

UNITED NATIONS



# SECURITY COUNCIL OFFICIAL RECORDS

TWENTY-SIXTH YEAR

**1572**<sup>nd</sup> MEETING: 15 JULY 1971

NEW YORK

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#### NOTE

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## FIFTEEN HUNDRED AND SEVENTY-SECOND MEETING

Held in New York on Thursday, 15 July 1971, at 3 p.m.

*President:* Mr. J. KOSCIUSKO-MORIZET (France).

*Present:* The representatives of the following States: Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syria, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America.

### Provisional agenda (S/Agenda/1572)

#### 1. Adoption of the agenda.

#### 2. Complaint by Senegal:

Letter dated 6 July 1971 from the Permanent Representative of Senegal to the United Nations addressed to the President of the Security Council (S/10251).

#### Adoption of the agenda

*The agenda was adopted.*

#### Complaint by Senegal

Letter dated 6 July 1971 from the Permanent Representative of Senegal to the United Nations addressed to the President of the Security Council (S/10251)

1. The PRESIDENT (*Interpretation from French*): In accordance with the previous decision of the Security Council, I shall invite the representatives of Senegal, Guinea, Mali, Sudan, Mauritania, Mauritius, Togo and Zambia to participate, without the right to vote, in the debate on the item before the Security Council.

2. I invite the Minister for Foreign Affairs of Senegal to take a place at the Council table.

*At the invitation of the President, Mr. A. K. Gaye (Senegal) took a place at the Security Council table.*

3. The PRESIDENT (*Interpretation from French*): In view of the limited number of places at the Council table, I invite, in accordance with the Council's practice, the representatives of Guinea, Mali, Mauritania, Sudan, Mauritius, Togo and Zambia to take the places reserved for them in the Council chamber, it being understood that they will be invited to take places at the Council table when it is their turn to speak.

*At the invitation of the President, Mr. B. Diabate (Guinea), Mr. S. Tyoré (Mali), Mr. M. E. M. Dial (Mauritania), Mr. A. Eisa (Sudan), Mr. R. K. Ramphul (Mauritius),*

*Mr. M. Y. Eklo (Togo) and Mr. K. S. B. Nyirenda (Zambia) took the places reserved for them in the Council chamber.*

4. The PRESIDENT (*Interpretation from French*): The Security Council will now resume consideration of the item on its agenda. The first speaker is the representative of Japan, on whom I now call.

5. Mr. OGISO (Japan): Mr. President, in accordance with the new tradition which seems to be in the making in the Council, I would simply like to pay to you, as President of the Council this month, the respects of my delegation.

6. My delegation has noted with great regret and sympathy the numerous incidents which have occurred in Senegal over a considerable period of time and which have resulted in the substantial loss of Senegalese lives and damage to Senegalese property. We fully sympathize with the Senegalese people, who, as eloquently explained by the Foreign Minister of Senegal in the Council last Monday [*1569th meeting*], have been suffering over the years from similar incidents.

7. Japan, as a matter of basic principle, is strongly opposed to recourse to the threat or use of force by any State against the territorial integrity or political independence of any other State. We fully regret, therefore, that the Council has had to deal repeatedly with situations which, as charged by African States bordering the Territories under Portuguese administration, threaten their territorial integrity and political independence.

8. The Security Council, it is quite obvious, must now consider most carefully the present charges brought against Portugal by Senegal. We believe that the first step we should take in this case is an inquiry into the facts. I recall, in this connexion, last year's precedent of the special mission sent by the Council to Guinea to report on the situation<sup>1</sup> which had been brought to the attention of the Council by the Government of Guinea.

9. My delegation is of the view that a similar fact-finding mission should be established immediately in the present case for the purpose of an on-the-spot investigation of the charges made by Senegal against Portugal. The mission should be given a broad mandate and should be able to conduct its business freely and independently, with the full co-operation of the authorities concerned. My delegation, in principle, would favour a proposal along these lines.

<sup>1</sup> For the report of the Special Mission, see *Official Records of the Security Council, Twenty-fifth Year, Special Supplement No. 2.*

10. I think it is very relevant and pertinent to remark, before concluding, that one basic underlying cause of incidents such as those we are considering is the perpetuation of the outmoded and retrogressive colonial presence of a European country in Africa. We are convinced that the Government of Portugal should adopt—and we have said on a previous occasion that we would like to see it adopt—an enlightened and forward-looking policy that would acknowledge the right to freedom and independence of the African Territories. Such a policy would enhance, to the great advantage of Portugal, its relations with the peoples both of the Territories and of the African countries. Undoubtedly, we feel, such a policy would also greatly contribute to a lessening of tensions and an avoidance of incidents such as we have been considering.

11. Mr. ORTIZ DE ROZAS (Argentina) (*Interpretation from Spanish*): Mr. President, conforming to the newly established practice of the Council, I shall limit my opening remarks to congratulating you, on behalf of the Argentine delegation, on assuming the presidency of the Security Council. Your conduct in these last few days has only confirmed most eloquently the eminent qualifications which we all knew you to possess.

12. I would also like to welcome back our Secretary-General, who has returned to assume his delicate and burdensome tasks after a slight indisposition, which I am happy he has overcome.

13. This is not the first time that Senegal has turned to the Security Council to safeguard its sovereign rights. At previous meetings we were called upon to examine other denunciations of a like or very similar nature to that which has led to this present meeting. We, therefore, are not confronted by a new or isolated case but by a dangerous recurrence of events.

14. It is in the light of those circumstances that we must approach the present problem because the incidents of the past and of the present might well recur in the future, with the increasingly serious consequences that can easily be foreseen. I do not think anyone can doubt that this state of affairs was brought about by the maintenance of a colonial situation in Africa despite the numerous resolutions approved by the United Nations and by the contempt shown for the condemnatory stand taken by the immense majority of countries composing the international community.

15. It is truly serious that the inevitable tensions caused by the existence of colonialism should affect a country like Senegal, which in every way has given proof of its legitimate aspirations for peaceful coexistence with all its neighbours and which, in order to defend its sovereignty and territorial integrity, as stated a few days ago by its own Foreign Minister, "possesses as an essential weapon only its rights and the faith that it has placed in the United Nations" [1569th meeting, para. 14].

16. In that same statement, Mr. Amadou Karim Gaye gave us a complete and detailed narration of the incidents that constantly, and almost without interruption, have for the last decade victimized the population and caused considerable losses in the villages located in the frontier regions of

Guinea (Bissau). Those statements were neither challenged nor answered. It is to be regretted that Portugal did not see fit to be represented in this debate and to make known the views of its Government. The only element for a judgement that we have from that side is contained in the letter dated 10 July 1971, from the representative of Portugal to the President of the Security Council [S/10255] in response to the letter sent by the representative of Senegal on 6 July [S/10251].

17. In that letter responsibility for the problems that have arisen in the frontier zone is attributed to the activities of the PAIGC<sup>2</sup> movement, which is accused of deliberately trying to create an atmosphere of tension and to provoke friction between Senegal and Portugal. The argument is not very convincing. It is in fact difficult to believe that the Senegalese authorities should be ready to agree to the loss of the lives of many of their compatriots and considerable material damage as the price for the activities of such groups. Furthermore, it is quite reasonable to believe that were that the case, it would not be the Government of Senegal itself that would come to the Security Council to ask for clarification and be willing to submit to the Council's decisions.

18. On this matter it is extremely interesting to read the report of the *Ad Hoc* Working Group of Experts of the Commission on Human Rights circulated as document E/CN.4/1050 and Corr.1 on 2 February 1971. Paragraph 481 contains a statement made to the experts by the President of Senegal, Léopold Sédar Senghor. That well-known and highly respected statesman made the following remark, among others:

"Since 1963—since the beginning of the conflict—we have publicly and officially affirmed two concepts. The first is the right to self-determination and therefore to independence of the people of Guinea (Bissau). The second is that the conflict between the people of Guinea and the Portuguese Government can and must be resolved peacefully, through negotiation".

19. Later in that statement, pointing out that there were no bases of or attacks from the PAIGC, President Senghor said:

"It is our view that the PAIGC fighters are free to adopt any attitude on their home ground, in Guinea (Bissau), but not in Senegal. We are a sovereign country. We allow no interference in our internal affairs."

20. Once again demonstrating its peaceful philosophy the Government of Senegal has placed in the hands of the Security Council the possibility of adopting adequate measures to ensure the inviolability of its frontiers and the protection of its rights. The Argentine delegation believes that any course of action this Council may adopt to meet that request should be primarily directed to the avoidance of a repetition of the events that made these meetings necessary in the first place.

21. It is true that it would be most appropriate and convenient to observe, *in situ* if possible, the events that

<sup>2</sup> Partido Africano da Independência da Guiné e Cabo Verde.

gave rise to the complaint submitted to us by the Foreign Minister of Senegal, and here I should like to express our admiration for the flexible and constructive stand he has adopted. But even more important is to weigh what steps we may take in order to avoid a recurrence of similar events.

22. We trust that the Security Council will unanimously adopt a solution adequate to achieve that end.

23. Mr. FARAH (Somalia): The charges that have been made by Senegal against Portugal are grave ones which deserve the Security Council's most serious consideration and its most authoritative action. The escalation of acts of aggression committed on Senegalese territory by Portuguese armed forces and mercenaries since January this year would be a serious enough matter had this been the first time such violations had occurred. But the incidents now being considered are the most recent of a series of aggressions that have been directed over the past ten years against Senegal and against other independent African States bordering on the African Territories under Portuguese domination. Those acts of aggression threaten the peace and security of Africa and cannot and must not be allowed to continue.

24. The pattern of Portuguese aggression that has emerged is one of callous disregard for human life and property and of indifference to the provisions of the Charter, which call for respect for the sovereignty and territorial integrity of all States.

25. On the international as on the national scene a breakdown of law and order is the result when the perpetrators of acts of lawlessness are not brought to justice. The international community cannot ignore or dismiss perfunctorily violent acts of aggression against independent African States.

26. The attitude of Senegal towards the particular series of aggressions now under study is one of marked restraint in the face of extreme provocation and of respect for the proper procedures the Charter demands of States involved in disputes. Retaliation in kind is within the capability of the Senegalese Government, but it has not resorted to force. As on the many previous occasions when Senegal has been the object of armed incursions or air attack resulting in the death of citizens and the destruction of villages, the Government of Senegal has brought the matter before the Security Council. The Security Council's response to Senegal's current complaint must show an equal regard for the principles of international law and for the modalities the Charter provides for supporting those principles.

27. Senegal's complaint must be viewed, however, not only with reference to the particular acts of aggression that are the subjects of this debate but also in a wider context. That context is Portugal's refusal to recognize the right to self-determination of the native people of Guinea (Bissau), Mozambique and Angola in accordance with the Declaration on the Granting of Independence to Colonial Countries and Peoples [*General Assembly resolution 1514 (XV)*] and the consequent struggle for liberation undertaken by those peoples. Their struggle, it is pertinent to note, has been

recognized as a legitimate one by the United Nations, since the avenues of peaceful and meaningful change have been closed to them by the Portuguese authorities. It is no digression to recall here that the right to self-determination and the principle of human equality are written into the United Nations Charter. It states the obligation of Member States to "develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples." It also states the obligation of nations administering colonial Territories to recognize that the interests of the inhabitants of such Territories are paramount and that due account must be taken of their political aspirations.

28. Portuguese aggressions against independent African States in all their forms--whether it be the invasion of Guinea, incursions into Zambia or the United Republic of Tanzania or the two Congo Republics or the recent laying of anti-personnel mines in Senegalese territory--are all expressions of Portuguese arrogance and anger over the continued existence of the liberation movements directed against their unjust rule and over the support given to those movements by the Organization of African Unity (OAU). The States members of the OAU are deeply concerned over Portugal's determination to deny the right of self-determination to the people of Guinea (Bissau), Mozambique and Angola; hence their strong support for the liberation movements of those Territories. That support was reiterated in June this year by the summit conference of African States and Governments of the OAU,<sup>3</sup> which also condemned the repeated and flagrant violations of the sovereignty and territorial integrity of Senegal by Portuguese armed forces. The tense and dangerous situation on the borders of the Territories under Portuguese domination has to be seen as the result of the struggle between the will to achieve freedom and the determination to subjugate.

29. A further dimension is added to the situation by the fact that the Portuguese employ the services of foreign mercenaries. These ruthless adventurers, who serve as hired assassins for the highest bidder, have already exploited and aggravated situations in the Congo, in Nigeria during the civil war, in the Sudan and in other parts of Africa. They are now operating together with Portuguese forces in the cross-frontier hostilities along the borders of Guinea (Bissau). Ridding Africa of their evil presence itself is a task towards which the Security Council might well direct the force of its peace-keeping authority.

30. Yet another dimension of the dangerous situation we are considering is the support which Portugal receives as a consequence of its membership of the North Atlantic Treaty Organization. This support enables Portugal to violate the territorial integrity of African States and to suppress the political aspirations of the people under its control with impunity and marked contempt for international opinion. There is no question but that these hostile acts could not be perpetrated without the arms supplied by this military bloc. Portugal itself produces no arms, so there can be no question but that the military aid it receives is directly applied to the subjugation of the African peoples under its control and for intimidating acts against neigh-

<sup>3</sup> Held at Addis Ababa from 21 to 23 June 1971.

houring African States. No member of that regional alliance can escape the charge of culpability in Portugal's aggressions and subversions of justice. There is no distinction between the weapons it receives from its allies, supposedly for defence purposes, and those which it uses against freedom-fighters of Africa. They come from one source; they are used for one purpose. A regional organization—whether it be the Organization of African Unity, the Organization of American States, NATO or the Warsaw group of Powers—has an obligation to assist the United Nations with its peace-keeping responsibilities. In this case we find that the alliance is contributing to a situation where peace and security are threatened.

31. The Security Council is now faced with the responsibility, which it cannot shirk, of dealing with acts of aggression which are violations of the Charter. Articles 33 and 34 in Chapter VI of the Charter offer clear guidelines for dealing with disputes that threaten peace. Article 33 emphasizes that solutions to disputes should be sought by negotiation and other peaceful means, as Senegal has done. Indeed, the commitment of the Head of State of Senegal for a negotiated settlement of all international disputes is borne out by his statement to the *Ad Hoc* Working Group of Experts of the Commission on Human Rights on 17 June 1970, as reproduced in paragraph 481 of its report contained in document E/CN.4/1050 and Corr.1 of 2 February 1971.

32. Article 34 of the Charter indicates the importance of fact-finding machinery. My delegation believes that the Security Council should use to the full its investigative powers so that any action it may deem necessary may be undertaken on a sound and informed basis. While my delegation is convinced from the evidence of past years of the veracity of Senegal's complaint, we believe that an on-the-spot investigation by the Council is necessary in order that the facts can be clearly established for the benefit of those who entertain any doubts about whether there is a proper basis for the charges against Portugal. A good precedent of this kind was established last December when the Council decided to send a fact-finding mission to Guinea, which was then the subject of another kind of Portuguese aggression from forces based in Guinea (Bissau).

33. Because of the importance which my delegation attaches to procedures based on factual surveys, we requested, on 12 July [1570th meeting], that the 1971 report of the *Ad Hoc* Working Group of Experts of the Commission on Human Rights be circulated to Members, since it contains some revealing evidence obtained at first-hand about the situation on the border between Senegal and Guinea (Bissau). The report reveals that the Group of Experts toured extensively the region of Casamance in Senegal and actually saw several Senegalese border villages that had been destroyed by bombardment. The Group also heard testimony from several prominent citizens of Senegal concerning casualties suffered by the civilian population as a result of Portuguese acts of violence. In the opinion of the Group of Experts, the acts of violence against Senegal committed by the Portuguese forces constituted a serious violation of the principles of the United Nations Charter.

34. I am sure that members who read the eminently reasonable statement of Senegalese policy made to the Group of Experts by the Head of State of Senegal will be impressed by the moderation of the Senegalese people and Government in a difficult and provocative situation.

35. The latest series of hostile acts which form the substance of Senegal's complaint to the Council and which precipitated these meetings requires our urgent attention, if we wish to prevent the situation from developing into open conflict. The character of the hostile acts complained of by Senegal requires both political and military expertise. My delegation therefore believes that the Security Council should send a special mission to investigate the charges made by Senegal against Portugal and to report fully to the Council on the situation prevailing along that troubled frontier of Senegal. The mission's report should clarify the nature and extent of military activities that have taken, or are taking, place there and should suggest measures necessary to prevent a recurrence of the hostile acts alleged by Senegal and, finally, to preserve peace in the region. The military experts could be provided by the States that would be appointed to the special mission.

36. An investigation carried out by such a mission would help the Security Council to arrive at a decision on the kind of peace-keeping machinery needed for the situation and on the kind of political action which should be applied to ensure a return to peace and stability in the area.

37. Before concluding my statement I should like to inform the Council that members of the Afro-Asian Group of the Security Council have carefully studied this question and have now reached agreement on a draft resolution which is at the moment being prepared for circulation. It is sponsored by the delegations of Burundi, Japan, Sierra Leone, Somalia and Syria. The draft resolution is self-explanatory and requires no comment by my delegation.

38. Mr. LIU (China): Mr. President, let me begin by congratulating you, not so much, perhaps, on your assumption of the Presidency as on your so aptly putting an end to the expression of the usual compliments, especially at a time when the Council is confronted with issues of urgency.

39. May I also say how happy I am to see the Secretary-General return in time for these meetings and with renewed vigour?

40. The other day [1569th meeting] the Foreign Minister of Senegal told the Council in some detail of a series of border incidents. My delegation is able to understand the serious concern with which the Government of Senegal views those incidents as they affect its sovereignty and territorial integrity and the safety of its inhabitants. That concern is shared by other African States and, indeed, by all members of this Council. It is clear that all is not well on the frontier between Senegal and the neighbouring Territory under Portuguese administration. There have been constant frictions since 1963, frictions which have numerous and deep roots and which have to be viewed against the background of colonialism and racial relations.

41. In recent years, Territories under Portuguese administration in Africa have been the subject of frequent debates

in the various organs of the United Nations. In the present case, the Council is immediately concerned with the specific complaint of Senegal. My delegation is gratified to note that by bringing its complaint once more before the Council the Government of Senegal intends to prevent the border incidents from assuming more alarming dimensions.

42. As a matter of fact, the Council has remained seized of the Senegalese complaint for a number of years. It is deplorable that acts of violence involving loss of life and property have not ceased to occur at intervals since the adoption of Security Council resolution 273 (1969). The first task for the Council now, I think, is to seek the relaxation of existing tension and to encourage the possibility of restoring peace and stability on the border between Senegal and Guinea (Bissau). Portugal has, in a letter addressed to the President of the Council under the date of 10 July [S/10255], denied participation in and responsibility for the recent incidents involving the laying of mines within Senegalese territory. While there is no reason to question the good faith with which the Foreign Minister of Senegal has so eloquently presented his case, in the view of my delegation it would be judicious and useful to have a special mission investigate the conditions on the spot, as urged by the representative of Sierra Leone yesterday and as echoed by several other representatives today. My delegation will support any proposal calculated to accomplish those purposes.

43. The PRESIDENT (*interpretation from French*): I have only one other speaker inscribed on my list for what we call the general debate before discussion of the draft resolution, and that is the representative of France. I shall therefore now speak in my capacity as representative of FRANCE.

44. For the fourth time in five years the Council has received a complaint by Senegal, whose citizens have been killed or wounded in the area bordering on Guinea (Bissau).

45. Up to the present occasion, we have had to consider incursions into Senegalese territory and bombardment of villages. Today in addition to an already long list of acts of violence and destruction mines have been laid, resulting in explosions causing casualties first among official and military personnel and then among the civilian population. Other mines were detected and disarmed in time but the growing frequency of these intolerable incidents is obviously creating a danger to freedom and safe transportation in Casamance and causes the legitimate concern of the Senegalese Government.

46. When villagers, to reach their marketplaces, and administrative officials, to carry out their daily duties, must proceed under the protection of mine-detection personnel, business is hampered, the supplying of communities is hindered and medical care can no longer be ensured.

47. The internal security of an entire region has been disrupted. The situation is all the more serious since we know that the events of recent months are not isolated ones. The Foreign Minister of Senegal, Mr. Karim Gaye, reviewed Monday [1569th meeting], in impressive detail, the escalation of attacks against the territorial integrity and security of Senegal, and the report of the Group of Experts

of the Commission on Human Rights had already pointed to the increasing number and gravity of those attacks. It is therefore quite understandable that the populations in the areas involved are living in a state of uncertainty, apprehension and fear. They ask that normal living conditions be restored so that they may at long last live in peace—that peace which they so richly deserve, that peace to which the Senegalese are so passionately devoted. May I be permitted as the representative of a country, France, that has enjoyed long and fruitful friendship with Senegal, fervently to testify to that devotion.

48. When the people of Senegal were called upon to go beyond the seas to the aid of those whose freedom was threatened, they covered themselves with glory. Their history shows that they have furnished Africa the most valiant of its most valiant warriors. Their recent past shows too that they have not abandoned their military traditions. However, the nature of the Senegalese people draws them towards peace. And that people has given its entire energy to the task of economic and social development since regaining its independence. This is particularly true of the people of Casamance. I can say this because I know them well. I have seen them, I have travelled through that region; it is an area of broken terrain and mighty hydrographical features; living far removed from the capital city, the local population works hard to improve its standard of living. It is therefore quite natural for us to be keenly alive to the anxiety of the Senegalese farmers and we understand the concern of the Government of Dakar and we categorically condemn the misdeeds at the root of this concern. It is inadmissible that the insecurity of the neighbouring Territory should spill over into Senegal.

49. There may be doubts as to the identity of those who have laid those mines and who have perpetrated the most recent incidents. It is not impossible that they may be certain foreign bands seeking to foment and spread disorder and distress in the Casamance region. However, I would certainly not make conjectures based on the origin of the explosive devices that have been discovered. We would not dare to make hasty deductions. We would not assert that the nationality of the manufacturer of mines or other weapons reveals ties of friendship or even of complicity with those who utilize them.

50. What is important—and we are quite sure that this is indeed the case—is that those responsible for the attacks came from outside the country. We are convinced that these tragic events which occur all too often in the southern provinces of Senegal originate abroad. They are attributable to a situation with which we are all familiar and of which Portugal—as much as anyone amongst us—should be mindful.

51. The Council, I have said, should not allow movements which create turmoil in a Territory and which cause insecurity there to become a dangerous factor leading to death and devastation for the population of a neighbouring State. Unfortunately, we know the reason for those difficulties which affect the region neighbouring Casamance, to be more frank and specific, Guinea (Bissau). We feel we know the solution to these difficulties.

52. We say this as much from conviction as from experience. In Africa, as elsewhere, peace is based on the recognition of the right of peoples to self-determination and the freedom to exercise that right. The ties of friendship are stronger than any bonds of constraint. We cannot but hope that Portugal in its turn will learn that lesson and, following the path of co-operation, will pursue its long and fine humanistic tradition, a tradition which has flourished for so long outside Europe.

53. Indeed, has not Senegal made just such an appeal to Portugal? As the Ambassador of Belgium recalled, President Senghor has been far-sighted enough not to refuse any possibility to hold a reasonable dialogue.

54. These very possibilities in our view, should guide our thinking rather than polemics, acrimony and a fruitless inquiry into the exact identity of those responsible for the latest incident. What is important is to protect the population of Casamance against a repetition of such tragedies. We owe that to Senegal, if we wish to remain loyal to the obligations which devolve upon us under the Charter. We owe that to Senegal if we are to encourage its peaceful example since Dakar has resisted the easy temptation of reprisal and blind counterblows rather, it has the preferred legal and peaceful means consisting of an appeal to our Council.

55. What we must do for the time being is see to it that this intolerable situation ceases. A State Member of our Organization, as peace-loving as any other, has the right that its population be protected against acts of violence. Senegal must be assured that the international community will give it support.

56. But, over and above an expression of solidarity, we should do more. Senegal must obtain the assurance that its sovereignty, its security and its territorial integrity are and will be respected.

57. In keeping with that view we believe there is a need to send to the area—quite naturally, with the approval of the States concerned—a mission consisting of Council members, assisted by their military experts, to carry out an inquiry, study the situation and formulate recommendations in order to protect the security of that region.

58. By obtaining this assurance the Government of Dakar would more than have fulfilled its duty as a Government towards its sorely tried people. By requesting the convening of the Council, by alerting the world community and by apprising it of the dangers of a situation to which the United Nations is attentive, the Dakar Government will have once again saved the cause of freedom and of the dignity of the African continent. It will have carried out its mission with serenity and with determination. This example of wisdom and firmness, the only one to open the road to progress and peace, is the one which the Council is duty-bound to encourage.

59. At this point I can already tell members that my delegation will be in a position to vote in favour of the draft resolution presented by Japan, Sierra Leone, Burundi and Somalia. No draft is perfect, but this text seems to us

to be in harmony with what we consider to be the duty of the Council and it seems to meet the needs of the situation.

60. Speaking again as PRESIDENT, I wish to say that the draft resolution is, I understand, now being translated. For technical reasons, I think it would be desirable to suspend the meeting so that the translation of the text into the various languages may be completed.

*The meeting was suspended at 4.30 p.m. and resumed at 5.40 p.m.*

61. The PRESIDENT (*interpretation from French*): The Council will now consider draft resolution S/10266. Two delegations have asked to speak before the vote.

62. Mr. VINCI (Italy) (*interpretation from French*): Before explaining my delegation's vote on the draft resolution, I should like to make a few introductory comments. To reassure all my colleagues around this table I wish to declare that, following your example and the practice my delegation has followed since this year's first meeting, I shall refrain from congratulating your predecessors and you yourself, Mr. President, but that in no way diminishes our sincere appreciation of the way in which your predecessors conducted their business or our confidence in your presidency.

63. But I should not like to impose too many restrictions on myself. I should like to thank you, Mr. President, for the very cordial welcome you addressed to the Secretary-General on his happy return to us and to endorse your words of sympathy to King Hassan II and your expression of condolence to Belgium on the loss that country, so closely linked to mine, has just suffered. My delegation fully shares the feelings you have expressed on behalf of the Council.

64. To return to the problem before the Council, I should like to state that it was with concern and sorrow that the Italian Government heard of the incidents that have taken place repeatedly in Senegal in the course of the past few months and which, put to the Council by the representative of Senegal, Mr. Boye, were also tabled with great eloquence and scrupulous precision by Mr. Amadou Karim Gayo, the Minister for Foreign Affairs of Senegal [*ibid.*]. Those incidents have caused damage and casualties among the civilian population and have afflicted a country whose peaceful attitude has been highly appreciated and which, under the enlightened leadership of President Senghor, has played and continues to play a very constructive role both in the United Nations and in the more general field of international relations. May I take advantage of this opportunity to express to the Government and people of Senegal, which are tied to my country by many strong links, the sympathy of the Government and people of Italy!

65. The incidents I have mentioned indicate or rather confirm the existence on the African continent of a situation of tension provoked by anachronistic vestiges of colonialism. The Italian Government's position on these matters is well known. We are deeply convinced that colonialism has been irrevocably condemned by history and



has no place in the international arena today. It is outmoded, and any hope of keeping it is bound to be dashed sooner or later—preferably sooner, for the benefit of all.

66. This being the case, the Italian Government understands how intolerable colonialism must be to the countries of Africa, young and justly proud of their acquired independence, an independence based upon self-determination and the justified aspirations of the African peoples to forge their own futures according to their own wills and their desire to play a role in the international arena on an equal footing with all other nations, thus making their own original contribution to the progress of mankind in all fields. We are convinced that the implementation of the principle of self-determination will finally achieve the liberation of all Africa, and we trust that all States, without exception, will unreservedly take note of new reactions in the international field and thus give themselves to the more immediate undertaking: co-operation in the economic and political stability of Africa. These are the reasons that led Italy actively to participate in the process of decolonization, which developed so successfully after the Second World War. We contributed to that end both politically and materially, with all the means at our disposal.

67. In that respect may I refer to the Foreign Minister of Italy, Mr. Aldo Moro, who, during the twenty-fourth session of the General Assembly, speaking of decolonization and the Lusaka Manifesto<sup>4</sup> in particular, said:

“... we hope [it] will not go unheard. In the same spirit we look forward to the completion, in all parts of the world, of that irreversible historical process which requires the elimination of the political and economic structures of colonialism.”<sup>5</sup>

68. The Italian Government is also convinced that all States must in their conduct abide by the principles of the Charter of the United Nations and therefore refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State. Furthermore, the General Assembly, at its twenty-fifth session, when approving the Declaration on the Twenty-fifth Anniversary of the United Nations [resolution 2627 (XXV)] and the Declaration on the Strengthening of International Security [resolution 2734 (XXV)], the General Assembly furthermore solemnly reaffirmed those obligations.

69. The Italian Government hopes that a constructive dialogue can commence between the parties concerned and that they can thus find a peaceful solution to the problem confronting them. On that point I should like to express our warmest appreciation for the far-sighted proposals made by President Senghor, contained in his plan of pacification for Guinea (Bissau), and which have been voiced in this hall by the Foreign Minister of Senegal. In

<sup>4</sup> Manifesto on Southern Africa, adopted by the Conference of Heads of State and Government of the Organization of African Unity, held at Addis Ababa from 6 to 9 September 1969.

<sup>5</sup> See *Official Records of the General Assembly, Twenty-fourth Session, Plenary Meetings*, 1783rd meeting, para. 20.

fact, the strengthening of friendship and co-operation between Africa and Europe based on mutual respect and confidence constitute, in the eyes of my Government, a basic element of the political stability, economic development and social growth of the international community as a whole.

70. We trust that the draft resolution on which the Council will soon be voting will helpfully prepare the ground for such an outcome. We feel that that draft contains all the potential elements to that effect. It is for those reasons that my delegation has decided to vote in favour of the draft resolution submitted by Burundi, Japan, Sierra Leone, Somalia and Syria in its entirety. We do so despite certain doubts concerning operative paragraph 2, which passes a judgement based upon the report of a group of experts whose nomination and mandate were not decided upon by the Security Council.

71. In hoping for positive results from these meetings, I should like to congratulate the sponsors of the draft resolution and you, Mr. President, for your vital role in its preparation. At the same time I would pay a tribute to the spirit of conciliation and statesmanship shown by Mr. Karim Gaye, without which, I am sure, we could not arrive at a constructive conclusion to our work.

72. Mr. BUSII (United States of America): Inasmuch as there is no twenty-four-hour rule in the Security Council, and inasmuch as we sense that the will of the Council is to act today on this draft resolution, we shall not ask for an adjournment. Frankly, we should have liked to have an adjournment in order to study the draft resolution, which we received only a little while ago—although I should say, out of courtesy to every member of the Council, that we have been consulted about this text.

73. I think that the best procedure would have been to allow a little more time for consultations with Governments. But, as I have just said, we sense that the will of this meeting is to get on with the business at hand and to take action on a draft resolution that has been hammered out with great understanding and compromise. I understand that it is out of fashion, for reasons of procedure and in order not to waste time, to commend the President of the Security Council, but in this case we have been tremendously impressed not only with your leadership, Sir, in getting this draft resolution before the Council but also with the leadership demonstrated by the Foreign Minister of Senegal, Mr. Gaye, and by his associate Ambassador Boye; they have most courteously consulted us at each step of the way, as they have also every one of our colleagues here.

74. Before making a request to the President, may I say that we are totally convinced of the sincerity of the Senegalese complaint? One simply has to sit with the Senegalese Minister and the Senegalese Ambassador and hear the eloquent testimony given by them and many of their African colleagues to be deeply impressed and convinced of their sincerity. Of course, our Government always takes that position.

75. Without becoming argumentative I feel that I should say a few words about a statement that was made here to

the effect that anyone that is a member of NATO is complicitous—is indeed guilty—in these occurrences along the border. On behalf of my Government, I wish to say that we of course reject that contention. Yet we can understand how strongly emotions run; we can understand the strength of the feelings that would lead one to such a conclusion, even though we must respectfully and forcefully disagree with it.

76. We strongly regret the continuing acts of violence. But my Government has one problem with this draft resolution and that problem is that—perhaps innocently, perhaps unintentionally—it violates a concept that is near and dear to the citizens of my country. That concept is that no matter how guilty a person appears to be, under our laws he is considered innocent until tried and found guilty. That is what troubles us philosophically about this draft resolution.

77. In the sixth preambular paragraph and in operative paragraphs 1 and 2, there are certain determinations of guilt before the special mission, which we strongly support, takes even one step into the field to view for itself what the problem is. So let me set forth our position very clearly. It is with some reluctance that we take this position and, again, it is also with tremendous respect for the integrity of those who differ with us. We expect that we shall be in the minority, but our position is simply this: we do not want to see this Council go down the track—no matter how obvious the complaints may appear—of saying: "You are guilty before this special mission that is being established to determine your guilt even goes into the field."

78. I am perhaps approaching this too much through the eyes of my countrymen, as it is on that premise that our whole system of justice is founded. Even in cases that seem more obvious to some than this one, we revere this point of view and we revere it greatly.

79. So I would agree with the reservation expressed by the Italian Ambassador—although we must regrettably reach a different conclusion. I would simply ask—so that we can be in record as being in favour of the mission so eloquently carried out by the Senegalese Foreign Minister, who has taken so much of his time to bring his country's conscience to this forum—that a separate vote be taken on operative paragraph 4, which we shall enthusiastically support. If the draft resolution as a whole is adopted, or if only this paragraph is adopted, although we doubt that the latter will be the case, our Government will study with the fullest attention the facts as determined. We think that at that point it will be more appropriate for the members of the Council to sit in judgement on a people whose guilt has not yet been firmly determined, no matter how obvious that guilt may now appear to be.

80. Mr. President, I appreciate your permitting me to explain the position of my Government before the vote. I should like to reiterate our request for a separate vote on operative paragraph 4. In the vote on the draft resolution as a whole, the United States will abstain.

81. The PRESIDENT (*interpretation from French*): As President of the Council I am most grateful to the United States representative for not insisting on an adjournment,

and I am sure that the members of the Council are also appreciative of his spirit of understanding.

82. There are no further speakers before the Council proceeds to vote on this draft resolution. As I understand it, a request has been made by the United States representative for a separate vote on operative paragraph 4. In conformity with rule 32 of the rules of procedure, that request shall be granted "unless the original mover objects".

83. Therefore, if I hear no objection we shall proceed first to a separate vote on paragraph 4 and then on the draft resolution as a whole.

84. I now put to the vote operative paragraph 4.

*A vote was taken by show of hands.*

*Paragraph 4 was adopted unanimously.*

85. The PRESIDENT (*interpretation from French*): I shall now put to the vote the draft resolution as a whole.

*A vote was taken by show of hands.*

*In favour:* Argentina, Belgium, Burundi, China, France, Italy, Japan, Nicaragua, Poland, Sierra Leone, Somalia, Syria, Union of Soviet Socialist Republics.

*Against:* None.

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

*The draft resolution was adopted by 13 votes to none, with 2 abstentions.<sup>6</sup>*

86. The PRESIDENT (*interpretation from French*): I shall now call on those members who wish to speak in explanation of their votes.

87. Sir Colin CROWE (United Kingdom): I listened with great attention to the speech of the Foreign Minister of Senegal at the beginning of our debate. I should like to express the profound sympathy of my Government and my delegation for the tragic loss of life, injuries to persons and damage to property that have taken place as a result of the incident that he described. We deeply deplore the violence that leads to such harm being done to innocent men, women and children.

88. The debate, however, has ranged far beyond the incidents in question and many of the speeches have been directed to the general issue of Portuguese policies in Africa. The views of my delegation on Portuguese policies in Africa are well known. They have often been stated in the Council and in other United Nations bodies and I do not intend to restate them on this occasion. The colonial policies of Portugal and the United Kingdom have differed and are different. As we have often said, we do not feel that the policies pursued by Portugal in its colonies are in the best interests of either Portugal or the territories concerned.

<sup>6</sup> See resolution 294 (1971).

89. But we are met to consider the specific complaints made by the Government of Senegal in its representative's letters of 27 April [S/10182], 16 June [S/10227] and 6 July 1971 [S/10251], and subsequently we are asked to consider and condemn the series of incidents itemized in the report of the *Ad Hoc* Working Group of Experts contained in document U/CN.4/1050 and Corr.1. It is difficult to form a clear judgement on the basis of the reports that are before us in respect of many of these incidents. When the Council met in December 1969 to consider complaints against Portugal brought by the representative of Senegal, the Government of Portugal did not deny them, and it was for this reason, amongst others, that we felt able to support resolution 273 (1969). But this is not the case here. The resolution we have considered asks us, in its second operative paragraph, to allocate responsibility for the incidents catalogued in the documents to which I have just referred, although the responsibility for them was denied by the representative of Portugal in a letter dated 8 March 1971 to the Chairman of the Commission on Human Rights contained in document U/CN.4/1054. There are thus conflicting statements about what happened. There has been no investigation by or under the authority of this Council, and there exists ground for doubt as to what really occurred. In these circumstances, operative paragraph 2 and some other paragraphs of the resolution seemed to my delegation to go too far in making a condemnation, and we therefore abstained.

90. There is an important general point at issue here. My Foreign Secretary made it quite clear when he spoke in this Council at the 1555th meeting last October that there is too often a tendency in the Security Council to indulge in condemnation of a country or a particular act before it has been possible to establish the truth of what has been alleged. Too often, emotion, however genuine and deeply felt, in relation to a particular line of policy is permitted to cloud the attitude of the Council and to push us into judgements for which we really do not have the basis in fact. Governments, no less than people, should not be assumed to be guilty until they have proved their innocence. This is a tendency that we must safeguard ourselves against, and it is important that we should resist it as far as we can.

91. In line with this attitude, my delegation considers the proposal in operative paragraph 4 constructive, but for the reasons I have given, the condemnation in paragraph 2 and implications of some other paragraphs were not justified, and we felt constrained to abstain.

92. Before I close, however, I must make one further point. A number of speakers have seen fit to make accusations against NATO and its members and have made accusations about the part allegedly played by NATO in support of Portuguese policies in Africa. My delegation has rejected such allegations before, and I do so again. I said last year to the Council, and I repeat again, that NATO is a defensive alliance to preserve the freedom and independence of the countries that belong to the alliance within the NATO area, which does not include any part of the African continent; NATO has no responsibility for the defence outside its area of the various territories of any of its members, it has no responsibility for the defence of

Portuguese overseas territories; NATO, as such, does not supply arms or military aid to Portugal; any arms supplied to Portugal are on a bilateral basis. As regards the United Kingdom, for which alone I can speak, no arms or military equipment have been supplied by us for use in Portuguese overseas territories since the adoption of Security Council resolution 180 (1963) of 31 July 1963. In spite of the accusations which are often made, no evidence has ever been furnished that arms supplied to Portugal by the United Kingdom in recent years are being used against African territories.

93. Mr. LONGERSTAY (Belgium) (*interpretation from French*): My delegation voted in favour of the resolution contained in document S/10266. We did so because we are in favour of sending a mission of inquiry of the Security Council to enlighten us fully on all the elements adduced in our debate by the parties concerned, however, we would have preferred another wording for operative paragraph 2. My delegation's vote does not, of course, prejudice the findings of the mission of inquiry to be designated.

94. The PRESIDENT (*interpretation from French*): I call on the Minister for Foreign Affairs of Senegal.

95. Mr. GAYE (Senegal) (*interpretation from French*): Mr. President, on behalf of my Government, I should like to tell you how moved I have been by the reaction to the acts of aggression and violence of which my country has been a victim since 1963 that was evinced in the statements of all delegations around the table.

96. It is because we have faith in the mission of the United Nations that my Government addressed itself to the Security Council, which has primary responsibility for the maintenance of order and international security. The Security Council also has as one of its responsibilities the prevention and, if necessary, the repulsion of any acts of aggression committed by Members of the Organization against other Members. But our aim when we brought the matter to the Security Council was less the repulsion of the acts of aggression than the immediate and total halting of those acts of aggression.

97. It is true that my Government would have wanted to see the Security Council adopt more decisive measures against a country which did not see fit to be represented in the Security Council—but the Security Council will judge the courtesy of such conduct. My Government wishes most sincerely to thank all the delegations which have contributed their support and shown their friendship and sympathy towards my country, both around this table and elsewhere. I wish to assure the members of the Council that the Senegalese authorities will offer the special mission to be dispatched all available facilities to assist it in carrying out its task.

98. Once again, on behalf of the Government of Senegal, I wish to express our thanks to the members of the Council, and especially to you, Mr. President.

99. Mr. MALIK (Union of Soviet Socialist Republics) (*translated from Russian*): For the record, I should like to state on behalf of the Soviet delegation that I cannot share

the views expressed here concerning the blamelessness of NATO.

100. The Soviet delegation was the first member of the Security Council to speak and it drew attention to the fact that Africa has unmasked and exposed Portugal, a member of NATO, in its aggressive activities. We all know that NATO was established as an aggressive spearhead directed against the Soviet Union. The late Sir Winston Churchill played an extremely important—and negative—part in the establishment of NATO. I have already had occasion, speaking here in the Council, to describe my personal conversation with Sir Winston Churchill in 1953, when he explained why he had sought to set the United States of America against the Soviet Union and to depict the situation in the way which suited him. For a quarter of a century the Western world has been living under the impression given by Churchill's Fulton speech. For a quarter of a century the peoples of the West and the East have been spending thousands and thousands of millions on militarism, on the arms race.

101. The establishment of NATO has forced the socialist camp to set up its own defensive alliance, the Warsaw Pact. As a result, the world has spent over 1 million million dollars on the arms race; these funds have been thrown to the winds, in pursuance of the policy of the rulers of the Western world. To justify NATO as a defensive alliance at this stage is strange, to say the least.

102. The leaders of the Soviet Union proposed at the most recent meeting of the Communist Party of the Soviet Union that both these alliances, NATO and the Warsaw Pact,

should be abolished, but we have as yet had no response from the Western side to this proposal. We believe, however, that the people of the world support this proposal. The sooner these military blocs are abolished, the better it will be for the cause of peace and for the peoples of the whole world. The millions and millions of dollars spent on the arms race as the result of this policy will then be diverted towards constructive, productive purposes, towards providing assistance to nations which need such resources to accelerate their development.

103. The Soviet delegation thought it necessary to make this comment at today's meeting.

104. The PRESIDENT (*interpretation from French*): The meeting of the Security Council is now coming to an end. As President, I should like to thank all the delegations present for the assistance they gave me in securing the successful conclusion of our work. In particular, I should like to thank the sponsors of the resolution and the Minister for Foreign Affairs of Senegal for their spirit of co-operation.

105. In accordance with the resolution which has just been adopted, as President of the Security Council I intend to hold consultations as soon as possible with the Secretary-General and the members of the Council with regard to the establishment of the special mission that it has been decided to create. I hope to be able to communicate to the Council members at the beginning of next week the decisions reached on this subject.

*The meeting rose at 6.25 p.m.*