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CONTENTS

	<i>Page</i>
Provisional agenda (S/Agenda/1888)	1
Adoption of the agenda	1
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)	1

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1888th MEETING

Held in New York on Friday, 6 February 1976, at 3 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/1888)

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 4.15 p.m.

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)

1. The PRESIDENT: In accordance with the decisions taken previously [*1886th meeting*] I invite the representative of the Comoros to take a place at the Council table. I also invite the representatives of Algeria, Equatorial Guinea, 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. Omar Abdallah (Comoros) took a place at the Council table;

Mr. Rahal (Algeria), Mr. Ecuá Miko (Equatorial Guinea), Mr. Camara (Guinea), Mr. Fernandes (Guinea-Bissau), Mr. Maina (Kenya), Mr. Rabetafika (Madagascar) and Mr. Hussein (Somalia) took places at the side of the Council chamber.

2. The PRESIDENT: I should like to inform members of the Security Council that I have also received letters from the representatives of Saudi Arabia and Nigeria asking that they be invited, in accordance with rule 37 of the provisional rules of procedure, to participate in the discussion of the item on the agenda. Accordingly, if there is no objection, I propose that the Council, in conformity with the usual practice, invite them to participate in the discussion without the right to vote.

3. The PRESIDENT: In view of the limited number of places available at the Council table, I invite the representatives of Saudi Arabia and Nigeria 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. Baroody (Saudi Arabia) and Mr. Harriman (Nigeria) took the places reserved for them at the side of the Council chamber.

4. The PRESIDENT: I should like to draw attention to the text of the draft resolution [S/11967] I mentioned at the close of yesterday's meeting [*1887th meeting*]. It is sponsored by Benin, Guyana, the Libyan Arab Republic, Panama and the United Republic of Tanzania.

5. Mr. JACKSON (Guyana): Mr. President, the practice has developed in the Council of congratulating its new President at the first meeting of each month. Today it is my pleasant duty to extend felicitations to you on my own behalf and on behalf of the delegation of Guyana and to affirm our fullest co-operation with the presidency.

6. We have had, Sir, during your brief stay with us, ample evidence of your manifold talents—talents which you so unsparingly put at the service of your country. I am confident that the weight of your contribution to the work of the Organization will be given its true and proper measure when this period in the history of

the United Nations is written, with the objectivity which accompanies mature reflection. I said that your stay with us was short. Your presidency of the Council, however, I venture to suggest, crowns that stay. I trust that you may find this experience of the presidency of some benefit in whatever adventure engages your irrepressible spirit in the future.

7. May I take this opportunity to thank Mr. Salim most warmly for the amiable, efficient and constructive manner in which he guided our deliberations during the month of January. His successful tenure of office as President confirmed our full confidence in him.

8. In directing its attention to the item on the agenda, my delegation takes as its reference point General Assembly resolution 3291 (XXIX) of 13 December 1974. We do so because that resolution, which, *inter alia*, reaffirmed the unity and territorial integrity of the Comoro Archipelago, was adopted without a vote. There was neither a dissenting voice nor an expression of reservation. All the Members of the Organization, including France, adopted that resolution.

9. So it was that the people of the Comoros and the international community, fortified by such a display of international accord, looked forward with eagerness to the logical unfolding of events in the Comoro Archipelago. And they did so with justification. For they bore in mind as well the agreement in the Joint Declaration on the Accession to Independence previously concluded between France and the Comoros¹ and the repeated assurances given by the French Government that consultations with the people of the Comoros would be organized on an archipelago-wide basis. As we expected, the French were true to their word. The consultations were held, and of the 93 per cent of the eligible voters who registered their choices 94.56 per cent opted in favour of independence—a clear manifestation of the will of the people.

10. The way ahead for the then administering Power—France—was clear. It should have respected then, as it should do now, the rights of the people of the Comoro Archipelago to independence, as well as the unity and territorial integrity of the Comoros. Such action then would, as it would now, be fully consistent with international law and would in no way demean international morality. But, instead, France has erected obstacles by seeking to discern peculiarities regarding one of the islands—Mayotte. It may be that some of the present realities of Mayotte, stemming from past accidents of settlement and combining with modern-day strategic needs, have induced changes in the perception informing France's attitude on this issue. It may be.

11. Nevertheless, it is apposite, I suggest, to recall that the Chamber of Deputies of the Comoros, even before that State was admitted to membership in the United Nations, evinced concern lest the French Parliament seek to introduce further delays and to

impose new conditions compromising the independence and territorial integrity of the Comoros. It was a concern shared by other States Members of the United Nations. Speaking in the Security Council for my country, Guyana, on the occasion of the adoption by the Council of resolution 376 (1975), recommending to the General Assembly the admission of the Comoros to the United Nations [*see 1848th meeting*], I indicated my Government's firm expectation that the resounding declaration of the people of the Comoros for their independence and territorial integrity would be fully honoured.

12. It is also relevant to recall that the General Assembly by a nearly unanimous vote on its resolution 3385 (XXX)—France did not participate—not only decided to admit the Comoros to membership in the United Nations but also 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.

13. My delegation believes that the position of the overwhelming majority of the international community on the fundamental principles which should inform the resolution of the conflict which has arisen between the Comoros and France is not ambivalent. That is why, as a member of the Council, my delegation listened intently to, and studied carefully, the statements delivered by the representative of France in explanation of his country's current position. In order to foster our understanding of that position, the representative of France has advanced several propositions some of which, I must confess, are novel to my delegation.

14. The first relates to the constitutional relationship in France between the legislative branch—and I mention it first—and the executive branch. In the view of my delegation, a conflict between the executive and legislative branches in any State is an internal matter. It is not up to us to say how such a conflict should be resolved, for were we to embark on that hazardous course we would be interfering in the domestic affairs of that State. What can be said, however, is that the international community cannot be held hostage for the internal dilemmas of any State. The axioms which are the underpinnings of inter-State relations will no longer remain credible if any State can, when it chooses, shelter behind conflicts which inhere in its own internal constitutional processes. And our collective efforts at international collaboration and co-operation can only be viable if States Members of the United Nations act in accordance with the principles and purposes of its Charter and if their Governments are held responsible, and accountable, for statements made on their behalf no less than for the actions which they purport to take on behalf of their peoples. I believe that it was as long ago as 1933 that the Permanent Court of International Justice reached the conclusion that the statements of duly qualified leaders of Governments, when

made in their official capacity and within their fields of competence, have a binding effect in the international dealings of the Governments they represent.

15. Another proposition which my colleague to the right advanced concerns the Comorian assertion of aggression by France against the Comoros. I will confine myself mainly to a few questions in this regard. Is the presence of uninvited alien armed forces on the territory of a State that is inconsistent with the sovereignty, territorial integrity and political independence of that State not an act of aggression? Why is the French Government still exercising control in Mayotte despite its assurances that it would respect the unity and territorial integrity of the Comoro Archipelago and contrary to the wishes of the Comorian people? And there is a derivative question: Even if the French authorities had a right to be in Mayotte today, should not the Council, on the basis of the account given to us by the leader of the Comorian delegation, require answers to the disturbing allegations that the French authorities have been engaged in systematically and literally setting adrift persons in Mayotte who are known to support the unity of the archipelago? It follows that my Government cannot consider the generous invitation of the French Government to be a witness to its operations in Mayotte, since such an involvement might be interpreted as giving legitimacy to the French presence in that island.

16. A third proposition relates to the concept now advanced by France regarding the application of the principle of self-determination. There is abundant evidence—much of it mentioned by previous speakers—that the population of Mayotte have historically shared their destiny with their brothers in the rest of the Comorian community. I believe that it was on this basis of a shared destiny that the people of the Comoros selected representatives who from 1946 on sat in the Parliament of France in Paris; and it is on this basis as well that the Comorian people opted for independence on 22 December 1974, in exercise of their right to self-determination. In the light of this, the act of self-determination in the Comoros has already been completed. Were the French Government therefore to proceed with a referendum in Mayotte it would be violating that act of self-determination by the Comorian people. It is therefore clear that we must reject the French interpretation of self-determination. For, if we succumb to such a deviation, we shall not only be abandoning cherished principles, but we shall also, I fear, be opening a Pandora's box.

17. Over the long sweep of history, decolonization, like progress, has come to be regarded as irreversible. Despite some setbacks, the French have enjoyed a proud record in the field of decolonization. We appeal to them now to desist from an ill advised course of action in relation to the Comoros which would tarnish that image.

18. Mr. SALIM (United Republic of Tanzania): On behalf of the delegations of Benin, Guyana, the Libyan Arab Republic, Panama and my own, I have the pleasure to introduce draft resolution S/11967. The draft resolution is self-explanatory; it is simple, straightforward and clear-cut; it avoids any condemnations, but simply states certain fundamental principles which the sponsors consider to be of paramount importance. It does so because the sponsors are convinced that the situation with which the Council is faced is a rather anomalous one—anomalous in the sense that the Council should never have been faced with it in the first place, bearing in mind the circumstances of the situation, the decisions of the United Nations on the question and the fact that hardly three months ago the United Nations itself admitted the Comoros as a new Member of the United Nations and left no doubt about what it meant by the State of the Comoros.

19. I shall therefore refrain from making elaborate explanations of the various preambular and operative paragraphs that this draft resolution contains. But I will make certain observations which, in the view of the sponsors of the draft resolution, it is important that all our colleagues who are required to pronounce themselves on this text should understand.

20. We have before us a telegram from the head of State of the Comoros. It is on the basis of this telegram that the Council is meeting. We have heard a very eloquent and statesmanlike presentation of the Comorian case, presented to us by Mr. Omar Abdallah, head of the Comorian delegation. Those two points are, of course, taken into account in our draft resolution.

21. The request made by the President of the Comoros for the convening of an urgent meeting of the Council and fully supported by the representative of the Comoros in a speech [see 1887th meeting] which was very moving is a request made against the background of the Comoros' concern that its territorial integrity and its political independence are being questioned. The sponsors of the draft resolution are aware of and concerned with that particular aspect of the Comorians' preoccupation.

22. We believe that, if the French Government were to continue on its present course of action which would *ipso facto* imply the Balkanization of the Comoros, such an act would have serious consequences for the stability of the Comoros and for the stability of the African region, and serious implications for the Organization.

23. On 12 November 1975, the General Assembly, on the recommendation of the Security Council, admitted the State of the Comoros to membership in the United Nations by its resolution 3385 (XXX). In consistency with its previous position, the General Assembly, in that resolution, reaffirmed the territorial integrity, unity and political independence of the

Comoro Archipelago. To that end it reaffirmed that the Comoros consisted of the islands of Anjouan, Grande-Comore, Mohéli and Mayotte.

24. Thus the Assembly left in no doubt the geographical limits of the new African State. Therefore, as far as the United Nations is concerned, Mayotte is part and parcel of the Comoros, and thus there is no question of Mayotte exercising any right of self-determination of its own, in separation from the Comoro entity as a whole. To the sponsors of the draft resolution, therefore, the continued presence of the French authorities in Mayotte and their declared intention of holding a referendum in that island constitute an obvious violation of the political independence, sovereignty and territorial integrity of the Comoros. Thus the fifth and sixth preambular paragraphs of the draft resolution must also be read in conjunction with operative paragraphs 1 and 2, in so far as they concern the proposed intention of the French Government to hold a referendum in Mayotte.

25. Needless to say, the sponsors take a very serious view of anything which would tend to call in question the territorial integrity of the Comoros. While we recognize that there may be some differences between the French Government and the sovereign Government of the Comoros, we find no justification whatsoever for the French intention of holding yet another referendum in Mayotte. The sponsors, conscious of the fact that there is a need for a relationship based on mutual respect, friendship and co-operation between the Comoros and the Government of France and that there is a need to settle outstanding differences, request the Government of France, in the draft resolution:

“to enter into immediate negotiations with the Government of the Comoros for the purpose of taking appropriate measures to safeguard the unity and territorial integrity of the State of the Comoros composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli”. [See S/11967, para. 4.]

26. We are not asking for the impossible. We are not asking for something which is unprecedented. We are only being faithful to the decisions of the Organization. We are also being faithful to the declared intentions of the French Government. France, as the former administering Power of the Comoros, has a particular responsibility to ensure that nothing it does in its policies towards that country would have the effect of dismembering that country, of disrupting the national unity and the territorial integrity of the country, because such a course of action would be incompatible with the purposes and principles of the Charter of the United Nations.

27. The sponsors of the draft resolution, all non-aligned members of the Council, have followed with interest, sympathy and solidarity the struggle of the

people of the Comoros for self-determination and independence. We therefore all rejoiced when the Comoros became a sovereign nation and was admitted as a Member of the United Nations, for to the sponsors of the draft resolution, as I believe to the membership of the United Nations, the independence of yet another African State represented an important victory for the international community in our collective struggle against the subjugation of peoples and the right of all peoples to independence and to the enjoyment of full human rights and human dignity.

28. Our draft resolution is reasonable. I said before that it is not a condemnatory resolution. Not that one could not deplore the policies adopted by the French Government in connexion with Mayotte, but our desire here is not to deplore; our desire here is to make the French Government realize the futility of its current course of action and make all the responsible authorities in France realize the perilous course which their present policy in regard to Mayotte will lead them on, because it can only lead to confrontation, not merely within but also outside the Council. It can only lead to a policy of constant friction, not between the people and Government of the Comoros and the people and Government of France alone, but—and this is of no less importance—of constant friction between the Government of France and the United Nations, because, clearly, the position of the Government of France contradicts the position of the United Nations.

29. The Organization will be failing in its duty and in its responsibilities if we do not continually keep vigilant by safeguarding the right of the peoples of all States, of whatever size, to enjoy the rights which would otherwise be enjoyed by more powerful States. That is why the sponsors also are involving the United Nations by entrusting the Secretary-General with following the implementation of the present draft resolution, because we believe that the best safeguard that small countries like the Comoros can have—and, for that matter, those small countries which are the very sponsors of the draft resolution—lies in respect for the decisions of the United Nations, respect for the principles of the Charter of the United Nations, respect for the provisions of its important decisions, to which all of us adhere.

30. In Article 25 of the Charter, Member States agreed to be bound by the decisions of the Security Council. In so agreeing they recognized that the Council would be acting on their own behalf. It is only fair, therefore, that in acting on behalf of the international community, the Council should take into account the views of the Member States.

31. In the case of the Comoros, the views of the whole membership have been expressed in resolution 3385 (XXX). As I have indicated, that resolution, which was opposed by no one—I emphasize this point, that it was opposed by no one, not even by the French, though with all due respect to the French position,

they did not participate in the voting on that resolution—recognized clearly and without any equivocation that Mayotte is part and parcel of the Comoros.

32. The Security Council must therefore see to it that the territorial integrity, the political independence and the unity of the Comoros are respected. The Council cannot but call upon France to respect the aforementioned principles, and it is in pursuance of respect of such principles that the sponsors of this draft resolution are confident of the support of the Council.

33. Finally, let me say that the sponsors of our draft resolution have, in the course of the last 48 hours, been engaged in very active consultations, particularly between us and the delegation of France. To our very profound regret, the differences of principle are so fundamental that these consultations have not enabled us to reach a solution which could command the collective support of both the sponsors and the French delegation. But I want to stress that there is a limit to which Members of the United Nations can entertain positions of compromise, positions of trying to resolve the differences whenever a situation arises before the Council, and you go beyond that limit when, if you compromise, you compromise a principle.

34. I am sure that my colleague from France will understand that the sponsors of the draft resolution tried their level best to see the point of view of France, short of compromising certain fundamental principles, and as I commend this draft resolution to the members of the Council for their collective support I want them to bear in mind that all we are seeking is reaffirmation of the position which had been adopted by the United Nations.

35. Mr. HUANG Hua (China) (*translation from Chinese*): The Chinese delegation has listened attentively to the speech made by the representative of the State of Comoros as well as the speeches made by the representatives of other countries. Now, I would like to make the following observations on the question we are considering.

36. To achieve State independence and national liberation, the Comorian people had carried out a protracted struggle against the colonialists. With the sympathy and support of the African people, the Organization of African Unity (OAU) and people of the whole world, the Comorian State finally attained its independence on 6 July 1975 and became a State member of OAU and was later on admitted to membership in the United Nations. This is a great victory achieved by the Comorian people and the African people as a whole in their struggle against imperialism and colonialism.

37. The State of Comoros is a country consisting of the four islands of Anjouan, Mayotte, Mohéli and Grande-Comore. The Island of Mayotte has always

belonged to the Comorian people and is an inalienable part of the territory of the State of Comoros. The Comorian people's struggle against the division of their territory and for the safeguarding of their territorial integrity is entirely just and they have won widespread support and the sympathy of numerous third world countries and all the justice-upholding countries.

38. The Chinese Government and people have always sympathized with and supported the Comorian Government and people in their just struggle to safeguard State independence, unity and territorial integrity. The relevant resolutions of OAU and the General Assembly have reaffirmed the inalienable right of the State of Comoros to maintain its unity and territorial integrity. All these resolutions are correct because they reflect the just demands of the Comorian people.

39. We hold that the unity and territorial integrity of the State of Comoros must be respected and that no action which may jeopardize its unity and territorial integrity should be taken. Basing itself on this principled position, the Chinese delegation is in favour of draft resolution S/11967.

40. Mr. AKHUND (Pakistan): Mr. President, I join previous speakers in extending to you, on behalf of my delegation, congratulations on your assuming the office of President and in expressing regret that you have decided to leave us after so brief a stay and our good wishes for success in your task here this month and in your future endeavours. Speaking for myself, may I put on record my personal admiration and esteem for the sense of conviction and vigour with which you always advocate your views—views which, if they did not always persuade, never failed to stimulate thought and to provoke discussion.

41. I take the opportunity to pay a tribute also to your predecessor, our colleague Mr. Salim, for the distinction and sense of mission with which he guided our deliberations, both formal and informal, during a month when the Council had to deal with an exceptionally heavy and difficult agenda. If the endeavours made by the Council under Mr. Salim's skilful and energetic guidance on the Arab-Israeli question did not meet with full success, our deliberations may have served to facilitate future efforts in the Council and elsewhere.

42. The Council is dealing today with an issue which, in my delegation's view, should not have arisen at all. Having heard with careful attention the statements made here by the representatives of the Comoros and of France, my delegation is more than ever convinced that the situation which has been brought to the Council's attention could have been avoided and that even now there is time and opportunity to redress it and to remove the difficulties that have arisen. The facts of the case are well known and have been so

well recounted and analysed in the course of these meetings that there is little that I can usefully add. On the face of it the issue involves a conflict between two principles, both of which are enshrined in the Charter and considered by Member States as fundamental and inviolate, namely, the principle of self-determination of people and the principle of the territorial integrity of States.

43. The entire case of the former colonial Power, as put to us by the representative of France, is based on the principle of self-determination. He said that "everywhere in the world the possibility of choosing one's own destiny is acknowledged as belonging to entities determined by history and geography" [1886th meeting, para. 23]. The requirement of self-determination is, in the French view, of so absolute a nature as to override all other principles and considerations, including that of the territorial integrity of States. My country, which owes its independent existence to this very principle and which, as the Council is well aware, has supported, fought for and continued to advocate the right of the people of Jammu and Kashmir to exercise their right of self-determination, cannot possibly disagree with the fundamental importance of the principle of self-determination in the life of nations. In this context, the representative of France referred to the case of Bangladesh, a tragic and avoidable strife between brothers. I do not know what analogy can be drawn between that tragedy, whose outcome was decided by foreign intervention and invasion rather than by any process of self-determination, and the emergence of the Comoro islands from colonial dependency to sovereignty and independence.

44. At all events, my delegation does not see the case of the Comoros as involving an irreconcilable conflict between the principles of self-determination and territorial integrity. In the referendum held in December 1974, 93 per cent of the voters, that is to say, virtually the entire nation, went to the polls and nearly 95 per cent of those who did so voted for independence. There are few cases of a truly democratic consultation which would show such a high turn-out of voters and such an overwhelming majority; a more conclusive decision can hardly have been hoped for or expected.

45. The fact remains that most of the 5 per cent or so who voted against independence live in the island of Mayotte which, not surprisingly, is separated from the rest of the Territory by a body of water—the rest of the Territory consisting also, as we know, of islands. Furthermore, we were told that Mayotte came into French possession much earlier than the remaining islands. Lastly, we also know that Mayotte is better endowed with natural resources than the other islands of the Territory. The question which arises is what juridical and political weight should be given to these differences and particularities of history and geography or indeed to the fact that some 8,000 inhabitants

of Mayotte declined independence whereas 4,000 or so joined the 150,000 in the other islands in opting for independence.

46. The legal position was stated by none other than Mr. Olivier Stirn, the French Minister for Overseas Departments and Territories, 18 months ago when he said in an oft-quoted passage:

"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."

Having thus clarified the legal juridical position, the Minister of France went on to state the policy of France in saying: "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."

47. We consider that this statement of policy, which was endorsed in even more emphatic terms by the President of the French Republic, reflects wisdom and statesmanship and is the only policy for France to follow in its dealings with its former dependency.

48. Why then is the Council having to deal with this problem? What caused the seemingly orderly progress of the Comoros towards independence to take a turn towards tension and confrontation—if one can speak of confrontation between a great and powerful country and a tiny group of islands far away from its shores? Reference was made to possible differences on the subject between the different branches of the French Government. We appreciate and are not incapable of understanding the exigencies of such constitutional arrangements and can sympathize with the difficulties which they can create. It would hardly be proper for members of the Security Council to become involved in such matters. For the same reason, the United Nations cannot accept the position that the constitutional difficulties or the domestic inhibitions of one kind or another of one of its Member States can have the effect of overruling the decisions of the United Nations. I use the word "decisions" advisedly, since the matter of the admission of new States, unlike matters of other kinds, is one in which it is the General Assembly which has the power of decision, exercised, of course, on the recommendation of the Security Council.

49. As we all know, in accepting the Security Council's recommendation to admit the Comoros to membership, the General Assembly specified that the State should consist of the four islands which have always formed part of its territory. The reservation entered by the French delegation on the Assembly decision cannot affect the legal validity of the Assembly's action—and we do not believe that it was intended to do so.

50. The question of the Comoros had been discussed before that in various forums of the United Nations over a number of years. On every occasion and in every forum the United Nations had reaffirmed the territorial integrity of the four islands. The necessity of doing so arose precisely because of doubts among the inhabitants that, for reasons of sympathy or self-interest, the colonial Power or certain elements therein might engineer or might encourage the dismemberment of their territory.

51. These fears and suspicions were undoubtedly the reason why the islands declared their independence immediately upon the result of the referendum of December 1974 and without waiting for the French Parliament to take consequential action. We do not consider that this departure from the scheme laid down by the French Government for the independence of the Territory can justify any derogation from the Territory's, the people's, fundamental right to independence, sovereignty and the integrity of their territory.

52. This seems to us the central issue of the question before the Council. We are not primarily concerned with the question—though it is very important for the Comoros themselves—of how the 154,000 Comorians who voted for independence will come to terms with and reassure the 8,000 who, in what does seem an unusual departure from the norm, preferred the continuation of colonial rule. The separate referendum in Mayotte scheduled for next Sunday is unlikely to reveal a different division of opinion. We have noted the assurance of the French Government that the referendum will be held in conditions of scrupulous impartiality and freedom. We do not doubt that this will be so. The question is not whether the referendum will be held in the proper conditions but whether it should be held at all.

53. On that question, the United Nations—of which the Comoros is now a Member—can only give one answer. If, despite the Council's friendly advice and exhortations, the French Government feels compelled to go ahead with the proposed referendum, it must not expect the United Nations to recognize or to accept the results, if those results infringe on the territorial integrity of one of the States Members of the United Nations.

54. The representative of France asked here yesterday: "What would the opponents of the referendum of 8 February suggest by way of an alternative solution? What solution is suggested? Should force be used, or be allowed to be used?". [1887th meeting, para. 94.] Most decidedly not. We do not think either that the referendum which France proposes to hold on Sunday is the solution. We fear that it will not simplify matters; it will complicate the solution.

55. For an answer to Mr. de Guiringaud's question, I should like to turn to a statement that he made

in the General Assembly on the occasion of the admission of the Comoros,² when he reiterated his Government's hope that an agreement among the Comorians would make possible the establishment of a framework within which the Comoros would start their new life and that it would be the endeavour of France to reconcile the points of view of the parties. My delegation sincerely believes that this remains the appropriate task and function of France in a Territory whose destiny was linked to it for more than a century and whose people, as we heard yesterday from its eloquent representative, continue to look to France for friendship and for support.

56. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): Mr. President, before expressing my views on the substance of the question under discussion, I should like to welcome you to the post of President of the Security Council. On the basis of press reports. I understand that your presidency of the Security Council will be your last act of responsibility within the United Nations before you leave us. It will be, as it were, your swan-song in the United Nations, and I should like to express the hope that this swan-song will be inspired by the spirit of strengthening international peace and enhancing the role of the United Nations as the single international political organization founded upon the principles of the peaceful coexistence of States with different social and political systems.

57. I should also like to pay a tribute to your predecessor, the representative of the United Republic of Tanzania, Mr. Salim, for his tireless and selfless work as President of the Security Council last month. Under his presidency, the Council discussed two important problems. The discussion of one of them led to the adoption of a positive resolution unanimously supported by all the members of the Security Council. The discussion of the second extremely important problem, for quite independent reasons, unfortunately was not concluded by the successful adoption of a resolution. I should also like to salute him and express my gratitude to him for the fact that while he was President he managed to avoid convening the Security Council on Saturdays and Sundays.

58. In concluding this part of my statement, I should like to associate the voice of the Soviet delegation with the voices of those who have expressed in the Security Council their condolences and sympathy for the people of Guatemala because of the catastrophe they have suffered.

59. Recently, in the course of the work at the thirtieth session of the General Assembly, the Security Council considered the application of the Government of the Comoros for the admission of that young State to membership in the United Nations. The Council adopted resolution 376 (1975), recommending to the General Assembly the admission of that State to membership. Consequently, in resolution 3385 (XXX),

adopted by consensus, the Assembly decided to admit the Comoros to membership in the United Nations, thus confirming the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, including as its constituent parts all four islands: Anjouan, Grande-Comore, Mayotte and Mohéli. This decision of the United Nations has come to constitute the international legal basis for recognition of this new young Comorian State and its territorial integrity.

60. The Soviet Union supported both resolutions, that of the Security Council and that of the General Assembly, and voted in favour of them. In strict compliance with the principles of its foreign policy with regard to the recognition of the fact that all colonial peoples must enjoy the right to self-determination and national independence, the Soviet Union recognized the Comoros as a sovereign independent State and established diplomatic relations with it.

61. In the telegram dated 29 December 1975 addressed to the Chairman of the National Executive Council of the Comoros, the Chairman of the Presidium of the Supreme Soviet of the Soviet Union, Comrade Podgorny, stated: "The peoples of the Soviet Union wish the people of the Comoro Archipelago, who are now approaching the construction of a new life, success in the strengthening of their young independent State."

62. Only three months after the admission of that country to membership in the United Nations as an independent sovereign State, the Security Council once again is considering the question of this State, this time in connexion with its request for the urgent convening of a meeting of the Security Council for the purpose of preserving peace in the archipelago and adopting the necessary measures to guarantee the integrity of that country.

63. The Soviet delegation has listened with great attention to the statements in the Security Council on this question by the representative of the Comoros, the representative of France and the representatives of many other States Members of the United Nations. The position of the Soviet Union in this regard is devoid of any ambiguity whatsoever. It is determined by the following principles:

—First, the solidarity of our country with the struggle of the colonial peoples for their freedom and independence and for the strengthening of the sovereignty and territorial integrity of their States;

—Secondly, strict compliance with United Nations decisions on questions of decolonization adopted in accordance with the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples.

64. In this regard the Soviet delegation cannot refrain from reminding the Council that it was precisely the

Soviet Union, in keeping with the Leninist policy of granting freedom and independence to all countries, that as far back as 1960, at the fifteenth session of the General Assembly, it put forward the proposal for the adoption of the Declaration. That initiative of the Soviet Union was at that time widely and actively supported by the non-aligned countries. The Assembly then adopted the historic Declaration.

65. One of its fundamental principles states 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."

The delegation of the Soviet Union cannot but comply with that principle. This Declaration has become a programme document for the struggle of the colonial peoples for their freedom and national independence.

66. At the end of last year the United Nations solemnly marked the fifteenth anniversary of the adoption of the Declaration. During that period dozen of countries in Asia, Africa and Latin America freed themselves from colonial slavery; they embarked with confidence upon the course of independent development and have been admitted to membership in the United Nations as equal, sovereign States.

67. In this regard it is appropriate to draw attention to the following abnormal phenomenon of recent days. Recently certain highly placed persons, including one representative to the United Nations and one Secretary of State, that is, a Foreign Minister, have been attempting to distort the policy of the Soviet Union in matters of decolonization. In disregard of the actual state of affairs and universally recognized facts, they have been attempting to ascribe to the Soviet Union aggressive intentions; they have been making a lot of noise about so-called Soviet expansion and they have even shamelessly been making slanderous charges against the Soviet Union to the effect that it intends to colonize Africa.

68. Now what can we say about people of this kind who distort the peace-loving foreign policy of the Soviet Union? Take care, gentlemen, that you do not place yourselves in a ridiculous position by your anti-Soviet fabrications. All those people who objectively and justly assist both the general foreign policy of the Soviet Union—a policy of peace based upon the principles of peaceful coexistence and non-intervention in the internal affairs of other States—and the policy of the Soviet Union with regard to decolonization are laughing about you and your fabrications.

69. The peoples who have freed themselves from colonial slavery are well aware of and remember the fact that it was precisely our country which was the major force barring the way of German fascism to

world domination. It was that country which bore the brunt of the Second World War. They are well aware of and will never forget that the defeat of German fascism promoted the powerful upsurge of the national liberation movement and the defeat of the colonial system of imperialism. Leaders of the liberated countries have told us: "We shall be eternally grateful to the Soviet people and its armed forces. Without the victory of the Soviet Union and its armed forces over fascism, the Soviet people would have become slaves and we would have remained slaves."

70. There is another fact, too, which is universally acknowledged by all countries which have freed themselves from colonial slavery, namely, that the Soviet Union, in providing assistance and support for the national liberation movements in their just struggle for freedom and national independence of their peoples, did not seek for itself any economic, military or other kind of advantage. The only sincere wish of the Soviet people and its Government is to see these countries and peoples free and independent. And that universally acknowledged historical truth cannot be covered up or distorted by anyone—be they ministers, ambassadors or senators.

71. The representative of France did us the honour and paid us the compliment yesterday of quoting from an article from the Constitution of the Soviet Union. However, he failed to mention the fact that the Soviet Union, fortunately, is not a colonial Power and has no colonies. Therefore, references to the Constitution of the Soviet Union cannot serve as a basis for justifying a continuation of colonial domination. In matters of decolonization, as I have already pointed out, the Soviet Union is guided by the principles and provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples, adopted by the General Assembly on the initiative of the Soviet Union.

72. The draft resolution on the question under consideration in the Council, introduced by Mr. Salim on behalf of a group of members of the Security Council, in the view of the delegation of the Soviet Union, is in keeping with the Charter of the United Nations, the aforementioned Declaration and earlier United Nations decisions on the Comoro islands. It is designed to ensure the independence, unity and territorial integrity of that young State. The delegation of the Soviet Union intends to support this draft resolution. The Soviet delegation wishes to express the hope that the discussion of this item in the Security Council and the adoption of a decision on this question by the Council will promote a settlement by peaceful means.

73. Mr. DATCU (Romania) (*interpretation from French*): My delegation would first like to associate itself with the condolences which you, Mr. President, and the Secretary-General have expressed to the Government and people of Guatemala in connexion with the earthquake which has caused so much

suffering, taken so many victims and done so much material damage in that country.

74. Mr. President, I should like to congratulate you sincerely on your assumption of the presidency of the Security Council and to express my conviction that under your leadership the Council will successfully perform its important tasks. I should like to extend to you my best wishes for success in this task and in any other activities in which you may engage in the future.

75. On behalf of the Romanian delegation, I should like to take this opportunity to express to our colleague and friend from the United Republic of Tanzania, Mr. Salim Ahmed Salim, our admiration and our great gratitude and thanks for the competence and devotion with which he conducted our proceedings in January, which, as we know, was a particularly busy month.

76. In the consideration of the item on the agenda of the Council, my delegation takes as its point of departure the position of principle of Romania, which has always actively supported the struggle of the peoples of the world to exercise their right to independence and liberty and to attain their total liberation, and also the efforts of countries which have recently become independent to achieve development and progress.

77. We believe that the very essence of the Charter and the fundamental purpose of the United Nations is to give firm support to the aspirations of these peoples. It is entirely logical to think that once a Non-Self-Governing Territory has become independent, the former colonial régime and the relationship of dependence vis-à-vis the former metropolitan country should cease once and for all. This puts an end *ipso facto* to the competence and attributes of the former colonial Power vis-à-vis the whole Territory in question and each of its constituent parts. Hence, between the new State and all other States, including the former metropolitan country, relations should be based on the rules of international law, which alone guarantee the new State the status of a sovereign and equal partner.

78. The Comoro Archipelago having proclaimed its independence on 6 July 1975, the General Assembly decided on 12 November last to admit this new State to membership in the United Nations. There is no doubt that the coming to independence of the Comoros was brought about as part of the expression of the desire of the vast majority of its people. The will of the people of the Comoros was determined in a peaceful way, in total agreement with the administering Power, through the referendum of 22 December 1974. That referendum took place throughout the Comoros Territory, and the results of it and the decisions thus taken are considered by us to be valid for the whole Territory. And so the right to self-determination was thus exercised by all the people of the Comoros and throughout its Territory.

79. The result of this is that the Comoros became independent as a sovereign nation, with its territorial integrity. When that country was admitted to the United Nations, the General Assembly, in resolution 3385 (XXX), sponsored by a large number of countries, reaffirmed explicitly the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli. Romania, one of the sponsors of the aforementioned resolution, is in favour of respect for and faithful implementation of that resolution of the General Assembly.

80. In considering the request of the head of State of the Comoros, the Security Council should proceed from the clear premise that the Comoros is already a sovereign and independent State, enjoying in the United Nations equal rights with other Members. That is why all the principles of the Charter, as well as the fundamental principles laid down in other instruments of the Organization, are naturally equally valid with regard to the State of the Comoros, which should enjoy all rights and guarantees provided in the Charter.

81. In other words, from the moment when a State becomes independent and is admitted to the United Nations, that which should prevail in determining its status vis-à-vis other States and the sovereign rights of the new State are the provisions of the Charter, as well as the other fundamental principles of international law. We refer particularly to Article 2 of the Charter, which has laid down the principle of sovereign equality of all the Members of the United Nations and the principle of respect for the territorial integrity and political independence of all States. These are principles repeatedly reaffirmed both by the General Assembly and the Security Council.

82. It suffices in this regard to recall just one paragraph of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, annexed to resolution 2625 (XXV), in which the General Assembly stipulates that every State should refrain from any action—and I stress, any action—“aimed at the partial or total disruption of the national unity and territorial integrity of a State or country.”

83. As we are aware, that Declaration was adopted by consensus. Of course, the Comoros is only a very small State, one of the smallest in the United Nations. But international legality can draw no distinctions between great and small to the disadvantage of the latter. International legality is and must be single and equal to all and to all peoples and States whatever their size, power, population or geographical situation or form.

84. Briefly, those are some of the considerations of principles which my delegation is guided by in the consideration of this item on the agenda. We believe

that those principles are of universal validity and are imperative in character, and that we may not depart from them or interpret them unilaterally, or differentiate in our application of them in the light of subjective circumstances or facts which fall outside the domain of international law.

85. In the course of this debate the representative of the Comoros and our colleagues from African countries particularly have given sufficient data and facts which leave no doubt that the Comoro Archipelago has always been and remains a unitary, political and territorial entity. Now, particularly, after the coming to independence of the Comoros; in accordance with the wishes of the vast majority of its people, no State, no international body, has the right to call into question the attributes of the State of the Comoros. It is for that reason that the Romanian delegation considers that we must respect the sovereignty and territorial integrity of the Republic of the Comoros, as is required by the General Assembly.

86. We believe that the Comoros, as a State Member of the United Nations, is entitled to call upon the Security Council to pronounce in favour of unconditional respect for its unity and territorial integrity, and to require all States to refrain from any action liable to affect its political status.

87. The Romanian delegation associates itself with the appeal made to France in this debate by African countries to stop the referendum in Mayotte planned for 8 February. We are convinced that it is possible to resolve this dispute in a friendly fashion in respect for the sovereignty and territorial integrity of the State of the Comoros, in a spirit of friendship and co-operation with African States and in the best humanist traditions and traditions of justice of the French people.

88. My delegation will vote in favour of draft resolution S/11967 submitted by the delegations of Benin, Guyana, Panama, the Libyan Arab Republic and the United Republic of Tanzania.

89. Mr. MURRAY (United Kingdom): Mr. President, let me warmly congratulate you upon your assumption this month of the presidency of the Security Council. It gives me great pleasure to have presiding over our proceedings the distinguished representative of the United States, whose dedication to the cause of justice, peace and international co-operation has been, and remains, the foundation on which the relations between our two countries are based. Moreover, we are particularly glad to have your personal ability, your dedication, your wide experience of government and public affairs, and your ready wit to guide us in our work. My delegation wishes you well in whatever the future may bring you. The United Nations will be a greyer place without you.

90. May I also congratulate my next-door neighbour and Commonwealth colleague, Mr. Salim, upon his

immensely skilful and patient handling of the affairs of the Council last month. We have every reason to be grateful to him for the way in which he carried out the duties of the presidency during one of the busiest and most difficult months that the Council has experienced for a long time.

91. Before I turn to the question of the Comoros, my delegation would like to associate itself with the remarks made yesterday by the representative of Panama and with the message of the Secretary-General concerning the disastrous earthquake in Guatemala. Our deepest sympathy goes to the families of all those who lost their lives or were injured in that terrible disaster. My Prime Minister has already sent a personal message of condolence to the President of Guatemala with an offer of any relief aid and humanitarian assistance that the Guatemalan emergency services may require.

92. My delegation has followed this week's debate on the question of the Comoros with the closest attention and interest. I must say at the outset that the links between my country and the Comoros have not been great in the past, though I was delighted to learn that the representative of the Comoros opposite me received a part—indeed, I would hope the best part—of his education at Oxford University. Despite this distinguished exception, our contacts still remain regrettably slight. This does not prevent us, however, from warmly welcoming the accession to independence of the new State of the Comoros as a further step in the process of decolonization. We wish the people of the Comoros all possible success in the shaping of their new destiny.

93. Our interest in this debate, however, derives mainly from the general principles of self-determination which have been adduced and discussed by a number of speakers. I think the importance goes far beyond the particular field which we are here discussing. My delegation openly declares an interest in the question both as an administering Power committed to the principle of self-determination and as representative of a country in which, like France, Parliament also reigns supreme. With this in mind, I should therefore like to explore some of the points which have been made in the course of this debate.

94. I said a moment ago that in Britain Parliament reigns supreme. This is a general proposition but it applies with equal force to the procedures which we adopt in Britain to give effect to the independence of our dependent Territories. In a number of communications to the General Assembly and to the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples over the past year, we have had occasion to reproduce the texts of communiqués announcing that this or that Territory is proceeding to independence. These communications have often contained the phrase, "subject

to the approval of Parliament". I dare say that the phrase often goes unnoticed, but it is not inserted frivolously or accidentally. Dependent Territories of the United Kingdom are, as a rule, parts of Her Majesty's dominions. An Act of the United Kingdom Parliament is necessary before any part of Her Majesty's dominions can cease to have that status or before it can become independent of the United Kingdom Government. It is normally the case that the Parliament of the United Kingdom is in agreement with the Government of the day both upon the principle of decolonization and upon the need to give it effect in respect of particular Territories proceeding to independence. But Parliament has the last word, and unless it pronounces that it is in favour of independence, independence cannot legally be achieved. I might add in passing that Members of Parliament, as indeed of the Government, take a particular interest in the question of minorities in dependent Territories which are unhappy about their future prospects as independence approaches. Sometimes this results in guarantees for these minorities being incorporated, with the agreement of the governments of the Territories in question, in the constitutions which they assume on independence. Sometimes it does not. It has been said forcefully in the Security Council that majorities have their rights as well as minorities, and no one would question this for one moment. But the political problem remains, and it would certainly be our wish that in all Territories of ours on the point of independence the greatest efforts should be made to reconcile local views and differences as harmoniously as possible.

95. The representatives of France and the United Republic of Tanzania touched on a very important question at our 1886th meeting in discussing the extent to which delegations here represent their Governments. It is certainly the case that the French Government expressed itself very clearly throughout 1974 in favour of the unity and territorial integrity of the Comoros. We believe that it was sincere in doing so, and we have noted the remark of the representative of France that France has no interest in keeping Mayotte within its constitutional framework. But the policies of the French Government are subject to the approval of the French Parliament, which in this instance was not forthcoming. I can well understand the views of the representative of the United Republic of Tanzania and other speakers, but clearly intentions are different from commitments, and parliamentary authority was necessary before the French Government could make such commitments.

96. We have also listened with the keenest interest to the views expressed in the Security Council on the application of the principle of self-determination. I need hardly say that my Government stands unreservedly by that principle. We have not only said so; we have acted accordingly, as the presence here of some 35 delegations from former British dependent Territories shows. We believe that any dependent

Territory, however small its population or territory, has a right to decide its own future in the way it wants, whether it chooses independence, integration with the administering Power or perhaps association with another country. We shall continue to argue that all our Territories are free to choose their future, whether they are islands or continental countries, whatever their racial composition or geographical position.

97. We also know, however, that the problems facing our remaining small Territories are hideously complex. Islands, particularly small islands, tend to be cut off from the current of world events and to be suspicious even of their immediate neighbours. When a visiting mission from the Special Committee went to Montserrat last year, for example, it was evident that the Montserratians were not worried so much about their relations with the United Kingdom as about their relations with their Caribbean neighbours. Two years ago, another visiting mission from the Special Committee observed a referendum in the Ellice Islands on separation from the Gilbert Islands, a separation which, incidentally, has now taken effect. The Ellice Islanders admitted that separation might not make economic sense, but they felt themselves to be different from their Gilbertese neighbours, and they were worried about their future prospects as independence approached. Indeed, these tensions between different islands tend to mount as the day of independence or self-determination draws near.

98. I do not believe that the United Nations has any ready-made or universally applicable solution to these problems. We argued forcefully only last year in the Trusteeship Council that Papua New Guinea should proceed to independence as a whole, and that any attempt to dismember it was unjustifiable. We, for our part, certainly do our best to bring our dependent Territories to independence as one unit. But at times, I confess, we have failed. We failed in the Indian subcontinent in 1947, and I doubt whether anyone would now argue that it was politically feasible to have kept the subcontinent united. There have been one or two other failures elsewhere, but happily we have by and large been successful. We also understand and sympathize with the African States' legitimate preoccupations and with their desire to inherit in full their colonial boundaries.

99. In applying these general considerations to the question before us, we recognize that the situation is complex. We well understand both the strongly held view of the Government of the Comoros that their former colonial boundaries should be retained now that they are independent, and we understand equally the constitutional imperatives with which the French Government is confronted. It is our earnest hope that these unhappy differences between the two Governments can be settled by continuing negotiations between them. We have noted the statement of the representative of France yesterday that his Govern-

ment would not spare any efforts to restore harmony. We hope that some formula can be found which will allow the links which existed in the past between the four islands to persist in some form or another in the future. Only by adopting positions of flexibility can the friendship and co-operation, which representatives of both Governments have told us here that they desire, be restored.

100. So much for the substance. Before closing, however, I feel that I must make at least a passing reference to the statement by the Soviet representative, Mr. Malik. Mr. Malik has his own way of looking at things, whether it be the events of long ago or what is happening in Angola now. As far as I am concerned, the facts are clear: Cuban soldiers, extremely well armed with Soviet weapons, are killing Africans in Africa, having crossed the Atlantic Ocean for that purpose.

101. Mr. KANAZAWA (Japan): Mr. President, first of all, it is my pleasure to congratulate you on your assumption of the duties of the presidency for this month, and I wish you every success. I am confident that your outstanding qualities will give the Council enlightened and effective guidance in the fulfilment of its tasks. I am particularly happy to see you in the Chair in view of the warm and friendly relations between the Government you represent and Japan. I hope that these relations will be further strengthened through the close co-operation of the two Governments both within and outside the United Nations.

102. I wish also to pay my tribute to the admirable achievements of the President of the Council for the month of January, Mr. Salim of the United Republic of Tanzania. All Mr. Salim's gifts as a presiding officer and negotiator were brought into play in his efforts to help to find satisfactory solutions for some of the most difficult and intricate problems that the Council has ever encountered, and these efforts were rewarded with great success.

103. Turning to the question now before us, the delegation of Japan takes note of the fact that, in a free expression of their will, the people of the Comoro Archipelago declared themselves overwhelmingly in favour of independence in the referendum held in December 1974. We were appreciative also of the firm commitment and efforts of the Government of France to ensure the decolonization of the Comoro Archipelago, which enabled the people of the Comoros to exercise their right of self-determination in a peaceful and orderly manner.

104. However, we have observed the subsequent events affecting the Comoro islands with a mixture of perplexity and concern. Indeed, we had wanted to see the successful conclusion of talks on a mutually acceptable settlement between France and the Comoros to reconcile the differences that have arisen subsequent to the referendum in 1974. To our regret,

talks between the two parties concerned have failed to produce agreement on the future of one of the islands of the archipelago and have been suspended.

105. My delegation regrets that the French Government is planning to hold another referendum in Mayotte next Sunday despite the absence of any mutually acceptable solution, which we continue to hope will be achieved. This referendum is strongly opposed by the State of the Comoros as a denial of the aspirations of the majority of the Comorian people for the national unity and territorial integrity of the archipelago. I understand well the constitutional difficulties the Government of France is now facing, but I feel strongly that the aspirations of the people of the Comoros must be respected.

106. Taking into account these conflicting views on the very fundamental principles involved, and in the absence of a solution mutually acceptable to the two parties, my delegation considers it appropriate that the talks between the Governments of France and the Comoros be resumed with a view to reconciling these differences and arriving at a mutually acceptable solution regarding the future status of Mayotte. Meanwhile, the French Government might find it conducive to a settlement to suspend the Mayotte referendum pending the outcome of talks with the Comoros.

107. My delegation believes that the Security Council should appeal to the two parties concerned to resume the negotiations as soon as possible, and that the Council should decide on the measures and principles that will guide the negotiations towards the prompt and constructive settlement that we hope for. My delegation hopes also that the Council will take appropriate measures for their speedy resumption.

108. Before concluding, my delegation associates itself with the message from the Secretary-General to the President of Guatemala expressing his sympathy over the heavy loss of life and property in Guatemala caused by the unfortunate earthquake. We extend our deep sympathy to the representative of Guatemala and, through him, my delegation would ask him to communicate to the Minister for External Relations of Guatemala the sympathy of my Government for the Government and people of Guatemala.

109. Mr. VINCI (Italy): Mr. President, may I first of all convey to you my warm congratulations and best wishes on your accession to the high office of President of the Security Council for February and express to you our conviction that under your guidance the Council will continue to work efficiently and swiftly, as it has done from the beginning of this month. It is indeed a pleasure for my delegation to assure you, the representative of a great country with which Italy has the closest relations, of the full collaboration of my delegation. We also wish you well in your future life, whatever career you choose in the academic field or once again in the service of the Government.

110. I should like also to associate myself with the well-deserved thanks and congratulations that have been unanimously addressed to your predecessor, the representative of the United Republic of Tanzania, Mr. Salim Ahmed Salim. We were indeed fortunate—as I said when he first took up the presidency in a month already charged with a very heavy schedule—to have been granted throughout our meetings and labours in that month the skill, integrity and intelligence of our colleague, Mr. Salim. We shall remember his outstanding performance and we believe that we are all indebted to him.

111. Before turning to the matter which is being debated by the Council, I should like to join you, Mr. President, and previous speakers who have expressed their sympathy to the people and the Government of Guatemala tragically stricken by a disastrous earthquake. I wish to reiterate to that friendly country of Latin America the feelings of brotherhood and solidarity already conveyed by the President of the Republic of Italy to the head of State of Guatemala.

112. On 17 October 1975, [1848th meeting], on the occasion of the vote on the admission of the Comorian State to the United Nations, I had the opportunity to express our cordial and friendly welcome to the people and the Government of the Comoro Archipelago. I expressed as well our trust in the positive contribution that a country like the Comoros, holding such an important asset as its valuable heritage of both an African soul and the faith of Islam, could make in the fulfilment of the principles and purposes of the United Nations.

113. On the same occasion, I expressed our appreciation for the assistance that France had given to the new State in its endeavours towards political and economic emancipation as well as our trust in the traditional vocation for democracy of the French nation. With regard to the legal difficulties then still confronting the two Governments in Paris and in Moroni, I expressed our confidence that they would be able to find the best solution to the problem besetting them.

114. Since that very same problem seems to be still pending between the two countries, it is that same confidence and trust that we should like to reiterate here today. We followed this debate very carefully and listened attentively to all the statements made, especially the one by the representative of the State of the Comoros, Mr. Omar Abdallah, which was quite impressive because of the high standard of its contents and the exemplary sense of responsibility and balance it displayed. The first conclusion my delegation drew from all these statements is that none of the speakers seemed seriously to question the good will and the earnest purposes of France. Its record in decolonization—its proud record, as stated by Mr. Jackson, the representative of Guyana,—is generally acknowl-

edged and praised. This being the case, I wonder how many participants in this debate would be so understanding and graceful as openly to clarify a constitutional issue concerning their respective countries, as Mr. de Guiringaud has done several times. I am afraid that many, if not most of the Member States would refute questions on such a matter as interference—unlawful interference—in their national sovereignty and in their domestic jurisdiction.

115. On the basis of this assumption, we hold the view that it would not be useful, and might even be wrong, to take a position which would sound rather inflexible and nearly dogmatic in respect to the main principles guiding the process of decolonization. In order to avoid any misunderstanding, I hasten to say that my country respects and fully supports these fundamental principles—and I believe that our record is quite clear on this point. What I mean is that these principles should guide our action in trying to solve a specific problem but that this same problem should not be taken as a test case of the correct interpretation to be given to those principles. The more so because, on previous problems discussed recently by the Council, a spirit of compromise and conciliation has to a certain extent inspired its conclusions. And what was good for neighbouring countries in Africa and Asia should be good enough in this case.

116. In other words, we see neither the purpose nor the usefulness of a confrontation on the issue of the island of Mayotte, for we believe that it is, rather, the interests of the populations in all the Comoro islands that we should pursue here. It seems to us that the interests of those populations call for some kind of an agreement on a realistic basis, an agreement to be sponsored and backed by the Council.

117. We believe, in fact, that there is enough ground for a realistic compromise between the parties concerned without touching upon fundamental principles, which, of course, must be upheld. We are not sure, however, that it is necessary or wise to spell them out again and again in each case. May I indicate that, in the view of my delegation, there still seems to be at this stage ample common ground for a pragmatic solution to this case.

118. Taking into account the excellent record of France in the decolonization process, I think that nobody here seriously believes that in the year 1976 Paris intends somehow to prolong its role in Mayotte for some arcane purpose. Let us face it: nothing would indicate a reason for France to be willing to pay the disproportionate cost of its permanent settlement in Mayotte. On the contrary, we detect the earnest will of the French Government to face its responsibilities at home and towards the world community—on the one hand, to act in accordance with its Constitution and, on the other, to alleviate the present economic preoccupations or anxieties of the population of Mayotte, however well founded these motivations may

be, in order to bring about the final solution we all advocate without producing unnecessary disputes or conflicts of interests in the Comoro islands, which might lead to unpredictable and unfortunate consequences.

119. What we need to do, in our view, is to help the Comoros to achieve the unity and territorial integrity of their State and their full political independence. And the question arises as to how this can be done in the most effective way. I humbly suggest that it is by a practical and constructive approach rather than by any other means that we would bring closer the day when all the people of the Comoro Archipelago, including the population of Mayotte, will live and work together in one united country. The respect paid to principles in some abstract form with no relation to a factual situation, however intricate, does not enhance those principles; it may even weaken their effectiveness in practice. And I think that this also should be kept in mind before a decision is taken.

120. For all the reasons that I have just indicated, my delegation will not be in a position to support the five-Power draft resolution if it is put to a vote, although we do share its objectives and main aspiration, so eloquently emphasized by Mr. Salim in introducing the text on behalf of the sponsors.

121. In conclusion, my delegation feels that the Council should still aim in the first instance at helping the Comoros to develop their independence and statehood with all the required economic, political and geographical components. We would therefore like to appeal to all parties concerned in this matter to cooperate amicably to reach this objective. At the same time, we feel that our debates on this issue, as on other issues, will carry more weight if the Security Council expresses itself unanimously. Its voice, we believe, would have a better chance to be heard and heeded both in the archipelago and in France.

122. Mr. AKHUND (Pakistan): I wish to be excused for asking to speak once again. I was inspired by one or two observations made by our learned colleague from the United Kingdom and I thought I might share with him and with other members of the Council some thoughts of my own.

123. Before I do so, may I join previous speakers in expressing the shock and sympathy of my delegation with regard to the catastrophe which has struck the people of Guatemala. I wish to say, on behalf of my country, that, in whatever modest way we can, we stand ready to be of assistance to them at this moment.

124. Mr. Murray made a statement which has taken me a little while to absorb: "If the British Parliament", he said, "does not act, independence is not achieved." Sometimes we get a little satiated, shall we say, with lessons in parliamentary procedures and constitutional niceties. I think the United Kingdom

justifiably proud of the fact that it sees here 35 of its former colonies, protégés and pupils occupying seats as independent, sovereign Members.

125. Pakistan was indeed the first of the British possessions to break loose and was followed 24 hours later by India. And it all happened, as we know, in an extremely orderly, friendly and even gentlemanly manner. There were the proper acts of Parliament, there were bands, there were receptions and parades and the usual things. But let us not forget that such a purely formalistic view of history as Mr. Murray put forward does grave injustice to history. Thousands of people spent years in gaol and hundreds gave their lives.

126. The British came to our subcontinent 200 years ago and took over the empire of the Moguls. In 1857 the first war of independence broke out, which to this day the British prefer to view as "the Indian mutiny". We fought them throughout, as I said, more or less in a gentlemanly manner. We were not altogether unhappy to have made their acquaintance, but we were happier when they left. And because our relationship was of an ambivalent nature, it has lasted, something of it has remained.

127. I am sorry indeed that the representative of the United Kingdom feels that they failed on the subcontinent, that they failed in keeping the unity of the subcontinent. Well, their failure is our triumph, because but for that failure I would not be sitting here representing a sovereign and independent country.

128. Indeed, it is true that the British opposed the establishment of Pakistan. Our people struggled and fought against all sorts of opposition, including that of the United Kingdom, to achieve nationhood through self-determination and we succeeded. I thought that we had shaken hands over that with the British; we even stayed in the Commonwealth for a while. But if Mr. Murray would like a full-scale discussion on that on some other occasion—not tonight and not in this forum—we shall be very happy to engage in it.

129. Mr. MURRAY (United Kingdom): I will only say at this stage that when my learned staff drafted this passage, including these historical parallels, I did not think it would provide the occasion for this interesting contribution from my colleague which has cast light on a certain past and enlightened us and given someone like me, who spent many happy years in his country, a little touch of nostalgia. I thank the representative of Pakistan. On the point with which he began, my observation was not quite in the terms he quoted. What I did say was: "But Parliament has the last word, and unless it... is in favour of independence, independence cannot legally be achieved." [See paragraph 94 above.] "Legally" is the word, and it is not without relevance because we hear from time to time of a Territory called Rhodesia, which would like to think itself independent, but because the

British Parliament has not taken the necessary action it cannot, in our view, be legally independent.

130. The PRESIDENT: As the representative of the UNITED STATES OF AMERICA, I dare to comment in this bicentennial year that I believe I have the honour to represent another country that did not obtain an act of Parliament in time.

131. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): In connexion with the unfriendly attack on the Soviet Union by the British representative I should like to make some comments. For about seven years I was Soviet Ambassador to the United Kingdom. I came to the conclusion—I was indeed deeply convinced—that if the British Tories had the opportunity to get us by the throat they would not let us go until the morning. But I thought that hatred which dictated the attack against the Soviet Union was characteristic only of the Tories. Today I realize that that is a cancer suffered by the official representative of the Labour Government. The inappropriate and malicious attack against the Soviet Union is really a cancer. Many representatives of British ruling circles have suffered from this, and recently Mrs. Thatcher, the Tory leader, once again confirmed this impression by her hostile attack on the Soviet Union.

132. Who is killing Africans in Angola? The South African racists who think like the British do and are their friends. Those are the people who are murdering. The British representative was silent about that. I have no intention of answering for the Cubans. The outstanding representative of Cuba, Mr. Alarcón, has been here and he can defend himself against the attacks delivered by the British representative against Cuba.

133. Who is helping the South African racists in Angola? Who is sending and forming detachments of international bandit murderers, the so-called mercenaries, volunteers, hirelings? It is London. According to American newspapers, London is the place where these bands of mercenaries are formed and recruited to murder Angolans, Angolan patriots who want to be free and independent. Who are they helping? The anti-patriotic elements in Angola, and of course the South African racists. Those are the people who are guilty of continuing the fratricidal war in Angola. To help anti-governmental elements is one of the habits of the United Kingdom.

134. Let us recall that the United Kingdom, in the course of the civil war in the Soviet Union, after the socialist revolution, helped the enemies of the young Soviet Republic, the Czarist generals, Kolchak, Denikin, Yudenich, and others, who did not represent the Soviet people. And now London has become the headquarters for the formation of international murderers, to be sent and supplied to fight against the Angolan people. In other words, that old tradition

which was begun as far back as the year following the 1917 October revolution is still going on today. And this intervention on the part of the United Kingdom is very well known to us. These are the people who are attempting to continue a struggle in Angola and to kill Africans.

135. In those times it was the British working class that helped us. It told the Tory Government: "Hands off Soviet Russia." And that was the decisive thing to prevent further intervention on the part of British imperialism in the affairs of our country. Let us hope that there will be found progressive resistance in the United Kingdom which will tell the present Government: "Hands off Angola, and no more murdering of Angolan patriots, no more sending international bands of murderers, mercenaries, to Angola to continue murdering Angolans."

136. With regard to the Soviet Union, it is firmly in favour of the Angolan people enjoying, as soon as possible, the fruits of their valiant struggle for freedom and national independence and that it should begin to build a new life for itself based on freedom, independence and social progress. Everyone knows that the basis for the position of the Soviet Union in the Angolan matter is the consistent line of support for countries struggling for national independence and freedom.

137. For many years the Soviet Union has been giving moral and material support to the patriotic forces of Angola in their struggle for the liberation of their country from the colonial yoke. Faithful to our international duty, the Soviet Union responded to the request—the request, I stress this—of the legitimate Government of the People's Republic of Angola, and gave it the necessary assistance to defend its achievements. That is the state of affairs. The Soviet Union, as already pointed out, does not seek in Angola either economic, military or any other advantages. There is no multibillion investment on the part of the Soviet Union in Angola. We have no interest in plundering the natural resources of Angola or of the Angolan people. Our assistance and support to the legitimate Government of the People's Republic of Angola flows from positions of principle of Soviet foreign policy and is entirely in keeping with the resolutions of the United Nations and of OAU on decolonization—United Nations resolutions which the United Kingdom voted against.

138. The direct military intervention in Angola is on the part of the South African racists and imperialist forces and their mercenaries, which receive assistance, open and covert, from foreign intelligence services. The imperialists and racists do not want to resign themselves to the loss of the possibility for plundering, as formerly, the natural resources of Angola, and are trying to establish there a régime favourable to themselves. The key to the resolution of the Angolan problem is the cessation of armed aggression from

outside against the sovereign State in the form of the People's Republic of Angola. This will enable the Angolan people itself to decide its own fate. The imperialist propaganda is confusing two concepts: intervention and the provision of assistance.

139. The sending from London of thousands of international bandits and murderers in the form of mercenaries is intervention, just as it was intervention in the affairs of the young Soviet Republic in the 1920s after the October revolution. The provision of assistance, however, to the lawful Government of Angola, upon its request, is international assistance to the Angolan patriots which are fighting valiantly, selflessly, for the freedom and independence of their country. That is the situation with regard to Angola, and no fabrications on the part of the British representative will serve to distort the substance of this truth or cover it up.

140. Mr. MURRAY (United Kingdom): As far as this body is concerned, there is only Her Majesty's Government—neither a Tory nor a Labour Government. I represent Her Majesty's Government here. But let me assure Mr. Malik that it is certainly not the intention of Her Majesty's Government to go for his throat and my Government attaches the greatest possible importance to good relations with the Soviet Union. But that does not mean that we must necessarily approve every aspect of the policies of that great country.

141. The Soviet representative has devoted a certain amount of his statement to the question of mercenaries. We acknowledge that there are a certain number of scallywags from my country intervening in the affairs of Angola, but they are not doing so with the encouragement of Her Majesty's Government. There are a few scallywags, I say.

142. I have in front of me a statement made by Mr. Ennals, the Minister of State for Foreign and Commonwealth Affairs, as recently as 4 February, the day before yesterday, in which he said:

"In connexion with the recruitment of mercenaries in this country I want to make two things quite clear. First, the British Government condemns, without reservation, the dispatch of British mercenaries to Angola. Secondly, we strongly urge all who are contemplating such dangerous and self-defeating action to think again.

"Mr. Callaghan has already, in Parliament, deplored the action of these soldiers of fortune. It is important that it should be understood overseas that these foolhardy men are acting in defiance of British Government policy. We have condemned all forms of external intervention in Angolan affairs. Britain's objective is an end to the fighting and the establishment of a representative government in Angola."

Mr. Ennals went on to end this part of his speech by repeating advice reported by the British press to have been given by an ex-RAF sergeant who had returned to London from Angola. The sergeant said, "I hope that anyone contemplating going to Angola will take my advice. Don't". So that reflects the formal British attitude to mercenaries.

143. As for the rest of Mr. Malik's speech, I think he dealt rather inadequately with my main point that Soviet arms were being used to kill Africans, but I would hope that if I assured him that I had listened to his speech carefully he would not take me up on that comparatively mild observation.

144. The PRESIDENT: At this point, as the representative of the UNITED STATES OF AMERICA, I should like to exercise my right of reply to the statements made by the representative of the Soviet Union. I assure the speakers remaining on the list that they shall not be kept long waiting, and I speak not least in view of the repeated interventions by the Soviet representative on this matter.

145. Mr. Malik's language just an hour ago in the Security Council took us back to the grimmest days of the cold war—

146. Mr. MALIK (Union of Soviet Socialist Republics): Point of order, Mr. President.

147. The PRESIDENT: As PRESIDENT, I call upon the representative of the Soviet Union.

148. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): If I am not mistaken, Sir, the Security Council is discussing the question of the situation in the Comoros, and you might start at least from that, Sir.

149. The PRESIDENT: I thank the representative of the Soviet Union. As the representative of the UNITED STATES OF AMERICA, I will say in the most solemn terms, Sir, that we have gone under your direction, and at your initiative, from discussing the Comoro Archipelago to evoking the Gulag Archipelago. We have gone back to the language of intimidation, the language of threat. It is said that this representative and his Secretary of State have "shamelessly been making slanderous charges against the Soviet Union to the effect that it intends to colonize Africa". "Take care" we are told, beware your "anti-Soviet fabrications". Now, gentlemen, the representative may speak, as any of you may speak, as he will, of this representative. Do not, however, presume to speak of my Secretary of State in such terms. Do not address the Secretary of State in the language of a purge trial. We are not intimidated; we are not afraid. We will not "take care", we do not give a damn.

150. We are here to discuss the Comoros, and we have sought to do so in the language of law, the

language of civility and in a search for solutions. We find ourselves caught between the clear expectations and rights of the peoples of the Comoros and the clear effort of the Republic of France to accommodate those desires and rights. Mr. Vinci has spoken of the goodwill and earnest purpose of France. I might only say the transparent goodwill and earnest purpose of France. Mr. Omar Abdallah, as several of my colleagues have pointed out, spoke to the Council in the most learned and persuasive, understanding terms.

151. Suddenly in this atmosphere comes the language of the purge trial, of threat, of fear. But spoken to men who are not that easily threatened. Not only do we go back to the grimmest days of the cold war. We find ourselves taking up an issue that brings us back to the grimmest days of colonialism. The fact of the matter is that in Africa the last bits of decolonization are before us; only one small area remains. But suddenly, for the first time in a century, a European army has reappeared in Africa.

152. As the representative of the United Kingdom said: "As far as I am concerned, the facts are clear. Cuban soldiers, extremely well armed with Soviet weapons, are killing Africans in Africa, having crossed the Atlantic Ocean for that purpose". The blue eyes are back with their European arms and their murderous intentions. If Africa is not being recolonized, what is that foreign army doing there?

153. Now, gentlemen of the Council, we have perhaps too artfully avoided taking up this issue. My Government has not raised it. The first Government to have done so is the Soviet Union. The Soviet representative spoke with respect to the purported intentions of other nations. He spoke of their desire to be "plundering" the resources of Angola, a far-away place of which I surely know little.

154. Well that word "plundering" evoked a memory of two weeks ago. The President of Zambia, President Kaunda, spoke of the "plundering tiger with its deadly cubs". Now, who do you think President Kaunda thought to be that tiger, and which the cubs? There is not a person in this room who does not know. It is not in the end the responsibility of the United States to raise the issue if no one else will. But you all know, every member of the Security Council knows, whom President Kaunda meant when he talked about the plundering tiger and the deadly cubs. If it is not the wish of the Council to discuss it, so be it. It has not been a United States initiative that has done this. But have a care, gentlemen, with respect to the good name of the Secretary of State of the United States. I will not have him at this table subjected to the Stalinist bullying of a generation long gone and well rid of.

155. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): In welcoming the representative of the United States to the presidency

of the Council I said that this would be his swansong. We have just heard it.

156. I think the United States representative incorrectly understood what I said in my statement, which can be read. There was no word of threat. I emphasized that you should beware of falling into a ridiculous situation with your slander of the Soviet Union, to the effect that the Soviet Union is trying to colonize Africa. You will be laughed at, I said, with this sort of fabrication against the Soviet Union.

157. I did not call anybody by name. But the author of one of those statements himself named his own name. Well, after all, that makes it clearer who it is. I said that these sort of people who are responsible people, who are ministers and ambassadors, are distorting the policies of the Soviet Union. And the statement of the representative of the United States bore out the fact that this is a policy aimed at distorting the position of the Soviet Union on the Angolan question. It continues, and it is the same sort of distortion that has been repeated by the American representative here.

158. What I said in response to the attack of the United Kingdom representative is fully relevant also to the statement made by the United States representative. The Soviet Union is not intervening in the affairs of Angola. It is giving legitimate assistance to the Government of the Angolan People's Republic. This is the difference between the secret and covert means of assistance to those who are fighting against that Government and to the South African racists and open, honest, legitimate actions by way of rendering assistance to the legitimate Government of the Angolan Republic. This is the main and fundamental difference. But in order to stir matters up, some people are trying to distort the essence of the position taken by the Soviet Union.

159. I drew attention to this in my statement. I did not name any names. But what can one do, after all? I do not wish to use a Russian proverb which might be rather out of place here: "the cap fits", as we say. If the cap fits—wear it. Without naming any names, I would again advise those who are distorting and misrepresenting the policies and position of the Soviet Union in the Angolan matter, take care, gentlemen. And I am not saying this as a threat, but simply as a friendly piece of advice. Your fabrications which distort the position and the policies of the Soviet Union will be laughed at. You will become objects of scorn and ridicule. Our African friends have told you this because they see what the essence of the matter is. They know who is in fact interfering: who is financing and providing planes, supplies and murderers, international assassins from London and—not only from London, by the way—and who helps the South African régime to invade the territory of Angola with its armed forces; and who is openly, before the eyes of the entire world, giving honest assistance to the legitimate Government of Angola?

160. This is the fundamental difference. I think that everyone in this room can understand this full well. No efforts on the part of the President to distract attention from this basic truth can be successful. Mr. Moynihan, please do not try to do this.

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

162. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): Mr. President, I would be remiss with regard to the usual custom if I failed to express on the part of my delegation our wishes for your success in the presidency which you have assumed this month, and through you, to convey our thanks to the members of the Council for having invited us to participate in the discussion on the question which we now have before us.

163. Since the independence of the Comoro Archipelago was proclaimed, the Comorian Government authorities have at least four times drawn the attention of the Organization to facts which without doubt are not conducive to enabling this new State to exercise fully its sovereignty while safeguarding its unity and ensuring respect for its territorial integrity. These repeated actions deserve to be highlighted since they do represent the desire of the Comorian people to respond peacefully and in accordance with international morality to the provocations of the former administering Power which, in order to ward off the frustrations that result from an opinion which hardly falls into line with the new requirements of history, seems to take pleasure in ambiguity and contradiction.

164. First they resorted to an electoral technique, which was ostensibly innocent, but which concealed the possibility of unilateral interpretation, which would run counter to the reassurances that had been given to the Comorians. In effect, Law No. 74-965 of 23 November 1974, which provided for the organization of a referendum among the people of the Comoros, made it clear that the results would be classified according to electoral districts, a normal procedure since the Territory of the Comoros was divided into constituencies which corresponded to the four main islands. The Comorian authorities, who were reluctant at the outset, because of the title of the law and because of the provision which made it possible for the French Parliament to pronounce subsequently on how it intended to follow up on that referendum, however, went along with the formula which had been advocated, because in all good faith they felt that the unitary character of the Comoro Archipelago would thus be preserved pursuant to paragraph 4 of the joint declaration of 15 June 1973.¹

165. It should also be added that the statements made by the French Minister of State for Overseas Departments and Territories and the President of the French Republic, dated respectively 26 August and

24 October 1974 and therefore made before the vote was taken on the law of consultation, gave to the Comorian Government formal assurances regarding the intentions of France concerning the recognition of the homogeneity and the common destiny of the Comorian people, the preservation of the unity which has always been a feature of the archipelago and also respect for its territorial integrity.

166. In this connexion it must be emphasized that the law of 23 November 1974 despite its rather imperfect drafting, remained faithful to the spirit of those statements, since nowhere did the text provide that the French Parliament should consider the results of the consultation island by island. The results were announced on an over-all basis, the pattern of the votes by constituency having been given by way of reference and for reasons of classification by the electoral board and the returning officers.

167. The Comorian Government therefore prepared itself to face with some confidence the transition period provided by the Joint Declaration of 15 June 1973, and it was then that the first French provocation took place when those who defended a French presence at all costs, instead of abiding strictly and honestly by the officially announced results, sought in the pattern of the returns by constituency, to which I just referred, to justify once again calling into question the result of the popular consultation of 22 December 1974 and the fundamental principles of the Joint Declaration.

168. This provocation took its final form in Law No. 75-560 of 3 July 1975, in connexion with the independence of the Comorian Territory. In effect, new conditions which did not exist at the time of the Joint Declaration and even less during the promulgation of Law No. 74-965 of 23 November 1974 were posited by the administering Power if the Territory of the Comoros was to accede to independence, the Territory at that time still being considered as a whole.

169. According to that law, the draft constitution was to be adopted island by island, the preservation and confirmation of the rights and interests of the regional entities became a constitutional guarantee of the political and administrative personality of the islands, which, furthermore, was imposed by a Parliament which was no longer in charge of the constituent Assembly of the Comoros as should have been envisaged for the transitional period.

170. In order to bring about a compromise, the Comorian authorities agreed to a constitutional committee which would be organically or legally linked with certain bodies of the French State, but they did not wish to subscribe to a policy which had been skilfully presented in the guise of respecting constitutional forms but which at the same time was aimed purely and simply at politicizing a division which up to that time had remained administrative and thus to destroy the unity and territorial integrity of a country.

171. It is not surprising that on 29 June 1975, before this law was promulgated, the Chamber of Deputies of the Comoros, in a vote of 30 to 2—seven deputies, including five from the Mayotte constituency, being absent—rejected the proposals of the French Government and adopted a resolution consisting of four points dealing specifically with the elaboration of a draft constitution and its adoption after and not before independence.

172. This enactment of the Chamber of Deputies was completely ignored, although, according to article 28 of Law No. 68-04 of 3 January 1968 dealing with the specific organization of the Territory, this act could not be in any way suspected of jeopardizing national defence and maintaining external security, which areas remained within the purview—but not the exclusive purview—of the French State during the transitional period. This was then the second overt provocation on the part of France, since the law dealing with independence was to be promulgated scarcely four days after its formal rejection by the appropriate Comorian authority.

173. It is therefore inaccurate to lead the Council to believe that the law of 3 July 1975 was laying down a procedure which had been accepted by both parties and that the proclamation of independence of the Territory on 6 July 1975 was contrary to that procedure, which, by the way, had been unilaterally arrived at.

174. The third act of provocation on the part of France was the establishment in the Mayotte constituency, an integral part of the independent State of Comoros, of a representative of the French Government starting on 14 July 1975 and the fact that it encouraged the authorities in the constituency to expel 2,000 Comorians, a figure which is curiously coincident with the 20 per cent of the votes which failed to support the Mahorian movement during the consultation of 22 December 1974.

175. It has been stated that France took note of the proclamation of independence of the Comoros with great calm. But is it really true when we can see that in the dubious and illegal acts of the French authorities part of the Territory remains occupied, when arrangements for military security are being taken in order to prevent the legitimate power from being exercised there and when the special idiosyncrasies of the Mahorians have been encouraged and exacerbated to such a degree that for France the only valid solution was the dismemberment of the Territory?

176. Independence was proclaimed, and the international community recognized that it extended to the four islands of the archipelago. That independence, even if it had not been recognized by France, as far as the international scene is concerned has a juridical impact which cannot be denied by any Member of the United Nations, if only by virtue of moral obligation, which remains the most valid form of obligation and the most acceptable one required by the Charter.

177. Thus Mayotte, starting on 6 July 1975, is no longer a territory of the French Republic. Were it a territory of the French Republic, it would at best then be governed by Law No. 68-04 of 3 January 1968, which is an untenable hypothesis because that law can and should be considered as having become obsolete since the signing of the Joint Declaration of 15 June 1973. France sought to justify its position by the action taken by five deputies out of 39 and the indication given by the electors, which scarcely represented 5 per cent of the votes cast throughout the entire archipelago. We cannot allow the international community to be persuaded to accept Law No. 75-1337 of 31 December 1975, in connexion with the consequences of the self-determination of the Comoro islands, as a possible substitute for the expression of the sovereignty of the Comorian people which they manifested when proclaiming independence.

178. It is this contention which constitutes the fourth deliberate act of provocation on the part of France—deliberate since two weeks after the suspension of negotiations, on 15 October 1975, the French authorities were already making known their intention to dismember the Comorian Territory by making it possible for the Mahorians to be endowed with a status which might even disregard the aims of domestic autonomy.

179. I have just gone into some detail about the four acts of serious provocation against the Comorian people of which the French Government is guilty. One would have to have exemplary patience or be somewhat blind not to see in those encroachments on the sovereignty, unity and territorial integrity of the Comoros a form of aggression which is perhaps even worse than armed aggression, because it is more insidious and more easily adorned with pseudo-juridical and pseudo-historical arguments.

180. This is how France declares that it wishes to respect the principle of self-determination in Mayotte. But the self-determination of which France boasts is not that which we understand, either from the Declaration on the Granting of Independence to Colonial Countries and Peoples in resolution 1514 (XV) or from the practice and jurisprudence of the United Nations. Without wishing to recall the case of certain regions which are on the periphery of France, I should like to refer to the experience of my country in September 1958. At that time 78 per cent of Madagascar voted in favour of a referendum which had been proposed by the French Government in connexion with the future of the then colonial Territories. The number of negative votes and abstentions represented 57 per cent of the total number of positive votes. Entire electoral constituencies voted against it. However, despite the decentralization of the provinces of Madagascar at that time, France did not take into account those separate votes and did not use the divergent results which had thus been received in

order to determine the future of any particular constituency. It was only the over-all result that was taken into account, because self-determination, unless there is respect for the most elementary principles of democracy, will only be empty words and a dangerous weapon which can be easily utilized by irresponsible adventurers.

181. By seeking at all costs to satisfy a minority, France has gone so far as to disregard the legitimate and validly expressed aspirations of a majority, which by a peculiar twist of events has been reduced to accepting that its rights should be neither recognized nor respected. The French delegation has attempted to question the homogeneity of the Comoro Archipelago by dwelling on the special idiosyncrasies of the islands and on the fact that the unity of the Territory stems from arrangements made for reasons of administrative convenience. The reply is quite clear; it is the reply that was given by the President of the French Republic on 24 October 1974, which has been quoted by a number of delegations. I do not think that those words uttered by the highest authority in French politics need to be ratified by the Parliament in order to be fully relevant to the situation.

182. No one would attempt to deny that in Mayotte there has been a French presence which goes back to 1841 and other presences before that, including that of the Malagasies. Their historical and sentimental value does not need to be demonstrated. But it should also be recognized honestly that there is such a thing as Comorian national identity which, furthermore, has been frequently claimed by the Comorians, even under the régimes of partial self-government and internal autonomy, and which has been taking shape ever since the eighth century, thanks to the contributions of the Africans, Asians and Arabs. I note in passing the existence in Mayotte in the mosque at Chindini of a stele with an inscription dating back to the year 834 of the hegira, in other words, 1455 of the Christian era.

183. It has also been argued that in all those moves France is not defending any particular interests. I regret that I cannot share this opinion. The Comoro Archipelago occupies a strategic position at the entrance of the Mozambique Canal and in the western part of the Indian Ocean.

184. We would be prepared to give France the benefit of the doubt regarding the particular arrangements which could have subsequently been concluded among three NATO [*North Atlantic Treaty Organization*] partners, namely, the United Kingdom, the United States and France, to exercise control over that part of the world. But there are two facts which cannot be denied: first, the Comoros are on oil-tanker routes, the rerouting of which via the Mascarene Islands and the eastern coast of Madagascar would be hazardous and much more costly; furthermore, the French Minister of State of the Department

of Overseas Territories, on 18 October 1974, before the French national Assembly referred to the possibility of setting up a French naval base, not on the mainland of Mayotte but on the islet of Dzaoudzi, which is the chief town of that constituency.

185. That is only a possibility, of course; nevertheless it does fall into line with the need which is felt to secure the defence of the island of Réunion and the sea and air communications with that French department, in which the lie of the land at Pointe des Galets hardly lends itself to the setting up of a base.

186. As can be seen, the problem of Mayotte has extremely complex ramifications and worsening of the tension in that subregion would definitely have repercussions in the Indian Ocean region, which we have already declared to be a zone of peace. It is quite aptly that a Comorian leader has stated that: "If France wished to preserve Mayotte, it would keep it six months, and it would lose the friendship of the Comoros and its African partners."

187. The United Nations cannot depart from the provisions which it has already drawn up with regard to the Comoros. The Comorian State can invoke the pertinent resolutions of the United Nations, in particular the Declaration in resolution 1514 (XV), resolutions 3161 (XXVIII), 3291 (XXIX) and 3385 (XXX). The Comorian State demands that the principles of sovereignty and territorial integrity be strictly respected and that the commitments undertaken to this end by the highest authorities of the former administering Power be honoured without any let or hindrance.

188. The Comorian State wishes the Security Council to call upon the Members of the United Nations, in particular France, a permanent member of the Security Council, to act so as to ensure the maintenance of peace and security in that area.

189. The Council has had an opportunity to hear the parties concerned. The arguments have been weighed, refuted or accepted, and now it is up to members of the Council to determine whether the complaint lodged by the Comorian State has a reasonable foundation; it is up to you to decide on the steps to be taken to preserve the situation and to honour the Comorian request. Obviously, you will have to proceed according to what you think are the means most appropriate to maintain peace and safeguard the sovereignty of a Member State by applying principles which no one can deny, namely, the inviolability of the territory of a State whether or not it is subject to military occupation by another State, the inadmissibility of resorting to coercive measures in order to infringe upon the unity of a State or people, and the incompatibility with the Charter of the United Nations of any attempt to destroy in part or in whole the national unity and territorial integrity of a country.

190. Laws are undone more easily than a nation is built, particularly when they violate realities and are aimed at serving particular interests whose permanence and validity are extremely dubious. The present problem of Mayotte could have been avoided if we had gone along with the opinion of the French Minister of State for Overseas Departments and Territories who declared, as early as 1974, that this was an internal problem of the Comoros. In all objectivity we cannot say that the responsibility for the contradictions, the lack of understanding and the tergiversations in the situation are the responsibility of the Comorian authorities, who reaffirmed, even after 6 July 1975, that they wished to respect the specific characteristic of the islands and to give them the greatest possible autonomy.

191. The Comoros now turn to the Council and to us, asking us to help them to preserve their independence, which is the authentic expression of that very personality which colonialist and neo-colonialist circles in France continue to deny them in the name of falsely universal principles and because of a profound disregard, to say the very least, of Comorian realities. It is up to us to help them, and this will only be just.

192. The PRESIDENT: I now invite the representative of Saudi Arabia to take a place at the Council table and to make his statement.

193. Mr. BAROODY (Saudi Arabia): Mr. President, I sincerely believe that we missed an opportunity, since you joined the United Nations, by not deviating from the traditional practice of not having a President of the General Assembly from amongst the major Powers. I say this because since you assumed the presidency of the Council we have all marvelled, Sir, at your poise and dignity in the Chair. It seems that you do exceptionally well when you preside over the international community—and this is to your honour—more so than you would when, like any one of us, you are defending the interests of your own country. Because, after all, national interests are not always saintly. They have to conform to the exigencies of circumstances.

194. We shall miss your dynamism amongst us, Mr. President, in spite of the fact that the shrapnel of your words, although it was not meant to hurt anybody—and I am talking figuratively—made some of us question the fact that it is good sometimes to be unorthodox in the approach of the items with which we deal in the United Nations.

195. May I add one more word, Sir. Indeed, we shall miss you, but our loss will be the gain of Harvard. I believe that, if you do go to Harvard, you will be able to exceed your aptitude—which was notable—in teaching political science, not in theory but in practice, having gained experience amongst us here. I lectured once, years ago—and I was not a professor—at Princeton, for a year, when you were perhaps in the

navy, in 1943. But I was not pragmatic at that time. I have learned many things since I joined the United Nations, and I am still learning. We wish you success, and if you feel nostalgic about the United Nations, you only have to whisper to some of us and I will see to it that we will change the tradition and make you President of the General Assembly.

196. If I were to laud our colleague and my brother—I do not call him Ambassador Salim; Salim transcends his title—it would be most embarrassing to him because throughout the years he has become so modest that a word of praise to his face makes him feel abashed. But he did marvellously well, beyond the expectations of many of us.

197. Now these words of mine are said not out of decorum, but sincerely, from the heart. Like you, Mr. President, I may get angry, but I am sure that, also like me, you have no rancour in your heart. It is good to be angry sometimes; you get it off your chest.

198. Now we have travelled far and wide as we listened to the exchange of rights of reply among some of our illustrious colleagues. None other than my good friend Mr. Malik had to rebut certain things that my good friend Mr. Murray of the United Kingdom had said. We were travelling all around the world and neglecting the question of the Comoros. We went to Angola, we went to the northern hemisphere; we made a trip here, through the rights of reply, without grappling with the difficulty that besets us.

199. My brother from Madagascar explained the whole question juridically, as did my brother from Pakistan and others, not to mention the President of the Security Council for last month, Mr. Salim, who has worked hard on the draft resolution. I do not have to repeat what they said on the juridical and legal point. I think that this phase of the question has been entirely exhausted.

200. What shall we do now? We have a draft resolution, and I am given to understand—and I hope I am wrong—that it will be negated, in other words, vetoed, and reduced to nothing in so far as the Security Council role is concerned at this juncture. This is not the first veto. We have had many vetoes. But I do not think that the Comoros deserves a veto. I do not even think that our cherished colleagues from France—and I am talking of our colleagues in the Council—would really feel gratified to know that for such a small Territory, an island, they seemed compelled to exercise the veto. It is like a storm in a teacup, and they are making a storm of it in the Indian Ocean: four islands, hardly viable economically speaking—I wish we could have five islands instead of four—and all inhabited by the same ethnic group.

201. With regard to the statement of the representative of the Comoros, I can vouch for the fact that

during my 53 years of activism against colonialist Powers I never saw such a gentle, reasonable representative of a country, speaking without rancour, without hatred, stretching out his hands to France, saying that his country is willing to co-operate in everything reasonable that France may demand—and I shall come to that later. Really, I marvelled at the tone, the style and the genuine attitude he manifested amongst us here, and I am not saying this to flatter him. Many have told me the same thing about him that I found.

202. Therefore, what is here? Just think of it. Fifteen of you, members of the Council, and non-members who have spoken. They are unanimous that a solution should be found, devised, created to dispose of this question in an amicable way because, after all, who does not love France for the liberty and freedom whose flag it hoisted in Europe.

203. It fell to me in 1954 to submit in the General Assembly the complaint against France on the Algerian question, and I found no opponent—if I could call an opponent the representative of France in those days, none other than Mr. Georges Picot, who is still alive—more reasonable. A few years later when we were talking—not in public; I was later entrusted with him to negotiate on the question of Cyprus by my Turkish friends and Cypriot friend, none other than Mr. Rossides—and I found him as reasonable as our friend, Mr. de Guiringaud. He was a humanist. Then he told me that he was fettered by his Parliament, or Chamber of Deputies, whatever you want to call it, the legislature.

204. If, Mr. President, in your own country, where there is a Congress and a Senate, every time the President wanted to do something Congress interfered the machinery of Government would be paralysed. It would be stopped. So we should appreciate the difficulty in which our colleagues here find themselves, and try to help them. I am going to help them—in public and also behind the scenes. In public I will say, so that this may go to France, that the French should not alienate the Africans, the Asians, the Arabs and the Moslems.

205. I spoke Arabic with the gentleman from the Comoros. He was in Jiddah. Did you go to Mecca recently, Sir? You only have to make a speech there and you will arouse the whole Moslem community. Not of Saudi Arabia. We do not want this. We want to help our French brothers to disengage themselves from this Mayotte, and see to it that they will have the best of relations with France and not have such an impediment.

206. Now I never bluff. I am saying this bluntly. We can rouse the Moslem world, but we do not wish to arouse the Moslem world. We do not want this. Islam is predicated on give and take, on mercy, on love. But if someone is cornered, what can we do?

The Moslem Conference is in Jiddah, and I am receiving communiqués all the time from Jiddah to help our Moslem brothers who are in distress, whether on a personal or a national basis.

207. I am talking very frankly. We, like you, like anybody, want the friendship of France. I am saying this so that my words may go to the French, not to the Government but to the Parliament. We consider these people to be Arabs, too. Many of them speak Arabic. But forget that they are Arabs and forget that they are Moslems. They are human beings. They are stretching out the hand of friendship to France, to everyone in the United Nations. Should we frustrate them? They are hardly economically viable with Mayotte. What does France want? Does the French Chamber of Deputies, the legislature, want to re-occupy—if they are not economically viable—the other three islands? France should help them, push them financially, morally, educationally. It should be a pleasure for such a great country as France to be afforded this opportunity.

208. Therefore, Sir, without going into further details, I would like to say something to our friend, Mr. Murray, who is a good Scotsman although he is a member of the delegation of the United Kingdom—and is it Northern Ireland, too? I do not know whether you, sir, are hoisting the flag of Scotland. I think you are a good member of the delegation of the United Kingdom of Great Britain and Northern Ireland, so-called Northern Ireland. Self-determination by fragmentation? What about the Welsh? Between the Scots and the Welsh, you occupy the seat of the United Kingdom. But there are murmurs here and there that the Welsh want to be independent and the Scots want to be independent. I have known this since I was in your country 40 years ago. And that stone, is it still in Westminster or have they taken it to Scotland? This is passé. This has gone, finished.

209. Once someone told me, "I come from the state of Texas". I said, "What are the others?" He said, "We are the biggest state. We should have become independent". This was a good American. Does it mean that there is a separatist movement? If we go by this yardstick, then no country will remain whole.

210. Take our Belgian friends. They have the Flemings, who do not speak French, and the French-speaking Belgians. They are one nation. Of course there are certain Flemings who want to secede, but it is the better part of wisdom for the Belgians to be one. They do not go and hold referendums.

211. What about the Bretons? I visited northern France, and I heard many who wanted it to be independent. What about Corsica, which provided France with Napoleon at one time? Are you giving them their independence, my good colleague and friend, or having a referendum? What about the

Basques? Some of them are in Spain. And some of them, as you know, near the Pyrenees in France. Most of the Basques, most of the Corsicans, most of the Scots, most of the Welsh have loyalty to their respective countries.

212. And now we have this small Mayotte. If it is a question of economic factors, they will tell you, "Will you not do business with France?" Why should they try people other than the French? The French have been there for 130, 140 years or so. They are willing to do business.

213. Is it a strategic question? I am not a military man. In these days of intercontinental missiles, when the major Powers, or as our Chinese friends would say, the super-Powers have an overkill of 15, what do they want with an island like that? In these days people can destroy each other from a distance of 3,000 miles. But this Mayotte now becomes the central piece of an international dispute and makes us come here. And we have a situation where the major Powers are wearing kid-gloves and talking about how not to disturb the sensibilities of their friends and how to avoid, for example, irritating our French friends. I do not want to irritate our French friends. We join this gentleman, the representative of the Comoros, in appealing to France to find a solution and not to tamper with the integrity of this State of the Comoros.

214. These are my remarks. I said that I would not want to go into the juridical point. Let me say that in this United Nations I embarked with a few of my colleagues in 1948 and in the late 1950s on the elaboration of the International Covenants on Human Rights. The corner-stone of both the Covenants was the right of self-determination. We elaborated it from a simple principle into a full-fledged right. And self-determination, let me repeat, transcends the constitutional considerations or processes of the metropolitan countries. And here France is at a distance of several thousand miles from the Comoros.

215. The French are noted for their sagacity. We cannot treat this question in a dialectical manner. Therefore, may I, across the table, appeal—not remonstrate, but to reason on our behalf—to the French Government through our illustrious friend, Mr. de Guiringaud, and his aides. They should be our ambassadors to France, the ambassadors of the Council to France, of the members of the Council who are all unanimous in doing justice to the Comoros by not hewing the main branch of the tree—if I may use a figure of speech—lest the whole tree wither and France become the butt of unnecessary criticism by countries and peoples all over the world.

216. It is not a question of logic only, it is a question of justice. If these people, the people of the Comoros who number 300,000 or 400,000—I do not know how many, maybe less—are neglected by our international community, then indeed shall we become the

laughing-stock of people all over the world. They will say: "Look at the Security Council; members and non-members pleaded their case and they got nowhere." We should not lose our credibility.

217. Peace. There can be the peace of the grave or peace by coercion, but this is not the language of the United Nations. What we need is peace, not only with justice, for justice could be stern, but with justice, brotherhood and humaneness.

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

219. Mr. HARRIMAN (Nigeria): Just before I came here a few months ago another octogenarian gave me a good piece of advice. He said, "My young man, please ensure that you do not speak after a gentleman named Mr. Baroody. His debonair approach to speaking, his flamboyance, his oratory, will dwarf your speech." He said, "Moreover, ensure that you do not adopt his style because it is infectious. You might wander away from the subject and end up losing your sense of time." I do not mean that to be pejorative, but I do admire such oratory.

220. Secondly, it would be presumptuous on my part to attempt to wade into the polemics which have taken place here while we have been sitting for the last three hours waiting for our turn to speak, since we are not members of the Council. But very often when I read in the Western press comments about Angola I thought that this was slogan manipulation that was beamed towards the Western anti-communist bulldog—I am sorry I did not say "John Bull". I was surprised to find that these same comments were being presented before the Security Council.

221. I am a Nigerian and know the position which Nigeria takes on the question of Angola; this sets my back up. I crave your patience to state that if countries like mine, India and Brazil recognize the MPLA [*Movimento Popular de Libertação de Angola*] Government of Angola, it is presumptuous on the part of anybody to believe that we are clients of the Soviet Union, a country that has been in the forefront of the liberation movement in Africa and elsewhere for the past two decades.

222. Mr. President, before I lose my style I should like to thank you for the privilege of the invitation of my delegation here today and also to congratulate you on your assumption of the presidency of the Council. We have had very limited contact, but I have noted your straightforwardness, your off-the-cuff pronouncements, which, even though irritating occasionally, are part and parcel of the politics which we are used to in the Western democracies.

223. I also wish to thank Mr. Salim, a good friend of mine, for the skilful way—which everyone has

mentioned—in which he handled the work of the Council during the most turbulent month it has experienced for a long time.

224. My delegation is dismayed and, in fact, highly disappointed to learn that the French Government has resuscitated the idea of conducting a second referendum in the island of Mayotte, one of the four islands of the State of Comoros, which became a sovereign independent State in July 1975. It will be recalled that in June 1973 agreement was reached in the Joint Declaration on the Accession to Independence of the Comoro Archipelago, signed in Paris by the French Minister for Overseas Departments and Territories and the head of the Government of the Comoros, that a referendum would be held. In accordance with the provisions of the agreement, the French Parliament passed a bill authorizing the holding of the referendum. The French had initially intended that the Comoro islands should vote island by island in the referendum. However, with, we believe, pressure from OAU and all like-minded international bodies, the four islands of the Comoros—Mayotte, Anjouan, Mohéli and Grande-Comore—participated in the referendum on 22 December 1974.

225. It is on record that the over-all voting at the referendum was 95.6 per cent in favour of independence from France; thus, an insignificant minority of 4.4 per cent voted against independence. It is therefore assumed that the majority decision should be respected by France, and there should be no reversal of the decision taken by the people of the Comoros as, under normal circumstances, the French Government would have no option but to endorse the wishes of the people of the Territory.

226. More important, I should like to read out once more—I know that you have already heard this statement a number of times—the remarks made by the President of France, Mr. Giscard d'Estaing, during a press conference on 24 October 1974, to which I listened concerning the unity of the Comoros:

"The population of the Comoros is a homogeneous population... 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 believe 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, even if some of their inhabitants wish for another solution. We do not have the right, at the time of the granting independence to a Territory, to propose that the unity which has always characterized the Comoro Archipelago be terminated."

227. It is with great distress that I have listened to the representative of France doing an about-face, judging by his statement. We also recall that two days

ago [1886th meeting] the same representative of France stated in this Council chamber that the Chamber of Deputies of the Comoros decided on 16 July 1975 to proclaim independence. The Parliament of the Comoros, representative of the people and properly constituted, there again confirmed the majority position of the people of the Comoros to become independent. They further reaffirmed their commitment to the independence of the Comoros as one people with one destiny.

228. No attempt should be made—as was reflected in certain pronouncements before the Security Council—to confuse the processes of self-determination which preceded the independence of the Comoros with the illegal and unilateral declaration of independence by the Ian Smith clique in Rhodesia. There is a clear difference here which any honest person in the Council will understand.

229. I shiver at the thought that in this day and age any colonial Government, in order to satisfy some limited *amour propre*—for, obviously, one could not believe that it is for the purpose of hanging on to colonial power—could attempt to go so far as to sacrifice, in the dawn of independence, the long-term interests of a people which has been ruled together for over 60 years. But colonialism dies hard, and I do recall that in 1961—if I am not mistaken—there was in what was then Dahomey, a Portuguese enclave which, I think, consisted of four acres. For almost three centuries the Portuguese representative raised the flag in the morning, lowered it at night and drew his cheque from the local bank. When in 1961 he was called upon to leave, he burned down the castle, burned up the archives and, unfortunately, drove out of West Africa through Nigeria.

230. My Government appeals to France not to promote Balkanization of the archipelago. This is in nobody's interest—short-term or long-term. Present French policies will only create chaos in the area against the long-term interests of the people.

231. Paradoxically, France has departed from its declared good intentions, as reflected both by French Government statements and the statement by President Giscard d'Estaing which I stressed once more. If France presses on with this policy, it will be doing a *volte-face*, to put it mildly. One can rightly interpret France's continuous interference in the affairs of the independent State of Comoros as a provocative act against the defenceless people of that newly independent State. I wish to reiterate that the State of the Comoros is an independent State, a member of OAU, also a member of the non-aligned States and, most recently, a Member of the United Nations.

232. In passing, I wish to emphasize that my country in particular, and the whole of Africa in general, will always support the struggles of the people of the Comoros to consolidate their independence—and

their total independence—from France. We all appeal to France to change its mind in favour of the unity of this State. The prevailing situation in the Comoros is of great concern to us in Africa, and we believe that it is not too late for France to revert to its original good intentions, as underlined by its President, of recognizing the new State of the Comoros as a sovereign and united State. Such a magnanimous gesture will surely be in keeping with the friendship and goodwill which France enjoys in Africa. It will conform with the responsibilities of leadership and the leadership role which France plays today outside the super-Power bracket.

233. France has always been well known for having a humanistic approach to decolonization. France has played an enviable role in the post-independence life of the currently independent States, their development and their welfare. Their almost missionary approach to aiding some of their ex-colonies is well documented. We in Africa thank them for this.

234. However, we recall their vindictiveness in Guinea when that great African nation opted in 1958 to break away from the French community. We hope that in the case of the Comoros they will continue to co-operate, as they have done so far, with the Comorian Government in seeking a just solution in the long-term interests of the people of that State.

235. Mr. de GUIRINGAUD (France) (*interpretation from French*): I have listened most carefully with great interest to everything that has been said today around this table regarding the Comoros, Mayotte and France. There is very little that is new that has been added to what was said yesterday and the day before yesterday on the same subject.

236. On the intentions, the good faith of the French Government, the constitutional limitations which are imposed on the executive in my country, the ulterior motives regarding Mayotte, whether they be economic, political or military, and the alleged measures taken in Mayotte against certain inhabitants of that island, I said yesterday what was to be said and thought. This is in the record. France's position is well known. I will therefore not take the time of the Council in attempting again to refute those allegations.

237. However, with regard to the statement made by President Giscard d'Estaing on 24 October 1974, which very justly has been repeatedly quoted here, I deem it necessary to repeat that that statement is truly the best proof of the good faith and the intentions of the French Government. It so happened that the Parliament did not wish to follow the course indicated by the President of the Republic. Some will be surprised at this; some will be surprised that in France the President of the Republic can be contradicted by his Parliament. I know that in some countries this would result in a crisis in which the parliamentarians themselves would suffer. This is not the case in France.

238. In this great country, the United States of America, where we have the privilege of residing we learn almost monthly, through the press, of similar circumstances in which the President of the United States is unable to get Congress to pass a law which he has initiated and that the President of the United States, that man who is so powerful, bows to the will of the Congress. That is democracy as we practise it in Western democracies.

239. The PRESIDENT: I take it that the Council has now concluded its examination of the question before it. Before we proceed to the process of voting on the draft resolution before the Council, I shall call on those representatives who have asked to explain their vote before the voting.

240. Mr. HAMMARSKJÖLD (Sweden): Mr. President, allow me first, on behalf of my delegation, to extend to you our most sincere congratulations and good wishes on your assumption of the presidency of the Security Council for the month of February. Permit me also to thank most warmly the representative of the United Republic of Tanzania, Mr. Salim, for the skilful way in which he guided the long and difficult discussions of the Security Council during last month.

241. My delegation also wishes to join with all those who have expressed sympathy with the people of Guatemala after the disaster which has struck them.

242. Sweden will vote in favour of the draft resolution submitted by non-aligned countries members of the Council—Benin, Guyana, the Libyan Arab Republic, Panama and the United Republic of Tanzania—regarding the proposed referendum in the island of Mayotte on 8 February. Our vote today is a direct consequence of our joining the consensus on General Assembly resolution 3385 (XXX) that the Comoros be admitted to the United Nations. That resolution emphasizes the necessity of respecting the unity and territorial integrity of the Comoro Archipelago. It also clearly specifies that the archipelago is composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli.

243. The General Assembly vote was preceded by a recommendation from the Security Council, expressed in its resolution 376 (1975), to the Assembly that the Comoros be admitted to membership in the United Nations. Sweden voted in favour of that resolution in the Council. In doing so, Sweden at the same time recognized the Comoros as a sovereign and independent State and has informed the Comorian Government accordingly.

244. In our opinion, it is essential that the decolonization process be brought about in such a manner that the newly created States will be viable entities as far as possible and that their unity and territorial integrity be respected in accordance with resolution 1514 (XV). This applies also to the situation of the Comoros.

245. At the same time, my delegation wishes to express, as it did in its explanation of vote in the Security Council on 17 October 1975 [1848th meeting], Sweden's sincere hope and expectation that it will be possible to find, by way of negotiations, a solution that will be fully acceptable to all parties and that will bridge the present differences between France and the Comoros.

246. Mr. KANAZAWA (Japan): My delegation will vote for draft resolution S/11967. My delegation had some doubts about its paragraph 1, which in our view may create obstacles to the resumption of negotiations between the Governments of France and the Comoros. It is our view that the position of the Government of France should be given due respect in this regard. However, we feel that it is very important for the Council at this stage to formulate principles with a view to facilitating the solution of the problem. For that reason, my delegation supports the draft resolution. Our support, however, should not be construed as implying an act of recognition of the State of the Comoros by my Government.

247. The PRESIDENT: As no other representative wishes to speak at this stage, I take it that the Council is ready to proceed to vote on draft resolution S/11967. I shall now put to the vote the draft resolution sponsored by Benin, Guyana, the Libyan Arab Republic, Panama and the United Republic of Tanzania.

A vote was taken by show of hands.

In favour: Benin, China, Guyana, Japan, Libyan Arab Republic, Pakistan, Panama, Romania, Sweden, Union of Soviet Socialist Republics, United Republic of Tanzania.

Against: France.

Abstaining: Italy, United Kingdom of Great Britain and Northern Ireland, United States of America.

The result of the vote was 11 in favour, 1 against, and 3 abstentions.

The draft resolution was not adopted, the negative vote being that of a permanent member of the Council.

248. The PRESIDENT: I shall now call on those representatives who have expressed the wish to explain their vote after the vote.

249. Mr. de GUIRINGAUD (France) (*interpretation from French*): The French delegation, to its regret, was forced to vote against draft resolution S/11967. The French delegation would like to explain both the reasons for and the meaning of its vote. The reasons will come first, and I shall be brief on this score since I have repeatedly had the occasion during the debate to set forth the position of France on the political and legal aspects of the questions of the Comoros.

250. I have, at length and candidly, explained that there is a problem in one of the four islands comprising the archipelago. This island is Mayotte. During the free referendum of 22 December 1974, it pronounced itself against the independence proposed to the Comoros, and for remaining a part of the French Republic. The French Parliament decided to take into account the desires expressed by the inhabitants of Mayotte in accordance with the principle of self-determination calling for populations to determine their own destiny.

251. It did not seem to us possible to disregard the discrepancy in the desires expressed at the critical moment of the founding of a new State. Since the draft resolution explicitly stated that the archipelago is composed of Anjouan, Grande-Comore, Mayotte and Mohéli, and asked France to disregard the problem posed by Mayotte, it was not possible for France to let an international decision go through, thus prejudging the solution of the difficulty before us.

252. During the debate many speakers mentioned resolutions 3291 (XXIX) and 3385 (XXX) regarding the admission of the Comoros to the United Nations, and have advanced argument after argument. I must again explain here why France at the time chose not to participate in the vote in the Security Council and in the General Assembly regarding the admission of the Comoros to the Organization.

253. I should like to repeat that at that time we did not wish to prevent a young country, whose desire for independence we had ourselves fostered, from having the benefit of the attributes of a free and sovereign State that could be its own. France recognized and continues to recognize the existence of a Comorian State with which, for its part, it would like to entertain the relations of friendship and co-operation which it has with all other States in Africa and with all other parts of the world. It has no objection—quite the contrary—to the Comorian State enjoying the sovereignty freely chosen by the majority of the population of Grande-Comore, Anjouan and Mohéli. It will not place any obstacle to Mayotte's joining the three islands. Actually in a few days, there will be a referendum in which the inhabitants of Mayotte will once again be able to express their will in the presence of any international observers who may wish to travel there.

254. What we could not accept today and what we already refused to accept in another form last autumn—and this was the meaning of our non-participation in the vote at that time—was that a legally binding decision be imposed on us regarding the composition of the Comoros, thus settling without further trial a problem which is part of the facts of life of populations for which history has given us a heavy responsibility.

255. During the last two days I have held talks with several of the members of the Council who sponsored

the draft resolution before us, in particular with the representative of the United Republic of Tanzania, who repeatedly and kindly acted as the spokesman of his colleagues. In all good faith, together, we tried to find a formula on which we could agree in a spirit of synthesis and co-operation.

256. I also spoke regarding this subject with the representative of the Republic of the Comoros, Mr. Omar Abdallah himself. I thank them both, Mr. Salim and Mr. Omar Abdallah, for the understanding they manifested during the talks. I had hoped that it would have been possible to find formulae which would have been sufficiently vague for each of the parties to the dispute to maintain its claims in awaiting, maybe, that one day these positions which are now opposed could be reconciled, as I myself had said I hoped from the rostrum of the General Assembly, as Mr. Akhund, the representative of Pakistan, so justly recalled.

257. Unfortunately, as Mr. Salim said, it appeared that our differences of opinion are differences of principle which proved unbridgeable for both parties. It also appeared that my interlocutors wished to make their position explicit. In these conditions there was no common ground for us. But I am certain that these talks have been useful because they have surely enabled us to arrive at a better mutual understanding of our positions.

258. I shall now turn to the meaning of our vote. I should first like to express here our profound esteem for the sincere efforts made by various sides which might have enabled the Security Council to arrive at a unanimous decision. My delegation is also pleased with the quality of the debate that took place under your presidency, Mr. President, over the last few days. We have not remained indifferent to the appeals addressed to us by some Members of the Organization, whether these be the representatives of the United Republic of Tanzania, Pakistan, the Libyan Arab Republic and Benin, members of the Council, or other speakers such as my colleague, the representative of Algeria. These appeals met the views of my own country half-way in that they encouraged talks and negotiations between the Republic of the Comoros and France.

259. I should like to say here that we remain sincerely ready to undertake negotiations, taking into account the situation in the archipelago and the problems that arise therein. We are willing to welcome any constructive ideas enabling us to settle this problem calmly and fairly.

260. The veto cast by France today is not the brutal end to hope that pessimists would have wanted to impute to us. It simply shows that France, confronted with a real problem, cannot bypass it, particularly on the eve of the consultation that France has organized. This does not at all mean that my country

is not ready to undertake negotiations with the Republic of the Comoros on the differences of opinion between our two States.

261. The representative of the Comoros to the Council will not be surprised if I turn to him at the end of my statement. Despite the unfortunate failure to find agreement on our common problems today, may he know that France not only wishes to settle all the questions opposing it to the Comoros, but also to maintain with the State he represents links of friendship and good-neighbourliness. I would be grateful to Mr. Omar Abdallah if he would be good enough to convey these assurances to his Government.

262. I would not wish to conclude this statement without discharging two duties. First, I would like to associate my delegation with the condolences addressed here to the delegation of Guatemala in connexion with the earthquake which has just sown devastation in that unfortunate country. I should like to ask the delegation of Guatemala to find here the expression of my sympathy and to be good enough to convey this to their authorities.

263. Secondly, Mr. President, may I say here, after other speakers, how much the French delegation, and I particularly, regret the decision that you have seen fit to take to leave the Organization soon. I will doubtless have other occasions to express to you all the esteem, admiration and friendship that I feel for you. May I, this evening, simply assure you that I consider it a privilege that this important debate in which my delegation was directly involved has taken place under your distinguished presidency and your high authority.

264. Mr. PAQUI (Benin) (*interpretation from French*): First of all, Mr. President, since you represent the great American State I should like you to give me some clarification about the question of democracy. It has been said that there is a process of democracy here. Does the American President have the right of veto or not? If he does, then I should like to know in what sense this is applied.

265. Having said this, we would add that we sincerely regret that the draft resolution which we have just considered could not be adopted because of the veto cast by France. However, there is nothing really harmful in this text. Can we conclude that the attitude of France and the reasons justifying its position are other than those which we have heard in the Council today and yesterday? There is a great temptation to wonder, at least, in view of what we heard yesterday, whether the veto of France is truly the expression of the will of the French Parliament or of the French Government.

266. At any rate, for its part my delegation wonders whether, in this particular case, France, as a party to the dispute, was entitled to participate in the vote. This is a situation which deserves to be carefully

weighed because, in fact, on the one hand we have here a State which is not a member of the Council and, on the other hand, we have a State which is a member of the Council and, furthermore, a permanent member enjoying the right of veto. This is a rather disquieting fact, which cannot but be stressed.

267. Finally, it is deplorable that certain members of the Council have seen fit to take this opportunity to indulge in discussions which were completely and totally irrelevant to the subject under discussion. I do not think that I am betraying my African brothers who are members of the Security Council if I make the statement that as long as the Council is not considering the question of Angola we deny anyone the right to bring up this matter and to discuss it for us. If this question does come before the Council for its consideration, then all delegations will have an opportunity to say what is on their minds.

268. Mr. KIKHIA (Libyan Arab Republic): Mr. President, first of all I should like to join you and our other colleagues in the Council in expressing our heartfelt sympathies to the delegation of Guatemala.

269. My delegation would like to register its strong doubts as well as its most explicit reservations in connexion with the result of the voting of the Council on draft resolution S/11967. I do not want at this late hour to raise any problems or provoke any discussions of a juridical or procedural nature. However, my delegation would like to place on record, as our colleague from Benin has also done, that in our humble view, in accordance with Article 27, paragraph 3, of the Charter, if our understanding and interpretation of that Article is correct, France is not entitled to cast a positive or negative vote since France is a party to the dispute under discussion, and the subject of the draft resolution sponsored by Benin, Guyana, the Libyan Arab Republic, Panama and the United Republic of Tanzania. The aforementioned paragraph 3 reads as follows:

“Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting.”

270. Mr. de GUIRINGAUD (France) (*interpretation from French*): I am surprised at the comment made by the representative of the Libyan Arab Republic, and equally I must say by what was said by the representative of Benin in somewhat vaguer terms. I am particularly surprised since the draft resolution we have just voted on has the delegation of Panama among its sponsors. Now, the representative of Panama, my good friend and colleague Mr. Boyd, yesterday drew a very eloquent comparison between the problem which at present subsists between France and the Comoros and the problem which on another occasion

in the Council arose between Panama and another permanent member of the Council.

271. The representative of the Libyan Arab Republic was not with us in Panama in March 1973; the representative of Benin was not there either. But those who were with us there in Panama in March 1973 will recall that, in a matter which brought Panama into direct conflict with the United States, no one found it exceptional that Panama, which held the presidency, should have voted and that the United States also voted and exercised its right of veto [see 1794th meeting of 21 March 1973].

272. I hardly think I need to dwell on this point. Other members of the Council who are with us here today were also with us in Panama. Mr. Malik was there himself as well. And I think I should remind you that for 25 years now the Council has always felt that situations of the sort on which we had to take a decision today should not prevent States members of the Council or States directly or indirectly concerned in the matter from casting their vote as they would undoubtedly exercise their vote if this matter was considered in the context of Chapter VII of the Charter. To act in any other way would be tantamount to encouraging these States members of the Council to take measures of force as provided for in Article 39 to ensure that their right to vote was not challenged. I hardly need to stress the degree of absurdity we would reach if we were to apply that interpretation.

273. I shall not expatiate on this, but if the Council needed I could give a rather impressive list of precedents where delegations seated around this table, and others that were members of the Council at the time and are not today, in cases completely analogous and similar to the one with which we have had to deal today, did not hesitate to use their right of veto, and cases where this right has never been challenged by anyone.

274. Mr. PAQUI (Benin) (*interpretation from French*): I want to make one thing perfectly clear. When I put the question to the Council, I said that we were sorry; in other words, we had already noted this veto which had been cast. We are not challenging this veto. We simply raised a question so that members of the Council could give some thought to a particular category of cases in the future. I am particularly justified in raising this issue since, when addressing the representative of the Comoros, the representative of France said, *inter alia*, that France was prepared to entertain relations of co-operation and good-neighbourliness.

275. Now, what does that mean? "Relations of good-neighbourliness" means obviously that we are prejudging the results of the vote to be taken in the Comoros and that France intends to dismember that State. That is one of the main reasons why we saw fit to ask this question without referring to any

particular Article of the Charter. We read the Article of the Charter, in fact, without asking this question. We simply threw this out as food for thought for the Council.

276. Mr. BOYD (Panama) (*interpretation from Spanish*): It was not my intention to repeat anything which we had heard previously during this discussion, nor was it my intention to make a statement because, as a sponsor of the draft resolution, I did not feel that I was entitled to explain my vote. But, in view of what was said by the representative of France, Mr. de Guiringaud, in connexion with the series of meetings of the Security Council held in Panama, I should like to say that I listened very closely to his words. He attempted in effect to draw a comparison between the matter which we dealt with today in the Security Council in connexion with the Comoros and the situation which prevailed in Panama in March 1973, when the United States cast a veto on a draft resolution which, however, received 13 votes in favour, with one abstention, that of the United Kingdom [*ibid.*].

277. On this point, I must make it clear that I am beginning to have some misgivings about what the representatives of Benin and the Libyan Arab Republic said just now. I am also wondering in my turn whether in this case the representative of France was in fact entitled to resort to his right of veto as a permanent member of the Security Council. Let us be quite clear. When the Council visited Panama, it did so to hold a series of special meetings in order to consider matters relating to the maintenance and the strengthening of peace in Latin America. In contrast to the particular case we are now considering, the Council did not visit Panama to consider a dispute. In Panama no representative claimed that the United States was not entitled to cast a veto. And so I do not think we can conclude from this that there is a precedent which can be resorted to by the representative of France under the pretext that this is a similar situation.

278. In fact, Article 27, paragraph 3, of the Charter of the United Nations reads as follows:

"Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members; provided that, in decisions under Chapter VI, and under paragraph 3 of Article 52, a party to a dispute shall abstain from voting."

279. I believe that today we have been considering a matter relating to the peaceful settlement of disputes, and I really wonder whether the representative of France in this case was entitled to use his veto. In the case where the Security Council visited Panama, the Council essentially was dealing with a situation which affected the entire region and the Council, furthermore, adopted a number of resolutions. Hence,

Panama was bringing no complaint before the Security Council; it did not level any accusations against the United States and the Council was not in fact dealing with a dispute between Panama and the United States. The Security Council was dealing with matters relating to the strengthening of peace in Latin America. I think it would be an excellent thing if in future we were all to carry out a detailed and conscientious legal study of this matter; thus, when cases similar to today's come up again, we would be in a position to have a detailed legal debate.

280. In conclusion, having concluded my remarks on the purely procedural matter which was brought up at the last minute, I should like to reiterate to Mr. de Guiringaud how grateful my Government and people are for the support which he gave to the Panamanian draft resolution [S/10931/Rev.1] at that time, a draft resolution which urged both Governments—that of the United States and Panama—to negotiate a new treaty on the Panama Canal in which due account would be taken of the legitimate aspirations of my people regarding effective sovereignty over the entire national territory. This was precisely one of the topics which I dwelt on in my substantive statement yesterday, when I sought the Council's support for the Comoro Archipelago, when I appealed for respect for the territorial integrity and unity of the State of the Comoros, since the Security Council and the General Assembly had already taken a decision along those lines in previous meetings. I must say that the support given by France to Panama during that memorable series of meetings in March 1973 was regarded by us as bearing witness to the respect which France has for the territorial unity, for the territorial integrity and for the effective sovereignty which Panama is entitled to exercise over its entire territory, including the Canal Zone.

281. Mr. de GUIRINGAUD (France) (*interpretation from French*): At this late hour, and since no one has challenged the vote that has been cast, it is hardly necessary to enter into a lengthy juridical discussion. If the Council wants to, of course, I am prepared to do so, but I do not have the impression that that is in fact the Council's desire, so I shall confine myself to thanking warmly the representative of Panama for the words of satisfaction he has addressed to me regarding the position of the French delegation during the series of meetings held in Panama in March 1973, a series of meetings which, as all those who took part will recall, was marked by the most pleasant and generous hospitality of the Government of Panama.

282. I would simply point out that the agenda of those meetings concerned over-all problems of Latin America, but the vote which was taken on 21 March was on a draft resolution which dealt solely with the problem which at that time existed, as I understand it, between the United States Government and the Government of Panama. I shall leave it to the representative of the United States to take note of the fact

that there was no difference of opinion between the Government of Panama and the Government of the United States.

283. Mr. BOYD (Panama) (*interpretation from Spanish*): The representative of France, with his characteristic eloquence, has attempted to refute the arguments advanced a moment ago regarding the difference between the situation in Panama and the situation today regarding the Comoros. I do recognize that there are very serious differences indeed between the Government of the United States and the Government of Panama on matters relating to questions vital to Panama, such as that of a new Canal treaty which should once and for all eradicate the colonial enclave which cuts my country in two and which prevents us from achieving our unity and territorial integrity. But I should like to repeat to Mr. de Guiringaud that we were very grateful to him on that occasion for France's support in defending this position of principle, and that on that occasion the whole question regarding the maintenance and strengthening of peace in Latin America was being reviewed and considered. At the time that was not one of the questions under Article 27, paragraph 3, of the Charter. Therefore, today's records should reflect the serious doubts that many of us here harbour regarding France's right to cast a veto in the matter of the Comoros today.

284. Mr. President, at this time we are not asking you for any clarification because, in any case, that should have been provided before the vote. But I think it is appropriate to invite all the members of the Council and the United Nations jurists to study this case very carefully, because the day when a Power which is a permanent member of the Security Council becomes a party to a dispute or an accusation by another Member State then I shall have serious doubts about whether or not that right of veto can be exercised.

285. Mr. de GUIRINGAUD (France) (*interpretation from French*): Since my friend Mr. Boyd of Panama is speaking for the record, so shall I. And I shall remind him that when on 21 March 1973 we voted in Panama we did not vote on the whole question of Latin America and the problems pertaining thereto. We voted on a very precise situation. I have the draft resolution before me.

286. In one of the preambular paragraphs, the Council says explicitly:

"Recalling that it is a purpose of the United Nations to bring about, in conformity with the principles of justice and international law, adjustment or settlement of international disputes or situations which might lead to a breach of the peace". [*Ibid.*]

In paragraph 3, the Council urged

"the Governments of the United States of America and the Republic of Panama... to conclude without

delay a new treaty aimed at the prompt elimination of the causes of conflict between them." [Ibid.]

That was a very precise situation on which we took a vote.

287. It was not I who began to draw a parallel between the situation in Panama and that in the Comoros. I think I know that in both cases sovereignty is being questioned. In neither of the two cases is there armed aggression.

288. Mr. BOYD (Panama) (*interpretation from Spanish*): To conclude this debate, I should like to say to our friend the representative of France that at the meetings of the Security Council held in Panama in March 1973 at no time did any member of the Council request the President to take a stand on this point in Article 27. At this time, the representatives of Benin and the Libyan Arab Republic and I are drawing attention to this fact, so that in future whenever someone seeks clarification from the Chair the Council should be able, after a deep legal analysis, to take a stand on this point which today has involved us in a debate which indicates clearly that there are very serious doubts on the matter.

289. Mr. de GUIRINGAUD (France) (*interpretation from French*): I do not think it is necessary to pursue this debate endlessly. I simply wish to state in friendly terms, to my friend the representative of Panama, that if no one raised this question in Panama, it was because there is an impressive list of precedents which entirely bears out the procedure that was followed today. It is not my intention now to go into those precedents, but if some day this discussion needs to be resumed, those precedents can be found. I think that those precedents will demonstrate that the representative of Panama was quite entitled to vote in Panama, as I was myself perfectly entitled to cast a vote today.

290. Mr. BOYD (Panama) (*interpretation from Spanish*): I shall not reply at length to the representative of France since he was not able to refute my last argument regarding the occasion when the Council met in Panama, when no one complained or expressed any doubt as to the validity of the veto of the United States of America. He has now stated that he has a long list of precedents supporting his views. I shall tell him that this afternoon, one of the most distinguished and eminent jurists of the United Nations told me that there are also precedents to the contrary; and to mention a specific one, that of Argentina when it did not participate in the voting in the Eichmann case.

291. Mr. KIKHIA (Libyan Arab Republic) (*interpretation from French*): When I made my statement, I did in fact say that it was not my intention to provoke a legal or procedural discussion here. We did have misgivings. We had some hesitations. And the reason for our hesitations was, first, that we were torn

between our friendly relations with France on the one hand, and on the other, our extremely close relations with the people of the Comoros and our commitment to combat imperialism and colonialism everywhere. We expressed our reservations and our doubts, particularly since we are newcomers here in the Security Council, and we have to proceed with caution and circumspection on this rather dangerous and slippery terrain in the Council, and in this tortuous process of juridical procedure. For that reason, I hope that this evening we can now put an end to these discussions. I think that what I can now say is that these preliminary discussions have greatly encouraged us to feel that this question can be reverted to in the future.

292. The PRESIDENT: In view of the fact that this issue has been raised, and obviously in no way establishing a precedent by this statement, I think the Council would wish to know that it had entered the mind of the President before the vote that there might indeed be a challenge to the right of France to vote. Accordingly, the Secretariat was consulted and a position was developed. The position of the Secretariat is contained in the *Repertoire of the Practice of the Security Council* and was made available to the President; obviously, it is available to any member of the Council who might wish to see it, in view of the thoughtful remarks of the representative of Panama.

293. It is perhaps sufficient for me simply to say that, had the question of the right of France to vote been raised in a timely way, which is to say before the vote, the President of the Council believes that the right of France to participate in the voting would have been sustained.

294. Mr. KIKHIA (Libyan Arab Republic) (*interpretation from French*): As I said, my colleagues from Benin and Panama and I myself registered our reservations, our doubts, on this question. We did not ask for a statement or a ruling by the President. In any case, it is not a question of discussing this problem here in the Council. We simply wished to register our reservations. This is a question of principle, and that is all. That is why we do not think that your last statement, Mr. President, is a ruling on the problem.

295. The PRESIDENT: May I assure the representative of the Libyan Arab Republic that he is, of course, completely correct. It was not a ruling. It was a point of information that I felt the Council members might wish, if they wanted to know in what way the Secretariat advises the presidency in this matter as of this day. Presumably, there is some permanence in those views, but not necessarily, as those of us who have followed the law have learned.

296. Mr. BOYD (Panama) (*interpretation from Spanish*): Mr. President, we are grateful for your civility in wishing to express to us a point of view that we had not sought from you. We would like to express our firmest conviction that in future we should all

come duly prepared, marshalling arguments and precedents on this important matter, because maybe under a different President there will be statements that differ from the one you have just made.

297. The PRESIDENT: I assume that the representative of Panama refers to whatever might be idiosyncratic in my speech and such that it would never be perfectly replicated, and thus another person would say the same thing in a somewhat different manner. I only informed the Council, as a matter of information, of what was the essence of the judgement of the Secretariat, prepared for me. It would have been prepared for any other President in the same way. With regard to the question of coming to the Council prepared in these matters, I respectfully suggest that the President came prepared, as is his responsibility to the Council.

298. Mr. BOYD (Panama) (*interpretation from Spanish*): This is a question which is so important and vital for the Security Council, for the Charter of the United Nations and for all those of us who may have a future interest in decisions to be taken by this crucial body in the United Nations that, as the representative of Panama, I should simply like to conclude by stating that we should all study the subject conscientiously and that we should be prepared for future occasions.

299. Mr. SALIM (United Republic of Tanzania): The hour is late and I had not anticipated that we would have a long discussion on whether or not our colleague from France had the right to vote. But for the purpose of the records, before I state what I had intended to say, since the nature of the debate is such, it is perhaps important that I begin by making very brief remarks on the most fascinating debate that has gone on regarding the propriety or non-propriety of the French delegation's having a vote on these proceedings.

300. To begin with, I should like to say that my delegation takes a very serious view of the observations made by our colleagues from Benin, from the Libyan Arab Republic and now from Panama. Obviously these are issues which deal with an extremely important facet of the Organization's performance, involving juridical considerations, and since I am myself not a lawyer—though there are lawyers in my delegation—I would like to study this problem with all the seriousness it deserves and solicit the most expert advice that I can get. Obviously, as a layman also I would only like to observe that the mere fact that there had been precedents before does not oblige the Council to follow those precedents, particularly if those precedents have been wrong. But this is a layman's observation.

301. Furthermore I should like to say that if I have not raised any objection or reservations regarding the statement which you have just made, Mr. President, it is only because I have listened to you very carefully, and you have not said that it was a ruling. You simply

said that you believe that the position of France would have been sustained. Frankly, I take it more as your personal belief, as the representative of the United States, than as the belief of the President, because if it had been the belief of the President we would have had to ask you, first, to give us a ruling, and, secondly, I believe that the Secretariat could not and should not give legal advice unless specifically asked on this matter by the Security Council, particularly if the matter is of such vital importance. I do, however, commend you for the homework you have done.

302. Now, in order to avoid further hijacking of the debate from the purpose before us, which is, of course, the vote just taken by the Council with respect to the Comoros, I should like to say a few words not in explanation of vote, since we sponsored the draft resolution, but in view of the many statements which have been made.

303. First, I should like, on behalf of the sponsors, to express our warm appreciation to all the delegations which voted for this draft resolution, and to express our slight disappointment with those who did not vote for it, although we are, I think, entitled to interpret even their abstention, judging by what has happened in the Assembly, as a non-opposition and, if I may be so presumptuous, of a support for the draft resolution, though, for reasons beyond our own understanding, they did not perhaps consider it necessary to vote for it. If my interpretation is wrong, I do not want to solicit the exercise of rights of reply, but I think it is always better to err on the side of optimism than of pessimism.

304. On a more important point, despite what has happened here and despite the veto that our colleague from France has exercised, I do believe in all sincerity that the responsible authorities in France will not fail to draw the necessary conclusions from the proceedings of the Security Council and from the voting in it, for it is quite obvious to me, as it must be obvious also to our French colleague, that there has been an overwhelming expression of support for and solidarity with what the Comorians stand for in this case. That also, but for the veto, the Security Council would have overwhelmingly adopted a resolution which expects the Government of France to maintain certain positions which are in conformity with the United Nations position.

305. In all frankness and in all sincerity, therefore, I do hope that the French Government, and in this case—if I may be permitted to interfere in the internal affairs of France—the French Parliament will also pay heed to the overwhelming desire and support of the Security Council. I should also like to take note of one of the positive aspects of the statement made by our colleague from France when he said that his Government remained ready to enter into negotiations with the Government of the Comoros. I do sincerely hope that the framework of those negotiations will

take into account the decisions of the United Nations and the decision which the Council would have taken but for the veto cast by France.

306. I should also like, on a personal note, to reciprocate the sentiments of appreciation to the representative of France for the courtesies that he has shown to me and to the other sponsors in the efforts that both of us have made—unfortunately, in vain—over the last 48 hours to try to come up with a draft resolution that would be acceptable to the Council as a whole, and in this particular case, if I may be frank, a draft resolution which would have been acceptable to him, because we have a draft resolution which is acceptable to us. I do hope that our signs of good will and our sincerity of purpose will be properly understood by his Government: that they are motivated by a desire not to provoke a confrontation, not to sow the seeds of discord, but by our desire to see justice triumph, and we firmly believe that justice can triumph in the Comoros only if the territorial integrity and unity of the Comoros as defined by the United Nations are preserved.

307. Last but not least, I should like to pay a tribute to the Comorian delegation and its distinguished leader, Sherif Sayyid Omar Abdallah Mwinyi Baraka, not only for the important contribution they have made in the Council but also for the degree of wisdom, consideration and statesmanship that they have projected throughout the negotiations, because, after all, in the final analysis it is the Comoros which has submitted the complaint and it is the Comoros which has shown exemplary moderation in all the negotiations.

308. I cannot conclude my statement without taking this opportunity to express, in my own name and in the name of all members of my delegation, our sincere thanks to all the members of the Security Council and to those outside the Council who paid a tribute to me as President of the Council for the month of January. The tributes have been so overflowing, the remarks so generous and, in all humility, I must say that in many cases they were exaggerated. But we receive these tributes with humility in the knowledge, also, that they have been made with the utmost sincerity.

309. I should also like to take this opportunity to ask our colleagues from Guatemala to convey to their Government our profound sense of sadness and distress at the shocking disaster which has befallen their country.

310. The PRESIDENT: Merely as a comment from the presidency, I should like to say that the representative of the United Republic of Tanzania spoke of the question of the propriety or impropriety of France's participating in the vote. I believe it is the case that, the event having been such that no question in advance of that propriety was raised, the overwhelming presumption of our proceedings must be that

it was proper, and no shadow of impropriety falls on the specific action. But this was only a question of perhaps the usage of terms and no issue is joined on the matter at all.

311. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): Mr. President, I should like to touch on a somewhat different question. I have just read the hastily prepared press release of the United States Mission reproducing your hostile statement in response to my statement. In the history of the work of the United Nations this is an unworthy act on the part of the President. Underlying this Statement there are words which I have never spoken. You impute to me the words "Take care", "beware". I never said that, Sir. This is your fabrication. I said, "Take heed, gentlemen, you are a laughing-stock for your fabrications to the effect that the Soviet Union is colonizing Africa."

312. I do not know how the interpreter interpreted my words "Take heed, gentlemen." But, even with my faulty knowledge of English, I should like to assert that the Russian word "*opomnites*" cannot be interpreted as "Take care" or "Beware". It means "Take heed". And on the basis of this distortion of the meaning of my words you made a statement which smacks of the times of the cold war. Pursuing your own personal goals you have hastened to publish this as a press release. I really do not think that this is a proper manner in which to discuss problems in the Security Council.

313. The PRESIDENT: Now, speaking as the representative of the UNITED STATES OF AMERICA and not as President, I would simply say, Sir, that it was not an act of the President; it was a statement by me as representative of the United States. I sincerely regret if there has been a wrong interpretation from the Russian into English, even as I regret that I do not know the Russian language, but it is the fact, Sir, that the interpreter used the term "Take care". We were given a written transcript of the interpretation, and it too says "Take care." If that is a mistake, Sir, it was not our mistake in the sense it was not intended to be a mistake. I ask forgiveness for what was a wholly unintended mistake.

314. Mr. MALIK (Union of Soviet Socialist Republics) (*interpretation from Russian*): I should like the interpreter to interpret correctly the Russian words "*Opomnites, gospoda*", which is "Take heed, gentlemen". It has nothing to do with "Take care"; a more correct translation would be: "Think it over, gentlemen".

315. The PRESIDENT: Without any fear of contradiction, I would ask that the term in the official transcript be as the representative of the Soviet Union would desire it. He knows exactly what he wished to say. And that being the case, my statement will also be amended to reflect the interpretation as he desires it.

316. Mr. MALIK (Union of Soviet Socialist Republics): The correct translation could be, "Think it over, gentlemen". Because if someone made a statement which was intended not to show the policy of my country in the right way, a statement that the Soviet Union intends to colonize Africa, I would recommend that he not do this because he would become a laughing-stock.

317. The PRESIDENT: I take some satisfaction at this late hour that I have added to the merriment of nations. I recall the representative's felicitations to Mr. Salim, who had presided over the Security Council through a difficult month without ever having us meet on weekends, and I would draw the attention of the Council to the fact that the weekend is approaching.

318. As I have no further requests to speak from members of the Council, I shall now call on the representative of the Comoros, whose conduct in this debate has occasioned unanimous expressions of appreciation and admiration.

319. Mr. OMAR ABDALLAH (Comoros): First of all, my delegation must join other delegations in their expression of sympathy towards the people of Guatemala for the great catastrophe that has befallen them. We are all distressed.

320. Now that the Security Council is about to conclude its present phase of the consideration of the complaint brought by my Government against France, I should like to avail myself of the opportunity to make a few remarks. To begin with, allow me Mr. President to reiterate the thanks and appreciation of the Government and people of the Comoros to this Council for responding to my Government's request to consider our complaint. It has been for my delegation a source of great satisfaction to follow the serious way in which members of the Council have tackled our problem. I wish to express our most profound thanks and gratitude to all those delegations in the Council which have spoken so firmly and unequivocally in defence of the independence, sovereignty and territorial integrity of the Comoros. Our particular thanks go to our African and non-aligned brothers—the delegations of Benin, Guyana, the Libyan Arab Republic, Panama and the United Republic of Tanzania—sponsors of draft resolution S/11967. And, with no less enthusiasm, we utter our thanks to all the other delegations which have voted for the draft resolution before us, namely, China, Japan, Pakistan, Romania, the Soviet Union and Sweden.

321. The vote they have cast and the expression of solidarity with our cause that has been exhibited in the Security Council is an important political and moral victory for our Government and people. It is a matter of deep regret to my delegation and my Government that the Government of France, through its representative in the Council, has thought fit to block the draft resolution by misusing the right of veto with which

it is empowered as a permanent member of the Security Council. We regret this because, as I said in my statement before the Council yesterday, our people and our Government desire nothing but friendship and understanding with the people and the Government of France. The only thing that we have sought is that our sovereignty and territorial integrity be respected. France's veto can only be taken as yet another in a series of unfortunate measures undertaken by the Government of France, which can only do harm to the image and position of France.

322. Above all, we regret that this unreasonable position adopted by the Government of France can only create further misunderstanding between France and the Comoros and between France and free Africa. For it can only be interpreted as implying France's determination to proceed with measures designed to violate the unity and territorial integrity of the Comoros in contravention of the aspirations of the overwhelming majority of the people of the Comoros as clearly evidenced in the popular referendum which was held in December 1974 and in contravention of decisions and resolutions of the United Nations and OAU.

323. Yet, while we regret the fact that the Security Council has, owing to the French veto, been prevented from adopting a decision which would have met the requirements of the situation, we leave the Council encouraged by the fact that, but for the french veto, the Council would have adopted a resolution confirming, reaffirming and reinforcing the legitimate position of my Government. We interpret the results of this meeting of the Council therefore, as a vindication of the known position of the United Nations on the question of the Comoros. That position, which is fully applauded and hailed by the people and the Government of the Comoros, has been repeatedly emphasized by many eminent speakers in the Council, namely, the demand for faithful respect for the sovereignty, independence and territorial integrity of the Comoros. For the French veto has not changed the position of the United Nations, which has already overwhelmingly been reaffirmed by the General Assembly in its resolution 3385 (XXX) of 12 November 1975, when my country was admitted as a Member of the United Nations. That decision of the Assembly, which was supported by every Member of the Organization, except France, emphatically reaffirmed the necessity of respecting the unity and territorial integrity of the Comoros, comprising the islands of Anjouan, Grande-Comore, Mayotte and Mohéli.

324. The position adopted by France in the Security Council is therefore an extension of the position it adopted in the General Assembly. It is our hope and indeed our confidence that, taking into account the overwhelming support and recognition that our just cause enjoys in the international community, and also taking into account the position previously adopted by the French Government, which, in fact, coincides with the position adopted by the United Nations,

the responsible authorities in France will reconsider their current course of action and, rather than pursue a policy which is detrimental to the stability, peace and freedom of our country, will abandon such a fallacious cause and pursue a policy of reason, logic and legality, thereby contributing to French-Comorian understanding and friendship—I repeat: thereby contributing to French-Comorian understanding and friendship—as well as to French-African co-operation and unity. We know there are many good and responsible people in France who favour the latter course of action, and we therefore remain confident that justice will ultimately triumph.

325. We came to the Security Council with great expectations; we came convinced that the Council would assume its responsibilities; we came convinced that once again the international community would pledge its support to our country. It would not be honest to say that we are not disappointed that the Security Council has been frustrated in taking appropriate action. But, since we understand the nature

of that frustration, we leave the Council even more reinforced in our confidence in the Organization and what it stands for, particularly in its defence of the rights of all States, big and small, to live in peace, harmony and freedom. Ours is a small country. Our people and our Government desire only the friendship and understanding of all nations and peoples of the world. This is an unswerving desire of the Comoros. But no less unequivocal is our desire and our determination that our country's freedom, independence and territorial integrity should be preserved and consolidated and that all States in their policies and actions towards us should recognize and respect this. We expect no less from France. Happily, we know that the United Nations itself expects no less from us.

The meeting rose at 9.30 p.m.

Notes

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

² *Ibid.*, *Thirtieth Session, Plenary Meetings*, 2402nd meeting.

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