

46/9. 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, 41/30 of 3 November 1986, 42/17 of 11 November 1987, 43/14 of 26 October 1988, 44/9 of 18 October 1989 and 45/11 of 1 November 1990, in which, *inter alia*, it 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 also 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,¹⁷

Bearing in mind also 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 Como-

ros 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. Also requests the Secretary-General to report on this matter to the General Assembly at its forty-seventh session;

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

*32nd plenary meeting
16 October 1991*

46/10. Return or restitution of cultural property to the countries of origin

The General Assembly,

Recalling its resolutions 3026 A (XXVII) of 18 December 1972, 3148 (XXVIII) of 14 December 1973, 3187 (XXVIII) of 18 December 1973, 3391 (XXX) of 19 November 1975, 31/40 of 30 November 1976, 32/18 of 11 November 1977, 33/50 of 14 December 1978, 34/64 of 29 November 1979, 35/127 and 35/128 of 11 December 1980, 36/64 of 27 November 1981, 38/34 of 25 November 1983, 40/19 of 21 November 1985, 42/7 of 22 October 1987 and 44/18 of 6 November 1989,

Recalling also the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property¹⁸ adopted on 14 November 1970 by the General Conference of the United Nations Educational, Scientific and Cultural Organization,

Taking note with satisfaction of the report of the Secretary-General submitted in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization,¹⁹

Noting with satisfaction that, following its appeal, other Member States have become parties to the Convention,

Aware of the importance attached by the countries of origin to the return of cultural property which is of fundamental spiritual and cultural value to them, so that they may constitute collections representative of their cultural heritage,

Reaffirming the importance of inventories as an essential tool for the understanding and protection of cultural property and for the identification of dispersed heritage and as a contribution to the advancement of scientific and artistic knowledge and intercultural communication,

Deeply concerned at the clandestine excavations and the illicit traffic in cultural property that continue to impoverish the cultural heritage of all peoples,

Again supporting the solemn appeal made on 7 June 1978 by the Director-General of the United Nations Educational, Scientific and Cultural Organization for the return of irreplaceable cultural heritage to those who created it,

1. Commends the United Nations Educational, Scientific and Cultural Organization and the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit

Appropriation on the work they have accomplished, in particular through the promotion of bilateral negotiations, for the return or restitution of cultural property, the preparation of inventories of movable cultural property, the reduction of illicit traffic in cultural property and the dissemination of information to the public;

2. *Reaffirms* that the restitution to a country of its objets d'art, monuments, museum pieces, archives, manuscripts, documents and any other cultural or artistic treasures contributes to the strengthening of international cooperation and to the preservation and flowering of universal cultural values through fruitful cooperation between developed and developing countries;

3. *Recommends* that Member States adopt or strengthen the necessary protective legislation with regard to their own heritage and that of other peoples;

4. *Requests* Member States to study the possibility of including in permits for excavations a clause requiring archaeologists and palaeontologists to provide the national authorities with photographic documentation of each object brought to light during the excavations immediately after its discovery;

5. *Invites* Member States to continue drawing up, in cooperation with the United Nations Educational, Scientific and Cultural Organization, systematic inventories of cultural property existing in their territory and of their cultural property abroad;

6. *Also recommends* that Member States should ensure that inventories of museum collections include not only the items on display but also those in storage, and that they comprise all necessary documentation, particularly photographs of each item;

7. *Also invites* Member States engaged in seeking the recovery of cultural and artistic treasures from the seabed, in accordance with international law, to facilitate by mutually acceptable conditions the participation of States having a historical and cultural link with those treasures;

8. *Appeals* to Member States to cooperate closely with the Intergovernmental Committee for Promoting the Return of Cultural Property to Its Countries of Origin or Its Restitution in Case of Illicit Appropriation and to conclude bilateral agreements for this purpose;

9. *Also appeals* to Member States to encourage the mass information media and educational and cultural institutions to strive to arouse a greater and more general awareness with regard to the return or restitution of cultural property to its country of origin;

10. *Requests* States parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property to keep the Secretary-General of the United Nations and the Director-General of the United Nations Educational, Scientific and Cultural Organization fully informed of the measures taken to ensure implementation of the Convention at the national level;

11. *Welcomes* the steady increase in the number of States parties to the Convention;

12. *Invites once again* those Member States that have not yet done so to sign and ratify the Convention;

13. *Requests* the Secretary-General of the United Nations, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Or-

ganization, to submit to the General Assembly at its forty-eighth session a report on the implementation of the present resolution;

14. *Decides* to include in the provisional agenda of its forty-eighth session the item entitled "Return or restitution of cultural property to the countries of origin".

*35th plenary meeting
22 October 1991*

46/11. Tenth anniversary of the University for Peace

The General Assembly,

Recalling that in its resolution 34/111 of 14 December 1979 it approved the idea of establishing a University for Peace as a specialized international institute for post-graduate studies, research and the dissemination of knowledge specifically aimed at training for peace within the system of the United Nations University,

Recalling also that by its resolution 35/55 of 5 December 1980 the General Assembly approved the establishment of the University for Peace in conformity with the International Agreement for the Establishment of the University for Peace and with the Charter of the University,²⁰

Recalling further its resolution 45/8 of 24 October 1990 on the tenth anniversary of the University,

Recognizing that since its establishment ten years ago the University has suffered from financial limitations which have impeded its development of the appropriate and necessary activities for carrying out its important task,

Recognizing also that despite those limitations the University has undertaken important activities and developed programmes that can be applied to the subject matter and disciplines of education and training for peace,

Noting that the Secretary-General, with the assistance of the United Nations Development Programme, has established a Trust Fund for Peace consisting of voluntary contributions in order to provide the University with the means necessary to extend its sphere of activity to the rest of the world and to take full advantage of its potential capacity for education, research and support of the United Nations,

1. *Takes note with appreciation* of the report of the Secretary-General submitted pursuant to resolution 45/8;²¹

2. *Welcomes* the establishment by the Secretary-General of the Trust Fund for Peace, consisting of voluntary contributions for the purpose of assisting the University for Peace to develop its activities for the promotion of peace and to ensure that it has the increasing and essential resources to pursue its future activities;

3. *Invites* Member States, non-governmental organizations and intergovernmental bodies as well as interested individuals and organizations to contribute to the Trust Fund;

4. *Also invites* Member States to accede to the International Agreement for the Establishment of the University for Peace, thus demonstrating their support of a global institution for peace studies whose mandate is the promotion of world peace;

5. *Decides* to include in the agenda of its forty-eighth session and biennially thereafter an item entitled "University for Peace".

*36th plenary meeting
24 October 1991*