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QUESTION OF THE COMORIAN ISLAND OF MAYOTTE

Report of the Secretary-General

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I. INTRODUCTION

1. On 18 October 1989, the **General** Assembly adopted resolution 44/9 on the question of the Comorian island of Mayotte. In paragraphs 5 and 6 of the resolution, the Assembly requested the **Secretary-General** to maintain continuous contact with the **Secretary-General** of the **Organization of African Unity (OAU)** with regard to the problem and to make available his good offices in the search for a **peaceful** negotiated solution to the problem, and to report on the matter to the Assembly at its forty-fifth session.
2. On 5 February 1990, the **Secretary-General** addressed a note verbale to the **Permanent Representatives** of the Comoros and of France to the United Nations, drawing their attention to the contents of resolution 44/9 and inviting them to provide him with any pertinent information for inclusion in his report to the **General** Assembly.
3. On 5 February 1990, the **Secretary-General** addressed a letter to the **Secretary-General** of **OAU**, drawing his attention to paragraph 5 of resolution 44/9, and requesting information on any action undertaken by OAU in the search for a **peaceful negotiated solution** to the problem.
4. In accordance with paragraph 6 of resolution 44/9, the present report, based on the replies received from the Permanent Mission of France to the United Nations, the Permanent Mission of the Comoros to the United Nations and OAU, is submitted to the **General** Assembly.

II. INFORMATION RECEIVED FROM THE PERMANENT MISSION OF FRANCE TO THE UNITED NATIONS

5. On 16 September 1990, the Permanent Mission of France to the United Nations addressed a note verbal to the **Secretary-General**, the text of which reads as follows :

"Since the adoption of Act No. 76-12 of 24 December 1976, Mayotte has had the status of a territorial collectivity of the Republic. This special status, conferred upon the island pursuant to an act passed by the French Parliament, does not preclude subsequent changes.

"In keeping with this spirit of openness, the President of the Republic has stated that France is prepared actively to seek a solution to the question of Mayotte, in accordance with its national law and international law.

"France remains willing to contribute to a just and lasting solution, in accordance with its Constitution and the wishes of the peoples concerned.

"Thus, a constructive ongoing dialogue is being conducted at the highest level with the Islamic Federal Republic of the Comoros, as reflected in the meeting that took place between Presidents Djohar and Mitterand in June 1990 at Moroni."

III. INFORMATION RECEIVED FROM *THE* PERMANENT MISSION OF
THE COMOROS *TO* THE UNITED NATIONS

6. In a letter dated 22 August 1990, addressed to the Secretary-General, the Permanent Mission of the Comoros to the United Nations submitted the following information on the question:

"The Comoro archipelago, a former French colony made up of four islands (Anjouan, Grande-Comore, Mayotte and Mohéli) acceded to independence on 6 July 1975.

"Independence gave birth to the Islamic Federal Republic of the Comoros, which became a Member of the United Nations by resolution 3385 (XXX) of 12 November 1975. The Islamic Federal Republic of the Comoros is recognized by the international community as a whole as an independent State composed, by virtue of the principle of inviolability of the frontiers inherited from colonialism, of the four islands named above.

"Despite this resolution and all those adopted to this effect by the international community as a whole on this question, the former colonial Power continues to maintain its administration on the Comorian island of Mayotte.

"No solution has to date been found to this question, although the General Assembly of our Organization is about to debate it for the fifteenth year in succession.

"In the search for a settlement of the problem, the Comorian Government has constantly favoured dialogue and agreement in conformity with the principles of the Charter of the United Nations and the recommendations of international organizations, which invite the parties to the dispute to engage in talks with a view to arriving at a speedy and satisfactory solution.

"The tragic events that took place in the Comoros in November 1989 led to the convening of a round table at which representatives of all shades of political opinion in the country unanimously reaffirmed that Mayotte belongs to the Islamic Federal Republic of the Comoros, and called for its reintegration into the body politic.

"After his election, and following his meeting in Paris and at Moroni with the President of the French Republic, President Said Mohamed Djohar reaffirmed his will to resolve this distressing problem. To this end, he announced his new approach comprising tripartite discussion involving the French and Comorian authorities, as well as the people of Mayotte.

'Replying to the Comorian President in this connection, President Mitterand recognized, on the occasion of his official visit to Moroni, 'that a concrete and pragmatic approach must be taken if we are to succeed in putting this unfortunate disagreement behind us'.

"This demonstration of political will on both sides must be supported by the international community at large, and our Organisation in particular, in order that dialogue can rapidly be initiated between the parties with a view to finding a just and lasting solution to the Comoriaa claim.

"Since the election of the new Comorian Head of State, the question of the Comoriaa island of Mayotte has been discussed in the following international organisations :

(a) The twenty-sixth ordinary session of the Conference of Heads of State and Government of OAU (Addis Ababa, 9-11 July 1990), which adopted resolution AHG/Res.193 (XXVI) in which it reaffirmed the sovereignty of the Islamic Federal Republic of the Comoros over the Comoriaa island of Mayotte;

(b) The nineteenth Islamic Conference of Ministers for Foreign Affairs, held at Cairo from 31 July to 5 August 1990, adopted resolution 31/19P and, in its final communiqué, invited the French Government to honour the commitments entered into before the referendum on the self-determination of the Comoro archipelago, on 22 December 1974, regarding respect for the unity and territorial integrity of the Comoros. The Conference also invited member States to bring their influence to bear, collectively and individually, on the French Government to induce it to accelerate the process of negotiations with the Government of the Islamic Federal Republic of the Comoros on the basis of the national unity and territorial integrity of that country.

"Despite the solidarity and support thus extended by international bodies in this affair, scarcely any progress has been made in practical terms.

"For this reason, the Comorian Government wishes once again to call upon the Secretary-General to use his good offices and continue his role of mediator with a view to bringing the two parties together in the search for a just and equitable settlement that respects the territorial integrity and sovereignty of the Islamic Federal Republic of the Comoros."

IV. INFORMATION PROVIDED BY THE ORGANIZATION OF AFRICAN UNITY

7. Two communications were received from OAU on the question of the Comorian island of Mayotte. In a letter dated 10 April 1990, the Secretary-General of OAU stated that, at the time of writing, there had been no new developments on the subject. In a letter dated 21 September 1990, the Secretary-General of the United Nations was informed that the question of Mayotte had been considered at the twenty-sixth Assembly of Heads of State and Government of OAU, held at Addis Ababa, from 9 to 11 July 1990, and that the Assembly had adopted a resolution, the operative paragraphs of which, read in part as follows:

"The Assembly of Heads of State and Government of the Organisation of African Unity,

"...

"2. **Reaffirms** the sovereignty of the Islamic Federal Republic of the Comoros over the Comorian Island of Mayotte;

"3. **Appeals** to the French Government to satisfy the legitimate claims of the Comorian Government, as indicated in the relevant OAU and United Nations resolutions, those of the Movement of Non-Aligned Countries, of the Islamic Conference and of the League of Arab States;

"4. **Reaffirms** its solidarity with the Comorian people in their determination to recover their political integrity and defend their sovereignty and territorial integrity;

"5. **Invites** the OAU member States to extend utmost efforts, individually and collectively, in order to inform and sensitize the French and international public opinion about the Comorian Island of Mayotte with a view to inducing the French Government to put an end to this situation;

"6. **Appeals** to all OAU member States and the international community to condemn and categorically reject any form of consultation that could be organised by France on the Comorian Island of Mayotte, on the legal international status of the Island, since the referendum for self-determination held on 22 December 1974, remains the only valid consultation applicable to the entire archipelago;

"7. **Appeals further** to all the OAU member States and to the international community to condemn any initiative that could be taken by France to bring about the participation of the Comorian Island of Mayotte in manifestations at which the island would be distinguished from the Islamic Federal Republic of the Comoros;

"8. **Requests** the Ad-Hoc Committee of Seven on the Question of the Comorian Island of Mayotte as well as the OAU General Secretariat to resume the dialogue with the French authorities to exert further efforts with a view to restoring, as early as possible the Comorian Island of Mayotte to the Islamic Federal Republic of the Comoros;

"9. **Requests** that the question of the Comorian Island of Mayotte remain on the agenda of all the OAU meetings, on those of the Movement of Non-Aligned Countries, the Islamic Conference and the League of Arab States until the Comorian Island of Mayotte is restored to the Islamic Federal Republic of the Comoros ;

v. CONCLUDING REMARKS

8. The Secretary-General has maintained close contact with all parties and has informed them of his readiness to make available his good offices in the search for a peaceful solution to the problem.
