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REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE
STRENGTHENING OF INTERNATIONAL SECURITY

Letter dated 8 September 1980 from the Permanent
Representative of Somalia to the United Nations
addressed to the Secretary-General

The attention of my Government has been drawn to a paper circulated by Ethiopia and reproduced in General Assembly document A/35/427 of 3 September 1980, which purports to contain a resolution adopted at Lagos recently by the Good Offices Committee of the Organization of African Unity (OAU), to resolve differences between Somalia and Ethiopia. My Government wishes to make it clear that no such resolution has been adopted. Ethiopia's claim is nothing but a cheap attempt at political gain and is clearly intended to mislead the international community about the true nature and status of the confidential proceedings which are being conducted by the Good Offices Committee in its efforts to promote a just and lasting settlement of the problems between the two countries.

The facts stated below will show that the action taken by Ethiopia in circulating the paper in question was highly irregular and unprincipled:

1. At the Tenth Summit Conference of OAU in 1973 the Heads of State and Government established a Committee of Good Offices with the following terms of reference:

"The Governments of Ethiopia and Somalia have agreed on the following countries -
Cameroon, Lesotho, Liberia, Mauritania, Nigeria, Senegal, Sudan
and Tanzania -
to use their good office to normalize relations by reducing tension
between the two countries and establish or bring about a permanent
peace between these two brotherly countries."

* A/35/150.

It was further agreed that the official operations of the Good Offices Committee would be at the level of Heads of State or Government and that the Head of State of Nigeria would serve as its Chairman.

2. In pursuance of my Government's policy of seeking an amicable, just and lawful resolution of its problems with Ethiopia, and relying in good faith on the terms of reference of the Good Offices Committee, the Somali Government accepted an invitation extended by the Chairman of the Committee to send a delegation to Lagos for a preparatory meeting at the ministerial level. The proceedings were of a preliminary nature with the purpose of preparing for a substantive meeting, at a later date, for the Heads of State and Government of the countries represented on the Good Offices Committee.

3. Quite properly, neither the Good Offices Committee nor the OAU Secretariat has issued any document on the proceedings in view of the fact that they are still at a preliminary stage. Moreover, as in all cases involving the exercise of good offices, the proceedings are being held in camera and as such should be kept confidential until the process of consultations is completed at the level of Heads of State and Government.

In the light of these facts, and in order to correct any erroneous impressions created by the mischievous Ethiopian paper, the following pertinent observations need to be made:

1. The Ethiopian paper is replete with egregious errors of fact and law which cause both the issues and the relevant principles of international law to be deliberately misrepresented. For example, persons or organs performing good offices do not, as a matter of international law, have the competence to make findings of fact or law but only to try and bring the parties together. Alleged "findings" on fact or law by a committee of good offices are an excess of jurisdiction (excès de pouvoir), and are null and void.

2. The Ministers who met at Lagos are not, by their terms of reference, authorized to arbitrate or adjudicate the dispute between Somalia and Ethiopia, let alone take upon themselves the right to bestow the Ogaden (Western Somalia) on one party or the other. The Ogaden is not and has never been an integral part of Ethiopia. It has always belonged to its indigenous inhabitants who alone have the right to decide their political future. Any decisions which ignored these legitimate rights could not restore peace and harmony to our region but, on the contrary, would further aggravate the already dangerous situation which obtains in the area.

3. The question of the Ogaden goes to the heart of the problems of the Horn of Africa. Any serious and impartial consideration of this issue would, therefore, have to take into account not only its historical and legal aspects, but also the continued violation by Ethiopia of the inalienable right of the Ogaden people to self-determination, the atrocities being inflicted by Ethiopia on the people of the Ogaden, and the use by Ethiopia of foreign mercenaries in what is essentially an African conflict.

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4. In view of Ethiopia's grave departure from accepted diplomatic norms and practice and its violation of the fundamental principles of good offices procedures, the Somali Government has taken up the matter of the circulation of the Ethiopian paper, and its attribution to the above-mentioned ministerial meeting, with the Chairman of the Good Offices Committee, His Excellency the President of Nigeria. The Somali Government also has drawn the attention of the Secretary-General of the OAU to this act of political chicanery on the part of the Ethiopian Government.

5. While Somalia will continue to work for a peaceful and just settlement of the issues before the Good Offices Committee, it will oppose vigorously any attempt at political expediency and trickery designed to compromise or deny to the people of the Ogaden the inalienable rights guaranteed to them by international law.

6. Finally, it must be emphasized that the conduct displayed by the Government of Ethiopia in this matter cannot but seriously undermine the efforts of OAU to resolve the Ethiopia-Somalia dispute, and also the ability of the Organization to win the trust of member States in dispute so that they will turn to it as an effective organ in the cause of justice and peace in our continent.

I should be grateful if you would kindly have this letter circulated as an official document of the General Assembly under item 50 of the provisional agenda.

(Signed) Ahmed Mohamed ADAN
Ambassador and
Permanent Representative
to the United Nations