

Nations,<sup>47</sup> as well as the study on the role of the International Court of Justice<sup>48</sup> and other efforts of the Committee in the continuation of its programme of support to the work of the United Nations in several areas;

4. *Requests* the Secretary-General to submit to the General Assembly at its forty-first session a report on co-operation between the United Nations and the Asian-African Legal Consultative Committee;

5. *Decides* to include in the provisional agenda of its forty-first session the item entitled "Co-operation between the United Nations and the Asian-African Legal Consultative Committee".

*108th plenary meeting  
9 December 1985*

#### 40/62. 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 and 39/48 of 11 December 1984, 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 the 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>49</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 open 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-first session;

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

*109th plenary meeting  
9 December 1985*

#### 40/63. Law of the sea

*The General Assembly,*

*Recalling* its resolutions 37/66 of 3 December 1982, 38/59 A of 14 December 1983 and 39/73 of 13 December 1984, regarding the law of the sea,

*Taking note* of the increasing and overwhelming support for the United Nations Convention on the Law of the Sea,<sup>50</sup> as evidenced, *inter alia*, by the one hundred and fifty-nine signatures as of 9 December 1984, the closing date for signature, and twenty-four of the sixty ratifications or accessions required for entry into force 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,

*Further recalling* the Declaration adopted by the Preparatory Commission for the International Sea-Bed Authority and for the International Tribunal for the Law of the Sea on 30 August 1985,<sup>51</sup>

*Seriously concerned* at any attempt to undermine the Convention and the related resolutions adopted at the Third United Nations Conference on the Law of the Sea,<sup>52</sup>

*Recognizing* that, as stated in the third preambular paragraph of the Convention, 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

<sup>47</sup> A/40/726 and Corr. I. annex

<sup>48</sup> A/40/682, annex.

<sup>49</sup> A/40/619.

<sup>50</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.62/122.

<sup>51</sup> LOS/PCN/72; see also A.40:923, paras. 109-112, on the Declaration and the Chairman's statement at its adoption.

<sup>52</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.