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NOTE VERBALE DATED 3 MARCH 1976 FROM THE CHARGE D'AFFAIRES, A.I.
OF THE PERMANENT MISSION OF SOMALIA TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Chargé d'affaires, a.i., of the Permanent Mission of the Somali Democratic Republic to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit on the instructions from his Government the attached position paper regarding the current developments in so-called French Somaliland (Djibouti).

The Chargé d'affaires, a.i., of the Permanent Mission of the Somali Democratic Republic to the United Nations requests the Secretary-General of the United Nations to circulate the contents of the attached position paper to Member States of the United Nations as an official document of the Security Council.

Annex

The position paper of the Somali Democratic Republic on the
question of so-called French Somaliland (Djibouti)

The Somali Government has been following with the utmost concern, the increasingly tense and dangerous situation prevailing in French Somaliland. Of late, the Territory has been experiencing a rigorous oppressive colonial policy of the worst kind. Ever since the French Government officially declared its intention to grant the Territory its independence, there has been a systematic application of political repression and mass deportations. This wave of multifaceted repressive measures, which are similar to those brutally carried out by the French authorities during the 1967 so-called referendum, is now more serious than ever. Acts of torture and intimidation had also escalated to alarming proportions. Although the exact figure of those subjected to this colonial inhuman treatment cannot be assessed with accuracy, due to its continuous occurrence and intensity, it is believed that thousands of people have been arbitrarily deported or illegally detained from early 1975, and especially since December 1975. The application of this inhuman colonial policy has recently culminated in the total eradication of the "shanty town" of Balbala situated on the suburbs of Djibouti and the deportations of its inhabitants across the border to Somalia. The border checkpost of Loyada, which was the scene of the recent drama, has become the dumping ground for French Somaliland nationals whose sole crime was to demand their legitimate right to independence.

By using such inhuman practices, the French authorities make no secret of their firm intention to suppress all manifestations of opposition, on the one hand, and to encourage pro-French collaborators, on the other. Such appalling conduct on the part of France can only produce a feeling of resentment and despair among those who have been arbitrarily deprived of their legitimate aspirations. In the ultimate analysis, such an explosive situation could lead to violence and bloodshed, which could well pose a serious threat to the peace and stability of the whole region.

It is a matter of utter disappointment to the Somali Government that these repressive measures should be taken at a time when France has formally declared to the world its intention to grant the Territory full independence.

The concern of regional and international organizations over the political future of the people of the Territory was clearly reflected in the successive resolutions in 1975 adopted by the Kampala Summit of OAU in July 1975 (CM/RES 431/Rev.XXV), the Lima Foreign Ministers Conference of Non-Aligned States in August 1975 (NAC/FM/CONF.5/15, annex 1) and the thirtieth session of the United Nations General Assembly (A/RES/3480 (XXX)). It is significant to note that in all these resolutions, OAU and other international organizations demanded, among other things, the granting of immediate and unconditional independence to the Territory. In view of the particular significance of General Assembly resolution 3480 (XXX) on the Question of French Somaliland, it is necessary for

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purposes of further clarification and emphasis to cite its basic relevant provisions. Operative paragraph 1 reaffirmed unqualified support for the right of the people of the Territory to immediate and unconditional independence in accordance with resolution 1514 (XV). Operative paragraph 2 considered that the situation in the Territory could become a threat to peace and stability in the region and might adversely affect international peace and security unless an urgent solution to it was found. Operative paragraph 3 called on the administering Power to create the conditions necessary for accelerating the process of independence and referred particularly to the release of all political prisoners, the return of representatives of the liberation movements and of all refugees, in accordance with the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa.

Now what has France's attitude been towards this all important General Assembly resolution, and what does the record show for the past few months? Regrettably, it has been an attitude of contemptuous disregard of, and non-compliance with, any of the basic provisions of the aforementioned resolutions. Far from acceding to the call of the General Assembly for their return, within the established framework of international law, the French authorities have hastened to add to the numbers of the detainees, the expelled and the refugees and to promote their permanent exclusion from their homeland.

Basically, the official policy of France over the Territory has been explicitly stated in the Official Declaration issued by the French Government on 31 December 1975. Under the said Declaration, the French Government "confirmed that the French Territory of the Afars and the Issas is destined for independence". A basic condition laid down in the said Declaration is the responsibility assumed by the Government of France "to ensure the accession of the Territory to international sovereignty by maintaining the integrity of its frontiers and ensuring its security". In a more recent official statement issued about three weeks ago, the French Government refers, inter alia, to "the adoption of clear-cut positions with regard to respect for the frontiers of the future State". Since the French statement refers to the Declaration of 31 December 1975, it is understood that the "clear-cut position" under reference implies the so-called French guarantee of the territorial integrity and security of the Territory on and after independence.

It is surprising how the French Government can unilaterally assume certain responsibilities on behalf of the Territory prior to its independence. This is inconsistent with the basic norms of the decolonization process. Neither France, nor, for that matter, any other external Power has any legal or moral right to impose terms or conditions upon the people of the Territory prior to independence. In essence, any qualified independence would be a clear violation with the letter and spirit of the United Nations General Assembly resolution, as well as other relevant resolutions of OAU and the non-aligned States.

Now that both Somalia and Ethiopia have simultaneously declared their full support for the immediate and unconditional independence of the Territory, the

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apprehension of France regarding the territorial integrity and security of the country is not clearly understood. It will be recalled that both Somalia and Ethiopia formally agreed to renounce all claims to the Territory, and this was specifically spelt out in the resolution passed by the OAU Kampala Summit. Both countries had again reiterated their respective positions in the Lima Foreign Ministers Conference and, subsequently, in the thirtieth session of the United Nations General Assembly. The President of the Somali Democratic Republic, Jaalle Mohamed Siad Barre, in his most recent address to the nation on the question of French Somaliland, reaffirmed that Somalia wants to see the Territory attain its independence in peace and harmony free from foreign interference or pressures. In his press interview to the French paper, Le Quotidienne, dated 23 February 1976, Mr. Wadajo, Ethiopia's Foreign Minister, stated that France has no right to claim responsibility for the preservation of the territorial integrity and security of the Territory. Once independent, the security of the future State will be guaranteed under the auspices of OAU. He, therefore, excluded the need for French military presence in Djibouti. The idea that the Territory should establish military arrangements with France is a matter for the people of the Territory to decide after they attain their complete independence.

Yet, despite all these pronouncements, France is still determined to maintain her military and, of course, political presence in the Territory. This is amply reflected by French insistence to maintain in power the pro-French puppet régime of Ali Aref, which has no political support in the Territory. In recent weeks, Ali Aref, backed by the French Government and some African Governments, has been touring a number of African countries in a desperate effort to win political support for his régime at the African level. It is pertinent to stress that any recognition accorded to the Ali Aref régime will be futile so long as he lacks support among his own people.

The French policy of maintaining Ali Aref in power is unwise and does not in a way reflect French public opinion, let alone that of the people of the Territory. There is no precedent in French colonial history when an unpopular, colonially created régime was enforced on the local population against its will. In all the former French colonies, France transferred power peacefully and smoothly to prominent leading politicians, who, by virtue of their political wisdom and statesmanship, had won the confidence and support of their respective peoples. Mr. Ali Aref cannot reasonably claim to possess such political bases for leadership. The assessment that Ali Aref is politically bankrupt and a mere instrument of French colonialism is clearly reflected in the statements of prominent politicians and commentaries of leading French papers. Thus, on 6 February 1976, following the Loyada incident, Mr. Mitterrand, leader of the opposition Socialist Party, is reported to have stated the following:

"The problem is not any more to talk about independence but to establish basis on which the power can be transferred. And it is essential to be clear about this. Mr. Ali Aref, who is at the head of the Territory is a creature of the colonial administration. He hardly represents anyone else but himself any more, in spite of institutional support which he continues to get from the French Government and from the French troops stationed in Djibouti."
(Le Monde, 8-9 February 1976)

The French leading paper, while forcefully criticizing French policy in the Territory, recommended the convening of a round-table constitutional conference as the only practical solution. The paper said:

"How, in this feverish Africa, can the President of the Republic justify a policy which is contrary to the decolonization theme which is ours? How can the French Government hope to sustain the image of France, an image inherited from republican principles, by holding up a politician, who was abandoned by an important part of his own deputies to the Territorial Assembly? I think that it is time to regain our self-control. Djibouti must not live any more in anguish and under repression, under the infernal mechanism of police raids and terrorism. This is what the Socialist Party has not stopped repeating in the past few months. This is what the congressman sent to the Territory in a fact-finding tour confirmed. There is no other solution to this conflict of another age but soon to hold a 'round-table' meeting without anyone predominating. The validity of the next referendum on independence will widely depend on this meeting, since a vote of this importance can only be based on the truthfulness of such elections."

Regrettably, the French Government has hitherto failed to accord any official recognition to the overwhelmingly predominant opposition party in the Territory, The African Independence League, whose commendable role towards the cause of decolonization had won the full support of the Kampala Summit of the Organization of African Unity and the thirtieth session of the United Nations General Assembly. The political images of Ali Aref's régime and the opposition party among the masses has been objectively appraised by Le Figaro of 9 February 1976 in the following terms:

"Today, Aref is going to be granted an independence for which he has been asking only reluctantly for a very short time. But Dini has behind him the large majority of the population. When Aref organizes a manifestation, he can gather 3,000 people. Dini can muster 30,000."

In the light of what has been already stated, it is clear that France is determined to grant to the Territory nominal independence while at the same time maintaining her military base in Djibouti. France is also planning to transfer political power to a man who is unpopular, isolated and politically bankrupt. The maintenance of a French military base and the imposition of the puppet régime is part of a French manoeuvre to perpetrate a form of neo-colonialism in defiance of the resolutions of OAU, the United Nations and other international bodies.

If the French Government does not desist from pursuing this dangerous policy, the consequence will be violence and bloodshed and, no doubt, will have incalculable serious repercussions on the peace and stability of the Territory and the region as a whole. The Somali Government, which has consistently called for immediate and unconditional independence to French Somaliland and the transfer of power to the genuine representatives of the people of the Territory in conformity with basic

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democratic principles, considers urgent the need for concerted international action in order to ensure that United Nations resolution 3480 (XXX) is strictly applied in both its letter and spirit. Any double-standard colonial tactic will not only delay the course of the decolonization process but will set in motion a state of chaos and confusion. African States must therefore abide by and respect the overwhelming wishes of the inhabitants of the Territory by denying recognition to Ali Aref's régime, which, in no way, represents the genuine will and aspirations of the people concerned.
