

GENERAL
ASSEMBLY

SIXTH SESSION

Official Records



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Chairman : Mr. Selim SARPER (Turkey).

Libya : (a) Annual report of the United Nations Commissioner in Libya (A/1949, A/1949/Add.1) ; (b) annual reports of the administering Powers in Libya (A/1970, A/1970/Add.1, A/2024, A/2024/Add.1, A/AC.53/L.39, A/AC.53/L.40, A/AC.53/L.41) (continued)

[Item 20]*

1. MOSTAFA Bey (Egypt) expressed the hope that Libya would enter the path of progress free from harmful foreign influences. For that reason he wished to draw attention to the defects in the institutions of the new Libyan State. Those institutions were democratic in name only ; for they had been imposed by force on the Libyan people, which had been unable to give free expression to its views. The structure given to the Libyan State was designed to perpetuate out-of-date colonialism and to give a semblance of legality to the imperialist plans of the occupying Powers.

2. The Egyptian representative recalled the circumstances in which the Libyan National Assembly had been set up. Tripolitania, which accounted for more than two-thirds of the population of Libya and which was the most advanced province of the country, had no more representatives in the National Assembly than the Fezzan, which had far fewer inhabitants. The majority of the population was thus placed in the position of a minority.

3. The Constitution drawn up by the National Assembly had the same defects. Article 94 provided that the Senate should be composed of twenty-four members, each of the three provinces of the Kingdom being represented by eight senators. As the two Chambers performed most of the functions provided for in the Constitution simultaneously and on an equal footing, it was easy to imagine the disadvantages of the system, which gave the minority the power of veto. It was an

anti-democratic system, which conflicted with the principle of the right of peoples to self-determination and with the resolutions adopted by the United Nations.

4. In the opinion of the Egyptian representative, the administering Powers had done all they could to impose a federal régime on Libya against the wishes of the inhabitants, whose desire it was to achieve the unity of their country. Thus, in the summer of 1949, the United Kingdom had concluded an agreement with the local Government of Cyrenaica, which it had set up in that part of Libya and subsequently other local governments had been set up in Tripolitania and in the Fezzan by the administering Powers of those districts. In that connexion, he wished to emphasize that a federal régime was suited only to countries which had obtained a high degree of political, economic and social development, which was not true of Libya. He hoped that the Libyans would at some future date adopt a form of unitarian government, less costly and better suited to their needs. In that way they would frustrate the United Kingdom Government's policy of dividing the country. It was common knowledge that the aim of that policy was to favour the designs of the administering Powers who had established military, naval and air bases in Libya and who maintained troops there. Moreover, it seemed that the Provisional Libyan Government and the administering Powers had concluded treaties which were doubtless copies of the unequal treaties which bound some of the Middle East States to the Western Powers, all of which provided for the maintenance in those countries of the foreign armed forces which had been there at the time the treaties were concluded.

5. Another aspect of foreign trusteeship over Libya was the form of economic assistance granted to Libya by the occupying Powers and the United States. At its fifth session the General Assembly had adopted a series of resolutions—387 (V), 388 (V), 389 (V) and 398 (V)—providing for technical assistance to Libya, but those resolutions had related to a programme of

* Indicates the item on the General Assembly agenda.

international collaboration and to a task which the United Nations and the specialized agencies were qualified to undertake. The occupying Powers and the United States had taken advantage of the promises made in those resolutions to tighten their grip on the country.

6. All that manœuvring and scheming showed that the occupying Powers were attempting to maintain their hold on Libya and to frustrate the United Nations resolutions. The result was that an obsolete régime was being kept in existence and the misery of the masses was being perpetuated. The aim of the people of Libya was to attain the unity of the country and to free itself from foreign occupation, and it was only by creating a normal situation within the framework of the General Assembly's resolutions that Libya could become an element of peace and stability.

7. Mostafa Bey next analysed the problem of Libya, first from the political aspect and then from the economic point of view.

8. With regard to the political aspect, he recalled that the way in which General Assembly resolution 289 A (IV) of 21 November 1949 concerning Libya had been implemented had been the subject of a great deal of criticism at the General Assembly's fifth session. That criticism had been directed, partly, to the National Assembly and, partly, to the establishment by the administering Powers of a local government in each of the three territorial divisions in Libya. The Committee of Twenty-One, whose members had been appointed, not elected, to their posts, had had the limited and specific mandate of drawing up a plan for setting up the National Assembly. With the encouragement of the administering Powers, however, the Committee had assumed executive functions and had set up an Assembly whose members were selected and in which the three provinces of Libya were represented on a basis of equality. Such a National Assembly was not in the least representative, for it did not give the inhabitants of the country proper democratic representation; all the political parties of Tripolitania had therefore refused to recognize it. The United Nations Commissioner had thereupon proposed a draft for a Libyan Parliament, with a Lower Chamber elected on a nationwide basis and a small Upper Chamber, made up of an equal number of representatives elected by each of the three provinces. The Lower Chamber would have sole budgetary responsibility, but the Libyan Government would be responsible to it.

9. The United Nations Commissioner in Libya had expressed the hope that those proposals would obtain the unanimous support of the Council for Libya. The United Nations Commissioner's report showed, however, that he had been unable to keep the promise he had made to the General Assembly, owing to the opposition of the administering Powers. That was how the National Assembly had come to draw up the present Libyan Constitution. At no stage had the Libyan people been consulted; everything had been imposed on it.

10. From the economic point of view, the Egyptian representative drew attention to the useless expenditure

and waste of public funds which had led to a budget deficit in Libya. The existence of the federal régime had meant that considerable sums had had to be expended on maintaining parallel institutions at the local and national levels. The foreign officials who had been in the service of the former administering Powers were being kept on by the new Libyan State without any good reason, and the excessive salaries they received were a burden on the Libyan budget. The budget deficit made him wonder whether the administering Powers had made payment to Libya for the use of naval and air installations and military bases in Libya. Such payment would amount to a considerable sum, which might have enabled Libya to meet its financial requirements.

11. The United Kingdom Government had undertaken to cover the deficit in Libya's budget on certain conditions; in other words, Libya's finances would be managed in accordance with the wishes of the United Kingdom. The Libyan Government's freedom of action would thus be seriously impeded. In fact, Libya's budget would be approved and controlled by the United Kingdom, which would be an infringement of Libya's independence. That foreign control would probably not be exercised exclusively for Libya's benefit and would give the United Kingdom a preponderant influence in Libya's domestic affairs. The representative of Tripolitania on the Council for Libya had pointed out the disadvantages of such an arrangement; they were mentioned in paragraph 242 of the Commissioner's second annual report (A/1949). The United Nations Commissioner had also considered it undesirable that Libya should receive financial assistance from a single foreign Power, and had advocated the establishment of international control to avoid the danger of one paramount influence. He had therefore asked for the appointment of a resident technical assistance representative who would have advisory powers in the expenditure of foreign aid. That statement could be found in paragraph 223 of the Commissioner's report.

12. Despite the warnings of the representative of Tripolitania and the United Nations Commissioner, however, an agreement had been concluded between the United Kingdom Government and the Libyan Government under the terms of which the United Kingdom Government undertook to cover the deficit in Libya's budget subject to certain conditions, including the appointment of a chief agent to deal with financial and economic questions and an auditor, both of whom would be British nationals in the employment of the Libyan Government. The former would be the highest official in the Libyan Finance Ministry. The agreement would remain in force until 31 March 1953. The Libyan Government should beware of the dangers of such financial control for the domestic affairs of a country.

13. In an attempt to remedy the deficiencies of the present structure of the new Libyan State, the Egyptian delegation, together with the delegations of Saudi Arabia, Syria and Yemen, had submitted a draft amendment (A/AC.53/L.41) to the twelve-Power joint draft resolution (A/AC.53/L.39).

14. The amendment called first for the addition of the words "free and democratic" before the words "national elections" in paragraph 2 of the operative part. When the Libyan people exercised its right to vote, it must be able freely to express its wishes, in accordance with the practice in the democratic countries.

15. The amendment also called for the addition of two paragraphs. The first, to be inserted after paragraph 2 of the operative part, read as follows :

"Calls upon the Member States in a position to do so to furnish to Libya, at its request, as part of an integrated economic development programme and through the channels of the competent United Nations bodies, financial and technical assistance to promote its economic, social and cultural development ;"

16. The second, to be inserted between paragraphs 3 and 4 of the operative part, read as follows :

"Request the Secretary-General, as Chairman of the Technical Assistance Board, to inform the Economic and Social Council and the General Assembly of the programmes for the economic and social development of Libya and to suggest suitable measures for utilizing the resources of the United Nations and the financial aid and technical assistance furnished by governments for the purpose of promoting the development of Libya ;".

17. Those two additional paragraphs were consistent with the spirit and the letter of the resolutions adopted by the General Assembly at its fifth session. Their purpose was to prevent any interference by foreign States in Libya's affairs. If the Egyptian delegation's amendment were adopted, the Egyptian Government would unhesitatingly participate in financial aid to Libya and in any assistance on a genuinely international basis. The technical assistance agreement concluded in October 1951 between Bolivia and the United Nations might be used as a model.

18. The Egyptian representative said that he would also submit another draft resolution on the subject of the foreign troops stationed in Libya and the military bases established in that country by foreign Powers. He would speak again with reference to that draft resolution.

19. In the meantime he would like some information from the United Nations Commissioner with regard to certain events which had occurred in Libya when the Council for Libya was sitting at Tripoli and which threw some light on the degree of freedom enjoyed at that time by the Libyan people. He had received complaints from various Libyan national organizations which caused him some concern.

20. Was it true that certain newspapers, such as, *Al Mirsad*, *Lewa lal Howria*, *Alwapel* and *Showlas Howria*, which had criticized the policy of the Libyan National Assembly and opposed the establishment of a federal Libyan Government, had been suppressed?

21. Was it true that only newspapers such as *Tarabula* and *Barka el Gadida*, which were controlled by the British Intelligence Service, had been authorized to appear ?

22. Was it true that public meetings had been prohibited by the police and that every time a political organization which opposed the establishment of a federation had asked permission to hold a meeting it had been refused ?

23. Was it true that when the Council for Libya was meeting at Tripoli the British police had had to use force to disperse popular demonstrations of hostility to the Tripolitanian Government ?

24. Was it true that the British and local police had suppressed a general strike to be declared at Tripoli as a protest against the federal movement?

25. Was it true that on 16 March 1951 the British authorities had arrested the chief editor of the newspaper *Lewa lal Howria* and had him deported to Tunisia on the pretext that he was the organiser of an anti-federal movement ?

26. Was it true that on 24 March 1951 the British authorities had issued an emergency decree according to which any Libyan national who opposed the federal movement would be treated as a felon ?

27. Was it true that the police had prevented the meetings which had been arranged between the President of the Libyan National Congress Party and the chiefs of the Bedouin tribes ?

28. He would be glad if the United Nations Commissioner would reply to those questions.

29. Mr. PALAMARCHUK (Ukrainian Soviet Socialist Republic) said that throughout the discussion of the Libyan problem his delegation had remained loyal to the principles of the equality of peoples and their right to self-determination, and has steadfastly supported the Libyan people's aspirations to independence.

30. Libyan independence and sovereignty would be illusory if foreign armed forces continued to be garrisoned in that country or if foreign military bases were maintained there. Certain States, however, had no intention of withdrawing the armed forces which they now maintained in Libya, but were, on the contrary endeavouring to strengthen their grip on the country so as to carry out their strategic plans in the Mediterranean basin. That situation was an inevitable source of anxiety to the people of Libya and its neighbours.

31. Current events in Egypt revealed the importance of Libya to the United Kingdom and France because of its strategic value for the defence of the Suez Canal. Moreover, the United States' rulers who sought to establish their country's supremacy, had confined Libya within the network of military bases established throughout the world by the United States and directed against the USSR and the peoples' democracies.

32. To achieve their aggressive designs, the United Kingdom and the United States had established military installations in Libya, built roads and airports, built the port of Tobruk and begun large-scale projects at the port of Zouara, which had been an Italian sea-plane base during the Second World War.

33. The maintenance of military bases in Libya, on the Egyptian frontiers and in other North African

countries, constituted a threat not only to Libya, but also, and above all, to all the States bordering on the Mediterranean. It formed part of the programme of preparations for a new world war begun by the United Kingdom and the United States. The Anglo-American monopolies had already seized key positions in the Libyan economy.

34. The United Kingdom had allegedly offered Libya financial aid in exchange for military bases, according to an article published in *The Times* of 13 September 1951. The United Nations Commissioner, moreover, had indicated in paragraph 320 of his second report that that aid, when rendered by one single Power would grant that Power a predominant influence in the country's internal affairs. He had thus clearly exposed the designs of the United Kingdom and of the United States in Libya.

35. Furthermore, the Commissioner's report did not reflect the true situation in Libya. Its sole purpose was to conceal the plans of the foreign Powers which regarded Libya as a mere pawn on the chessboard of their interests.

36. At all sessions of the General Assembly and in the Security Council, the Ukrainian delegation had constantly defended the interests of non-self-governing peoples. True to that same policy, it now supported the USSR draft resolution (A/AC.53/L.40) which called for the withdrawal of all foreign troops from Libya within three months and the liquidation of all foreign military bases.

37. By adopting that draft resolution, which was vital to the independence of the Libyan people, the Committee would make an outstanding contribution to the maintenance of international peace and security.

38. Mr. CHOUKAYRI (Syria) said that the item before the Committee was a source of joy and pride for the United Nations: in North Africa, which for centuries had been dominated by terror, a people had just thrown off the foreign yoke and a new independent State had come into existence. The Syrian delegation was happy to congratulate the Libyan people on obtaining its freedom and independence. It wished to pay tribute to the King of the United Kingdom of Libya, whose heroism and wisdom had directed the efforts of the Libyan people to a successful conclusion. It also wished to pay a tribute to the representatives of the Libyan Government, and especially to its Prime Minister, who had undertaken in the Committee to preserve their country's independence, to respect fundamental human rights and democratic principles, and to co-operate in the common task of peace when Libya was admitted to membership of the United Nations.

39. The Syrian delegation wished, lastly, to congratulate and thank the administering Powers in Libya for transferring their authority to the Libyan people and relinquishing their sovereignty over the countries they had hitherto administered. It wished, in particular, to congratulate France on renouncing its sovereignty over the Fezzan and it hoped it would soon be called

upon again to congratulate the French Government for relinquishing sovereignty over Tunisia, Algeria and Morocco.

40. The Arab States would give a joyful welcome in their midst to the new State which had the same past, the same traditions, the same fears and the same hopes as themselves.

41. During the debate it had been repeatedly asserted that the new State was a creation of the United Nations. The United Nations, however, could not create a State, since a State was a living organism which must develop of its own accord. The new State had been created by the Libyan people themselves who, like all peoples, were entitled, under the Charter, to national independence and sovereignty. To reach that goal the Libyan peoples had had a long and hard fight; many of them had given their lives for the liberation of their country, side by side with young men who had come from the neighbouring Arab States to assist them.

42. It was a matter for congratulation that, when the four great Powers had failed to agree on the disposal of the former Italian colonies, they had referred the question to the General Assembly, which had decided in favour of Libyan independence. It would be well if the same procedure were applied and the same results obtained in the case of those countries which did not yet enjoy autonomy or independence.

43. Mr. Choukayri then examined, in the light of the provisions of the Charter, the question of principle raised by the foreign troops and military bases in Libya. That country was now a completely sovereign and independent State; it was therefore free to choose its alliances, to rally either to the East or to the West, to proclaim its neutrality, or even to abstain from defining its position. It could, however, be presumed that Libya would naturally support the Arab States on questions of foreign policy. It was free to conclude agreements with foreign Powers, provided that such agreements were concluded with the full consent of the people. However, that could hardly be said of an agreement concluded between, on the one hand, a State formerly responsible for the administration of a territory, and, on the other, that same territory after it had achieved independence. A special relationship had been established between them, somewhat like that between a guardian and his ward, and it could be assumed *a priori* that the agreement between them had not been concluded with the full consent of the weaker of the two parties, and was thus an unequal agreement. It had therefore to be proved that the people had given its consent. That, in any case, was a recognized principle of British law. The Syrian delegation was keenly interested in that question, as Libyan independence was of incalculable value both to Libya itself and to all the Arab States. Syria, as a Member of the United Nations and of the Arab League, was concerned with anything which might destroy that independence.

44. In the same spirit, the Syrian delegation would like soon to see the new State take its proper place in the United Nations.

45. In conclusion, the Syrian delegation paid tribute to the United Nations Commissioner in Libya who had successfully carried out a difficult task and had not hesitated on several occasions to express disapproval of British policy in Libya. It also thanked the members of the United Nations Secretariat who had helped Mr. Pelt in his efforts. Lastly, it sent its congratulations and best wishes to the Libyan people, its sovereign and its Government, on the occasion of the attainment of Libya to independence.

46. Mr. CASTRO (El Salvador) said that he was glad to convey to the Libyan people on the occasion of its achieving independence, the congratulations and good wishes of the people of El Salvador, who hoped that the new State would succeed in organizing its national life and establishing conditions of economic and social stability in its territory.

47. It might usefully be recalled that when the General Assembly had considered the problem of Libyan independence in 1950, his delegation had raised serious objections to the method of designating the members of the Libyan National Assembly, which was to have borne the heavy responsibility of preparing the constitution of the new State. Several delegations, including that of El Salvador, had indeed expressed the view that the members of the Libyan National Assembly should be elected by direct suffrage and that each of the three territories should have a number of seats proportionate to the size of its population. That would have been in accordance with democratic principles. The majority, however, had opposed that principle and decided that the members of the Libyan National Assembly should be appointed and that the three territories should have an equal number of seats despite the differences in their populations. However, though they had for a time been divided on that point, the members of the *Ad Hoc* Political Committee were today unanimous in welcoming the new State's attainment of independence.

48. Libya was at present in full process of development. It had just drawn up a constitution for itself which provided for the establishment of a bicameral Parliament consisting of a Lower Chamber, in which the three territories would be represented by a number of deputies proportionate to the size of their population—a provision which represented definite progress over the method of appointing the members of the Libyan National Assembly—and an Upper Chamber in which the three territories would possess an equal number of seats, in accordance with the arrangement generally applied in countries which had adopted the federal system.

49. The delegation of El Salvador would give sympathetic consideration to the joint draft resolution and to all the amendments submitted thereto.

50. In conclusion, Mr. Castro assured the representative of the United Kingdom of Libya that his Government was entirely in favour of the admission of Libya to the United Nations.

51. Mr. NEHRU (India) recalled that the view that Libya should receive complete independence had been supported from the beginning by several dele-

gations, including that of India, but had not immediately been accepted, though it had prevailed in the end at the General Assembly's fourth session. The Assembly had then adopted resolution 289 (IV), according to which Libya was to become an independent and sovereign State, its independence to be effective not later than 1 January 1952.

52. In accordance with that resolution, Libya had joined the comity of free nations on 24 December 1951. The delegation of India would like to congratulate the Libyan people and its sovereign, whose wisdom and statesmanship had largely contributed to the new State's political emancipation.

53. The attainment of Libya's independence had been welcomed in India with deep emotion. India had been glad to see the heroic Libyan people, who had fought resolutely for their country's liberation, finally succeed in achieving their aim with the assistance of the United Nations. It felt that it was bound to Libya by close links forged during the Second World War, during which Indian and Pakistani troops had played a decisive part in the victories won in Africa by the troops of the British Commonwealth. It realized that the liberation of Libya was not an isolated event but part of a vast movement which was today stirring the whole of the Arab and Asiatic world and leading it towards political emancipation and social progress. The period of foreign domination was today approaching its end, and it was quite natural that any success achieved by one of the nations concerned should arouse the enthusiasm of all the others. Lastly, India was particularly glad that Libya had been able to achieve unity and political independence by peaceful means in accordance with the Charter and with the assistance of the United Nations, which had thus fulfilled one of its most sacred duties. It was no exaggeration to say that the implementation of General Assembly resolution 289 (IV) had strengthened the prestige of the United Nations and given the peoples who were struggling to attain their independence renewed hope of winning freedom, equality and the enjoyment of human rights by peaceful means. The attainment of the independence of Libya therefore marked a decisive stage in the history of the United Nations. The Organization had set foot on the right path and it must continue in that course in the future in order to promote understanding and friendship among the nations.

54. In a sense, Libya was indebted for its independence to a decision of the United Nations. It was therefore the Organization's duty to promote the country's development and progress. For that purpose, the new State's admission to the United Nations must be effected as soon as possible. While the Indian delegation was not unaware of the fact that, owing to the intervention of extraneous factors, several States which satisfied all the necessary conditions were still, to the detriment of the Organization, excluded from membership, it hoped nevertheless that account would be taken of Libya's special situation and of the fact that that State had been established by a decision of the United Nations.

55. Several representatives had quite rightly stressed the economic and financial problems facing the new State, for, without economic stability, political independence lost much of its meaning. It appeared from the report of the United Nations Commissioner in Libya that the situation of the new State was serious. As the representative of Chile had pointed out (50th meeting), Libya was, after two generations of foreign occupation, one of the poorest countries in the world. There was therefore reason to fear that the free exercise of the people's will might be endangered in Libya by the pressure of immediate needs, and that the country's economic dependence on other States might jeopardize its political independence. In that respect, the Indian delegation shared the apprehensions expressed by the Commissioner in chapter V of his report. It had listened very attentively to the Egyptian representative's observations to the same effect. It appeared, however, that the difficulties mentioned by that representative would tend to diminish as the new State developed politically and there was reason to note with satisfaction that the agreements concluded by Libya with the former administering Powers were subject to ratification by Parliament. Parliament would doubtless bear in mind the considerations expressed in the Committee by the numerous delegations which were concerned with the new State's prosperity.

56. Any measure adopted by Parliament along the lines suggested by the Commissioner or the Pakistani representative would deserve to be supported by the

United Nations. It was also to be hoped that the Secretary-General of the United Nations and the specialized agencies would continue to give Libya the benefit of all the technical assistance possible in accordance with the principles of the expanded programme of technical assistance, care being taken to avoid the unnecessary expenditure to which reference was made by the representative of Pakistan in his noteworthy speech (48th meeting).

57. The delegation of India recognized the force of the arguments adduced by the representatives who had wondered whether the presence of foreign bases and military forces in Libya was compatible with the country's independence. It was, however, of the opinion that the Libyan people and its Parliament should be left to decide that matter for themselves, taking the interests of the country into account. Libya was now an independent State, and in that particular matter the initiative would have to come from the Libyan Parliament. At the same time, the Indian delegation would like to associate itself with the appeal addressed to the great Powers by the representative of Iraq (49th meeting) requesting them to help the new State to remain outside the conflict by which they were at present divided.

58. It was in the light of those various considerations that the Indian delegation would examine the draft resolutions and amendments that had been submitted to the Committee.

The meeting rose at 1.0 p.m.