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2359th MEETING

Held in New York on Thursday, 20 May 1982, at 3.30 p.m.

President: Mr. LING Qing (China).

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

Provisional agenda (S/Agenda/2359)

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

The meeting was called to order at 4.25 p.m.

Expression of thanks to the retiring President

1. The PRESIDENT (*interpretation from Chinese*): Since this is the first meeting of the Council in May, I should like, at the very outset, to pay a well-deserved tribute to Mr. Kamanda wa Kamanda, representative of Zaire, for his service as President of the Council last month. Mr. Kamanda wa Kamanda conducted the work of the Council with great diplomatic skill and distinction. I am sure that I speak for all members of the Council in expressing to him our gratitude and admiration.

Adoption of the agenda

The agenda was adopted.

Complaint by Seychelles:

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

2. The PRESIDENT (*interpretation from Chinese*): I should like to inform members of the Council that I have received letters from the representatives of Algeria, Angola, Argentina, Benin, Botswana, Cuba, Czechoslovakia, Egypt, Honduras, India, the Lao People's Democratic Republic, Madagascar, Maldives, Malta and Seychelles in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual

practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Hodoul (Seychelles) took a place at the Council table; Mr. Abada (Algeria), Mr. de Figueiredo (Angola), Mr. Roca (Argentina), Mr. Soglo (Benin), Mr. Legwaila (Botswana), Mr. López del Amo (Cuba), Mr. Suja (Czechoslovakia), Mr. Abdel Meguid (Egypt), Mr. Lobo (Honduras), Mr. Krishnan (India), Mr. Srithirath (Lao People's Democratic Republic), Mr. Rabetafika (Madagascar), Mr. Zaki (Maldives) and Mr. Gauci (Malta) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from Chinese*): The Council will now resume its consideration of the item entitled: "Complaint by Seychelles".

4. I should like to recall that when the Council considered this item at its 2314th meeting, held on 15 December 1981, it adopted resolution 496 (1981), by which it decided to send a special mission composed of three members of the Council to investigate the origin, background and financing of the 25 November 1981 mercenary aggression against the Republic of Seychelles, as well as to assess and evaluate economic damages, and to report to the Council with recommendations no later than 31 January 1982. The Chairman of the Commission of Inquiry subsequently requested an extension of that deadline until early March 1982. That request was acceded to by the Council, and the Chairman was so informed by the President on 27 January 1982 [S/14850].

5. The Commission of Inquiry, composed of Mr. Jeremy Craig of Ireland, Mr. Katsumi Sezaki of Japan and Mr. Carlos Ozores Typaldos of Panama, who served as Chairman, visited the area from 24 January to 6 February 1982 and submitted its report, contained in document S/14905/Rev.1, on 15 March.

6. Members of the Council have the following other documents before them: S/15056 and S/15065, which contain the texts of letters dated 6 and 10 May respectively, from the representative of Seychelles addressed to the Secretary-General, and S/15080, which contains the text of a letter dated 14 May, from the

representative of Romania addressed to the President of the Council.

7. The first speaker is the representative of Panama, who, on behalf of the Chairman of the Security Council Commission of Inquiry established under resolution 496 (1981), will introduce the report of the Commission.

8. Mr. KAM (Panama) (*interpretation from Spanish*): Sir, it is a true privilege for the delegation of Panama to be the first to welcome you to the presidency of the Council for the month of May. My delegation wishes you every success in the discharge of your responsibilities as President and assures you of its full co-operation. Your skill, tact and wisdom, qualities which distinguish you and your great nation, are guarantees that the presidency of the Council is in good hands. That is reassuring to us at this very delicate time in international relations.

9. I also wish to extend to Mr. Kamanda wa Kamanda of Zaire the appreciation of the Panamanian delegation for the excellent work he did as President of the Council last month.

10. My delegation wishes cordially to welcome the Minister for Foreign Affairs of Seychelles, who is here with us, adding prestige to the debate that the Council will be holding in respect of the complaint by Seychelles.

11. On behalf of Mr. Jeremy Craig of Ireland and Mr. Katsumi Sezaki of Japan, as well as on behalf of the Permanent Representative of Panama, Mr. Carlos Ozores Typaldos, who presided over the Commission and who, for reasons beyond his control, is not able to be with us today, it is my honour to submit to the Council the report of the Security Council Commission of Inquiry [S/14905/Rev.1] established under resolution 496 (1981), which was adopted unanimously by the Council on 15 December 1981.

12. Members of the Council will recall that the Council, after considering, at its 2314th meeting, the complaint submitted by Seychelles, decided to send a commission composed of three members of the Council to investigate the origin, background and financing of the mercenary aggression against the Republic of Seychelles committed on 25 November 1981, as well as to assess and evaluate economic damages, and to report to the Council with recommendations no later than 31 January 1982.

13. Following consultations with the members of the Council, the President of the Council for the month of December 1981, the representative of Uganda, appointed the representatives of Ireland, Japan and Panama as members of the Commission of Inquiry. Subsequently, the members of the Commission conferred upon my country the great honour of choosing Mr. Carlos Ozores Typaldos as Chairman of the Com-

mission. We are most grateful for that, particularly since Panama had already had the privilege of presiding over another important Security Council Commission of Inquiry.

14. I take this opportunity to express the Commission's sincere appreciation for the co-operation given it in its work in the field and at Headquarters by the Secretariat staff made available to it by the Secretary-General. That includes the experts in military and economic affairs whose work in the field was extremely valuable for the Commission in its efforts to fulfil its mandate.

15. As the members of the Council are well aware, the Commission of Inquiry visited Seychelles, Swaziland and South Africa between 24 January and 6 February. Upon its return to Headquarters, the Commission made the necessary arrangements to obtain additional information relevant to its mandate.

16. During its stay in Seychelles, the Commission was welcomed by Mr. France Albert René, President of the Republic of Seychelles. Important meetings were also held with Mr. Jacques Hodoul, Minister for Foreign Affairs, Mr. Maxime Ferrari, Minister of Economic Development and Planning and Mr. Ogilvy Berlouis, Minister of Youth and Defence, as well as with other high officials of the Government, including the Commissioner of Police, Mr. James Pillay.

17. With the help of the Acting Director of Civil Aviation, the Commission visited the airport and inspected the damage caused to the facilities and installations as a result of the aggression committed by the mercenaries on 25 November 1981.

18. In addition to inspecting the weapons left behind by the mercenaries and several other objects that were seized, the Commission heard several witnesses, including the Captain and members of the crew of the Air India airliner that had been hijacked. The Commission was also allowed to interview the mercenaries who were in custody in Seychelles. The information provided by the mercenaries constitutes an important part of this report.

19. On behalf of the Commission of Inquiry, I should like to express once again our sincere thanks to the Government of Seychelles for the excellent co-operation extended to the Commission for the fulfilment of its mandate.

20. In Swaziland, the members of the Commission were received by Prince Mabandla Dlamini, the Prime Minister of the Kingdom of Swaziland, and also held meetings with other Government officials. I should like to avail myself of this opportunity to express once again our gratitude to the Government of Swaziland for the full co-operation it gave to the Commission to facilitate these meetings and for having made the necessary arrangements to enable the Commission

to hear several persons whose evidence was most valuable.

21. As is indicated in the report, the Commission appreciates the assistance given it by the Government of South Africa in facilitating contacts with different officials, but it regrets that it was impossible to interview the mercenaries in South Africa, thus considerably reducing the effectiveness of the Commission's efforts to fulfil its mandate.

22. Lastly, the Commission wishes to express to the Government of India its thanks for having allowed the captain and crew of the hijacked Air India airliner to provide testimony to the Commission. Likewise, we are grateful to all the Governments which co-operated with the Commission in the fulfilment of its mandate.

23. In carrying out the mandate entrusted to it by the Council, the Commission bore in mind at all times the grave responsibilities incumbent upon it. In its work it was determined to discharge its responsibilities objectively. The members of the Commission examined the conclusions they submitted to the Council with utmost care. At every stage of its investigations the Commission bore in mind the fact that, although the number of persons participating in the act of aggression was small, it did represent a serious threat to the sovereignty and independence of Seychelles, given the small size and limited resources of that country.

24. In paragraphs 272 to 275 of its report, the Commission has described the limitations that made it impossible for it to obtain full information and which it had to take into account in formulating its conclusions. Although the Commission did receive the full co-operation of the Governments of Seychelles and Swaziland, regrettably it was limited in its investigations by not being allowed to interview the main group of mercenaries who fled the country to return to South Africa in the hijacked Air India airliner. In particular, it was handicapped in its work by not being able to interview the leader of the mercenaries, Michael Hoare.

25. The Commission also pointed out that further significant information could be found in connection with its mandate after the conclusion of its report on 15 March, and in particular during the trial that took place in South Africa.

26. Undoubtedly the members of the Council are aware that some statements that affect the mandate of the Commission were made, especially by Michael Hoare, during those proceedings which of course have not yet been concluded.

27. Those statements could not be taken into account in the report, and of course members of the Council will bear that in mind in considering the conclusions that were drawn by the Commission.

28. The conclusions of the Commission with respect to the first part of its mandate are found in paragraphs 276 to 286 of the report and are related to the origin, background, planning and financing of the mercenary aggression, the source of the weapons, the possibility of the participation of South Africa and the role played by other Governments. Taking into account the paramount importance of those conclusions, which I am certain that members of the Council will consider thoroughly, I will not paraphrase them here. Nevertheless, I do want to repeat at this time the opinion that was expressed by the Commission when it finalized its report on 15 March that, taking into account the immediate planning and preparation of the aggression by the mercenaries, including the recruitment of over 50 mercenaries by Hoare, as well as the fact that the weapons used by the mercenaries were tested in South Africa, it was difficult for the Commission to believe that the South African authorities were not even aware of the preparations in this connection. Moreover, the Commission felt that on the basis of the information available to it at that time, it could not reach a definite conclusion about the scope, degree of knowledge and responsibility on the part of South Africa. The statement made by Mr. Hoare before the court is relevant in this connection.

29. As regards the assessment and evaluation of the damage caused by the aggression, the Commission's conclusions in this connection are found in paragraphs 287 to 292 of the report. The Commission is grateful for the assistance given by senior officials of the Government of Seychelles in gathering the information required and, above all, for the important documents furnished by the Ministry of Development and Economic Planning.

30. On the basis of those documents, the Seychelles Government incurred an expenditure of 619,000 rupees, that is, approximately \$100,000, on urgent repairs needed to reopen the airport. Moreover, the Government estimated that it would cost 7.69 million rupees, that is, approximately \$1.28 million, to make permanent repairs to damaged installations and to replace equipment that was damaged or destroyed as a result of the attack. While the Commission was unable to evaluate in every detail the damage done at the airport, it does consider that repairs at a cost amounting to the figure indicated in the Government paper will be necessary to restore the airport to full operational efficiency.

31. As regards the damages to the economy, the most serious reverse suffered is likely to be a drop in income from the tourist industry, which is highly sensitive to political, social and economic upheavals.

32. Since the dates of entry of tourists to the country as given to the Commission do not enable revenue from tourism to be precisely projected, the Commission felt that it was not possible for it to make a definite estimate of the damage done to the economy.

The Commission did feel, however, that there would be adverse repercussions of a significant magnitude upon the economy of Seychelles.

33. In paragraph 293 of its report, therefore, the Commission recommended that financial, technical and material assistance should be provided urgently through an appropriate fund in order to enable the country to deal with the difficulties it is facing as a result of the aggression. The Commission sincerely hopes that that recommendation will be given the Council's urgent attention and that it will be implemented as soon as possible.

34. The other recommendations of the Commission include a recommendation that work now under way on an international convention against the recruitment, use, financing and training of mercenaries be completed so that the convention may be opened for signature as soon as possible.

35. The Commission also recommends that States, and the international community as a whole, should make every possible effort to prevent mercenary operations, having regard to the grave threat which these operations pose, particularly to small island States with limited resources such as the Republic of Seychelles.

36. The Commission also recommends that Governments that have information related to mercenary activities should, without delay, communicate such information, directly or through the Secretary-General of the United Nations, to the Governments concerned.

37. The Commission also expressed the view that, in light of the apparent ease with which weapons can be transported in checked baggage on commercial airlines, the International Civil Aviation Organization should give further consideration to preventive measures, while taking into account the wish of Governments to facilitate tourism.

38. Lastly, and in light of events that have taken place since the preparation of the report by the Commission, the opinion has been expressed that it might be appropriate for the Commission to be authorized to furnish a supplementary report in due course containing any further information relative to its mandate. If the Council sees fit and if it should authorize such a report, the Commission would be prepared to elaborate it.

39. In conclusion, we should like to express to our good friends Mr. Craig and Mr. Sezaki our gratitude for their valuable contribution to the work of the Commission and the preparation of the report. Their spirit of co-operation, which was evidenced throughout, their dedication and their intelligence made it possible for the Commission to accomplish the work entrusted to it by the Council in the most effective and harmonious way.

40. The PRESIDENT (*interpretation from Chinese*): I should like to convey to the Chairman and to the other members of the Commission of Inquiry the Council's appreciation for the goodwill and conscientiousness with which they carried out the task entrusted to them.

41. The next speaker is the Minister for Foreign Affairs of Seychelles, Mr. Jacques Hodoul. I welcome him and invite him to make his statement.

42. Mr. HODOUL (Seychelles) (*interpretation from French*): I should like at the outset to thank you, Sir, for giving me this opportunity to address the Council, which is meeting today to draw the necessary conclusions from the report of the Security Council Commission of Inquiry established under resolution 496 (1981) to investigate the origin, background and financing of the aggression committed on 25 November 1981 against the Republic of Seychelles, to assess and evaluate the economic damages and to submit to the Council a report with recommendations.

43. On behalf of the Government it is my honour to represent here, I should like to address to you, Mr. President, and to all the members of the Council my sincere thanks for having met here today, despite the urgent crises with which you are dealing, to consider the report submitted by the Commission of Inquiry. I should like to assure you that the Government of Seychelles, which is pleased to have warm, friendly and co-operative relations with your country, has every confidence in your ability successfully to preside over and guide the work of the Council which, I am sure, will not fail to consider this matter with its characteristic wisdom.

44. I should also like to congratulate your predecessor, Mr. Kamanda wa Kamanda, representative of Zaire, for the competent manner in which he presided over the work of the Council last month.

45. I should like to thank the members of the Commission of Inquiry, and particularly its Chairman, Mr. Carlos Ozores Typaldos, the Permanent Representative of Panama, who is unfortunately unable to be with us, Mr. Jeremy Craig, Deputy Permanent Representative of Ireland, and Mr. Katsumi Sezaki, Political Counsellor at the Mission of Japan. I also address my thanks to their colleagues for the work they did in drawing up the report. I should also like to thank Mr. Olara Otunnu, representative of Uganda, who presided over the Council in December 1981, for the prompt manner in which he took action as soon as the Council was seized of the complaint of the Republic of Seychelles following the aggression committed against its sovereignty.

46. The report that has been submitted to the Council and that we now have before us attempts to shed light on the aggression committed on 25 November and sets forth certain specific recommendations.

However, in the view of my Government, the report, in spite of the evident desire of the Commission fully to carry out the mandate entrusted to it, does not wholly elucidate the origin, background and financing of the aggression against the Republic of Seychelles. For that matter, the Commission is well aware of this, as can be seen in paragraph 274 of its report, which states:

“. . . the information available to the Commission is far from complete. The Commission does not have full knowledge of the origin and background of the mercenary aggression.”

47. The Government of Seychelles, while accepting the Commission's recommendations, cannot, however, be fully satisfied until the "origin, background and financing of the . . . aggression" have been fully established. An armed operation, carried out by foreigners coming from a foreign country, could have been planned only with the complicity of foreign authorities. How else can one explain the categorical refusal of the South African authorities to accede to the Commission's request to interrogate the mercenaries who returned to South Africa after their armed intervention against Seychelles, saying that that aggression in no way concerned them? I should like to point out to the Council that the Republic of Seychelles facilitated the work of the Commission by allowing it freely to question the seven mercenaries who were captured and are being held in Seychelles, as well as all the witnesses involved, namely, officers in the Defence Ministry and civil servants and other civilians. Moreover, the Commission confirmed in paragraph 272 of its report that:

“While [it] received full co-operation from the Government of Seychelles . . . , it was unfortunately limited in its investigations by not being permitted to interview the mercenaries,”

particularly their leader, Mr. Michael Hoare.

48. As leader of the mercenaries and one of the participants in the armed aggression against the Republic of Seychelles, Mr. Hoare must necessarily possess important information which would be useful in determining more precisely the origin, background and financing of the operation. Indeed, his recent statement at the Pietermaritzburg court implicated the South African régime at the highest levels both of Government and of military command.

49. The Commission of Inquiry itself recognized, as it said in paragraph 274 of its report, that the trial of Mr. Hoare and his mercenaries on hijacking charges in South Africa could provide further information relating to its mandate. In this connection, the representative of South Africa in his letter dated 22 January addressed to the Chairman of the Commission, expressed his willingness to have the transcript of the trial now under way in South Africa sent to the Chair-

man. As it will contain the defendants' statements at that trial, the complete transcript of both the public and closed sessions of the trial should enable the Commission to prepare a supplementary report on the origin, background and financing of the 25 November aggression. The trial of the seven mercenaries in custody in Seychelles will begin on 16 June, that date having been set at the request of the defence. A full transcript will be sent to the Commission.

50. The Republic of Seychelles wishes the responsibility for the aggression perpetrated against its sovereignty to be clearly established. The international community must face the fact that mercenaries are a convenient tool for outlaw States which destabilize other States whose policies are not in conformity with nor subordinate to theirs. It is only by unmasking official complicity that the international community, respectful of the fundamental principle of non-interference in the internal affairs of States, will be able to take effective steps to wipe out, once and for all, the scourge of the use of mercenaries.

51. While the Seychellois people were able to repulse the armed aggression of the mercenaries, it is virtually impossible for them to remedy the economic situation resulting from that aggression without urgent financial assistance. As the Commission established, the total losses suffered by the Seychelles economy amount to approximately \$18 million. That figure might seem derisory to some countries, but for a small island State with few natural resources it does constitute a considerable loss. That loss will seriously affect the economic and social development of the country unless there is prompt financial and technical assistance from Member States of the United Nations and of other international organizations. I urge them to demonstrate their solidarity with Seychelles in a specific form.

52. In conclusion, I should like to inform members of the Council that the Government of Seychelles fully accepts the economic recommendations made by the Commission of Inquiry, but it anxiously desires: first, that an appeal be made to the Member States of the United Nations and of other international organizations to provide without delay, through an appropriate United Nations fund, financial, technical and material assistance to the Republic of Seychelles to enable it to deal with the problems arising from the mercenary aggression; secondly, that the Council call upon Member States to co-operate fully in the speedy drafting and subsequent implementation of an international convention against the recruitment, use, financing, training and harbouring of mercenaries, in the interests of international peace and security; and thirdly, that the mandate of the Commission be extended to enable it to complete its enquiry. The Government of Seychelles believes that the Commission should submit a supplementary report to the Council on completion of the current trial in South Africa and the trial of the seven mercenaries now in custody in Seychelles.

53. Mr. de La BARRE de NANTEUIL (France) (*interpretation from French*): Sir, I should like first of all to congratulate you on your assumption for the month of May of the difficult responsibilities of the presidency of the Council. By the active role you have played outside the official meetings of the Council, you have already shown how well fitted you are, by your experience, your intelligence and your wisdom, to discharge your responsibilities effectively.

54. Nor must I omit to congratulate most particularly your predecessor for the month of April, Mr. Kamanda wa Kamanda of Zaire. All my colleagues here know with what flair he guided our work last month, which was a particularly busy month for the Council. Thanks to the calm, the intelligence and the brilliant initiatives of the representative of Zaire, the work of the Council was conducted in a most satisfactory way. The delegation and Government of France thank him sincerely.

55. On 15 December last, the Council, in its resolution 496 (1981), unanimously condemned the armed attack by a band of mercenaries against the Republic of Seychelles. By the same resolution, it was decided to entrust to a Council Commission the task of enquiring into the origin, background and financing of that operation, of assessing and evaluating the economic damage suffered by Seychelles, and of presenting to the Council a report with recommendations.

56. That report was submitted to us on 15 March at the conclusion of an inquiry that was conducted by the Commission in as complete a way as possible, in spite of the difficulties that it faced in the accomplishment of its mandate. During its stay in the region from 24 January to 6 February, the Commission spoke with Government officials of several States; it heard many witnesses, and right in the Seychelles, it heard the mercenaries who had been captured there. Lastly, I would note that, aware that it had not had access to all sources of information, the Commission in its recommendations envisages the submission of a supplementary report if the Council so desires.

57. I listened very attentively to the statements of the Chairman of the Commission of Inquiry and the Minister for Foreign Affairs of Seychelles. For my part, I should like to recall the position of France and at this stage in our discussion to draw two initial conclusions.

58. The position of France is clear and firm. My country, which is particularly attached to the principles of respect for the territorial integrity and political independence of States, regardless of their size and geographical situation, as well as to non-interference in the internal affairs of States, feels that these essential principles must be fully respected by all States.

59. Moreover, France condemns all forms of mercenary activity, anywhere, at any time and in any

circumstance. That is why my delegation wishes today most firmly to reiterate its condemnation of the armed attack by mercenaries on 25 November 1981 against the Republic of Seychelles.

60. But the international community cannot limit itself to condemnation of that attack. France believes that two conclusions can immediately be drawn from the report of the Commission of Inquiry.

61. The first concerns the need for an international convention. The Commission of Inquiry has quite rightly stressed the grave danger posed for small States such as Seychelles by possible mercenary intervention. In the face of that danger, the international community must continue its efforts in the *Ad Hoc* Committee which, on a Nigerian initiative, the General Assembly has entrusted with the drafting of an international convention against the recruitment, use, financing and training of mercenaries. France sincerely hopes that that Committee may as soon as possible succeed in drafting an effective convention aimed at prohibiting and putting an end to the activities of adventurers against small independent States.

62. I should like moreover to recall that international law prohibits any State from allowing its territory to be used for purposes that threaten the independence and sovereignty of other States. In this connection, all States must refrain from financing, encouraging or tolerating armed subversive activities aimed at changing by violence the régime of another State. Any State failing to meet that obligation would in so doing be responsible under well-established conditions of international law; in other words, such a State would be duty-bound to redress the consequences of unlawful acts it had itself committed or incited.

63. The second conclusion concerns the assistance to be given to the Republic of Seychelles. France has close relations with Seychelles, based on mutual respect, friendship and co-operation. This was demonstrated, *inter alia*, following the armed attack committed by mercenaries on 25 November last, when, without delay, France provided aid and support.

64. We are aware of the importance that the Republic of Seychelles attaches to its economic development and social progress, and we are also familiar with its efforts in this connection. The armed intervention by mercenaries dealt those efforts a harsh blow. It therefore seems important to us that the international community at large affirm its solidarity with the Republic of Seychelles in these difficult times by helping it to recover from the damage caused by unscrupulous adventurers. Towards that end, France believes that it would be desirable, upon the initiative of the Council, for a voluntary contribution fund to be established, in the framework of which we are prepared to play a special role.

65. Mr. NUSEIBEH (Jordan): Mr. President, as this is the first time we have met in an open meeting this month, even though it has been a very active one under your very wise leadership and wisdom, I wish to extend to you the sincere congratulations of my Government on the outstanding qualities you have shown throughout the Council's meetings and various activities during May. It is particularly gratifying to me to congratulate our President as a loyal son of the great People's Republic of China, with which my country, Jordan, the Arab nation and indeed the entire Arab world have close and traditional ties of friendship going back milleniums.

66. I wish to take this opportunity also to extend my appreciation to the outgoing President, Mr. Kamanda wa Kamanda, for the very able and exemplary manner in which he conducted the affairs of the Council during the month of April, which was equally busy.

67. I take this opportunity to express the appreciation and congratulations of my delegation to the Security Council Commission of Inquiry established under its resolution 496 (1981) for the work it has done. I must say that its report is very meticulous and thorough, even though the Commission of Inquiry was handicapped by its inability to get to all the basic sources of information to which it was entitled as a Security Council commission. And yet, in spite of that, the Commission of Inquiry has, under the chairmanship of our colleague Mr. Ozores Typaldos of Panama and with the membership of Mr. Craig of Ireland and Mr. Sezaki of Japan, really acquitted itself excellently in the job assigned to it by this body.

68. I have read the report, which is, as I have said, thorough, and I have also listened with great attention and profound concern to the solemn statement made by the Minister for Foreign Affairs of the Republic of Seychelles. Now, without assuming the very stringent strictures of judicial function, all evidence in the report points to the fact that the act of aggression committed by the mercenaries against the Government and people of the Republic of Seychelles, a small, peaceful island, emanated from and was closely linked to the Government of South Africa, both directly and indirectly.

69. A great deal of what happened can be put in the category of covert action; yet all the circumstantial evidence indicates that the entire reprehensible act committed against the peaceful small island of the Seychelles was the work of the Government of South Africa and its surrogates. South Africa obviously wanted to have control over that island and thereby undermine the independence of the Republic of Seychelles.

70. Even though the operation itself did not assume massive proportions, it was no less serious in its implications, for, after all, those mercenaries, who planned this act of unprovoked and reckless adven-

turism and aggression against the Seychelles, caused extensive material damage to the people of the Republic of Seychelles. The report enumerates some of the material damage seen and testified to by the members of the Commission. But we should never overlook the equally if not more extensive psychological damage, especially with regard to the area of tourism, which was inflicted by this act of aggression by the mercenaries, inasmuch as in all similar circumstances tourists have been frightened off and tourism is one of the basic industries of the Republic of Seychelles.

71. Furthermore, this act by a powerful country against a small Republic constitutes a very dangerous and ominous precedent. Since the Council is the ultimate guardian of international peace and security, I think that it should act promptly and decisively. It should act in various ways. First of all, it should condemn this act of aggression in the strongest terms. Secondly, I fully subscribe to the view expressed by the representative of France and the Minister for Foreign Affairs of the Republic of Seychelles that a process should be initiated to work out a convention aimed at safeguarding small countries against dangerous and unlawful acts of aggression such as the attack on the Seychelles.

72. I also fully support the suggestion that the United Nations should consider establishing a special fund to assist the Republic of Seychelles and enable it to get back on its feet after the extensive damage it has suffered as a result of this untoward, unjustified and illegal act of aggression. Of course, this would be a voluntary fund, but one to which all Member States would be morally bound to subscribe.

73. Finally, since the Commission, despite all its efforts, was not able to interrogate the mercenaries who perpetrated the act of aggression, perhaps a supplementary inquiry is called for, even though it might encounter the same kind of obstacles as the Commission faced in preparing the report before us. I believe that we should at least make an effort to get at the root of the matter.

74. This was a very reprehensible act of aggression, and I wish to express Jordan's solidarity with the Republic of Seychelles and its intention to support all endeavours to compensate the people and the Republic of the Seychelles for the grievous and extensive damage detailed in the report and also to support the establishment of machinery with a view to ensuring that there will be no repetition of such acts of aggression in the future.

75. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Egypt, who wishes to make a statement in his capacity as Chairman of the Group of African States at the United Nations for the month of May. I invite him to take a place at the Council table and to make his statement.

76. Mr. ABDEL MEGUID (Egypt): On behalf of the Group of African States at the United Nations and on my own behalf, I should like first of all to express our sincere congratulations to you, Sir, on your assumption of the presidency for the month of May. Your abilities are of course highly esteemed, and we are sure that under your able leadership the Council will fulfil its role in the serious matter under consideration today.

77. I should also like to take this opportunity to express our deep appreciation and admiration for your predecessor, Mr. Kamanda wa Kamanda of Zaire, our African brother and colleague, who last month, in trying circumstances, fulfilled his mandate as President of the Council in an excellent manner.

78. The Council is meeting today to consider the report of the Security Council Commission of Inquiry established under resolution 496 (1981), which is contained in document S/14905/Rev.1. In this regard I wish to express our sincere appreciation to the members of the Commission—Mr. Carlos Ozores Typaldos of Panama, Mr. Katsumi Sezaki of Japan and Mr. Jeremy Craig of Ireland—for their efforts and dedication.

79. The Commission of Inquiry fulfilled its mission regarding the assessment of the economic consequences of the 25 November 1981 mercenary aggression against the Republic of Seychelles. To that effect the report has made specific recommendations to offset the economic consequences, namely that financial, technical and material assistance should be provided urgently by Member States and international organizations to enable the Government of Seychelles to deal with the difficulties it is facing because of the mercenary aggression. Such contributions could be channelled through an appropriate fund. We support these recommendations, in particular the establishment of a special fund for the Republic of Seychelles to be supplied by voluntary contributions through which assistance should be channelled for economic reconstruction.

80. However, the report of the Commission of Inquiry contains no specific recommendations as to the origin, financing and organization of the aggression.

81. There is every reason for us to believe that South Africa was involved in the aggression. The South African régime's own actions so far show that it had a hand in the organization of the invasion.

82. In that connection, we should like to underline the following elements.

83. First, South Africa did not permit the Commission to interview the mercenaries who returned to South Africa aboard the hijacked Air India plane. In particular, the Commission was handicapped by not having an interview with the leader of the mercenaries, Michael Hoare.

84. Secondly, the immediate preparations for and planning of the mercenary aggression, including the recruitment of over 50 mercenaries by Hoare, took place in South Africa. A number of these mercenaries were reservists in the South African Defence Force (SADF) to whom call-up papers had been issued.

85. Thirdly, Martin Dolinschek, an intelligence officer with the South African national intelligence service, was among the seven mercenaries captured by the Seychelles Security Forces following the mercenary aggression. According to his testimony to the Seychelles authorities during interrogation, he obtained a passport officially under his pseudonym "Anton Lubic". In answer to a question in the South African Parliament on 19 February, the Minister of the Interior admitted that the authorities had indeed issued a new passport to Martin Dolinschek under the alias of Anton Lubic.

86. Fourthly, Mike Hoare, testifying at the hijack trial, made the following revelations. The aggression was carried out with the knowledge of the South African intelligence service and with men supplied by the SADF. A delivery invoice of weapons and ammunition to be used in the coup and delivered to Hoare's home was submitted as evidence in court. Hoare was informed that the South African Cabinet had decided in principle in September 1981 that the invasion attempt using mercenaries should go ahead.

87. Fifthly, the Speaker of the South African Parliament refused a request on 4 May from the opposition Progressive Federal Party to hold a special debate on the involvement of the South African Government and the South African Army in the aggression against the Seychelles.

88. Sixthly, South Africa released 39 of the 44 mercenaries last December without charging them or even disclosing their identities after they had forced an Air India plane to fly to South Africa. The extremely irregular behaviour by South Africa with regard to this matter has invited even its friends to cast serious doubts and suspicion on its protestations of innocence. Subsequently, the Government of South Africa reversed itself and charged the mercenaries. However, the verdict can almost be predicted.

89. In the light of these developments we consider it imperative to affirm the following.

90. First, the report which has been submitted to the Council is an interim report.

91. Secondly, we cannot exclude that further significant information relating to the mandate of the Commission may become available, particularly during or after the trial on the hijacking charges in South Africa or at the one that will take place on 16 June in Seychelles.

92. Thirdly, a thorough investigation should be carried out by the Commission with a view to digging out the facts about the origin and background of the mercenary aggression. Therefore we hope that the Commission will be authorized to furnish a supplementary report in due course containing any further information relative to its mandate.

93. The discussion at this meeting could not but lead to a vigorous condemnation of the racist régime, which has violated every principle of international law. Unless the world community in general and the Council in particular face seriously and effectively the situation in southern Africa, the Pretoria régime will continue to pursue its policy of aggression and suppression against the people of South Africa, its illegal occupation of Namibia and its acts of aggression against the neighbouring countries, thus posing a grave threat to international peace and security.

94. We should like to assure the Government and the people of the Republic of Seychelles of our total support for and solidarity with their just cause, and that the Group of African States stands ready to shoulder its responsibilities towards that goal.

95. Mr. WHYTE (United Kingdom): Mr. President, I should like to start by expressing, in common with others who have spoken this afternoon, the appreciation and admiration of my delegation for the manner in which you have conducted the affairs of this Council during this month, and the manner in which Mr. Kamanda wa Kamanda of Zaire presided over the Council last month. I know it is customary to address such felicitations to those who preside over this Council, but during this month and last there has been nothing customary about the responsibilities which you have been called upon to shoulder. I suspect that the representative of Zaire, in particular, did not fully realize when he woke up on the morning of 1 April just what was about to descend on his shoulders. My own delegation has been in a position to be more than usually aware of the energy, the determination and the skill with which both you and he have faced up to and have discharged these truly onerous responsibilities, and we express our profound appreciation.

96. I should like now to turn to the matter under consideration and join others in thanking the representative of Panama for having introduced the report of the Commission of Inquiry. I should also like to pay tribute to all the members of the Commission for their excellent work. They have clearly carried out conscientiously and thoroughly the mandate given to them in resolution 496 (1981), which was to investigate the origin, background and financing of the attack by mercenaries on the Seychelles. They have also made an assessment and evaluation of the economic damages. They have acted prudently and judiciously. They have presented a wealth of evidence from a variety of sources. It can truly be said that

their work has greatly facilitated the task of the Council at this stage of its consideration of the complaint by the Government of Seychelles.

97. My Government has carefully considered the recommendations agreed by the Commission and set out in paragraph 293 of its report. My Government endorses all those conclusions and recommendations.

98. With regard to the question of the reconstruction of the airport, to which the representative of Panama referred in his introductory remarks, my Government informed the Government of the Seychelles that it would look sympathetically at any request for assistance in repairing the damage and I understand that discussions have been going on in order to take up that offer. We also undertook to implement immediately an aid agreement to the amount of £1.5 million.

99. Turning to the second recommendation concerning the work on the drafting of an international convention against the recruitment, use, financing and training of mercenaries, my delegation co-operated fully in the recent session on this subject of the General Assembly's *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries. The attack on the Seychelles did not, of course, pass unnoticed by the Committee and its Working Group A, under the chairmanship of the representative of Barbados, considered language which would make clear that a new convention would apply to an attack such as that suffered by the Seychelles. The draft convention would also help to give effect to the third and fourth recommendations of the Commission.

100. The Commission also recommended that it should be asked to furnish a supplementary report. My delegation considers that this suggestion should be accepted by the Council. As is well known, further information about the attack is becoming available from the trials of persons charged with criminal offences in connection with the attack. At the same time, the full effect of the attack on the economic position of the Republic of the Seychelles cannot be fully assessed. In these circumstances, a supplementary report would, in our opinion, help to complete the knowledge of the Council about the raid and about its effects.

101. In conclusion, I should like to repeat the concern which my Government expressed to the Government of the Seychelles at the time of the attack. We are confident that with the support of the Council the people of Seychelles will be able eventually to put this atrocious episode in their history behind them and be able to go forward on the path of development.

102. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Malta, whom I invite to take a place at the Council table and to make his statement.

103. Mr. GAUCI (Malta): Mr. President, I am very grateful to you and to the other members of the Council for allowing my delegation to express its views on the attempted coup against the Republic of the Seychelles.

104. The exemplary relations between your country and mine are such that they need no eulogies on my part. I will therefore limit myself to complimenting you on your assumption of the presidency for the current month under difficult circumstances and to expressing my appreciation for the excellent relations between our two Missions. The same considerations apply to the outgoing President, the representative of Zaire.

105. The clash of conflict is disquieting wherever it is heard. At the moment, world attention is centred elsewhere—in all too many areas of the world, and more particularly in the South Atlantic. While we express distress at the deteriorating situation there, and our hope that peaceful counsel can still prevail, we cannot overlook other past events which are of as much concern to other friendly countries as they are to us.

106. We do not really have much to add to the store of knowledge on the item now before the Council; nevertheless we are moved to speak, since the matter before the Council affects in particular the destinies of small countries, vulnerable to all forms of intimidation. For us small countries—constituting more than a third of the United Nations membership—the defence of our security entails preoccupations often not even sensed by other, more powerful countries.

107. The winds of historical change in the past have often blown in the same direction for Seychelles as for Malta. Our peoples share many common characteristics. In particular, we are both small, island developing countries, situated in strategic positions, lacking mineral resources and trying to utilize our natural assets—the sun, the sea and our mild climates—to promote growth in peaceful commerce and tourism. We are both friendly and open peoples, and we cannot but be concerned when our friendliness and openness are ruthlessly taken advantage of, or even jeopardized, by ill-considered illegitimate actions of outsiders. Malta itself is not immune to this experience, and we are vehemently against it.

108. Our peoples and our Governments want to be friendly with all countries, but to be subservient to none. We want to live in dignity as small nations, concentrating on trying to improve the social and economic well-being of our peoples and willing to share our peaceful habitat with others who openly come to savour it, but not with guns hidden in their possessions or evil intentions in their minds.

109. We have suffered enough from the colonialist attitudes of the past; we do not wish to suffer any

more in the future. We want no form of subversion, least of all any insolent attempt at overthrowing a legitimate and popularly elected Government through the use of mercenaries or through any other form of outside interference in our internal affairs.

110. We therefore compliment the Government of Seychelles on its success in foiling the attempted coup. We also appreciate the immediate and favourable response to the request of the Republic of the Seychelles provided by the Council. The Commission of Inquiry has been extremely thorough and objective in the investigation it has held so far, and my delegation is grateful for the report it has submitted, which we have studied attentively. It seems to us that the report speaks for itself and needs no detailed comment on my part.

111. We trust that the international response to the assistance for the Government of Seychelles proposed by the Commission of Inquiry, for repairing its damaged airport infrastructure, will be positive and generous. I welcome, in this connection, the statements just made by the representatives of France and the United Kingdom. We also feel it would be useful if the first report of the Commission of Inquiry were supplemented by the results of further investigations so as in fact to determine the origin, background and organization of the aggression carried out against Seychelles last November, which was originally the main purpose of the enquiry.

112. Even though the case against the mercenaries is still *sub judice*, there cannot but be strong suspicion—indeed, there can be little doubt—both from the evidence so far supplied and from the persistent and by now traditional prevarication of the South African authorities towards the Council, that officials of the South African Administration were either directly or indirectly involved in the preparation for the attack, of which they had foreknowledge and which, instead of stopping, they encouraged and abetted.

113. Prevention is so much better than cure. It would therefore be useful if the Council were to utilize this opportunity to devote some attention to strong recommendations which would guard against a repetition of such reprehensible action in future; it might be considered that States should be urged to do everything in their power to prevent mercenary operations, and even to alert in advance both the Council and the Governments concerned if any such preparations are either suspected or in fact discovered. We also hope that work will be expedited to draw up by consensus an internationally respected convention against mercenaries.

114. It would be trite to mention that actions such as those perpetrated against Seychelles show a complete disregard of the principles of international law and of the Charter of the United Nations. Many countries have their own means of defence. We, the small

countries, cannot but seek and continue to seek the support of the United Nations, in whose capability we place our trust.

115. We therefore take the liberty on this occasion of reminding all countries that peoples always have the right to determine in full freedom when and as they wish their internal and external political status, without external interference, and to pursue as they wish their chosen political, economic, social and cultural development. This is a fundamental principle which bears repetition, and I think it is particularly appropriate that it should be mentioned on this occasion and in these troubled times.

116. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of India. I invite him to take a place at the Council table and to make his statement.

117. Mr. KRISHNAN (India): I should like to offer my delegation's congratulations to you, Sir, on your assumption of the presidency for the month of May, which has proved to be a trying period for the Council and, indeed, for the United Nations. We are confident that your personal abilities and skill, reinforced by the ancient wisdom of your great country, will stand you and the Council in good stead during these critical times. The world is looking to the United Nations and to the Secretary-General with the hope that a way may yet be found to prevent further bloodshed and destruction in the South Atlantic and to facilitate the search for a peaceful negotiated solution.

118. My delegation feels gratified that, even while the Council is preoccupied with dramatic events of the present, it has found it possible to meet today to give attention to the report of the Security Council Commission of Inquiry established under resolution 496 (1981) on the mercenary aggression against the Republic of Seychelles, which was an equally dramatic and shocking event enacted on 25 November 1981. I am grateful to you and to the other members of the Council for inviting me to participate in this discussion.

119. The Minister for Foreign Affairs of the Republic of Seychelles has given a poignant account of the wanton act of terrorist aggression perpetrated against his country and the damage done to its economy. India shares the concern of this friendly neighbour in the Indian Ocean to preserve its independence and territorial integrity and to promote the welfare of its people.

120. The report of the Commission of Inquiry, contained in document S/14905/Rev.1 of 15 March 1982, which was so competently presented to the Council a little while ago by the representative of Panama, bears testimony to the painstaking efforts undertaken by Mr. Carlos Ozores Typaldos of Panama, Mr. Jeremy Craig of Ireland and Mr. Katsumi Sezaki of Japan.

The events of 25 November 1981 have been carefully reconstructed, the identity and motives of the mercenaries involved in the crime have been established beyond doubt and the culpability of South Africa in the entire operation has been recognized, notwithstanding the deliberately obstructionist attitude of the Government of South Africa towards the Commission. There is sufficient evidence in the report to indicate that South Africa had a major role in the mercenary aggression against Seychelles, even if it did not carry out the operation itself. The immediate preparation for and planning of the mercenary aggression, including recruitment, took place in South Africa; most of the mercenaries had military experience in South Africa; a number of them were reservists in the SADF to whom call-up papers were issued; the weapons used by the mercenaries were obtained and tested in South Africa; and one of the mercenaries was found to be a serving member of the National Intelligence Service of South Africa. It is not inconceivable that the unidentified sources of financing could also be traced to the South African Treasury itself.

121. The Commission, by its own admission, was unable to complete its task not because of any lack of earnestness on its part but because it was not permitted to interview the mercenaries who had sought refuge in the congenial embrace of South Africa. As anticipated by the Commission in paragraph 274 of its report, significant information relating to its mandate has started to come to light in the trial on the hijacking being held in South Africa. The revelations made by the leader of the mercenary gang have rendered futile the attempts by South Africa to cover up its involvement in the aggression against Seychelles. According to reports, he testified that the aggression was carried out with the knowledge of South African Intelligence and with arms and men supplied by the SADF. A delivery invoice of weapons from the South African Army to the mercenaries was produced in the court as evidence. It was also revealed that the South African Cabinet had decided in principle, in September 1981, that a mercenary aggression against Seychelles should take place. In the light of the evidence that has now accumulated to suggest the complicity of South Africa, and even of powerful forces outside it, it has become imperative for the Commission to complete the investigation that it so ably initiated. We would therefore wholeheartedly support the request made by the Republic of Seychelles that the Commission should be authorized to furnish a supplementary report, with additional information leading to conclusions and recommendations.

122. The report of the Commission contains an assessment and evaluation of the economic damage sustained by the Republic of Seychelles as a result of the mercenary aggression. Apart from an amount of \$US 100,000 spent by the Government of Seychelles for urgent repair works needed to reopen the airport, it is liable to cost more than \$US 1.2 million to make permanent repairs to damaged installations and equip-

ment. Less quantifiable, but more far-reaching, are the losses anticipated on account of the fall in tourist traffic consequent upon the aggression and its aftermath. The adverse impact on the Seychelles economy of a drop in the tourist traffic can indeed be significant, as the young Republic is greatly dependent on tourism for its economic sustenance. It is incumbent upon the international community, particularly the friends and well-wishers of Seychelles, to contribute their mite to lighten the economic burden on Seychelles caused by the aggression. We urge that an appropriate fund be set up to channel voluntary contributions from Member States, and stand ready to make our own contribution within our capacity and resources.

123. The other recommendations of the Commission, such as the early conclusion of an international convention against the recruitment, use, financing and training of mercenaries, adoption of measures for the prevention of mercenary operations, supply of information relating to mercenary activities, and so on, are of immense value. We are painfully aware of the threat that mercenary activity poses to the independence and territorial integrity of smaller nations.

124. The hijacking of our Air India aircraft following the frustration of the aggression against Seychelles demonstrates also how vulnerable innocent civilians are to the terrorism associated with such activity. India will continue to work for the elaboration of a convention to control this menace.

125. The inevitable conclusion about the complicity of South Africa in the mercenary aggression against Seychelles should come as no surprise to the Council. The Council is only too familiar with the criminal record of the racist régime in Pretoria, which practises the repulsive policy of *apartheid*, occupies Namibia illegally in defiance of the United Nations, launches aggression against neighbouring African States and constantly engages in destabilizing activities in African States, particularly Angola and Zimbabwe. Would it be too much to hope that the Council might some day gather the necessary political will to bring South Africa to book?

126. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Benin. I invite him to take a place at the Council table and to make his statement.

127. Mr. SOGLO (Benin) (*interpretation from French*): First of all, I must express to you, Mr. President, my appreciation for the great honour you do me in allowing me to speak here before the representatives of the States members of the Council on behalf of the People's Republic of Benin. It is a good omen that the debate on the criminal aggression against the brother people of Seychelles is being conducted under your able guidance. You are, indeed, a worthy representative of a great country, China, with which Benin is happy to enjoy very close and cordial

relations. A representative to the Organization from a nation the most glorious pages of whose history recount the epic struggles it has waged against the invader in the past and today, in order to strengthen its independence and to assure the well-being of its people, you, Sir, we are convinced, will preside over these meetings with the firmness and tranquillity characteristic of you, and will lead our debates to a successful conclusion.

128. I should also like to say to your predecessor, the representative of Zaire, Mr. Kamanda wa Kamanda, that we greatly appreciate the outstanding manner in which he presided over the work of the Council last month. His mastery of the facts was absolute, and his inborn sense of compromise was equalled only by his love of justice.

129. Five years later, when the bitter memory of the ignoble and barbarous armed imperialist aggression of Sunday, 16 January 1977, against my country, the People's Republic of Benin, is still fresh in the minds of all; five years later, when we can still hear echoing in our ears the outraged voices that were raised in this very chamber to condemn that odious crime; five years later a small, third-world country, the Republic of Seychelles, a defenceless country facing the harsh realities of poverty and underdevelopment, has also been the victim of an equally traitorous and dastardly aggression.

130. Once again, a peaceful and hard-working people has seen its young persons killed and their names inscribed on the list of the peoples' martyrs whose only crime has been to wish to live, free and independent, in peace.

131. Once again, an attempt has been made to stab in the back a democratic people's revolution that desired, above all, to give effect to the legitimate aspirations of its people to a decent standard of living and social well-being and to build a socialist society free from any exploitation of man by man.

132. However, like the militant and invincible people of Benin, the people of Seychelles routed the aggressors. Armed with their courage and their patriotic faith, the intrepid people of Seychelles, after hard fighting and at the price of the supreme sacrifice of many of their sons, triumphantly drove back those base invaders, some of whom, as happened also at Cotonou, saved their skins only by a hasty departure by airplane, this time a hijacked one, and, by the use of criminal arms forcing it to transport them to that safe haven now known to all.

133. Allow me to address to the martyr people of Seychelles and to their Government the deep sympathy and active solidarity of all the people of Benin, of its avant-garde party, the Party of the People's Revolution of Benin, and of its National Executive Council. We, having been victims of the same kind of thing,

understand more than anyone else their feelings of disgust and revulsion at such an act of barbarism. We have had the same experience, and we therefore understand more than anyone else what they have suffered. We respectfully bow our heads in respect for their sons and we pay to their intrepid courage the tribute of a brother people that has been a victim of the same ignominy.

134. The entire international community was outraged, and in response to that outrage the Council, endorsing the complaint of the Seychelles Government, unanimously adopted resolution 496 (1981) which, while condemning the mercenary aggression against the Republic of Seychelles, decided to send a Commission of Inquiry composed of three members of the Council to investigate the origin, background and financing of the aggression by mercenaries against the Republic of Seychelles on 25 November 1981 and to assess and evaluate the economic damage and submit to the Council its report and recommendations.

135. The Council was thus creating the means to verify in the field, through the Commission of Inquiry, the well-founded suspicions of the Seychelles Government as to South Africa's participation, despite its confused and highly unconvincing denials, in the preparation and organization of the aggression.

136. I should like to quote from a few paragraphs of the report of the Commission of Inquiry circulated in document S/14905/Rev.1 of 15 March 1982, which state, *inter alia*, that the immediate preparations for and planning of the mercenary aggression took place in South Africa, that the South African authorities were thus generally aware of such intentions to overthrow the Government of Seychelles and that the Commission finds it difficult to believe that the South African authorities did not at least have knowledge of the preparations of the mercenary operation of 25 November.

137. If, on the basis of the information available to it when it prepared its report, the Commission was unable to reach a definitive conclusion in respect of the degree or level of responsibility of South Africa, that is not the case today, following the major revelations made by the mercenaries during the course of their trial in South Africa itself, and particularly after the extremely enlightening testimony given by the gang's leader, Michael Hoare, an old and incorrigible mercenary who, with supporting evidence, has directly implicated his employers, the South African secret services of the National Intelligence Service, and thus the South African authorities themselves.

138. This trial corroborates the analysis that the head of State of Benin, our great comrade-in-arms Mathieu Kérékou, made of the phenomenon of mercenarism when he said on 26 March 1977:

"The recent experience of our country, the People's Republic of Benin, in its resistance to aggression by the imperialist army of mercenaries has enabled us, with documentary support, to draw two fundamental lessons. First, the mercenaries, who are the dregs of a capitalist society already in an advanced state of decay, are in truth special and anonymous detachments of the regular troops of the imperialist armies, since they are recruited, led, trained and armed by regular officers specially assigned to that sordid task. One cannot therefore but denounce and combat the use of international mercenaries without unmasking the forces which organize and arm them, set them in motion and assign them their clear-cut targets.

"In the second place, the use of armed groups of mercenaries is a new weapon of mass destruction which has entered into the global strategy of international imperialism for the colonial reconquest of the States of the third world."

139. The dastardly and villainous aggression perpetrated on 25 November last against the people of Seychelles and their revolution is not only a vile crime against a small defenceless country by a gang of mercenaries that fear neither God nor man; it is above all part of the political blindness of a State, South Africa, whose racist and inhuman régime has as its basic policy the denial of the most basic human rights and as its programme of action destabilization and the perpetration of the most evil and abject crimes against several African States. It relates also and above all to the Machiavellian nature of international imperialism which, faced with the irreversible rising tide of the peoples' fight for their liberation and their independence, has developed a new strategy, of which the mercenaries are the favoured instrument cynically employed on the one hand to perpetuate exploitation and oppression of peoples still under foreign domination, and on the other hand to carry out the colonial and neocolonial reconquest of those young States by destabilizing their progressive and revolutionary régimes, thus preventing them from devoting themselves fully to economic, social and cultural development.

140. In addition, we would add that Seychelles is of vital or strategic interest in the Indian Ocean, as some would say, who would clearly prefer to see there, as in the past, a puppet Government in the pay of imperialism, without any national ambitions or aspirations.

141. After the bitter experiences of the Congo—Leopoldville in 1961—and after the numerous and futile plots hatched against Guinea and Angola, the people of Seychelles in turn have triumphed over international imperialism and its vile instrument for enslaving the peoples—the mercenaries. This is a victory that will be inscribed in letters of gold among the glorious laurels of the peoples who through a noble struggle have won their freedom and independence

from the grip of the inveterate supporters of colonialism and neocolonialism.

142. The peoples of the world who love peace and justice will appreciate once again the real and growing danger represented by the international system of mercenaries developed and financed by international capitalist monopolies and cynically manipulated by the secret services of the major imperialist Powers to crush the revolutionary movement which is now taking place in the world and to restore colonial and neocolonial hegemony over the small and defenceless countries of the third world.

143. The facts are there; they are overwhelming, and they clearly point to the South African racist régime and show us our double duty. First, we must refuse to be accomplices of this evil crime, by most forcefully condemning South Africa, thus making it even more of an outcast from the international community. Secondly, we have a duty of solidarity. The moral and material damage done to the people of Seychelles is tremendous. No action by the international community, however generous, however sweeping, can ever fully compensate for it. The people of Seychelles expect more than kind words from the international community, more than the adoption of noble resolutions condemning that perfidious aggression to which they have been subjected. They expect from us, above all, effective, vigorous, concerted and truly generous action that can help them heal their wounds. They expect the Council to take the necessary specific measures to help them, if not to repair the moral damage done, at least to repair the serious damage done to their infrastructure and economy. In doing this, the Council will do no more than reflect the feeling of justice and active solidarity that all peoples of the world feel in view of the vast work of reconstruction that the people of Seychelles will have to undertake.

144. The report of the Commission of Inquiry has one merit—it has arrived at recommendations that everyone can support. These recommendations are indeed a minimum when one considers on the one hand the enormity of the material and moral damage done to the people of Seychelles and, on the other hand, the urgent need to eliminate from our society this scourge of mercenarism, which is a serious threat hanging over the sovereignty and independence of States, particularly the small, developing States, through the preparation of and adoption by all States of the international community of an international convention against the recruitment, use, financing and training of mercenaries.

145. To that end, there cannot be too many studies, too much information—particularly in respect of the aggression against the Republic of Seychelles. That is why my delegation would appreciate it if the Council were to accede to the request made by the Seychelles Government and the Commission of Inquiry itself, and

authorize the Commission to submit a supplementary report taking into account all the information to which it did not have access earlier.

146. Ready for the revolution—the struggle continues.

147. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Argentina. I invite him to take a place at the Council table and to make his statement.

148. Mr. ROCA (Argentina) (*interpretation from Spanish*): First of all, Sir, I wish to congratulate you for the work you are accomplishing as President of the Council. I can bear witness to your fine intelligence, your skill and your highly developed sense of fairness.

149. I should also like to express my respect and that of my delegation to the previous President of the Council, Mr. Kamanda wa Kamanda, for his warm courtesy, his tireless attention and his fairness as President of the Council, all of which I can attest to.

150. My delegation has asked to address the Council in order to express its concern at the situation described in the report of the Security Council Commission of Inquiry established by resolution 496 (1981) and to add its voice to those who have forcefully condemned attacks against the territorial integrity and political independence of the Republic of Seychelles.

151. The Council as far back as last December condemned the aggression committed by mercenary forces against Seychelles. That illegal act has also been condemned by the international community. Nonetheless, we must be aware that conditions still exist for such actions, which are direct threats to international peace and security, to be repeated. This warning has been given by the Commission of Inquiry itself in its recommendations.

152. My delegation believes that the clarity of those conclusions is a further imperative reason for the Council to assume the responsibilities conferred upon it by the Charter of the United Nations and to make every effort to avoid the repetition of actions such as the one that we are studying today, actions which, with a view to financial profit, combine two acts condemned by the United Nations: intervention in the internal affairs of other States and the attempt to re-establish colonial situations.

153. The process of decolonization and liberation is an irreversible historical reality which cannot be countered by the reactionary interests of former colonial Powers. The United Nations has played a fundamental role in the process of decolonization, and that decisive contribution is recognized and defended by the large number of Member States to whose political independence it contributed. None the less,

the responsibility to defend access to that independence and to those new living conditions still exists, and it is up to the Council, at this very moment, to reaffirm the principles of the Charter.

154. It is fitting to recall here the adoption by the Council of resolution 405 (1977), in which it condemned "all forms of external interference in the internal affairs of Member States including the use of international mercenaries to destabilize States and/or to violate their territorial integrity, sovereignty and independence". I should like also to mention the adoption by the General Assembly by consensus of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, which states, in its preamble, that "Every State has the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State".²

155. There are many legislative precedents in the Organization which forcefully condemn mercenary activities, but I shall not cite them here. It is sufficient to mention the latest resolution, adopted by consensus on 4 December 1981 by the General Assembly, resolution 36/76.

156. I do believe that it is relevant at this time to recall the opinion of many delegations in the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries. At its session last year, those delegations affirmed, as is reflected in the Committee's report, that

"the use of mercenaries had always been linked with the planning and perpetration of aggressive acts by imperialist and reactionary circles . . . Although a number of States had special laws prohibiting the recruitment or use of mercenaries, some of the Governments of those States simply disregarded such laws when a threat arose to imperialist domination."³

157. History shows that the African continent has been the principal victim of mercenary activities. The case which brings us together here today is one more example of the unceasing struggle that Africa must wage against colonialism. But that painful privilege was extended to Latin America just a few weeks ago—to be more precise, on Wednesday, 12 May, when we learned through the press that a Gurkha infantry battalion had embarked on the liner *Queen Elizabeth II* and was moving towards the Malvinas Islands. If we consult the *Encyclopedia Americana* we see that a Gurkha is "a Nepalese mercenary soldier in the British or Indian army". The *New Standard Dictionary of the English Language* points out that a Gurkha is not a British subject. The Gurkhas constitute a mercenary force composed of persons of

Nepalese origin and directed by native sub-officers and British officers. They were used in the siege of Delhi in 1857 and in the Boxer Rebellion in 1900. They took part in a number of battles in the First World War and in the campaigns during the Second World War in Burma, North Africa and Italy. We can also see that following India's independence, the United Kingdom decided to send the Gurkhas to its colonial bastions of Hong Kong, Singapore and Malaysia. Because of its training and warlike spirit, the regiment is used for particularly dangerous missions. Therefore the international community is shocked to see that for the first time, in 1982, mercenary forces are being introduced into Latin America in order to bring about the restoration of a colonial situation.

158. The action which the Council is considering today is so serious that I need make no further comment on it. Moreover, the Council is independently considering the question of the Malvinas Islands. I wish to mention this today only as a clear example of activities which must be condemned now more than ever.

159. My delegation believes that the Council cannot evade that responsibility. Its resolution 496 (1981) demonstrated the Council's sensitivity to the seriousness of the situation faced by the Seychelles. The threat remains, and the conclusions of the Commission of Inquiry are very clear. Mercenary operations must be ended, and the difficulties faced by the Commission of Inquiry in its mission must be overcome.

160. My delegation regrets that as the Commission of Inquiry indicates in paragraph 272 of its reports "it was unfortunately limited in its investigations by not being permitted to interview the mercenaries who returned to South Africa". It is clear that the fundamental way to determine responsibility for that illegal action is direct contact with those who committed it. Therefore, we deeply regret the decision of the Government of South Africa not to allow the Commission access to the mercenaries, and above all to their leader, Michael Hoare. The conclusion in paragraph 282 is also a source of grave concern to my delegation. It says:

"Given the tight and effective control exercised by the security authorities in South Africa, and the nature of the preparations for the mercenary operation of 25 November 1981 in South Africa, particularly the procurement and test-firing of the weapons, the Commission finds it difficult to believe that the South African authorities did not at least have knowledge of the preparations in this matter."

161. Another very telling point is the nationality of the mercenaries listed in annex V of the report: 25 of them are from the Republic of South Africa and 12 from the United Kingdom.

162. I should like to conclude by reiterating our appeal for immediate and effective action by the Coun-

cil, and by expressing our gratitude for the work done by the members of the Commission of Inquiry.

163. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Madagascar. I invite him to take a place at the Council table and to make his statement.

164. Mr. RABETAFIKA (Madagascar) (*interpretation from French*): We are now going through a very exceptional period, in which even those who have peremptorily condemned the United Nations and who have spared no criticism of it seem to have rediscovered it, along with its usefulness as an effective instrument for diplomacy and the resources it makes available to States for the settlement of the most serious crises.

165. Your assumption of the presidency of the Council, Sir, at this time—which is, despite everything, fraught with threats to international peace and security—is a source of comfort for us, for we are convinced of the dedication of your country, the People's Republic of China, to strengthening the Organization's moral and political authority, with strict respect for the Charter and in defence of the legitimate interests of the third world.

166. I take this opportunity to address to Mr. Kamanda wa Kamanda, representative of Zaire, my delegation's sincere congratulations on the remarkable competence with which he carried out the duties of President of the Council last month.

167. The African countries have no greater desire than to see the authority of the United Nations exerted to put an end to the persistence of influences which have subjected the peoples of the continent to colonial domination, racial humiliation and the shameless exploitation of their labour and their natural resources. This is true as regards Namibia and the situation in South Africa, issues which are rightly of concern to the international community. It also applies to cases which are unfortunately becoming ever more numerous, of which the 25 November 1981 invasion of the Republic of Seychelles is the latest example. These cases indicate the relentless way in which enemies of an independent and aware Africa seek to maintain their sway, to render meaningless the achievements of the anti-colonial struggle, and to continually destabilize the region—our region—the better to control it.

168. We pay a tribute to the work carried out by the Commission of Inquiry. But how are we to approach our consideration of the report which has just been introduced by the representative of Panama without having a very strong feeling of *déjà vu*, the certainty that history is repeating itself?

169. Indeed, the invasion of Seychelles is different only in details from the mercenary intervention at

Cotonou in January 1977. The similarities are striking, as to the progressive policies of the target Governments, the choice of the means for carrying out the aggression, the circles from which the mercenaries were recruited, and the haste with which all those involved sought to deny the evidence at hand—with regard also to the implication of agencies which quickly disavowed their agents, and even the reactions of those who wished to reduce the problem to the dimension of an internal question and who would have been quite content to leave the Governments that were victims without real recourse, since attempts to establish the facts came up against the unbreachable wall of the sovereignty of States.

170. With the exception of one wretched stooge, the Cotonou mercenaries literally disappeared into thin air and they got off with a condemnation in principle by the international community. The wish of the Government of Benin, expressed to all States through the Council, to see those mercenaries brought to justice has apparently been ignored by all to this day. And the impetus which developed in the United Nations for the rapid adoption of an international convention against the recruitment, use, financing and training of mercenaries has been dulled on the legal arcana and quibbles which ill conceal ideological stands.

171. Happily—if I may use that word—there are elements in the present case which allow of more positive action by the international community.

172. The identity of the mercenaries is known, and we know where to find them. Some of them, whom the Commission of Inquiry heard, made statements implicating South African official services, and that information has been more than corroborated by subsequent revelations made, *inter alia*, by the mercenary Michael Hoare.

173. According to those revelations, the South African Government approved the plan aimed at overthrowing the President of the Republic of Seychelles. Prime Minister Botha ordered that the Military Intelligence Service rather than the National Intelligence Service be in charge of carrying out the operation. Thus, Michael Hoare was put in contact with two officers in the Military Intelligence Service who, after certain formalities, gave him weapons against a receipt and designated the place where the recruits were to be trained. The same officers decided on the number of South African nationals who could be recruited for the operation, the rest of the team to be made up of foreign mercenaries. As to international ramifications, Michael Hoare has indicated that the intelligence service of a foreign country was kept informed of the plan.

174. The quality of these revelations lies not in their accuracy but in the fact that there has been no denial and that they were made in circumstances in which

Hoare drew the wrath rather than the favour of South African authorities. As far as we know, neither the South African Prime Minister nor any one of his subordinates has since these revelations felt able to repeat the statement made on 3 December 1981, that the South African Government had neither initiated, approved of nor known about the attempted *coup d'état*.

175. We note that the Commission of Inquiry had serious doubts as to the sincerity of Botha's statement and says, in paragraph 282 of its report, that it "finds it difficult to believe that the South African authorities did not at least have knowledge of the preparations . . ." for the invasion.

176. In the absence of information from Hoare and his accomplices, the Commission of Inquiry pointed out that it could not come to a final conclusion as regards the degree of South Africa's awareness of or responsibility for the action. We believe that the "further information" that, according to paragraph 274, was needed by the Commission in order to make a judgement is now available, and that, in accordance with the sixth and final recommendation, it might be authorized to furnish a supplementary report containing any further information relative to its mandate, including the revelations of Michael Hoare and other elements that might emerge from the Pietersmaritzburg and Mahé trials. Of course, my delegation will not be opposed if, overcoming any legal formalism and on the basis of information that is now in the public domain, the Council were to decide without further ado that South Africa was involved in the planning and execution of the invasion, that it thus bore responsibility, and that it should be condemned for an act of aggression against the Republic of Seychelles.

177. My delegation welcomes the pride of place that in its report the Commission has given to considerations regarding the material damage done to the Seychelles economy as a result of the invasion of 25 November 1981.

178. Aggression is, of course, the responsibility of its author, and we have no doubt concerning the obligations incumbent upon the South African authorities.

179. In the circumstances, we consider the recommendation of the Commission of Inquiry inviting States and international organizations to give economic and financial assistance to the Republic of Seychelles, in particular by making voluntary contributions to the special assistance fund created for that purpose, to be realistic and worthy of support.

180. My delegation did not take part in the discussions that led to the adoption of resolution 496 (1981), so I should like, on behalf of my Government and the people of Madagascar, to assure Seychelles through Mr. Jacques Hodoul, the Minister for Foreign Affairs

of Seychelles, whose presence here we welcome, of our full solidarity and of our determination to continue, *vis-à-vis* the Government and people of Seychelles, the same policy of good-neighbourliness and support in safeguarding the independence, sovereignty and territorial integrity of a sister country in order to ensure the triumph of the ideals of liberty, justice and social progress that inspire the two sister revolutions.

181. I cannot conclude without thanking you most sincerely, Mr. President, and through you the members of the Council, for being so kind as to enable my delegation to take part in this debate.

182. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Cuba. I invite him to take a place at the Council table and to make a statement.

183. Mr. LÓPEZ DEL AMO (Cuba) (*interpretation from Spanish*): Permit me first of all, Sir, to congratulate you on your assumption of the presidency of the Council for the month of May and to wish you every success in your work as the head of the Council in particularly complex international circumstances. I also wish to express well-deserved gratitude to the outgoing President, Mr. Kamanda wa Kamanda. I thank you, Mr. President, and the members of the Council, for permitting me to speak today.

184. I must express my delegation's gratitude for the efforts made by the Commission of Inquiry, headed by the Permanent Representative of Panama, Mr. Carlos Ozores Typaldos. As the representative of Panama has this afternoon informed us, the Commission was unable to complete its work because of the refusal of the South African Government to grant its request to interview the mercenaries who had returned to South Africa.

185. There is no need to repeat here everything the world already knows about the nature of the Pretoria régime. The maintenance of the shameful system of *apartheid* and the colonial occupation of Namibia, the implementation of a policy of State terrorism against its neighbours in southern Africa and, in particular, the continuous acts of military aggression against heroic Angola—are all examples of the international behaviour of the South African racists.

186. Today the Council is considering a report on yet another act of aggression committed against another African country, a country that is small in size but great in its moral values, which has been the victim of a mercenary attack organized and carried out by the Government of South Africa. We can only wonder how long the international community will tolerate the acts of the South African racist clique, which constitutes a permanent offense to human dignity and a threat to regional and international peace and security.

187. Why is it that the South African racists are so arrogant, disregard the resolutions of the United Nations and the continuous appeals of the international community and continue to pursue their reprehensible policy of adventurism? Last September the International Confederation of Free Trade Unions, which is based in Brussels and, as is well known, has Western leanings, published a pamphlet entitled *Investments in Apartheid*. According to that pamphlet, the United States and four countries of Western Europe control 80 per cent of foreign investments in South Africa. Half of them, with a total value of approximately \$10 billion, are investments of United Kingdom firms.

188. These figures show what soil nourishes the roots of the evil system of *apartheid*, whose representatives were received only a few months ago in Washington by the highest ranking members of the United States Administration as friends and allies.

189. South Africa and those who support it do not pardon those who take independent stands and make sacrifices and fight for their rightful place in the sun. That is why one day there is an attempt to punish Mozambique, another day, Zambia and Zimbabwe, and still another day, Seychelles. Attempts are made to destabilize and overthrow Governments embodying the anti-colonialist, independent and libertarian spirit.

190. For the merchants of death and exploitation, everything boils down to gross geopolitics of domination and terror to restore serfdom, be it through direct aggression or by means of mercenaries.

191. My delegation reiterates its strongest support for the Republic of Seychelles and the just claims brought before the Council by the Minister for Foreign Affairs of that country, Mr. Jacques Hodoul, and calls upon the Council to adopt appropriate measures to prevent a resumption of aggression by South African racists and ensure that the Republic of Seychelles receives the clear sympathy and international solidarity which it deserves.

192. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Angola. I invite him to take a place at the Council table and to make his statement.

193. Mr. de FIGUEIREDO (Angola): Sir, on behalf of my delegation I should like to extend to you our greetings on your assumption of the presidency. I should also like to express our appreciation to your predecessor for his work as President of the Council for April.

194. There are loud wars and there are silent wars. We have become so geared to conventional warfare that the other kind of war arouses little attention, sympathy or intentional action. Its effects are known only to the victims, while the rest of the world concentrates on troop-ships, missiles and war zones.

195. Africa has had many silent wars, of many kinds. One of the most persistent and perhaps most ignored by the West has been that waged by mercenaries—that despicable breed which deals in human lives, disregards national sovereignty, insults national independence and defies international law.

196. Mercenaries epitomize imperialism, colonialism and racism. The motives and the consequences of their acts are the same. In some cases, they have acted as scouts and forerunners; in others, as camp followers, waiting like vultures to feast on the dead; and in yet others, as a rearguard. And they have operated for financial and political profit.

197. Most mercenary activity has taken place in Africa, a continent whose riches have always lured Western civilization to its coasts. Europe exported to us its social tensions and imported from us the rich resources of our lands.

198. The most recent example of mercenary activity in Africa took place not too long ago in the Republic of Seychelles. Although most mercenary activity has the blessing of some imperialist Power or another, the mercenary attack on Seychelles was one of the more flagrant and brutal violations of territorial integrity and sovereignty in our times.

199. This particular episode, which took place in November 1981, was not merely the adventurism of a group of unscrupulous and greedy men. No, it was part of a comprehensive and calculated master plan concocted, developed and executed by the illegal racist régime of South Africa against an independent country which is a member of the Organization of African Unity and a Member of the United Nations. There is ample evidence that the racist régime approved the invasion of Seychelles, with plans to overthrow the legitimate sovereign Government of President France Albert René; the racist Ministry of Defence provided arms to the mercenaries and gave them logistic and operational support; the racist armed forces trained the mercenaries; and some of the "mercenaries" were closely connected to the racist military and intelligence structure.

200. The racist régime continues to violate the territorial integrity of the People's Republic of Angola by constant aerial bombardment and land attacks, by destroying buildings, massacring civilians, raping women, brutalizing and kidnapping children and carting off civilian property, including livestock.

201. The racist régime has been in illegal occupation of Namibia for decades. It has continued to plunder Namibian resources, all the while creating hurdles in negotiations for Namibian independence.

202. There is no place in Africa for colonialism, imperialism or mercenarism. The People's Republic of Angola, in keeping with the guidelines of our revo-

lution, has always taken a strong position, which we brought to international attention in 1976.

203. We welcome the report of the Security Council Commission of Inquiry, but we must point out that it is incomplete in various ways. We support the creation of a special fund to help rebuild the airport and other buildings damaged by the mercenary activity in Seychelles. We request the Council to remain seized of the matter and to prepare a complementary report, in addition to the one now before it.

204. United Nations Headquarters will soon be host to the second special session of the General Assembly session on disarmament. The international community must use that occasion also to condemn South Africa and its allies for their policy of militarism, adventurism and destabilization—all of which are connected to the subject of arms and disarmament.

205. The People's Republic of Angola has often brought its own case to the Council and we have often appeared here in support of progressive causes and peoples. We are proud of it. All I can do at the moment is to quote Publius Syrus of the first century B.C., who said: "*Judex damnatur cum nocens absolvitur*"—the judge is condemned when the guilty is acquitted.

206. We do not come to the Council for mercy, compassion or sympathy; we come for justice—and by justice I do not mean the sort by which established injustices are sanctioned through the backing and support of peaceful allies. If the Council is to play its role in international peace-keeping, then it must take a very strong position on actions which are so obviously intended to destabilize national Governments that oppose *apartheid* in South Africa, especially when such actions are in clear violation of the Charter of the United Nations. None of us is safe as long as South Africa and its partners feel free to carry out their reactionary policies and plans in Africa. And for those countries which feel safe from South African threats and removed from problems such as those faced by Angola, Namibia and Seychelles *vis-à-vis* South Africa, I would only quote Horace: "*Nam tua res agitur, paries cum proximus ardet*"—it is your business when the wall next door catches fire.

207. *A luta continua; a vitoria e certa.*

208. The PRESIDENT (*interpretation from Chinese*): The next speaker is the representative of Czechoslovakia. I invite him to take a place at the Council table and to make his statement.

209. Mr. SUJA (Czechoslovakia): I should first like to congratulate you, Sir, on the assumption of the office of President for the current month. You are a very experienced diplomat with high professional qualities, and I wish you success in your responsible work. We should also like to express our appreciation

to the representative of Zaire, who successfully presided over the Council last month.

210. After a long intermission, the Council is again considering the fully justified complaint by the Government of the Republic of Seychelles. Use has been made of the interim by the Security Council Commission of Inquiry established under resolution 496 (1981) to investigate in detail the dangerous events that took place at Seychelles international airport on 25 November 1981. Although the report submitted by the Commission of Inquiry in document S/14905/Rev.1 contains valuable factual information, we share the view that for the time being the Commission has not been able to fulfil its mandate under paragraph 3 of resolution 496 (1981).

211. In the light of the facts that could be ascertained, it is obvious that the act of military aggression against the Republic of Seychelles undertaken on 25 November by a group of heavily armed mercenaries sent from South Africa constituted organized action by mercenaries aimed at overthrowing the lawful Government of the Republic of Seychelles, one of the full Member States of the United Nations. This is fully substantiated by the views of Mr. Jacques Hodoul, the Minister for Foreign Affairs of Seychelles, as expressed in paragraph 127 of the report of the Commission of Inquiry as follows:

"... South Africa had very good reasons to want to destabilize Seychelles and overthrow its present Government. In the first place, it would like to see in Seychelles a régime more favourable to its own interests and to its policy of *apartheid*. South Africa, he said, had a well-established tradition of committing aggression against countries that pursued an independent policy, and that aggression was becoming more violent as the independence of Namibia drew nearer. Another reason for South Africa's displeasure with the Seychelles Government could be the active campaign pursued by that Government in favour of turning the Indian Ocean into a zone of peace."

This position has surely been reaffirmed even more eloquently in his statement today, to which we listened with great attention.

212. Czechoslovakia has no doubt that behind this aggression were the immediate interests of the South African racists and those in other associated political circles interested in destabilizing independent countries whose peoples desire to pursue their sovereign interests freely and without any external intervention. The aggression against Seychelles was not and is not an isolated act. More than 100,000 South African soldiers and police are waging an open colonial war against the people of Namibia and an undeclared war against neighbouring independent and sovereign States. Furthermore, South Africa is responsible for wide-ranging aggression against Angola, aimed at

undermining the foundations of the Angolan revolution and preventing the peaceful construction of that country. All this is part and parcel of the continuing aggressive, adventurist course pursued by the racist régime of Pretoria. The repeated acts of aggression by South Africa, to which can be added the planned but unsuccessful mercenary aggression against Seychelles, confirm once again very emphatically that, flagrantly violating generally recognized norms of international law and disregarding the resolute condemnation of the international community, the racist régime of South Africa intends to persist in its aggressive course and to continue a policy of State terrorism. This course is inherent in the very nature of the racist régime, which in itself represents a constant threat not only to peace and security in the region of southern Africa but to peace and security throughout the world. This régime would not dare to pursue such a course without the all-round economic, political, military, financial and diplomatic support provided to the régime by those in reactionary imperialist circles.

213. Czechoslovakia categorically condemns the provocative act of aggression against the Republic of Seychelles, using armed mercenaries as a gross violation of the generally recognized norms and principles of international law and of the Charter of the United Nations and as a concentrated form of international terrorism threatening international peace and security.

214. The racist régime of Pretoria and those that cooperate closely with it bear the full responsibility for this act. Therefore the aggressor must compensate fully for all the economic and material damage caused by this mercenary aggression.

215. We also share the view that the Council should adopt effective measures to prevent the recurrence of similar acts of gross violence, whether against Seychelles or any other sovereign State. The mercenary aggression against the Republic of Seychelles, a country with which Czechoslovakia entertains friendly relations based on mutual respect and co-operation, highlights among other things the necessity for the early adoption by the United Nations of a convention against the recruitment, use, financing and training of mercenaries.

216. The PRESIDENT (*interpretation from Chinese*): I call on the representative of the United Kingdom, who has asked to speak in exercise of his right of reply.

217. Mr. WHYTE (United Kingdom): I should like to make three comments on the remarks by the representative of Argentina earlier this afternoon.

218. First, my delegation totally rejects the analogy which he drew between the mercenaries referred to in the report that we have been debating this afternoon—I refer to Mike Hoare and his associates—and those regiments of Gurkhas who have a long and distin-

guished record of service with the British Crown in accordance with agreements openly and honourably arrived at with the Government of Nepal.

219. I do not know what is the lexicon to which the representative of Argentina referred, but if we are going to be serious we should have a little precision in this matter. The only internationally agreed definition of who is a mercenary is to be found in Additional Protocol 1 of 1977^a to the Geneva Conventions of 1949. That definition excludes anyone who is "a member of the armed forces of a party to a conflict". The Gurkhas comprise units of regular troops; they form a fully integrated part of the United Kingdom forces; they perform the same duties at home and abroad as other forces. In no way can they be classified as mercenaries.

220. Secondly, my delegation is frankly astonished that this slur should have been made here in the Council by the representative of the Government which unleashed armed aggression in the South Atlantic on 1 April, and which remains openly defiant of the mandatory resolution—502 (1982)—adopted by the Council on 2 April.

221. Thirdly, there is an analogy, which is valid, between the situation that we have been discussing this afternoon and the situation to which the representative of Argentina referred, and that analogy finds its expression in the sympathy that my delegation feels for small island territories which suddenly find themselves the victim of armed aggression.

222. The PRESIDENT (*interpretation from Chinese*): The representative of Argentina has asked to speak in exercise of his right of reply. I invite him to take a place at the Council table and to make his statement.

223. Mr. ROCA (Argentina) (*interpretation from Spanish*): The representative of the United Kingdom has endeavoured to reply to my earlier reference to the use of mercenary forces in the Malvinas Islands region. However, the facts to which I referred are so well known to everyone that I need not repeat the historic military tradition of the Gurkhas and their well-known association with the United Kingdom, which does not deserve further comment.

224. With regard to the legal argument made by the representative of the United Kingdom concerning the mercenary nature of the troops, I shall simply read out the definition of "mercenary" in the report of the *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries. A mercenary, according to the definition, is one who:

"Is especially recruited locally or abroad in order to fight in an armed conflict or who engages in acts of aggression against sovereign States or who engages in attempts to destabilize foreign States."⁵

225. With regard to the second comment made by the representative of the United Kingdom, my delegation believes, as does the whole world, that it is the responsibility of the Council to preserve peace and security, and, as such, more than mere professions of respect for peace, such as those we have just heard, are expected of Council members. That responsibility requires one to refrain from bombing of islands and from hostile acts such as those which the United Kingdom has ceaselessly been committing in the region of the Malvinas Islands, South Georgia and the South Sandwich Islands, in violation of the Charter of the United Nations and resolution 502 (1982) of the Council.

226. My delegation and my Government, through its highest authorities, has expressed its continued willingness to implement that resolution. What it has not been able to accept is the interpretation placed by the United Kingdom on the principle of self-defence. The Council having adopted measures, nothing authorizes the British Government to cause hundreds of deaths in order to maintain a colonial outpost without complying with resolution 502 (1982), which the United Kingdom representative has invoked and which, for our part, I repeat, we have never stated an unwillingness to comply with. On the contrary, our conduct in the Organization clearly demonstrates that, without prejudice to our readiness to defend our rights in all fields, we have never, in keeping with my country's tradition of peace and negotiation, refused to hear complaints on this point.

227. The PRESIDENT (*interpretation from Chinese*): I call on the representative of the United Kingdom, who has asked to speak.

228. Mr. WHYTE (United Kingdom): I have no wish unnecessarily to prolong the proceedings of the Coun-

cil, and the hour is getting late, I know, but, very briefly, frankly, on the mercenary point, the proposition which has just been put forward by the representative of Argentina misses the point altogether.

229. The definition which I have referred to is the definition of mercenaries, and the quotation which he has used is not applicable to the Gurkhas as defined in the definition that I have quoted. That definition is the one which has generally, by consensus, emerged as the only definition in the United Nations *Ad Hoc* Committee on the Drafting of an International Convention against the Recruitment, Use, Financing and Training of Mercenaries to which he has referred.

230. Secondly, and more importantly, I would only say that my delegation and my Government, since the adoption of resolution 502 (1982), as every member of the Council extremely well knows, has been absolutely meticulous in reporting to you, Sir, and to the Council, every measure that we have taken in exercise of the right of self-defence under Article 51 of the Charter.

The meeting rose at 7.20 p.m.

NOTES

¹ *Official Records of the General Assembly, Thirty-second Session, Plenary Meetings, 30th meeting, para. 45*

² General Assembly resolution 2625 (XXV), annex.

³ A/AC.207/L.6/Add.1, para. 4.

⁴ United Nations, *Treaty Series*, vol. 1125, No. 17512, p. 4.

⁵ *Official Records of the General Assembly, Supplement No. 43, (A/36/43), para. 56.*

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