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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.37, A/AC.53/L.38).

[Item 20]*

At the invitation of the Chairman, Mr. A. Pelt, United Nations Commissioner in Libya, Mr. Confalonieri, observer of the Italian Government to the United Nations, and Muntasser Bey, representative of the United Kingdom of Libya, took seats at the committee table.

1. Mr. PELT (United Nations Commissioner in Libya) reviewed briefly the events which had culminated in the proclamation of Libya's independence on 24 December 1951 in accordance with the General Assembly resolutions 289 A (IV) and 387 (V). As his report indicated (A/1949 and A/1949/Add.1), the Libyan people, the administering Powers, the United Nations Commissioner and the Council for Libya had discharged their respective responsibilities for achieving Libyan independence within the prescribed time-limit. A Provisional Libyan Government was established early in 1951.

2. The new Libyan Constitution, promulgated in October 1951 by the National Assembly, established Libya as a federal monarchy with a parliamentary form of government, an elected legislature and a Ministry responsible to it. Its bill of rights, inspired mainly by the Universal Declaration of Human Rights, guaranteed basic freedoms to the Libyan people and to the minorities residing in the country. Moreover, it set forth a procedure for its own review and revision. The electoral law enacted under its provisions called for elections to the Lower House of the new Legislature by universal male suffrage, to be held on 19 February 1952. The

Libyan people were to be congratulated for completing their constitutional arrangements in so short a time.

3. The new Government would have to cope with very difficult economic and financial problems. A team of technical assistance experts, furnished by the United Nations at the request of the administering Powers, had prepared recommendations to be transmitted to the Libyan Government, suggesting a comprehensive plan for the economic, social and cultural development of the country. Execution of the plan would be subject to securing the necessary financial assistance and the full approval of the Libyan Government. In addition, several concrete technical assistance projects under the auspices of UNESCO were already under way. Finally, one of the first acts of the new independent Government in the international field had been the conclusion of a number of technical assistance agreements providing for the continuation of such assistance.

4. Libya would also require substantial financial assistance for a number of years. It would have to meet an administrative budget deficit of nearly \$ 6,000,000 and provide funds for its economic and social development budget. Accordingly, at the request of the Libyan Government, two agencies had been established to receive grants or loans from foreign governments to finance approved development projects. It was to be hoped that many countries, following the example of the United Kingdom, France and the United States, which had expressed willingness to provide Libya with financial and technical assistance would co-ordinate their contributions to help to finance the progressive development of the new State. The conditions for extending that assistance, however, must be satisfactory to the Libyan Government. Moreover, the United Nations would continue for some time to bear responsibility for aiding Libya through its Expanded Technical Assistance Programme.

5. The Organization could be justly proud of its decision to create an independent Libyan State. The

* Indicates the item number on the General Assembly agenda.

United Nations Commissioner appreciated the trust placed in him by the General Assembly and the confidence shown him by the Libyan people in his task of assisting Libya to achieve its independence. He was also indebted to the administering Powers for their co-operation and to the Council for Libya for its advice. He hoped that Libya would be admitted in the near future to membership of the United Nations.

6. Mr. LLOYD (United Kingdom) regarded the entry of the new Libyan State into the international community as an occasion for rejoicing rather than controversy and hoped that Libya would become an active and useful member of the United Nations.

7. The United Nations Commissioner in Libya was to be warmly congratulated on the perseverance and devotion with which he had executed his difficult task. Whatever disagreements had arisen between him and the United Kingdom, as the administering Power in Cyrenaica and Tripolitania, had been successfully resolved in their common desire to ensure faithful implementation of the Assembly's resolutions on Libya.

8. Libya's attainment of independence within the short space of two years was a remarkable achievement. The United Kingdom was proud of the assistance it had given the new State, with which it was linked by ties of friendship forged during the Second World War, when King Idris and his people had resolutely stood beside the United Kingdom against the common enemy. The United Kingdom had provided nearly £ 1,500,000 a year during a period of economic difficulty. Many British administrative officials had become the employees of Libyan provincial administrations and since 1949 were assisting with their experience the Libyan officials who were now assuming sole charge of the administrative machinery of the new independent State. The United Kingdom would willingly forego the services of those British officials still required by the Libyan Government.

9. The most significant factor in Libyan independence was the part played by the Libyan people itself through its representatives in the National Assembly. They had consummated the process of constitutional evolution in a remarkably short time under the wise and far-sighted guidance of King Idris. They had shown common sense, a grasp of realities and the ability to profit from the constitutional experience of other countries. The Constitution they had framed was the highest tribute to their achievement. It was to be hoped that the spirit of the United Nations Charter, which it so clearly reflected, would continue to inspire future Libyan governments.

10. The United Kingdom extended its hearty congratulations to King Idris and to the Libyan people. It also extended its sincere good wishes to the representative of Libya, its first Prime Minister, Muntasser Bey, who was especially worthy of his high office. The United Kingdom had frequently been attacked for its foreign policies; yet its sole desire in international affairs was to attain the rule of law, the only basis for peace. Within that international framework, legitimate national aspirations should be given full satisfaction. As administering Power in Libya, it had loyally discharged its

obligations. It wished for the strength, prosperity and stability of the new Libya, a sovereign State well qualified to contribute to the building of a lasting peace.

11. Mr. DE BEAUMONT (France) emphasized the bonds of friendship between France and Libya and paid a tribute to the new independent State for its heroic participation in the Second World War. He was glad to join in welcoming the Prime Minister of Libya to the Committee and he would not forget Ahmed Bey of the Fezzan who, with his supporters, had afforded effective assistance to General Leclerc.

12. As administering Power in the Fezzan, France had submitted full information regarding its administration and conditions in that territory in its annual report (A/1970, A/1970/Add.1). All those who had visited the Fezzan, including United Nations technical assistance experts, had been highly satisfied with French administration.

13. Reviewing the various stages in the evolution of Libyan independence and in the transfer of powers from France, as administering Power in the Fezzan, to the Provisional Libyan Government, Mr. De Beaumont recalled that independence had in fact been achieved under King Idris el-Senussi even before the target date of 1 January 1952. France had participated in the surveys of technical assistance needs and had adopted the necessary measures to implement, in respect of the Fezzan, resolution 388 (V) which concerned the disposal of Italian property in Libya. France had therefore strictly honoured its commitments. Its representatives at the General Assembly had intimated that France, without approving the ways and means adopted by the United Nations for effecting the independence of Libya, would nevertheless, under the provisions of annex XI of the Treaty of Peace with Italy, implement the resolutions adopted by the General Assembly in that respect.

14. The United Nations Commissioner in Libya deserved gratitude for his patience and energy in implementing the Assembly's resolutions. His well-documented reports were indispensable to an understanding of the circumstances in which the new Libyan State had emerged. He had benefited from the valuable assistance of the Council for Libya. The Government of France sent it friendly greetings to the peoples of Libya and extended its best wishes for a happy and prosperous future, based on the development of Libya's resources and the desire of all the inhabitants of the country to live together in harmony.

15. MUNTASSER Bey (Representative of the United Kingdom of Libya) was honoured to address the Committee in his capacity as the representative of an independent Libya. He expressed the gratitude of the Libyan people and of King Idris for the recognition and support given to the legitimate aspirations of his people which had led the General Assembly to decree the establishment of a sovereign State in Libya by 1 January 1952. That decision had been motivated by the principles and purposes of the United Nations Charter. The support given to the cause of Libyan independence was among the greatest services the United Nations had rendered to mankind. The Libyan

people would guard its freedom and independence jealously and bequeath it to future generations. It would continue to support the principles of the Charter and of the Universal Declaration of Human Rights, which had directly inspired in spirit and letter a notable chapter of the Libyan Constitution.

16. It should be noted that all the decisions taken at the various stages of Libya's progress toward full independence had been guided by a single objective: the implementation of the Assembly's resolutions. The latter had been carried out fully within the prescribed time-limit. The Libyan Government was grateful to the administering Powers for fulfilling their obligations in that short period. It pledged itself, moreover, to remedy any imperfections that might be found by experience in its Constitution.

17. Muntasser Bey expressed the appreciation of the Libyan people and Government to the United Nations Commissioner and his staff, to the Council for Libya, the administering Powers and the specialized agencies for their indefatigable efforts to ensure the implementation of the Assembly's resolutions.

18. In his capacity as Prime Minister of Libya, he reiterated Libya's desire for membership of the United Nations, which would enable it to carry out the basic principles and purposes of the Organization. He was confident that the United Nations would continue to concern itself with the future of the new State and would, by its support, enable it to consolidate its sovereignty and independence.

19. Mr. COOPER (United States of America) said that the proclamation of Libya as an independent and sovereign State marked the successful completion of a project of remarkable co-operation between the United Nations and the people of Libya.

20. The General Assembly resolutions of 1949 and 1950 had been landmarks in the history of the United Nations and of the Libyan people, and the implementation of the resolutions was an achievement of which the United Nations could be proud. The United Nations and the Libyan people had co-operated to bring peacefully to fruition a programme which took into account the interests of the world community as well as the aspirations of the people of Libya.

21. The United States had strongly supported the General Assembly's decision that Libya should become a sovereign and independent State, and joined in the welcome which had been extended in the Committee to its representatives.

22. It was important to keep in mind that the successful fulfilment of the General Assembly resolutions required decisions which only the Libyans themselves could take in the exercise of their right of self-determination.

23. The Governments of France and the United Kingdom had promptly and willingly relinquished their authority to the United Kingdom of Libya and deserved the commendation of the United Nations.

24. Mr. Cooper paid a tribute to the work of the Commissioner and of the United Nations Council for Libya.

25. Although the initial decision that Libya should become independent had been taken by the United Nations, success would not have been possible without the sincere efforts of the representatives of the three parts of Libya who had been able to reconcile differences and reach agreement without compromising or losing sight of their common objectives of unity and independence. There was therefore reason to believe that they would meet the problems that lay ahead with equal determination and responsibility and with the strength that was derived from independence and freedom.

26. In the opinion of the United States delegation, the Libyan Constitution was soundly based upon liberal and democratic principles and under it free institutions would be able to develop as an essential basis of its national life.

27. One of the great problems of Libya lay in the field of economic and social development. The maintenance of its unity and independence would depend to a great extent on the progress it made towards a better standard of living for its people and the development of the resources available to it. The United Nations Technical Assistance Programme for Libya should therefore move forward with vigour and imagination. American technical assistance experts were already at work in Libya and would act in close co-operation with the United Nations Mission and the authorities of the Libyan Government, and the United States Government would take its full share in carrying out the co-operative programme for the economic and social development of Libya.

28. From the beginning it had been assumed that upon achievement of its independence Libya would become a Member of the United Nations. The United States believed that Libya was qualified for admission and would support its application for membership.

29. So much of the time of the United Nations was spent in dealing with controversial issues that the successful achievements of the Organization tended to be overlooked. The completion of the programme leading to Libya's independence was one of those achievements.

30. In giving support and acknowledgement to the United Kingdom of Libya, the United States would be acting in accordance with its long-standing tradition of sympathy and helpfulness to newly independent peoples. He hoped that the Committee would support the establishment of the new State as an independent and sovereign State and would join in congratulating those who had had the responsibility in that task.

31. RAHIM Khan (Pakistan) joined in the welcome given to the representatives of the United Kingdom of Libya, more particularly as Pakistan had been associated in the work of the United Nations in helping Libya to become independent. The problem was unique of its kind; indeed, the signatories of the Italian Peace Treaty had taken a decision regarding the future of the Italian colonies which had proved a challenge to the effectiveness of the United Nations. Moreover, there

had been many who believed that the decision taken by the General Assembly in 1949 was not in keeping with the political and economic conditions of Libya.

32. No doubt it would be possible to criticize what had been done, but it should be remembered that all the Members of the United Nations had been equally responsible for deciding how the future of Libya was to be determined.

33. Much had been said and written about the social and economic backwardness of Libya, about the deficiencies of education and the lack of resources. The strategic position of the country and the absence of a well-organized and united political and social order were factors which must be kept in mind when the result of the two years' work accomplished by the United Nations was being judged.

34. The General Assembly resolution had left a number of important points to be decided ; for example, it had not stated who was to convene the National Assembly, who were to sit on it as representatives of the people of Libya, how they were to be assisted by the Commissioner and the Council, what facilities were to be available to the members of the National Assembly in the accomplishment of their task and what was the extent of talent available in the country for that purpose. In spite of those difficulties, a National Assembly had been formed, a Constitution and form of government had been adopted and Libya had been declared an independent State. The people of Libya deserved every credit and their problems should be considered in a spirit of sympathy and magnanimous appraisal.

35. There were unquestionably controversial factors in the situation. Some of the members of the Committee would no doubt regard with disfavour, and possibly alarm, the existence of military bases and the presence of foreign troops in the country. As a member of the Council for Libya during the entire period of its existence, he was able to assert that neither political leaders nor anyone occupying an important position in the country objected to the presence of those forces. The advantages they brought to Libya, particularly in the economic field, were generally recognized.

36. A second important point which required elucidation was the matter of financial agreements entered into between the Libyan Government and certain other Powers. Events had shown that until the Government of Libya had had an opportunity thoroughly to examine the structure of its administrative machinery, the salaries paid, the sources of its income and ways and means of reducing expenditure and increasing revenue, it must have funds with which to carry on the government of the country. The Pakistani delegation did not believe that the arrangements agreed upon were the best possible. If the problem had been handled from the outset as suggested by the Pakistani representative in the Council for Libya, Libya might have secured financial assistance on more favourable terms than those to which it had agreed. Pakistan did not consider, however, that those financial arrangements encroached upon the country's independence or would

be extended so long as to restrict the freedom of decision of the future government. All the agreements were subject to ratification by the Libyan Parliament ; moreover, the sums were not of frightening dimensions. Pakistan could accordingly accept the arrangements as good enough for the time being. Nevertheless, it was the duty of the Libyan Government to investigate all possible means of obtaining financial assistance for the administration of the country, its industrial and agricultural development, and the development of its natural and other resources.

37. The responsibility of the United Nations in the matter had not ended with the transfer of power and authority from the administering Powers to the Libyan people. Economic stability was almost as important as political freedom. Pakistan would welcome any proposal that would enable the United Nations to render assistance to Libya in the economic field. It would have liked that assistance to be obtained from international bodies such as the International Bank for Reconstruction and Development, the International Monetary Fund, but the regulations governing the activities of those organizations were an obstacle. The difficulties might be overcome, but the time for that would be when Libya had become a Member of the United Nations and could raise the issue itself. At the present stage, Pakistan would draw the Committee's attention to the importance and urgency of continuing and improving the technical assistance which the United Nations and the specialized agencies had been rendering to Libya.

38. The Pakistani delegation was strongly of the opinion that whatever funds, from whatever sources, could be made available for assistance to Libya should go into the country and should not be expended on the employment of highly paid staff, expensive equipment and its upkeep, secretaries, travelling allowances, motor cars and the payment of maintenance allowances, in order to enable a few technical experts to carry out hurried surveys and submit reports and projects which, while no doubt useful, were often impracticable. What Libya needed was assistance in the field : a few model schools and colleges, a few hospitals, a number of demonstration agricultural farms, and a few animal husbandry institutions. Libya's requirements were simple and no very extensive knowledge was required to decide what priority should be given to those requirements. Of the experts employed so far, hardly any had known the language of the country ; most of them had been visiting it for the first time had stayed only a few months and had left after preparing lengthy reports.

39. The delegation of Pakistan hoped that the people of Libya, by their association through an elected Parliament with the administration of their country, would be able to improve their economic as well as their political situation. Certain features of the Libyan electoral law were not altogether satisfactory, and it was to be hoped that the Libyan Government would re-examine those and other matters in the light of the debates in the *Ad Hoc* Political Committee and the General Assembly, and improve them where necessary.

40. There were doubts and fears in certain quarters about the conditions in which the forthcoming elections would be held, but it was to be hoped that the wisdom and ability which the people of Libya had displayed during the past two years was a guarantee that nothing would be allowed to interfere with the free expression of the wishes of the people.

41. Libya was fortunate in the person of its king; no one else could conceivably have become the head of the State. He enjoyed the complete confidence of his people and had been, more than any other single factor, responsible for enabling the different regional influences to be merged into one force thus making possible the United Kingdom of Libya. He was suitable in every way for the great responsibility which had devolved upon him.

42. Taking all the circumstances into account, the Pakistani delegation had pleasure in welcoming Libya as a truly independent and sovereign State and looked forward eagerly to that country becoming a Member of the United Nations. He hoped that its application for admission would meet with sympathy and understanding, and that Libya would be welcomed to the family of nations which were responsible for bringing it into being as an independent sovereign State.

43. Mr. TAKIEDDINE (Lebanon) recalled Libya's long years of struggle for independence from colonial status, and expressed his gratification at the tributes paid by the representatives of France and the United Kingdom to the contribution made by Libya to the victory of the allied Powers in the Second World War. That assistance, however, had been rendered at a very heavy cost to the country.

44. In recognition of Libya's services, the Allies had inserted in the Peace Treaty with Italy provisions for the eventual accession of Libya to independence. The Arab countries, and some countries in Asia, notably Pakistan, had lent their support to the cause. Libya could not fail to be moved by the tide of nationalist sentiment which had swept over Asia and the coasts of the Mediterranean, and it had taken its place in the concert of nations desirous of obtaining their freedom.

45. The United Nations, in its turn, had, on the initiative of the victorious Allies, taken up the problem of Libya. Wise measures had been taken, and an effort had been made to enable Libya to achieve total independence in the shortest possible time, with a minimum of friction. The course pursued was well known to all the members of the Committee, but he wondered how far the objectives laid down by the United Nations had been achieved.

46. Mr. Pelt had been appointed United Nations Commissioner in Libya, with very clear-cut terms of reference for the achievement of a three-fold task; first, the unification of Libya, secondly, its accession to complete independence, and, thirdly, the transfer of power to the Libyans. He had been assisted in his work by a Council for Libya, consisting of representatives of Egypt, France, Italy, Pakistan, the United Kingdom and the United States, together with those

of Tripolitania, the Fezzan and of certain minorities chosen after consultation with the various authorities and governments.

47. The Commissioner's task had not been easy. In the space of two years, hampered at every step by the need to secure the agreement of the Council and of the political leaders of the country, and to co-ordinate his efforts with those of the administering Powers, he had had to fulfil the mandate conferred upon him by the General Assembly. The results of his labours were recorded in reports which made it possible to assess the value of the work performed. Unity had been achieved, a federal currency was in circulation, Libyan independence had been proclaimed and power transferred to the newly established Government. It might be hoped that the election of a House of Representatives by universal suffrage would expedite the centralization of power. It would appear that the United Nations Commissioner had, as far as was possible, fulfilled his mandate and deserved tribute for his efforts.

48. Yet the Commissioner's execution of his task could not be entirely exempted from criticism. To democratic countries inspired by a regard for proportional representation, it might seem unjust that the Fezzan should have the same number of representatives in the Constituent Assembly as Tripolitania, with four times as many inhabitants. Some of the choices made might appear arbitrary, but they could be satisfactorily explained on the whole. The Commissioner could not, of course, be blamed for the fact that certain Powers still enjoyed a privileged position in Libya and had not abandoned their military bases there. Such matters lay outside his terms of reference, and it might be hoped that Libya, which was still in the early stages of its independence, would eventually achieve freedom from all foreign interference.

49. The United Nations might well assist in the final completion of its task by constant references to those parts of its resolutions which had not yet been implemented. The emergence of Libya as an independent State was an occasion for rejoicing, particularly since, unlike the creation of another State established by the United Nations, it had given rise to no sufferings or tragedies. He appealed to Members of the United Nations, and in particular to the USSR, to cast no votes which would prevent Libya's admission to the Organization in accordance with the General Assembly's own resolutions.

50. MOSTAFA Bey (Egypt) wished to congratulate the Libyan people on their country's accession to independence, an event which was particularly gratifying to Egypt. His delegation felt that Libya had a firm guarantee for its future destiny in the character of its King.

51. He hoped that Libya would be admitted to membership of the United Nations during the current session of the General Assembly, in accordance with the resolutions adopted in 1949 and 1950, and also that the foreign troops on Libyan soil would be withdrawn. Their presence there was contrary to the will of the Libyan people and to the General Assembly

resolution providing for the country's independence. Further, it was a mark of the survival of an obsolete régime.

52. Independent Libya could only achieve prosperity by means of foreign aid, but that must not be made dependent upon political considerations. The United Nations which, with its specialized agencies, was the body best qualified to make arrangements for placing the experience of the more advanced countries at the disposal of the under-developed countries, had already

promised technical assistance and economic and financial aid to Libya.

53. In conclusion, Mostafa Bey paid a tribute to the work of the United Nations Commissioner in Libya and his staff, and reserved the right to comment later on the various stages of Libya's constitutional evolution and to request clarification from the Commissioner with regard to certain parts of his report.

The meeting rose at 1 p.m.