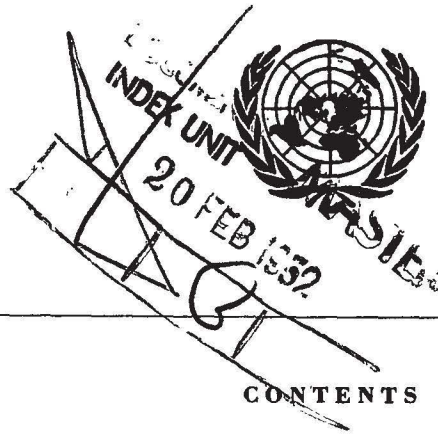


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SECOND COMMITTEE 189th
MEETING

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Chairman : Prince WAN WAITHAYAKON (Thailand).

Libya. Problem of war damages : report of the Secretary-General (A/2000, A/C.2/173 and A/C.2/175)

[Item 21]*

1. The CHAIRMAN, acceding to the requests submitted by Italy (A/C.2/175) and the United Kingdom of Libya (A/C.2/173) and with the Committee's agreement, invited the representatives of Italy and the United Kingdom of Libya to be seated at the Committee table in the capacity of observers and to take part, without the right to vote, in the debate on the problem of war damages in Libya. He congratulated the representative of Libya on his country's accession to independence, which was all the more gratifying since it had been attained under the auspices of the United Nations.

2. He asked the Principal Secretary of the United Nations Mission in Libya to address the Committee.

3. Mr. POWER (Principal Secretary of the United Nations Mission in Libya) presented the report of the Secretary-General (A/2000) and recalled that in implementation of General Assembly resolution 389 (V) an expert had been sent to Libya to study the problem of war damages in connexion with technical and financial assistance. A summary of war damages was included in the report.

4. Mr. ANEIZI (Libya) thanked the Chairman for his congratulations. Honoured by being the first representative of independent Libya to speak before the Committee, he expressed his country's gratitude to the United Nations which, in deciding that Libya should become an independent State, had recognized his country's rights and legitimate aspirations and had given meaning to the highest principles of the Charter.

5. The problem of war damages was of great importance for Libya, in view of the heavy damage to private

and public property, particularly in Cyrenaica. The cities of Tobruk and Bardia had been razed to the ground; many of the people had lost all, or nearly all their property and some of them had been left destitute.

6. At the last session of the United Nations Council for Libya, the representative of Cyrenaica, supported by the other Libyan members, had pointed out those facts in a memorandum published as annex X to the Supplementary Report to the Second Annual Report (A/1949/Add.1) submitted to the General Assembly by the United Nations Commissioner in Libya¹. Earlier the General Assembly, in its resolution 389 (V), had recognized the magnitude of the problem of war damage and the need for repairing it; it had therefore instructed the Secretary-General to study the problem. The report (A/2000) submitted in pursuance of that resolution frankly stated that it was only a general survey, since it had been prepared by a single expert in a very short period.

7. Mr. Aneizi hoped that the Committee would urge the Secretary-General, as Chairman of the Technical Assistance Board, to furnish to Libya, at its Government's request, a certain number of technical assistance experts to make a full and detailed study of the problem and help the Government to work out a reconstruction programme.

8. He felt confident that the General Assembly would give serious consideration to the vital question of war damages, and hoped that the important problem before the Committee would find a favourable solution, since Libya's economic future was so largely dependent upon it.

9. Mr. ORMSBY-GORE (United Kingdom) associated himself with the Chairman's words of welcome to the representative of Libya. He had listened with great interest to Mr. Aneizi's comments; he felt sure that

* Indicates the item number on the General Assembly agenda.

¹ See *Official Records of the General Assembly, Sixth Session, Supplement No. 17A*.

from the Secretary-General's report on war damage in Libya members of the Committee gathered how greatly Libya's resources had been diminished by the war.

10. The rehabilitation of the damaged property would have to be tackled in some way which would not bring inflation upon the country. The United Kingdom, as one of the administering Powers before Libya became independent, had not been able out of its own resources to undertake the whole of the cost of reconstruction in Tripolitania and Cyrenaica. Its policy had, however, resulted in the repair of the essential public buildings and the undertaking of essential public works. The extent of the work still to be done was shown in the summary of war damages contained in the Secretary-General's report, and that work must be considered as part of the general task of developing Libya's economic resources, of which the study had already been undertaken by the United Nations Technical Assistance Mission to Libya. The technical assistance agreements concluded between the administering Powers and the specialized agencies had now been replaced by an agreement entered into by the Libyan Government.

11. He added that his delegation would be prepared to submit a draft resolution if that would assist the Committee, but that he would wait until he had learned the opinions of other delegations.

12. Mr. NAUDY (France) joined previous speakers in welcoming the representative of Libya. He had been much interested by Mr. Aneizi's statements concerning the heavy material losses suffered by Libya during the Second World War. The extent of the damage was described in the Secretary-General's report (A/2000) and in the supplementary report of the United Nations Commissioner in Libya (A/1949/Add.1). Any plans for the country's economic development must take those losses into account, for they represented the loss of a large share of Libya's capital. That was an additional reason for granting the country, at the request of its responsible representatives, the necessary technical and financial assistance in all conceivable forms. His delegation would support any draft resolution based on such considerations.

13. ABDEL-RAZEK Bey (Egypt) associated himself with the words of welcome to the representative of Libya. It was a great honour for Egypt and for the other countries of the East to welcome a representative of a new, independent and unified Arab State.

14. The Secretary-General's report (A/2000) struck him as vague and not always consistent. Resolution 389 (V), from which the report had originated, had been adopted on the initiative of the *Ad Hoc* Political and not of the Second Committee since the question of war damages was essentially a political and legal problem. As the representative of Libya had pointed out, resolution 389 (V) had not been interpreted satisfactorily. It had in fact given the people of Libya grounds for disappointment rather than hope. The representative of Cyrenaica, in a memorandum submitted to the Council for Libya², had stressed that the scope of the operative part of the resolution was too narrow in relation to the preamble. The latter recognized the extent of the damages to private as well as to public property and the necessity of repairing them. The operative part, however, disregarded private property and en-

visaged action on public property only in connexion with the technical and financial assistance which Libya might request from the Economic and Social Council, the Secretary-General and the specialized agencies.

15. He had hoped that the Principal Secretary of the United Nations Mission in Libya would have given the Committee a full explanation of the way in which the problem had been tackled, but he had not done so. It was difficult to determine on what basis the evaluation of property had been made. Furthermore, the report made no distinction between military installations which could be used for civilian purposes and those of a purely military nature. Finally, the report made no mention of resolution 388 (V) concerning economic and financial provisions in Libya, although the subject matter of the two resolutions was closely related. For all those reasons, he was convinced that the superficial and hastily prepared document before the Committee would not be conducive to a serious study of the problem as a whole, which should be reconsidered on a new basis. Accordingly, he asked the Committee to recommend that the Secretary-General and the Technical Assistance Administration should send another group of experts to Libya to undertake a thorough study of the problem in relation to the programme of economic development for the country. Actually, the programme had not yet been drawn up, although it had to be known before plans for technical and financial assistance could be worked out.

16. Mr. ZIA-UD-DIN (Pakistan) joined previous speakers in welcoming the representative of Libya and expressed the hope that Libya would soon be admitted to membership in the United Nations. With reference to the Secretary-General's report he said that the expert who had prepared it, had admitted on several occasions that his study was only of a general nature and its value had been affected by the short time at his disposal and the lack of information. Mr. Zia-ud-Din said he was prepared to support any proposal for another study, and supported the suggestions along those lines made by the representatives of Libya and Egypt. The question of Libya's economic development should be studied and the study submitted to the seventh session of the General Assembly.

17. Mr. DE MARCHENA (Dominican Republic) also welcomed the representative of Libya and was pleased to see the representative of Italy also present, inasmuch as the question of war damages could neither be considered nor resolved without the co-operation of the Italian Government.

18. He realized that the Secretary-General's report might need some clarification; in that connexion he also thought that possible future technical and financial assistance to Libya ought to be taken into account.

19. He hoped that delegations intending to submit draft resolutions would do so without delay so that the discussion might be shortened and bear on actual texts.

20. Mr. COLIACOPOULOS (Greece) welcomed the new Libyan State to the family of independent nations. Greece was linked to Libya by the Mediterranean Sea and from times immemorial Greek ships had been sailing to the shores of Libya to engage in sponge-fishing and trade. He hoped that Libya would have a prosperous and happy future and would very shortly be admitted to membership in the United Nations. He also hoped

² *Ibid.*, Annex X.

that the Libyan economy, which had been disrupted by the war, would speedily recover and he would support any draft resolution facilitating that recovery.

21. Mr. TARCICI (Yemen) also congratulated the representative of Libya on his country's achievement of independence. The United Nations, which had done so much to create the free State of Libya, now had the duty of helping it to recover from the destruction of war by granting it technical and financial assistance. He therefore supported the Libyan representative's request for the repair of war damage and hoped the damages would be evaluated accurately item by item by United Nations experts with the collaboration of the authorities of the new State, which was in a better position than anyone else to form a considered judgment of the damage suffered.

22. Mr. NARIELWALA (India) expressed pleasure at Libya's attaining independence, adding that he welcomed the attainment of independence on the part of any country freed from colonial rule. He hoped that Libya would soon take part in the work of the United Nations as a Member State. He echoed the earlier speakers' critical remarks concerning the Secretary-General's report. The report was not only superficial and poorly drafted; it also contained passages which were to say the least, surprising, such as its paragraph 8 which stated that in some respects Libya was an over-developed country and that the reconstruction and repair of certain public and private facilities would not be justified by the requirements of the Libyan economy. Even if that were the case, it would be the duty of the United Nations not to let the country relapse into the state of an under-developed country.

23. He supported the Libyan representative's request for a United Nations mission of experts to Libya to evaluate the damages thoroughly and to advise the Libyan State with a view of helping it repair those damages.

24. Mr. HALIQ (Saudi Arabia) said his country was glad that Libya had attained independence. It was an honour for the United Nations to have contributed to that result. But independence placed a heavy responsibility on the new Libyan Government. The United Nations should therefore grant it all possible help, in the first place to heal the scars of war, which had devastated the whole country, and especially Cyrenaica. Unfortunately the Secretary-General's report gave only an incomplete estimate of the damage. As the representatives of Egypt and India had said, the report was vague, occasionally contradictory and incomplete. The expert who had drafted it admitted that he had been unable to collect sufficient data. That was surprising, since the competent departments of the Libyan Government surely possessed all the information required. Apparently the expert's terms of reference under General Assembly resolution 389 (V) had not been wide enough, he had not had an office staff to assist him and had been in a position to interrogate only a few of the competent officials.

25. An estimate should be given for the war damage as a whole and not only that part of it for the reparation of which the Organization would be able to offer technical assistance.

26. There were two possible courses open to the General Assembly: either it could request the Secretary-General to send a mission of experts to Libya to make a thorough investigation of the war damage, or it could leave it to the Libyan Government to negotiate

with the competent authorities on the matter. He would prefer the first course. He reserved the right to express his delegation's views on any draft resolutions on the subject which might be submitted.

27. Mr. MARINO PEREZ (Cuba) associated himself with those members of the Committee who had offered congratulations and good wishes to the new Government. His country would carefully consider any problems affecting the new State and would do its best to ensure that they should be settled as favourably as possible for Libya.

28. Mr. SELASSIE (Ethiopia) and Mr. SARPER (Turkey) wished the Kingdom of Libya and its people a long period of prosperity and congratulated them on their attainment of independence.

29. Mr. KHANDAN (Iraq) said that 24 December 1951 was a memorable day for the whole Arab world. Twenty years previously Iraq had achieved independence by a similar process and had become a Member of the League of Nations. It was regrettable that under the present system it was so difficult for countries which fulfilled all the required conditions to be admitted to the United Nations.

30. With regard to the question of war damage, he shared the views expressed by the delegation of Saudi Arabia and several others.

31. Mr. MATTAR (Lebanon) extended his best wishes to the new State.

32. Libya had suffered greatly from the war and needed the help of the United Nations in its recovery, as was recognized in General Assembly resolution 389 (V).

33. With reference to the Secretary-General's report on war damages, he pointed out that its author himself admitted that he had been unable to collect all the data he would have wished, or to consult all the relevant documents, especially those relating to the pre-war period. Quite clearly, therefore, a more thorough study of the question was required. He therefore supported the Libyan representative's suggestion that a mission of experts and technicians should be sent to that country.

34. The expert who had drafted the report had stated that the documents which before the war had been in the possession of Italian officials were no longer in Libya. Presumably they had been removed to Italy. However that might be, when a resolution on the subject of war damage was adopted the Italian Government should be requested to give its assistance to any mission of experts which was sent to Libya. He felt sure that it would not refuse.

35. Mr. KHOSROVANI (Iran) congratulated the people of Libya and hoped that the Kingdom of Libya would become a Member of the United Nations.

36. It was unfortunate that the first report to be submitted to the Committee on the problem of war damages was so defective in content and execution. The Secretary-General would have done better not to submit it at all; instead he ought to have recommended that a mission of experts should be sent to Libya.

37. It was also regrettable that the author of the report had seen fit to include the statements which appeared in paragraph 8 without giving any explanation.

38. He reserved the right to speak again when a draft resolution relating to the problem of war damages was submitted to the Committee.

39. Mr. GONFALONIERI (Italy) also congratulated the Kingdom of Libya and recalled that democratic Italy had given repeated evidence of its desire that Libya should become independent.

40. He reserved the right to speak later on any draft resolutions that might be submitted to the Committee.

41. Mr. ORMSBY-GORE (United Kingdom) explained that his delegation had not yet submitted a draft resolution because it had first wanted to hear the views of the Libyan representative and members of the Committee.

42. He agreed that the report before the Committee was somewhat concise; but the author himself had admitted that his studies were not in any way complete.

43. As regards future action, he recalled that a technical assistance mission was in Libya at the present time and would doubtless go fully into the question of war damage and reconstruction and recovery needs. The mission would report to the Libyan Government and, should the latter find that further experts and technicians were needed, it could apply to the competent authorities for assistance.

44. He had thought it desirable to call attention to those facts, because he believed that some members of the Committee were under the impression that the United Nations was currently taking no further action in regard to war damage in Libya.

45. In conclusion, he asked the Chairman to adjourn the meeting to allow time for a draft resolution to be prepared.

46. Mr. NORMAN (Liberia) stated that his country warmly welcomed the establishment of an independent State in Libya. The Liberian delegation would support any draft resolution likely to help the new nation in solving the problem of war damage.

47. Mr. MUNAJJED (Syria) expressed his pleasure that the representative of an independent Libya was taking part in the Commission's debates, and hoped that all Arab peoples not as yet independent would become sovereign States as soon as possible.

48. Libya should be given the requisite financial and economic aid needed to ensure its economic and social progress towards becoming a modern State, and thus to contribute to the maintenance of peace in the world.

49. The report submitted to the Committee could not serve as a basis for a serious study of the question of war damage; hence, he endorsed the statements made by the representatives of India, Iran and the Arab countries.

50. Mr. CHAUVET (Haiti) was very happy that Libya had joined the ranks of the free nations and hoped that it would speedily obtain the essential financial aid and technical assistance.

51. Mr. ANEIZI (Libya) thanked the members of the Committee for their kind references to the Libyan people. He had been particularly touched by the wishes offered by several delegations that the United Kingdom of Libya would soon enter the family of the United Nations. Accordingly he wished to assure the Committee that the Libyan people and Government were most anxious to be admitted to membership of the Organization.

The meeting rose at 12.15 p.m.