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**Chairman:** Mr. Carlet R. AUGUSTE (Haiti).

*In the absence of the Chairman, Mr. Gamboa (Philippines), Vice-Chairman, took the Chair.*

**AGENDA ITEM 89**

**Question of Oman (A/4521) (*continued*)**

1. Mr. SHUKAIRY (Saudi Arabia) said that before continuing the statement he had begun at the last meeting he wished to make it clear that what he had said about Cuba at that meeting was based entirely on a partial legal analysis of the situation. The delegation of Saudi Arabia had the greatest respect for Cuba and its Government, and he recalled his statement that the case of Mr. Castro was not comparable in any way to that of the Sultan of Muscat. When he had spoken of the invasion of Cuba, he had not wished to make any kind of judgement on the facts themselves. He hoped that explanation would end any misunderstanding between him and the representative of Cuba.
2. Mr. JUARBE Y JUARBE (Cuba) said he was very grateful to the representative of Saudi Arabia for the explanation he had just given. The Cuban delegation was convinced that the representative of Saudi Arabia, who had always defended just causes, had had no intention of departing from that attitude. The delegations of Cuba and Saudi Arabia both agreed that Cuba was the victim of foreign invasion.
3. Mr. SHUKAIRY (Saudi Arabia), resuming his statement on the question of Oman, continued his remarks on the legal aspect of the action taken by the United Kingdom.
4. He quoted Sir Hartley Shawcross, a great authority on international law and a former Attorney-General of the United Kingdom, who had said that it was a well established principle in international law that intervention by a foreign Power was inadmissible, even if it took place at the request of a Government engaged in suppressing an armed insurrection or in pursuance of a treaty which was alleged to provide some justification. The matter had been treated at length by Mr. Hyde in his treatise on international law, in which he had said<sup>1</sup> that the situation was not legally altered by reason of the fact that intervention occurred in pursuance of a treaty of guaranty, or that such action was in response to an invitation from either party to the conflict. Mr. Hyde had said further that foreign interference was necessarily directed against a portion of the population of a foreign State and was thus a denial of its right to engage in or suppress a revolution or to employ its own resources to retain or acquire control over the Government of its own country. That principle therefore went without saying; in fact it was recognized not only by specialists in international law, but by the Press and people of the United Kingdom.
5. Yet the responsibility of the United Kingdom had been aggravated by its own reasoning. Explaining the reasons for the United Kingdom military intervention in Oman, Mr. Selwyn Lloyd had told the House of Commons on 22 July 1957<sup>2</sup> that the United Kingdom was not acting under treaty obligations but because it had certain duties in relation to external affairs, and that the United Kingdom was giving the full support it thought a staunch friend required.
6. The United Kingdom could have whatever friends or make whatever enemies it wished, but the United Nations should not allow world peace and stability to hinge on the friendship or enmities of the United Kingdom. Even Mr. James Morris, the United Kingdom writer who had accompanied the Sultan in the campaign of 1955,<sup>3</sup> had not found that friendship between the United Kingdom and the Sultan of Muscat justified United Kingdom military intervention, and he had said he was not quite convinced of the legality of the intervention. He had gone on to say that it was at least questionable whether the Sultan had had the right to oust the Iman, and that it could not be claimed that the United Kingdom had acted in all innocence in the affair.
7. United Kingdom intervention in Oman was a flagrant violation with full premeditation. In fact, armed aggression against Oman had become a habit for the United Kingdom. Before the present Sultan of Muscat, his father and his grandfather had been "staunch friends" whom the United Kingdom had helped, and the whole record of the United Kingdom in the area was one of support and assistance to the anglophile dynasty in Muscat, not only against the people of Oman, but against the inhabitants of Muscat.
8. In the last 150 years, it was estimated that the British had come to the rescue of the Sultan of Muscat at least fourteen times. In 1809 they had launched an expedition in support of the Sultan against the tribes of Ras al Khaimas and other areas. The campaign had failed, but another had been launched in 1819. John Gordon Lorimer, a British writer who was an authority on the matter, had reported the looting which the British had committed on that occasion. In January 1810 the Sultan of Muscat had appealed again to the British Governor of Bombay to send to his aid "your ships and victorious troops". His plea had been an-

<sup>1</sup> *Parliamentary Debates (Hansard), Fifth Series, vol. 574* (London, Her Majesty's Stationery Office, 1957), p. 34.

<sup>2</sup> James Morris, *A Sultan in Oman* (London, Faber and Faber, 1957).

swered, but it had not ended in victory. In 1820 the British, again in support of the Sultan of Muscat, had attacked the territory of Oman at Jailan and had suffered a humiliating defeat, which had been avenged in another campaign in 1821. A British officer had said that the troops from India had never suffered such a severe defeat. After 1830 the British had defended the Sultan even in the town of Muscat. The United Kingdom had launched a campaign in 1832, and another in 1834, on the pretext of checking the designs of aggrandizement of the Imam of Oman. In 1866 the British ship *H.M.S. Highflyer* had bombarded the forts at various points on the coast in revenge for the people's uprising against the Sultan of Muscat. In 1861 the British had declared their readiness to assist the Sultan of Muscat by providing support from the sea, in addition to the subsidy which they had pledged to pay him each year. In 1877 *H.M.S. Teazer* had fired at the Imam's forces, which had seized parts of Muscat itself. On that occasion, the Sultan and the Sultanate had had a narrow escape. In October 1833 there had been another intervention by sea to strengthen the shaky throne of the Sultan and to support him against his people. In 1866 the British Government had officially declared that it was determined to afford the Sultan all possible support in case of attack.

9. Later, in June and July 1913, Britain had sent a detachment of Indian soldiers under British command to the area. In November 1914 it had reinforced them, but it was not until 1915 that they had been able to drive back the forces of the Imam, after suffering heavy losses. In the same year, the situation had become very dangerous. The forces of the Imam had been so determined to fight, and resentment against the Sultan had become so strong, that Lord Harding, the Viceroy of India, had himself visited Muscat and advised the Sultan to make peace with the Imam. At that time, the Political Agent at Muscat had said that the rebels held the key to the situation, that the rising had assumed the character of a religious war and that there was much resentment among the people of the country. He had added cynically that the leaders of Oman, who enjoyed good incomes, could not be won over by corruption; and that anyway it was difficult in wartime for His Majesty's ships to come quickly to the support of the Sultan.

10. Hence, as for purely strategic reasons the United Kingdom had been unable to defend the Sultan in 1915, it had itself admitted the failure of its military action. Unfortunately that moment of wisdom had passed. After the First World War, the Sultan's throne had become so shaky that the British had had to step in to prevent a total collapse. In a book written at the time entitled *Arab Rule under the Al bu Sai'id Dynasty of Oman*, Bertram Thomas, the Foreign Minister of the present Sultan's father, had said that British aid had then taken the form of a loan by the Government of India to liquidate State debts and to enable the levy of a State Corps, commanded by a British officer, and that a British subject had been appointed as a Cabinet Minister.

11. Thus, the whole history of the United Kingdom in the area was a series of campaigns of military assistance to its friends, the Sultans of Muscat, against their enemies the Imams and the people of Oman. The United Kingdom aggression which had started in 1955, was only one phase of the United Kingdom policy in the area, and the problem must be viewed in its larger context. British policy had always been one of aggressiveness, and it had not changed with the situation.

At first Oman had been necessary to the defence of imperial communications and the route to India; it had then become valuable for its coal and other minerals; and recently, after the Second World War, it had fallen a victim to plans for the exploitation of oil.

12. The United Kingdom delegation had denied that oil was part of the conflict, but the truth was that the invasion of Oman was nothing but a war for oil. It was a fact that, following the occupation of the capital of Oman, the British had immediately sent the necessary men and equipment to the area, and drilling had started. That had been announced in articles in several papers, including *The New York Times* and *New York Herald Tribune*, on 23 July 1957. The United Kingdom might deny the accuracy of the press reports, but it could not deny the existence of a British company by the name of Petroleum Development (Oman) Ltd., a subsidiary of the Iraq Petroleum Company. How could it be denied that oil was an issue? On 29 July 1959,<sup>4</sup> Mr. Philip Noel-Baker, a British Member of Parliament, had protested against the military intervention of the British Government, stating that everything in Western Arabia was connected with oil and that it was, of course, for oil that operations had been undertaken in Oman. He had gone on to say that the Imam maintained that drilling in Oman territory was a matter entirely for Oman, but the Sultan held a contrary view and the British had backed the Sultan with arms. It was a comfort to the people of Oman in its distress that the policy of the United Kingdom had been condemned by a member of the British Parliament of such standing as Mr. Noel-Baker, but its real comfort in its struggle for independence lay with the United Nations, and that was why the item was on the agenda. The people of Oman asked only to be given their rights and to enjoy the fundamental freedoms enshrined in the Charter. The fact that it had resorted to arms and to underground activities was mainly the outcome of armed aggression initiated, organized and financed by the United Kingdom. Had it not been for the British raids, the people of Oman, whose leaders were either in prison or in exile, would be leading a peaceful life in their country.

13. The question of Oman was being raised in the General Assembly for the first time, but it should not be overlooked that the Arab League, the Arab States and the Imam himself, whose representatives were present at the meeting as observers, had already on more than one occasion sought peace with the United Kingdom, because they were anxious to settle the dispute by peaceful means. Some of the Arab States and other friendly countries had even offered their good offices. In August 1957, the intransigence of the United Kingdom and the deterioration of the situation had caused the Arab delegations to bring the matter to the notice of the Security Council.<sup>5</sup> Lobbying by the United Kingdom had prevented the item from being placed on the agenda at that time on technical grounds.

14. As for the Imam, he had always stated that he was prepared to negotiate with the United Kingdom although, as reported in *The Times* of London of 3 April 1959, a price had been placed on his head and on that of his younger brother. In July 1959 the United

<sup>4</sup> *Parliamentary Debates (Hansard)*, Fifth Series, vol. 610 (London, Her Majesty's Stationery Office, 1958-9), pp. 685-691.

<sup>5</sup> *Official Records of the Security Council, Twelfth Year, 783rd meeting.*

Kingdom through certain emissaries, had expressed its desire to enter into negotiations with the Imam, but had insisted, as a prerequisite condition of negotiations, that the Imam should declare a cease-fire. That condition had been dropped by the United Kingdom when the Imam had rejected it. After various contacts, a meeting had taken place at Beirut on 17 July 1960, attended by the Acting Political Agent of the United Kingdom in Bahrein and an Omani delegation led by the Emir of the Green Mountain. The Omani delegation had set out as a basis for negotiation the restoration of the *status quo*, the recognition of the right of the people of Oman to independence, the withdrawal of British forces, the release of political prisoners and the payment of an indemnity for war losses and damage incurred. Both sides had then departed for consultations, and British emissaries had again contacted the Imam in December 1960. They had stated at that time that the United Kingdom was prepared to start negotiations, but again on two conditions, namely, a cease-fire and the withdrawal of the question of Oman from the agenda of the United Nations. The Imam had then explained that when United Kingdom forces were withdrawn a cease-fire would automatically take place. As for the appeal to the United Nations, the Imam had stressed the fact that it was a normal means of reaching a peaceful settlement of an international dispute. A further meeting had been held at Beirut on 4 January 1961. As on the previous occasion, the delegation of Oman had reiterated its position and the parties had departed for consultation. The last meeting between the parties had taken place at Shtura in Lebanon on 24 February 1961.

15. The breakdown of the talks had been the responsibility of the United Kingdom, which was still obsessed with its dream of empire and would not recognize the independence and sovereignty of Oman as an historical reality. Moreover, the British had insisted that the Imamate, as a system, should be abandoned. Such a demand was entirely unacceptable, since it represented an obvious interference in the domestic affairs of a State. What country would tolerate a demand that it should renounce its republican system, its monarchy or any other political system? The Imamate in Oman was a religious and secular institution which symbolized the sovereignty of the State and represented the will of its people. Finally, the United Kingdom had insisted on the abrogation of the Treaty of Sib concluded in 1920 between the ruler of Muscat and the Imamate of Oman. On 12 August 1957, the United Kingdom Foreign Office had announced that as a result of the Imam's rebellion the Treaty of Sib was no longer valid. While that announcement proved that the United Kingdom was in fact a party to the Treaty, the latter could not be denounced by a unilateral act. It could be abrogated only by common agreement and after the normal functioning of the State of Oman had been restored.

16. The failure of the negotiations clearly indicated the course that the United Nations should follow. The Arab States were not calling for condemnation of the United Kingdom and were not seeking either to slander or to offend it. At the same time they did not intend to sacrifice the rights of the people of Oman. They had raised the question before the United Nations in order to seek a solution to a conflict which, as Viscount Stansgate had admitted in the House of Commons, had resulted from a military invasion. If such a solution was to be reached, certain conditions would have to be fulfilled. Firstly, the invasion of Oman should be

brought to an end, United Kingdom troops should be withdrawn and all military bases should be dismantled. Secondly, the right of the people of Oman to independence and sovereignty under the authority of their Imam should be recognized. Thirdly, political prisoners should be released without delay. Finally, the parties should be urged to negotiate with a view to reaching a peaceful settlement based on the right of the people of Oman to liberty and independence.

17. The United Kingdom would be well advised to follow that course if it wished to improve even in part its relations with the Arab world. A United Kingdom official had sought to justify the invasion of Oman by stating that British prestige in the Persian Gulf, where the United Kingdom had immense oil interests, was at stake. In reality it was only by putting an end to the invasion of Oman that the United Kingdom could salvage its legitimate interests in the Persian Gulf, which were vital to its economy. By quitting Oman and all the fringes of the Arabian Peninsula the United Kingdom would contribute greatly to world peace. The United Nations should give its support to the search for a solution based on the maintenance of peace and on respect for justice.

18. Mr. MASSOUD-ANSARI (Iran) said he had three points to make with regard to the Saudi Arabian representative's statement. First, he would like to reiterate that the Iranian Government considered the Bahrein Islands, to which the Saudi Arabian representative had referred, as integral parts of Iranian territory. Secondly, he wished to express his objections and reservations concerning the Saudi Arabian representative's assertion that in the eighteenth century Oman had influenced and exercised control over parts of Persia and Baluchistan. Finally, contrary to what the Saudi Arabian representative had said, *The New York Times* had never mentioned an "Arabian Gulf" but had referred to the Persian Gulf. The latter expression was the only one used even by the Arab geographers and historians to designate the stretch of sea between the Iranian province called "Pars" and the Arabian Peninsula. It was a universally accepted geographical term which was deeply rooted in the history of Persian civilization.

19. Mr. SHUKAIRY (Saudi Arabia) replied that he was concerned only with the question of Oman and his use of one geographical term or another did not imply any territorial claims. If there were misunderstandings it should be possible to clarify them amicably without departing during the meeting from the item under discussion.

20. Mr. MASSOUD-ANSARI (Iran) said that he was happy to take note of the Saudi Arabian representative's statement and agreed with him that only the question of Oman was under discussion.

21. Mr. ASHA (United Arab Republic) recalled that the question of Oman, though new to the Committee, had been brought before the Security Council on 15 August 1957. Unfortunately, for reasons which were well known, the Council had failed at that time even to include the question in its agenda. Had the Council examined it then and taken the necessary steps to put an end to the military aggression against the independence, sovereignty and territorial integrity of Oman, its people, who for the past six years had been fighting under their leaders in a colonial war imposed on them by the United Kingdom with all its military power, in violation of fundamental human rights and the principles of the United Nations Charter, would have been

spared great suffering. Peace-loving peoples could not condone that tragic situation.

22. The Arab homeland was at the crossroads of the Old World and was of immense strategic importance, particularly since the discovery of vast petroleum resources. The area had been covered by most of the imperialist nations and the British Empire, for example, had had enormous vested interests there, as in so many other parts of the Middle East, for two centuries. For a long time the area had been regarded as a kind of semi-colonial isthmus linking Britain's possessions in Asia and Africa. Today, all of Britain's former possessions in Asia had become independent, and the same would soon be true in Africa. But British imperialism was still alive in the so-called protectorates of Southern Arabia and in Oman.

23. The Arab people from the Atlantic to the Indian Ocean were militantly opposed to any form of foreign domination or intervention. The people of Oman were all Arabs, and the Arabs must see to it that their independence, freedom and territorial integrity were restored to them at once. No one could dispute that the question of Oman was a colonial question; that it was a political dispute between a great Power, which was a permanent member of the Security Council, and all the Arab States, whether Members or not yet Members of the United Nations. Further, no one could refute the fact that the people of Oman had exhausted all means—diplomatic and other—of finding a just solution. Unfortunately, the United Kingdom Government, whose adamant stand did not contribute to friendly relations with the Arab States, had so far failed to put an end to the bloody war against the peaceful people of Oman. Without intending to offend the representative or Government of the United Kingdom, he wished to make it clear that the United Arab Republic would do all it could to help its Arab brothers in Oman in their struggle against colonialism, in accordance with the principles of the United Nations Charter. The United Nations was the Omani people's only hope, and as such it must assume its full responsibilities and act effectively and speedily.

24. Since the statement by the Saudi Arabian representative had established the historical fact that Oman was a distinct political entity and a victim of aggression, he himself would be concerned to demonstrate only that Oman was, and must be, independent. He began by reviewing the important phases in the struggle engaged in by the Omanis, over the centuries, to repulse foreign domination. He cited a number of historical facts drawn from British sources, showing that Oman had always been an independent State and separate from Muscat. The Treaty of Sib, concluded between Oman and Muscat, confirmed that fact. The Treaty, excellently summarized by the Iraqi representative at the 783rd meeting of the Security Council, governed the relationship between Oman and Muscat. The Treaty's provisions could not serve to justify British military intervention in collaboration with the armed forces of the Sultanate of Muscat. It was noteworthy that an Englishman, Captain Eccles, had said that the Treaty of Sib was a "virtual acknowledgement of the independence of the Imamate"—a position which was further supported by geographical considerations, by the country's political system under which the office of Imam had for twelve centuries been an elective one, and by the fact that secret negotiations had been taking place between the representatives of the Imam and the British authorities.

25. He then described the circumstances in which British aggression against Oman had been unleashed in 1955. The present Imam of Oman, Iman Ghalib, had expressed his desire to join the League of Arab States in accordance with the wishes of his people. That move had not met with the approval of either the Sultan of Muscat or his protectors, the British, who had sought to frustrate the desires of the Arab nationalists by attacking Oman. The Arab League, for its part, had taken various measures to aid the Imam, and the Arab States in the United Nations had requested the Security Council to consider the question of British aggression against Oman. Unfortunately, that request had not been acted upon. On 17 December 1955, the British-led Muscat forces had seized Nizwa, the capital of Oman and seat of the Imam. It was well known that the Muscat forces had been financed by the Iraq Petroleum Company, a predominantly British-owned concern. Immediately following the occupation of the region of Fahud, an oil-rich territory which had been the objective of the attack, well-drilling had been started. Mr. James Morris, a United Kingdom journalist who had accompanied the Sultan of Muscat during the 1955 campaign, had perceived the real motives of the operation and expressed doubts as to its legality. The British authorities had furthermore admitted that their military intervention in Oman had been motivated by British interests. He cited several English and United States newspaper articles to demonstrate that the aggression against Oman had been committed by the British. The articles showed that British air, sea and land forces had been used, and described bombing raids on Omani territory. Mr. Philip Noel-Baker, Member of Parliament, had brought those facts to the attention of the House of Commons and had described the role in the matter played by oil.

26. The course of events in the Arab world since July 1958 had led the United Kingdom Government to reinforce its troops in the area of the Arabian Gulf. With the help of those reinforcements, the British had vainly tried to seal off the interior of Oman from the rest of the world. When the United Kingdom Government had announced that it was attempting to put an end to the "insurrection" in Muscat and Oman and that the "rebels" in Oman had been subdued, the Omani spokesman in Cairo had answered that the leaders of Oman would accept peace only if all foreign troops were withdrawn and the country's independence recognized. The resistance was continuing, with numerous incidents to the disadvantage of the British. The situation had so irritated the United Kingdom that it had put a price on the heads of the Omani nationalist leaders. The United Kingdom was continually strengthening the forces of the Sultanate of Muscat; and the tense situation there seemed to explain why Mr. William Yates had suggested, in the House of Commons, that a Royal Commission should be appointed to study the question of the Trucial Sheikhdoms and to re-examine the treaty arrangements with the sheikhs in that area. The Imam of Oman had declared his willingness to cease hostilities if the United Kingdom sincerely wished to negotiate.

27. He hoped that he had been able to show the members of the Committee the true nature of the aggression and convince them of the reasons why the Imam Ghalib Ibn Ali, the temporal and spiritual leader of Oman, and his people were determined to fight against colonialism until they had regained independence. He now had some comments to make on the legal

aspects of the question. The United Kingdom maintained that its legal position rested on a series of commercial treaties and minor agreements. Yet there was no clause in any of those treaties or agreements which permitted the United Kingdom to interfere in the internal affairs of either Muscat or Oman or to violate their sovereignty and territorial integrity. The principle of self-determination was sacred, and no State could surrender its right to exist. Furthermore, the treaties in question were out-of-date and the days of the treaty between conqueror and vanquished had gone forever. There was therefore no basis for the United Kingdom's argument that the legal status of Muscat and Oman was regulated by commercial and other minor treaties. Besides, under the United Nations Charter military intervention was permitted only in two cases—in self-defence under Article 51, and for the purpose of collective security under Chapter VII. Neither of those provisions could be invoked by the United Kingdom, which had disregarded the Charter, the principles of international law, and its obligations deriving from treaties. The United Kingdom had violated all the principles for which the British people and the other free nations had fought. Certain British colonial officials were attempting to justify the United Kingdom's action on grounds totally irrelevant to the issue, such as long-standing ties of friendship, which could hardly be placed on a footing with solemn obligations entered into under the Charter by a founding Member of the United Nations and a member of the Security Council. The United Nations Charter had laid the foundations of a new conception of international law and had also established a new international morality. Even *The Times* of London referring to the intervention in Oman, had stressed that the United Kingdom should be the first to respect the rule of law. The results expected by the British in Oman had not been achieved; on the contrary, the situation was distinctly menacing from their point of view.

28. There could be no question of accepting a *fait accompli*. A *fait accompli* that was based neither on justice nor on the rule of law was a perversion which society must remedy. The United Nations must put an end to the intolerable situation in Oman. If it failed in that task, the conflict would spread swiftly throughout the Middle East, and beyond. The Pact of the League of Arab States provided that the League should safeguard the interests of non-member Arab countries. The Arab States and all peace-loving peoples of the world would be called upon to assist the heroic people of Oman to regain their independence and freedom. The situation required urgent action by the United Nations. In the view of the United Arab Republic, such action should comprise the following measures: recognition of the independence of Oman and its full sovereignty over all its territory; the immediate cessation of air, naval and land operations, direct or indirect, initiated against Oman by the United Kingdom and Muscat; the immediate withdrawal of the aggressive forces from all the territory of Oman; the immediate release of all prisoners detained by the military authorities; the payment of adequate and just compensation for damage caused as a result of military operations; immediate negotiations between the warring parties with a view to reaching a peaceful and just settlement of the conflict; and a return to the conditions prevailing prior to the aggression against Oman. The delegation of the United Arab Republic hoped that a draft resolution on those lines would soon be placed before the Committee. In conclusion, he recalled President Nasser's statement in the General Assembly, at the 873rd plenary meeting, on 27 September 1960, that his most cherished hope was that the fifteenth session of the General Assembly would go down in history as the session of peace. Let peace in Oman replace hostilities, and let the Omanis enjoy the blessings of freedom and independence.

**The meeting rose at 5.50 p.m.**