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PROVIS IONAL VERBATIM RECORD OF THE ONE HUNDRED AND NINTH MEETING

Held at Headquarters, New York,  
on Monday, 9 December 1985, at 3 p.m.

President:

Mr. DE PINIÉS

(Spain)

- Notification by the Secretary-General under Article 12, paragraph 2, of the Charter of the United Nations: note by the Secretary-General [7]
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The meeting was called to order at 3.40 p.m.

AGENDA ITEM 7

NOTIFICATION BY THE SECRETARY-GENERAL UNDER ARTICLE 12, PARAGRAPH 2, OF THE CHARTER OF THE UNITED NATIONS: NOTE BY THE SECRETARY-GENERAL (A/40/642)

The PRESIDENT (interpretation from Spanish): May I take it that the General Assembly wishes to take note of the note by the Secretary-General (A/40/642)?

It was so decided.

The PRESIDENT (interpretation from Spanish): The General Assembly has concluded its consideration of agenda item 7.

AGENDA ITEM 10

REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ORGANIZATION (A/40/1)

The PRESIDENT (interpretation from Spanish): In previous years the Assembly has taken note of the annual report of the Secretary-General. This document has been referred to with great interest on several occasions in the course of this session. If I hear no objection, I shall take it that the Assembly wishes to take note of the Secretary-General's report.

It was so decided.

The PRESIDENT (interpretation from Spanish): That concludes the Assembly's consideration of agenda item 10.

AGENDA ITEM 11

REPORT OF THE SECURITY COUNCIL (A/40/2)

The PRESIDENT (interpretation from Spanish): May I take it that the General Assembly takes note of the report of the Security Council (A/40/2)?

It was so decided.

The PRESIDENT (interpretation from Spanish): That concludes the Assembly's consideration of agenda item 11.

## AGENDA ITEM 32

## QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

- (a) REPORT OF THE SECRETARY-GENERAL (A/40/619)
- (b) DRAFT RESOLUTION (A/40/L.38)

The PRESIDENT (interpretation from Spanish): I call on the representative of Comoros, who wishes to introduce the draft resolution.

Mr. KAFE (Comoros) (interpretation from French): This year my country, the Islamic Federal Republic of the Comoros, celebrated the tenth anniversary of its accession to international sovereignty. After a decade of efforts towards development, this happy event would doubtless have symbolized our national unity had it not been marred by the problem which, for the tenth year in succession, is a topic of debate in this Assembly.

As members are aware, this problem, which is of concern not only to the people and Government of the Comoros but to the entire international community, stems from an injustice and a flagrant violation of international law and of French domestic law. We shall not cease to try to show the Assembly by means of facts how this problem was fabricated by subtle manoeuvres in order to destroy the national unity of a country whose homogeneous people share the same language, culture and religion, something that is rarely found elsewhere.

Each time this question has been debated in the Assembly or in other international or regional organizations we have reaffirmed that Mayotte is and can only be a Comorian land. Indeed, during the 130 years that France has been in the Comoros it has never called into question or disputed the unity of the Comoros archipelago; indeed, but quite the contrary. Basing themselves on history, successive French Governments have repeatedly insisted on the need to respect the territorial unity of our country.

(Mr. Kafe, Comoros)

Our unity, is not based - as some would have it believed - on artificial grounds or administrative convenience but has its origin in and draws its strength from the shared history and destiny of the sister islands that make up the Islamic Federal Republic of the Comoros, that is, the islands of Anjouan, Mayotte, Moheli and Grande-Comore.

As a result, all the French laws and administrative provisions of the colonial period clearly established the unity of the Comoros archipelago. Thus the law of 9 May 1946, which states that the archipelago is a "territory enjoying administrative and financial autonomy" clearly indicates, in its explanatory statement, that

"it is the Moslem religion that gives the archipelago its strong unity, which is reinforced by a single dialect, Swahili".

That unity was reaffirmed and consolidated by the law granting internal autonomy to our archipelago on 3 January 1961.

When France was made to recognize the Comorian dedication to independence, agreements were signed in Paris, on 15 June 1973, between the representatives of the French Government and the local Governments of the Comoros. Those agreements provided, inter alia, in paragraph No. 1, that a plebiscite would be organized in the Comoros and that, if the majority of the population voted in favour of independence taking the results as a whole - I repeat, as a whole - for all of the four islands, this would give the Assembly of Deputies in office at that date the powers of a constituent assembly and the President of the local government council the competences and prerogatives of a Head of State.

(Mr. Kafe, Comoros)

This provision, which faithfully reflects the stress placed on the unquestionable unity of our Archipelago on the eve of its self-determination, was supported by solemn statements of the highest French authorities at that time.

Thus, the Secretary of State for Overseas Departments and Territories, stated, on 26 August 1974, while speaking of our self-determination, that the choice of the French Government was for a global consultation for three reasons:

"The first is a legal one, for under the rules of international law, a territory retains those borders which it had as a colony; secondly, one cannot conceive of a plurality of statutes for the different islands of the Archipelago. Finally, it is not the mission of France to pit the Comorians against each other."

Mr. Olivier Stirn then explained:

"France refuses to divide the Comoros which have the same population, the same Islamic religion and the same economic interests."

These statements were reaffirmed again two months later by the President of the French Republic at the time, Mr. Valéry Giscard D'Estaing, who said at his press conference of 24 October 1974:

"This is an Archipelago which constitutes a whole. This is a homogeneous population and there are practically no people of French origin or a very limited number of them. Therefore, is it reasonable to imagine that part of the Archipelago would become independent and that an island, regardless of the feelings one might have for its inhabitants, would retain a different status? I think we must accept the reality of today. The Comoros are a single unit and have always been so. It is therefore natural that they should share a common destiny. When one territory becomes independent, we are not at that time proposing to shatter the unity of what has always been the single Archipelago of the Comoros."

(Mr. Kafe, Comoros)

It is perfectly clear in these remarks that the unity of our country could not give rise to any kind of confusion or dispute. That is why, on 22 December 1974, in accordance with the agreements of 15 June, to which I have referred, and the law of 23 November 1974, organizing the referendum on self-determination, the people of the Comoros, proceeded calmly to the ballot box to decide on its future.

The question which we had to answer was: do you wish to see the Comoros become independent?, and not do you wish to see the island of Moheli become independent? Do you wish to see the Island of Mayotte become independent? Do you wish to see the island of Anjouan become independent? Do you wish to see the island of Grand Comore become independent?" These are our four islands.

On 22 December 1974 no island was called upon to take a separate stand regarding its destiny. With a single voice, 95 per cent of the Comorians favoured independence for their country.

This answer was thus clear. All that remained was for the French Government and Parliament to draw the appropriate conclusions from the results of this consultation, and simply to implement the agreements of June 1973 which linked the two parties.

Thus, moreover, the initial draft law of the French Government, submitted on 10 June 1975 to the National Assembly, ratifying the referendum on self-determination, followed the procedure established in the agreements of 1973, namely, overall independence for the Archipelago, on a date set by joint agreement of the French Government and the territorial authorities.

Unfortunately, like a wind which suddenly changes direction, things turned out quite differently. Instead of respecting the commitments entered into and the will clearly and freely expressed by the people of the Comoros, the French Government of the time, adopted, on 3 July 1975, another law, for it calls into

(Mr. Kafe, Comoros)

question the original draft bill envisaging ratification of self-determination. It did so by seeking to impose new unacceptable conditions on the accession of the Comoros to independence, the excuse being that on Mayotte part of the population had opposed independence. The people of the Comoros were deeply shocked and upset by the new provisions which ran counter to their legitimate aspirations. The French Government of the time had thus violated not only its own domestic laws but international law as well. In fact it had violated the sacrosanct rule of the indivisibility of overseas territories and colonial entities, a rule nevertheless dear to the French Constitution. At the same time it violated the sacred principle of the intangibility of frontiers inherited from colonization.

That is why, on 6 July 1975, President Ahmed Abdallah Abdérémane, supported by the clearly expressed will of the Comorian people, and with the approval of the local Chamber of Deputies, drew the necessary consequences from the French Government's volte-face and unilaterally proclaimed the independence of the Comoros. Because our cause is a just one, recognition of our independence by the international community was swift and massive. In fact, by a unanimous vote of the General Assembly on resolution 3365 (XXX), my country was admitted to the United Nations on 12 November 1975 as a sovereign State consisting of four islands, including Mayotte. That resolution, in keeping with Declaration 1514 (XV) and resolution 2621 (XX), dealing with the granting of independence to colonial countries and peoples, thus proclaimed the sovereignty of the Islamic Federal Republic of the Comoros over all of the territory inherited from colonization.

However, determined to pursue the balkanization of our Archipelago to the bitter end, and to do so despite the relevant resolutions of our Organization, the French Government of the time, adopted a law on 31 December 1975 which endorsed the dismemberment of our country. That law, it must be said, recognizes the

(Mr. Kafe, Comoros)

independence of the Comorian State, but after cutting off part of its national territory, the island of Mayotte.

That unfair and arbitrary act was immediately condemned by the international community, which considers it as constituting interference in the internal affairs of a very young State, the Comoros. The French Government, seeking legal backing for its act of force, then decided to organize, on 1 February and 11 April 1976, two referendums on the island of Mayotte, on the basis of article 53, paragraph 3, of the French Constitution which states:

"No cession, exchange or adjunction of territory is valid without the consent of the populations concerned."

No one can ignore the fact that, in this particular case, it is not a matter of cession, adjunction or exchange of territory, but of the secession of a single territory, the Archipelago of the Comoros, the procedures and modalities regarding which took place in good and due form on 22 December 1974.



(Mr. Kafe, Comoros)

Given this perverted interpretation of the right of secession, our Organization reacted vigorously in resolution 31/4 of 21 October 1976 which considers that the occupation of Mayotte by France:

"... constitutes a flagrant encroachment on the national unity of the Comorian State ..."

"Condemns and considers null and void the referendums of 8 February and 11 April 1976 organized in the Comorian island of Mayotte by the Government of France, and rejects: .... any other form of referendum or consultation which may hereafter be organized on Comorian territory in Mayotte by France;"

(resolution 31/4)

Like the United Nations, most major international and regional organizations which have regularly dealt with this issue have not failed, and rightly so, to express their disapproval.

There can be no doubt that the forced separation of Mayotte from its other sister islands is a heavy blow, not only to our young State but, first and foremost, to entire families which, from one day to the next, found themselves arbitrarily divided and separated from each other.

When one is aware of the homogeneous nature of the population of the Comoros, the ties of blood forged from the outset among the inhabitants of the various islands, one better understands the pain felt and the tragedies experienced during that decade by a people who were used to a closely-knit social life. The adverse effects of this separation are not only human in nature, they also have serious consequences for the economy of the archipelago.

In fact, owing to their complementarity, the four islands of the Comoros have an economy which is developing in perfect symbiosis as a result of the production and specific activities peculiar to each one.

(Mr. Kafe, Comoros)

These are the actual facts which, 10 years after our independence, still constitute the difficult problem which we are discussing today.

It should be emphasized that at a time when our country was subjected to such an injustice many voices were raised in France in vigorous protest and condemnation.

Thus, the elected officials of the French socialist party, who were then in the opposition, addressed to the Constitutional Council of their country, on 13 December 1975, a letter which denounced the law on the consequences of the self-determination of the islands of the Comoros. They rightly believed that the French law which recognized the sovereignty of the Comorian State over only three islands of the Archipelago - but not over the island of Mayotte - was unconstitutional. I should like to quote some of the arguments set forth in that letter to shed more light on our discussion:

"We believe that this law is contrary to the Constitution for the following reasons: any action taken by the legislation or executive was based on the assumption that the Archipelago of the Comoros was an indivisible territory.

"Thus it would seem that the French Republic never called into question the territorial unity of the Comoros, while international public opinion has always considered that the four islands of the Comoros formed a single territory, dependent on the French Republic and administered therefore under the provisions of articles 72 et seq. of the Constitution."

That reflects a clear and unequivocal position. Even today statements made by the highest French officials regarding similar problems, or problems relating to Mayotte, explicitly recognize our unity and the merits of our cause.

For example, speaking of Chad, the President of the French Republic stated:

"It would not be acceptable for this de facto situation to be transformed into an agreed division. The independence, sovereignty and integrity of any

(Mr. Kafe, Comoros)

State recognized by the international community is a basic principle of French policy ..."

In light of this important statement one cannot refrain from making a parallel between the sacrosanct nature the frontiers of Chad and those of the Islamic Federal Republic of the Comoros. In both cases recognition by the international community is not lacking.

Mention could also be made of the remarks of the French Secretary of State for Overseas Departments and Territories, Mr. Georges Lemoine who, when questioned about the political future of Mayotte, stated to a journalist from the newspaper Le Monde:

"We cannot bury our heads in the sand and say that we have settled all problems connected with the question of Mayotte ... There are, after all, international bodies which remind us that decolonization is taking place on the colonial periphery and that the Comoros comprise four islands.

"The Islamic Federal Republic of the Comoros is justified in stating that decolonization is not been complete and that, from the standpoint of sovereignty, Mayotte is part of the Comoros."

In view of the adoption of these positions which are absolutely clear and unambiguous, we have the right to wonder why the French side still wishes to organize yet another referendum in part of our national territory, a referendum which has already been condemned and rejected in advance by our Organization and the entire international community.

As we have always stated and reiterated, the solution to this problem is not to be found in the repeated organization of a referendum in Mayotte. It can only be the result of a frank and decisive dialogue between the two States of France and the Comoros, in accordance with the recommendations and relevant resolutions of international organizations.

(Mr. Kafe, Comoros)

This is why, on 22 October this year, from this very rostrum, the President of the Islamic Federal Republic of the Comoros, President Ahmed Abdallah Abderemane stated:

"It is time for France, as a founding Member of our Organization, to transcend the confines of short-term interests and devote its intellectual powers, in concert with the United Nations, to the search for a just and lasting resolution of this problem.

"It is along these lines that all other international organizations and regional bodies dealing with this question are advising France to proceed.

"For their part, the people and the Government of the Comoros, faithful to the principles of peace and justice embodied in the Charter of our Organization, continue to remain open to dialogue and to a concerted approach so that once and for all, while there is still time, this problem may be resolved." (A/40/PV.44, p. 29)

For our part, we believe that in restoring law and justice for our country, France, with which we have good relations in other spheres, will doubtless emerge with its prestige enhanced from a problem which is not in keeping either with its traditions nor with the image it has created of itself during the decolonization of other former African territories.

The people and Government of the Comoros are aware of their rights and of the justice of their cause. No argument of any nature can shake their determination in their legitimate efforts to restore their territorial integrity.

Once again this year they will greatly appreciate the continued and unanimous support given by our Organization by its adoption of the draft resolution submitted to the Assembly and by giving the seal of approval to our present debate. We hope very much that the Assembly will be able to adopt it.

Mr. AL FARSI (Oman) (interpretation from Arabic): Ten years have passed since the international Organization first considered the question of the Comorian island of Mayotte. Resolutions on this item have been repeatedly adopted by this Organization and by other regional and international bodies, such as the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and the Organization of African Unity, calling for a just solution to the question and for speedy and serious negotiations designed to put an end to the problem, which is a legacy of colonialism. Unfortunately, despite all those resolution, there has not been any perceptible progress in this respect. For that reason, the item is once again before the United Nations, in the hope that after 10 years of futile efforts, a solution will finally be found. The present situation, which is merely an acceptance of the status quo cannot and should not continue indefinitely.

My country's policy is based on respect for the independence, unity, territorial integrity and national sovereignty of all countries and the inadmissibility of foreign intervention in internal affairs. We therefore, from this rostrum, call upon the parties concerned to find a solution to this problem by peaceful means, on the basis of respect for the sovereignty and national independence of the Islamic Federal Republic of the Comoros. That young State deserves full assistance and support from everyone so that it may reinforce its unity and territorial integrity and ensure a stable economic situation for its inhabitants.

It should be noted that the Islamic Federal Republic of the Comoros has expressed its full understanding of and has responded to all the international Organization's appeals for the rapid achievement of a solution to this problem. It has become clear, however, that no significant progress has yet been made, especially in regard to the implementation of the relevant General Assembly resolutions. The most recent of these is resolution 39/48, which reaffirms the

(Mr. Al Farsi, Oman)

sovereignty of the Islamic Federal Republic of Comoros over the island of Mayotte and calls upon the friendly Government of France to honour the commitments entered into prior to the self-determination referendum in the Comoro Archipelago on 22 December 1974. Those commitments involve respect for the unity and territorial integrity of the Comoro islands. The resolution also calls for the translation into practice of the wish expressed by the President of the French Republic to seek actively a just solution to the question of Mayotte, and urges the Government of France to open negotiations with the Government of the Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros.

It is important to recall here that when the General Assembly admitted the Islamic Federal Republic of Comoros to membership of the United Nations in 1973, it affirmed again, unequivocally, the need for respect for the unity and territorial integrity of that country, which is - as the whole world knows - an archipelago, composed of four islands: Anjouan, Grande-Comore, Mayotte and Moheli, and which has one people with a common history and heritage.

The United Nations, whose Charter stipulates in its preamble that one of the main tasks of our Organization is to encourage peace and understanding among the peoples and nations, must encourage initiatives and support the resolutions adopted by it. At the same time, the States Members of the Organization should be obliged to implement its resolutions, and this applies especially to those countries that founded the Organization and accepted its rule, which makes it a refuge for those seeking peaceful solutions to human problems, through fruitful and positive dialogue.

On that basis, we look forward to the speedy resumption of negotiations and the beginning of the drafting of the agreement between France and the Comoros which constitutes the final solution to this problem. Such an agreement could certainly

(Mr. Al Farsi, Oman)

enhance the ties of friendship and mutual respect between those two States, which are linked by so many interests.

Oman, as a member of the Movement of Non-Aligned Countries, stresses the necessity of taking duly into account the Final Declaration of the Conference of Foreign Ministers of Non-Aligned Countries recently held in the Angolan capital, Luanda, as it concerns the Comorian island of Mayotte. At that Conference, the Foreign Ministers reaffirmed that Mayotte is an integral part of the sovereign territory of the Islamic Federal Republic of Comoros. They also stated their active solidarity with the people of Comoros and called for support for the independence, unity, and territorial integrity of Comoros. Moreover, they expressed regret at the stand taken by the French Government, which had not taken a single step or initiative that could lead to an acceptable solution to the problem of the Comorian island of Mayotte, in spite of repeated promises in this respect. At the same time, the Foreign Ministers of the non-aligned countries called upon the French Government to respect the just claim of the Islamic Federal Republic of Comoros to the island of Mayotte.

Oman's interest in this question and its desire to see an honourable solution reached are strengthened by the ties of cordial friendship that it has and has always had with the two parties to the conflict. My country's position on this matter is unequivocal: it fully supports the sovereignty of the Islamic Federal Republic of Comoros over the island of Mayotte. Indeed, that sovereignty has been repeatedly affirmed in the relevant United Nations resolutions. We support fruitful dialogue by the two parties to the conflict with a view to ensuring understanding between them, since they have a long history of friendly ties, which could be harmed if a solution to the question of Mayotte is not found.

(Mr. Al Farsi, Oman)

My delegation has studied the Secretary-General's report on this item which appears in document A/40/619. It is regrettable to see that no significant progress on the question has been achieved. This becomes even more evident when we read the texts of the letters exchanged between the parties concerned and the Organization as well as the Organization of African Unity. Hence, we call upon this international Organization to redouble its efforts to activate and speed up the negotiating process so that an early end may be put to this important problem.



(Mr. Al Farsi, Oman)

In conclusion, as with similar draft resolutions in previous years, the Omani delegation has sponsored the draft resolution on the Comorian island of Mayotte which is now under consideration in the General Assembly. We therefore call upon the United Nations to reactivate and push forward the negotiating process and we urge the parties concerned to adopt a serious approach to negotiations to reach a solution in the interest of all, thus giving effect to all the relevant international resolutions. This would be in keeping with respect for sovereignty and national independence and would create a beacon of light, peace and stability in that part of the world. It would also serve as a proper precedent for the solution of all the outstanding problems that need to be solved in the interest of mankind in general. This is what my country believes in and this is our foreign policy.

Mr. FOUM (United Republic of Tanzania): At its twenty-ninth session, in 1974, the Assembly adopted resolution 3291 (XXIX) affirming the principles of the unity and inviolability of the territorial integrity of the Islamic Federal Republic of the Comoros. It was the hope of all of us that that resolution would be a positive contribution complementing efforts to reach a solution to the question of the Comorian island of Mayotte. It is now 11 years later and, as the facts clearly show, no meaningful measures have been taken by the occupying Power to ensure the return of the island to the full sovereignty of the Comoros.

This year the Assembly has commemorated the twenty-fifth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples. It is also the year that marks the fortieth anniversary of the liberation of Europe. It is thus a matter for utter dismay that, as the European nations celebrate their liberation from occupation, some countries in our region still suffer the indignity and humiliation of occupation.

(Mr. Foun, United Republic  
of Tanzania)

Whenever this subject has come up for discussion, and that is every year, the representatives of France have assured us of their Government's intent to co-operate fully towards a lasting solution. Like all others, my delegation has always found this attitude welcome and has sought to encourage France to enter into direct talks with the Government of the Comoros and to take meaningful action to resolve the problem. The fact, therefore, that the problem has not been resolved, the fact that there is actually a slow-down in action towards reaching a solution, is straining our acceptance of the willingness of France to act meaningfully for a speedy solution. Concern at the lack of progress on this issue has been the subject of discussion in various international forums, which have viewed it as a deliberate obstruction of the enjoyment by the people of the Comoros of their full sovereignty and unity and the territorial integrity of their nation.

Our concern about this issue is not academic. Our concern is to ensure the creation of a climate that does not militate against the interests of the parties concerned or the promotion of a climate of peace and security in the area. This concern has been voiced by this Organization, as it was by the Organization of African Unity at its highest level when, as far back as 1976, it created an ad hoc committee with the specific mandate of helping the parties resolve the problem.

Often we have been reminded of the responsibility assumed by the permanent members of the Security Council for the maintenance of peace and security. That also presupposes the promotion of a climate of peace and security. We submit that the occupation of the Comorian island of Mayotte is an act that promotes only instability and threatens the freedom, peace and security of the region, and that it is the responsibility of the international community as a whole to take positive action against that threatening atmosphere.

(Mr. Foun, United Republic  
of Tanzania)

In the communiqué adopted at the conclusion of their meeting in Luanda, Angola, at the beginning of September this year, the Foreign Ministers of the Non-Aligned Movement stated:

"With regard to the Comorian Island of Mayotte, the meeting reaffirmed that it is an integral part of the sovereign territory of the Islamic Federal Republic of the Comoros and urged the French Government to put an end to its occupation of the island, in conformity with the overall results of the referendum for self-determination carried out on 22 December 1974. They also expressed their active solidarity with the people of Comoros in their legitimate efforts to recover that island and preserve the independence, unity and territorial integrity of Comoros."

My delegation wishes to pay a tribute to the Government and people of the Comoros for their unswerving commitment to seeking a peaceful and honourable solution. The statement issued this afternoon by the Foreign Minister of the Comoros is further testimony to this commitment. It is our hope that France, which has always proclaimed its understanding and friendship specifically towards the people of the Comoros, will heed the call by the Government of the Islamic Federal Republic of the Comoros and co-operate actively to achieve the resolution of the problem and thus ensure the early return of the island of Mayotte to the Comoros.

Mr. OYOUE (Gabon) (interpretation from French): Once again the General Assembly has before it the question of the Comorian island of Mayotte. As Chairman of the Committee of Seven, created in June 1976 to deal with this matter under resolution C.M. 946 (XXVII) of the Council of Ministers of Foreign Affairs of the Organization of African Unity (OAU), the delegation of Gabon welcomes the fact that this item is on the agenda for this session.

(Mr. Oyoué, Gabon)

During this year of commemoration of the fortieth anniversary of the United Nations, which is also the twenty-fifth anniversary of the adoption of the Declaration on the Granting of Independence to Colonial Countries and Peoples, debate on a question such as that of the Comorian island of Mayotte is of particular importance. This is all the more true since the decolonization mission assigned to the United Nations at its creation has been one of the major successes of this great universal Organization.

(Mr. Oyoué, Gabon)

From that point of view, it is most regrettable to note the persistence in some regions of the world of many colonial situations. At a time when our Organization is steadily approaching its half-century of existence, there is a need to think of the growing role which it should play in promoting independence and self-determination of colonial countries and peoples.

During previous sessions, my country expressed its wish to see a just and definitive solution to the question of the Comorian island of Mayotte. That desire is all the more keen since the parties involved have chosen negotiation as a means to settle the conflict. The talks held by Presidents Abdallah and François Mitterand, particularly in the course of last year clearly reflect the readiness of the French and Comorian Governments to reach agreement on that problem.

Despite the fact that my country, as Chairman of the Ad Hoc Committee of the Organization of African Unity (OAU), has not been informed of the results of those contacts, the Government of Gabon, which has always based its foreign policy on dialogue, is gratified to note that two Member States of the United Nations have chosen to settle their dispute through peaceful means.

However, although bilateral negotiations are proving effective in the settlement of that conflict, we are obliged to note that for almost ten years now the question of the Comorian Island of Mayotte has not been dealt with satisfactorily. As we pointed out during the work of the thirty-ninth session, an impasse in that case is likely to damage the sovereign authority of the Islamic Federal Republic of the Comoros over the whole of its national territory.

With a view to breaking that impasse, the OAU, whose position is well known, adopted resolution C.M/Res.1005 (XLII) on Mayotte at its meeting of the Council of Ministers, held during its forty-second regular session in Addis Ababa from 10 to 15 July 1985.

(Mr. Oyoué, Gabon)

In the same spirit Gabon, as Chairman of the Committee of Seven, has tirelessly undertaken steps, both within the OAU, and with the French authorities, to consider practical means to bring about the return of the island to the Islamic Federal Republic of the Comoros. Similarly Mr. Martin Bongo, Minister of Foreign Affairs and Co-operation, acting on a proposal by his counterpart and brother of the Comoros, proposed to the French Minister of Foreign Affairs, in a letter dated 25 May 1984, that he should receive a mission from the Committee of Seven during the first two weeks of July 1984. That request was repeated through diplomatic channels in November of that year, but thus far we have had no response from the French side.

In addition, during the proceedings of the forty-second session of the Council of Ministers of the OAU, Gabon convened a meeting of the Committee of Seven.

That Committee in fact met in Addis Ababa on 16 July 1985 under the chairmanship of Mr. Martin Bongo, the Foreign Minister. All the States represented on the Committee were present, namely Algeria, Cameroon, Comoros, Gabon, Madagascar, Mozambique and Senegal. That meeting allowed members of the Committee to take stock of the situation as it had evolved since their last meeting, which took place in Moroni from 9 to 11 November 1981 and culminated in the adoption of a text recommending, inter alia, that all member States of the OAU, individually and collectively, use their relations with France to induce it to restore the Island of Mayotte to the Islamic Federal Republic of the Comoros as soon as possible. Similarly, the meeting of the members of the Committee of Seven allowed delegations to reaffirm the importance of the question of the Island of Mayotte, which belongs to the Comoros, but is not effectively controlled by the authorities of that country. Those delegations noted the disturbing nature of this situation prevailing in what is, moreover, a strategic region. Thus the Committee of Seven

(Mr. Oyoué, Gabon)

stressed the fact that there was an imperative need to find as soon as possible a solution which would guarantee the rights of the people and the Government of the Comoros to the island and would allow that Government to ensure effective control.

As indicated in the Secretary-General's report, A/40/619, of 8 October 1985 regarding the question of the Comorian Island of Mayotte, Gabon is continuing its consultations with other member countries of the Ad Hoc Committee and with the Comorian Government.

Those consultations are all the more urgent since operative paragraph 3 of resolution C.M/Res.1005 (XLII), adopted by the Council of Ministers of the OAU at its forty-second session and endorsed by the 21st Summit Meeting of the Heads of State and Government of that organization, dealing with the question of the Comorian Island of Mayotte, asked that the Ad Hoc Committee of Seven to meet before the forty-third regular session of the Council of Ministers of the OAU to consider, in co-operation with the Government of the Comoros, ways and means of implementing the recommendation of Moroni and to speed up the negotiation process between the French Government and the Government of the Comoros to achieve a peaceful settlement to that question.

In response to the provisions of that resolution, the Government of Gabon has proposed that the Ad Hoc Committee meet at Libreville from 6 to 8 January 1986. That proposal has already been transmitted to all member countries of the Committee of Seven through two notes verbales from our Permanent Mission to the United Nations. We are still awaiting the reactions of friendly and sister countries to that proposal.

There can be no doubt that this coming meeting will allow that body to strengthen its action and therefore to try to speed up the negotiation process between the parties involved and above all to achieve a peaceful solution to the

(Mr. Oyoué, Gabon)

dispute. In this sphere, the action of the international community must encourage this climate of dialogue which will allow the French and Comorian Governments to work more successfully for an equitable solution to the problem.

As Chairman of the Ad Hoc Committee of the OAU, Gabon believes that this process inevitably hinges on the reaffirmation of the fact that the Island of Mayotte is an integral part of the sovereign territory of the Islamic Federal Republic of the Comoros. Thus, as the Ministers of Foreign Affairs of the Non-Aligned Movement affirmed during their last meeting held in Luanda, Angola, from 4 to Seven September 1985, the international community must even more strongly express its solidarity with the people of the Comoros in their legitimate effort to recover the Island and to preserve the independence, unity and territorial integrity of the Comoros.

Mr. SARRE (Senegal) (interpretation from French): The question of the Comorian Island of Mayotte has been before the General Assembly for exactly ten years. As everyone will remember, that question was included in the agenda of our Assembly for the first time in 1975, at its thirtieth regular session. Since then the international community has been following that question with interest, both in the United Nations, in the Non-Aligned Movement, in the Islamic Conference and the Organization of African Unity.

Thus, over the years, from session to session, in those different forums, the international community has been the attentive witness of the unflagging efforts made both by the parties at issue, namely, France and the Comoros, and the competent bodies of the aforementioned organizations, with a view to arriving at a just and definitive solution to that question. We must, however, note that for some time now there has been no major development in respect of that question.



(Mr. Sarré, Senegal)

Thus, since the meeting three years ago of the Committee of Seven of the Organization of African Unity (OAU) charged with following the question of the Comorian island of Mayotte, and since the Niamey session in August 1982 of the Organization of the Islamic Conference, no substantial progress has been achieved along the path to a negotiated solution.

It is regrettable that the constructive proposals of the Islamic Conference, as well as the solemn commitment undertaken by the parties directly concerned with a view to settling the Mayotte question through negotiation, should not have led to the expected results.

In his communication of 8 June 1984, the Secretary-General of the OAU informed the Secretary-General of the United Nations on the subject, that the question of Mayotte had barely evolved, despite the new contacts taken at the highest level between the Comorian and French Governments. And the situation remains unchanged, as borne out by the report of the Secretary-General of the United Nations in document A/40/619.

Africa is aware of the delicacy of the problem. That is the reason why we are convinced that only the relentless pursuit of the dialogue between the parties involved is likely to create conditions for a just and acceptable solution to all.

We are gratified in this connection to find that in their bilateral relations, full of frankness and cordiality, both the Comoros and France should have provided the international community with proof of their common desire to overcome the difficulties that still stand in the way of a truly constructive dialogue.

The two parties directly concerned, the Comoros and France, have always expressed their readiness to pursue negotiations in a spirit of mutual understanding.

(Mr. Sarré, Senegal)

That common will to find an honourable solution to the question of the Comorian island of Mayotte strengthens our conviction that a peaceful, just and lasting settlement of the Mayotte question is possible, providing of course that the major party in the dispute should make significant efforts towards the rapid resumption of negotiations.

We call for that rapid resumption of a dialogue in the spirit of the Charter of the OAU and the relevant resolutions of the United Nations, and in particular resolution 3385 (XXX) of 12 December 1975 of the General Assembly, which reaffirmed the necessity of respecting the unity and territorial integrity of the Comorian Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Moheli.

It is imperative that a just solution be found rapidly to the question of the Comorian island of Mayotte because this question could not only tarnish the image and reputation of a great country, but also threaten international peace and security.

Our Organization, one of whose essential tasks is to promote peace and understanding among peoples and nations, should yet again take this special opportunity offered by the fortieth session of the General Assembly, commemorating the fortieth anniversary of the entry into force of the San Francisco Charter, to address a strong appeal to the parties directly concerned to give a further determined impetus to the efforts to solve this question by embarking on a process which should allow for the rapid elaboration of an agreement which would consecrate the definitive solution of the Mayotte problem.

The Council of Ministers of the OAU, at its forty-second regular session in Addis Ababa from 10 to 15 July 1985, adopted resolution CM/Res. 1005 (XLII), in which, in particular, it requested the OAU Ad Hoc Committee of Seven to meet before the forty-third regular session of the Council of Ministers of the pan-African

Organization to consider, in collaboration with the Comorian Government, ways and means likely to lead to the implementation of the Moroni recommendation, while speeding up the process of negotiation between the French and Comorian Governments, with a view to achieving a peaceful settlement to this question.

Africa has thus undertaken to spare no effort to assist in bringing about an honourable solution to the Mayotte problem.

That solution, so long as it is just and lasting, we are convinced will have the best effects for France and the Comoros and for the French and Comorian people who, over and above their historic and cultural links, remain attached to the common ideals of international peace and solidarity.

Mr. AMR (Egypt) (interpretation from Arabic): On previous occasions we have made clear the importance Egypt attaches to the question of the Comorian island of Mayotte and the wish to see a speedy and just solution of this problem, one that would serve to enhance the ties of friendship and close co-operation which we have always enjoyed with the two parties to the problem.

Egypt's position on this issue, which has now entered its tenth year, has been clear and steadfast since the beginning. Egypt supports the sovereignty of the Islamic Federal Republic of the Comoros over Mayotte. This is exactly what all resolutions of the General Assembly of the United Nations, the Organization of African Unity (OAU) and the Organization of the Islamic Conference, have reaffirmed. They have all called for respect for the unity and territorial integrity of the Comorian Archipelago. We fully understand the concern of the Comorian Government at the lack of progress towards a settlement and at the unchanging state of affairs since it attained independence and joined the United Nations in 1975.

Furthermore, we concur with the information in the note verbale addressed by the Comorian Ministry of Foreign Affairs and Co-operation to the Secretariat of the United Nations, which appears in document A/40/619, that:

(Mr. Amr, Egypt)

"If this serious problem persists, there is a risk that it will disturb the political stability and peaceful atmosphere currently prevailing in our region." (A/40/619, p. 3)

Although the problem of Mayotte has remained unresolved up to now, we still believe that there is room for optimism and hope in a negotiated and just settlement. This feeling can be attributed to the wish expressed by both the Comorian and French Governments to pursue the dialogue and exert efforts to arrive at a solution which would preserve the territorial integrity of the Comorian islands and take into account the interests of all parties. This was clearly demonstrated in the replies of the two parties to the note verbale of the Secretary-General, as borne out by the aforementioned document.

My delegation hopes that the intentions and efforts of the two sides can be translated into concrete results in the near future. We hope that the Comorian Government will be able to exercise full sovereignty over the entire Archipelago, including the island of Mayotte, so that the people of that region can concentrate their efforts and capabilities on the task of development and progress.

Mr. NAIR (Singapore): My delegation is very grateful to the representative of the Comoros for his extremely informative statement this afternoon, which has provided my delegation with an up-to-date briefing on the evolution of the present situation. In addition, my delegation wishes to express its thanks to the Secretary-General for his useful and elucidating report (A/40/619) on this subject dated 8 October 1985.

Singapore enjoys close and friendly relations with both France and the Islamic Federal Republic of the Comoros and it is for this reason that we desire to see a speedy resolution of the question of Mayotte, which continues to be an outstanding issue between the two countries. The continued separation of Mayotte from the other islands of the Comorian Archipelago, over which the Islamic Federal Republic of the Comoros exercises sovereignty, has had a deleterious effect on the economy of the Comoros.

We share the concern of the Government of Comoros at the lack of progress in the settlement of the problem and the fact that the situation has changed very little since this item was first introduced, at the thirty-first session of the General Assembly. This lack of movement is reflected in the letter of 3 September 1985 from the Minister of Foreign Affairs and Co-operation of the Comoros addressed to the Secretary-General of the United Nations, which can be found in the Secretary-General's report. The report indicates inter alia that despite many high-level contacts between the Comoros and France there has been no significant progress in resolving this difficult problem. In this regard my delegation hopes that the mediation and good-offices efforts by the Organization of African Unity in assisting to resolve the problem will bear fruit.

International concern over the question of Mayotte is evident in the repeated resolutions adopted by the General Assembly since the item was first introduced. The decisions taken at the United Nations have consistently emphasized the need for

(Mr. Nair, Singapore)

negotiations between France and the Comoros with a view to achieving a harmonious and just settlement.

We appeal to the Government of France to redouble its efforts to continue its dialogue with the Government of the Comoros in a constructive spirit and in keeping with the decisions of the United Nations. My delegation is encouraged by the greater degree of understanding shown by France in recent years towards the Government of the Comoros concerning the restitution of its rights with regard to Mayotte. The position of the Government of Comoros has been upheld by the General Assembly, the Organization of African Unity and the Movement of Non-Aligned Countries. It is my delegation's sincere hope that the talks which have been initiated by France and Comoros will lead to a speedy solution to this long-standing problem - a solution based on respect for the sovereignty, unity and territorial integrity of the Republic of the Comoros.

Finally, my delegation wishes to express its full support for draft resolution A/40/L.38, which is before the Assembly. In supporting the draft we are motivated by an earnest desire to encourage an expeditious process of negotiations between the two countries, leading to an early solution of the problem.

Mr. C. N. A. KHAN (Pakistan): Our desire to see a speedy settlement of the question of Mayotte stems from our close and friendly relations with both the Islamic Federal Republic of the Comoros and France. Also, the issue concerns the territorial integrity of the Comoros, whose economy continues to suffer because of the separation of Mayotte from the other islands of the archipelago over which the Islamic Federal Republic of the Comoros exercises sovereignty.

For several years now the question of Mayotte has been on the agenda of the General Assembly, which has adopted several resolutions aimed at promoting negotiations on its speedy settlement. Resolutions and decisions have also been

(Mr. C. N. A. Khan, Pakistan)

adopted by other international forums, including the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Organization of African Unity. All those decisions and resolutions have reaffirmed the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte and urged early negotiations between France and Comoros with a view to achieving an honourable and just settlement. The experience of the intermittent negotiations thus far held between the two parties shows that more concerted and serious negotiations are required for progress towards a settlement. We hope that such negotiations will not be delayed any further. In this regard we are encouraged by the declared position of the Government of France indicating its readiness to engage in a dialogue with the Government of the Comoros in a constructive spirit, and to seek a just solution of the question of Mayotte.

We consider that resolutions 1514 (XV) and 3291 (XXIX) of the General Assembly are relevant to the question of Mayotte. By virtue of its resolution 3291 (XXIX), of 13 December 1974, the General Assembly affirmed the unity and integrity of the Comoros and emphasized that the archipelago comprises the island of Anjouan, Moheli, Grande-Comore and Mayotte. According to General Assembly resolution 1514 (XV), on the granting of independence to colonial countries and peoples, the principle of self-determination applies to a colonial entity as a whole, which should have been the case in regard to the Comoros Archipelago.

The emphasis on the need for negotiations has been maintained in all the resolutions adopted by the General Assembly as well as those adopted by the Movement of Non-Aligned Countries, the Organization of the Islamic Conference and the Organization of African Unity. The same emphasis has been maintained in draft resolution A/40/L.38. We support that draft resolution in the hope that France and

(Mr. C. N. A. Khan, Pakistan)

the Comoros will intensify their efforts through negotiations to bring about a solution of the question of Mayotte consistent with the decisions of the United Nations and recognized principles of international laws.

Mr. KRISHNAN (India): The report of the Secretary-General (A/40/619) on the question under consideration provides us with a clear picture of the current situation with regard to efforts to promote a peaceful and political settlement of the question of Mayotte. Regrettably, that picture leaves little room for jubilation or optimism.

The Government of Comoros has communicated to the Secretary-General that "despite many contacts between the Governments of France and the Comoros, including meetings at the highest level, which took place in accordance with the General Assembly's recommendations calling for consultations, no positive result has been achieved."

Comoros has further maintained that

"despite the Comorian Government's willingness to participate in a dialogue to find a speedy solution to this problem, the Government has been confronted by a barrier of incomprehension on the French side". (A/40/619, para. 4)



(Mr. Krishnan, India)

In its response to the Secretary-General the Government of France made reference to the bill submitted to the French Parliament advocating that the population of Mayotte be consulted

"on a date and under conditions to be decided by law ... with a view to ascertaining whether it wishes Mayotte to remain a part of the French Republic or to be separated from it." (p. 3)

In the position taken by the French Government, the question of direct negotiations between France and Comoros, aimed at a political settlement of the problem has not been referred to.

The Movement of Non-Aligned Countries has consistently held that Mayotte is an integral part of the sovereign territory of the Islamic Federal Republic of the Comoros and that the results of the 1974 referendum apply also to Mayotte, making any new referendum in Mayotte unacceptable. In the Declaration adopted by the Ministerial Conference in Luanda two months ago the Movement once again expressed its

"active solidarity with the people of Comoros in their legitimate efforts to recover the Comorian island and preserve the independence, unity and territorial integrity of Comoros. The Ministers expressed regret at the stand taken by the French Government, which had hitherto not taken a single step or initiative that could lead to an acceptable solution to the problem of the Comorian island of Mayotte in spite of its repeated promises. The Ministers called upon the French Government to respect the just claim of the Islamic Federal Republic of Comoros to the Comorian island of Mayotte". (A/40/854, para. 129)

(Mr. Krishnan, India)

The vexed question of Mayotte has now been before this Assembly for over nine years. Each year the Assembly has pronounced itself unequivocally on the subject, reaffirming the sovereignty of Comoros over the island and urging the Government of France to initiate negotiations with the Comorian Government with a view to ensuring the restitution of Mayotte to Comoros. The known commitment of the current French leadership actively to seek a just settlement of the question should have facilitated the achievement of that objective. We appeal to all concerned to display the necessary goodwill and to make a renewed effort so that a peaceful and negotiated solution may be found without delay to this unfortunate problem which has been left pending in the process of decolonization of the Comoros archipelago.

Mr. de KEMOULARIA (France) (interpretation from French): I have of course followed this debate with the greatest attention. I have noted the moderation of all of those who have spoken and above all of the Minister of Foreign Affairs of Comoros. I have just re-read his statement, in which he recalled the high calibre of the relations existing between his country and France. I also listened with particular attention to the statement of our Gabonese colleague, who, as Chairman of the Ad Hoc Committee of the Organization of African Unity (OAU) on the question of Mayotte, recalled that the talks which Presidents Abdullah and Mitterand had particularly "in the course of last year" (supra, p. 26) - he might have said one-and-a-half or two months ago - clearly reflected the readiness for agreement on this question of the French and Comorian Governments. In point of fact, this is a friendly disagreement in which there is an obvious desire for co-operation between the two parties.

France regrets that once again this year the island of Mayotte is the subject of an item on the agenda of the General Assembly session. In fact, it can only decide against the text before us, especially because of operative paragraph 1.

(Mr. de Kemoularia, France)

My country continues to hope that a just and lasting solution will be found. In this connection, I should like to recall that - as indicated in the note addressed to the Secretary-General - the Government has submitted to the French Parliament a bill providing that on a date and under conditions to be decided by law, the population of Mayotte will be consulted with a view to ascertaining whether it wishes Mayotte to remain a part of the French Republic or to be separated from it. Thus the population of Mayotte will be able to pronounce on the fundamental question of its future.

The Mayotte statute does not exclude any development that is in keeping with international law and the Constitution of the French Republic and respects the rights of the population concerned. French legislation must fulfil those requirements.

The policy of the French Government also continues to take into account the regional context as far as Mayotte is concerned and to that end encourages the development and normalization of relations between Mayotte and neighbouring States, in particular in the Comoros archipelago.

The aim of the actions of the French Government is to ensure that an equitable solution is found to this question.

The PRESIDENT (interpretation from Spanish): We have heard the last speaker in the debate on this item.

I have to inform the Assembly that Madagascar has become a sponsor of draft resolution A/40/L.38.

The Assembly will now take a decision on draft resolution A/40/L.38.

A recorded vote has been requested.

A recorded vote was taken.

In favour: Afghanistan, Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Bahamas, Bahrain, Bangladesh, Barbados, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burma, Burundi, Byelorussian Soviet Socialist Republic, Cameroon, Cape Verde, Central African Republic, Chad, Chile, China, Colombia, Comoros, Cuba, Czechoslovakia, Democratic Kampuchea, Democratic Yemen, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Equatorial Guinea, Ethiopia, Fiji, Finland, Gabon, German Democratic Republic, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lesotho, Liberia, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Nepal, Niger, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Peru, Philippines, Poland, Qatar, Romania, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Sierra Leone, Singapore, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia, Zimbabwe

Against: France

Abstaining: Australia, Austria, Belgium, Canada, Cyprus, Denmark, Germany, Federal Republic of, Greece, Grenada, Iceland, Ireland, Israel, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Saint Lucia, Spain, United Kingdom of Great Britain and Northern Ireland, United States of America

Draft resolution A/40/L.38 was adopted by 117 votes to 1, with 22 abstentions (resolution 40/62).\*

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\*Subsequently the delegations of the Congo and Ghana advised the Secretariat that they had intended to vote in favour.

The PRESIDENT (interpretation from Spanish): I call on the representative of the United Kingdom, who wishes to explain his vote.

Mr. EWANS (United Kingdom): My delegation abstained on the resolution just adopted since it is silent on the right of self-determination of the inhabitants of Mayotte. My delegation regrets this omission since it implies that the Mahorais should be considered an exception to what is otherwise regarded as a universal rule: namely, that all peoples have the right to self-determination. We believe that the future of Mayotte is essentially one for the inhabitants of that Territory to decide.

The PRESIDENT (interpretation from Spanish): The General Assembly has concluded its consideration of agenda item 32.

The meeting rose at 5.10 p.m.