

well as data on the deterioration of the economic situation in the Dominican Republic.

"The interventions made by the members of the Council have condemned gross violations of human rights in the Dominican Republic, have expressed the desire that such violations should cease, and have indicated again the need for the strict observance of the cease-fire in accordance with the resolutions of the Security Council.

"At the same time it has become apparent that the members of the Council consider it necessary that the Council continue to watch closely the situation in the Dominican Republic and that therefore the Secretary-General, in accordance with the previous decision of the Council, will continue to submit reports to the Council on the situation in the Dominican Republic."⁴⁸⁸

The President further stated⁴⁸⁹ that he would convene the Council should a request to that effect be made by a member of the Council or if the President deemed it necessary to do so.

The question remained on the list of matters of which the Security Council is seized.

COMPLAINT BY SENEGAL

Decision of 19 May 1965 (1212th meeting): *Deeply deploring any incursion by Portuguese military forces into Senegalese territory, reaffirming the Council resolution 178 (1963) on a previous complaint, and requesting once again the Government of Portugal to take all effective and necessary action to prevent any violation of Senegal's sovereignty and territorial integrity*

By letter⁴⁹⁰ dated 7 May 1965 to the President of the Security Council, the representative of Senegal requested that the Council be convened as soon as possible to consider "the repeated violations of Senegalese air space and territory by the Portuguese authorities". In the letter it was stated that despite the Council's resolution⁴⁹¹ of 24 April 1963, in which Portugal was requested to take whatever action was necessary to prevent any violation of Senegal's sovereignty and territorial integrity, violations of Senegal's air space and territorial integrity continued on a growing scale, and villages and crops were being set on fire. Since the adoption of the aforementioned Council resolution, the Government of Senegal had noted thirteen violations of its territory by Portugal, some of which⁴⁹² had already been brought to the attention of the Security Council. In view of the acts committed by the Portuguese authorities, the Government of Senegal considered that the Council should again request Por-

tugal to cease the violation of Senegalese territory. In any case, the letter added, "the Government of Senegal cannot for long remain inactive when its frontier villages are constantly being attacked and burned and its air space and national territory violated".

At the 1205th meeting on 12 May 1965, the Council included the item on its agenda.⁴⁹³ The question was considered by the Council at the 1205th, 1206th and 1210th to 1212th meetings between 12 and 19 May 1965. At the 1205th meeting on 12 May 1965, the representatives of Senegal and Portugal⁴⁹⁴ and at the 1210th meeting on 18 May 1965 the representative of Congo (Brazzaville)⁴⁹⁵ were invited to participate in the discussion.

At the 1205th meeting on 12 May 1965, the representative of Senegal* in his initial statement referred to the previous consideration by the Security Council of a violation of Senegalese air space at the village of Bouniak, and to the resolution then adopted by the Council in which Portugal was requested to take whatever action might be necessary to prevent any further violations of Senegalese territory. However, during the past two years since the adoption of that resolution, Portugal had committed sixteen new violations of Senegalese territory and air space. Senegal had not wished to draw the attention of the Council at the time of each of those violations, but during the past three months, in view of their increasing seriousness, it had been obliged to bring those incidents to the attention of the Council. In the course of the new violations, Portuguese troops had invaded the Senegalese villages of Thiamoulé (on 18 April 1964), Sara Coube (on 14 June 1964), Salikegne (on 6-8 January 1965), N'Gobry (on 15 February 1965), Bambatoding (on 11-12 April 1965), Sambalounda (on 14 April 1965) and Bambato (18-20 April 1965), opening fire on the villagers and causing considerable material damage. Portuguese soldiers had also crossed the frontier in the neighbourhood of the villages of Coumbacara (on 10 July 1963), Bambato (on 14 August 1964) and N'Gore (on 27 February 1965), and had also participated in incidents occurring in Senegalese territory on 29 September 1964 and on the night of 28 February-1 March 1965. There had been overflights by Portuguese planes at the villages of Tanaff (on 4 April 1964), Djidadji Balante (on 5 July 1964), Dofia (23 January 1965) and Saré Koubé (8 March 1965). Bullets, cartridge shells, tear-gas bombs and a hand-grenade had been found at the sites where the incidents had taken place. In addition to that evidence, two soldiers of the regular Portuguese Army and a Portuguese intelligence agent had been arrested by the Senegalese authorities. In answer to all the charges of Senegal, the only allegation made by Portugal was that each of its actions had been in the nature of a counter-attack, since they had been preceded by a Senegalese attack. However, Portugal could not submit any evidence in support of its allegation. As a precautionary measure, to avoid incidents, Senegal had no military force stationed along the frontier of more than 350 kilometres, but only a few guards patrolling it on bicycles. The representative of Senegal requested the Security Council to ask Portugal to take all measures to end incursions by its armed forces into Senegalese territory, and to abide by its decla-

⁴⁸⁸ The following were subsequent reports on the situation in the Dominican Republic submitted by the Secretary-General to the Security Council during the period covered by this Supplement: S/6542, 21 July 1965; S/6553, 22 July 1965; S/6615, 17 August 1965; S/6649 and Corr.1, 2 September 1965; S/6822, 23 October 1965 and Add.1-3, 26-30 October 1965; S/6975, 25 November 1965; S/6991 and Add.1, 3 December 1965; S/7025, 17 December 1965; S/7032, 20 December 1965 and Add.1-34, 22 December 1965 - 31 May 1966. For communications from the Secretary General of the OAS concerning the situation in the Dominican Republic see chapter XII, part V, pp. 209-213.

⁴⁸⁹ 1233rd meeting: para. 3.

⁴⁹⁰ S/6338, O.R., 20th yr., Suppl. for Apr.-June 1965, p. 105.

⁴⁹¹ S/RES/178 (1963), O.R., 18th yr., Resolutions and Decisions of the Security Council, 1963, pp. 1-2.

⁴⁹² S/6177 and S/6196 of 8 and 24 February 1965, O.R., 20th yr., Suppl. for Jan.-Mar. 1965, pp. 47, 68.

⁴⁹³ 1205th meeting: para. 1.

⁴⁹⁴ 1205th meeting: para. 2.

⁴⁹⁵ 1210th meeting: paras. 2-4.

ration of intention made two years earlier, during the debate of the Council that resulted from the first incident at Bouniak. Moreover, the Council should strongly condemn Portugal for the violations of Senegalese territory and air space, which had been committed despite the solemn warning issued to Portugal by the Security Council in its resolution 178 (1963).⁴⁹⁸

At the 1206th meeting on 13 May 1965, the representative of Portugal * stated in reply that the allegations by Senegal were "too vague and unidentifiable". Those which were included in the notes sent by the Senegalese representative to the Security Council and subsequently issued as documents S/6177 of 8 February and S/6196 of 24 February 1965, could not be held to substantiate the Senegalese request for a Council meeting, since they had already been refuted by the notes of the Government of Portugal contained in documents S/6192 of 17 February and S/6240 of 16 March 1965. Moreover, the charges were unsubstantiated and did not correspond to the facts. Portugal was most scrupulous in respecting the inviolability of the territory of its neighbours, whether it was Senegal or any other State. At the outset, the Government of Portugal wished to reiterate that the first duty of parties to a dispute, under Article 33 of the Charter, was to seek a solution by peaceful bilateral arrangements, before submitting any charges to the Security Council. If the Government of Senegal felt itself in any way aggrieved by Portugal it had at its disposal ways and means to approach Portugal for a bilateral peaceful settlement. There were thus no *prima facie* grounds for the Council's debate on the Senegalese allegations. Apart from one instance when, on 18 October 1963, due to a navigation error in bad weather, a Portuguese aircraft had strayed into Senegalese air space, for which the Portuguese Government had conveyed its regrets and explanation to the Government of Senegal, there had been no violations of Senegalese air space by Portuguese aircraft. Neither had there been any violations of Senegalese territory by Portuguese security forces or military personnel, which scrupulously obeyed orders to respect Senegalese territory. Moreover although armed raiders from Senegal constantly attacked Portuguese Guinea, the Portuguese security forces had rigorous orders to respect the frontier of Senegal, and the Council could be certain that these orders were being obeyed. The representative of Portugal further maintained that investigations by the Portuguese authorities had led to the conclusion that not a single instance of violations of Senegalese territory or air space had been found to have taken place. In conclusion, he stated that the Government of Portugal wished once more to invite the Government of Senegal to set up an inquiry team to investigate the specific violations alleged by Senegal. The inquiry team could consist of three persons, one appointed by each Government and the third, the president, by either the Secretary-General of the United Nations or the President of the Security Council, in consultation with the two Governments concerned.⁴⁹⁷

At the same meeting the representative of Senegal, * in reply to the Portuguese representative, stated that his Government had made no recourse to Article 33 of the Charter since it could not have any confidence in a party showing such "obvious bad faith". He pointed out that Portugal, declaring its intention to

respect scrupulously the sovereignty and territorial integrity of Senegal, and in spite of the solemn warning given to it by the Security Council in resolution 178 (1963), had committed sixteen new violations of Senegalese territory in two years.⁴⁹⁸

At the 1210th meeting the representative of Ivory Coast introduced a draft resolution⁴⁹⁹ jointly sponsored by Ivory Coast, Jordan and Malaysia.

At the 1212th meeting on 19 May 1965, the joint draft resolution was adopted unanimously.⁵⁰⁰

The resolution⁵⁰¹ read:

"The Security Council,

"Taking note of the complaint by Senegal against Portugal contained in documents S/6177, S/6196 and S/6338,

"Having heard the statements of the representatives of Senegal and Portugal concerning violations of Senegalese territory by the Portuguese military forces,

"1. *Deeply deplores* any incursions by Portuguese military forces into Senegalese territory;

"2. *Reaffirms* its resolution 178 (1963) of 24 April 1963 (S/5293);

"3. *Requests once again* the Government of Portugal to take all effective and necessary action to prevent any violation of Senegal's sovereignty and territorial integrity;

"4. *Requests* the Secretary-General to follow the development of the situation."

The President (Malaysia) stated that the Council had concluded the debate on the item.^{501a}

SITUATION IN TERRITORIES IN AFRICA UNDER PORTUGUESE ADMINISTRATION

Decision of 23 November 1965 (1268th meeting):

- (i) *Deplores the failure of the Government of Portugal to comply with previous resolutions of the Security Council and the General Assembly and to recognize the right of the peoples under its administration to self-determination and independence;*
- (ii) *Calling upon Portugal to give immediate effect to the principles of self-determination as set forth in previous General Assembly and Security Council resolutions;*
- (iii) *Requesting all States to refrain forthwith from offering the Portuguese Government any assistance which would enable it to continue its repression of the people of the African Territories under its administration, to take all necessary measures to prevent the sale and supply of arms and military equipment to the Portuguese Government for that purpose, including the sale and shipment of equipment and materials for the manufacture and maintenance of arms and ammunition to be used in the Territories under Portuguese administration, and to inform the Secretary-General on measures undertaken in implementation of this request of the Security Council;*

⁴⁹⁸ 1206th meeting: paras. 76-88. For discussion relating to the provisions of Chapter VI of the Charter, see chapter X, Cases 3 and 5.

⁴⁹⁹ 1210th meeting: paras. 84-94.

⁵⁰⁰ 1212th meeting: para. 37.

⁵⁰¹ S/RES/204 (1965), O.R., 20th yr., Resolutions and Decisions of the Security Council, 1965, pp. 12-13.

^{501a} 1212th meeting: para. 72.

⁴⁹⁸ 1205th meeting: paras. 4-32.

⁴⁹⁷ 1206th meeting: paras. 3-46.