

6. *Requests* the relevant organizations, organs and bodies of the United Nations system to render all necessary assistance that the States of the region may seek in their joint endeavours to implement the declaration of the zone of peace and co-operation of the South Atlantic;

7. *Further requests* the Secretary-General to keep the implementation of resolution 41/11 under review and to submit a report to the General Assembly at its forty-third session, taking into account the views expressed by Member States as well as information from other sources;

8. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Zone of peace and co-operation of the South Atlantic".

63rd plenary meeting  
10 November 1987

#### 42/17. Question of the Comorian island of Mayotte

*The General Assembly,*

*Recalling* its resolutions 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and 2621 (XXV) of 12 October 1970, containing the programme of action for the full implementation of the Declaration,

*Recalling also* its previous resolutions, in particular resolutions 3161 (XXVIII) of 14 December 1973, 3291 (XXIX) of 13 December 1974, 31/4 of 21 October 1976, 32/7 of 1 November 1977, 34/69 of 6 December 1979, 35/43 of 28 November 1980, 36/105 of 10 December 1981, 37/65 of 3 December 1982, 38/13 of 21 November 1983, 39/48 of 11 December 1984, 40/62 of 9 December 1985 and 41/30 of 3 November 1986, in which it, *inter alia*, affirmed the unity and territorial integrity of the Comoros,

*Recalling*, in particular, its resolution 3385 (XXX) of 12 November 1975 on the admission of the Comoros to membership in the United Nations, in which it reaffirmed the necessity of respecting the unity and territorial integrity of the Comoro Archipelago, composed of the islands of Anjouan, Grande-Comore, Mayotte and Mohéli,

*Recalling further* that, in accordance with the agreements between the Comoros and France, signed on 15 June 1973, concerning the accession of the Comoros to independence, the results of the referendum of 22 December 1974 were to be considered on a global basis and not island by island,

*Convinced* that a just and lasting solution to the question of Mayotte is to be found in respect for the sovereignty, unity and territorial integrity of the Comoro Archipelago,

*Convinced further* that a speedy solution of the problem is essential for the preservation of the peace and security which prevail in the region,

*Bearing in mind* the wish expressed by the President of the French Republic to seek actively a just solution to that problem,

*Taking note* of the repeated wish of the Government of the Comoros to initiate as soon as possible a frank and serious dialogue with the French Government with a view to accelerating the return of the Comorian island of Mayotte to the Islamic Federal Republic of the Comoros,

*Taking note* of the report of the Secretary-General.<sup>60</sup>

*Bearing in mind* the decisions of the Organization of African Unity, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference on this question,

1. *Reaffirms* the sovereignty of the Islamic Federal Republic of the Comoros over the island of Mayotte;

2. *Invites* the Government of France to honour the commitments entered into prior to the referendum on the self-determination of the Comoro Archipelago of 22 December 1974 concerning respect for the unity and territorial integrity of the Comoros;

3. *Calls* for the translation into practice of the wish expressed by the President of the French Republic to seek actively a just solution to the question of Mayotte;

4. *Urges* the Government of France to accelerate the process of negotiations with the Government of the Comoros with a view to ensuring the effective and prompt return of the island of Mayotte to the Comoros;

5. *Requests* the Secretary-General of the United Nations to maintain continuous contact with the Secretary-General of the Organization of African Unity with regard to this problem and to make available his good offices in the search for a peaceful negotiated solution to the problem;

6. *Further requests* the Secretary-General to report on this matter to the General Assembly at its forty-third session;

7. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Question of the Comorian island of Mayotte".

64th plenary meeting  
11 November 1987

#### 42/18. Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance

*The General Assembly,*

*Recalling* Security Council resolutions 530 (1983) of 19 May 1983 and 562 (1985) of 10 May 1985, and its resolution 41/31 of 3 November 1986,

*Aware* that, under the Charter of the United Nations, the International Court of Justice is the principal judicial organ of the United Nations and that each Member undertakes to comply with the decision of the Court in any case to which it is a party,

*Considering* that Article 36, paragraph 6, of the Statute of the Court provides that "in the event of a dispute as to whether the Court has jurisdiction, the matter shall be settled by the decision of the Court",

*Taking note* of the Judgment of the International Court of Justice of 27 June 1986 in the case of "Military and Paramilitary Activities in and against Nicaragua",<sup>61</sup>

*Having considered* the events that have taken place in and against Nicaragua since the Judgment was rendered, in particular the continued financing by the United States of America of military and other activities in and against Nicaragua,

<sup>61</sup> Military and Paramilitary Activities in and against Nicaragua (Nicaragua v. United States of America), Merits, Judgment, *I.C.J. Reports 1986*, p. 14.

*Emphasizing* the obligation of States, under customary international law, not to intervene in the internal affairs of other States,

1. *Urgently calls* for full and immediate compliance with the Judgment of the International Court of Justice of 27 June 1986 in the case of "Military and Paramilitary Activities in and against Nicaragua" in conformity with the relevant provisions of the Charter of the United Nations;

2. *Requests* the Secretary-General to keep the General Assembly informed on the implementation of this resolution;

3. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Judgment of the International Court of Justice of 27 June 1986 concerning military and paramilitary activities in and against Nicaragua: need for immediate compliance".

*68th plenary meeting  
12 November 1987*

#### 42/19. Question of the Falkland Islands (Malvinas)<sup>62</sup>

*The General Assembly,*

*Having considered* the question of the Falkland Islands (Malvinas) and having received the report of the Secretary-General,<sup>63</sup>

*Aware* of the interest of the international community in the peaceful and definitive settlement by the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland of all their differences, in accordance with the Charter of the United Nations,

*Taking note* of the interest repeatedly expressed by both parties in normalizing their relations,

*Convinced* that such purpose would be facilitated by a global negotiation between both Governments that will allow them to rebuild mutual confidence on a solid basis and to resolve the pending problems, including all aspects on the future of the Falkland Islands (Malvinas),

1. *Reiterates its request* to the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the problems pending between both countries, including all aspects on the future of the Falkland Islands (Malvinas), in accordance with the Charter of the United Nations;

2. *Requests* the Secretary-General to continue his renewed mission of good offices in order to assist the parties in complying with the request made in paragraph 1 above, and to take the necessary measures to that end;

3. *Requests* the Secretary-General to submit to the General Assembly at its forty-third session a report on the progress made in the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its forty-third session the item entitled "Question of the Falkland Islands (Malvinas)".

*72nd plenary meeting  
17 November 1987*

#### 42/20. Law of the sea

*The General Assembly,*

*Reaffirming* its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983, 39/73 of 13 December 1984, 40/63 of 10 December 1985 and 41/34 of 5 November 1986, regarding the law of the sea,

*Recognizing* that, as stated in the third preambular paragraph of the United Nations Convention on the Law of the Sea,<sup>64</sup> the problems of ocean space are closely interrelated and need to be considered as a whole,

*Convinced* that it is important to safeguard the unified character of the Convention and related resolutions adopted therewith and to refrain from any action to apply their provisions selectively, in a manner inconsistent with their object and purpose,

*Emphasizing* the need for States to ensure consistent application of the Convention, as well as the need for harmonization of national legislation with the provisions of the Convention,

*Considering* that, in its resolution 2749 (XXV) of 17 December 1970, it proclaimed that the sea-bed and ocean floor, and the subsoil thereof, beyond the limits of national jurisdiction, as well as the resources of the area, are the common heritage of mankind,

*Recalling* that the Convention provides the régime to be applied to the Area and its resources,

*Emphasizing* that no State should undermine the Convention and related resolutions of the Third United Nations Conference on the Law of the Sea,

*Recognizing also* the need for co-operation in the early and effective implementation by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea of resolution II of the Third United Nations Conference on the Law of the Sea,<sup>64</sup>

*Noting with satisfaction* the progress made in the work of the Preparatory Commission since its inception, including the registration of India as a pioneer investor in the mining of the sea-bed and ocean floor and subsoil thereof, beyond the limits of national jurisdiction,

*Noting* the decision of the Preparatory Commission to convene its General Committee from 7 to 18 December 1987 for the purpose of considering the applications of France, Japan and the Union of Soviet Socialist Republics for registration as pioneer investors,

*Noting also* that the Preparatory Commission has decided to hold its sixth regular session at Kingston from 14 March to 8 April 1988 and that it will decide upon the summer meeting for 1988 during its next session,<sup>65</sup>

*Noting further* the increasing needs of countries, especially developing countries, for information, advice and assistance in the implementation of the Convention and in their developmental process for the full realization of the benefits of the comprehensive legal régime established by the Convention,

*Recognizing* that the Convention encompasses all uses and resources of the sea and that all related activities within the United Nations system need to be implemented in a manner consistent with it,

<sup>64</sup> *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/121, annex I.

<sup>65</sup> See A/42/688, para. 132.

<sup>62</sup> See also sect. I, footnote 10, and sect. X.B.6, decision 42/410.

<sup>63</sup> A/42/732.