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2370th MEETING

Held in New York on Friday, 28 May 1982, at 6 p.m.

President: Mr. LING Qing (China).

Present: The representatives of the following States: China, France, Guyana, Ireland, Japan, Jordan, Panama, Poland, Spain, Togo, Uganda, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zaire.

Provisional agenda (S/Agenda/2370)

1. Adoption of the agenda
2. Complaint by Seychelles:
Report of the Security Council Commission of Inquiry established under resolution 496 (1981) (S/14905/Rev.1)

The meeting was called to order at 6.45 p.m.

Adoption of the agenda

The agenda was adopted.

Complaint by Seychelles:

Report of the Security Council Commission of Inquiry established under resolution 496 (1981) (S/14905/Rev.1)

1. The PRESIDENT (*interpretation from Chinese*): In accordance with decisions taken at previous meetings on this item [2359th, 2361st, 2365th and 2367th meetings], I invite the representative of Seychelles to take a place at the Council table; I invite the representatives of Afghanistan, Algeria, Angola, Argentina, Bangladesh, Barbados, Benin, Botswana, Bulgaria, Cuba, Czechoslovakia, Egypt, the German Democratic Republic, Grenada, Honduras, Hungary, India, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Maldives, Mali, Malta, Mauritius, Mongolia, Mozambique, Nicaragua, Nigeria, Pakistan, Sao Tome and Principe, Sri Lanka, Swaziland, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam, Yugoslavia and Zambia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Hodoul (Seychelles) took a place at the Council table; Mr. Zarif (Afghanistan), Mr. Abada (Algeria), Mr. de Figueiredo (Angola), Mr. Roca (Argentina), Mr. Sobhan (Bangladesh), Mr. Moseley (Barbados), Mr. Soglo (Benin), Mr. Mogwe (Botswana), Mr. Tsvetkov (Bulgaria),

Mr. López del Amo (Cuba), Mr. Stija (Czechoslovakia), Mr. Abdel Meguid (Egypt), Mr. Ott (German Democratic Republic), Mr. Taylor (Grenada), Mr. Lobo (Honduras), Mr. Rácz (Hungary), Mr. Krishnan (India), Mr. Maina (Kenya), Mr. Srithirath (Lao People's Democratic Republic), Mr. Addabashi (Libyan Arab Jamahiriya), Mr. Rabetafika (Madagascar), Mr. Zaki (Maldives), Mr. Traore (Mali), Mr. Gauci (Malta), Mr. Ramphul (Mauritius), Mr. Dashtseren (Mongolia), Mr. Lobo (Mozambique), Mr. Chamorro Mora (Nicaragua), Mr. Fafowora (Nigeria), Mr. Naik (Pakistan), Mr. Cassandra (Sao Tome and Principe), Mr. Fonseka (Sri Lanka), Mr. Malinga (Swaziland), Mr. El-Fattal (Syrian Arab Republic), Mr. Rupia (United Republic of Tanzania), Mrs. Nguyen Ngoc Dung (Viet Nam), Mr. Šilović (Yugoslavia) and Mr. Lusaka (Zambia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from Chinese*): Members of the Council have before them document S/15127, which contains the text of a draft resolution submitted by Guyana, Jordan, Panama, Togo, Uganda and Zaire.

3. Members of the Council have received copies of a letter dated 28 May from the representative of Swaziland to the United Nations addressed to the President of the Council, which will be distributed tomorrow, 29 May, as a document of the Council under the symbol S/15135.

4. Mr. OTUNNU (Uganda): I should like to begin by joining other delegations that have spoken before me in welcoming the Minister for Foreign Affairs of the Republic of Seychelles, Mr. Jacques Hodoul. It is an honour to have him with us.

5. The report before the Council contained in document S/14905/Rev.1 is a very good and useful report. I should like on this occasion to pay a very special tribute to Mr. Ozores Typaldos of Panama, Chairman of the Commission of Inquiry, and to Mr. Craig of Ireland and Mr. Sezaki of Japan, the other members of the Commission. The members of the Commission have worked hard and thoroughly to produce the present report. My delegation is most grateful to them for their efforts.

6. The basic facts of the case before the Council are that on 25 November 1981 the Republic of Seychelles, a non-aligned and peace-loving Member of the United

Nations, was invaded by a contingent of heavily armed mercenaries who landed at Victoria International Airport. The clear objective of the mercenary invasion was to overthrow the legal and legitimate Government of that country. When the mercenaries realized that their objective had been frustrated by the quick and valiant action of the Seychelles defence forces, they took hostages and hijacked an Air India plane to escape. The mercenaries forced the plane to fly to Durban in South Africa, where the mercenaries were received by South African officials. A few of the mercenaries were captured by the Seychelles authorities.

7. The findings of the Commission confirmed what many of us suspected all along: namely, that the immediate preparation and planning, including the recruitment of the mercenaries, took place in South Africa; that among the mercenaries were a number of reservists in the South African army who had been issued with call-up papers, and a South African intelligence officer, Mr. Martin Dolinschek; that the weapons used in the invasion were acquired and tested in South Africa before the mercenaries departed for Seychelles; and that, given the tight security control in South Africa, the Commission believes that the South African Government had knowledge of the preparations.

8. By definition, mercenaries are agents recruited to execute the purpose of a paymaster. For this reason, we often refer to them as soldiers of fortune. The first question that comes to mind, therefore, is who was the paymaster of this particular band of mercenaries: that is to say, who was responsible for the mercenary aggression against the Republic of Seychelles.

9. My delegation is convinced beyond the shadow of a doubt that the Pretoria régime was responsible for this crime against the Republic of Seychelles. Our conviction is based on the findings to which I have just referred. Furthermore, Michael Hoare, the leader of the mercenary band, testifying before a South African court in Natal, has since said that the South African authorities had approved the invasion plan at the highest level of Government and that it also supplied the weapons used in the invasion.

10. The second question that comes to mind concerns the motive for the attempt to overthrow the legal and legitimate Government of the Republic of Seychelles. The motive with regard specifically to the Seychelles is clear enough and is spelled out in paragraph 127 of the report. But it must be emphasized that the invasion of Seychelles was only part of a wider design by the Pretoria régime. That design consists of a programme for the destabilization of several independent African States. The objectives of this design are twofold. First, it is an attempt to weaken the economies of these countries in order to make them perpetually dependent on the South African economic system and therefore very vulnerable.

Secondly, the programme of destabilization is intended to intimidate African Governments with a view to undermining their support for and solidarity with the liberation movements of southern Africa.

11. The work of the Commission of Inquiry is still incomplete, for reasons that were well beyond the control of the Commission itself. My delegation therefore supports the recommendation of the Commission that it be authorized to furnish a supplementary report, which would take into account all the developments that have taken place since work was completed on the present report.

12. The report of the Commission also reveals the material damage and economic loss suffered by Seychelles as a result of this invasion. It is clear that particular damage has been inflicted on the tourism industry, which is the mainstay of the national economy. We therefore strongly support the establishment of a special fund for Seychelles in order to help that country recover from this grievous loss. We address an urgent and earnest appeal to all members of the international community to rally behind the Government of Seychelles and support it in the difficult task of recovery.

13. The mercenary aggression against the Republic of Seychelles has once again underlined the gravity of the phenomenon of mercenarism and the urgent need to conclude as soon as possible the work now under way on the draft convention against the recruitment, use, financing and training of mercenaries. We appeal to all Members of the United Nations to co-operate fully to ensure the early completion of this work.

14. I take this opportunity to express our total support for and solidarity with the Government and people of Seychelles. I also wish to convey the sympathy and solidarity of my delegation to the Government and people of Swaziland, who were also victims of this aggression, in which they lost a commercial aircraft.

15. But we know that the Pretoria régime will ultimately fail in its design against independent African countries. The collective resolve of Africa is growing and succeeding, and time is on our side.

16. Mr. AMEGA (Togo) (*interpretation from French*): The draft resolution presented to this important body bears the symbol S/15127 and today's date. It is drafted and co-sponsored by all the non-aligned members of the Council: namely, Guyana, Jordan, Panama, Togo, Uganda and Zaire. As the Council can imagine, this document is the fruit of very lengthy work in the course of which we had to make concessions among ourselves, the non-aligned members. We were also able to benefit from the advice of other members of the Council. In particular, we took into account amendments which other members presented. With regard to those amendments, by this afternoon there

were 12, of which we accepted 11. This shows that this text is one produced by all the members of the Council. Obviously we are the authors, but inasmuch as all the members of the Council collaborated by producing amendments, we believe that this text really belongs to us all.

17. That having been said, what is the thrust of the text? In the preamble we have repeated resolution 496 (1981), which affirms the territorial integrity and political independence of the Republic of Seychelles and says that they must be respected. There is another reference in the preamble to that resolution, which established the Commission of Inquiry whose report is contained in document S/14905/Rev.1. It is on the basis of that report that we drew up the draft resolution.

18. The draft resolution contains references to some of our concerns—the violation of the territorial integrity of Seychelles by the mercenaries and the loss of human life—and it also deplores the substantial damage to property caused to the Republic of Seychelles. The draft resolution also expresses deep concern over the danger represented by mercenaries, in the form of the destabilization and weakening of small and already weak States, particularly the independent States of Africa.

19. In its operative part, the draft resolution contains condemnations, a request for additional information, and provision for the setting up of a special fund and an *ad hoc* committee to manage it. Finally, we note that the report is not complete and say that it must be completed in the light of the trial under way in the Republic of South Africa.

20. We strongly condemn, as might well be imagined, the whole phenomenon of mercenaries, for reasons that I do not need to go into here because they are very familiar to the Council. We also reaffirm resolution 239 (1967), which condemns any State which persists in permitting or tolerating the recruitment of mercenaries and the provision of facilities to them, with the objective of overthrowing the Governments of States Members of the United Nations. We also condemn illegal acts against the security and safety of civil aviation.

21. The operative part of the draft resolution also contains a request for assistance. All States and international organizations, including the United Nations specialized agencies, are called upon to provide all the necessary assistance to repair the various kinds of damage caused to the Republic of Seychelles. To this end, a special fund is to be set up, to be supplied by voluntary contributions. It will be managed by an *ad hoc* committee composed of four members of the Council, to be chaired by France. Finally, as the report is not complete, as I have already emphasized, we request that the Commission of Inquiry resume its work in order to complete the report in the light of the

records of any judicial proceedings in the courts of South Africa.

22. As can be seen, the draft resolution represents truly decisive work, if I may call it that, taking account of the concerns of all parties and particularly of the idea that the grievous damage caused to the sister Republic of Seychelles must be compensated for.

23. We have jointly—since the text is not simply our own doing, but is also the fruit of the advice given to us by other Council members—taken part in the production of the draft resolution. We abandoned all pride and any chauvinistic spirit that could have brought the text to naught. Our diversity, in the Council itself, requires of us all a degree of tolerance.

24. As I have already said, we accepted 11 of the 12 amendments proposed, which shows that a major step was taken towards tolerance and the acceptance of a common will, which is that not only of the sponsors of the text but of the whole membership of the Council.

25. Accordingly, I present the text on behalf of my colleagues for the approval of the members of the Council. Since the debates have shown that there is a certain consensus, I urge members to adopt the draft resolution by the same consensus.

26. The PRESIDENT (*interpretation from Chinese*): It is my understanding that the Council is ready to proceed to the vote on the draft resolution submitted by Guyana, Jordan, Panama, Togo, Uganda and Zaire, which is contained in document S/15127. Unless I hear any objection, I shall put the draft resolution to the vote now.

A vote was taken by show of hands.

The draft resolution was adopted unanimously [resolution 507 (1982)].

27. Mr. LICHENSTEIN (United States of America): My delegation wishes to join in extending a cordial welcome to these proceedings to the Minister for Foreign Affairs of the Republic of Seychelles. We also extend to him our warm thanks for his faithfulness in attending these proceedings and in contributing substantially to them.

28. The United States Government shares the concern generally expressed during these proceedings over the events that took place in Seychelles last 25 November. This concern was personally conveyed to President René by President Reagan, and my Government promptly contributed a modest amount of emergency assistance for the repair of the Seychelles airport.

29. We strongly condemn the use of force and every form of external interference in the sovereignty.

territorial integrity and independence of other States—certainly including the use of foreign mercenaries—all of which are contrary to Article 2, paragraph 4, of the Charter of the United Nations.

30. We equally and unequivocally condemn violations of civil aviation safety regulations and, most particularly, the hijacking of civil aircraft.

31. At the time of the attack on Seychelles, we expressed these views in the strongest terms and urged that those responsible for the attack and the subsequent hijacking be prosecuted. That is exactly what has happened: the trials are now taking place.

32. On 15 December 1981 [2314th meeting], the United States joined in the adoption of Security Council resolution 496 (1981), which created a three-member commission of inquiry to establish, as far as possible, the facts surrounding the events of late November. The members of that Commission—Mr. Carlos Ozores Typaldos of Panama, Mr. Jeremy Craig of Ireland, and Mr. Katsumi Sezaki of Japan—have performed a hard task exceedingly well. We owe them our thanks for their diligence and for the high degree of objectivity that marks every page of their thorough, painstaking report.

33. That report contains several recommendations. One is for the creation of a voluntary fund to assist the Government of Seychelles in its work of reconstruction and recovery from the severe economic impact of the November attack. My Government supports the creation of such a fund and notes with special satisfaction the willingness of the Government of France to administer it.

34. Another recommendation is that the life of the Commission of Inquiry be extended for a fixed period—until 15 August 1982—to allow for the preparation of a supplemental report as additional facts emerge. We did not and do not oppose this recommendation. But we must express our doubts that such a report—once the trial records are complete—will prove to be any more conclusive than the one before us. As we have already noted, the Commission lacks the powers and competence of a court of law; its findings, necessarily, must be limited and tentative. Indeed, the members of the Commission are well aware of this—as the scrupulous manner in which they have prepared their report so clearly demonstrates. We are confident that they will exercise the same care, the same standards of objectivity, in any supplemental report.

35. Nearly all of the previous speakers have made substantial reference to the testimony that is emerging from the trials now under way in Seychelles and in South Africa. And, curiously in our view, many of the speakers have apparently accepted as gospel the testimony of men who face penalties of up to 30 years' imprisonment—men who understandably will do or say

almost anything in an effort to defend themselves, men who have been characterized in the course of this debate as unscrupulous at best and as totally unprincipled at the extreme. We would do well, in the view of my delegation, to treat their testimony with a good deal of circumspection until all of the facts—and I stress the word "facts"—have been established in the judicial proceedings currently in course.

36. Finally, my delegation believes that this proceeding has already served a most important purpose: it has signalled unmistakably that the international community will neither tolerate nor condone any form of external interference, including the use of mercenaries, in the internal affairs of sovereign States. For its part, the United States will continue to participate fully in the work of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries, with a view to the early completion of an appropriate and effective convention.

37. The PRESIDENT (*interpretation from Chinese*): I now call on the Minister for Foreign Affairs of Seychelles, Mr. Jacques Hodoul.

38. Mr. HODOUL (Seychelles) (*interpretation from French*): Mr. President, once again you have given me an opportunity to speak, this time at the conclusion of this discussion, which has been most comforting and enlightening for my delegation, on the interim report of the Commission of Inquiry on the aggression perpetrated on 25 November 1981 against the sovereignty of Seychelles. I most sincerely thank you for this.

39. My delegation has been deeply touched by the unswerving solidarity with and profound friendship for the people and Government of my country manifested by the representatives of no fewer than 50 Member States of the United Nations. This has been communicated to the capital of my country, and I should like to tell the Council how happy and proud the people of Seychelles are to be able to count upon so many friends at this very trying time.

40. During this discussion, the people of Seychelles have once again received the assurance that they are not alone on the difficult path that they have resolutely chosen, that of true independence, justice and social progress.

41. My delegation is delighted that the draft resolution submitted to the Council at the conclusion of deliberations that took up several meetings has been adopted unanimously. This resolution essentially reflects the proposals of the Government of Seychelles which you, Mr. President, authorized me to communicate to the Council at the opening of this debate—that is to say: first, that a special fund, supplied by voluntary contributions, should be established to assist the Republic of Seychelles to repair

the damage of all kinds caused by the aggression of 25 November; secondly, that the international community as a whole should be made aware of the urgent need to adopt effective measures against mercenarism; and, thirdly, that it was necessary for the Commission of Inquiry to submit a supplementary report to the Security Council.

42. Mr. President, I would request you to be so kind as to permit me to express warm thanks to, in particular: our brother and friend Mr. Archibald Mogwe, Minister of Foreign Affairs of Botswana and current President of the Council of Ministers of the Organization of African Unity (OAU), who travelled so far to participate personally in this discussion on behalf of the Council of Ministers of the OAU; Mr. Abdel Meguid, representative of Egypt, who spoke on behalf of the Group of African States in the United Nations; and Mr. Atsu-Koffi Amega, representative of Togo, who, on behalf of the non-aligned countries members of the Security Council, undertook with skill and competence the task of co-ordinating the efforts of all the delegations that contributed to the preparation of the draft resolution that was submitted to the Council and unanimously adopted.

43. I should like to thank also the representatives of eight African countries—Algeria, Angola, Benin, Botswana, Uganda, Tanzania, Togo and Zaire—for

the conscientious way in which they carried out the mandate entrusted to them by the thirty-eighth session of the Council of Ministers of the OAU, to make a collective contribution to this discussion and demonstrate Africa's support for the Republic of Seychelles.

44. I should like also to tell members of the Council that the Republic of Seychelles deeply appreciates the generous gesture made by France, which has undertaken to play a primary role in the special fund for assistance to Seychelles, to be supplied by voluntary contributions. In that gesture we note a new readiness on the part of France, an industrialized country of the North, to deal with the pressing needs of the developing countries of the South. We are most gratified by this development, and we would request the representative of France to convey our gratitude to his Government.

45. Mr. President, it now remains only for me to thank you personally for the support you have lent on behalf of your country to the just cause of the Republic of Seychelles. We congratulate you upon your scrupulousness and the other outstanding qualities which have enabled you to conduct the proceedings of this Council with such competence and effectiveness, for which we express our appreciation.

The meeting rose at 7.20 p.m.

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