26 August 1974 a communiqué from France Presse quoted Mr. Olivier Stirn, the Minister in the French Government, who announced that:

“The French Government has opted for an archipelago-wide consultation for three reasons: first, for the legal reason that under the rules of international law a Territory retains the frontiers that it had as a colony; secondly, a multiplicity of different statuses for the various islands of the archipelago is inconceivable; thirdly, it is not for France to set the Comorians against each other; on the contrary, its role is to help to bring them closer together.”

That was France's official position at that time.

56. The President of the French Republic articulated this idea of the unity of the archipelago even more

explicitly on 24 October 1974 in a press conference, when he made the following statement: "The Comoros are an archipelago which constitutes a single entity". Or, again: "The population is homogeneous, with practically no people of French origin, or only a few". Also, he said:

"Would it be reasonable to imagine one part of the archipelago becoming independent while another part, regardless of the feelings of its inhabitants, retained a different status? I think that we should face the realities of the world today. The Comoros are indivisible; they have always been so; it is normal that they should have a common destiny."

The President of the Republic of France continued: "We do not have the right... to propose that the unity which has always characterized the Comoro Archipelago be terminated."

57. Although 95 per cent of the Comorian population voted for independence in the referendum of 22 December 1974, the French Parliament, in direct contradiction of the official French position, legislated on 27 June 1975 to permit individual islands to vote separately on a constitution, to be drawn up by the Territory's Chamber of Deputies.

58. While the independence of the Comoro islands was proclaimed on 6 July 1975, France again contradicted its declared position by recognizing the independence of only three islands: Grande-Comore, Anjouan and Mohéli. The French Parliament adopted a law on 31 December 1975 providing for a new partial consultation in Mayotte.

59. It is legitimate for us to question why, the Comorians having unilaterally declared their independence, France wished to punish the Comorian people by denying recognition of their territorial and national unity. Naturally, in the face of the ambiguous attitude of the French authorities, the Comorians became concerned that further delays and obstacles would be imposed by the French Parliament, compromising their independence and territorial integrity.

60. Mr. Soilihi, in his address broadcast on 14 November 1975, explained the situation as follows:

"As time has gone by and in light of specific actions, France has adopted a one-sided attitude. It is one-sided because, disregarding our sovereignty, it is talking of arranging for consultations concerning a part of our national territory, after taking the precaution of promoting the expulsion of 2,000 nationalists from the island of Mayotte, thereby demonstrating its concern to ensure that the combat ceases for want of combatants. But France is in a better position than anyone else to know that our country is one and indivisible.

"We say that France is one-sided because it has set up a military arsenal with several hundred

legionnaires, boatloads of marines and, it is said, the famous TREPEL commando unit, which is one of the three crack commando units in France.

"It is one-sided because it knows that we are economically weak, and it is making co-operation conditional upon the demolition of our nation and our beloved homeland.

"It is one-sided because the aid which it can give us and which we have become accustomed to receiving is being made more contingent upon the dismemberment of our country, when France knows full well that the integrity of our ancestral homeland is not, cannot be and must not be negotiable."

61. We cannot reduce this problem to a simple difference between the French legislative and executive. We cannot accept the explanation of the situation by simple constitutional technicalities. While we do not like to question the good faith of France, it is relevant to suppose that France wanted to accommodate the Comoros' independence with some form of French presence and influence. The Comorians declared their independence on 6 July 1975 when they became aware of France's intentions to make their independence conditional upon meeting certain deadlines and demands, and thus encouraging partition of their country.

62. Other reasons also could have motivated the regrettable French actions. An article in *The Christian Science Monitor* of 9 December 1975 cites additional reasons:

"The Comoros also have strategic importance that belies their small size and modest population of 300,000, mostly Moslems. Visible from the docks of Moroni, the capital, are oil super-tankers passing from the Persian Gulf, around the Cape of Good Hope, and into the Atlantic. Too large for the newly reopened Suez Canal, these Goliaths skirt the African coast, passing through the Mozambique channel between Madagascar Island (the leftist-led Malagasy Republic) and Marxist-controlled Mozambique on the African mainland. This is the shortest sea route around Africa to South America, the United States and Europe. The Comoros at the northern entrance to the channel forms a potential military asset for either the East or West... Western nations want to prevent the Soviet Union from access to the Comoros. One French diplomatic source said United States Secretary of State Henry A. Kissinger had asked France to keep Mayotte within the Western fold."

We hope that the French position is not a part of a new strategic and military co-ordination of the policies and interests of certain Powers in the area.

63. I should also like to recall that the French decision flouts the principles enshrined in the Charter of

the United Nations and reaffirmed by resolution 1514 (XV) of 14 December 1960, which specifically stipulates that any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a Territory is incompatible with the Charter. It also flagrantly violates General Assembly resolutions concerning the Comoros. Resolution 3161 (XXVIII) of 14 December 1973, resolution 3291 (XXIX) of 13 December 1974, and, most recently, resolution 3385 (XXX), admitting the Comoros to membership in the United Nations, reaffirmed the necessity of respecting the unity and territorial integrity of this archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli.

64. Clearly, it has never been the intention of the Comorians to create conflict with France. As the President of the Republic of the Comoros previously stated, their actions have always been directed by wisdom and respect for the genuine interests of their country. The Comoros Government has spared no efforts to normalize its relations with France on the basis of non-interference in internal affairs, respect of national sovereignty and territorial integrity.

65. We appeal to France to settle this conflict in an atmosphere of friendship and good relations with the Comorian people, the entire African continent, the third world and the progressive and democratic forces in the world as a whole. France must effect the liquidation of its remaining colonial empire in an orderly and graceful way. We hope that France, itself a land of revolution and today serving as an important link between the developed countries and the third world in the new international context, will avoid a useless, destructive and costly confrontation with the nations of the third world.

66. We reiterate our solidarity with the African Comorian people, and I again stress that the Libyan Arab Republic will spare no efforts to ensure to our Comorian brothers all the needed assistance in their struggle to achieve total liberation, territorial integrity and national unity.

67. The PRESIDENT: I should like now to inform the members of the Security Council that I have just received a letter from the representative of Equatorial Guinea containing a request that he be invited to participate in the discussion of the item on the Council's agenda. Accordingly, if there is no objection, I propose that the Council agree, in accordance with rule 37 of the provisional rules of procedure, to invite the representative of Equatorial Guinea to participate in the discussion without the right to vote.

68. The PRESIDENT: In view of the limited number of places available at the Council table, I invite the representative of Equatorial Guinea to take the place reserved for him at the side of the Council chamber, on the usual understanding that he will be invited to take a place at the Council table whenever he wishes to address the Council.

At the invitation of the President, Mr. Ecuá Miko (Equatorial Guinea) took the place reserved for him at the side of the Council chamber.

69. The PRESIDENT: The next speaker is the representative of Somalia. I invite him to take a place at the Council table and to make his statement.

70. Mr. HUSSEIN (Somalia): Mr. President, I am grateful to you and to the other members of the Security Council for giving me this opportunity to speak on the question of the Comoro islands, a matter of grave concern to Africa, and particularly to the east African States.

71. The issue before the Security Council is clearly that a powerful State, itself a member of the Council and a guardian of international law, is attempting to threaten and to intimidate a small and newly independent nation. My Government is familiar with the methods and attitudes that colonial Powers can adopt when a legitimate process leading to independence runs counter to their material interests. The current threat to the sovereignty and territorial integrity of the Comoros by the French Government is an example of this kind of outmoded colonialism.

72. We are all familiar with the facts of the case before the Council. We know also that the Comoro Archipelago was recognized and accepted, both by the former administering Power—that is, France—and by its inhabitants as a single political, geographical and cultural unit. It had been recognized as such under the laws of France since 1912. I may add that my delegation rejects the allegations made in the statement of the representative of France to the effect that the Comoro islands had never been a homogeneous people. We know, too, that the population as a whole was consulted by referendum on 22 December 1974, and declared itself overwhelmingly in favour of independence. In response to a clear, national consensus, the representative of the people solemnly proclaimed the independence of the Comoros on 6 July 1975.

73. In the international field, the accession to independence of the Comoro islands was recognized by OAU which welcomed the new State as a member at the twenty-fifth ordinary session of the Council of Ministers of OAU, held at Kampala in July 1975.² The OAU Council of Ministers had previously condemned the manoeuvres of the French Government against the integrity of the Comoros, urged the French Government to withdraw its troops from Mayotte and had called the attention of the international community to the threat being posed by the French Government to the independence and sovereignty of that new State.

74. Further international recognition was accorded to the Comoros by the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at

Lima one month later, which, in the Lima Programme for Mutual Assistance and Solidarity, reaffirmed support for the new State and condemned any attempts against its independence, sovereignty and territorial integrity.³

75. Of the highest significance, of course, is the fact that, in its resolution 376 (1975), of 17 October 1975 the Security Council recommended to the General Assembly that the Comoros be admitted to membership in the United Nations. We know that the General Assembly, in accepting the Council's recommendation, reaffirmed in its resolution 3385 (XXX) the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, and noted specifically that the new State was composed of all the islands formerly administered by France and constituting the Comoro Archipelago.

76. In view of these facts, the high-handed action taken or proposed by the French Government in recognizing the independence of only a part of the Comoros and in deciding to hold a further consultation concerning the future of the rest of the Territory can only be described as aggression against a sovereign State and a flouting of international law. The intention of the French Government to hold a referendum on Mayotte on 8 February 1976 runs counter to decisions and resolutions of the Security Council and of the General Assembly. This plan could only be countenanced by the Council if it were to disregard the principles and purposes of the Charter and revoke its own decision on the independence, sovereignty and territorial integrity of the Republic of the Comoros.

77. We know that the colonial Powers, when granting independence to colonial Territories and peoples, have the moral obligation to extend the necessary assistance without conditions which might compromise their sovereignty and national dignity until they can stand by themselves and establish vital relations with the rest of the world. We also know that France, far from fulfilling this noble obligation, already undertook unwarranted and drastic measures against the people of the Comoros, whose only crime was to opt for national independence and sovereignty. Nations, like individual human beings, have the right to life. And yet the French Government, by withdrawing all technical assistance, by recalling all its civil servants—an act which disrupted all administrative and communication facilities in the Comoros—and by the cessation of all its economic aid to the Territory, has plunged this young nation into the most acute crisis that it faces today. We say here that France must be held responsible for the insurmountable difficulties now facing the new Republic of the Comoros, difficulties that are the consequences of France's condemnable arrogance and abuse of power at the expense of a small, defenceless and newly-born nation whose economic and social life, like that of any other colonial Territory, was always exclusively linked to the metropolitan country—in this case France.

78. The question of the illegal referendum planned for Mayotte is only one aspect of a situation which is intolerable from every point of view and which is without parallel. The Republic of the Comoros is a sovereign State and a Member of the United Nations. Yet it is being forced by the French Government, against its will, to have on its soil a French administrative and military presence. France not only refuses to withdraw, as it has been asked to do by the Government of the Comoros and by OAU, but continues to interfere in the internal affairs of the Comoro islands and to promote the division of Comorian territory.

79. Frankly speaking, my delegation is not unduly surprised by the actions being taken by France. We have seen before attempts to carry out a policy of "divide and rule", notably in so-called French Somaliland. In that Territory, as in the Comoros, a minority was encouraged to support French interests and to oppose the aspirations of the majority for true independence. In Mayotte, and in Djibouti, peaceful and legitimate demonstrations in support of national independence were met by the threatening presence of French military forces.

80. It is most unfortunate that in the final stages of decolonization France has departed from the enlightened policy which it followed in West Africa. In the case of its few remaining colonies in East Africa, it has consistently put its own supposedly—and I repeat the word "supposedly"—strategic and other material interests before the wishes of the majority of the people for national sovereignty.

81. The decision of the Security Council in favour of admitting the Comoros to membership in the United Nations as an undivided, unitary State meant that the United Nations accepted the results of the referendum of 22 December 1974, and the subsequent declaration of independence of 6 July 1975. My Government considers that in view of the clear commitment of the world community to the independence and territorial integrity of the Republic of the Comoros, the Security Council must, in our view, demand that France withdraw immediately from the Territory and refrain from any action detrimental to its territorial and national sovereignty. We believe that nothing less than this demand will be a suitable response to the appeal of the Comorian Government for support in its national struggle. We believe also that nothing less than this demand will restore the faith of States, and particularly the small ones, in the system of international law which the United Nations was created to uphold. It should be remembered that the Security Council, and specially the members with the right of veto, are vested with specific responsibilities for the maintenance and preservation of peace and security in the world. The Comoros situation is clearly a case in point for the execution of these responsibilities. It is my delegation's earnest hope that the deliberations of the Council will not be shorter than the actions demanded by the gravity of the situation.

82. The PRESIDENT: The next speaker is the representative of Algeria. I invite him to take a place at the Council table and to make his statement.

83. Mr. RAHAL (Algeria) (*interpretation from French*): In view of the persistent intention of the French Government to organize a referendum in the island of Mayotte, the head of State of the Comoros requested an urgent meeting of the Security Council for the purpose of ensuring respect for the sovereignty and the territorial integrity of his country. We congratulate the Council for having heeded this appeal so quickly and thus having given proof of its concern about one of the newest members of the international community.

84. For the head of State of the Comoros, the French plan to hold a referendum in Mayotte is an aggression against the sovereignty of the Comoros and an encroachment upon its territorial integrity, since the island of Mayotte is an integral part of the archipelago, which acceded to independence in its entirety. But the French Government maintains that it is paradoxical to assert that the referendum of 8 February, the purpose of which will be once again to consult the population of the French territory on its fate, constitutes an aggression. It bases its position on the axiom that no one can contest France's right to proceed to a clear consultation of the will of the people in a part of its territory.

85. The substance of the problem hence is to determine if the island of Mayotte is a French territory over which the French Government would, of course, have a perfect right to exercise its sovereignty, or if it is a territory belonging to the State of the Comoros, in which case, the carrying out of French intention would manifestly constitute an aggression against the Comoros and an encroachment upon its territorial integrity.

86. I should say right away that, to us, the reply to this question can give rise to no doubt, and it is hard for us to conceal our surprise, even our disappointment, at the misrepresentations of the French Government which, having gone so far and so courageously along the road of decolonization without regrets, is today engaging in a last-minute battle, without grandeur or generosity. For it is quite clear to us that the island of Mayotte, one of the four islands of the Comoro Archipelago, is no longer French territory since the archipelago became independent, that is, since 6 July 1975. That at any rate was the conviction of the General Assembly when, in its resolution 3385 (XXX), it admitted the State of the Comoros as a Member of the United Nations. It will be recalled that the General Assembly adopted the resolution by consensus, reaffirming the necessity of respecting the unity and the territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli, and that only France refused to associate itself with the consensus.

87. By providing this clarification the General Assembly wished to demonstrate its fidelity to resolution 1514 (XV), on which it has based the whole of its doctrine on decolonization, and in which it stipulates that "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations."

88. The attempt of the French Government to isolate the island of Mayotte from the rest of the archipelago is thus in flagrant contradiction with those principles and with the decision of the General Assembly to confer the status of full membership in the Organization on the Comoro Archipelago, comprising the four islands just mentioned. But we need not refer to only resolutions of the General Assembly to realize that Mayotte can no longer be considered as a French territory. It suffices here to recall what was said by the head of the French State, President Giscard d'Estaing, in his press conference of 24 October 1974:

"The population of the Comoros is a homogeneous population, where there is no colony of French origin, or at least only a very limited colony. Would it be reasonable to imagine one part of the archipelago becoming independent while another part, regardless of the feelings of its inhabitants, retained a different status? ... The Comoros are indivisible; they have always been so; it is normal that they should have a common destiny, even if some of their inhabitants wish for another solution. We do not have the right"—continued the President of the French Republic—"at the time of the granting of independence to a Territory, to propose that the unity which has always characterized the Comoro Archipelago be terminated."

It is impossible to defend with greater conviction or eloquence the cause of the integrity of the State of the Comoros and the extension of its indivisible and unquestionable sovereignty over the four islands which make up this archipelago.

89. Moreover, the French Government, after having recognized, as early as 15 June 1973, the right of the Comoros to independence, on 22 December 1974 organized a referendum which covered the whole of the archipelago, by which it consulted the population of the Comoros as a whole on its choice of its political future. The French Minister of Overseas Departments and Territories explained:

"Why a global referendum and not a separate plebiscite for each island? It is because the intention of France is not to divide countries which attain independence. This is the case of the Comoros, whose inhabitants all practise the same religion, have the same language, the same economic and political interests. Far from being one of dismembering the territorial integrity, our role is to help the efforts of the Comorian people themselves towards a rapprochement."

This referendum—organized, I repeat, by the French Government—elicited voter participation of 93 per cent, and 95 per cent of those voting were in favour of independence for the Comoro Archipelago.

90. Now, in all logic and justice, that is what should have simply closed the problem, putting an end to the chapter of the French colonial domination and opening for the Comoros a new era of independence, during which the young State could, for good reason, count on the friendship, the assistance and the co-operation of France to help it to take its first steps on the international scene.

91. If we recapitulate at this stage of our statement, we can see that the Comoro Archipelago, as a unitary whole, became a French protectorate in 1886. Still as a whole, it acquired its administrative autonomy in 1947, and in 1958 achieved the status of an overseas territory.

92. Up until the time of the organization of the referendum for self-determination, that is to say, until December 1974, the French Government continued to consider the Comoro Archipelago as forming an indivisible unit and it disclaimed in advance any desire to infringe on that unity.

93. In that same spirit, the French Government did not proceed to a separate consultation for each one of the islands, but to a referendum covering the whole of the archipelago. The referendum therefore was to decide on the political future of the archipelago in its entirety. In the referendum an overwhelming majority of 95 per cent of the voters opted for independence, and that result was duly recognized and registered by the French Government.

94. The French Government should therefore recognize today—as we do—that there exists an independent Comorian State whose territory covers the whole of the Comoro Archipelago. Certainly, it is not for us to give lessons on Cartesianism to the country of Descartes, but it seems to us that such should be the normal and reasonable outcome of the actions undertaken by France in the task of decolonizing the Comoros.

95. But today the French Government, pointing out that two thirds of the votes of the island of Mayotte were not for independence, considers that it cannot recognize that island as belonging to the independent Comorian State before holding a new referendum among its population. We state quite frankly that we cannot understand this attitude, which calls in question in a manner that is all too flagrant the principles which the French Government itself had defined as being those of its policy of decolonization of the Comoros.

96. The representative of France explained to us just now in his statement that the Chamber of Deputies

of the Comoros decided to proclaim independence on 6 July 1975 before the French Parliament could implement its law of 30 June 1975 providing—according to what he said—“for the drafting of a constitution which would preserve the political and administrative identity of the islands... the French Parliament alone was able to decide to transfer sovereignty” [*see paragraph 13 above*].

97. This might give us leave to imagine that the French Government wanted in some way to “punish” the representatives of the Comoros for having themselves assumed sovereignty over their own country. But how could their haste be held against them, when the law of 30 June 1975, drafted by the French Parliament, aimed at nothing less than calling in question the results of the referendum on self-determination and going back on the principles so many times previously reaffirmed by the French authorities?

98. We cannot believe—even now—that France should now so cheapen what in the past made its greatness and what today has gained it so much friendship all over the world and, in particular, in the third world, by concealing behind the highly respected principle of self-determination of peoples an attempt to carve up a small country over which it had extended colonial domination and to which it should today restore unity, dignity and grandeur.

99. Mr. President, I do not wish to conclude this brief statement without emphasizing what a privilege it is for me to address the Council now that you have assumed the presidency. I also feel that it is a happy coincidence that the problem of the Comoros is being debated under your guidance. I say this, of course, as representative of Algeria, but I also say it on behalf of the Group of Non-Aligned States, of which, as you know, my country is now chairman.

100. Those countries are united in their determination to preserve their national character and their independence and in their struggle to improve the level of their social, economic and cultural development, thus participating in the establishment of a more just and hence more stable world founded on a better understanding amongst peoples. Those countries do not nourish the mad ambition to rival the major Powers and their efforts are not aimed at disrupting the present system in order to replace it with an order of which they would be the masters. Our vision of tomorrow's world is not built on simple relationships of domination and subordination. And our action, far from being designed to disrupt the organization of international society, has as its single objective to safeguard rights which have been acquired by our peoples and which are denied to them in a world order which is basically unfair. This action is not the revolt of Spartacus. It is the determined and conscious decision of responsible peoples which, aware of the validity of their claims and the limitations of the means they have to defend them, do not wish to abandon

a struggle for justice where they benefit from the advantages of law and morality to allow themselves to become involved in a power struggle for which they have neither the taste, nor the will, nor the desire, and which they lack the capacity to sustain and win.

101. Such an attitude should not be confused with an attitude of hostility vis-à-vis the major Powers. It should not be deduced that we are hostile to France because today we have criticized the policy of the French Government. On the contrary, our friendship for France places us in a better position to state our disagreement when we see in its behaviour a deviation from its principles or an encroachment upon the rights of another people.

102. Mr. President, as the representative of the United States you have several times expressed your impression that our countries have been systematically hostile to yours. I should like absolutely to deny that allegation, which is totally unfounded and could hardly be justified. As proof of our good intentions towards the United States, I do not suppose you would expect us to approve of all your attitudes, applaud all your actions and obey all your commands. We have very frankly expressed our disagreement with the policy of your Government each time it seemed to us that that policy ran counter to the well-understood principles of the freedom of peoples and respect for their most legitimate rights.

103. Our countries are proud to be amongst the first which protested most strongly against United States involvement in Viet-Nam, against United States aggression in Cambodia, against its support of South Africa and against its assistance given to Portugal to maintain its colonial presence in Africa. Mr. President, that is not anti-Americanism; that is the healthy reaction of countries which would like the great power of the United States, the creative genius of its people and the audacious imagination of its élite to be better employed in the fight for the liberation and development of all peoples rather than in the sterile search for the affirmation and consolidation of a supremacy which we would not even dream of challenging.

104. Mr. President, we know that you will very soon leave your functions as United States representative to the United Nations. Your stay with us will have been too short for you to get to know us better and to discover, beyond summary judgements and sterile clichés, the true nature of the third world, which is still in search of itself and so poorly defined; what is really at stake in the political battle which we are waging here, perhaps with an agitation that is not always very productive but with the obstinacy of those who have faith in the rightness of their cause.

105. All of us here are spokesmen of Governments whose directives we apply, whose policies we defend and to which we must submit our suggestions. Our

role is quite modest in the huge work which is carried on around us and of which we sometimes think we occupy the centre. Beyond the divergences, contradictions and incompatibilities of the positions that we are charged with setting forth and supporting here, we are aware that the universe in which we have developed our personal relations, our friendships and the esteem we have for each other makes it possible in fact to cushion the blows, to soften opposition and to promote better understanding in a world which is so rich in its diversity and so vulnerable in its antagonisms.

106. Mr. President, you will excuse me for having taken advantage of this occasion and also of the opportunity to address myself to you directly to attempt to respond partially and very imperfectly, I am certain, to some of your concerns. I should not like you to leave us without our having an opportunity to rectify what has seemed to us an inaccurate evaluation of our feelings, our aspirations and our actions. I thank you for having given me this opportunity and for having allowed me in this way to express my best wishes for success in the work to which you will now devote yourself and which you will assume, I am convinced, with the vigour, the warmth and the force of conviction which we all know you possess.

107. The PRESIDENT: The next speaker is the representative of Equatorial Guinea. I invite him to take a place at the Council table and to make his statement.

108. Mr. ECUA MIKO (Equatorial Guinea) (*interpretation from Spanish*): Mr. President, I should like to express the satisfaction of my delegation at seeing you preside over the Security Council in the course of this month, February 1976, such an important body within the United Nations system, responsible for international peace and security; we have every reason for satisfaction in noting that the representative of a Government like that of the United States of America, which is involved in all peace-keeping efforts and operations as well as operations designed to maintain security and democracy in their truest sense, is beginning his work as the Security Council President on an item which precisely constitutes a threat to peace, democracy and which may confuse the international public with regard to the true meaning of the principle of self-determination.

109. In congratulating you, Sir, we would at the same time wish to pay a tribute to your predecessor, Mr. Salim Ahmed Salim, representative of the United Republic of Tanzania, who, with his recognized experience, skill and tact, which are beyond the powers of my delegation to describe, presided over the work of the Security Council in the busy month of January 1976. We are sure he will enjoy even more success in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Coun-

tries and Peoples, where his combative spirit against the forces of evil is becoming ever more apparent in the total eradication of colonialism in all its forms.

110. Similarly we should like to thank most sincerely all the members of the Security Council for having enabled us to participate in the discussion of the situation in the Republic of the Comoros.

111. While the drums of colonialism are being heard ever further from the African continent and in other parts of the world, the bells of pro-colonialism and neo-colonialism are being heard ever nearer. The international community, apparently made up of those who preach peace, freedom and democracy, should not permit the odious banner of colonialism, which it has been fighting for centuries, to be unfurled, whatever face it may present. The Republic of Equatorial Guinea, for its part, will as always be behind those who want to eradicate this ignoble system of colonialism in order to restore and preserve unity, peace and justice, not only for the people of Equatorial Guinea but also for all those who are fighting for the same objectives.

112. At this time we are, as always, behind the valiant people of the Comoros, which is fighting with every means at its disposal to restore its national unity and to have it respected since part of its territory, the island of Mayotte, continues today to be occupied by the forces of a colonial Power, France. And, not content with this illegal occupation, France is going even further. It has scheduled a referendum for 8 February 1976 with regard to the people of a country which attained full sovereignty and independence on 6 July 1975.

113. It would be confusing terms and confusing the international public if it were to be believed that this act constitutes the exercise of democracy and the application of the principle of self-determination, because, no matter how separatist or annexationist France might be, it would never welcome practices of this kind in its territory. The referendum scheduled by the French Government for Mayotte is as illegal as is its military presence in this part of the Republic of the Comoros. This action on the part of the French Government calls into question the integrity and authority of the members of the Security Council and of the United Nations as a whole. Indeed, this attitude on the part of the French Government implies only contempt for a people which is helpless but brave and which, because of fear of shedding the blood of innocents and because it is convinced that a solution should be arrived at only by peaceful means, proclaimed its unilateral independence last summer in 1975.

114. The leader of this State, Mr. Said Mohamed Jaffar, in his speech made in the General Assembly on 12 November 1975, stated the following humbly but courageously:

“The unilateral declaration of independence of 6 July 1975 was not an act of defiance against France but rather the expression of our will and our determination in the face of manoeuvres of certain circles within the French Republic which, despite the irresistible tide of history, remained desperately attached to the pleasures of colonization”.⁴

115. The French presence and the referendum scheduled for the island of Mayotte not only constitutes a violation of the sovereign territory and an interference in the affairs of another State, but represents a total disregard of the elementary principles of international law, a rejection of the provisions of General Assembly resolutions 3161 (XXVIII), 3291 (XXIX) and 3385 (XXX) and are not in keeping with democratic procedures when it is noted that under the auspices of the French Government 95 per cent of all Comorians voted in favour of independence in the referendum held on 22 December 1974.

116. In a statement on 12 November 1975 made in the General Assembly just a few minutes before the admission of the Comoros to the United Nations, the representative of the French Government stated, and repeated this afternoon:

“The Assembly will recall that France, having on 15 June 1973 affirmed the aspirations of the Comoros to independence, on 22 December 1974 organized a plebiscite among the population of that archipelago.”—

I stress this: “the population of that archipelago”—

“The results indicated an overwhelming majority of voters in favour of independence. However, two thirds of the inhabitants of the island of Mayotte —“the inhabitants of the island of Mayotte”, I stress—decided otherwise”.⁴

117. It now seems to us that the French Government held a consultation of the population of the archipelago and not a separate consultation of each of the populations of the various islands making up the archipelago. This statement on the part of the French representative, like so many others by better authorized spokesmen, in the view of my delegation strongly suggests the illegality of the proposed referendum for 8 February 1976. Furthermore, for more than half a century now, the French authorities have recognized and respected the ethnic, cultural and religious homogeneity of the islands of Anjouan, Mayotte, Mohéli and Grande-Comore, which they maintained under the same colonial administration as a single juridical entity.

118. In order to give effect to this ardent desire of 22 December 1974, the valorous people of the Comoros unilaterally proclaimed their independence on 6 July 1975. And indeed, the Council of Ministers of OAU, meeting at Kampala from 18 to 25 July 1975, not only

decided unanimously and by acclamation to admit the Republic of the Comoros as a State member of that organization by resolution 419 (XXV), but, under another resolution—421 (XXV)—also condemned the manoeuvres and actions of the French Government to infringe upon the national sovereignty and unity, the territorial integrity of the Republic of the Comoros and consequently, urged it to withdraw its forces from the island of Mayotte and to honour its commitments in the interest of international peace and security in our waters of the Indian Ocean.²

119. Furthermore, with regard to the Republic of the Comoros, the Conference of Ministers for Foreign Affairs of Non-Aligned Countries, held at Lima from 25 to 30 August 1975, adopted an important Programme, one of the paragraphs of which states:

“The Ministers for Foreign Affairs warmly congratulate the people of the Comoro islands on the progress of their struggle for national liberation. They applaud the proclamation of independence of the people of the Comoros and call upon the French Government to provide for the immediate withdrawal of its troops from that country. The Ministers condemn any attempt against the national unity and territorial integrity of the Comoro islands and reaffirm their absolute support to its independence, sovereignty and territorial integrity.”³

120. The Security Council at its 1848th meeting on 17 October 1975 adopted Security Council resolution 376 (1975) recommending to the General Assembly the admission of the Republic of the Comoros as a Member of the United Nations. In its resolution 3385 (XXX), adopted by consensus on 12 November 1975, the Assembly not only agreed to the recommendation of the Council, but went even further and reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli.

121. If these appeals have not yet come to the ears of the French Government, we are convinced that, in the name of the excellent relations of friendship and co-operation which happily exist between our two countries, the French delegation here will use its good offices in order to bring the appeals to the notice of its Government. At the same time the delegation of the Republic of Equatorial Guinea very much hopes that the Security Council will take the practical and urgent measures necessary in the light of the situation to halt the proposed referendum in the interests of peace, justice, security and conciliation. This was the prediction of Mr. Said Mohamed Jaffar, head of State of the Republic of the Comoros, when he addressed the General Assembly on 12 November 1975 and stated:

“We leave it to the Assembly to assess the gravity of this situation, while ardently hoping that together,

and with all the parties concerned, we may find a just, equitable and appropriate solution.”⁴

122. Mr. SALIM (United Republic of Tanzania): Mr. President, allow me first to take this opportunity to extend to you our very sincere congratulations on your assumption of the presidency of the Security Council. I have had the pleasure of working with you and the United States delegation in the Council, and more particularly last month. I have no doubt that you will conduct the deliberations of the Council with effectiveness, skill, fairness and impartiality. I want to assure you, as the President of the Council in the important task before you, of the fullest co-operation of the Tanzanian delegation.

123. I should also like to take this opportunity to thank you first and foremost for the generous remarks and the tribute that you paid to me personally as President of the Council for last month. Equally, I thank with no less warmth, enthusiasm and sincerity my colleagues in the Council, the representatives of France and the Libyan Arab Republic, for the tribute they paid to me. I also want to thank all my colleagues non-members of the Council who have addressed the Council and who were kind and generous enough to pay such overflowing tributes.

124. It was not the original intention of my delegation to speak on the subject before us; in fact, I had desired only to take this opportunity to express my warm congratulations to the President of the Council and my thanks to the members and non-members of the Council for their generous remarks. But I was disturbed by the statement made by our colleague from France; it is because of that statement that I think it is important for my delegation to make certain observations in connexion with the matter before us and, of course, on the usual understanding that we reserve our right to make a more substantial statement, should the necessity arise, at a later stage.

125. The representative of France, for whom, as I have had occasion to point out both publicly and privately, I have the highest respect and esteem, said in the Council that we should be serious, and perhaps by implication he characterized the telegram received by the Council from the head of State of the Comoros complaining about French actions in Mayotte as lacking in seriousness. I do not want to go into the merits of the cable dispatched to the President of the Council by the President of the Comoros. Suffice it to say that it was a cable addressed by a head of State who is faced with certain problems which are not of his creation, but which in all candour, I must say, are the result of policies perpetuated by the Government of France in respect of the question before us. I therefore believe that it is a serious cable and that the charges levelled in that cable are also sufficiently serious to command the most careful attention of the members of the Council. It is with that view in mind that I should like to make specific

comments in connexion with the statement made by the representative of France.

126. To begin with, the representative of France referred to the geographical limits of the territory and cast a certain doubt on the propriety of our collective demand. When I say our collective demand, I mean the collective demand of the international community and of the United Nations in particular, to the effect that the territorial integrity of the Comoros, a sovereign, independent State whose area, of course, comprises the four islands of Grande-Comore, Mayotte, Anjouan and Mohéli, should not be questioned.

127. I should like only to say that there has never been any doubt on the part of the United Nations or the Tanzanian delegation as to the geographical limits of the Comoro Archipelago. I dare further say that the records will show that there has never been any doubt on the part of the Government of France as to the geographical limits of the territory, at least if we are to take at their face value the many important statements made by eminent representatives of France, both in the Organization and elsewhere.

128. It is at the same time extremely important to underscore, if only for the purpose of historical perspective, the responsibility of the administering Power in connexion with a Territory under its administration. These responsibilities have clearly been affirmed and reaffirmed in General Assembly resolutions. They have been clearly affirmed in the Charter of the United Nations, but, above all, if I may say so, they have been clearly and without any ambiguity affirmed in what we normally refer to as the Bible or the Koran of decolonization, the Declaration on the Granting of Independence to Colonial Countries and Peoples, in resolution 1514 (XV).

129. That resolution clearly calls for decolonization of colonial Territories and at the same time underscores the importance of the principle of respect for the unity and the territorial integrity of countries. In particular, it rejects any attempt at the partial or total destruction of the national unity and territorial integrity of a country and considers that such attempts are wholly incompatible with the purposes and principles of the Charter.

130. Clearly, the United Nations, as is to be expected, has consistently and without any equivocation, maintained and defended that position. If I were to quote references—and I do not want at this late hour to bore members of the Council or to exhaust their patience—I would refer to resolution 3291 (XXIX), which clearly reaffirmed the need for respect for the unity and the territorial integrity of the Comoros. But perhaps what makes resolution 3291 (XXIX) particularly relevant in the context of the discussion before us, are the background circumstances which led to the adoption of that resolution.

131. I said earlier that even the French Government did not seem to have any doubt about the frontiers of the Comoros, did not seem to entertain any doubt about the need to respect the unity and territorial integrity of the Comoros; I could quote various statements made by our French colleagues, but, more importantly, made by eminent French spokesmen. But to make a long story short, let me refer briefly to two or three specific statements. I shall begin with the statement made by the Government of France on 26 August 1974,⁵ I believe, with respect to the referendum which was about to be held in the Comoros, and I shall not put it in the words of the United Republic of Tanzania but shall merely paraphrase the thrust of the statement. It was a responsible statement made by the Government of France to the effect that the referendum would be organized on an archipelago-wide basis. That is the first point.

132. The second is that the Territory of the Comoros would "retain the frontiers that it had as a colony".⁵ Which means the four islands. And, furthermore, that to the French Government a multiplicity of different statuses for the various islands of the archipelago was inconceivable.

133. That was a responsible statement made by the Government of France. It was on that basis that the General Assembly, in the resolution to which I alluded earlier, specifically took note of the French statement and specifically reaffirmed the principle of the unity and territorial integrity of the Comoros.

134. At that time, neither the Tanzanian delegation, nor Members of the United Nations, had any reason to doubt or to question the motives or the intentions of the Government of France with regard to its respect for the unity and territorial integrity of the Comoros. We had no reason to doubt the French Government's position, perhaps not merely because a government statement of 26 August had particularly laid down certain principles which we wholly endorsed, but also because other eminent spokesmen of the Government of France had also, on one occasion or another, made statements which, if we had any fears at all, tended to allay those fears.

135. The Minister for the so-called Overseas French Territories, for example, in October 1974, is reported to have said:

"Why a global referendum and not a separate plebiscite for each island? It is because the intention of France is not to divide countries which attain independence. This is the case of the Comoros, whose inhabitants all practise the same religion, have the same language, the same economic and political interests. Far from being one of dismembering the territorial integrity, our role is to help the efforts of the Comorian people themselves towards a rapprochement."

136. That was a statement by a Minister. If any of us have doubts about statements of Ministers—and certainly it would not be the first time that Ministers have made statements only to be repudiated by their heads of State—we might perhaps still have entertained some doubts as to the authenticity of the statement made by a responsible Government Minister of France. But it was not just a Minister of France who made the statement.

137. My colleagues, the representatives of Algeria and the Libyan Arab Republic, have already alluded to an important statement made by the President of France in October 1974. Since they have quoted that particular statement more or less *in extenso*, I need only refer members of the Council to its contents. But may I say that it was only logical, it was only fair, for us to expect that, in the light of that statement made by the most authoritative source in France with respect to policies of the Government of France, we would have no reason to doubt, no reason to question, the intentions of the Government of France in connexion with the scrupulous respect of the territorial integrity and unity of the Comoros.

138. It was in the light of all these factors that the General Assembly, as I stated earlier, adopted resolution 3291 (XXIX). That was before the referendum was held in the Comoros; that was before the people of the Comoros, in accordance with the government policy as explained to the United Nations, as explained to the world by French spokesmen, was given the right to exercise its self-determination in December. Then came the exercise of self-determination—a popular referendum freely conducted, supervised by French Government authorities, without any possibility of doubt as to either its authenticity or its motivation in this particular case, since the motives of the referendum were clearly enunciated by the Government of France and confirmed by the United Nations.

139. That popular referendum resulted in 94.56 per cent of the population of the Comoros opting for independence, which means that less than 6 per cent of the population of the Comoros opposed the principle of independence. Yet, the French Government seems totally to ignore this factor; yet, the French Government now wishes to subordinate the views of the overwhelming majority of the people of the Comoros to the views of a tiny minority of the population of the Comoros. Mr. President, you are, I believe, a greater expert on democratic procedures, and I leave it to you to judge whether the position articulated by our French colleague can under any semblance of democratic procedures be considered to be democratic.

140. At any rate, the General Assembly was in no doubt again about the results of that referendum. Neither, for that matter, was the Security Council. The Security Council in resolution 376 (1975) recommended the admission of the Comoros to membership in the United Nations, and the General Assembly, in

its wisdom, on 12 November 1975 in resolution 3385 (XXX), admitted the Comoros as a new Member of the United Nations. Here it is important to bear in mind that, when the General Assembly admitted the Comoros as the newest Member, in the same resolution it also reaffirmed the necessity of respecting the unity and territorial integrity of the Comoros, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli.

141. We do know, of course, that our French colleague did not participate in the consensus on the adoption of that resolution; however, the resolution does not become less valid simply because one delegation chose to express a different viewpoint or chose not to participate—unless we want now to create a situation where the views of one delegation must prevail above all else, and knowing my French colleague as I do, I dare to be presumptuous enough to believe that that could not have been and cannot be his intention.

142. Now we are told that France wants to hold another referendum in Mayotte on 8 February. The French representative—and this is what really disappoints me—defends the proposal to hold that referendum as an act of self-determination and, by implication, says how consistent the French have been on this particular position. In fact, not only by implication; he really spoke of the consistency of France in holding elections at regional, district and other levels.

143. It is the height of irony that we should have in the Council an attempt to give sanctity to an illegitimate situation and to justify that act as the process of self-determination. The French representative asked us: "Since when can a free vote be interpreted as an act of aggression?" I know the representative of France better than to believe that he really and seriously expects us to take that oversimplification seriously.

144. The issue is not whether free elections constitute aggression; the issue is, given the background of this situation, given the decisions of the Assembly, given the resolutions of the United Nations, that the mere holding of elections or a referendum by the French authorities in Mayotte now is an outright intervention in the domestic affairs of the Comoros. What is perhaps even more significant is that, whereas the holding of free elections certainly cannot be considered to be an act of aggression, I do not believe that any member of the Security Council can also subscribe to the concept that interference in the internal affairs of a Member State is a demonstration of friendship or a demonstration of an act of good faith. Furthermore, a referendum to sanctify the Balkanization of a State is something which can only be deplored.

145. Is it really fair or just that France—such a powerful nation with such powerful political, economic, material and even moral resources—should

use its resources to undermine the independence and sovereignty of one of the newest States in Africa? The representative of France again today, as he did in the General Assembly, tried a new definition or, should I call it interpretation, of the concept of self-determination in defence of what they are planning to do in Mayotte.

146. I would refer the members of the Council to a statement which I made in the General Assembly,⁴ whose relevance and validity has perhaps been morally enforced by the statement of our colleague from France this afternoon. I said then—this was a little more than two months ago—and I maintain now that the French argument that to hold a referendum in Mayotte will enable the people of Mayotte to exercise self-determination is not only distorting the whole concept of self-determination but is in fact making a mockery of the decisions taken by the Organization and giving a completely erroneous interpretation of the concept of self-determination as articulated in the Organization, as defended in the Organization and also as defended by our colleagues of France in other situations.

147. The representative of France insists on a referendum. Why do they simply choose to ignore the results of the referendum which was held in December 1974? Why should a new referendum bring anything new? The new interpretation of "self-determination" is disturbing, and I hope that members of the Council do not take it seriously. I have said this in private and I said it once in public in the General Assembly, and I want to say it in public once again before the Security Council: I do not know how many of us would survive the test of self-determination, as expressed by our colleague from France. Are we to allow the principle of self-determination to be applied at the village level, at the district level, at the provincial level, let everybody decide what he wants to do? I do not know. Perhaps instead of having 146 States Members of the United Nations we would have up to 1,000 Member States. And I say this in all seriousness and without wishing to throw out challenges, for it is not for me to throw out a challenge to anyone, but I dare predict that many members of the Council also would not survive that test.

148. The concept, as elucidated by our colleague from France, cannot be taken very seriously. I believe that the French Government itself cannot really seriously say that what it is now planning to do in Mayotte is simply to implement the concept of self-determination, as defended and expressed by the international community.

149. The representative of France has told us that this is going to be a free exercise of self-determination and, therefore, members of the Council who wish to observe the referendum are free to do so. Again, it is ironic that the representative of France is inviting us to go and observe a referendum whose merits

we seriously question, whose legality is definitely questionable, and yet less than a year ago when the Special Committee kept asking the French Government to allow it either to send a visiting mission or to go and observe any of the actions then taking place in the Comoros, which was then a colonial Territory, the French Government maintained a very negative position. I do not know how we can reconcile with that position this newly found interest in the desire of the international community to witness a referendum in Mayotte.

150. On a more serious and solemn note, clearly the French Government's position, as expressed by the representative of France in our midst, is inconsistent with the objectives and decisions of the United Nations. As I said also, judging by the position taken by the French Government in the past with respect to the question of the Comoros, it is also inconsistent with the position taken by the Government of France as expressed by its many eminent spokesmen.

151. We believe very strongly that such a referendum is wholly unwarranted and is in every way an interference in the internal affairs of a Member State. We believe very strongly that it is incompatible with the interests of preserving the unity and territorial integrity of the Comoros. We believe very strongly that it certainly flies in the face of the demands of the United Nations, of the demands of the Organization of African Unity (OAU), and, above all, of the demands of the people of the Comoros expressed through its legitimate Government.

152. We want at this rather late hour to call upon our French colleagues to reconsider this obviously erroneous policy, not to tarnish the good image that by and large France has in Africa—notwithstanding, of course, the differences we have in some other cases—not to tarnish the responsible image that France has with respect to many issues in international affairs, and certainly not to create a situation which can be characterized only as inimical to the interests of the people of the Comoros, inimical to the aspirations of the African people as outlined through OAU, and definitely not conducive to the promotion of good relations between France and Africa.

153. Is it really too much to ask France to desist from such folly? Is it really too much to expect France to take positions consistent with those previously advocated by its own Government through many eminent spokesmen? We sincerely hope that the Government of France will adopt a mature and responsible attitude for the sake of the Comoros, for the sake of peace in that region, for the sake of friendship between France and Africa, and for the sake of France's own image in the world.

154. Mr. de GUIRINGAUD (France) (*interpretation from French*): I should like to clarify certain points which seem to have particularly troubled certain

speakers this afternoon. I have the greatest esteem and respect for speakers who have dealt with the subject which concerns us today and I have listened very carefully, particularly to the statements of the representatives of Algeria and the United Republic of Tanzania. Both of them referred persistently to statements of Ministers members of the French Government and authorized spokesmen of the French Government, and even quoted a statement by the head of the French State.

155. I should like it to be very clear that those statements were made in good faith; those statements about our wish for the Comoro Archipelago to achieve independence in unity are proof of the fact that the French Government had and has nothing but good intentions towards the Comoro Archipelago. Those statements make it quite clear that there are no ulterior motives on the part of the French Government, and certainly none of an economic or military kind, reference to which has been made on the basis of the most farfetched speculations of certain journalists.

156. But, however surprising this may seem to certain people, in France the executive, the ministers, the head of State himself, cannot act against the will of Parliament. In France, Parliament is sovereign. The French Constitution stipulates that no territory can be withdrawn from national sovereignty without a vote in Parliament. The French Parliament, which possesses national sovereignty, which it is necessary for ministers and even for the head of State himself to respect, has decided that the vote on the island of Mayotte constituted a refusal by that island to leave French sovereignty. The Government, the executive, the head of State himself can only bow to a decision of Parliament.

157. I am well aware that there are many countries, Members of the United Nations, in which the executive is not accustomed to bow to the legislature, but in France this is the case. It is Parliament which is sovereign, and Parliament alone can hand down a decision with regard to national sovereignty. Representatives of States here, the authorities of some 20 or 25 States which are independent today, but over which French sovereignty was formerly exercised, those people who have been members of the French Parliament—quite often, some have been members, indeed, of the French Government—are very well aware that in France the Constitution gives Parliament precedence over the executive. Even if they deplore the situation which has arisen because of this in the Comoro Archipelago, I am sure that these people, who are so familiar with the constitutional system of France—and France is not alone in this, of course; there are other countries in which the executive is also subject to the legislature—understand the constitutional obligations incumbent upon the French Government.

158. I reserve my right to go into further detail on this subject subsequently, but this very evening I want to dispel the idea that might have been suggested in certain statements that there were ulterior motives in certain statements on the part of members of the French executive and authorized spokesmen for the French Government, including myself. Those statements were made in all good faith, and expressed intentions which were not ratified by Parliament. Parliament is sovereign.

159. Today, rather than attempt to aggravate this difference between the independent Republic of the Comoros, which we recognized in the three islands that I mentioned before, and the Government of the French Republic, I think the best thing would be to try, rather, to help the French Government, as it wishes, to maintain good relations with the Republic of the Comoros and to establish, if possible, arrangements to allow the Republic of the Comoros to live as a good neighbour, in conditions which remain to be defined, with the island of Mayotte.

160. I would remind the Council further, and this is additional proof of our good faith, that in the referendum, which is to take place on Sunday, a twofold question is asked of the inhabitants of the island. They are being asked if they want to join the Republic of the Comoros or remain under French sovereignty. This referendum will be carried out in conditions of total liberty. As evidence of this, there is the fact that we are inviting any Government which so wishes to send observers. If the inhabitants of Mayotte decide to join the Republic of the Comoros, we shall never reproach them for that; they are free to do so. I do not believe that good faith can be better demonstrated in such a situation. In conclusion, I should simply like to say that I wanted to make this clarification this evening, and I reserve my right to intervene subsequently on the same subject.

161. Mr. SALIM (United Republic of Tanzania): First, I should like to assure the representative of France that my delegation had never questioned the motives of the spokesmen of the Government of France. We built our whole case on the statements made by the representatives of France, and it is because we never doubted their motivations that we are disappointed by what they are doing now.

162. Secondly, we do not want to interfere in the internal affairs of France. So we do not want to start discussing the constitutional set-up of France, the responsibility of the executive and the responsibility of the legislature, though I must tell you—and I am glad that the representative of France has also taken note of this—that this is not a situation unique to France. Many other countries, including my own, to various degrees also have arrangements which give such powers to the national assembly. We may call them national assemblies, or in some cases national legislative assemblies. In some places they are called

parliaments. In other places they are called houses of assembly. But there is a clear differentiation between the executive and the legislature in the relationship of the two. It is up to the constitutions of different countries, to be worked out in accordance with the specific aspirations, requirements and conditions of a particular State.

163. But it would be a very difficult situation if the United Nations could not hold someone responsible. For example, we cannot have situations where Members commit themselves to do certain things only to tell us that they are sorry, this is something to which they made a commitment earlier, but their national parliaments would not go along with them, I would have thought that the situation would normally be that no one makes a commitment before knowing that that particular commitment has the support of the people and Government that he represents.

164. Furthermore, I should like to say that, with respect to the situation in the Comoros, when the Comoros was a colonial Territory we could not, when discussing the question of the Comoros either in the Fourth Committee, in the Special Committee or in the General Assembly, start asking the representative of the French Parliament to come before us and explain what their position was in regard to the Comoros. We have to hold Governments responsible for the positions they defend and express. It is because of that particular situation that we now hold the French Government responsible for the situation in Mayotte.

165. With respect to the free nature of the referendum, we are not questioning whether the referendum is going to be free or not. What we are saying is that this referendum is wholly incompatible with the provisions of the United Nations position, wholly incompatible with the principle of the territorial integrity and unity of the country. And if they can, in their generosity, ask the people of Mayotte to decide whether they want to become part of the Comoros or part of France, then why in a similar vein do they not ask the overwhelming majority of the three other islands whether they want to see their territory dismembered? That would be fair.

166. After all, when France undertook the referendum at the beginning it was a referendum on an archipelago-wide basis, taking the results of the whole Territory as an entity. I think that justice and fairness demand that the majority should have their say inasmuch as the minority is being given their say.

167. Mr. de GUIRINGAUD (France) (*interpretation from French*): I will not for a minute say that there is not a rather major difference between the position of the French Government and what is the prevalent philosophy in the United Nations, as Mr. Salim has very eloquently stated. I should only like to point out to the representative of the United Republic of Tanzania that the French Government has expressed intentions,

the French executive has stated its intentions; it has not undertaken a commitment. There is a difference between the intention, the policy which a Government states it wants to follow and expects to follow and then the commitments it enters into—commitments for which parliamentary ratification is generally necessary.

168. Mr. Salim used the word "commitment". In French the word is *engagement*. And the executive cannot enter into a commitment concerning territorial questions except with the approval of Parliament. The French executive had intentions which were not ratified. I think that the example of Mayotte is not very important compared with the far more renowned examples in which Governments which had entered into commitments that were non-binding and which had expressed intentions that were not ratified by their Parliaments were not able to follow up on the intentions they had expressed and on which other Governments had counted.

169. Mr. SALIM (United Republic of Tanzania): Mr. President, I am sorry about this dialogue, but I think we are entering into a very important field and I should only like to make the following observations.

170. First, when I use the word "commitment", I use it in the context of the French Government's position as expressed to the United Nations. We have to take statements made by Administering Authorities with respect to the colonial Territories regarding the type of action that is going to be taken in the colonial Territories as commitments on the part of those Administering Authorities. I do not want to argue this point. But as a matter of academic interest, more than anything else, I would have thought that before the French Government proceeded with its intention or with its commitment to hold a referendum in the islands, first it should have ensured that that commitment or intention had been ratified by the legislative or by the National Assembly; I hope the French example does not create a precedent, but in the future we may have all kinds of statements made in the Organization, all kinds of commitments entered into by Administering Authorities in the case of the colonial situation, by responsible Governments, in respect of decisions arrived at at the United Nations, only to be told a week or two later: "Sorry, gentlemen, that statement we made is now zero because it was not ratified by the proper legislative machinery."

171. So I would have thought that before they held the referendum in December 1974 in the Comoros, that intention—if the representative wants to call it an "intention"—should have been known to have been accepted by the French Government and the appropriate French authorities before the people of the Comoros were allowed to indulge in an exercise which is now apparently considered futile and meaningless.

The meeting rose at 7.45 p.m.

Notes

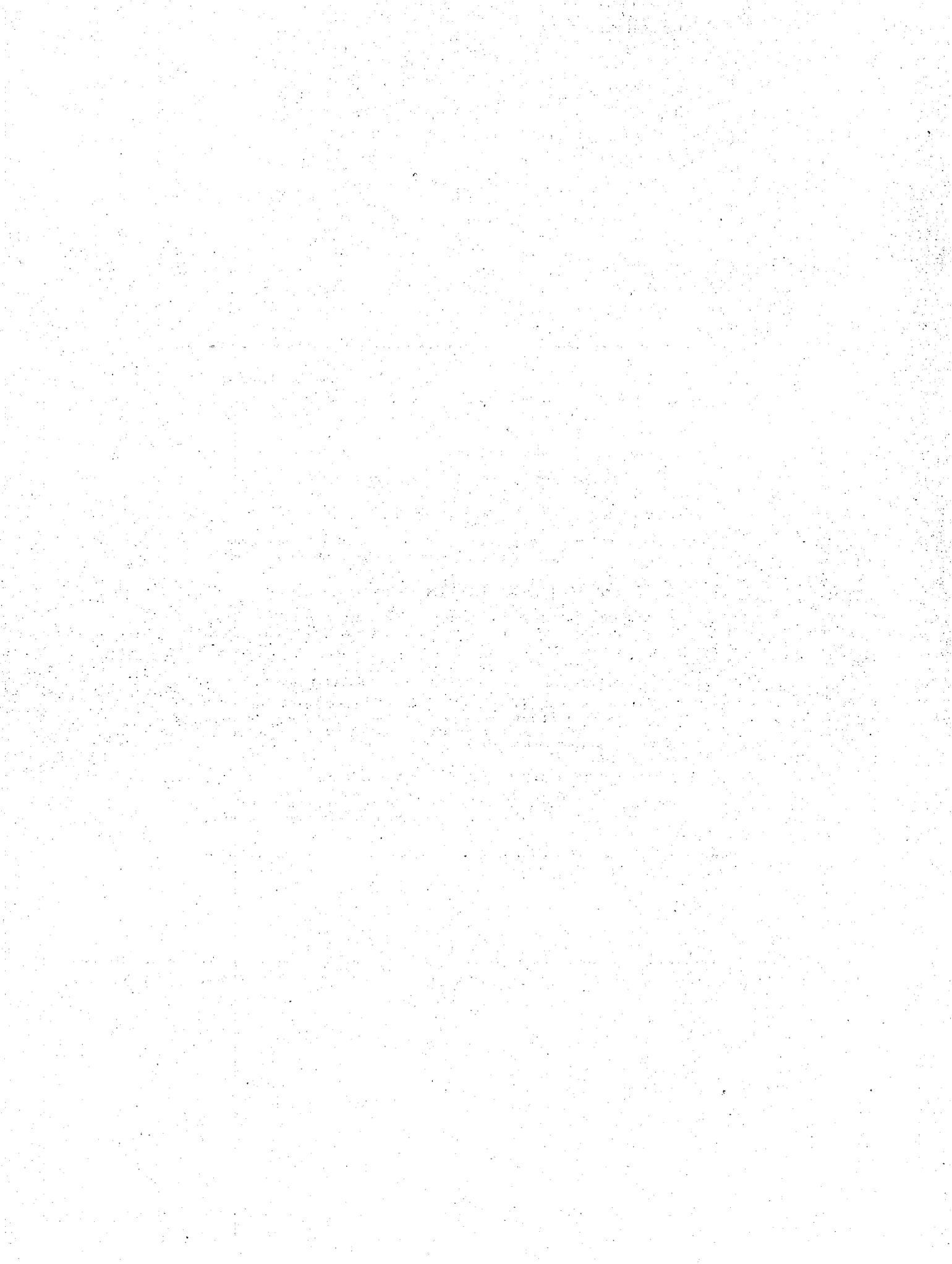
¹ See *Official Records of the General Assembly, Twenty-eighth Session, Supplement No. 23*, chap. XI, annex, appendix II.

² See A/10297, annex I.

³ See A/10217 and Corr.1.

⁴ See *Official Records of the General Assembly, Thirtieth Session, Plenary Meetings*, 2402nd meeting.

⁵ *Ibid.*, *Twenty-ninth Session, Supplement No. 23*, chap. XI, annex, para. 32.



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