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President: Mr. Nasrollah ENTEZAM (Iran).

Former Italian colonies; (a) reports of the United Nations Commissioner in Libya and (b) reports of the administering Powers in Libya: reports of the *Ad Hoc* Political Committee (A/1457) and the Fifth Committee (A/1509 and Corr.1) (*continued*)

[Agenda item 21]

1. Mr. AMMOUN (Lebanon) (*translated from French*): The birth of Libya as a State provides the Members of the United Nations with a splendid opportunity solemnly to declare their fidelity to the great principles of the Charter. When called on to decide on the future of that country, the United Nations could not do otherwise than act in accordance with the principles to which it owes its existence, foremost among which is that of the self-determination of peoples.

2. Who among us is not aware that without that fundamental freedom, the Member States of this Organization, and hence the Organization itself, could not exist? We represent here independent and sovereign countries, and that sovereign independence, of which our peoples enjoy the benefits, is maintained and preserved inviolate thanks to the right of self-determination of those peoples. Which of those countries has not been obliged, at some period of history, to assert that right—great countries, such as the United States, some hundred and fifty years ago, and small countries in more recent times? Each of them has passed through the ordeal; each of them has been a Libya struggling for its freedom and independence.

3. Hence, by proclaiming that Libya must be enabled to determine its own fate and settle its own future, the United Nations is not only fulfilling an obligation imposed upon it by the Charter; it is supporting and maintaining the principle on which the very existence of each one of us depends. Was anything further required to cause the draft resolution submitted for

your consideration to have received the almost unanimous support of the members of the *Ad Hoc* Political Committee?

4. The Committee was anxious to confirm General Assembly resolution 289 A (IV) of 21 November 1949, which granted independence and sovereignty to the Libyan people, or rather, which recognized their independence and sovereignty. Moreover, it wished that important resolution to be put into full effect within the time specified. By confirming it in its turn, the Assembly will write a memorable page in the annals of the United Nations.

5. The Libyan nation will be the more grateful to those who bring it freedom because, for more than five years, it has been subjected to a military occupation which prevents the exercise of its sovereign rights, and to an artificial division of its territory, against the will of its inhabitants and their legitimate aspirations. The General Assembly's decision must enable it, without further delay, to unite under a freely established national government.

6. I must admit that there was some difficulty in securing acceptance of that view. Some voices were raised in favour of prolonging the separation of the various regions of which the country is composed, and their consequent subjection to foreign rule. The draft resolution has put an end to that. It is unfortunate, however, that its text is not more precise and unequivocal. It is essential that those who put it into effect on behalf of the United Nations should not be able to interpret it in accordance with their own desires, or be under any misapprehension as to its true meaning and exact scope. I am afraid that there may be grounds for anxiety in connexion with the important question of the establishment of the constitution of Libya. Let me explain.

7. In section A of the resolution which I mentioned just now, the General Assembly recommended:

"1. That Libya, comprising Cyrenaica, Tripolitania and the Fezzan, shall be constituted an independent and sovereign State;

"3. That a constitution for Libya, including the form of government, shall be determined by representatives of the inhabitants of Cyrenaica, Tripolitania and the Fezzan meeting and consulting together in a national assembly."

8. That essential provision is recalled and confirmed in the following terms by the draft resolution submitted to us:

"3. *Recommends*

"(a) That a national assembly duly representative of the inhabitants of Libya shall be convened as early as possible, and in any case before 1 January 1951."

9. No one could conceive that the constituent assembly should be anything other than the expression of the will of the people, the outcome of free elections ensuring the representation of all elements of the population in proportion to their number. Yet we hear from Tripolitania that there is unrest among the people and that they are threatening to boycott the organs of the United Nations; in brief, that the situation is serious and threatens to become worse. What has happened? Apparently, when the constitution was being drawn up, the whole question of the principle of self-determination for the Libyan people, their right to determine their own future, was reopened, and in consequence the Libyan people, who have loyally collaborated with the United Nations, are now threatening to do so no longer. It is now proposed that the national assembly referred to in the resolution of last year and in the draft resolution approved by the *Ad Hoc* Political Committee—that assembly which was to be elected by the people—should instead be arbitrarily appointed by the United Nations Commissioner, and, moreover, appointed without regard for the size of the population of each of the three provinces.

10. A body of sixty members—twenty representatives for each of the three sections of the territory—has apparently been convened for the 25th of this month, under the title of national assembly—the name used in the resolution of 21 November 1949. Thus, the Fezzan, whose population does not exceed 40,000 inhabitants—one-tenth of the population of Tripolitania—would have the same number of representatives as the latter in an assembly which would be called upon to discuss the vital interests of the population of Libya.

11. We are entitled to ask whether the United Nations Commissioner, anticipating the will of the Libyan nation, has not considered the three provinces of Tripolitania, Cyrenaica and the Fezzan as States which could be welded into a federation and should therefore be represented on a footing of equality, like States at an interstate conference. We all know, however, that the partition against which the Libyan nation is protesting is the result of military occupation during the war of liberation. The three Libyan provinces are mere administrative divisions and possess none of the characteristics of States; their separation is a *de facto* position with no legal implication.

12. In any case, if the assembly convened by the United Nations Commissioner were itself to decide on

a constitution for Libya, we should have doubly violated the democratic principles of which our civilization is justly proud, first by disregarding the fundamental rules of the electoral system and, secondly, by enabling a minority to dictate its will to a majority. The majority principle, which is one of the foundation stones of the democratic system, would thus have been abolished and the idea of national representation would have been completely distorted.

13. We must make our choice. If this organ, set up by the United Nations Commissioner, is to exercise constitutional powers, the intention of the United Nations will have been betrayed, for if the Libyan people is to enjoy its recognized prerogative of self-determination, it must be enabled to express itself freely through its representatives and to choose the system of government it desires. If, on the other hand, this organ's only function will be to draw up a draft constitution which will then be submitted for approval to the nation or its elected representatives, it should have been made clear that it is merely a technical body with no power of decision.

14. Could we have ignored that serious question and left the Libyan people in doubt as to our intention of faithfully carrying out the General Assembly's recommendation, when such doubts had already troubled their peace of mind? They must be assured that Libya's right to freedom, which the United Nations is giving with one hand, will not be taken away with the other.

15. I therefore propose that the United Nations Commissioner in Libya should be requested to make a statement to the General Assembly explaining the true meaning and scope of the resolution it is invited to adopt. For my part, I believe that the United Nations Commissioner was merely carrying out his instructions and that he had no intention of giving the assembly he had convened any other duty than that of drawing up a draft which will have no legal validity until it has been approved by the Libyan nation. That is my delegation's opinion, but I should like to have that opinion confirmed by the United Nations representative in Libya, so that there may be an end to the anxiety caused in some quarters by the convening of that assembly and the unrest it has produced in Libya. I am convinced that Mr. Pelt's words will be in accordance with our conception of law and our ideal of justice and peace.

16. Mr. AL-JAMALI (Iraq): One of the happiest events in the short history of the United Nations was the decision taken on 21 November 1949 [resolution 289 A (IV)] on the independence and unity of Libya. It certainly is a great credit to the United Nations that it should have brought to fruition the struggle of a people who fought for over thirty years for their freedom and independence. But I wish to repeat here what I said in the *Ad Hoc* Political Committee,¹ namely, that it is not enough simply to have adopted a resolution. The United Nations must see to it that its resolution is faithfully implemented. The success of the implementation of this resolution depends on three factors.

17. First, the people of Libya themselves must be willing and ready to work hard in order to achieve

¹ For the discussion on this subject in the *Ad Hoc* Political Committee, see *Official Records of the General Assembly, Fifth Session, Ad Hoc Political Committee, 7th to 17th meetings inclusive.*

their unity and independence. We do not have the least doubt as to their willingness and readiness to achieve those ends.

18. Secondly, the administering Powers can make the road to implementation an easy and direct one, if they choose to do so; they can, on the other hand, put hurdles and obstacles in its path and make the implementation of the United Nations decision a hard and difficult one. We sincerely hope, in view of the promises we have already had from the United Kingdom delegation and from the French delegation, that there will be no difficulties on this score, that the administering Powers will honour and abide by the decisions of the General Assembly and will implement them to the letter. We wish to make a special appeal to the administering Powers not to thwart the will of the people of Libya if they wish to have a unitary State. The people of Libya, we know for sure, want to have a single, unitary State. Let us hope that no machinations, no interference and no hurdles are put in the way of achieving that unitary State.

19. The third factor on which the success of the attempt to establish an independent Libya greatly depends is that of the Commissioner for Libya and the Council for Libya, both of which represent the United Nations. We are sure that they reflect the sentiments and ideas of the United Nations. We hope they are earnest in their desire and effort to implement the United Nations decision on the independence and unity of Libya.

20. I now wish to speak about the Commissioner and his functions, and what has already been done. My delegation questions a few of the processes already adopted by the Commissioner and the Council for Libya. We question his appointment of the Committee of Twenty-One. We think that was not necessary at all. Also, we question again the decision that the national assembly should be composed of sixty members representing the three areas in Libya, namely, Fezzan, Cyrenaica and Tripolitania, each district to be represented by twenty members chosen without elections. If we remember that Fezzan has a population of less than 50,000, and Tripolitania has a population of 800,000, and both have been equally represented by twenty seats in the national assembly, we find that that is a gross injustice and that it is an undemocratic procedure.

21. We wish to be assured in the first place—and I should like to request the President to tell us if it is possible for the Commissioner to appear before the General Assembly in order to tell us if he does intend to do so—that when the constitution is drafted, it will be based on democratic principles and will provide for a national assembly or a representative assembly which will actually represent the people in accordance with sound and recognized democratic principles. In other words, the Libyan constitution, when it is drafted, should be a democratic constitution. We wish to be assured by the Commissioner that this is the direction in which he is going to move.

22. Secondly, we wish the Commissioner to assure us that the present national assembly—which has been appointed, as I said before, on an undemocratic basis—will be a drafting body, and that after it has drafted the constitution it will be succeeded by a new body duly

elected, duly representative of the people who will approve and ratify the constitution.

23. If we can get these two statements from the Commissioner for Libya, my delegation will feel better and will know that the United Nations is moving in the right direction and really intends to create a Libyan State based on democratic principles, in other words, on a sound foundation.

24. I wish to emphasize here the fact that last year's decision, supplemented by a new decision this year, are excellent steps in the right direction. However, it is not enough to have good decisions. We must have sound and solid implementation, which represents the true spirit of these decisions. That is why I wish to appeal to the President again, and ask him if it is possible to invite the Commissioner to this rostrum, so that he can assure us that he is going to have a democratic Libya established along democratic lines.

25. The PRESIDENT (*translated from French*): Before calling on the next speaker, I should like to mention that the representatives of Lebanon and Iraq have asked me to invite the United Nations Commissioner in Libya to come to the rostrum to explain certain matters.

26. If there is no objection, I shall ask the United Nations Commissioner in Libya to give us certain explanations at the end of the debate, before we proceed to the vote.

It was so decided.

27. Mr. ARUTIUNIAN (Union of Soviet Socialist Republics) (*translated from Russian*): The draft resolution on the Libyan question submitted by the *Ad Hoc* Political Committee for the consideration of the General Assembly is not adequate to the basic tasks now facing the United Nations in connexion with the creation of an independent Libya.

28. The fact is that during the last few years the tendency to prevent the creation of an independent and sovereign Libyan State has considerably increased. The discussion on this question in the Committee made it clear that the administering Powers in Libya—the United Kingdom and France—are carrying out a policy aimed at the dismemberment of Libya, a policy which has been reflected in the creation of distinct puppet régimes in the various parts of Libya—Cyrenaica, Tripolitania and the Fezzan. That this is so is clear both from the wealth of factual material provided in the report of the United Nations Commissioner in Libya and from the speeches of many delegations, not only of the Soviet delegations but also those of other States, such as the Arab countries.

29. Instead of taking steps to create legislative and executive organs for the whole of Libya, the administering Powers have set up puppet regional governments for each of the parts of Libya. For instance, the British authorities have set up such a government in Cyrenaica and the French authorities have done the same in the Fezzan. The British authorities are taking further steps with a view to establishing a similar government for Tripolitania.

30. Each of these parts of Libya is being given its own separatist constitution, as though the three parts were separate States; in fact, of course, those constitutions

are quite fictitious and designed only to provide a polite camouflage for the continuance of British and French control over the various parts of Libya.

31. A law has even been passed setting up special Cyrenaican citizenship. Special passes and diplomatic visas have been introduced for travel between one part of Libya and another, as if the inhabitants were travelling not within one and the same country but between two or three States.

32. The French authorities have even annexed part of the Fezzan: they have incorporated the Ghat-Serdeles region in Algeria and the Gadames district in Tunisia. The French authorities have adopted administrative measures to divert the trade of the Fezzan, which was previously carried on with the other parts of Libya, to the French colonies.

33. The administering Powers have introduced different monetary units in the various parts of Libya and continue to take steps to maintain different currency systems in the country.

34. The administering Powers are appointing an ever increasing number of British and French colonial officials, recruited at home, to the various posts in the administrations of Cyrenaica, Tripolitania and the Fezzan, just as they do in the case of their colonies.

35. I have given all these examples to show that the policy of the administering Powers is directed towards the splitting of Libya into separate parts and the maintenance of their control over those parts. It would be possible to give many other instances of the activities of the French and British authorities in Libya to show that those activities are obstructing the creation of an independent State in Libya.

36. Much was said on this matter in the *Ad Hoc* Political Committee by various delegations and a large number of facts were advanced to show that the policy of the administering Powers does not in fact comply with the provisions of the General Assembly resolution on the creation of an independent and sovereign Libya. Enough has been said to prove conclusively that the policy of the administering Powers in Libya is really directed towards the dismemberment of Libya and the maintenance of their control in that country.

37. Under resolution 289 A (IV) of the General Assembly, the administering Powers were bound, in co-operation with the United Nations Commissioner, to initiate immediately all necessary steps for the transfer of power to a duly constituted government of a unitary and independent Libya.

38. What has actually happened? The Governments of the United Kingdom and France have taken no steps whatsoever to give effect to that decision of the General Assembly. A whole year has passed since the fourth session of the General Assembly, and during that time not one legislative or executive organ of a unitary and independent Libya has been established. Instead, the British and French authorities are setting up separatist organs. The British and French administering Powers—and there is every justification for saying this after a closer study of their activities in Libya during the past year—are actually sabotaging the General Assembly decision on the creation of an independent and sovereign Libya.

39. Facts which should be particularly noted are the establishment of foreign military bases and the increase in occupation troops in Libya, both of which are completely incompatible with the creation of an independent and sovereign Libyan State.

40. The representative of Lebanon, who spoke first this afternoon, said that the five-year military occupation of Libya was preventing the Libyan people from exercising their rights to self-determination and the creation of an independent State.

41. The maintenance of occupation troops and military bases in Libya is in no way called for by the national interests of Libya, it is contrary to them. The British and French administering Powers, together with the Government of the United States, are turning Libya into a military base for aggressive purposes alien to the interests of the Libyan people and to the cause of peace.

42. In this way, the activities of the administering Powers in Libya may in fact jeopardize the implementation of resolution 289 A (IV) of the General Assembly on the establishment of an independent and sovereign Libya.

43. The duty of the General Assembly at this session is to adopt a decision which will neutralize the danger of a final dismemberment of Libya, which will ensure the creation of a united Libya and which will guarantee the unity of Libya as an independent and sovereign State. The General Assembly is thus in duty bound to adopt a clear and definite decision designed to ensure, first, the unification of the various parts of Libya in a single State, and the creation of suitable legislative and executive organs in Libya, and, secondly, the withdrawal in the shortest possible time of all foreign troops and military personnel from Libya and the dismantling of military bases there. Without such clear and just provisions, the resolution on Libya would be little more than a meaningless scrap of paper which the administering Powers in Libya could use to cover up their activities for the dismemberment of the country and the maintenance of their colonial control.

44. The Governments of the United Kingdom, France and the United States are using their armed forces and military bases in Libya to enslave the country and to transform it into a military strategic base for their aggressive policy and, to no less an extent, for their campaign against the national liberation movements of the peoples of Africa and the Middle East. Libya will be the first colonial country in Africa—the first oppressed nation in Africa—to receive its independence after the Second World War, at a time when the colonial system is in the throes of a most acute crisis. This will undoubtedly have an influence on the development of the national liberation movement among the oppressed colonial peoples of Africa. But the administering Powers, which are colonial Powers, are interested in maintaining their colonial domination in Africa; hence they are doing their utmost to undermine the General Assembly decision to grant independence to Libya.

45. It should be noted that the policy of the administering Powers, which is so harmful to the national interests of Libya, has not met with serious opposition from the United Nations Commissioner in Libya. That Commissioner is in fact condoning the illegal activities

of the United Kingdom and France for the dismemberment of Libya and its transformation into an African military base for the United States, the United Kingdom and France. Thus, as indeed we predicted at the fourth session of the General Assembly, the appointment of a commissioner for Libya has not been justified by subsequent events.

46. It follows, therefore, that the draft resolution before us evades the most important point which the General Assembly should bear in mind if it really wishes to ensure that its decision on the creation of an independent and sovereign Libya is carried out.

47. To ensure such implementation, the USSR delegation has submitted a draft resolution [A/1511] providing that the various parts of Libya—Cyrenaica, Tripolitania and the Fezzan—should be united in a single State and that legislative and executive organs for Libya should be established, and providing further that all foreign troops and military personnel should be withdrawn from the territory of Libya within three months and that military bases should be dismantled. This would be the only proper decision, the only decision which would ensure the establishment of an independent and sovereign Libya.

48. In view of all these considerations, the delegation of the Soviet Union will abstain from voting on the draft resolution submitted by the *Ad Hoc* Political Committee. Some paragraphs of that draft are acceptable, but they cannot obscure the most important fact, which is that the draft resolution says nothing about the only measures capable, in the present circumstances, of ensuring the implementation of the General Assembly resolution on the creation of a united, independent and sovereign Libya.

49. Even those paragraphs which are on the whole acceptable are drafted in such a way as to give the administering Powers ample scope for pursuing their dismemberment policy in Libya. This can be seen, for instance, from the way the national assembly of Libya is to be established.

50. The representative of Iraq, Mr. al-Jamali, has already pointed this out. Attempts are being made to establish a national assembly on a basis inconsistent with democratic principles, a basis determined by the policy for the dismemberment of Libya. Thus the Fezzan, for instance, with between 30,000 and 40,000 inhabitants and Tripolitania, with 800,000 inhabitants, would have equal representation in that assembly.

51. Many other examples could be given to show that although the wording of parts of the draft resolution may be acceptable, their execution would in fact depend on the balance of forces in Libya. Will the Libyan people, through their national liberation struggle, finally secure the creation of a united and sovereign Libya, or will the administering Powers be able to pour into that mould—the national assembly—the elements required by their dismemberment policy in Libya?

52. Life itself and the struggle in Libya will decide this question. The task of the General Assembly is to help the people of Libya to create the true organs of a united, independent and sovereign Libya. This can be done only if the General Assembly uses all its authority to proclaim the need for the unification of all parts of

Libya in a single State, the withdrawal of all foreign troops from Libya, the dismantling of foreign military bases there, the transfer of full powers to the Libyan people, and the creation of conditions in Libya that would enable the people to have effective enjoyment of their right to self-determination and of their right to establish a united, independent and sovereign Libyan State.

53. In our view, the draft resolution which we have submitted to the General Assembly will ensure the attainment of those objectives. We believe that all delegations which genuinely desire the creation of a united, independent and sovereign State of Libya will support our draft resolution and vote for it.

54. Mr. CASTRO (El Salvador) (*translated from Spanish*): Until just a few minutes ago, before the representative of the USSR spoke, my delegation had hoped that the five abstentions recorded in the *Ad Hoc* Political Committee when the question of Libya was discussed would not be repeated on this occasion and that we should thus adopt the resolution by an almost unanimous vote.

55. The draft resolution approved in the *Ad Hoc* Political Committee embodies all the suggestions as well as the substance of paragraph 1 of the draft resolution submitted to that Committee by the Soviet Union. My delegation had hoped that the fact that paragraph 2 of the USSR draft had not been approved and that the Committee had therefore rejected the draft resolution as a whole, would not be sufficient grounds for the delegation of the Soviet Union and the other delegations which usually vote with it to refuse to support the draft resolution approved by the *Ad Hoc* Political Committee. Unfortunately, we now know that the USSR will continue to abstain in the vote on the draft resolution approved by the *Ad Hoc* Political Committee.

56. On behalf of my delegation, I wish to explain the principles on which we based our position in supporting the draft resolution approved by the Committee.

57. On many occasions, during the discussion of the future of Non-Self-Governing Territories which later will become free States, my delegation was apprehensive lest the General Assembly should exceed its powers and go further than the Charter permitted.

58. In Article 1 of the Charter the principle of the self-determination of peoples is clearly affirmed. In accordance with this principle, when a Non-Self-Governing Territory becomes a free State, it is clear that no one can tell the new State what the political structure of its government should be or what policy it should follow. In keeping with this principle, the delegation of El Salvador has always opposed the partition of such territories; it also opposes the imposition of a federal form of government on a territory which is later to become a free State, or the predetermination in any way whatsoever of the political structure of the future State. For this reason, my delegation supported and applauded the draft resolution which is now before the General Assembly.

59. Among the questions which were discussed was precisely the matter of the political structure of the new Libyan State; was the new State to be established as a unitary State or as a federal State composed of three separate entities united in a federation?

60. The delegation of El Salvador was strongly opposed to federation, since it is evident that it is for Libya itself, once it is established as a unified State, to decide its own future political structure. This is a question which the Libyan people should decide, in accordance with the principle of self-determination as affirmed in Article 1 of the Charter. My delegation does not vary in its attitude from case to case, and it therefore adopted exactly the same attitude with regard to Eritrea. That is not the issue now, but I wish to point out that our attitude is the same, because the issue is to determine the political future of a new State.

61. I merely wish to make a few very brief remarks on two sections of the draft resolution under discussion. Paragraph 1 of the operative part expresses the confidence of the General Assembly that the United Nations Commissioner in Libya, aided and guided by the advice of the Council for Libya, will take the necessary steps to discharge his functions towards the achievement of the independence and unity of Libya pursuant to General Assembly resolution 289 A (IV) of 21 November 1949.

62. The delegation of El Salvador wishes this paragraph could have been more emphatic and could have clearly instructed the United Nations Commissioner and the Council for Libya itself to take the necessary measures to discharge their functions with a view to achieving the independence and unity of Libya. Nevertheless, I think that the General Assembly's statement of its confidence that these measures will be adopted is tantamount to definite instructions both to the United Nations Commissioner and to the Council for Libya to adopt such measures and to endeavour to achieve the independence and unity of Libya, or to put it another way, to set up a completely independent unitary State.

63. As regards paragraph 3 of the draft resolution under consideration, which recommends that a national assembly duly representative of the inhabitants of Libya shall be convened as early as possible, and in any case before 1 January 1951, the views of the delegation of El Salvador are very similar to those put forward by various representatives who have spoken at this meeting; it wishes, however, to emphasize very strongly that it will never consider the national assembly of Libya as representative of the inhabitants of Libya if the election of its members is not based on the number of inhabitants in the various regions.

64. In accepting the *Ad Hoc* Political Committee's draft resolution, the delegation of El Salvador certainly did not support the idea that the three parts of Libya should each have an equal number of representatives in the national assembly. On the contrary, in accepting the paragraph to which I have referred, which stipulates that the national assembly shall be duly representative of the inhabitants, it considers that the number of inhabitants should be divided by the number of seats in the assembly. That is to say, if we assume, for argument's sake, that there is to be one representative for every thirty thousand inhabitants, the Fezzan would obviously have only slightly more than one representative, whereas the largest region in Libya would be entitled to about twenty-five representatives. It is thus absolutely inadmissible that Tripolitania and the Fezzan should have the same number of representatives in the Assembly.

65. Although this is not stated in the draft resolution, it would also be desirable to pay close attention to the position of the minority groups. We all know that we cannot stipulate that in order to vote in the elections for a new national assembly of Libya, it is necessary to be a native of Libya. Obviously, we are dealing with the organization of a new State; therefore, each inhabitant of Libya is a potential citizen of the new State and no differences should be made between, and no discrimination practised against, any of the nationalities or minorities which form part of the population of Libya.

66. The delegation of El Salvador is prepared to vote in favour of the draft resolution before us; but in a year's time, when the General Assembly considers the situation anew, El Salvador will not be able to support any measure that might be understood to mean that the national assembly of Libya can be representative of the inhabitants of Libya if the population figures are not taken into account.

67. Mr. ZEINEDDINE (Syria): The Syrian delegation is strongly concerned about the future of Libya, for various reasons, not the least of which is the fact that the people of Libya and the people of Syria are parts of one and the same Arab nation. As a member of the United Nations, the Syrian Government is keenly interested in seeing that the principle of self-determination, to which the Members of the United Nations are pledged, is applied in this and in similar circumstances.

68. The people of Libya deserve the solicitude of the United Nations because their struggle for independence hardly ceased from the occupation of their country in 1912 until the middle of the last war. They have tried by every means at their disposal to realize an independence and a sovereignty dear to them and for which they have sacrificed so much in life and in treasure that since that occupation their number has greatly diminished and they have become greatly impoverished.

69. It seems to me that it is incumbent upon the United Nations, under the principles of the Charter, to try to make the people of Libya understand that the United Nations is on their side in their struggle to realize their sovereignty as well as their unity, which has not been safeguarded in all cases and which, in the last few years, has been rather endangered. My delegation's reason for believing that the draft resolution now before us, once adopted, will be correctly implemented, and its confidence that the principles contained in it will be put into practice, are based primarily on its certainty that the people of Libya will defend such a resolution and will see that its provisions are carried out.

70. The draft resolution which has been brought before this General Assembly by the *Ad Hoc* Political Committee is not, to our mind, a very satisfactory one, yet we agreed to it and voted for it in the Committee, and we shall vote for it in the General Assembly, because it was an agreed solution and to our mind agreed solutions are always the best. I should like to express our appreciation of the fact that other delegations which had previously submitted a different draft resolution were ready to meet with us and to try to compose the slight differences that existed in order that the Members of the United Nations could go on their path hand in hand towards the achievement of the purposes of the Charter in this particular case. This draft resolution is

in any case a step forward compared with the resolution approved on 21 November 1949, because it lessens the ambiguity or vagueness which existed in some of the provisions of that resolution, in two respects especially. In respect of the transfer of power from the administering Powers to a duly constituted Libyan government, the draft resolution sets a time limit for such transfer; and in respect of the unity of Libya, the draft resolution provides that it shall be realized through a national assembly duly representative of the inhabitants of Libya.

71. Yet there are certain points with which the Syrian delegation intends to deal very briefly, in order to explain why it supports the draft resolution which has been presented. In the first place, the present draft resolution, in spite of the correct explanations which have already been given in the Rapporteur's report, does not at all imply that the United Nations intends to impose upon the Libyans a federated form of government which they very probably do not want. It is their affair and it is for them to decide whether they would like to have a federated or a unitary government. But we have noted in the last few weeks a trend in favour of a policy different from that which has already been expressed in the draft resolution, particularly with regard to the composition of the National Assembly, where twenty members represent Tripolitania, twenty the Fezzan and twenty Cyrenaica.

72. That question has already been dealt with this afternoon and I need not dwell on it. I should like, nevertheless, to make it very clear that the present so-called national assembly cannot by any means be considered as representative of the people of Libya. It tends to disunite the country, because those who have been sent from the Fezzan and Cyrenaica are in complete accord with the policies of certain quarters which do not very much favour Libyan unity. Such a body may therefore take steps resulting in a diminution of the unity of the country and the imposition of a non-unitary régime upon it, even though a majority of the Libyan people would very probably like their country, small as it is, to have a single government, which would be less costly, more appropriate and more in line with Libyan national sovereignty.

73. The question of the sixty representatives on this body ought to be elucidated, and I am very thankful to the speakers who preceded me, especially the representatives of Iraq and Lebanon, who have posed the question in order that the United Nations Commissioner in Libya may answer it. We should like to ask the following question: will this body of sixty members draw up a draft constitution or a final one? In other words, will it be able to determine the constitution or will its work be only preparatory?

74. Our final attitude towards the draft resolution which has been presented will depend upon the reply to this question. The Syrian delegation expressly reserves its rights. After such an explanation has been given by the United Nations Commissioner, I hope we shall be afforded the opportunity, in accordance with the rules of procedure, of learning the opinion of the Assembly as to the meaning of "a national assembly duly representative". Would it be a caricature of a national assembly, or would it be a real one according to honest, recognized and normal democratic standards?

Would it be one which the United Nations would be ready to endorse as a body which corresponds to its ideas and decisions?

75. There are some other minor points with which I should like to deal very briefly. First, the essence of the draft resolution is, in our view, the question of the transfer of powers from the administering Powers to the Libyans. With respect to this point in particular we should like to make our views very clear; the transfer should be made to a Libyan government and not to a Fezzan or Cyrenaican or Tripolitanian authority or administration. If such local governments, administrations or authorities were to be invested with sovereign powers, they might not favour attempts to form a single government for the whole country, and they would obstruct the wishes of the Libyan people for unity. It would be taking a step backward and not a step forward if such powers were transferred not to a Libyan government but rather to a local administration or authority in each of the three territories of Libya.

76. I might also say that until now there has been a lack of zeal or diligence, to say the least, on the part of the administering Powers to effect this transfer. We hope that they will be activated and that the transfer will be duly effected in accordance with the programme that is to be established by the United Nations Commissioner, and in accordance with the guidance and advice of the Council for Libya.

77. The question of the inhabitants of Libya and their rights has been raised. The question of minorities has also been raised. The question is whether we should provide in the constitution that all the inhabitants of Libya are entitled to take part in the direction of the country and to have their rights safeguarded. This would only be a change in the text but it would not change the meaning. The reality of the situation seems to be that minorities can enjoy rights provided in the first place that they are capable of being on good terms with the majority; the majority, on the other hand, should be ready to understand the point of view of the minorities, to act in concert with them and to live in harmony with them. The point is not to prescribe safeguards of this or that kind; the minority question will always remain one of domestic jurisdiction and will not give rise to any international complications.

78. There should be no discrimination at all, neither for nor against minorities, and they should enjoy full rights, especially if they declare themselves ready to take Libyan nationality. It is a fact that Libya is a new State, but it is also a fact that many of these minorities have another nationality, a non-Libyan one. Of course, if they declare that they are ready to accept Libyan nationality, that would make a lot of difference. If they are ready to show loyalty towards the country in which they live and declare their loyalty, then they should be entitled to enjoy equal rights with every other inhabitant of the territory.

79. The first paragraph of the Soviet Union draft resolution [A/1511] which is now presented is acceptable to my delegation. As to the question of evacuation raised in this draft, it seems to us that the matter is already solved by the draft resolution that has been approved by the Committee. Evacuation is implied in this case because no country can be really sovereign

and independent if its territory is occupied and it is thus subjected to foreign military influence. For this reason we did not think that it was absolutely necessary to insert in the draft resolution approved by the Committee a provision concerning evacuation, since such evacuation would follow from the very fact that an independent Libya would be one in which no foreign troops would be entitled to remain.

80. Decisions are not good or bad in themselves. They are good only when they are faithfully implemented. There are fears that the United Nations may become in the habit of dealing with the same problem again and again at successive sessions even though it has already adopted decisions thereon, because those decisions have not been implemented. Such fears would be justified only if some Powers were to continue to adopt a complacent attitude towards resolutions which have not been implemented. If the United Nations and its Members are really intent upon seeing that resolutions are faithfully and fully implemented, they have, I think, every means of ensuring that this shall be so. If non-implementation is considered as diminishing the possibility of international co-operation with Member States which refuse to implement, such Member States will have to defer to the consensus of opinion of the other Members and to the general feeling of the world community.

81. We have heard from the two administering Powers—and, in the Committee, from the Commissioner also—that there is a readiness to endeavour to implement this resolution. We have the firm hope and belief that it will be fully implemented and that the question of Libya will not come before the United Nations again for a new discussion. Last but not least, if our belief that it will be implemented is strong it is because the people of Libya are conscious of their right and ready to defend it.

82. Mr. GROSS (United States of America): The General Assembly has before it a draft resolution on Libya which was worked out with great care and effort by the *Ad Hoc* Political Committee. We think that this draft faithfully reflects the consensus of opinion of the great majority of the Members as to the action which the General Assembly should take on the reports of the United Nations Commissioner in Libya and those of the administering Powers. We all recall appreciatively the manner in which the two groups of co-sponsors of draft resolutions before the *Ad Hoc* Political Committee were able to reconcile their respective drafts so that the Committee would consider a draft which would be assured of wide acceptance. The draft resolution before us embodies recommendations and provisions which we feel are designed to assist in the full and effective implementation of the Assembly's resolution of 21 November 1949 which, of course, still stands as the basic decision of the General Assembly on the disposition of Libya.

83. During the discussions in the *Ad Hoc* Political Committee, various points were raised concerning the relationships among the United Nations Commissioner, the Council for Libya, the administering Powers and the emerging governmental institutions of Libya itself. Those discussions, with the helpful explanatory statements made by the United Nations Commissioner and the Chairman of the Council for Libya, served to

clarify these relationships. The draft resolution now before us also contributes towards that end.

84. The Committee, in approving the present draft resolution by 53 favourable votes, made it clear that no substantive changes in the principles embodied in last year's resolution were involved. In particular, the proposed new resolution is, we believe, not in any way intended to restrict the freedom of decision of the people of Libya, acting through their National Assembly, to work out a constitution for Libya, "including the form of the government", of their own choice. That is to say, the new resolution, if adopted, will not impose upon the people of Libya any particular form of government whether federal, unitary or otherwise.

85. In essence, as we understand it, the new resolution has these principal features, which I shall enumerate.

86. First, it emphasizes the importance, as a United Nations matter, of pressing forward with the remaining and vital steps needed to ensure the establishment of Libya as an independent and sovereign State on or before 1 January 1952.

87. Secondly, it provides positive support to the United Nations Commissioner and to the Council for Libya in carrying forward the functions entrusted to them by the United Nations.

88. Thirdly, it takes fully into account the need for co-operation by the administering Powers with the United Nations Commissioner and with the emerging organs of a Libyan government in order to achieve on schedule the purposes of the General Assembly decision of 21 November 1949.

89. Fourthly, it calls for the convening of a national assembly, "duly representative of the inhabitants of Libya", not later than 1 January 1951 and urges that the national assembly should establish a provisional government of Libya before 1 April 1951.

90. Fifthly, it provides that powers shall be progressively transferred to such a provisional government by the administering Powers so that by 1 January 1952 the permanent and duly constituted Libyan government shall have assumed all the powers at present exercised by the United Kingdom and France in Libya.

91. Sixthly, it emphasizes the special needs of Libya for technical and financial assistance and urges all appropriate bodies of the United Nations to co-operate in rendering such assistance so far as they are able to do so.

92. Seventhly, and lastly, it stresses the goal of the admission of Libya to membership of the United Nations after its establishment as an independent State.

93. The United States delegation is confident that the authorities concerned with the advancement of the General Assembly plan for Libya will faithfully and effectively continue during the coming year to carry out their important responsibilities. In this expression of confidence we wish, of course, to include the representatives of the inhabitants of Libya who, we are happy to note, are to be called together on 25 November to begin their important task of framing a constitution. We are sure that the national assembly, in a broad spirit of tolerance and humanitarianism, will give careful attention to the interests and welfare of those important

elements of Libya's population of foreign origin. We feel that it is particularly important that the new State should start out on a basis which will ensure the loyal and fruitful collaboration, under the equal protection of the laws, of all elements of the population.

94. The progress achieved by the national assembly of Libya will be watched with the greatest interest by all Members of the United Nations. I have listened with considerable sympathy to the statements made here by the representatives of various Arab States favouring the establishment of democratic procedures in the setting up of a new Libyan government. These points, which were made by the speaker before me, the eloquent Mr. Zeineddine, merit, we feel, the greatest and most sympathetic consideration. We are confident that the members of the national assembly, who were chosen as representatives of their particular areas after a long period of consultation with the interested groups and parties, will seek to establish a government based on those democratic forms which are most suitable for Libya. We wish to join with the speakers who have preceded me in anticipating the comments which may be made by the United Nations Commissioner in Libya who, I understand, has stated his intention to make a report to the General Assembly before the close of business on this item.

95. The United States delegation supported the present draft resolution in the *Ad Hoc* Political Committee and it supports its adoption by the General Assembly. We ourselves at one time proposed an amendment to paragraph 4 of the draft resolution in the belief that it would facilitate the proper implementation of that paragraph. We subsequently withdrew that amendment in the same spirit as that demonstrated by other delegations which had submitted amendments. We understand that the present paragraph 4 is intended simply to encourage the United Nations organs mentioned and the specialized agencies to make every effort to render the maximum feasible assistance of this kind to Libya upon its request, to the extent that these organs are in a position to do so. This, of course, can be done only in accordance with their own methods and procedures and within the limits of the resources available to them. We believe that this point is covered in the report which was read to us earlier by the Rapporteur. My Government is prepared to play its full part in those programmes of assistance to Libya which the responsible agencies of the United Nations may be able to devise.

96. Turning to another matter for a moment, it is not unusual for delegations to introduce in the General Assembly draft resolutions which have already been defeated at the committee stage. This, of course, is their right. We have before us such a draft resolution, submitted by the Soviet Union delegation. It calls for the union of the three parts of Libya—Cyrenaica, Tripolitania and the Fezzan—into a single State and for the withdrawal of foreign troops and military personnel within three months. It is another version of an old complaint which has been injected and rejected at previous sessions of the General Assembly. The USSR draft resolution as a whole was again rejected overwhelmingly in the *Ad Hoc* Political Committee, and my delegation urges that it should be defeated again here, as it has been so often before in various forms.

97. My government looks forward to the successful and early achievement of statehood by Libya. This will indeed be a particularly notable accomplishment brought about through the combined efforts and co-operation of the United Nations and the Libyans themselves. We hope that the present draft resolution will have the broadest possible support in the General Assembly and that the United Nations Commissioner can return to Libya sure of the strong support of the United Nations in completing his full share in the important work that lies ahead.

98. Mr. SKOROBOGATY (Byelorussian Soviet Socialist Republic) (*translated from Russian*): In addition to the draft resolution on the Libyan question submitted by the *Ad Hoc* Political Committee, which, as has already been pointed out here, contains very substantial defects, there is another draft resolution before the Assembly on the same subject, submitted by the USSR delegation, which briefly and clearly sets forth the steps which ought to be taken by the United Nations with a view to setting up an independent and sovereign Libyan State.

99. The draft resolution of the Soviet Union provides, first, for the union of the parts of Libya—Cyrenaica, Tripolitania and the Fezzan—which historically, economically and culturally form a whole. It is proposed that these parts should be united and that legislative and executive organs should be established. This provision is extremely important for the development of Libya towards independence.

100. It is clear from the documents submitted on the Libyan question, and also from the speeches of a number of representatives in the *Ad Hoc* Political Committee and in the Assembly in connexion with the consideration of this question, that the administering Powers in Libya—the United Kingdom and France—are still pursuing a policy directed at the dismemberment of Libya and are establishing puppet régimes in Cyrenaica, Tripolitania and the Fezzan. The unanimous demand of the Libyan people for the independence of their country as a unified State, with its national legislative and executive organs, is opposed by the administering Powers which are seeking to dismember Libya and to consolidate the colonial régime in that country.

101. The administering Powers have sabotaged the General Assembly resolution on the creation of an independent and sovereign State of Libya; they have done nothing during the past year, and are doing nothing now—as the facts show—to ensure the transfer of power to the Libyan people.

102. The provision in the USSR draft resolution for the unification of Libya and the establishment of legislative and executive organs in that country is of very great importance for the development of Libya towards independence. In addition, that draft resolution provides for the withdrawal of all foreign troops and personnel from the territory of Libya within three months and the dismantling of military bases. This provision is also very important at a time when Libya, a former Italian colony, is to become an independent and sovereign State; for the presence in Libyan territory of foreign troops and personnel and the existence of military

bases is a fundamental obstacle to the realization of the aspirations of the Libyan people for freedom and national independence. Libya can develop as an independent State only if foreign troops and personnel are withdrawn from its territory and military bases dismantled. But the administering Powers take no account of the interests of the Libyan people. They maintain large military units in Libya which are used to put pressure on the Libyan people and to carry out their plans for colonial domination.

103. The existence of military bases and the persistent efforts of the United Kingdom, France and the United States to maintain those bases in Libya provide striking evidence that a definite place is reserved for Libya in the military plans of those States. The maintenance in Libya of foreign armed forces and military bases is contrary to the interests of Libyan development towards independence and is contrary to the interests of peace.

104. It is therefore the duty and obligation of the United Nations to protect the interests of the Libyan people in their legitimate desire for independence at the earliest possible date and to create the necessary conditions which will ensure the development of Libya as a unified, independent and sovereign State. That is precisely what is provided for in the USSR draft resolution.

105. The draft resolution of the Soviet Union is thus based on the principles of the United Nations Charter and corresponds to the interests of the Libyan people. Consequently the delegation of the Byelorussian SSR supports the USSR draft resolution and will vote in favour of it.

106. Mr. Tafazzul ALI (Pakistan): The draft resolution before us aims at expediting the creation of an independent and sovereign State of Libya.

107. By its historic resolution of 21 November 1949, the General Assembly resolved that Libya should be constituted an independent and sovereign State as soon as possible, and in any case not later than 1 January 1952. The essential features of that resolution, among others, were, first, that the constitution for Libya should be determined by a national assembly composed of representatives of the inhabitants of Cyrenaica, Tripolitania and the Fezzan, secondly, that the administering Powers, the United Kingdom and France, should initiate immediately all steps necessary for the transfer of power to a duly constituted independent Libyan government, and, thirdly, that until power had been thus transferred, the administering Powers should so administer their territories as to promote the establishment of a united Libya.

108. The reports of the United Nations Commissioner in Libya, and the statements that he and the Chairman of the Council for Libya made before the *Ad Hoc* Political Committee on developments in Libya since the adoption of that resolution, reveal an unsatisfactory state of affairs. Although nearly one year has passed since that resolution was adopted, it appears that sufficient steps have not been taken either by the administering Powers or by the United Nations Commissioner which would ensure the achievement of Libyan independence or Libyan unity within the period laid down in the resolution. Even the national assembly which was to frame the constitution for Libya has not

come into being, and the view has been taken that until the national assembly has framed a constitution and set up a Libyan government, the administering Powers cannot transfer power to Libyan hands.

109. On the other hand, far from promoting Libyan unity, steps have been taken by the administering Powers which have had the effect—even although they may not have been intended to do so—of promoting Libyan disunity. For instance, within a few weeks of the passing of that resolution, a separate Cyrenaican Nationality Law was enacted. Soon after, in January 1950, the administering Powers decided to grant progressive autonomy to the three separate regions of Libya—the Fezzan, Tripolitania and Cyrenaica.

110. These steps could not advance, and in fact have not advanced, the cause of Libyan unity, although the administering Powers were specifically charged under resolution 289 A (IV) with the duty of so administering their respective territories as to assist in the establishment of a united Libya. In the case of the Fezzan, further, parts of the territory have, for administrative purposes, been attached to French territories, Algeria and Tunisia, lying entirely beyond the frontiers of Libya. In the economic field, no less than in political, there have been restrictions on the movement of persons and trade as between one region and another. Thus the three regions of Libya have been treated almost as three separate countries.

111. These developments have naturally encouraged separatist tendencies in the three regions. When the United Nations Commissioner decided to set up a preparatory committee which was to establish the national assembly for framing a constitution for Libya, the three regions, although greatly varying in size and population and the degree of political, social and economic development, demanded equal representation as the price of co-operation. Thus the Fezzan, with a population of only 40,000, and Cyrenaica, with a population of 300,000, claimed and obtained equal representation on the preparatory committee with Tripolitania, which has a population of 800,000, before they agreed to serve on this Committee. Further, as was to be expected from a body so constituted, the preparatory committee has decided that, on the national assembly also, the three regions shall have equal representation regardless of the size of their population.

112. The effect of this extraordinary arrangement is that the representatives of the Fezzan and Cyrenaica, with a population of less than half that of Tripolitania, may virtually dictate what form the Libyan constitution may take. In other words, a minority of the population of Libya has been given the power to veto any constitutional proposal that may militate against their local autonomy. The chances of a strong and united Libyan government emerging from the new constitution appear thus to have been prejudiced.

113. A large number of delegations represented on the *Ad Hoc* Political Committee, including Pakistan, voiced dissatisfaction at this trend of events in Libya. But it appeared to my delegation that it was not enough merely to register dissatisfaction—and this was the view of many other delegations as well—and that it would be fruitless to question the motives of the administering Powers. To us, the three most disconcerting features of

the Libyan situation were, first, that although only a little over a year was left within which, under the General Assembly resolution, a fully independent and sovereign State of Libya was to be set up, constitution-making had not been started, as the national assembly had not yet been set up; secondly, that there was no real government to which the administering Powers could transfer authority, although under the resolution they were to initiate immediately all steps necessary for the transfer of power; thirdly, that in the meantime certain forces were at work which were progressively undermining Libyan unity.

114. In this view of the case, therefore, it was necessary that concrete measures should now be suggested to remedy this situation. For this purpose it appeared to us as most urgent that arrangements should be made for the transfer of power from the hands of the administering Powers to the people of Libya. Once power was transferred, other difficulties would resolve themselves.

115. It appeared to us that to effect this transfer of power, a provisional government of Libya should be brought into being as early as possible, within a specified period. Accordingly eight Powers, including Pakistan, sponsored a draft resolution which prescribed a definite time limit within which the provisional government must be set up. This draft resolution, together with the draft resolution sponsored by Canada, Chile, Ecuador and Greece, was submitted for examination to a sub-committee, which was happily able to produce an agreed joint draft resolution which subsequently received overwhelming support in the Committee, and which is now before the General Assembly for ratification.

116. This draft resolution provides that a national assembly duly representing the inhabitants of Libya shall be convened by 1 January 1951 at the latest; that this national assembly shall establish a provisional government for Libya by 1 April 1951 as the target date; and that the administering Powers shall transfer power progressively to this provisional government in such a manner that, by 1 January 1952, when, under resolution 289 A (IV), a sovereign independent Libyan government is due to emerge, all powers at present exercised by the administering Powers shall have been transferred to the Libyan people.

117. It provides further that, in order to prevent any disputes arising between the administering Powers and the provisional government as to the manner in which power shall be transferred to the latter, the United Nations Commissioner shall proceed immediately to draw up a programme for the transfer of power so as to ensure that power is in fact completely transferred to a Libyan government by the end of 1951.

118. It also provides that the United Nations shall extend to Libya such technical and financial assistance as it may require, and that upon its establishment as an independent State, Libya shall be admitted as a Member of the United Nations.

119. By the decisions embodied in this draft resolution, Libya will be set fairly on the road to independence. The destiny of that country will then rest entirely in Libyan hands. It will be for the Libyan people then to ensure that the national assembly sets up a provisional

Libyan government by 1 April 1951, so that that government can start assuming powers from the United Kingdom and France in order that, by the end of 1951, a fully independent and sovereign State of Libya is established. To assist the Libyan people in this task the good offices of the United Nations will remain at their disposal through the United Nations Commissioner and the United Nations Advisory Council for Libya.

120. All these objectives can be achieved only if there is the required co-ordination between the United Nations Commissioner and the United Nations Council for Libya on the one hand, and the two administering Powers—the United Kingdom and France—on the other, without which, I am certain, it would be well-nigh impossible to achieve the task with which the United Nations Commissioner and the Council have been entrusted by the General Assembly.

121. Concurrently with the transfer of power to the provisional government, the national assembly will proceed with the drafting of a constitution for an independent Libya. To what extent the Libyan government that will emerge from this constitution will be a strong, united Libyan government, will also be a matter for the Libyans themselves to decide. Pakistan, in company with all countries that value freedom, will wish them "Godspeed" in their great adventure, and will look forward with pride and joy to the emergence on or before 1 January 1952 of an independent Libyan State.

122. Although this draft resolution now before the General Assembly is not wholly satisfactory to my delegation, we shall lend our support to it, as we did in the *Ad Hoc* Political Committee, for the purpose of securing unanimity.

123. Mr. GAJEWSKI (Poland) (*translated from French*): The *Ad Hoc* Political Committee has completed its discussion of the question of Libya. According to the agenda, it was to deal with the reports of the United Nations Commissioner in Libya and the reports of the United Kingdom and France, the administering Powers in Libya. The reservations of several delegations with regard to these documents must have been very serious, for the Committee was obliged to devote its attention directly to the problem of the independence and unity of Libya. It had become evident, in fact, that the problem had only apparently been solved by the resolution adopted by the General Assembly on 21 November 1949.

124. It must be admitted that the discussion in the Committee was very characteristic. In dealing with the Libyan question, the Committee was able to see to what extent the United Kingdom and France persisted in their intention to maintain their domination over a divided Libya, in spite of and in contradiction with the recommendations in the General Assembly resolution of 21 November 1949.

125. In spite of all the imperfections and inadequacies of the text adopted—which my delegation pointed out when the resolution was put to a vote—it did establish the principle of the creation of an independent and sovereign Libyan State not later than 1 January 1952. Under the resolution, the United Kingdom and France were to administer the Libyan territories remaining under their administration in order to facilitate the establishment of Libyan unity and independence. They were

also immediately to take the first steps required for the transfer of power to a duly constituted government.

126. It is quite obvious, however, from all the facts which were brought to the Committee's attention, that the United Kingdom and France are pursuing aims completely opposed to the General Assembly's recommendations. We have seen from the reports submitted to the Committee, as well as from many facts on which the reports said nothing, that instead of pursuing the true aim of establishing a unified and independent Libyan State, the administering Powers have in fact been partitioning the country. And what is particularly significant is that the process has been still further accentuated since the adoption of the resolution of 21 November 1949.

127. Thus, we have seen measures taken in swift succession to create a separate State of Cyrenaica. A citizenship law for Cyrenaica was promulgated in December 1949 and the establishment of a Cyrenaican army was begun. Furthermore, the United Kingdom has established a puppet government in Cyrenaica. The Committee could also see that similar attempts, although not hitherto so successful, have been made by the British Administration in Tripolitania.

128. In the Fezzan, France has also taken part in the partitioning of Libya, with a view to confronting the world with the *fait accompli* of three pseudo-States on Libyan territory; a pseudo-State has been established in that part of Libya under Ahmed Bey Seif en-Nasr. Such facts as the restrictions imposed on the movement of people and goods between the three territories of Libya, the attachment of parts of the Fezzan—Ghat-Serdelès and Ghadamès—to the territories of Algeria and Tunisia, the economic separation of the Fezzan from Libya as a whole so that its trade might be diverted towards Tunisia, and many others, were submitted to the Committee.

129. Many delegations were obliged to express the fear that the administering Powers might promote and organize separatism in Libya, instead of achieving its unity. They did not hesitate to express their concern over the many obstacles the United Kingdom and France had deliberately placed in the way of Libyan unification.

130. In view of a whole series of known and established facts, several delegations were obliged to criticize very severely the very odd way in which the British and French authorities had implemented the resolution of 21 November 1949. The criticism did not deal only with attempts to divide the country; it was also directed at the total lack of measures for the transfer of powers over the whole of Libya to a duly constituted central government. It also related to the failure to prepare a skeleton Libyan administration with a view to the transfer of power to the Libyans. It is interesting to note that all these manoeuvres to by-pass the recommendations in the resolution of 21 November 1949 took place with the knowledge of the United Nations Commissioner in Libya, who even agreed to some of them. As for the United Nations Council for Libya, its composition is such that it has not proved capable of checking the partitioning of the country.

131. In his speech to the Committee on 9 October, the United Kingdom representative tried to make us be-

lieve that the case of Libya was a unique and unprecedented example of the evolution of a colonial territory towards independence. Nevertheless, the support he was given by the representatives of France and the United States was not very persuasive and by no means convincing. Indeed, in the case of Libya, we have seen one more example of persistence in the maintenance of foreign domination over a country, in spite of the General Assembly's decision to give that country its independence.

132. My statements are based both on the facts already cited and on certain others. For example, neither the reports of the United Nations Commissioner nor those of the administering Powers contain the slightest indication that those Powers have begun to dismantle their military bases and withdraw their troops from Libya. It is impossible to imagine a really independent Libyan State while foreign troops are kept there and military bases maintained, yet we note that the strategic bases transferred by the United Kingdom to the United States are being strengthened, and that such bases as El Mellaha—a huge airfield now called Wheelus Field, on which, in the words of the American Press, the present fate of United States strategy in the Mediterranean depends—are being enlarged. Such military bases are being retained in order to keep the countries of Africa and the Middle East under constant threat; such strategic bases are being enlarged with a view to carrying out plans of aggression. It is from these bases in Libya, according to the American Press, that bomber patrols can cover the whole Mediterranean and heavy bombers can strike deep into USSR territory.

133. At the end of the discussion, two draft resolutions were placed before the Committee, each advocating different measures for the constitution of an independent Libyan State.

134. My delegation supported the main provisions of the joint draft resolution submitted by thirteen States—in particular the provisions again recommending the constitution of a unified, independent and sovereign Libyan State and the clauses recommending specific measures for the establishment of the Libyan State and its development—but it abstained from voting on the draft resolution as a whole because it did not consider that it provided the basic guarantees which are essential to the constitution of an independent Libyan State, namely, the withdrawal of foreign troops and the dismantling of foreign military bases. The need for these guarantees is all the more urgent and serious since recent events, to which preceding speakers have already referred, prove that the Libyan people cannot freely decide their own fate because of the presence of foreign troops in Libya.

135. My delegation voted in favour of the draft resolution submitted by the Soviet Union because it considered that that draft included the basic guarantees necessary to give Libya real and effective independence—the withdrawal of troops and the dismantling of military bases.

136. My delegation will maintain the same position in the voting in the Assembly.

137. Mohamed SALAH-EL-DIN Bey (Egypt): The draft resolution approved by the *Ad Hoc* Political Committee in connexion with Libya is, in the view of my

delegation, sound, practical and just. We trust that, once adopted, it will be implemented with the same scrupulous care and in the same spirit which inspired it. It is not enough to observe scrupulousness in passing our resolutions; we must see to it that they are implemented with corresponding care.

138. The most important paragraph of this draft resolution is, in our view, paragraph 3 (a) of the operative part, which reads as follows: "That a national assembly duly representative of the inhabitants of Libya shall be convened as early as possible, and in any case before 1 January 1951."

139. We consider the convening of the national assembly as the first practical step towards establishing a united and independent Libyan State. The first step is invariably the most important one since it decides the whole trend of future development. That trend may be either in the right direction, which we hope for, or in the wrong direction, which we should like to avoid. This paragraph of the draft resolution therefore calls for every care and attention.

140. As we examine it, the words "duly representative" strike us at once. My delegation can understand only one meaning to these words: the setting up of a national assembly by free election and on the basis of numerical representation in accordance with the number of inhabitants. If that phrase in the draft is new, the meaning implied by it is not new. It is the same meaning implied by resolution 289 A (IV) of the General Assembly of 21 November 1949—and here are the details.

141. As we all know, the section in resolution 289 A (IV) dealing with Libya stresses in several paragraphs the unity of Libya—implicitly at times and explicitly at other times. It is definitely understood from paragraph 1, which provides "that Libya, comprising Cyrenaica, Tripolitania and the Fezzan, shall be constituted an independent and sovereign State", that the new State should be a united one. This is also the case with paragraph 3 of that resolution, which reads: "That a constitution for Libya, including the form of the government, shall be determined by representatives of the inhabitants of Cyrenaica, Tripolitania and the Fezzan meeting and consulting together in a national assembly." As to paragraph 10 (b), it definitely and explicitly establishes the unity of Libya since it charges the administering Powers, in co-operation with the United Nations Commissioner, to "administer the territories for the purpose of assisting in the establishment of Libyan unity and independence".

142. In other words, the resolution envisages not only the establishment of unity at the end of the given period, but also that action taken from the very start should be such as to facilitate the establishment of this unity and not, indeed, to obstruct or run counter to it. There is no doubt, then, that the unity of Libya is one of the basic principles of the General Assembly's resolution of 21 November 1949. The present draft resolution emphasizes this unity in a manner admitting of no misinterpretation.

143. There is also no doubt that this unity, decided upon and emphasized beforehand, necessarily requires that the national assembly for Libya should be set up on the basis of numerical representation of its three parts in accordance with their respective populations.

A united Libya definitely means a united Libyan people. Libya can never be united if the Libyan people are considered divided into three parts—50,000 in the Fezzan, 300,000 in Cyrenaica and 800,000 in Tripolitania—and if we treat these three parts as equals when forming the national assembly, by allotting each one of them an equal number of votes in that assembly.

144. Such a course of action would not at all conform to the concept of one Libyan people and one Libyan nation. The adoption of such an idea is tantamount to the segregation of the Libyan people and discrimination against them in the most vital of national rights, that is, the right to choose their own form of government, simply because of an act that divided the country into three parts for purely political and administrative purposes. Libya was unified under the Ottoman and Italian régimes even with regard to its administration.

145. Moreover, the formation of the national assembly on the basis of equality among the three parts would lead to the strangest and most absurd result, namely, that the fate of Libya would be decided by one-third of its population, whereas the will of the two-thirds would be ignored. In other words, the minority would be permitted to veto the wishes of the majority. I cannot imagine that we in this General Assembly are so fond of the veto as to adopt it in this ridiculous manner when drafting the Libyan constitution.

146. Stranger still is the fact that this mistaken idea has led some to think that no decision can be reached without the consent of those concerned in each of the three parts. As a result of this wrong conception, the work of the Committee of Twenty-One was suspended for a long time when the Fezzan representatives were recalled. This means that the people of the Fezzan, who constitute not even 5 per cent of the total population, were given the right to dominate the fate of 95 per cent of the inhabitants, constituting the population of Tripolitania and Cyrenaica—nay, even to obstruct the implementation of the resolutions of the General Assembly itself. I ask my fellow representatives whether they have ever been confronted with a more ridiculous and strange result than that to which equal representation of the three parts of Libya would lead us.

147. I should like to dispel any doubts which may have come to the minds of members of the General Assembly as regards the text of paragraph 3 of section A of the General Assembly's resolution of 21 November 1949. This paragraph provides: "That a constitution for Libya, including the form of the government, shall be determined by representatives of the inhabitants of Cyrenaica, Tripolitania and the Fezzan meeting and consulting together in a national assembly." We may be asked, in accordance with this paragraph, not to intervene in the formulation of the Libyan constitution and to leave it to the Libyans themselves. Yes, that is exactly right—and that is what we ought to do—but there is a big difference between the formulation of a constitution and the formation of the national assembly.

148. The formation of the national assembly must be based on the principle we have already outlined and in conformity with the resolution 289 A (IV) of the General Assembly. The drafting of the constitution would actually be left to this national assembly. Under resolution 289 A (IV), therefore, it is imperative that

the formation of the national assembly should be based on numerical representation in accordance with the number of inhabitants. If this is so, then it will be doubly imperative in consequence of the adoption of the present draft resolution. The words "duly representative" definitely dispel any doubts concerning this. Nobody by any stretch of the imagination could call a national assembly composed of an equal number of representatives from Tripolitania, Cyrenaica and the Fezzan "duly representative", since Tripolitania alone contains 75 per cent of the total population of Libya.

149. The words "duly representative" have another important implication, an implication we must not lose sight of, and that is that the national assembly must be established by means of an election. This much is absolutely clear, since the word "representation" in constitutional usage is equivalent to the word "election", and it has never had any other meaning. There is no need for me to refer to the well-known constitutional dictum "no taxation without representation". To have the members of the assembly appointed, no matter how highly placed may be the person or persons appointing them, and then to call it an assembly duly representative of the people, would decidedly be contradictory to all constitutional principles and practices. I cannot imagine that matters could be conducted in such a manner as to lead us to take our first practical steps in the establishment of Libyan independence by a flagrant breach of democratic principles, thus throwing the door wide open for further breaches in the future.

150. These are the views of the Egyptian delegation concerning the General Assembly resolution of 21 November 1949 and the draft resolution which is now before us. It is our firm conviction that other delegations share our view, because we all believe in democratic principles and take every opportunity to uphold them. In the circumstances, we are confident that the United Nations Council and Commissioner for Libya, together with the administering Powers, will collaborate, first, in giving due effect to our resolutions and in carrying them out in the same spirit that inspired them, and, secondly, in dealing with the situation in Libya in a manner compatible with those resolutions and with the principles they imply.

151. It is needless to mention after this lengthy statement that we cannot accept the point of view which the representative of the United States has just expressed regarding the committee of sixty members recently formed in Libya. We cannot consider this committee as a national assembly because its very composition runs counter to all the principles which we have just elucidated.

152. Before concluding, I should like to reserve for my delegation, if it so deems fit, the right to comment upon any statement which the United Nations Commissioner for Libya might make.

153. Mr. VOYNA (Ukrainian Soviet Socialist Republic) (*translated from Russian*): The draft resolution on Libya submitted by the Soviet Union delegation is brief but extremely important in its political content. Its clearly expressed aim is the unification of all parts of Libya—Cyrenaica, Tripolitania and the Fezzan—in a single State and the establishment of legislative and executive organs for Libya; furthermore, it provides

that all foreign troops and military personnel should be withdrawn from Libyan territory within three months, and that military bases should be dismantled. This draft resolution reflects the peace-loving policy which the Soviet Union, despite all obstacles, is carrying out consistently and unwaveringly; it is in accordance with the fundamental principles of the United Nations Charter relating to the self-determination of peoples without any foreign interference with their sovereign rights and the maintenance of international peace and security.

154. As we know, during the discussion in the *Ad Hoc* Political Committee on the reports of the administering Powers and the United Nations Commissioner in Libya, it was shown and demonstrated that the policy pursued by those Powers was directed towards the dismemberment of Libya and, far from promoting the achievement of Libyan independence, hindered that aim in every way.

155. In Cyrenaica, for example, the British occupation authorities, without the consent of the population, have set up a puppet government headed by the Emir of the Senussi and have accordingly drafted a constitution agreeable to them. This "government", which is controlled by the occupation authorities, has approved a law on Cyrenaican nationality (citizenship) and a law on the election of a so-called legislative assembly; it has proceeded to create an army and has introduced restrictions on the movement of persons and goods to other parts of Libya. Not unknown to its masters, this government is opposing the establishment of a unified Libya. A similar policy is being carried out by the British authorities in Tripolitania and by the French occupation authorities in the Fezzan, where they are annexing portions of Libyan territory to the French colonies.

156. The administering Powers are still applying wartime regulations in these territories. Their policy is undermining the normal economic and political development of the country towards independence and is preventing its unification, despite the wishes of the Libyan people. They are making it difficult for representatives of the local population to occupy administrative posts.

157. The administering Powers, together with the United Nations Commissioner, have set up an unrepresentative body in Libya, the so-called preparatory committee which is to establish the organs of an independent Libyan State. By a mechanical arrangement, seven representatives have been appointed to this committee from each of the three parts of the territory, notwithstanding their differences of population. Tripolitania, for example, which has a population of 800,000, has seven representatives, the same number as Cyrenaica with a population of 300,000 and the Fezzan with a population of 40,000.

158. The same undemocratic method is to be used in setting up the Libyan national assembly, which is to have twenty representatives from each part of the territory, regardless of its population.

159. It is quite obvious that if these violations of democratic principles are not stopped, the future Libyan government and parliament will consist, not of the elected representatives of the Libyan people, but of the protégés of the colonial Powers appointed by the administering Powers.

160. It was also revealed in the Committee that the United States, the United Kingdom and France have used Libyan territory to establish air and naval bases. The administering Powers, the United Nations Commissioner and the Council for Libya have maintained complete silence in their reports and statements as to why occupation forces continue to remain in that country. To us, however, who have survived the ordeals of the Second World War and are now doing our utmost to prevent a third world war, it is quite clear that the whole policy of the administering Powers in Libya is not based on the principles of the United Nations Charter, and is not pursued in the interests of the population, but is entirely subordinated to the purposes of the aggressive North Atlantic alliance.

161. The draft resolution submitted to the Assembly by the majority in the Committee does not even contain a hint that it will be necessary at some time to withdraw foreign occupation forces and military personnel from Libya and to dismantle the existing foreign military bases there.

162. For these reasons, the delegation of the Ukrainian SSR will abstain from voting on this draft resolution, despite the fact that it contains a number of paragraphs which are acceptable and for which we voted in the Committee during the separate ballots.

163. It is the profound conviction of the delegation of the Ukrainian SSR that the maintenance in Libya of foreign troops and military bases is a fundamental obstacle to the free democratic development of the Libyan people towards independence.

164. The delegation of the Ukrainian SSR will vote in favour of the USSR draft resolution which, if adopted and conscientiously carried out by the administering Powers, the United Nations Commissioner and the Council, would prevent the dismemberment of Libya, would guarantee the establishment of a unified and independent State with unified and democratic legislative and executive organs, and would prevent aggressors from transforming the territory into a jumping-off ground for military operations against international peace and security.

165. Mr. JABBAR (Saudi Arabia): The draft resolution now before us was approved in the *Ad Hoc* Political Committee as a reasonable compromise. My delegation participated in its formulation; needless to say, therefore, we shall lend it our support. It must be stated, however, that we do not regard it as altogether satisfactory. We still have doubts with regard to its implementation in view of the conflicting interests which guide—or misguide—the administering Powers in Libya.

166. We feel, nevertheless, that it is our duty to point out that this is a mandate from the United Nations which has to be carried out regardless of nefarious motives and in accordance with the United Nations Charter. In addition, we associate ourselves with the views expressed by our colleagues from Egypt, Lebanon, Iraq and Syria with regard to the Libyan national assembly, and we await most anxiously the clarifications which will be afforded in this connexion by the United Nations Commissioner at the conclusion of the debate.

167. We should like to reiterate our position with regard to foreign troops in Libya. In the Committee, we supported a Soviet Union draft resolution calling for the withdrawal of such foreign troops within a period of three months. We continue to hold the same view on this issue, for we believe that unless steps are taken to that end, the attainment of the objectives of the General Assembly's resolution of 21 November 1949 might be hindered by the very presence of foreign troops on Libyan soil. The attributes of sovereignty and independence would become meaningless if the attitude adopted by certain Members of the United Nations were to continue to prevail.

168. The administering Powers themselves complained before the Committee that the occupation of Libya was costing them money which could be spent on other vital projects of their own, that it was depriving them of experts who could be utilized for other endeavours, and, further, that it was giving rise to criticism of them within the United Nations for which they did not particularly care. We feel that it is only just on our part to ease these apprehensions of the administering Powers by attempting to relieve them of their difficulties.

169. At the same time, we should like to pose the following questions: First, does not the presence of foreign troops on Libyan soil constitute an economic and financial burden on Libya? Secondly, are there not many qualified Libyans who are being deprived of the right to exercise the duties now being performed by foreign experts? Thirdly, is the foreign occupation of Libya in the interest of that country and its people?

170. A study of these questions in relation to the objectives of resolution 289 A (IV) of the General Assembly leads us to only one conclusion, namely, that it is of paramount importance that the gradual and progressive withdrawal of foreign troops from Libya should be initiated in order that complete evacuation may be effected not later than December 1951. We have no doubt that if such withdrawal of troops took place gradually and progressively, there would be no vacuum left, and the apprehensions of both the Libyan people and the administering Powers would be eased. More important than this, anxiety and fear would be dispelled. Therefore we consider it our duty to draw the attention of the General Assembly, and especially of the representatives of the administering Powers, to the necessity of setting up such a programme if we are to win the friendship and the confidence of the Libyan people.

171. As a matter of principle, we shall support the part of the USSR draft resolution [A/1511] concerning the evacuation of foreign troops from that country.

172. We shall abstain, however, from voting on the last part of the Soviet Union draft resolution which contains the words "and military bases dismantled", for we believe it is not within our competence to make such a decision. It is the Libyan people themselves who should decide on such a vital issue.

173. In conclusion, we shall most eagerly look forward to welcoming to this Assembly in the near future the representatives of the united, independent Libyan State. We are confident that the new Libyan Arab State will be a great asset to our Organization and that this new and free Libya will keep the torch of liberty burning in

Africa so that other ill-starred colonies in that continent will break their fetters, shake off their shackles and march freely on an equal footing with their fellow men.

174. Mr. GOLDSTUCKER (Czechoslovakia) : In the opinion of the Czechoslovak delegation, the problem of Libya is an important one. On the one hand, it is concerned with the attainment of national sovereignty and independence by a people which, until now, has been subjected to colonial rule and exploitation and, on the other hand, it is the first instance in the history of the United Nations where it is our Organization which is fully responsible for this very important event.

175. During the debate in the *Ad Hoc* Political Committee, I had the honour to point out that the sincerity and moral authority of the United Nations will be judged by all nations, and especially by those which are hoping and struggling for their liberation from the colonial yoke, by its handling of the problem of Libya.

176. In the light of such an approach to our problem, the duty of the United Nations should be to do its utmost towards ensuring that the stipulations of the General Assembly resolution of 21 November 1949 are fully, honestly and punctually fulfilled. But the activities of the administering Powers in Libya have not been such as to help the people of Libya to attain statehood and independence. On the contrary, all the available evidence unmistakably shows that the main objective of the administering Powers in Libya has been to secure their hold on Libya or on parts thereof; history has shown, indeed, that colonial Powers are primarily interested in attaining their own ends and are not interested in the fate of the people. The administering Powers, namely, the United Kingdom and France, have in the past years—and even in the period under review, that is after 21 November 1949—taken steps to divide Libya.

177. Those members who were present at the time will no doubt remember that the General Assembly, at its third session, was presented with the infamous Bevin-Sforza plan which, among other things, envisaged the division of Libya among the United Kingdom, which would obtain Cyrenaica, France, which would be given the Fezzan, and Italy, which would be reinstated in Tripolitania. The General Assembly rejected that plan [218th meeting] and so did the people of Libya. But all evidence points to the fact that the administering Powers are on the whole acting along the lines of the Bevin-Sforza plan. The United Kingdom has created a separatist puppet administration in Cyrenaica and it has tried to do the same in Tripolitania. France has set up a puppet administration in the Fezzan. France has gone even further; it has simply attached two districts of Libyan territory to its dependencies, Algeria and Tunisia respectively.

178. The Assembly has already been told that the inhabitants of Libya are prevented by the administering Powers from moving freely in their own country. Artificial barriers have been set up as far as traffic in goods is concerned. Is all this in the interest of the Libyan people, or is all this in the interest of the administering Powers as opposed to those of the people?

179. In the opinion of my delegation, the United Nations should ensure that the administering Powers

no longer pursue their policies of dividing Libya as a spoil of war, and that all that has already been done in this direction is discontinued. The artificial political division of the country should be stopped. The people of Libya should be given a genuine opportunity to express their wishes by real democratic means, and not in such a way as the administering Powers have until now tried to do, thereby showing that they are doing their utmost to impede Libya's way to independence. It is high time for them to understand that one of the characteristic trends of our epoch is the great process of the liberation of the colonial and dependent peoples and the collapse of the colonial system. The United Nations should consider it one of its important and honourable duties to help this great liberating movement in the interests of human progress. That is why, in the opinion of my delegation, everything within the power of our Organization must be done to help to set up a truly united and independent sovereign State of Libya.

180. That is why our delegation voted for the first paragraph of the Soviet Union draft resolution, along with the majority of the *Ad Hoc* Political Committee, which the representative of the United States seems to have forgotten. As far as the second paragraph of that draft resolution is concerned, the Czechoslovak delegation is in full support of its demand, namely, that "foreign troops and military personnel be withdrawn from the territory of Libya within three months and military bases dismantled".

181. I think that everybody knows that a people cannot be truly independent and free as long as there are foreign troops within its country. That is the more so when we have, as in the case of Libya, a people weakened by long years of colonial oppression and exploitation and, on the other hand, armed forces of two—nay, three—of the largest colonial Powers, although one disclaims to be a colonial Power. The demand for the evacuation of those foreign troops is a just demand.

182. As far as the foreign military bases in Libya are concerned, it is worth noting that neither the representative of France nor the representative of the United States, who spoke here before me, mentioned the subject. It is well known that not only both the administering Powers are maintaining military bases on the territory of Libya, but that the United States is doing so as well. It may be that this reluctance on the part of the two delegations to mention their military bases in Libya springs from the apprehension that they might perhaps be asked by what right they established those bases. It was argued in the *Ad Hoc* Political Committee that the military bases in Libya should be left until the Libyan people was consulted on this subject. This reasoning seems not to hold water because the fact is that nobody asked the consent of the Libyan people when those bases were established. It seems to me that this solicitude for the will of the Libyan people is rather sudden and very temporary and hypocritical. You first do something which seriously impedes the independence of the Libyan people, that is, the free expression of its will, and then instead of removing these obstacles to enable the people to be independent, you say you must ask the people whether it wishes you to do so.

183. My delegation thinks that all obstacles put in the way of the Libyan people by the administering Powers should be removed, because otherwise the sincerity of this Organization might be doubted and much confidence lost. That is why the Czechoslovak delegation will vote for the draft resolution presented by the USSR delegation.

184. On the draft resolution presented by the *Ad Hoc* Political Committee, we shall abstain as we did in the Committee, although we are prepared to vote for those paragraphs thereof which aim at the fulfilment of the objectives before us, namely, the establishment of a united, independent and sovereign Libya.

185. The PRESIDENT (*translated from French*): I have no more representatives on my list of speakers. I shall therefore call upon Mr. Pelt, the United Nations Commissioner in Libya. If there are no comments after his statement, we shall proceed to the vote. If there are, we shall adjourn and continue the discussion tomorrow morning.

186. Mr. PELT (United Nations Commissioner in Libya): In the first place, I should like to thank the General Assembly and the President for the opportunity offered to me to address the General Assembly on the subject of Libya. Secondly, I should like to express my thanks for the encouragement given in many speeches made this afternoon to the Libyan people, to the Commissioner and to the Council, even when some of these speeches have been critical. In expressing these thanks, I am also speaking on behalf of the two Libyan members of the Council who are here with me as my valued advisors.

187. Next year will be a period of heavy, highly concentrated work in the preparation of Libyan independence as soon as a constitution has been drafted, a subject on which I shall have something more to say in a few moments. The draft resolution now before the General Assembly calls for the establishment of a provisional government as early as possible, bearing in mind 1 April 1951 as the target date.

188. With the national assembly meeting on the 25th of this month, I even hope that it may be possible to establish this provisional government somewhat before 1 April 1951. I hope so; I hope this will be possible because it will be highly desirable since the provisional government, with the increased and co-ordinated co-operation of the administering Powers, as well as with the aid and advice of the Commissioner and the Council, will have to accomplish an extremely heavy task in an extremely short time. It is this provisional government which will have to carry the burden of organizing the administration, including the budget of the State which is soon to be created and to prepare all the necessary measures required to enable it to exercise the powers which the administering Powers are progressively to transfer to it in order to ensure its independence not later than the end of 1951. All this will have to be done in accordance with a programme to be prepared by the Commissioner, aided and guided by the advice of the members of the Council for Libya and in co-operation with the administering Powers.

189. It is needless to stress that, besides the authorities already mentioned, the experts who are now coming out to Libya under the technical assistance programme also

will have to play a large part at this stage of the preparatory organization; the more so, during this period, Libya will also have to start the spade-work for the improvement of its economic situation. And finally, there are such intricate and delicate matters to be settled as monetary unification, Libyan nationality, a statute for the protection of the rights and interests of minorities and, last but not least, the implementation of the principles and procedures now being worked out in Sub-Committee 1 of the *Ad Hoc* Political Committee on the economic and financial provisions which are to be part of the final disposal of Libya. In this connexion, and in connexion with the statute for minorities, I have noted with great satisfaction paragraph 18 of the Rapporteur's report, in which it is made clear that certain sections of the population should not be excluded from equal participation in the life of the new State and that it is the desire of the Committee that adequate safeguards for the protection of the rights of minorities should be included in the future constitution of Libya.

190. While listening to the various speeches made in the course of this debate, I have noted with particular interest a pronounced note of criticism concerning the establishment and composition of the national assembly which is going to convene on 25 November—that is to say, five weeks before the date set by the draft resolution now before the General Assembly. The bulk of this criticism centers in particular on two points: first of all, that the national assembly is an appointed body instead of an elected body; and, secondly, that it is composed on the basis of equal representation of the three territories forming Libya, notwithstanding the great differences that exist in the respective populations.

191. Since my report to the General Assembly, prepared in consultation with the Council for Libya, contains a full account of how and why the national assembly came about as it did, and why it took up to now before it could be convened, I feel that I should be wasting the time of the General Assembly by entering into the details of the case, except to point out that the national assembly was appointed, and not elected, very much against my own advice and that equality of representation as between the three territories had to be incorporated into the national assembly's set-up as a matter of unavoidable political expediency. Both Cyrenaica and the Fezzan having made this equality of representation a *sine qua non* for their participation both in the preparatory Committee of Twenty-One and in the national assembly, neither of those two bodies would have been able to meet on a different basis, and the first essential step towards Libyan unity would not have been made if this condition had been rejected.

192. I believe that I have said enough to make it clear that, personally, I have never liked either the idea of an appointed assembly or the idea of equal representation as a permanent principle, and I wish to make it particularly clear that I have never considered it desirable—as a matter of fact, I consider it undesirable—that these two features should be incorporated in the Libyan constitution which is now to be elaborated.

193. With regard to this national assembly which is to convene on 25 November, I feel bound to say that since it is an appointed and not an elected body, there are grave doubts in my mind as to whether it will have

the necessary moral and political authority to elaborate a final and definite constitution for Libya.

194. I have always envisaged the future independent Libya as a democratic State. Hence the future parliament of Libya should preferably be an elected body, that is to say, a body to be elected by the Libyan people as a whole. At the same time, we have to recognize conditions in Libya as they are. As a result of historical and geographical circumstances, Libya is composed of three territories which, although they have a great deal in common—more than enough to constitute a nation united in a single State—have their own local peculiarities, outlooks and interests to which they are attached and which they want to safeguard. This is particularly true with regard to Cyrenaica and the Fezzan.

195. A problem of this kind is not new. It exists in many other countries, and it has been solved in many other countries. It is my conviction that it can and will be solved in Libya.

196. There is a third point which gave rise in the *Ad Hoc* Political Committee to what in my eyes was unjustified criticism, namely, the fact that the provisional government is not going to be responsible to the national assembly. In the Committee, I advised against such a responsibility for the simple and practical reason that, if the provisional government were made responsible to the national assembly, it would be virtually impossible to organize the new State for independence in the short time left. However, this does not mean that in the final constitution the government of Libya should equally not be responsible to the parliament. On the contrary, I consider that this principle of responsibility is an essential feature of a democratic State.

197. For all these reasons, it is my intention, on my return to Libya, to suggest to the Council the following advice to be given to the Libyan national assembly and to the Libyan people.

198. First, that the constitution to be prepared by the national assembly should be considered as a draft to be enacted in a provisional form, but which will require final approval and, if necessary, may be amended by a parliament to be elected by the Libyan people as a whole. Even at the cost of a certain loss of time, I feel

this to be an absolutely essential precaution if the Libyan State is to be founded on a stable political basis.

199. Secondly, that in order to reconcile the two tendencies existing in the country, that is to say, the unitary concept and that of territorial particularism, parliament should consist of two chambers—a small senate composed of elected representatives of the three territories on a basis of equality, and a popular chamber to be elected by the people as a whole. In my opinion, that popular chamber should have among its competencies the sole competence over the State budget.

200. Thirdly, that the Libyan government should be responsible to the popular chamber.

201. I trust that the Council for Libya will give me its unanimous support in tendering this advice to the Libyan national assembly and to the Libyan people. The Commissioner and the Council acting together enjoy sufficient authority to make me feel that advice of this kind will be accepted, so much the more as it corresponds to the personal opinion of a great many leading Libyan personalities in the three territories.

202. In this connexion, I should like to express my thanks for the statements which have been made in support of the views I have just expressed, which undoubtedly will help me on my return to Libya. As indicated in my report, the task ahead of us is going to be arduous not only in the field of constitutional and governmental organization, but also with regard to the establishment of the administration, the budget and the laying of a foundation for a viable economy. Nevertheless I am confident that, with the active co-operation of all concerned, Libya will be an independent State by the end of next year. As from that date, it will undoubtedly require like so many other States, technical and financial assistance for a number of years in order to establish its future existence on a durable basis. In this connexion, I may have proposals to make to the next session of the General Assembly.

203. The PRESIDENT (*translated from French*): The representatives of Syria and Egypt have asked to speak; I think, therefore, that it would be best to postpone the rest of the discussion until tomorrow morning.

It was so decided.

The meeting rose at 6.15 p.m.