

# International Court of Justice

Case Concerning Questions of  
Interpretation and Application of the  
1971 Montreal Convention Arising from  
the Aerial Incident at Lockerbie  
(Libyan Arab Jamahiriya v. United Kingdom)

*Preliminary Objections of the  
United Kingdom*

ANNEXES: VOLUME II

JUNE, 1995

## LIST OF ANNEXES

Volume I of the annexes contains a set of basic documents. Documents in Volumes II and III are set out in chronological order. Where material has been circulated as a United Nations document, the date cited is that of the United Nations document itself.

### BASIC DOCUMENTS

Annex  
Number

Title and Reference

#### Convention

- 1 Convention for the Suppression of Unlawful Acts against the Safety of Civilian Aircraft, Montreal, 23 September 1971 (the Montreal Convention), 974 United Nations Treaty Series 177.

#### UN Security Council Resolutions

- 2 Security Council Document S/RES/731 (1992), 21 January 1992: Security Council resolution 731 (1992).
- 3 Security Council Document S/RES/748 (1992), 31 March 1992: Security Council resolution 748 (1992).
- 4 Security Council Document S/RES/883 (1993), 11 November 1993: Security Council resolution 883 (1993).

#### Letters Circulated as UN Documents

- 5 General Assembly Document A/46/825 and Security Council Document S/23306, 31 December 1991: Letter from the French Permanent Representative to the United Nations Secretary-General.
- 6 General Assembly Document A/46/826 and Security Council Document S/23307, 31 December 1991: Letter from the United Kingdom Permanent Representative to the United Nations Secretary-General.
- 7 General Assembly Document A/46/827 and Security Council Document S/23308, 31 December 1991: Letter from the United States Permanent Representative to the United Nations Secretary-General.
- 8 General Assembly Document A/46/828 and Security Council Document S/23309, 31 December 1991: Letter from the Permanent Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.

Annex  
Number

Title and Reference

- 9 Security Council Document S/23441, 18 January 1992: Letter from the Libyan Permanent Representative to the President of the Security Council.

**UN Security Council Debates**

- 10 Security Council Document S/PV.3033, 21 January 1992: Provisional Verbatim record of the 3,033rd meeting of the Security Council.
- 11 Security Council Document S/PV.3063, 31 March 1992: Provisional Verbatim record of the 3,063rd meeting of the Security Council.
- 12 Security Council Document S/PV.3312, 11 November 1993: Provisional Verbatim record of the 3,312th meeting of the Security Council.

**Reports of the UN Secretary-General**

- 13 Security Council Document S/23574, 11 February 1992: Report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992).
- 14 Security Council Document S/23672, 3 March 1992: Further report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992).
- 15 Security Council Document S/23992, 22 May 1992: Report of the Secretary-General pursuant to paragraph 8 of Security Council resolution 748 (1992).

**Scottish Criminal Proceedings**

- 16 Statement of Facts by the Lord Advocate of Scotland in the case of Abdelbaset Ali Mohamed Al Megrahi and Al Amin Khalifa Fhimah, Edinburgh, 13 November 1991.
- 17 Petition of the Procurator Fiscal of Dumfries and Galloway charging Abdelbaset Ali Mohamed Al Megrahi and Al Amin Khalifa Fhimah, 13 November 1991.
- 18 Summary of Scottish Criminal Procedure in Murder Cases, May 1995.
- 19 Statement of Legal Provision concerning Offences under Scots Law, May 1995.

## CHRONOLOGICAL LIST OF DOCUMENTS

(Documents included in Volume I are marked with an asterisk)

<u>Annex Number</u>	<u>Title and Reference</u>
<b>1959</b>	
20	House of Commons Debates, 16 February 1959, columns 31 to 34.
<b>1969</b>	
21	General Assembly Document A/RES/2551 (XXIV), 6 January 1970: General Assembly resolution 2551 (XXIV).
<b>1970</b>	
22	General Assembly Document A/RES/2625 (XXV), 4 November 1970: General Assembly resolution 2625 (XXV).
23	General Assembly Document A/RES/2645 (XXV), 30 November 1970: General Assembly Resolution 2645 (XXV).
24	Security Council Document S/RES/286 (1970), 9 September 1970: Security Council resolution 286 (1970).
<b>1971</b>	
1*	Convention for the Suppression of Unlawful Acts against the Safety of Civilian Aircraft, Montreal, 23 September 1971 (the Montreal Convention), 974 United Nations Treaty Series 177.
<b>1973</b>	
25	General Assembly Document A/RES/3034 (XXVII), 11 January 1973: General Assembly resolution 3034 (XXVII).
26	House of Commons Debates, 16 April 1973, columns 43 and 44.



Annex  
Number

Title and Reference

**1984**

- 27 House of Commons Debates, 25 April 1984, columns 739 to 752.
- 28 House of Commons Debates, 1 May 1984, columns 195 to 208.
- 29 House of Commons Debates, 1 May 1984, columns 209 to 225.
- 30 Associated Press report, 17 November 1984.

**1985**

- 31 Security Council Document S/17554, 9 October 1985: Note by the President of the Security Council.
- 32 Security Council Document S/17702, 27 December 1985: Note by the President of the Security Council.

**1986**

- 33 *Le Monde* newspaper article, 5 March 1986.
- 34 House of Commons Debates, 24 April 1986, columns 209 to 211.

**1987**

- 35 Security Council Document S/18641, 28 January 1987: Note by the President of the Security Council.
- 36 Keesing's Record of World Events, Volume XXXIII (1987), p. 35218, June 1987.
- 37 House of Commons Debates, 18 November 1987, column 595.

Annex  
Number

Title and Reference

**1988**

- 38 United Nations Press Release SC/5057, 30 December 1988: Statement made on behalf of Security Council members by the President of the Security Council.
- 39 Statement from the Air Accidents Investigation Branch, United Kingdom Department of Transport.

**1989**

- 40 Security Council Document S/RES/635, 14 June 1989: Security Council resolution 635 (1989).

**1991**

- 41 Associated Press report, 17 June 1991.
- 42 Statement of the Trustees of the Police Dependants' Trust, 18 October 1991.
- 16\* Statement of Facts by the Lord Advocate of Scotland in the case of Abdelbaset Ali Mohamed Al Megrahi and Al Amin Khalifa Fhimah, Edinburgh, 13 November 1991.
- 17\* Petition of the Procurator Fiscal of Dumfries and Galloway charging Abdelbaset Ali Mohamed Al Megrahi and Al Amin Khalifa Fhimah, 13 November 1991.
- 43 Security Council Document S/23221, 16 November 1991: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 44 General Assembly Document A/46/660 and Security Council Document S/23226, 20 November 1991: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 5\* General Assembly Document A/46/825 and Security Council Document S/23306, 31 December 1991: Letter from the French Permanent Representative to the United Nations Secretary-General.
- 6\* General Assembly Document A/46/826 and Security Council Document S/23307, 31 December 1991: Letter from the United Kingdom Permanent Representative to the United Nations Secretary-General.

Annex  
Number

Title and Reference

**1991 (continued)**

- 7\* General Assembly Document A/46/827 and Security Council Document S/23308, 31 December 1991: Letter from the United States Permanent Representative to the United Nations Secretary-General.
- 8\* General Assembly Document A/46/828 and Security Council Document S/23309, 31 December 1991: Letter from the Permanent Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.

**1992**

- 45 General Assembly Document A/46/840, 9 January 1992 and A/46/840/Corr.1, 21 January 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 46 General Assembly Document A/46/841 and Security Council Document S/23396, 9 January 1992: Letter from Libyan Permanent Representative to the United Nations Secretary-General.
- 47 General Assembly Document A/46/844 and Security Council Document S/23416, 13 January 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 48 Security Council Document S/23436, 17 January 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 9\* Security Council Document S/23441, 18 January 1992: Letter from the Libyan Permanent Representative to the President of the Security Council.
- 2\* Security Council Document S/RES/731 (1992), 21 January 1992: Security Council resolution 731 (1992).
- 10\* Security Council Document S/PV.3033, 21 January 1992: Provisional Verbatim record of the 3,033rd meeting of the Security Council.
- 49 Security Council Document S/23500, 31 January 1992: Note by the President of the Security Council.

Annex  
Number

Title and Reference

**1992 (continued)**

- 13\* Security Council Document S/23574, 11 February 1992: Report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992).
- 14\* Security Council Document S/23672, 3 March 1992: Further report by the Secretary-General pursuant to paragraph 4 of Security Council resolution 731 (1992).
- 3\* Security Council Document S/RES/748 (1992), 31 March 1992: Security Council resolution 748 (1992).
- 11\* Security Council Document S/PV.3063, 31 March 1992: Provisional Verbatim record of the 3,063rd meeting of the Security Council.
- 50 Letter from the Secretary of State for Foreign and Commonwealth Affairs to Mr Robert Muir, 1 April 1992.
- 51 United Nations Press Release SG/1925, 2 April 1992.
- 52 Security Council Document S/PV.3064, 2 April 1992: Provisional Verbatim record of the 3,064th meeting of the Security Council.
- 53 Security Council Document S/23828, 22 April 1992: Letter from the French Permanent Representative to the United Nations Secretary-General.
- 54 Security Council Document S/23891, 8 May 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 55 Security Council Document S/23917, 14 May 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 56 Security Council Document S/23918, 14 May 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 15\* Security Council Document S/23992, 22 May 1992: Report of the Secretary-General pursuant to paragraph 8 of Security Council resolution 748 (1992).
- 57 House of Commons Debates, 18 June 1992, columns 1038 to 1040.

Annex  
Number

Title and Reference

**1992 (continued)**

- 58 Security Council Document S/24209, 30 June 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 59 Security Council Document S/24428, 14 August 1992: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 60 JANA (Libya News Agency) press report, 21 October 1992 (English translation).
- 61 House of Commons Debates, 20 November 1992, columns 432 and 433.
- 62 General Assembly Document A/47/758 and Security Council Document S/24913, 7 December 1992: Letter from the Permanent Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.
- 63 Security Council Document S/24961, 16 December 1992 and Security Council Document S/24961/Add.1, 18 December 1992: Letter from the Libyan Permanent Representative to United Nations Secretary-General.

**1993**

- 64 Security Council Document S/26139, 23 July 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 65 General Assembly Document A/48/314 and Security Council Document S/26304, 13 August 1993: Letter from the Permanent Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.
- 66 Security Council Document S/26313, 17 August 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 67 Security Council Document S/26500, 28 September 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.

Annex  
Number

Title and Reference

**1993 (continued)**

- 68 Material on Scottish Criminal Trial Procedure Provided by the United Kingdom to the United Nations Secretary-General, September 1993.
- 69 Security Council Document S/26523, 1 October 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 70 General Assembly Document A/48/PV.20, 26 October 1993: General Assembly 48th Session, 20th Plenary Meeting, Thursday 7 October 1993 pp.4 to 10.
- 71 Security Council Document S/26629, 26 October 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 4\* Security Council Document S/RES/883 (1993), 11 November 1993: Security Council resolution 883 (1993).
- 12\* Security Council Document S/PV.3312, 11 November 1993: Provisional verbatim record of the 3312th meeting of the Security Council.
- 72 Security Council Document S/26760, 17 November 1993: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 73 Security Council Document S/26837, 3 December 1993: Letter from the French Permanent Representative to the United Nations Secretary-General.
- 74 Security Council Document S/26859, 10 December 1993: Letter from the Chargé d'affaires of the Libyan Permanent Mission to the United Nations Secretary-General.

**1994**

- 75 Security Council Document S/1994/900, 29 July 1994: Letter from the United Nations Secretary-General to the Security Council President.
- 76 Security Council Declaration S/PRST/1994/40, 29 July 1994.
- 77 General Assembly Document A/49/299 and Security Council Document S/1994/238, 9 August 1994: Letter from Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.

Annex  
Number

Title and Reference

**1994 (continued)**

- 78 General Assembly Document A/49/PV.23: General Assembly 49th Session, 23rd Meeting, 7 October 1994 pp.9 to 15.
- 79 House of Commons Debates, 13 December 1994, columns 40 to 48.

**1995**

- 80 House of Commons Debates, 1 February 1995, columns 1056 to 1064.
- 81 General Assembly Document A/RES/49/60, 17 February 1995: General Assembly Resolution 49/60.
- 82 Security Council Document S/1995/226, 27 March 1995: Letter from the Libyan Permanent Representative to the United Nations Secretary-General.
- 83 Security Council Document S/PRST/1995/14, 30 March 1995: Note by the President of the Security Council.
- 84 General Assembly Document A/50/128 and Security Council Document S/1995/247, 30 March 1995: Letter from the Permanent Representatives of France, the United Kingdom and the United States to the United Nations Secretary-General.
- 18\* Summary of Scottish Criminal Procedure in Murder Cases, May 1995.
- 19\* Statement of Legal Provisions concerning Offences under Scots Law, May 1995.

# Annex 20



# PARLIAMENTARY DEBATES

(HANSARD)

FIFTH SERIES—VOLUME 600

## HOUSE OF COMMONS

OFFICIAL REPORT

FOURTH SESSION OF THE FORTY-FIRST PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
EIGHTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1958—59  
COMPRISING PERIOD FROM  
16th FEBRUARY—27th FEBRUARY, 1959

LONDON

HER MAJESTY'S STATIONERY OFFICE

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## JOHN WATERS (TRIBUNAL OF INQUIRY)

**The Prime Minister (Mr. Harold Macmillan):** With permission, Mr. Speaker, I will make a statement about the case of John Waters.

I have given careful consideration to the terms of the Motion standing in the name of the hon. Member for Caithness and Sutherland (Sir D. Robertson) and other hon. Members.

*[That this House calls upon Her Majesty's Government to set up a Select Committee of this House to inquire into the case of John Waters and to advise this House whether the said John Waters was assaulted by certain police officers as alleged, and in what circumstances it was decided that no prosecution should be instituted.]*

It is an established principle of Government in this country, and a tradition long supported by all political parties, that the decision as to whether any citizen should be prosecuted, or whether any prosecution should be discontinued, should be a matter where a public as opposed to a private prosecution is concerned, for the prosecuting authorities to decide on the merits of the case without political or other pressure.

It would be a most dangerous deviation from this sound principle if a prosecution were to be instituted or abandoned as a result of political pressure or popular clamour. In this case, my right hon. and learned Friend the Lord Advocate decided, after considering the evidence before him, that criminal proceedings would not be justified.

In reaching his decisions the Lord Advocate's duty in Scotland, like the Attorney-General's in England, is to act in a quasi-judicial capacity, whether the person involved is a public functionary or a private citizen. In the words of Lord Simon he should

"absolutely decline to receive orders from the Prime Minister or Cabinet or anybody else that he should prosecute".

This is an important aspect of the matter. Nevertheless, although this principle must stand, there is a second which cannot be ignored. Considerable disquiet has been expressed both inside and outside the House over this affair and

public confidence has been correspondingly disturbed. The Government have therefore, felt it right that there should be some form of inquiry.

The most convenient method is clearly to act under the Tribunals of Inquiry (Evidence) Act, 1921. The purpose would be to inquire into the allegation that John Waters was assaulted at Thurso on 7th December, 1957, and into the action taken by the Caithness police. This would give the fullest opportunity for all the available evidence as to what happened on 7th December, 1957, to be brought out and examined by the Tribunal and for full inquiry as to whether the events were properly investigated by the police.

We propose that the necessary Motion should be taken as the first item of business tomorrow.

**Mr. Gaitskell:** I am sure that the whole House will welcome the decision announced by the Prime Minister and the fact that the Government, taking into account the feeling in the House and in the country, have decided to institute this inquiry after all. A special word of credit is, I feel, due to the hon. Member for Caithness and Sutherland (Sir D. Robertson), who has pressed this matter very strongly, with support from all parts of the House, and I feel myself this is much the best outcome.

**Sir D. Robertson:** May I associate myself with the words used by the Leader of the Opposition, and ask the Prime Minister to accept my grateful thanks: and those of my constituents and, I believe, of all the people and of our free Press for the prompt and efficient action that he has taken on this case?

**Sir L. Unged-Thomas:** While accepting, of course, the very fine statement of constitutional principle which the Prime Minister has just given us, may I ask the Prime Minister whether he does not realise that it really overlooks what has caused all the difficulty in this case, namely, the refusal of the Lord Advocate and of the Joint Under-Secretary of State for Scotland to give the grounds upon which the prosecution was turned down? This House is, of course, entitled to know the grounds upon which that was done—  
[HON. MEMBERS: "No."]—without, of course, inquiring into any detail about it.

**The Prime Minister :** All these are matters, like so much of our constitution, of balance and good sense. I think that it would be the general view of the House that it would be a very bad thing if the House or the Cabinet of the day tried to influence the semi-judicial functions of the Law Officers in the institution or the dropping of prosecutions. I do not want a Campbell case in reverse. At the same time, these are matters of balance. I think that the decision we have taken will commend itself as a reasonable settlement.

**Mr. Ede :** Could the Prime Minister tell me this? Recently, there have been two such tribunals, the Lynskey and Parker Tribunals. In each case the witnesses were examined in chief by the Attorney-General, who assembled the evidence. Would it not be rather peculiar if, in this case, that function fell to the Lord Advocate, who has already expressed an opinion very strongly on the issues which will be submitted to the Tribunal?

**The Prime Minister :** No. I must make it clear that the Lord Advocate has merely given his view that up to now there has been no evidence which would justify a prosecution, but I take note of the right hon. Gentleman's point. I think that we shall find it fairly easy to make arrangements for the Tribunal which will overcome his difficulty.

**Mr. Ede :** I thank the right hon. Gentleman.

**Mr. Doughty :** Does the Prime Minister agree that it would be most undesirable if Law Officers, so far as their judicial functions are concerned, came to the House

and gave explanations upon legal matters of that kind, upon which they could be questioned and debate take place, matters on which they are asked to advise solely in their judicial capacity?

**The Prime Minister :** Yes, and what I have suggested, while completely preserving the principle which, I think, we all feel important, meets, I think, the general feeling of the House as to the best way to handle this matter.

**Mr. S. Silverman :** On a point of order. I would call your attention, Mr. Speaker, to the last supplementary question and answer, and ask you whether, as a matter of order, that question and answer were not both misconceived. Has it not been the invariable practice for very many years to permit Questions to be put down to the Attorney-General, and for the Attorney-General to answer them, about his reasons for the exercise of his functions? Quite clearly, he is not to be subject to any pressure, but information to the House has always been thought well within our Standing Orders and practice.

**Mr. Speaker :** The original Question by the hon. Member for Caithness and Sutherland (Sir D. Robertson) was, of course, in order. Otherwise, it would not have been allowed to appear on the Order Paper.

## BUSINESS OF THE HOUSE

Proceedings on the Malta (Letters Patent) Bill exempted, at this day's Sitting, from the provisions of Standing Order No. 1 (Sittings of the House).—  
[*The Prime Minister.*]

# Annex 21



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/RES/2551 (XXIV)  
6 January 1970

Twenty-fourth session  
Agenda item 105

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/7845)]

2551 (XXIV). Forcible diversion of civil aircraft in flight

The General Assembly,

Deeply concerned over acts of unlawful interference with international civil aviation,

Considering it necessary to recommend effective measures against hijacking in all its forms, or any other unlawful seizure or exercise of control of aircraft,

Mindful that such acts may endanger the life and health of passengers and crew in disregard of commonly accepted humanitarian considerations,

Aware that international civil aviation can only function properly in conditions guaranteeing the safety of its operations and the due exercise of the freedom of air travel,

1. Calls upon States to take every appropriate measure to ensure that their respective national legislations provide an adequate framework for effective legal measures against all kinds of acts of unlawful interference with, seizure of, or other wrongful exercise of control by force or threat thereof over, civil aircraft in flight;

2. Urges States in particular to ensure that persons on board who perpetrate such acts are prosecuted;

3. Urges full support for the efforts of the International Civil Aviation Organization directed towards the speedy preparation and implementation of a convention providing for appropriate measures, inter alia, with respect to making the unlawful seizure of civil aircraft a punishable offence and to the prosecution of persons who commit that offence;

4. Invites States to ratify or accede to the Convention on Offences and Certain Other Acts Committed on Board Aircraft, signed at Tokyo on 14 September 1963, in conformity with the Convention.

1831st plenary meeting,  
12 December 1969.

# Annex 22



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/RES/2625 (XXV)  
4 November 1970

Twenty-fifth session  
Agenda item 85

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/8082)]

2625 (XXV). Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations

The General Assembly,

Recalling its resolutions 1815 (XVII) of 18 December 1962, 1966 (XVIII) of 16 December 1963, 2103 (XX) of 20 December 1965, 2181 (XXI) of 12 December 1966, 2327 (XXII) of 18 December 1967, 2463 (XXIII) of 20 December 1968 and 2533 (XXIV) of 8 December 1969, in which it affirmed the importance of the progressive development and codification of the principles of international law concerning friendly relations and co-operation among States,

Having considered the report of the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States,<sup>1/</sup> which met in Geneva from 31 March to 1 May 1970,

Emphasizing the paramount importance of the Charter of the United Nations for the maintenance of international peace and security and for the development of friendly relations and co-operation among States,

Deeply convinced that the adoption of the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations on the occasion of the

<sup>1/</sup> Official Records of the General Assembly, Twenty-fifth Session, Supplement No. 18 (A/8018).



twenty-fifth anniversary of the United Nations would contribute to the strengthening of world peace and constitute a landmark in the development of international law and of relations among States, in promoting the rule of law among nations and particularly the universal application of the principles embodied in the Charter,

Considering the desirability of the wide dissemination of the text of the Declaration,

1. Approves the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, the text of which is annexed to the present resolution;
2. Expresses its appreciation to the Special Committee on Principles of International Law concerning Friendly Relations and Co-operation among States for its work resulting in the elaboration of the Declaration;
3. Recommends that all efforts be made so that the Declaration becomes generally known.

1883rd plenary meeting,  
24 October 1970.

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ANNEX

Declaration on Principles of International Law  
concerning Friendly Relations and Co-operation  
among States in accordance with the Charter of  
the United Nations

Preamble

The General Assembly,

Reaffirming in the terms of the Charter of the United Nations that the maintenance of international peace and security and the development of friendly relations and co-operation between nations are among the fundamental purposes of the United Nations,

Recalling that the peoples of the United Nations are determined to practise tolerance and live together in peace with one another as good neighbours,

Bearing in mind the importance of maintaining and strengthening international peace founded upon freedom, equality, justice and respect for fundamental human rights and of developing friendly relations among nations irrespective of their political, economic and social systems or the levels of their development,

Bearing in mind also the paramount importance of the Charter of the United Nations in the promotion of the rule of law among nations,

Considering that the faithful observance of the principles of international law concerning friendly relations and co-operation among States and the fulfilment in good faith of the obligations assumed by States, in accordance with the Charter, is of the greatest importance for the maintenance of international peace and security and for the implementation of the other purposes of the United Nations,

Noting that the great political, economic and social changes in scientific progress which have taken place in the world since the adoption of the Charter give increased importance to these principles and to the need for their more effective application in the conduct of States wherever carried on,

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Recalling the established principle that outer space, including the Moon and other celestial bodies, is not subject to national appropriation by claim of sovereignty, by means of use or occupation, or by any other means, and mindful of the fact that consideration is being given in the United Nations to the question of establishing other appropriate provisions similarly inspired,

Convinced that the strict observance by States of the obligation not to intervene in the affairs of any other State is an essential condition to ensure that nations live together in peace with one another, since the practice of any form of intervention not only violates the spirit and letter of the Charter, but also leads to the creation of situations which threaten international peace and security,

Recalling the duty of States to refrain in their international relations from military, political, economic or any other form of coercion aimed against the political independence or territorial integrity of any State,

Considering it essential that all States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,

Considering it equally essential that all States shall settle their international disputes by peaceful means in accordance with the Charter,

Reaffirming, in accordance with the Charter, the basic importance of sovereign equality and stressing that the purposes of the United Nations can be implemented only if States enjoy sovereign equality and comply fully with the requirements of this principle in their international relations,

Convinced that the subjection of peoples to alien subjugation, domination and exploitation constitutes a major obstacle to the promotion of international peace and security,

Convinced that the principle of equal rights and self-determination of peoples constitutes a significant contribution to contemporary international law, and that its effective application is of paramount importance for the promotion of friendly relations among States, based on respect for the principle of sovereign equality,

Convinced in consequence that any attempt aimed at the partial or total disruption of the national unity and territorial integrity of a State or country or at its political independence is incompatible with the purposes and principles of the Charter,

Considering the provisions of the Charter as a whole and taking into account the role of relevant resolutions adopted by the competent organs of the United Nations relating to the content of the principles,

Considering that the progressive development and codification of the following principles:

- (a) The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations,
- (b) The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered,
- (c) The duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter,
- (d) The duty of States to co-operate with one another in accordance with the Charter,
- (e) The principle of equal rights and self-determination of peoples,
- (f) The principle of sovereign equality of States,
- (g) The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter,

so as to secure their more effective application within the international community, would promote the realization of the purposes of the United Nations,

Having considered the principles of international law relating to friendly relations and co-operation among States,

1. Solemnly proclaims the following principles:

/...

The principle that States shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations

Every State has the duty to refrain in its international relations from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations. Such a threat or use of force constitutes a violation of international law and the Charter of the United Nations and shall never be employed as a means of settling international issues.

A war of aggression constitutes a crime against the peace, for which there is responsibility under international law.

In accordance with the purposes and principles of the United Nations, States have the duty to refrain from propaganda for wars of aggression.

Every State has the duty to refrain from the threat or use of force to violate the existing international boundaries of another State or as a means of solving international disputes, including territorial disputes and problems concerning frontiers of States.

Every State likewise has the duty to refrain from the threat or use of force to violate international lines of demarcation, such as armistice lines, established by or pursuant to an international agreement to which it is a party or which it is otherwise bound to respect. Nothing in the foregoing shall be construed as prejudicing the positions of the parties concerned with regard to the status and effects of such lines under their special régimes or as affecting their temporary character.

States have a duty to refrain from acts of reprisal involving the use of force.

Every State has the duty to refrain from any forcible action which deprives peoples referred to in the elaboration of the principle of equal rights and self-determination of their right to self-determination and freedom and independence.

Every State has the duty to refrain from organizing or encouraging the organization of irregular forces or armed bands, including mercenaries, for incursion into the territory of another State.

Every State has the duty to refrain from organizing, instigating, assisting or participating in acts of civil strife or terrorist acts in another State or

/...

acquiescing in organized activities within its territory directed towards the commission of such acts, when the acts referred to in the present paragraph involve a threat or use of force.

The territory of a State shall not be the object of military occupation resulting from the use of force in contravention of the provisions of the Charter. The territory of a State shall not be the object of acquisition by another State resulting from the threat or use of force. No territorial acquisition resulting from the threat or use of force shall be recognized as legal. Nothing in the foregoing shall be construed as affecting:

- (a) Provisions of the Charter or any international agreement prior to the Charter régime and valid under international law; or
- (b) The powers of the Security Council under the Charter.

All States shall pursue in good faith negotiations for the early conclusion of a universal treaty on general and complete disarmament under effective international control and strive to adopt appropriate measures to reduce international tensions and strengthen confidence among States.

All States shall comply in good faith with their obligations under the generally recognized principles and rules of international law with respect to the maintenance of international peace and security, and shall endeavour to make the United Nations security system based on the Charter more effective.

Nothing in the foregoing paragraphs shall be construed as enlarging or diminishing in any way the scope of the provisions of the Charter concerning cases in which the use of force is lawful.

The principle that States shall settle their international disputes by peaceful means in such a manner that international peace and security and justice are not endangered

Every State shall settle its international disputes with other States by peaceful means, in such a manner that international peace and security and justice are not endangered.

States shall accordingly seek early and just settlement of their international disputes by negotiation, inquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements or other peaceful means

/...

of their choice. In seeking such a settlement the parties shall agree upon such peaceful means as may be appropriate to the circumstances and nature of the dispute.

The parties to a dispute have the duty, in the event of failure to reach a solution by any one of the above peaceful means, to continue to seek a settlement of the dispute by other peaceful means agreed upon by them.

States parties to an international dispute, as well as other States, shall refrain from any action which may aggravate the situation so as to endanger the maintenance of international peace and security, and shall act in accordance with the purposes and principles of the United Nations.

International disputes shall be settled on the basis of the sovereign equality of States and in accordance with the principle of free choice of means. Recourse to, or acceptance of, a settlement procedure freely agreed to by States with regard to existing or future disputes to which they are parties shall not be regarded as incompatible with sovereign equality.

Nothing in the foregoing paragraphs prejudices or derogates from the applicable provisions of the Charter, in particular those relating to the pacific settlement of international disputes.

The principle concerning the duty not to intervene in matters within the domestic jurisdiction of any State, in accordance with the Charter

No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. Consequently, armed intervention and all other forms of interference or attempted threats against the personality of the State or against its political, economic and cultural elements, are in violation of international law.

No State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights and to secure from it advantages of any kind. Also, no State shall organize, assist, foment, finance, incite or tolerate subversive, terrorist or armed activities directed towards the violent overthrow of the régime of another State, or interfere in civil strife in another State.

/...

The use of force to deprive peoples of their national identity constitutes a violation of their inalienable rights and of the principle of non-intervention.

Every State has an inalienable right to choose its political, economic, social and cultural systems, without interference in any form by another State.

Nothing in the foregoing paragraphs shall be construed as affecting the relevant provisions of the Charter relating to the maintenance of international peace and security.

The duty of States to co-operate with one another in  
accordance with the Charter

States have the duty to co-operate with one another, irrespective of the differences in their political, economic and social systems, in the various spheres of international relations, in order to maintain international peace and security and to promote international economic stability and progress, the general welfare of nations and international co-operation free from discrimination based on such differences.

To this end:

- (a) States shall co-operate with other States in the maintenance of international peace and security;
- (b) States shall co-operate in the promotion of universal respect for, and observance of, human rights and fundamental freedoms for all, and in the elimination of all forms of racial discrimination and all forms of religious intolerance;
- (c) States shall conduct their international relations in the economic, social, cultural, technical and trade fields in accordance with the principles of sovereign equality and non-intervention;
- (d) States Members of the United Nations have the duty to take joint and separate action in co-operation with the United Nations in accordance with the relevant provisions of the Charter.

States should co-operate in the economic, social and cultural fields as well as in the field of science and technology and for the promotion of international cultural and educational progress. States should co-operate in the promotion of economic growth throughout the world, especially that of the developing countries.



The principle of equal rights and self-determination  
of peoples

By virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and every State has the duty to respect this right in accordance with the provisions of the Charter.

Every State has the duty to promote, through joint and separate action, realization of the principle of equal rights and self-determination of peoples, in accordance with the provisions of the Charter, and to render assistance to the United Nations in carrying out the responsibilities entrusted to it by the Charter regarding the implementation of the principle, in order:

- (a) To promote friendly relations and co-operation among States; and
- (b) To bring a speedy end to colonialism, having due regard to the freely expressed will of the peoples concerned;

and bearing in mind that subjection of peoples to alien subjugation, domination and exploitation constitutes a violation of the principle, as well as a denial of fundamental human rights, and is contrary to the Charter.

Every State has the duty to promote through joint and separate action universal respect for an observance of human rights and fundamental freedoms in accordance with the Charter.

The establishment of a sovereign and independent State, the free association or integration with an independent State or the emergence into any other political status freely determined by a people constitute modes of implementing the right of self-determination by that people.

Every State has the duty to refrain from any forcible action which deprives peoples referred to above in the elaboration of the present principle of their right to self-determination and freedom and independence. In their actions against, and resistance to, such forcible action in pursuit of the exercise of their right to self-determination, such peoples are entitled to seek and to receive support in accordance with the purposes and principles of the Charter.

/...

The territory of a colony or other Non-Self-Governing Territory has, under the Charter, a status separate and distinct from the territory of the State administering it; and such separate and distinct status under the Charter shall exist until the people of the colony or Non-Self-Governing Territory have exercised their right of self-determination in accordance with the Charter, and particularly its purposes and principles.

Nothing in the foregoing paragraphs shall be construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States conducting themselves in compliance with the principle of equal rights and self-determination of peoples as described above and thus possessed of a government representing the whole people belonging to the territory without distinction as to race, creed or colour.

Every State shall refrain from any action aimed at the partial or total disruption of the national unity and territorial integrity of any other State or country.

The principle of sovereign equality of States

All States enjoy sovereign equality. They have equal rights and duties and are equal members of the international community, notwithstanding differences of an economic, social, political or other nature.

In particular, sovereign equality includes the following elements:

- (a) States are juridically equal;
- (b) Each State enjoys the rights inherent in full sovereignty;
- (c) Each State has the duty to respect the personality of other States;
- (d) The territorial integrity and political independence of the State are inviolable;
- (e) Each State has the right freely to choose and develop its political, social, economic and cultural systems;
- (f) Each State has the duty to comply fully and in good faith with its international obligations and to live in peace with other States.

The principle that States shall fulfil in good faith the obligations assumed by them in accordance with the Charter

Every State has the duty to fulfil in good faith the obligations assumed by it in accordance with the Charter of the United Nations.

Every State has the duty to fulfil in good faith its obligations under the generally recognized principles and rules of international law.

Every State has the duty to fulfil in good faith its obligations under international agreements valid under the generally recognized principles and rules of international law.

Where obligations arising under international agreements are in conflict with the obligations of Members of the United Nations under the Charter of the United Nations, the obligations under the Charter shall prevail.

General part

2. Declares that:

In their interpretation and application the above principles are interrelated and each principle should be construed in the context of the other principles.

Nothing in this Declaration shall be construed as prejudicing in any manner the provisions of the Charter or the rights and duties of Member States under the Charter or the rights of peoples under the Charter, taking into account the elaboration of these rights in this Declaration.

3. Declares further that:

The principles of the Charter which are embodied in this Declaration constitute basic principles of international law, and consequently appeals to all States to be guided by these principles in their international conduct and to develop their mutual relations on the basis of the strict observance of these principles.

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## Annex 23



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/RES/2645 (XXV)  
30 November 1970

Twenty-fifth session  
Agenda item 99

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[On the report of the Sixth Committee (A/8176)]

2645 (XXV). Aerial hijacking or interference with civil air travel

The General Assembly,

Recognizing that international civil aviation is a vital link in the promotion and preservation of friendly relations among States and that its safe and orderly functioning is in the interest of all peoples,

Gravely concerned over acts of aerial hijacking or other wrongful interference with civil air travel,

Recognizing that such acts jeopardize the lives and safety of the passengers and crew and constitute a violation of their human rights,

Aware that international civil aviation can only function properly in conditions guaranteeing the safety of its operations and the due exercise of the freedom of air travel,

Endorsing the solemn declaration<sup>1/</sup> of the extraordinary session of the Assembly of the International Civil Aviation Organization held at Montreal from 16 to 30 June 1970,

Bearing in mind General Assembly resolution 2551 (XXIV) of 12 December 1969, and Security Council resolution 286 (1970) of 9 September 1970 adopted by consensus at the 1552nd meeting of the Council,

<sup>1/</sup> International Civil Aviation Organization, Resolutions adopted by the Assembly, Seventeenth Session (Extraordinary) (Montreal, 1970), resolution A17-1.

1. Condemns, without exception whatsoever, all acts of aerial hijacking or other interference with civil air travel, whether originally national or international, through the threat or use of force, and all acts of violence which may be directed against passengers, crew and aircraft engaged in, and air navigation facilities and aeronautical communications used by, civil air transport;

2. Calls upon States to take all appropriate measures to deter, prevent or suppress such acts within their jurisdiction, at every stage of the execution of those acts, and to provide for the prosecution and punishment of persons who perpetrate such acts, in a manner commensurate with the gravity of those crimes, or, without prejudice to the rights and obligations of States under existing international instruments relating to the matter, for the extradition of such persons for the purpose of their prosecution and punishment;

3. Declares that the exploitation of unlawful seizure of aircraft for the purpose of taking hostages is to be condemned;

4. Declares further that the unlawful detention of passengers and crew in transit or otherwise engaged in civil air travel is to be condemned as another form of wrongful interference with free and uninterrupted air travel;

5. Urges States to the territory of which a hijacked aircraft is diverted to provide for the care and safety of its passengers and crew and to enable them to continue their journey as soon as practicable and to return the aircraft and its cargo to the persons lawfully entitled to possession;

6. Invites States to ratify or accede to the Convention on Offences and Certain Other Acts Committed on Board Aircraft signed at Tokyo on 14 September 1963,<sup>2/</sup> in conformity with the Convention;

7. Requests concerted action on the part of States, in accordance with the Charter of the United Nations, towards suppressing all acts which jeopardize the safe and orderly development of international civil air transport;

8. Calls upon States to take joint and separate action, in accordance with the Charter, in co-operation with the United Nations and the International Civil Aviation Organization to ensure that passengers, crew and aircraft engaged in civil aviation are not used as a means of extorting advantage of any kind;

<sup>2/</sup> United Nations, Treaty Series, vol. 704 (1969), No. 10106.

9. Urges full support for the current efforts of the International Civil Aviation Organization towards the development and co-ordination, in accordance with its competence, of effective measures in respect of interference with civil air travel;

10. Calls upon States to make every possible effort to achieve a successful result at the diplomatic conference to convene at The Hague in December 1970 for the purpose of the adoption of a convention on the unlawful seizure of aircraft, so that an effective convention may be brought into force at an early date.

1914th plenary meeting,  
25 November 1970.

# Annex 24





UNITED NATIONS  
SECURITY  
COUNCIL



Distr.  
GENERAL

S/RES/286 (1970)  
9 September 1970

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RESOLUTION 286 (1970)

Adopted by the Security Council at its 1552nd meeting, on  
9 September 1970

The Security Council,

Gravely concerned at the threat to innocent civilian lives from the hijacking of aircraft and any other interference in international travel,

Appeals to all parties concerned for the immediate release of all passengers and crews without exception, held as a result of hijackings and other interference in international travel,

Calls on States to take all possible legal steps to prevent further hijackings or any other interference with international civil air travel.

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## Annex 25



UNITED NATIONS  
GENERAL  
ASSEMBLY



Distr.  
GENERAL

A/RES/3034 (XXVII)  
11 January 1973

Twenty-seventh session  
Agenda item 92

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Sixth Committee (A/8969, A/L.696)]

- 3034 (XXVII). Measures to prevent international terrorism which endangers or takes innocent human lives or jeopardizes fundamental freedoms, and study of the underlying causes of those forms of terrorism and acts of violence which lie in misery, frustration, grievance and despair and which cause some people to sacrifice human lives, including their own, in an attempt to effect radical changes

The General Assembly,

Deeply perturbed over acts of international terrorism which are occurring with increasing frequency and which take a toll of innocent human lives,

Recognizing the importance of international co-operation in devising measures effectively to prevent their occurrence and of studying their underlying causes with a view to finding just and peaceful solutions as quickly as possible;

Recalling the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations, 1/

1. Expresses deep concern over increasing acts of violence which endanger or take innocent human lives or jeopardize fundamental freedoms;

2. Urges States to devote their immediate attention to finding just and peaceful solutions to the underlying causes which give rise to such acts of violence;

1/ General Assembly resolution 2625 (XXV).

3. Reaffirms the inalienable right to self-determination and independence of all peoples under colonial and racist régimes and other forms of alien domination and upholds the legitimacy of their struggle, in particular the struggle of national liberation movements, in accordance with the purposes and principles of the Charter and the relevant resolutions of the organs of the United Nations;

4. Condemns the continuation of repressive and terrorist acts by colonial, racist and alien régimes in denying peoples their legitimate right to self-determination and independence and other human rights and fundamental freedoms;

5. Invites States to become parties to the existing international conventions which relate to various aspects of the problem of international terrorism;

6. Invites States to take all appropriate measures at the national level with a view to the speedy and final elimination of the problem, bearing in mind the provisions of paragraph 3 above;

7. Invites States to consider the subject-matter urgently and submit observations to the Secretary-General by 10 April 1973, including concrete proposals for finding an effective solution to the problem;

8. Requests the Secretary-General to transmit an analytical study of the observations of States submitted under paragraph 7 above to the ad hoc committee to be established under paragraph 9;

9. Decides to establish an Ad Hoc Committee on International Terrorism consisting of thirty-five members to be appointed by the President of the General Assembly bearing in mind the principle of equitable geographical representation;

10. Requests the Ad Hoc Committee to consider the observations of States under paragraph 7 above and submit its report with recommendations for possible co-operation for the speedy elimination of the problem, bearing in mind the provisions of paragraph 3, to the General Assembly at its twenty-eighth session;

11. Requests the Secretary-General to provide the Ad Hoc Committee with the necessary facilities and services;

12. Decides to include the item in the provisional agenda of its twenty-eighth session.

2114th plenary meeting  
18 December 1972

# Annex 26

# PARLIAMENTARY DEBATES

(HANSARD)

FIFTH SERIES—VOLUME 855

## HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FORTY-FIFTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
TWENTY-SECOND YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1972-73  
COMPRISING PERIOD FROM  
16th APRIL — 4th MAY, 1973

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unions, 241 registered employers' associations and 25 organisations on the Special Register. Twelve other organisations were still on the Provisional Register. The latest available figures of the number of trade unions in this country relate to the end of 1971, when there were 469 organisations of employees with a total membership of 10,935,000. The membership of registered trade unions at the present time is estimated to be over 1 million but precise figures are not yet available.

Registered organisations and their members are entitled to special legal protection and other benefits under the Industrial Relations Act 1971. The attainment and retention of registered status serves as a guarantee to members and to the community generally that the organisations which enjoy these privileges satisfy minimum standards of administration, and that their rules deal comprehensively with the management of the organisation and the rights and obligations of members.

## FOREIGN AND COMMONWEALTH AFFAIRS

### IRA Arms Shipment

**Mr. Kilfedder** asked the Secretary of State for Foreign and Commonwealth Affairs if he will protest to the Eire Government about the release of the "Claudia" after it was detained by the Eire authorities off the Waterford coast and found to have arms and members of the IRA on board; and what explanation has been given by the Eire Government for its action in allowing the "Claudia" and its captain and crew to go free.

**Mr. Anthony Royle**: The arrest of the "Claudia" is the concern of the Irish Government. The affair is *sub judice* in the Republic pending the trial of those arrested. We have, naturally, kept in touch with the Irish Government through the normal diplomatic channels: the details must remain confidential.

**Mr. Kilfedder** asked the Secretary of State for Foreign and Commonwealth Affairs if he will protest to the West German Government about the gun-running activities of Herr Guenther Leinhauser, the managing director of the

company which owned the "Claudia", and the captain, Hans Ludwig Fluegel; and what reply has been received.

**Mr. Kershaw**: The arrest of the "Claudia" is the concern of the Irish authorities. We are in touch with the German authorities in connection with the statements made by the individual concerned: the details must remain confidential.

### Mr. Peter Niesewand

**Mr. Powell** asked the Secretary of State for Foreign and Commonwealth Affairs by what title Mr. Peter Niesewand is a British subject.

**Lord Balniel**: I understand that in 1964 Mr. Niesewand became a citizen of Southern Rhodesia by registration under Rhodesian legislation, the Citizenship of Southern Rhodesia and British Nationality Act 1963. He is therefore a British subject under Section 1 of the British Nationality Act 1948 by virtue of his citizenship of Southern Rhodesia.

### Israel

**Mr. Faulds** asked the Secretary of State for Foreign and Commonwealth Affairs who will represent Her Majesty's Government at the military parade which is being held in Jerusalem on 7th May in celebration of 25 years of the founding of the State of Israel.

**Lord Balniel**: Her Majesty's Government will not be represented at the military parade.

## HOME DEPARTMENT

### Police Officers (False Evidence)

**Mr. Gorst** asked the Secretary of State for the Home Department how many complaints his Department or other police authorities received during the past year of false evidence being given in court by police officers; how many investigations have taken place as a result of either complaints received or for any other reason; how many prosecutions have been instituted; in how many cases disciplinary action has been taken; and in how many cases officers have been found guilty.

**Mr. Carlisle**: Prosecutions following allegations of perjury were instituted in

# Annex 27



# PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 58

## HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FORTY-NINTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTY-THIRD YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1983-84

COMPRISING PERIOD  
9 APRIL—27 APRIL 1984

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## Libyan People's Bureau (Shooting Incident)

4 pm

**The Secretary of State for the Home Department (Mr. Leon Brittan):** With permission, Mr. Speaker, I should like to make a statement about the events of the last week arising from the shooting incident in St. James's square.

At 10 am on 17 April, a peaceable demonstration was taking place outside the Libyan people's bureau. The police were fully in control and there were no problems of public order. Without any warning, shots were fired from an automatic weapon from a window on the first floor of the bureau. Twelve people were injured and were taken to hospital, including a woman police constable, Yvonne Fletcher, who, as the House knows, died shortly afterwards. I am sure that all hon. Members will wish to be associated with the message of deepest sympathy that I sent to Yvonne Fletcher's parents. [HON. MEMBERS: "Hear, hear."]

The police acted immediately to cordon off the area and to evacuate nearby buildings. They have since maintained a protective watch on the bureau and controlled movements there. I should like to pay tribute to the police for the exemplary way in which they have handled this difficult position throughout, with great skill and patience.

I should add that at 8 pm on 20 April a bomb exploded in the luggage collection hall at Heathrow airport, injuring 25 people. Inquiries into that further incident are continuing. It is not yet clear whether it is connected with what happened in St. James's square.

The murder of WPC Fletcher from inside the Libyan people's bureau was a barbaric outrage. It was, as my hon. Friend the Minister of State, Foreign and Commonwealth Office, made clear in his announcement on 22 April, a wholly unacceptable and unprecedented breach of British law, international law and the Vienna convention on diplomatic relations.

After the shooting took place, we immediately asked the Libyan authorities to instruct those inside the bureau to leave the building and to allow it to be searched for weapons and explosives. That request has been repeatedly refused by the Libyans.

In the face of that Libyan refusal, we proposed to the Libyan authorities three things as a basis for terminating diplomatic relations by agreement: first, that all current occupants of the people's bureau and all other Libyan diplomatic staff in the United Kingdom should leave the country in safety; secondly, that our own diplomatic staff should leave Libya in safety; and thirdly, that we should be satisfied that all weapons and explosives were removed from the Libyan people's bureau, and that its buildings in the United Kingdom were no longer capable of being used as a base for terrorist acts.

The Libyans did not accept those proposals. Instead, they in effect suggested that the outrage of 17 April should simply be put on one side. Colonel Gaddafi proposed a Libyan commission of inquiry, to come to the United Kingdom and inquire into the facts, and for any Libyan implicated to be put on trial in Libya. We regarded that response to the flagrant abuse of diplomatic immunity and the murderous attack on WPC Fletcher as wholly inadequate.

We therefore decided to break diplomatic relations forthwith with Libya, with effect from 6 pm on 22 April. We informed the Libyan authorities that all their diplomatic staff in London and anyone else in the Libyan people's bureau in St. James's square have until midnight on 29-30 April to vacate their premises and leave the country. They are free to leave at any time before then, if they wish, and we are making arrangements for their safe passage out of the country, but we will not permit them to remain beyond Sunday night. It is at that point that any diplomatic immunity expires.

The police will satisfy themselves that anyone emerging from the bureau is not carrying arms and explosives with them when they leave the premises, and then that the premises are safe and secure. I should add that the police view is that, without the co-operation of those in the bureau, it does not seem possible that evidence could be obtained that would sustain in court a criminal charge for the murder.

We have informed the Libyans that the staff of the British embassy will be withdrawn from Libya by midnight on 29-30 April, and we look to the authorities there to fulfil their obligation to guarantee their safe departure. We have also made it clear to the Libyan authorities that we hold them responsible for the safety of the British community in Libya, to which we have attached the highest importance throughout. We have exercised our right to designate a protecting power to look after their interests. We are most grateful to the Italian Government for agreeing to undertake that task, and the Libyan Government have agreed to that. In London, the embassy of Saudi Arabia will act in a similar way for the Libyans.

I should also inform the House of the action that I have taken on other Libyans in this country or who wish to travel here. I am looking carefully at any evidence that the presence of any individual here is against the national interest, and I am not hesitating to use my powers of removal where it is. Two Libyans have been deported since the shooting. Libyans who wish to travel here from Libya will, for the time being, have to apply for visas in neighbouring states. Their applications, and those from Libyans elsewhere in the world, will have to be referred to London, where they will be thoroughly and carefully examined. Applications for entry from those already holding extant visas will similarly be scrutinised with great care, and I would advise those people to reapply. Those measures will ensure that in the coming months only in the most exceptional circumstances will Libyan nationals be admitted to this country.

I share the national sense of anger at the tragic death of a young policewoman and at the gross abuse of diplomatic immunities that caused it. We have made every effort to resolve matters peacefully and by mutual agreement. The attitude of the Libyan authorities has made it impossible for normal relations to continue. We shall continue, as we have throughout, to observe scrupulously our obligations under the Vienna convention, but what has occurred clearly raises serious questions as to the adequacy of the convention, its operation and enforceability. My right hon. and learned Friend the Foreign and Commonwealth Secretary will now review these matters and consider whether to put forward in the international community proposals for changes.

Hon. Members will appreciate that, until the Libyans who are going have gone and British embassy staff in

Libya return home, the position remains delicate. But we could not conceivably countenance with equanimity the outrage that we witnessed in London last week. We are responding to it firmly, but in accordance with international law. Libya for its part must now accept its clear responsibility for the protection and safe return of our staff in the British embassy and their families.

**Mr. Gerald Kaufman** (Manchester, Gorton): On behalf of my right hon. and hon. Friends, I offer our deep sympathy to the family and fiancé of Yvonne Fletcher. She died on duty, and we pay tribute to her and to all the police who have been involved in the tense vigil at St. James's square. We offer our sympathy also to all the those injured in the St. James's square atrocity and in the bomb outrage at Heathrow airport last Friday.

The whole nation feels a bitter anger at the prospect that the murderer of Yvonne Fletcher will escape the justice that should properly await him. However, I believe that most people understand why that outcome seems inescapable. Faced with the calculated flouting of all standards of decency in international behaviour in their own territory, the British Government—above all others—must demonstrate the importance of upholding the rule of international law, even in the most repugnant circumstances. That means abiding strictly by the terms of the Vienna convention.

It is proper and necessary that, in their conduct in this odious position, the British Government must have the utmost concern for the repercussions of what they do upon the lives and safety of the British diplomatic mission in Tripoli, their families and the many thousands of other British nationals in Libya. Of course, we are especially concerned about the predicament of Mr. Douglas Ledingham and Mr. John Campbell, who have been held in Libya for several days without charge. Does the Home Secretary have any information about their safety and whereabouts?

The House may not wish to pursue certain matters at this sensitive time, when the position in St. James's square is still so fragile and before our mission in Tripoli has arrived home safely. However, after the weekend deadline has passed, hon. Members will require a further statement from the Home Secretary—certainly not later than next Tuesday. It is then that searching questions may most appropriately be put about whether this crisis could have been prevented or avoided, about how weapons of the sort used in the murder of Yvonne Fletcher found their way into the people's bureau and about the conduct of the negotiations with the Libyans.

One question that must be asked now is why, three days after the St. James's square shootings, was luggage allowed to be left for hours in the luggage reclamation area of terminal 2 at Heathrow airport, where luggage from a Libyan flight was known to be kept—and that after the recent bombings in London and Manchester? The security at Heathrow seems to have been negligent to the point of culpability, and there must be an urgent inquiry into it for the sake of all travellers.

There is one supreme matter on which the whole country is united. Britain will not tolerate warring factions from other lands using our cities as their private battlegrounds. Britain stands absolutely for upholding the rule of international law, which is the only safeguard for order in a dangerous world. It is because Libya has made

an ugly mockery of the rule of law that everyone joins in condemnation of these unacceptable violations of civilised behaviour.

**Mr. Brittan:** I am grateful to the right hon. Gentlemen for his expressions of sympathy and for his tributes to the police. I also entirely agree with him that the importance of upholding the rule of international law in these matters is paramount, and that we expect the Libyans to do that, just as we are doing it ourselves. I agree with the right hon. Gentleman that, in handling these matters, it is appropriate—and, indeed, essential—to take account of their repercussions in Tripoli.

We have protested vigorously to the Libyan authorities concerning Mr. Ledingham and Mr. Campbell, and we shall continue urgently to seek their release.

Extra precautions were taken at Heathrow after the incident in St. James's square, but the right hon. Gentleman would be mistaken if he believed it possible to cover all contingencies. Since the explosion, even further precautions have been put into operation in regard to the handling of baggage. The examination and consideration for which he has asked are taking place through the Department of Transport, the police, the British Airports Authority and the airlines.

I share the right hon. Gentleman's sentiment that warring factions cannot be allowed to fight out their battles in the streets of London.

**Mr. Mark Carlisle** (Warrington, South): While I fully accept—as does the right hon. Member for Manchester, Gorton (Mr. Kaufman)—that no possible action could be taken other than that which was taken, will my right hon. and learned Friend agree that, in relation to the proposed review of the Vienna convention, it is essential to distinguish between the necessary protection of diplomats of law-abiding countries throughout the world and the need at the same time to avoid the Vienna convention being used merely as a cover for terrorism or murder?

**Mr. Brittan:** I agree with my right hon. and learned Friend that the review will need to take those aspects of the matter into account. But, as I made clear, one should focus not only on the convention and its provisions but on its enforceability.

**Mr. David Steel** (Tweeddale, Etrick and Lauderdale): In his statement the Home Secretary used the phrase that diplomatic immunity would expire on Sunday night. Will he tell the House what happened after Mr Adem Kuwiri and his three colleagues accredited in the Libyan people's bureau were replaced by the so-called revolutionary student force on 19 February? Were any of those students subsequently given diplomatic accreditation and, if so, when and why? If not, is there any reason to believe that accredited diplomats were in the building at the time of the outrage?

**Mr. Brittan:** Since the so-called revolutionary committee took over, that have been no additions to the diplomatic list, and none of the people concerned has been accredited, so in no sense was that the case.

I understood the right hon. Gentleman to be asking about the presence of diplomats in the building. We do not know exactly who is in the building at the moment, so I cannot answer that question.

**Mr. Peter Blaker** (Blackpool, South): I support my right hon. and learned Friend the Member for Warrington, South (Mr. Carlisle) in welcoming the Government's intention to review the Vienna convention. Is not one of the most important matters to be considered the rule which makes it impossible to verify whether diplomatic bags are carrying weapons? Will the Government consider raising that matter with our colleagues in the European Community, whose interests must be identical to ours, with a view to making proposals in a wider forum?

**Mr. Brittan:** My right hon. Friend has raised one matter which will no doubt be considered. At the moment, the Vienna convention—which, I remind the House, is not only an international obligation but is enshrined in our domestic law by the Diplomatic Privileges Act 1964—states quite clearly that the diplomatic bag shall not be opened or retained.

**Mr. James Molyneux** (Lagan Valley): In view of the long-standing Libyan support for Irish terrorists, will the Home Secretary consider the desirability of further extending the scope of the prevention of terrorism legislation? Will he be good enough to invite his right hon. and learned Friend the Foreign Secretary to alert and explain to Irish-Americans the dangers of supporting any branch of international terrorism?

**Mr. Brittan:** We have, of course, comprehensively reviewed the prevention of terrorism legislation in the new legislation which has now reached the statute book. The House will, of course, be familiar with the fact that in introducing that legislation we made provision for the first time for its extension to international as opposed to Irish terrorism. I hope that the House will feel, in the light of what has occurred, that that was a wise provision.

**Mr. Dennis Walters** (Westbury): The whole House would wish to associate itself with the tribute paid by my right hon. and learned Friend to the performance of my constituent, WPC Fletcher, and the warm expression that he has sent to her family. She died, performing her duty, as a result of an intolerable and gross crime. Does not that also bring to light the need to review, as quickly as possible, the whole question of diplomatic privileges and rights, which have frequently been abused in the recent past?

**Mr. Brittan:** The examination of the Vienna convention, its operation and its enforceability, will cover the matters that my hon. Friend has in mind.

**Dr. David Owen** (Plymouth, Devonport): I warmly associate myself with all the tributes paid to the bravery shown by the police, to the parents of Yvonne Fletcher and her friends, and to those injured in the bomb outrage.

I fully accept the actions that the Home Secretary has felt it necessary to take, but will he agree that the real questions now have to be answered by the Foreign Secretary? Some very serious questions need to be asked, going right back to 2 September 1979, when the Libyan people's bureau was first established.

It has been well understood for some years that Colonel Gaddafi has been fostering terrorism worldwide. There have been disturbing reports, one of which occurs in today's *Washington Post*, about the Government having been informed that an attack was likely to take place. Those issues need serious investigation. I understand that the Home Secretary is not able to answer them today from

the Dispatch Box, but can we have an assurance from the Government that there will be an independent inquiry into all events since 2 September 1979, and that as much as possible of the result will be published so that the House and the country can judge the conduct of affairs during the four years?

**Mr. Brittan:** I should make it clear to the House that I am speaking for the Government as a whole today and am ready to answer questions relating to all aspects of the matter—even questions which would in other circumstances be answered by my right hon. and learned Friend the Foreign Secretary. As I know that the matter has been raised by the right hon. Gentleman and by others outside this House, may I say that the breaking off of diplomatic relations is a very serious step? Since the war, it has been taken by this country only in relation to Albania, Uganda and Argentina.

The House might like to bear in mind, when considering the allegation of tardiness in our response, that the United States embassy in Libya was burnt down in December 1979 and that it was not until 1981 that diplomatic relations between Libya and the United States were suspended, and not even broken. In Paris, two Iraqi agents from the embassy shot dead a police inspector. Those agents were expelled but the mission was allowed to continue. It is for those reasons that the international press today regards our response to what happened in the streets of London as a robust one.

With regard to the events in this country since 1979, to which the right hon. Gentleman referred, the House might like to know that in 1980 three Libyan dissidents were murdered on the streets of London, but at that time there was no proof of the involvement of the bureau. None the less, its secretary and two other members were declared *persona non grata* and had to leave the country. No clear link was established between last month's bombings and the Libyan people's bureau. None the less, apart from the four people who have been charged and whose trials have yet to take place, I have ordered the deportation of six Libyans. What has now occurred is different in kind, amounting to a wholly unprecedented outrage and requiring this response.

**Dr. Owen:** Is the Home Secretary now prepared to answer—

**Mr. Speaker:** Order. In fairness to the House, I think that one question is sufficient.

**Dr. Owen:** On a point of order, Mr. Speaker.

**Mr. Speaker:** Order. I will take points of order afterwards, in fairness to the whole House, as many right hon. and hon. Members wish to ask questions.

**Mr. Eldon Griffiths** (Bury St. Edmunds): Did the Foreign Office pass to the Metropolitan police the advance warning received that there could be a violent reaction if the original protest march went ahead? Was it a police decision or a political decision that the "wait and wear down" strategy should be terminated without result when it had so often worked in the past?

How will the police satisfy themselves that no arms are taken out of the mission if they may not examine the bags? Is my right hon. and learned Friend now prepared to allow the police, if in future they suspect that similar murder

weapons are being brought into this country in diplomatic bags, to impound the bags at the port of entry pending application to a magistrates court for a search warrant?

Finally, in view of the Libyans' undoubted connection with the IRA, will my right hon. and learned Friend make it plain that the murderer of that British police officer will be expected to face justice elsewhere if not in this country?

**Mr. Brittan:** I am afraid that I could not commend to the House the change in the law suggested by my hon. Friend, as it would be in breach of the Vienna convention and, in the absence of international agreement, would not be possible.

With regard to an advance warning, Libyans came to the Foreign Office protesting about the demonstration to take place the following day and speaking in terms of not being responsible for the consequences. My hon. Friend and the House should know, however, that such language has been repeatedly used by the Libyans in that context. The House should also know that what was envisaged was not a march but a demonstration. In a free society, I do not have power to ban demonstrations. That, too, is a factor that the House will wish to take into account.

As for whether the decision to end the "wait and wear down" strategy was a police decision, all decisions taken have been co-ordinated. I remind my hon. Friend of my statement that it is the view of the police that, without the co-operation of the people in the bureau, which has been in no way evident, it does not seem possible that evidence could be obtained which could sustain a criminal charge in court for the murder.

**Mr. Greville Janner (Leicester, West):** Does the Home Secretary accept that it is an abuse of the Vienna declaration and the rules of diplomatic immunity to use the diplomatic bag for the import or export of weapons? I accept that he cannot order diplomatic bags to be opened, but will he give an assurance that, through X-raying or other means not involving opening the bags, he will ensure that no weapons are imported in diplomatic bags, as he well knows occurs, and that no weapons are now exported to Libya in that way?

**Mr. Brittan:** The legality of X-raying is in question and the overwhelming majority of states have not adopted such practices. Clearly, that is one of the questions that will be raised in the review. It is certainly an abuse of the Vienna convention to use the diplomatic bag for the purposes to which the hon. and learned Gentleman refers, but it is a feature of the convention to provide that various forms of behaviour are breaches of the convention but not to provide any way to prevent such behaviour or to deal with it when it has occurred. In addition to the doubtful legality of X-raying diplomatic bags and the fact that it would be contrary to the practice of the overwhelming majority of states, I am advised that any such scanning without opening or detaining the bag, which is plainly not permitted, would be likely to be of very limited value in determining their contents.

**Mr. Nicholas Baker (Dorset, North):** Does my right hon. and learned Friend agree that in the review of the matter that he will be conducting later, the right of foreign nationals, warring or not, to demonstrate in our streets should be considered?

**Mr. Brittan:** I am not sure that that is a matter for the review of the Vienna convention, but those who, in the

context of recent events, have doubts about the rights of foreign nationals to demonstrate in our cities may wish to consider whether they would have regarded it as appropriate to ban dissidents from eastern Europe from demonstrating outside the Soviet embassy when Afghanistan was invaded.

**Mr. Ron Brown (Edinburgh, Leith):** As every effort must be made to prevent further bloodshed, why was the Libyan political attaché prevented from meeting two hon. Members on Saturday—myself and my hon. Friend the Member for Glasgow, Central (Mr. McTaggart)? Is the Home Secretary aware that it has been alleged that the Foreign Office took the view that it would simply muddy the waters if Back Benchers became involved? Is that the case?

**Mr. Brittan:** The hon. Gentleman is quite mistaken in suggesting that the gentleman concerned was prevented from seeing the hon. Gentleman and his hon. Friend. That would indeed be a breach of the Vienna convention and we should not be a party to that. What happened was that the Libyan diplomat concerned and the hon. Gentleman and his hon. Friend were advised that, as we were engaged in extremely delicate negotiation at that stage in an attempt to resolve the matter peacefully, it was not felt that a meeting of that kind would be conducive to the resolution of the matter.

**Mr. Michael Mates (Hampshire, East):** When the immediate aftermath is over and the thugs who perpetrated this outrage are gone from our shores, will my right hon. and learned Friend return to the House and give us full details of the ammunition and the weapons, which must surely be found, used in the murder of WPC Fletcher? Is he aware that some of us will wish to speak more fully when the time is ripe not only about the searching of persons? Will he give an absolute assurance that nothing will leave the Libyan people's bureau which could have been used to perpetrate that outrage?

Will my right hon. and learned Friend combine that—

**Mr. Speaker:** Briefly.

**Mr. Mates:** I am sorry, Mr. Speaker. This is a very important matter.

**Mr. Speaker:** Order. Of course it is important, but other hon. Members wish to take part.

**Mr. Mates:** Finally, will my right hon. and learned Friend, in concert with his colleagues, ensure that action taken pending the review of the Vienna convention, which will take many months if not years to amend, will be concerted, allied action to show that, convention or not, behaviour of this kind simply cannot be tolerated by democratic people?

**Mr. Brittan:** On the last point, I welcome the opportunity to make it clear to the House that we have raised this matter with our friends in the international community and that in response to our points many of them have expressed their support for the action that we have taken and their horror at what occurred. My right hon. Friend the Prime Minister has sent personal messages to certain Heads of Government. Action most certainly has been and will be taken in the international forum.

With regard to the more specific assurance sought by my hon. Friend, he will appreciate that the Vienna

[Mr. Brittan]

convention applies and is currently part of our domestic law. Therefore, to my deep personal regret, I cannot give the assurance in the form that he seeks.

**Mr. John Home Robertson** (East Lothian): Will the Home Secretary comment on press reports that there were warnings from intelligence sources about the possibility of such an incident at the Libyan people's bureau? Was any such warning given and, if so, what action did the Government take?

**Mr. Brittan:** As the hon. Gentleman knows, it is not the practice to give details of intelligence matters of that kind. I will say, however, that no specific information that would lead us to believe that such an incident would occur when it did was in our hands before the event.

**Mr. Patrick McNair-Wilson** (New Forest): I warmly congratulate my right hon. and learned Friend on his handling of the affair throughout. Is he at all concerned that there may be incendiary or explosive devices within the building, timed to explode after the Libyans have left?

**Mr. Brittan:** I am most grateful to my hon. Friend for his kind personal remarks. The point that he has raised is one which the police have well in mind.

**Dr. M. S. Miller** (East Kilbride): Will the right hon. and learned Gentleman consult the Secretary of State for Education and Science with a view to ensuring that Libyan students in this country are genuine students?

**Mr. Brittan:** I am grateful to the hon. Gentleman for making that point. As I have mentioned, those who are here will find that we reserve the right to consider the question of their status.

**Mr. Tam Dalyell** (Linlithgow): Four years ago, some of us raised during Question Time the issue of the abuse of diplomatic bags. We were informed that the use of electronic scanners was being considered. Where does the Home Secretary get the information that scanners are no good at discovering whether the bags contain ammunition and guns? I grant that it may be less easy to find out about other matters, but surely guns and ammunition show up on modern electronic scanners?

**Mr. Brittan:** I assure the hon. Gentleman that I spoke not lightly but on advice when I said that without opening the bag or detaining it—which is not permitted under the convention—such scanning is likely to be of very limited value in determining the contents.

**Sir Philip Goodhart** (Beckenham): I deplore diplomatic terrorism, but does my right hon. and learned Friend recognise that most of the middle east-related disturbances on our streets are caused by students from certain middle eastern countries? Does my right hon. and learned Friend have plans to screen the Libyan students who are still here, with a view to removing those who have close connections with Colonel Gaddafi's regime?

**Mr. Brittan:** Removing students who are here would have to be done in a responsible way. I have outlined what I believe to be the right approach. I am considering carefully any evidence that the presence of any individual in this country—whether or not he is a student—is against the national interest. Where I have reason to believe that it is, I shall not hesitate to use my powers of removal.

**Mr. D. N. Campbell-Savours** (Workington): Was the right hon. and learned Gentleman's reply to my hon. Friend the Member for East Lothian (Mr. Home Robertson) deliberately evasive? Is it not true that an American satellite monitored a transmission between Libya and London requiring those at the people's bureau not to react passively to any demonstration? Was that information communicated to the Government before the demonstration took place?

**Mr. Brittan:** The hon. Gentleman may call my reply evasive, but he knows perfectly well that in replying as I did I was following the practice of Ministers in all Governments on such matters.

**Mr. George Walden** (Buckingham): Many of us welcome the news that Britain may pursue some revision of the Vienna convention, but will my right hon. and learned Friend agree that we must be realistic about this matter? Some 140 or 150 countries are involved, and the process may take not months or years but a decade. What are we to do meanwhile? Urgent collective action on a European basis is required. This is a matter for political will rather than for negotiation among 140 countries over a decade in the hope of improvements.

**Mr. Brittan:** I did not say that it was. I said that we would look not only at the question of the adequacy of the convention but also—this is relevant to my hon. Friend's question—at its operation and enforceability. When that has been reviewed, my right hon. and learned Friend the Foreign Secretary will consider whether to put forward proposals for changes in the international community. The way of proceeding which my hon. Friend—with his experience in these matters—has suggested will be one of the possibilities which my right hon. and learned Friend will wish to consider.

**Mr. Dennis Skinner** (Bolsover): The tragedy of the killing of the young policewoman took place at a time when 10,000 policemen and policewomen were being used in our coal fields to arrest nearly 1,000 miners for a breach of the peace—

**Mr. Speaker:** Order.

**Mr. Skinner:** I am coming to the point.

**Mr. Speaker:** But it is wide of the subject.

**Mr. Skinner:** Will the Home Secretary bear in mind that when this tragic death occurred, Libyan demonstrators were being escorted to the picket line by a few policemen and policewomen at a time when every man and dog in the country seemed to know that a breach of the peace was likely to occur? Is the Home Secretary aware that many people in my constituency believe that the Government are operating double standards and have different priorities for different sets of people?

**Mr. Brittan:** I think that the vast majority of people in the country as well as of hon. Members will regard the hon. Gentleman's remark as not only irrelevant but distasteful.

The truth is that what occurred—

**Mr. Skinner:** It could have been avoided.

**Mr. Brittan:** The demonstration was wholly peaceful, and the policing of it presented no problems whatsoever until the unprovoked shooting took place.

Several Hon. Members rose—



**Mr. Speaker:** Order. I have a duty to protect the further business of the House, which is an Opposition day. I propose to let questions on the statement run for a further seven minutes before I call the Front Bench spokesman. I hope that during that time, if questions are brief, I may be able to call all those hon. Members who have been rising.

**Mr. Nicholas Winterton (Macclesfield):** I fully commend and support the actions of the Government and of my right hon. and learned Friend, and the bravery and courage of the police. Would my right hon. and learned Friend tell us what support we have had from the EEC and the Commonwealth for our action against Libya, and what action the rest of the civilised world will take to ostracise Colonel Gaddafi and his dreadful regime?

**Mr. Brittan:** My hon. Friend will appreciate that responses are not always immediate, especially when a tragic event occurs during a holiday weekend. We have received expressions of support from the United States—very strongly—and from Australia, Canada, Belgium and Norway.

**Mrs. Jill Knight (Birmingham, Edgbaston):** Can my right hon. and learned Friend confirm reports that, for many years, Libyan representatives in this country have flatly refused to adhere to diplomatic protocol—for instance, by not having an embassy or an ambassador, and strongly resenting having diplomats? If that is so, why must we extend diplomatic immunity to the Libyans?

**Mr. Brittan:** The position is not entirely as my hon. Friend has outlined. The Libyan embassy began to call itself a people's bureau in 1979. Discussions with the Libyan authorities made it clear that the essential functions of the mission would remain unchanged. The same thing happened in many other countries, which took the same view as the United Kingdom of the essence of what was going on.

**Mr. Andrew Rowe (Mid-Kent):** We have already heard Colonel Gaddafi threaten the safety of British citizens in Libya in retaliation for any steps that the Government may wish to take in this country. What can the Government do to ensure that such blackmail will be less effective in future than it may have appeared to be in the past?

**Mr. Brittan:** As long as we maintain international relations, and as long as substantial numbers of our fellow countrymen—for good and proper business or other reasons—live in other countries, there can be no guarantee that events of this kind will not occur. Fortunately, they have been extremely rare. The international community has invariably condemned them, and appropriate action has been taken. However, if my hon. Friend thinks that any guarantee can be provided—unless everyone stays at home—I am afraid that he is mistaken.

**Mr. Cranley Onslow (Woking):** While the whole House must endorse the Government's action and understand the inhibitions on what the Home Secretary has said this afternoon, does my right hon. and learned Friend not think that the concern shown, both nationally and in the Chamber this afternoon, suggests that it would be helpful to the Government if Parliament could be fully involved in the investigation of what has happened in this

dreadful case? Specifically, will he consider the desirability of setting up a special Select Committee to report on what might be done?

**Mr. Brittan:** I am sure that my right hon. Friend the Leader of the House will note that suggestion.

**Mr. Ivor Stanbrook (Orpington):** My right hon. and learned Friend will know that in 1896 the London police did not hesitate to enter the Chinese embassy, there to rescue Sun Yat-Sen, who had been kidnapped and held there against his will. That being the case, many people are deeply disturbed about why the British Government have failed to take action against this so-called embassy for so long when it appears to be a place for terrorist operations and is now a haven for a murderer, which murderer will go scot free. As none of this was envisaged by the framers of the convention, why is it so sacrosanct?

**Mr. Brittan:** My hon. Friend has asked why it is sacrosanct. One reason which he as a lawyer would. I should have thought, respect is that it happens to be part of our domestic law.

**Mr. John Butterfill (Bournemouth, West):** Is my right hon. and learned Friend aware that, while many British people welcome the contribution to academic life that genuine foreign students make they are heartily sick of the activities of those who are not? Many of them seem to have as their primary purpose political activity, some of it subversive and, as we have now seen, some of it downright murderous. Will my right hon. and learned Friend consider making it a condition of entry for foreign students that they confine their activities to the pursuit of their academic studies? Will he make it a condition that they be expelled if they involve themselves in political activity?

**Mr. Brittan:** There is a difference between political activities and violent activities. I assure the House that, if there was any suspicion that students were engaged in violent or subversive activity, they would not be admitted and that if there were any reason to believe that they were admitted without such suspicion and such suspicion subsequently arose, they would be required to leave.

**Mr. Kenneth Warren (Hastings and Rye):** Will my right hon. and learned Friend consider the fact that, next Sunday, when the Libyans emerge from the bureau, there will be two categories of people—those with diplomatic immunity and those with none? Is there any reason why he could not instruct the Metropolitan Police to investigate, search and question those who do not have diplomatic immunity?

**Mr. Skinner:** They would if they were miners.

**Mr. Brittan:** My hon. Friend will recall what I have said about the police's view of the prospect of sustaining a criminal charge. He will take account of the overriding need to get rid of a dangerous presence in the country and, above all, he will take account of the important and essential aim of securing the safe return of our diplomats and their families in Libya when pursuing that suggestion.

**Mr. Teddy Taylor (Southend, East):** May I congratulate my right hon. and learned Friend on the sensible way in which he has handled this extraordinarily delicate situation? Does he believe that there is a case, in

[Mr. Teddy Taylor]

the longer term, for amending the Public Order Act 1963 to give him and the Commissioner the same powers to control static demonstrations as to control marches?

**Mr. Brittan:** We are examining that. As my hon. Friend, with his knowledge of these matters, knows there is a review of public order legislation and the issue of the control and regulation of static demonstrations is certainly one of the aspects of that review.

**Mr. Bowen Wells (Hertford and Stortford):** May I congratulate my right hon. and learned Friend on the calm, determined and responsible manner in which he has carried out negotiations? Can he assure us that, on the expiry of diplomatic immunity, no precipitate action will be taken by the Government so as to make it certain that our nationals in Libya are not imperilled?

**Mr. Brittan:** I am grateful to my hon. Friend for his kind personal observations. I deeply hope that this matter can be ended peacefully and that no more problems of that type arise. I am anxious that the people in the bureau and other Libyan diplomats should leave the country, that our people should return safely from Libya and that it is possible to ensure that the premises are safe. Those are our objectives. We shall continue to try to achieve them in a calm and measured way.

**Mr. Speaker:** Point of order, Dr. Owen.

**Dr. Owen:** My point of order is more related to the procedure of the House. I wish to ask another question of the Home Secretary, if he would not mind, as he has widened the statement to cover the responsibilities—

**Mr. Speaker:** Order. I think that the right hon. Gentleman will fully accept that to use a point of order as a method of asking an additional question is very unfair to other hon. Members.

**Dr. Owen rose—**

**Mr. Speaker:** I am very sorry, but I cannot allow the right hon. Gentleman to do that.

**Dr. Owen:** Further to that, if the Home Secretary comes to the House to answer questions relating to his handling of the siege, I do not think it unreasonable to expect that he would not answer detailed questions relating to the Foreign and Commonwealth Secretary. He then implied, generously, that he was prepared to do so, and it is reasonable that we should be able to probe him on some of those matters. He has already widened his statement to the issues to which I have referred but did not ask about in detail. My request is legitimate in that, when you, Mr. Speaker, intend to ask the spokesman for the Labour party to speak again, it is not unreasonable on some of these issues that some of us may be asked—  
[HON. MEMBERS: "No."]

**Mr. Speaker:** Order. I judge from the reaction of the House that this is not a doctrine that would be generally acceptable.

**Dr. Owen:** Mr. Speaker—

**Mr. Speaker:** Order. I must ask the right hon. Gentleman, who is a very experienced Member of Parliament, please do not abuse points of order by seeking to raise a second question, which, I think the whole House would agree, he has no right to do. He has the same rights as any other Back Bencher and I cannot allow any further points of order on this matter.

**Dr. Owen:** Further to your ruling, Mr. Speaker.

**Mr. Speaker:** Order. It must be on a different point of order; I shall not allow the right hon. Gentleman to raise a further point of order on this matter.

**Dr. Owen:** I am just questioning the extent of your ruling, Mr. Speaker. Is the extent of your ruling that no second questions should be asked by anyone other than those speaking from the Labour Opposition Front Bench? If that is so, we should have it clarified.

**Mr. Speaker:** Order. The right hon. Gentleman knows that what I said has been a convention of the House for very many years and that that is the present position.

**Mr. A. J. Beith (Berwick-upon-Tweed):** You have just said, Mr. Speaker, that it has been a convention of the House for many years that on no occasion will a second question be taken from anyone other than the Opposition Front Bench. There are cases, which could be cited, of your predecessors doing precisely that for my right hon. Friend the Member for Tweeddale, Ettrick and Lauderdale (Mr. Steel), the Leader of the Liberal party, for the Leader of the Social Democratic party and for others. As to the matter of fact, I hope that you will define your ruling in such a way as not to deny what has happened for many years and has been seen widely reasonably to reflect the existence of other groups in the House with points of view to put forward.

**Mr. Skinner:** Further to the point of order, Mr. Speaker.

**Mr. Speaker:** Order. No.

**Mr. Skinner:** I was going to give you some help.

**Mr. Speaker:** I can deal with it—I do not need any help. Very frequently right hon. and hon. Members disagree with the answers that they have received or, having heard the answers, would like to expand on the questions. If I were to accede to the suggestion of the right hon. Member for Plymouth, Devonport (Dr. Owen) and the hon. Member for Berwick-upon-Tweed (Mr. Beith) I should have to accede to it for the leader of every other minority party in the House; I think that that would be utterly unacceptable to Back Benchers.



## Annex 28

# PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 59

## HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FORTY-NINTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTY-THIRD YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1983-84

COMPRISING PERIOD  
30 APRIL—11 MAY 1984

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## Libyan People's Bureau (Closure)

3.44 pm

The Secretary of State for the Home Department (Mr. Leon Brittan): With permission, Mr. Speaker, I should like to make a further statement about matters connected with the shooting incident in St. James's square on 17 April.

On 25 April, I reported to the House the facts of the initial incident, and subsequent events up to the time of that statement. Today I shall complete my report of the events. I shall also deal with the public order issues connected with demonstrations and state how I intend to use my powers for the immigration control of certain nationals in future. My right hon. and learned Friend the Foreign Secretary will then give an account of our dealings with the Libyan people's bureau and the Libyan authorities in Tripoli. He will also deal with the steps that have been and will be taken in the diplomatic field in response to those events.

On the afternoon of Tuesday 24 April, Mr. Bagdadi, a member of the so-called revolutionary committee who had not been in the bureau at the time of the incident, was deported. On Friday 27 April, Mr. Matouk, another member of the revolutionary committee, was also deported.

On the evening of 25 April, a representative of the Libyan authorities, Colonel Shaibi, arrived in this country to discuss the arrangements for the departure from this country of those in the Libyan diplomatic buildings in London. The discussions relating to that were also attended by a Saudi diplomat as a representative of the power nominated to look after Libyan interests here after the breach of diplomatic relations. Colonel Shaibi pressed that the Libyan authorities should retain the use of one of their buildings after Sunday 29 April, but it was made clear to him that all the official premises were to be closed from Sunday night. The Libyans were also told that, after midnight on 29 April, when the buildings ceased to be diplomatic premises, the police would require to search them to satisfy themselves that no weapons or explosives were inside and that the buildings were safe. They were told that a representative of the protecting power—the Saudi Arabian Government—could be present if they wished. They were informed that, as a matter of safety, arrangements would have to be made to ensure that those leaving the people's bureau building were unarmed; and that they would be asked to answer questions to assist the police in investigating the murder of WPC Fletcher.

During the course of Thursday 26 April, the Libyans removed their diplomatic bags from the bureau building. On the same day some 112 people consisting of the families of Libyan diplomats, as well as some diplomatic staff from the buildings other than that in St. James's square, left the country on a Libyan-Arab Airlines flight. Late on the evening of Thursday 26 April, the detailed departure arrangements for those inside the bureau were finalised. Those arrangements were put into effect on the following day, Friday 27 April. The 30 people in the Libyan people's bureau left the building in groups of five, beginning at about 9.50 am. After they had left the building, the police made sure that they were not carrying explosives or weapons. The search was carried out by the

use of electronic devices. The whole operation was witnessed by representatives of the Saudi Arabian, Syrian and Turkish embassies.

The 30 people who came out of the building were then driven, accompanied by the diplomatic observers, to the Civil Service college at Sunningdale, where they arrived shortly before noon. After an initial explanation of the procedure to be adopted during the remainder of the day, the police then proceeded with their inquiries, witnessed by two of the diplomatic observers. The identity of each of the Libyans was established by reference to their passports and other documents. They were invited to provide a full set of fingerprints, but declined to do so. They were then invited by the police to answer a number of questions. Each Libyan was questioned by two police officers using interpreters where necessary. Throughout the whole of that process, the diplomatic observers were free to go wherever they wished in the building. With the questioning completed, and the aircraft at Heathrow ready to return them to Libya, the group were escorted by the police to Heathrow, immigration formalities having been completed at Sunningdale. The aircraft left Heathrow at 7.30 pm.

At 4.10 pm yesterday afternoon the police entered the former bureau building through the back door, which was opened in the presence of a representative of the Saudi Arabian embassy by means of a rifle shot. The building was first examined by Royal Engineers and anti-terrorist squad explosives experts who satisfied themselves that it was safe, and was subsequently searched by anti-terrorist squad police officers for evidential purposes. That search is continuing. So far, two hand guns and a quantity of ammunition have been discovered in the course of the search of the former bureau premises. Firearms residue has been found on the carpet below the window from which the weapon was believed to have been fired and a spent cartridge case of the same calibre as the weapon used on 17 April has been found in the same room. Elsewhere in the building, the police have found accessories for sub-machine guns of the same calibre.

As I made clear last Wednesday, the view of the police was that they would not be able to obtain evidence to sustain a prosecution for the murder of WPC Fletcher without the co-operation of those concerned in the bureau. None of the police inquiries since then, whether at Sunningdale, St. James's square or elsewhere, or these discoveries, have altered the position. The police remain of the view that there is not sufficient evidence to sustain a prosecution against any individual. None the less, they are of the view that it is likely that the murder was committed by one of two people who were in the bureau. Both of these possessed diplomatic immunity. They therefore could not have been prosecuted under English law even if the necessary evidence had been available. The questioning at Sunningdale and other evidence obtained may well, however, provide information relevant to the investigation of bombings in London and Manchester in respect of which some people have already been charged. The information obtained at Sunningdale continues to be assessed.

Since my last statement to the House, I have been considering whether the law on demonstrations and marches, as it applies to such events held by foreign nationals, or generally, can helpfully be amended. Neither the police nor I have power to ban a static demonstration in advance.

**Mr. Dennis Skinner (Bolsover):** Unless they are by miners.

**Mr. Brittan:** However, the police already have extensive powers, in pursuance of their duty to preserve the peace, to regulate the conduct of demonstrations and to prevent a demonstration assembling, or to disperse one already assembled, if they have reasonable cause to believe that such action is necessary to preserve or restore public order. As to marches, the Public Order Act 1936 provides powers to impose conditions or, if those will be inadequate, to ban the holding of public processions, in order to prevent serious public disorder.

I understand the feelings which often lie behind suggestions that demonstrations and marches by foreign nationals should be subject to special controls and, possibly, prohibition. I doubt, however, whether it would be right for either the police or the Government to be empowered to pick and choose which demonstrations were permissible and which were not, either in relation to the nationality of those concerned or the subject about which they were demonstrating. We should remember who committed the offence on 17 April—the demonstrators in St. James's square were the victims, not the perpetrators, of violence. But we must be certain that there are adequate powers to prevent warring factions from fighting their battles on the streets of London, as the right hon. Member for Manchester, Gorton (Mr. Kaufman) very properly said last week. The House will know that I have in hand a comprehensive review of public order law, including the issue of the control and regulation of static demonstrations. The conclusion of the review, and the announcement of the results, will now be expedited.

I have also considered what additional immigration measures can be taken, quickly, and within the present rules, to bring home the fact that we are not prepared to tolerate nationals of other countries bringing on to the streets of Britain violence for their own political ends. The House will already be aware of the instructions that I have given to my immigration officials in dealing with Libyans following the break in diplomatic relations. I said then that I would not hesitate to use my powers of removal or personal certification if I were satisfied that there was evidence that the presence here of any individual was against the national interest. I can inform the House that I have today signed detention orders against a further six Libyan nationals whom it is intended to deport.

As far as Libyan nationals generally are concerned, a number of further restrictions will now be introduced for any who, under the rules, might be considered for visas. Visitors will receive permissions to stay of shorter duration, adapted to the circumstances of each case; measures will be taken to ensure that those admitted observe the conditions imposed. Libyan students who come to Britain must be bona fide students, and we expect them to pursue their studies, not indulge in violence. Yet there is reason to believe that some of them have been prone to do just that. I intend, therefore, to tighten up immigration control affecting them. Any Libyan student who qualifies for admission under the rules will not normally be given permission to stay for more than one term at a time; anyone failing to meet the requirements in any respect will be refused an extension; each application or reapplication will be accompanied by stringent checks. In particular, we shall have to be fully satisfied that a

student is in fact properly pursuing a full-time course of study. Similar restrictive measures will apply to other categories of applicant as the rules allow.

At present, foreign nationals are normally required to register with the police on arrival only if their period of stay is more than six months. In view of the announcements I have made, however, any Libyan national seeking entry under these new restrictions will be liable to register with the police. There must be no misunderstanding by those involved of the swift and serious consequences of future misbehaviour.

Libyan nationals required to register with the police will be asked to sign a declaration recognising the consequences of their indulging in violence for political reasons, and their intention not to do so. This document will be affixed to the police registration form. This should also be a warning to the nationals of other countries. I am ready to apply similar restrictions to others who demonstrably bring into Britain their own political violence.

In setting out these measures, which will be supported by appropriate instructions to visa-issuing posts abroad, I have been concerned not to undermine our tradition as a country of safe refuge and asylum. No one from a country to which such restrictions apply who wishes peacefully to express his views in public has anything to fear. But those who abuse our hospitality with violence will cease to receive it.

**Mr. Willie W. Hamilton (Fife, Central):** On a point of order, Mr. Speaker. I hesitate to raise this point of order now, but I think that it is rather important. I notice that, as has happened before, the hon. Member for Bury St. Edmunds (Mr. Griffiths), who is a Back Bencher, has a copy of the statement in advance. He has the statement in his possession. I have noticed this on previous occasions. It is well-known in the House that he is paid by the police. If he has a pre-copy of the statement, it is a gross abuse of the House.

**Mr. Speaker:** I have to say that I know nothing about that.

**Mr. Gerald Kaufman (Manchester, Gorton)**  
*rose*—

**Mr. Hamilton Further**—

**Mr. James Tinn (Redcar):** Further to the point of order, Mr. Speaker. Will you at least agree to look into the matter so that it can be regularised, if anything irregular has happened?

**Mr. Speaker:** Yes, I will certainly do that. I think that the same treatment should be accorded to all hon. Members.

**Mr. Kaufman** *rose*—

**Mr. Skinner:** Further to that point of order, Mr. Speaker. In view of the fact that many statements of one kind or another are made on a multitude of subjects, and that during the past several weeks statements have been made about the mining industry, and so on, is it possible for the 15 miners' Members of Parliament to get copies so that they can have advance warning, and should not the Leader of the House get up and explain this conduct?

**Mr. Speaker:** We have a very heavy day in front of us. I have already said to the House that I will look into the matter.

Mr. Alan Williams (Swansea, West): Further to the point of order, Mr. Speaker. I do not ask for a statement at this moment, but I think that, by the time that we have finished both statements this afternoon, the Leader of the House should be prepared to make a statement to the House on future conduct in this regard.

Mr. Kaufman: May I first thank you, Mr. Speaker, for the response that you have made to the point of order put to you by my hon. Friend the Member for Fife, Central (Mr. Hamilton)?

Her Majesty's Opposition wish to congratulate the police on the skill and courage that they have shown in conducting the siege at the Libyan people's bureau, in the efficiency of the actions which ended the siege and relieved this country of the presence of those who had been in the bureau, and in the potentially dangerous search of the building.

That having been said, the fact must be faced by the House that we all have suffered a national humiliation with a woman police constable having been shot down in cold blood, and her colleagues in the force obliged to escort her murderer in safety out of the country. By 17 April, those consequences were unavoidable, but the British people want to know whether that disaster, combined with a personal and family tragedy, could have been avoided or prevented and that any future repetition of such unacceptable events can be prevented.

The Home Secretary said in his statement today that he had completed his report to the House. He has come nowhere near doing so. Why was the Home Office so complacent about the activities of the bureau? The police issued a warning on 1 March about the danger of Libyan action. After the London and Manchester bombings a few days later, why did a Home Office Minister tell the House of Lords:

"As to the question of the bureau, I understand that its proceedings and status differ somewhat from some of the other diplomatic institutions in this capital. But, at the moment, that is not causing undue embarrassment." — [Official Report, House of Lords, 5 April 1984; Vol. 450, c. 795.]

WPC Fletcher was murdered from that building 12 days later. Do the Government have any information about how the weapon that killed her and other weapons got into the bureau? Will the Home Secretary now tell us whether a telex order from Tripoli was intercepted the day before the murder? If there was such an order, when was it decoded? Was it decoded in time for it to constitute a warning in advance of the demonstration or in advance of the Heathrow bombing on 20 April? If there was such a message, what did it say? Did it order that demonstrators should be fired on? Did it order that the police should be fired on? Did it order that a bombing and sabotage campaign should be launched? Did police surveillance of the bureau during the siege overhear discussion as to how the orders should be interpreted?

We are relieved to hear from the Home Secretary that the Government do not contemplate taking powers to ban the right of free demonstration in this country, as such a ban would mark the ultimate victory of Colonel Gaddafi.

On whose advice did the police allow Libyans without diplomatic immunity to leave the country? Was it on the advice of the Foreign Office? The Home Office has been less than clear about the position of Libyans remaining in this country. What about the Libyan nationals whom our

armed forces have been training? On 29 March the Minister of State for the Armed Forces said in a written answer:

"The training being provided in this case has been requested by the Libyan Government and is compatible with British defence interests." — [Official Report, 29 March 1984; Vol. 57, c. 296.]

Clearly, such compatibility no longer exists. Have all those persons now been sent packing?

What about the 280 Libyan apprentices being trained by British Airways at its training school and in workshops and hangars and who are based at Heston, next to Heathrow airport? Do they have access to the airport itself? Many of them are said to be highly motivated politically and all have the opportunity to carry out dangerous sabotage operations. Are they being sent away? Are there other trainees?

The Home Secretary in his statement today has told the House and the country little of what they need and are entitled to know. Only an independent inquiry can allay public disquiet. Her Majesty's Opposition demand an independent inquiry into the whole of this grave and damaging episode.

Mr. Brittan: On the first point, I am sure that the House will wish to thank the right hon. Gentleman for his kind remarks about the police. Indeed, I have said very much the same thing on several occasions recently.

The right hon. Gentleman asked whether the whole episode could have been avoided. On the intelligence questions, I cannot add to what has already been said, for reasons given by my right hon. Friend the Prime Minister at Question Time today. Nevertheless, certain matters can be dealt with without breaching that. On the activities of the bureau, the suggestion by the Libyan diplomats that they would not be responsible for the consequences if the demonstration was not prevented was entirely in line with their general attitude of trying to muzzle demonstrations protesting against the Gaddafi regime. There was nothing special about the way in which it was put. I do not think that the right hon. Gentleman, who has expressed strong views about the right to demonstrate, would have regarded it as appropriate, even if it were possible, to ban the demonstration on the strength of representations from Libyan diplomats, when it was on a very small scale and easy to police.

With regard to the bombs a month or so earlier, as I explained last week, there was no clear link between the bureau and the perpetrators of those outrages. Four people were arrested and are being prosecuted for what occurred. A further six, against whom there was not sufficient evidence to mount a prosecution, have been deported. Even in the case of those six, a clear link was not established between them and the bureau. In those circumstances, I believe that the right hon. Gentleman is showing that the greatest of his many qualities is hindsight when he suggests that it might have been sensible or proper to take exceptional measures in relation to a peaceable demonstration.

The right hon. Gentleman asked whether I had any information about how the weapons got into the bureau. I am afraid that I do not have that information. He also asked about Libyans undergoing training with the armed forces. I understand that two Libyan midshipmen who had been studying at the Royal Naval college, Dartmouth, have been told by the Ministry of Defence that their training is at an end. I have therefore thought it right to

curtail the duration of their stay, and if they fail to leave voluntarily by 7 May they will be deported. Three further Libyans attempted to enter the United Kingdom at the weekend to embark on a separate course for midshipmen at Dartmouth, but the Ministry of Defence was no longer willing to provide places for them on the course and they were accordingly refused entry.

**Sir Paul Bryan (Boothferry):** Is my right hon. and learned Friend aware—

**Mr. Kaufman rose—**

**Mr. Speaker:** Order. Not at this stage.

**Sir Paul Bryan:** Does my right hon. and learned Friend agree that the British public are fully aware, from the experience of several of our NATO allies who have Libyans within their borders, that it is impossible to conduct normal civilised diplomatic relations with the present Libyan Government? Is he aware that there is therefore considerable admiration for the good sense and effectiveness with which the Government have dealt with a sad and very tricky situation?

**Mr. Brittan:** I am grateful to my hon. Friend for his words of support, which are deeply appreciated.

**Dr. David Owen (Plymouth, Devonport):** Is the Home Secretary aware that many people hearing the statement and the measures that he has now taken will feel that this is a case of locking the stable door after the horse has bolted—or rather, been escorted out of the country? He will recall telling the House that it was "not the practice to give details of intelligence matters". He went on to say, however:

"no specific information that would lead us to believe that such an incident would occur when it did was in our hands before the event."—[*Official Report*, 25 April 1984; Vol. 58, c. 747.]

The right hon. Gentleman and the Prime Minister are now refusing to explain what was meant by "in our hands". In whose hands? A United States Administration official has said that the Government obtained the information through their own sources and not from the Americans. We are entitled to know when that information was given and to whom it was passed.

The reference to the Security Commission announced to the House in January 1964 by the then Prime Minister, Sir Alec Douglas Home, did not accurately record its terms of reference. They were not changed by the procedures announced to the House in 1969 and are tailored exactly to the present circumstances. On any reasonable reading of what the Prime Minister and the Home Secretary have said, there has been a breach of intelligence; the House is entitled to an independent investigation by a source that will not prejudice the intelligence services of this country and will not cause any anxiety to our friends or reveal to our enemies information that they should not know.

**Mr. Brittan:** If the right hon. Gentleman today held the position of Foreign Secretary, which he once held, he would not for a second be making such suggestions. My right hon. Friend the Prime Minister made it quite clear in her letter to the right hon. Gentleman that she was not proposing to add to what I had said on intelligence matters in the House last week. That is a position I share.

**Mr. Cranley Onslow (Woking):** Leaving aside the obsession of the hindsight merchants and headline hunters

on the Opposition Benches with sensitive intelligence matters on which no useful report could be made in public—

**Dr. Owen:** It would not be in public.

**Mr. Onslow:**—does not my right hon. and learned Friend agree that there is a role for a Select Committee of the House to help his Department and the Foreign and Commonwealth Office in their examination of the immunities enjoyed by diplomats and the interlocking questions of the Vienna convention and the public order laws? If that were done, it would be helpful to public and Parliament alike. Is not this a matter in which Parliament should be able to play a full part?

**Mr. Brittan:** I entirely agree that there is absolutely no disposition or desire whatever on the part of the Government to exclude the normal parliamentary procedures looking into this type of matter. I know that my right hon. and learned Friend the Foreign Secretary will be referring to some of the points that my hon. Friend has just made.

**Mr. Merlyn Rees (Morley and Leeds, South):** Now that action has been taken against the Libyan representatives in this country in the light of the death in St. James's square, has not the time come to take action against other countries which give passports to any Arabs from any part of the Middle East, whether or not they are citizens, and whose airlines indulge in activities that are known to be against our interests? Before it is too late, let us do something about nationals of other countries, as well as the Libyans.

**Mr. Brittan:** Diplomatic action is a matter for my right hon. and learned Friend the Foreign Secretary, who will make a statement later. As to the suggestion that the nationals of any other countries are seeking to enter the United Kingdom for nefarious purposes, I know that the right hon. Gentleman will accept that we shall be very alert to the need for increased vigilance in that regard and that we will not hesitate to use our powers at home to seek to avert it.

**Sir Bernard Braine (Castle Point):** While one welcomes my right hon. and learned Friend's decision to look again at the law on demonstrations, is not that largely irrelevant in this case, bearing in mind the fact that, for some time now, Libyan dissidents and Libyan students generally living in this country have been in fear of their lives? There have been numerous attacks involving deaths and woundings not only here but in western Europe. When last week my right hon. and learned Friend referred to there being no specific information about dangers if this demonstration went ahead, did that not imply that there was some information? Unless these questions can be answered satisfactorily on the Floor of the House, does not my right hon. and learned Friend agree—I am entirely with him in his generally robust approach to the whole matter—that there is a strong case for setting up an inquiry of Privy Councillors or whoever to establish exactly what happened and to ensure that it never happens again?

**Mr. Brittan:** I cannot add to what my right hon. Friend the Prime Minister has said about why she does not think that an inquiry would be the most useful way forward. However, in many other respects I welcome what my hon. Friend has said because—it is necessary to correct what

[Mr. Brittan]

the right hon. Member for Manchester, Gorton (Mr. Kaufman) said—with regard to static demonstrations I expressed some reservations about the desirability or feasibility of a ban. I did not say that it was excluded, rather that it would be included in the review.

My hon. Friend raises a different point—threats to dissident Libyans in this country. There is a great difference between bombings and matters of that kind and demonstrations. Different considerations arise. Apart from anything else, the objects of demonstrations—both for those who take part in them and those who seek to oppose them—are open and public, whereas the essence of bombings is that the cowardly people who perpetrate such actions hope that they will not be discovered. The handling of the two issues requires a different approach, and I am glad that my hon. Friend has given me the opportunity to ventilate that difference.

Mr. Andrew Faulds (Warley, East): Does the right hon. and learned Gentleman accept that those of us who have been working for the best part of 20 years for better relations with the Arab world are no less appalled than everyone else by these appalling developments? Perhaps we are even more disappointed and disturbed than most other people. Do not the Government now consider it advisable to mop up and expel the reported 200 members of revolutionary committees who are supposedly still at work in Britain?

Mr. Brittan: As I am sure the House will appreciate, the hon. Gentleman's first remarks will be all the more appreciated, given his stance in dealing with these matters. As to mopping up and expelling 200 people, we must proceed in an orderly and lawful way, not indiscriminately. Last week, I said that I would not hesitate to use my powers to deport those whose presence here there was reason to believe would not be in the continued interests of the United Kingdom. Obviously, in the intervening period, I have dealt with the actual departure of the members of the bureau and related matters. None the less, in that time we have found six people against whom it has been possible credibly and responsibly to take action. I shall not hesitate to do the same with any others, however numerous or few they may be, but I would be reluctant to give an indiscriminate commitment in relation to a number as large as 200.

Sir William Clark (Croydon, South): Is my right hon. and learned Friend aware that the overwhelming majority of the British people have the greatest admiration for the way in which the police force handled the St. James's square affair? Is he further aware that, given all the difficulties surrounding the Libyan episode and bearing in mind the number of British nationals in Libya, he has earned the admiration of many people for the cool, calm and restrained way in which he has handled it?

Having said that—[HON. MEMBERS: "Ah."]—does not my right hon. and learned Friend agree that the right of British people to demonstrate peaceably is inviolate and sacrosanct and should be preserved? But surely it is high time to look at the law of demonstrations. If non-British characters want to demonstrate, they should do so not in this country but in the country from which they came. What is sauce for the goose is sauce for the gander, because in no circumstances would we as Britishers be allowed to demonstrate in Libya.

Mr. Brittan: I share and appreciate my hon. Friend's remarks about the police and I am grateful to him for his kind remarks about my own handling of the matter. In the context of what occurred last week, when thinking about the right to demonstrate one naturally thinks about a particular sort of demonstration by people of particular nationality. Although we shall look into the whole question of static demonstrations, I ask my hon. Friend to consider whether he would wish to be associated with a change in the law that would make it impossible for Russian dissidents to demonstrate outside the Soviet Embassy, however appallingly the Soviet Government behaved. We should want to think long and hard before doing that.

Mr. A. J. Beith (Berwick-upon-Tweed): Why, given the known threats to Libyans living in this country, were certain Libyans known to be closely associated with Colonel Gaddafi allowed to remain here on student visas when it was well known that they had not enrolled for, or had not taken part in, the courses for which they were originally admitted? In particular, why was Abdul Bagdadi, who has since been deported, allowed to remain in this country for so long when he had not taken up the course for which he had been admitted?

Mr. Brittan: It is important that we should have more information on whether students are doing what they came here to do. It is exactly for that reason that I have tightened up the regulations affecting Libyan students. I know that the hon. Gentleman is proud of his concern for civil liberties. There is no doubt that tightening up on students in that way, quite apart from imposing additional burdens on the police and immigration authorities, would mean a more restrictive regime. It is not something on which one can embark lightly. I have done it in this case, and I shall not hesitate to do it again. However, other considerations are also relevant.

Mr. James Hill (Southampton, Test): Can my right hon. and learned Friend say a little more about the problem of immigration control? Is not one of the great weaknesses that the sophisticated terrorist has the opportunity to go to any part of the world and to travel on any airline under almost any identity? Is not one problem our ineffectiveness in identifying such people when they pass through immigration control?

Will my right hon. and learned Friend examine the question of diplomatic immunity? The British public are extremely worried that any crazed person with a diplomatic passport can kill at will.

Mr. Brittan: The question of diplomatic immunity and its consequences are matters for my right hon. and learned Friend the Foreign Secretary. I know that he will want to deal with them when he addresses the House later.

Mr. Jack Ashley (Stoke-on-Trent, South): I do not want my question to be misunderstood by the House. I share the sense of outrage felt by all hon. Members, and I am appalled by what has happened. I support the Home Secretary in the strong action that he has taken. Nevertheless, may I warn of the dangers of this degenerating into a witch hunt against all Arabs in Britain? We are right to take action against those who are a threat, but let us maintain a sense of balance and not be dragged into a witch hunt. The Home Secretary is right in the steps that he has taken, but let us not go too far and too wide on this issue.



**Mr. Brittan:** I assure the right hon. Gentleman that there will be no witch hunt. The measures that I have announced are controlled, limited and designed to deal with the particular objectives. As I explained in the answer to the hon. Member for Warley, East (Mr. Faulds)—whose sympathy for the Arab cause is unrivalled—we shall not initiate a general sweep-up. However, I shall deal with those against whom there is material evidence to show that their continued presence in Britain is against the public good.

**Mr. Peter Brainvels (Leicester, East):** I welcome my right hon. and learned Friend's statement that there will be satisfactory control of all Libyan students, and that they will have to report regularly to the police. What will he do to ban and maintain the keeping out of all Libyan diplomats and the 11 so-called diplomats to ensure that they can never return to Britain?

**Mr. Brittan:** The immigration officials will be given the information necessary to secure that objective. Anyone in that category who is tempted to return must bear in mind that the immunity extended has now expired and that they are open to arrest, investigation and, if necessary, appropriate prosecution.

**Mr. Tam Dalyell (Linlithgow):** Since his last statement, has the Home Secretary had any opportunity to double-check the technical advice that he was given that electric scanners and magnometers are not much use in detecting guns and ammunition in a diplomatic bag? If his advice is correct, what on earth are we all doing checking in our bags at Heathrow?

**Mr. Brittan:** The answer is that either the hon. Gentleman has secured very special privileges from the airlines that he patronises, or his bag is significantly different in size from that of many diplomatic bags, which can amount to actual crates. Whether on diplomatic and other grounds it is appropriate to X-ray diplomatic bags is a matter for my right hon. and learned Friend the Foreign Secretary — [Interruption.] I am answering the hon. Gentleman and it is a point well worth noting.

The efficacy of such an action is a matter with which I can deal. I am advised that modern X-ray equipment is highly efficient in detecting the presence of metal objects in a bag. If a weapon was the only metal object in a diplomatic bag, it would be possible to identify it. It would be naive to suppose that those intent on importing weapons would not seek to disguise their presence by, for example, enclosing them in metal containers whose image on an X-ray screen might appear to be wholly innocuous. The success of such scanning relies on the ability to open bags to distinguish between innocent metal objects and those more sinister. The prohibition on the opening of diplomatic bags leads us to the conclusion that scanning procedures would be of limited value.

**Mr. James Couchman (Gillingham):** In the light of the unhappy events in St. James's square, is my right hon. and learned Friend satisfied that the police have access to adequate supplies of equipment and weapons to control such events? Is he satisfied that the police whose duty it is to protect diplomatic premises have adequate access to the equipment necessary for such duties?

**Mr. Brittan:** I am not aware of any inadequacy. If anyone suggests that, I shall be happy to look into the matter.

**Mr. D. N. Campbell-Savours (Workington):** How can the Government claim security issues in defence of what has been described by my hon. Friends as a cover-up? Is it not well known that transmissions from HMS Conqueror were sent to GCHQ during the Falklands dispute, as was the case with transmissions from the United States during that dispute? Were not those equally security issues? What is the difference on this occasion?

**Mr. Brittan:** I am not proposing to deal with questions relating to the Falkland Islands, nor have I anything to add to what I have already said about the intelligence aspects of this matter.

**Mr. Eldon Griffiths (Bury St. Edmunds):** Reverting to my right hon. and learned Friend's detailed statement, does not the forensic evidence that has now been obtained from the bureau—the firearms, residue and powder stains—show clearly that Yvonne Fletcher was the first British police officer to be murdered by a diplomat to whom the Foreign Office had given accreditation? What compensation does the Foreign Office contemplate giving to her family?

On the question of the two diplomats, one of whom the police believe was the murderer of the police officer, as and when they can identify him or her—as I believe they will—do the Government intend to seek to ensure that that person is put on trial in Libya for the murder, or that that person's extradition is sought so that he or she may be tried for murder in Britain?

**Mr. Brittan:** I am afraid that we do not have extradition arrangements with Libya. A trial in Libya would be a matter for the Libyan authorities, and all hon. Members will have their own views about the likelihood of such a trial taking place and its probable outcome.

The question of compensation from the Foreign Office is a matter for my right hon. and learned Friend the Foreign Secretary.

**Mr. Skinner:** Will the Home Secretary guarantee that no defence certificates are being issued for the sale of arms to Libya, and that no defence certificates will be issued in future?

**Mr. Brittan:** We shall not embark upon any new defence contract with Libya, and existing contracts will be reviewed.

**Mr. Robin Maxwell-Hyslop (Tiverton):** Should we not draw a distinction between the expression of opinion in the media by foreign nationals either resident in or visiting Britain, and political demonstrations in our streets by foreign nationals, which is a wholly different matter and involves police protection for both public order and the persons concerned? Does not the tradition of asylum in most civilised countries carry with it an abstention from political activity by those who have been granted the right of asylum?

Is this not an historic tradition in civilised countries? Should not the Home Secretary consider carefully whether the transition from expression of opinion in the media to demonstration on the streets is not a licence to those granted the hospitality of this country, which has no real basis in our history or in normal international practice?

**Mr. Brittan:** Asylum is a technical term governed by international agreements, and the vast majority, if not all, of those who have been engaged in demonstrations are not people who have been granted asylum. I shall, of course,



[Mr. Brittan]

take into account my hon. Friend's views in the review of public order legislation on which we have embarked. I still have grave reservations about making a distinction between rights and freedoms that are exercisable by our nationals and ones exercisable by those foreign nationals who have a legal right to be in this country.

As we are talking about political demonstrations, I must say that politics comes into it. If a large number of eastern Europeans had been arrested for demonstrating outside the Russian embassy when the Soviet Union invaded Afghanistan and I had said that that was exactly as it should be because they had no business to engage in such demonstrations, I do not think that I should have had much support either from the Benches behind me or those in front of me.

**Mr. Greville Janner (Leicester, West):** The House will have noted that the right hon. and learned Gentleman said that those leaving the Libyan people's bureau were individually searched by electronic means. Was he informed that that was in accordance with the Vienna convention? If so, why would it not also have been in accordance with that convention to have searched electronically the bags that left the embassy to try to avoid the outrageous export of the weapon used to murder the woman police constable?

**Mr. Brittan:** I am advised that the personal search, conducted in the way that I described, was permitted under international and domestic law. As for electronic scanning, I explained in answer to the hon. Member for Linlithgow (Mr. Dalyell) why I did not think that would be a practical advantage. On the legality of the practice, I explained last week that there were two views, but that the overwhelming state practice, apart from the legality of it, was not to engage in it.

**Mr. Kaufman:** Is the Secretary of State aware that, if the Government take fresh powers to ban demonstrations by foreign nationals, they will be conceding to Colonel Gaddafi the very objective that the St. James's square shootings were intended to achieve? The right hon. and learned Gentleman gave no answer to my question about the 280 apprentices being trained by British Airways. What is being done about them?

Above all, why is the right hon. and learned Gentleman so stubborn and recalcitrant about providing information on the telex order from Tripoli, alleged to have been sent on 16 April? If it was sent, the Libyans know what was in it. The press—*The Times*, the *Sunday Telegraph*, the *Daily Mail* and other newspapers—have been full of references to it. If this House and the country are to be deprived of the truth about it, many people will come to the conclusion that the Government must be engaged in a cover-up. Only an independent inquiry can set the minds of the public at rest.

**Mr. Brittan:** In answer to the right hon. Gentleman's last point, I have to say again that I have nothing to add to what the Prime Minister said. It does not seem to me that the fact that various allegations have been ventilated in various newspapers makes the consideration of security, which the Prime Minister explained at Question Time, any the less appropriate or valid.

Regarding demonstrations, I am grateful to the right hon. Gentleman for giving me advance notice of the view that he and his party will take on this aspect of the matter, and that will be given appropriate weight.

British Airways has received apprentices from Libya for some years, purely as a commercial arrangement. If I have any reason whatever to think that any of those apprentices are engaged in activities contrary to the national interest, I shall act towards them in the same way as I shall act towards any other Libyans.

# Annex 29

# PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 59

## HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FORTY-NINTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTY-THIRD YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1983-84

COMPRISING PERIOD  
30 APRIL—11 MAY 1984

LONDON  
HER MAJESTY'S STATIONERY OFFICE

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## Libya (Diplomatic Relations)

4.35 pm

The Secretary of State for Foreign and Commonwealth Affairs (Sir Geoffrey Howe): With permission Mr. Speaker, I will deal with the foreign relations aspects of the subject on which my right hon. and learned Friend the Home Secretary has just made a statement.

The so-called Libyan people's bureau dates back to 2 September 1979. At that time, a series of self-styled revolutionary committees took over Libyan embassies in London and in at least eight other western European capitals. After long negotiations with the Libyan authorities, we and the other Western Governments concerned, working together, in June 1980 recognised one official in each people's bureau abroad as equivalent to a head of mission. At the same time, we and the other countries agreed to treat the people's bureaux as diplomatic missions.

During this period, Her Majesty's Government took firm action against those Libyans who infringed our laws. In June 1980, Mr. Musa Kusa, the newly accredited secretary-general of the Libyan people's bureau, stated publicly his approval of the killing of Libyan dissidents in the United Kingdom. On the following day, my predecessor required him to leave the country forthwith. With the co-operation of the Home Secretary, three other Libyans were also expelled.

In November 1980 the two children of a Libyan dissident were poisoned in Portsmouth. As a result of that crime, four Libyans—none of whom had any diplomatic status—were convicted and sentenced to long terms in prison. In purported retaliation, the Libyans expelled three members of the British embassy staff in Tripoli and an attempt was made to burn down the embassy building.

Throughout the next three years, the behaviour of the Libyans remained unpredictable and sometimes very difficult. On many occasions, the Libyans made hostile threats in characteristically intemperate language. There were, however, no further incidents of comparable gravity to those of 1980.

Then, in the middle of February this year, a group calling itself the committee of revolutionary students announced that it had taken over control of the Libyan people's bureau in London. Since that date, no member of the new revolutionary committee, nor any other Libyan, has been given any form of diplomatic status. We made it plain to the Libyans, both in London and Tripoli, that unless and until they took steps to establish a customary diplomatic mission, we would not be willing to deal with them on a normal basis.

On 10 and 11 March there was a series of bomb explosions in London and Manchester. In close consultation with the Home Secretary, and with the police and prosecuting authorities, those events were thoroughly investigated. Four Libyans are now in custody awaiting trial on serious charges. Six more were deported by the Home Secretary.

I must emphasise that none of these people had any form of diplomatic immunity, and that there was no firm evidence linking the people's bureau with those incidents. Nevertheless, I made it clear on 11 March, both in London and Tripoli, that the use of British territory for acts of

terrorism by any foreign group was totally unacceptable, and that any repetition of incidents of that kind was bound to have a serious effect on our relations.

I now come to the period immediately before the murder on 17 April. Around midnight on 16 April two members of the Libyan people's bureau came to the Foreign Office. They told the duty officer that they had come to protest against a demonstration to be held next morning and to say that the Libyans would not be responsible for its consequences. This information was immediately passed to the Home Office and the Metropolitan Police, which both already had knowledge of the planned demonstration. Our ambassador in Tripoli was also summoned after midnight that day to hear a similar message from the Libyan Government that they would not be responsible for the consequences.

As my right hon. and learned Friend the Home Secretary told the House on 25 April, such language has been repeatedly used by the Libyans in that context. The House should know that such night-time summonses were by no means unusual in Tripoli. When the ambassador commented that threats of violence did not impress the British Government the Libyan official said that no direct threat was intended.

The following day we were confronted with an unprecedented act of violence conducted from the diplomatic premises in the heart of London. My right hon. and learned Friend has reported on the events which ensued and on the action subsequently taken. I should like to add to my own profound expression of sympathy to the family of Yvonne Fletcher, who so tragically lost her life.

As my right hon. and learned Friend has already told the House, the expulsion of the staff and occupants of the Libyan people's bureau was completed on 27 April. On the same day our own embassy staff and families were also safely withdrawn from Tripoli. I should like to pay tribute to the calm and courageous way in which the ambassador and his staff, and their families, have conducted themselves throughout. I should also like to express our thanks to the Italian Government for agreeing to act as protecting power.

The House will wish to know that the embassy premises in Tripoli, which are the property of the Libyan Government, have been cleared of all classified material. The premises are now in the hands of the Italian Government as protecting power. The Libyan authorities have conducted a search of the premises. I have so far received no report that any damage has been done.

We have made it clear to the Libyan authorities that we hold them responsible for guaranteeing the continued safety of the British community. Two British embassy officials have remained behind to man the newly established British interests section of the Italian embassy. Their first task has been to continue to press for the release of those British citizens who are unjustifiably detained in Libya. The Italian ambassador yesterday reinforced the urgent representations which had already been made on numerous occasions by our departing ambassador.

We are urgently reviewing all existing contracts for the supply of defence equipment to Libya. There can be no question of allowing any fresh exports of that kind. As my right hon. and learned Friend has told the House, we have also terminated the training of two Libyan officer cadets at Dartmouth.

These brutal and unprecedented events underline dramatically the changed world in which we now live. The

[Sir Geoffrey Howe]

implications of international terrorism, of course, spread far beyond the diplomatic field. In this recent case in London the basic problem arises from conflict between those supporting the Libyan regime and those opposing it. We cannot, and will not, permit foreign countries to export their internal disputes to the streets of London in this way.

My right hon. and learned Friend the Home Secretary and I maintain close co-operation, which we have had throughout, to deal with this threat.

I turn now to the questions most directly concerned with diplomatic relations. As my right hon. and learned Friend the Home Secretary told the House last Wednesday, I have instituted a full review of the Vienna convention, its operation and enforceability. I shall report the outcome of this review to the House. The Select Committee on Foreign Affairs may well wish to study the same question, which I would welcome.

But it is not enough simply to await the outcome of the review. We are therefore taking immediate unilateral action to strengthen control over the operations of foreign missions in this country.

The ultimate sanction is of course the complete severance of diplomatic relations, as has been done in the present case. But this is an action that should be taken only in the plainest possible case. This is not a question of diplomatic nicety. This concerns the way in which Her Majesty's Government discharge their responsibility for the protection of many thousands of British subjects who live their lives, often in the furtherance of Britain's worldwide trading interests, in every corner of the globe. In all too many places, the conditions which they have to face are anything but safe. It is precisely in such places that the protection of Her Majesty's Government is most necessary.

There are up to 10,000 Britons resident in Libya. It is the second largest Western European community in that country.

I recognise very plainly the anger that every British citizen must feel in the present case. I share that sense of anger. That is one good reason why decisions of this kind should be taken only after a full and proper appreciation of the interests of our country and our citizens around the world. This explains why the severance of diplomatic relations is such an exceptional event. No British Government have done this previously in response to abuse of immunity.

The House may be interested to compare our reactions to Libyan provocation with those of some other countries in a similar plight. The United States embassy in Tripoli was burnt down in December 1979, yet it was not until 1981 that diplomatic relations were suspended. Even then they were not broken.

The French embassy in Tripoli was burnt down in 1980. Libyan and French troops to this day confront each other in Chad. Yet diplomatic relations continue. In the case of more than one country the Libyans have taken hostages, who have been exchanged for convicted Libyan prisoners without provoking a break in diplomatic relations. The British response in the present case has been stronger than that of any other country in comparable circumstances.

It is obviously right to consider whether other measures short of a break in diplomatic relations may be appropriate on such occasions. It has, for example, been asked whether effective measures can be adopted to prevent

abuse of the diplomatic bag without requiring any amendments to the Vienna convention. The convention provides that diplomatic bags shall "not be opened or detained".

The question of scanning bags is not expressly covered. There is argument whether this is permitted or not. The practice of nearly all states is, in fact, not to scan. Our own practice hitherto has been never to allow our own bags to be scanned, nor to scan the bags of others.

This topic is currently on the agenda of the United Nations International Law Commission. We have more than once considered whether any change of practice is desirable. Any such change would inevitably take place on a reciprocal basis. We have to decide in these cases how best to protect British interests, in particular the security of our essential communications. Another sanction is the expulsion of any diplomat who abuses his status.

We can take similar action against other staff of a diplomatic mission who do not have full diplomatic status but nevertheless enjoy immunity. Normally we take such action where there is evidence of personal conduct incompatible with diplomatic status. From now on, we shall go further. We shall be ready to use this power as an exemplary measure against any mission that the Government have good reason to believe is responsible for unacceptable activities in this country.

We also have the power to set limits to the size of diplomatic missions and to refuse to accept as having diplomatic status any premises of a mission which are not in our view being used for diplomatic purposes. We now face a wider threat from international terrorism. We shall not hesitate to use our powers to prevent the abuse by missions of their diplomatic status in connection with terrorist activities.

We have ourselves decided upon this action in response to the changing threat of international terrorism. But we do not propose to leave the matter there. I have already raised the issue with our European partners, and shall be pressing it again at the Foreign Affairs Council in Brussels next week. My right hon. Friend the Prime Minister intends also to raise the question for consideration at the London economic summit in London in early June. The most effective answer to international terrorism is international action taken collectively by the major countries. We have taken the firmest action so far of any country faced with these threats, and shall continue to press for similar action on an international basis.

Mr. Denis Healey (Leeds, East): Both *The Times* and the *Daily Telegraph* have described the episode to which the Foreign Secretary and the Home Secretary have addressed themselves as a humiliating defeat for Britain. I think that that must be the view of the majority of hon. Members on both sides of the House—[HON. MEMBERS: "No."] I think that the Foreign Secretary and his predecessors must accept a large share of the responsibility for this humiliation. The miserable story that the Foreign Secretary has recounted would, in a more robust age, have been regarded as grounds for impeachment.  
[Interruption.]

The Foreign Secretary has made it clear in his statement that, since the end of 1979, the Libyan Government changed the status of its diplomatic mission into that of a people's bureau. That mission has been the centre for organising criminal acts against people living in this country, many of which have led to deaths by poison, by

bombing or by gunfire. In 1980, President Gaddafi compiled a list of opponents living in other countries who were marked down for murder. In that year he sent death squads roving the countries of Europe and the middle east to carry out these sentences of death. The first victims in Britain, as the Foreign Secretary told us, led to the expulsion of the head of the people's bureau and certain other Libyans.

A couple of years later, it was discovered that the weapons used in the killing had been sold to the murderers by a British arms dealer for £80,000. No public attention was drawn to that fact. The arms dealer simply received a fine of £4,500, yet the people's bureau continued its actions.

In 1983 Mr. Sodami, with three other members of the bureau, organised 60 activist students living in this country to exercise surveillance over opponents of the regime among the Libyans living here. They established liaison with extremist groups such as the Workers Revolutionary party, for which they are thought to have provided money. No action was taken against Mr. Sodami at that time by the Government.

A few months later in February 1984, a coup occurred inside the mission. On that occasion, the Foreign Secretary called in some people who, I presume, were earlier members of the bureau. He made it plain in London and Tripoli:

"Unless and until they took steps to establish a customary diplomatic mission, we would not be willing to deal with them on a normal basis."

The Government, however, continued to deal with the mission on a normal basis. A few weeks later, a series of bomb explosions occurred in London and Manchester in which 23 persons were injured. The response of the Foreign Secretary on 11 March was

"to make it clear that terrorism by any foreign group is totally unacceptable and any repetitions of incidents of this kind are bound to have a serious effect on our relations."

The Foreign Secretary has often been described as having a laid-back style, but I suggest that this response to the bombings in London and Manchester was positively horizontal. According to the Foreign Secretary's account, a few weeks later he was warned by our embassy in Tripoli and the Libyan bureau in London that violence was likely to attend the demonstration before Easter. The police were told, but the implication of the Foreign Secretary's statement is that they were warned not to take those warnings seriously. The police were allowed to police the demonstration with an unarmed policewoman who stood during the demonstration with her back to the bureau.

The Foreign Secretary's behaviour throughout those four years, as he has described it to us, is not the first example of a failure to act on information available not through intelligence sources but through the press and the public. A Select Committee recently accused the right hon. and learned Gentleman of lethargy in a similar matter involving Grenada. I suggest that his behaviour towards the Libyan bureau in London showed cataleptic stupor. Warning after warning and act after act were totally incompatible with the position of any diplomatic mission in this country, and yet no effective action followed at any time.

Mr. Cranley Onslow (Woking): On a point of order. Mr. Speaker. Are we not reaching the point when a question might be asked?

Mr. Speaker: A very heavy day is in front of us. This is an important statement, but I hope that we can contain questions reasonably.

Mr. Healey: The Foreign Secretary read out 17 pages of a statement. I assure the House that, unless I am interrupted again by Conservative Back Benchers, I shall take no longer than the right hon. and learned Gentleman did in putting these points.

Does the Foreign Secretary really believe that we can allow diplomatic missions to behave in that way? Libya is not the only mission that has behaved in that way in recent years. The Iranian mission in London has been acting as a centre for harassment and in some cases has organised the beating-up of Iranian students in various cities. The same is true of the Iraqi embassy. The South African embassy has been allowing itself to be used as headquarters for the operation of the South African secret service against opponents of the apartheid regime in this country.

I shall discuss some of the facts that have come to light in this crisis. The other day the police told the *Daily Telegraph* that an arsenal of weapons existed in the bureau. We learned from this morning's newspapers that those weapons included gelignite. Why were 11 occupants of the bureau, who did not enjoy diplomatic immunity, sent back to Libya without any attempt having been made to establish whether they had shown complicity in the abuse of diplomatic status and in the murder? A moment ago, the Home Secretary told us that the police suspected that two members with diplomatic immunity were responsible, but the police did not know. When the men were sent back, the police had not completed their inquiries. They had not interviewed the person shown the other day on the television who was behind the policewoman when she was murdered. The police had not examined the embassy. It is clear from what the Home Secretary told us that a good deal of evidence was discovered during the examination.

There can be little doubt that some of the 11 occupants might have been involved in the accumulation of weapons in the embassy. No attempt was made to hold those people. The only excuse offered, under cover, by the Foreign and Commonwealth Office is that it was frightened that, if we had taken any action against any abuse of diplomatic privilege by those people who did not enjoy immunity, some action might be taken in Libya against British citizens.

Does the Foreign Secretary agree that that argument is an invitation to blackmail? It is simply telling any Government that, if they wish to murder people in Britain or to commit crimes against people in this country, they will get off scot free by threatening to do something to British civilians living and working in their country. That is precisely the action the Government have forsworn in the case of kidnapping. The Foreign Secretary's behaviour in allowing those 11 occupants of the embassy who did not enjoy diplomatic immunity to leave without examining their possible complicity in breaches of the law was improper, and I hope that the right hon. and learned Gentleman will comment on that point.

What can we do to improve the position? There is some truth in what the right hon. Member for Plymouth, Devonport (Dr. Owen) said—the Foreign Secretary's account of some steps he proposes to take is locking the stable door when the horse has bolted. Hindsight is better

[Mr. Healey]

than blindsight, and some action must be taken now to prevent a repetition of what happened in the case of the Libyans the other day. That action could happen in other embassies in the near future. I agree with the Minister of State, Foreign and Commonwealth Office, the hon. Member for Shoreham (Mr. Luce), that the Government should not break the law, and I hope that he sticks to that position. If the Government are not going to break the law, they must at least seek to change the law, which is patently inadequate.

Mr. Onslow: On a point of order, Mr. Speaker.

Mr. Speaker: Order. I believe that I can pre-empt the hon. Member's point. The right hon. Member for Leeds, East (Mr. Healey) has almost done his 17 pages. This is an important matter and many hon. Members wish to take part. I hope that the right hon. Member will bring his questions to a close.

Mr. Healey: With great respect, Mr. Speaker, the Foreign Secretary and the Home Secretary made it clear how important this matter is. They raised questions to which they refused to give answers.

A few moments ago, the Foreign Secretary told the House that he plans to consider whether any changes are required in the Vienna convention. How long will that consideration take? As I understand it, in a few months the International Legal Commission of the United Nations will have to put proposals to the General Assembly if any change of action is to begin this year. Does the Foreign Secretary intend putting proposals to the International Legal Commission and ensuring that they are considered in time to be put to the sixth committee of the General Assembly?

Secondly, the Foreign Secretary made it clear that electronic scanning was not excluded by existing law. It may well be that electronic scanning is not always capable of detecting every improper content of a diplomatic bag. However, it is far better to scan bags, if that is permitted, knowing that it may not be a perfect means of control, rather than allow weapons and other illicit matter to be passed in the bag with full diplomatic immunity.

I must put a final question to the Foreign Secretary—

Mr. Speaker: Order. The right hon. Member has been speaking for the best part of 20 minutes. I must ask him kindly to bring his remarks to a close.

Mr. Healey: Is there any truth in the stories widely reported in the newspapers and on radio and television today that the American Government are approaching their allies with a view to co-operation in illegal action designed to overthrow the Gaddafi regime? There have been reports on the radio this morning from America that a proposal—[*Interruption.*] Conservative Members must ask for a reply to that question. They may remember a reply to a similar question that I asked the Foreign Secretary not long ago about American action in Grenada.

Does the Foreign Secretary agree that to use illegal action to try to bring international anarchy under control would be to damage international law and the prospects for world peace far more seriously than anything that happened in St. James's square the other day?

I accept your requests, Mr. Speaker, that I should bring my remarks to a close. I shall simply ask the Foreign

Secretary whether he believes that his record on this or any other matter justifies confidence in the House or outside that he will protect the country's national or international interests in this and many other matters. Four years of recklessness and lack of grip have profoundly disturbed the British people.

Sir Geoffrey Howe: Although the right hon. Gentleman is dealing with a matter that the whole House recognises as being of great importance, the scale of his so-called questions, far exceeding the length of my original statement, shows that in this, as in so many other respects, he has lost every sense of proportion and is entirely at sea. A number of the questions that he deigned to ask towards the end of his long statement have been answered more than once by my right hon. and learned Friend the Home Secretary—for example, he has demonstrated clearly why scanning, for the reasons that he gave, would be ineffective in most circumstances, and stated that the matter had been considered.

In my original statement I made it plain that I would be reporting to the House on my review of the Vienna convention as soon as I was in a position to do so; that I should welcome the intervention of the Select Committee on Foreign affairs, and that I should also be taking other international action in respect of the convention.

With regard to action following the bombing in the middle of March, I made it plain that, apart from the strongest possible diplomatic representation at that time, the Home Secretary and myself, acting and appraising the evidence together, took firm action to secure the deportation of six people at that time. Further deportations have been announced by my right hon. and learned Friend today. We shall continue to take action along those lines resulting from that incident or any other.

The right hon. Gentleman asked another question that has been answered many times by my right hon. and learned Friend: Why were people, not enjoying diplomatic immunity, sent back to Libya with others at the conclusion of last week's events? The answers given by my right hon. and learned Friend were that, first, without the co-operation of those within the people's bureau it would not have been possible to gather sufficient evidence to proceed against them. Secondly, and far more importantly, in taking the extremely difficult decisions that had to be taken by my right hon. and hon. Friends during the course of the past 10 days, one of the matters that they had to take into account—it would have been irresponsible not to do so—was the safety not just of our diplomats but of the large British community in Libya, a number of members of which are already unjustifiably detained. Far from the handling of that matter being regarded as a humiliating defeat, the feeling has been widely expressed in the House that my right hon. and learned Friend's handling of the matter has been conspicuous for its skill and courage.

In his wide-ranging remarks at the beginning of his questions, the right hon. Gentleman suggested that for years squads under orders from Colonel Gaddafi to do a series of alarming things have been roaming the countries of Europe. There is no doubt about the dangers that we all face in that respect. They are the dangers with which we have been grappling. It is significant and noteworthy that at no stage during the years that those gangs were roaming, as the right hon. Gentleman said, or during the weeks since the incidents took place in March, did he raise the subject in the House.

Today the right hon. Gentleman, as Shadow Foreign Secretary, with many years' experience in the high offices of state, during which behaviour of this kind has occurred, raising these questions in relation to many other countries, suggests for the first time that diplomatic relations should be broken off with no fewer than three countries. His contribution to the exchange this afternoon has been wholly undistinguished save by its recklessness.

**Sir Peter Blaker (Blackpool, South):** Before the right hon. Member for Leeds, East (Mr. Healey) began to ramble so badly, my right hon. and learned Friend described graphically to the House—I congratulate him on the length of his memory—the threat that every developed country in the free world faces from Colonel Gaddafi's Libya. Apart from the United States, which has suspended diplomatic relations, can my right hon. and learned Friend say which of those countries has expelled the Libyan mission?

**Sir Geoffrey Howe:** The United Kingdom is the only European or industrial country that has taken that step, as I said in my original statement. It is right to add, of course, and the House may not be surprised by this, that a number of Arab countries have expressed a similarly severe view of the conduct of the Libyan Government. At least one, which has had its embassy in Libya burnt down, no longer has representation there.

**Mr. David Steel (Tweeddale, Ettrick and Lauderdale):** Why was the bureau allowed to continue operating for two months after the ousting of the four accredited diplomats in mid-February and before the shooting outrage, without the Foreign Secretary knowing who was in charge of it? Has that happened in the case of any other embassy in London? Why were steps not taken to close the bureau until such time as the Libyan Government supplied a fully accredited representative? Does he accept that public anxiety about this matter will not be allayed by an internal inquiry by those responsible for the intelligence services into their own activities and that, therefore, an independent inquiry as demanded by both sides of the House will be necessary?

**Sir Geoffrey Howe:** On the first point raised by the right hon. Gentleman, if he had listened to my statement he would have understood that the events that he described were paralleled precisely by those that took place at the time of the original establishment of the Libyan people's bureau. The revolutionary committee ousted the then ambassador and took over the embassy under the name of the people's bureau. It was with those circumstances that this country and eight other European countries were having to cope in determining what should thereafter happen. That position persisted from September 1979 until May 1980 before it was resolved.

Revolutionary committees were involved in both cases and the right hon. Gentleman may have the greatest difficulty in distinguishing between one revolutionary committee and another, as I have, but I am afraid that the circumstances were closely similar to those that existed between 1979 and 1980.

In regard to the inquiry, I have nothing to add to what has already been said by my right hon. Friend the Prime Minister and my right hon. and learned Friend the Home Secretary.

**Mr. Norman St. John-Stevs (Cheimsford):** Will my right hon. and learned Friend agree that no reasonable

person would recognise in the unscrupulous hindsight of an almost interminable intervention by the right hon. Member for Leeds, East (Mr. Healey) the exercise, skilfully carried out and prudently pursued, of damage limitation conducted by the Government in a virtually impossible situation? Do I take it from his statement that my right hon. and learned Friend would welcome an examination by the Select Committee on Foreign Affairs of the formulation of the concept of diplomatic immunity for the future and its application in the recent past?

**Sir Geoffrey Howe:** I am grateful to my right hon. Friend for his initial observations. On the second point, as I indicated in my statement, I would certainly welcome an inquiry by the Foreign Affairs Committee into the matters covered by the review I have in hand of the Vienna convention. As he and I can well imagine, that review might need to range over many of the topics suggested.

**Mr. J. Enoch Powell (Down, South):** Is it the position of the Government that this Parliament is competent or not competent to legislate if necessary to alter the laws of diplomatic immunity in this country?

**Sir Geoffrey Howe:** Some aspects are determined not by international law but by national law. There our freedom remains unfettered. In so far as they are determined by international law and in particular by treaties to which we are a party, we have to take account of those treaty obligations when considering the powers of this Parliament. That is why the process of change in something like the Vienna convention would be a matter for international negotiation. As the right hon. Gentleman repeats so frequently, in that respect, just as in the case of any other treaty to which this country is a party, the competence of this Parliament is limited, short of denouncing or determining the obligation. Because any change in such a convention is likely to take a long time I have thought it right today to announce further action being taken unilaterally by the Government forthwith within the limits of our power.

**Sir Anthony Kershaw (Stroud):** Is it not clear that any agreed change in the Vienna convention will not be easily obtained and might be impossible? If that is the case, will Her Majesty's Government consider proceeding unilaterally, whether by derogation from the existing convention or otherwise?

**Sir Geoffrey Howe:** My hon. Friend knows well how seriously one has to consider the possibility of taking unilateral action in respect of a treaty. Plainly, it may have to be considered in certain circumstances but it is also important to remember that a multilateral convention of this kind must not be judged simply by the benefits that it confers on one country at one time. Part of the essential of such a treaty is that it confers rights and obligations multilaterally. Therefore, one needs to be very careful before deciding to depart from it unilaterally.

**Miss Betty Boothroyd (West Bromwich, West):** Will the Foreign Secretary give some indication of the initial reaction of European Governments following the initiative that he took within the EC? Secondly, since taking that initiative, can he say which of the EC Governments have publicly condemned the act of violence and the abuse of diplomatic immunity within a member state? Thirdly, and finally, since some days have elapsed since the Government severed relations with the Libyan regime, can



[Miss Betty Boothroyd]

he tell us which of the EC Governments are supporting Britain's action by themselves either severing diplomatic relations with Libya or taking steps about the entry of Libyan nationals into EC countries?

**Sir Geoffrey Howe:** The matter is still a relatively recent event in regard to other countries but my right hon. Friend the Prime Minister and I have sent messages to a number of Governments seeking their support and interest in opposing the misuse of diplomatic premises for terrorism. We have sent messages to a number of Heads of Government with influence over Libya and have received public expressions of support from a large number of friends and allies — the United States, Canada, Belgium, Norway, Australia, Ireland and France, for example. The actions that will follow consideration by the European Community will have to be decided by the nations concerned.

**Mr. Dennis Walters (Westbury):** Will my right hon. and learned Friend accept that, as the record of the Foreign Office in protecting and upholding British interests is first class, he is absolutely right not to be on the defensive about simplistic attacks from whatever direction they may be launched? Will he also reassure the House that changes in the Vienna convention will be pursued with the utmost vigour and that we may hope that some changes will be made relatively soon?

**Sir Geoffrey Howe:** I am grateful to my hon. Friend for his opening remarks. I must come back to the point that he clearly has in mind, that to secure changes across the international spectrum in the existing provisions of the Vienna convention is likely to take some time. Some aspects of the convention are already being reviewed by international legal bodies. It is for that reason that I am seeking to secure a concerted response from the countries in the European Community and that my right hon. Friend will be seeking to secure a similar response from the countries attending the economic summit at the beginning of June. It is only if we are able to mobilise international opinion among leading nations that we shall get effective action quickly enough to change the convention. That is an additional reason for the decision I have announced today in respect of unilateral action on our own account.

**Mr. Jack Ashley (Stoke-on-Trent, South):** There has been a potentially explosive situation involving the Libyans for some time in this country. Can the Foreign Secretary tell the House what consideration he gave to the advantages and disadvantages of breaking diplomatic relations with Libya before this regrettable and tragic event?

**Sir Geoffrey Howe:** As I indicated in my original statement, the actual breach of diplomatic relations is a step taken only very rarely. It has been undertaken only by this country since the end of the second world war in only three cases—first, in respect of Albania; secondly, in respect of Uganda; and thirdly, in respect of Argentina. No previous Government have broken diplomatic relations on grounds of breach of diplomatic immunity of the kind with which we are concerned. Therefore, it would not be right to suggest that an actual breach of relations is something that has been under active consideration throughout recent years. We have endeavoured instead to

ensure that relations with Libya are conducted in an orderly fashion so that we may continue to enjoy the benefits of relations between the two countries.

**Mr. Patrick McNair-Wilson (New Forest):** Is it not totally unrealistic to believe that anything positive will flow from a review or renegotiation of the Vienna convention? Was that convention not agreed at a time when political power in the world was in the hands of a handful of European states? Would it not be wiser to address this problem by recognising that the best answer is improved intelligence-gathering, a much more positive attitude towards political activists from other countries and a greatly increased strengthening of the security forces within this country?

**Sir Geoffrey Howe:** Obviously the last matters raised by my hon. Friend should be, and are, under consideration by my right hon. Friend and myself. Certainly the actions that my right hon. and learned Friend the Home Secretary and I have announced for closer and more rigorous surveillance of diplomatic and non-diplomatic people in this country are a response of the kind that my hon. Friend is seeking. In regard to the Vienna convention, it is not by these standards an antique text. It dates from 1961 when the world had already begun to gather a large number of states far beyond the traditional European nations. So it is a relatively modern text. That does not diminish the force of the point that he makes, that it will be difficult to secure early changes. That is why I say again that we have decided to take action ourselves.

**Mr. John Evans (St. Helens, North):** What does the Foreign Secretary say about the allegation that the reason for the British Government's failure to respond quickly enough to messages between Tripoli and the people's bureau stems directly from the collapse of morale at GCHQ Cheltenham, which is not now functioning efficiently?

**Sir Geoffrey Howe:** I say precisely what my right hon. Friend the Prime Minister said in her letter to the right hon. Member for Plymouth, Devonport (Dr. Owen) earlier today. She said:

"On your specific point about GCHQ, I can assure you that GCHQ's operations and activities in this and other matters have been totally unimpaired by the recent changes at GCHQ. I am glad to have this opportunity of expressing the Government's appreciation of this fact."

**Mr. George Walden (Buckingham):** Without wishing to sound cynical, does my right hon. and learned Friend accept that regimes such as Colonel Gaddafi's signed the last Vienna convention and will sign the next? Does he accept that the problems of enforcement will not be overcome because a veto will apply? We have seen how irresponsibly the Russians reacted to the event.

Will my right hon. and learned Friend therefore take with him to the meeting of Foreign Ministers in Brussels next week a firm proposal for an agreement between the Ten to react against any gross violation of diplomatic immunity—first, by an approach through the Presidency to the country concerned, secondly, by joint retaliation in all the capitals of the Ten against the country in question, and, thirdly, by political and perhaps economic sanctions?

**Sir Geoffrey Howe:** I always respond without enthusiasm to any proposal for economic sanctions, for reasons well established by experience. Subject to that, I shall certainly consider my hon. Friend's suggestions. As

he knows better than many in the House, we are living in a world in which the chances of relying effectively upon countries' commitments to international treaties are being increasingly diminished.

**Mr. Kevin Barron (Rother Valley):** Can the Foreign Secretary explain why arms contracts are still current between Britain and Libya in view of the unpredictable nature of the regime and what it has done over the years to the French and American embassies there?

**Sir Geoffrey Howe:** Arms contracts and defence sales form a small part of our trade with Libya. They are subject, as are all such contracts, to strict control. Export licences are required and are considered on their merits. Licence applications for Libya are subject to particularly close scrutiny to ensure that no offensive equipment is sold.

**Sir Peter Emery (Honiton):** Will my right hon. and learned Friend return for a moment to X-ray and electronic surveillance? We have heard the Home Secretary say clearly that the reason that it is inadequate is that weapons can be covered in other metals so that they may not be detected. If we have reason to believe that the Vienna convention is being breached, we are not able to search a diplomatic bag, nor are we not able to ask for it to be returned. If that is so, when there is suspicion about metal objects, should we not ask for the bag to be returned and be willing for exactly the same procedures to be used against our diplomatic bags in countries against which we have adopted that procedure? Surely that would go a long way towards giving an assurance that weapons are not being brought into this country illegally.

**Sir Geoffrey Howe:** The difficulty about electronic surveillance of any kind, where there is a premise for the return of a bag, as my right hon. and learned Friend said earlier, is that the electronic surveillance can so easily be deceiving. Weapons can be covered in such a way as to disguise their presence. Even if one detects something that looks suspicious, the success of the operation relies on the ability to open the bag, which is not an option available at airport inspections.

**Mr. Robert MacLennan (Caithness and Sutherland):** Does the right hon. and learned Gentleman realise that his decision not to cancel immediately defence contracts with Libya is wholly unacceptable? Does he agree that he should have followed the example set by my right hon. Friend the Member for Plymouth, Devonport (Dr. Owen), when he immediately cancelled sales of arms to El Salvador in 1978?

**Sir Geoffrey Howe:** The hon. Gentleman would be wise to reflect precisely on the implications of what he has just said. I have said that no further defence sales will be authorised. Defence sales that have taken place have frequently involved matters of which even the hon. Gentleman would find it difficult to disapprove. Instant cancellation of existing contracts could have serious repercussions on industrial opportunities in Britain.

**Sir David Price (Eastleigh):** Can my right hon. and learned Friend confirm that about 8,000 British nationals live in Libya? In view of the highly tempestuous, revengeful and unpredictable nature of the Gaddafi regime, what advice is he prepared to give to our nationals about whether they should stay in Libya or come home?

**Sir Geoffrey Howe:** I agree that there are upwards of 8,000 British citizens in Libya. As I said in my statement, we have made it clear to the Libyan authorities that we hold them responsible for the safety of the British community. We have made it clear that this is a quarrel between Governments and that the British community should not be regarded as being in immediate danger. We have also made clear our determination to press for the release of people unjustifiably detained by the Libyan Government. In addition, we have advised members of the British community in Libya to consider their position carefully. We keep in touch by broadcast messages.

**Mr. Gerald Bermingham (St. Helens, South):** When considering whether to abrogate parts of the Vienna convention or to seek changes in it, will the Foreign Secretary bear in mind that these matters are reciprocal and that any actions that we take could have a detrimental effect on members of our diplomatic missions currently serving abroad?

**Sir Geoffrey Howe:** I am grateful to the hon. Gentleman. He underlines an important point, which I have already made.

**Mr. Derek Conway (Shrewsbury and Atcham):** Does my right hon. and learned Friend accept that those of us who have a personal experience of the beautiful country of Libya and its ugly regime welcome the considered steps taken by the Government? Bearing in mind the size of the British community in Libya, does my right hon. and learned Friend agree that if he took the advice of the right hon. Member for Leeds, East (Mr. Healey) he would not be succumbing to blackmail but extending hostages to fortune to that wicked and evil regime? Does my right hon. and learned Friend accept that he would be wise to disregard the right hon. Gentleman's advice?

**Sir Geoffrey Howe:** I am enthusiastically prepared to accept my hon. Friend's advice.

**Mr. Tony Blair (Sedgefield):** What advice did the Foreign Office give the Home Office when it passed on the communication from Libya that the demonstration would not be tolerated and that our ambassador to Libya had been called to a midnight meeting in Tripoli? Did the Foreign Office advise the Home Office to take the threat seriously or to treat it lightly?

**Sir Geoffrey Howe:** As my right hon. and learned Friend said, it is not the practice to add to what has already been said about such matters. The style, attitude, language and pattern of the Libyan Government's performance was as well known to the Home Office and the police as it was to the Foreign Office.

**Mr. W. Benyon (Milton Keynes):** I appreciate my right hon. and learned Friend's remarks about economic sanctions, but do not Colonel Gaddafi's powers stem entirely from oil revenues? What steps can be taken to try to achieve a Western boycott of Libyan oil?

**Sir Geoffrey Howe:** I have no reason to suppose that the mobilisation of economic sanctions in relation to the regime, however unattractive it may be, will in the end prove any more effective than previous examples.

**Mr. John Fraser (Norwood):** In view of Colonel Gaddafi's support for the IRA, can the Foreign Secretary be satisfied that money is no longer coming from Libya to the United Kingdom to finance terrorism? What special

[Mr. John Fraser]

discussions has he had with the Irish Government, with whom we share a common travel area, which might provide a backdoor entry for terrorists?

**Sir Geoffrey Howe:** It is not possible to give an unqualified assurance about the consequences of actions taken or promoted by the Libyan Government. Certainly, anything which gives support or comfort to the IRA is of equal concern to us and the Government of Ireland. It is a topic upon which we have close and regular consultation.

**Mr. Teddy Taylor (Southend, East):** As the Libyan regime made it abundantly clear at the weekend that it would give every possible help and assistance to the IRA, is there not an overwhelming case for considering whether we should put an immediate ban on current sales of arms and spares to Libya?

**Sir Geoffrey Howe:** I have already answered that question more than once. No future contracts will be authorised. I told the House of the nature of the current contracts, all of which are being reviewed. I would not wish to go beyond that now, bearing in mind all the contractual and other implications of those existing contracts.

**Mr. Andrew Faulds (Warley, East):** As a reconsideration of the Vienna convention is likely to take considerable time, should not the Foreign Office take a more immediate approach and scrutinise much more carefully any proffered diplomatic staff before granting accreditation, with an increased possibility of rejecting some of them?

**Sir Geoffrey Howe:** As I said in my statement, we intend to exercise our powers within the existing limits of the Vienna convention as seriously and closely as we should in the light of the events.

**Mr. John Stokes (Halesowen and Stourbridge):** Will my right hon. and learned Friend tell the House whether the Government have received support from Commonwealth countries, especially those in Africa?

**Sir Geoffrey Howe:** We have been in communication with some of them, but without notice I cannot give a direct answer. I shall write to my hon. Friend about it.

**Mr. Dennis Skinner (Bolsover):** Is the Foreign Secretary aware that, even if he stood at the Dispatch Box all day, he would never convince the British people of his case? The death of the young policewoman was appalling. Is he aware that Colonel Gaddafi has trampled over him, the Home Secretary and the Prime Minister? Is he aware that one reason why the intelligence gatherers were not up to the mark was that the Government, with their Cobra meetings, were more interested in gathering intelligence about the movement of miners supporting their right to work?

**Mr. Speaker:** Order. That is miles away from the matter being considered. I call Viscount Cranborne.

**Viscount Cranborne (Dorset, South):** Does my right hon. and learned Friend agree that the Government's conduct during this wretched affair after the shooting in St. James's square has been predictably brilliant and well balanced? However, will he assure the House that the Foreign Office was absolutely certain in February, when the explosions in London and Manchester occurred, that

there was no connection, or shadow of a suspicion of a connection, between those explosions and the Libyan establishment in St. James's square? If there was such a suspicion, what steps of a robust nature were taken to deal with it?

**Sir Geoffrey Howe:** Both my right hon. and learned Friend and I have made it clear separately today and last week that after the events surrounding those explosions in the middle of March his Department and mine were in the closest possible touch assessing the evidence in relation to all those who might qualify for deportation or other treatment. The prosecuting authorities were similarly involved in consideration of the evidence. We arrived at the conclusions jointly and after an assessment of all the evidence. At that time we both said that there was no firm evidence to link the explosions with the Libyan people's bureau. Further evidence now available may enable my right hon. and learned Friend and the police to take inquiries further in that and other directions.

**Several Hon. Members rose—**

**Mr. Speaker:** Order. In the interests of balance, I shall call those who have been seeking to intervene, but I ask them to put their questions briefly.

**Mr. Richard Alexander (Newark):** My right hon. and learned Friend referred to people being unjustifiably detained in Libya. Is he telling the House that British subjects are being detained without trial and, if so, how many?

**Sir Geoffrey Howe:** There are two such subjects detained without trial and one other in respect of whom we take the same view of the condition of his detention. We have been making the strongest possible representations on their behalf.

**Mr. Nigel Forman (Carshalton and Wallington):** In view of the considerable number of British citizens who hope to continue to live and work in Libya, is the Foreign Secretary aware that many people in the House and the country understand the firm but cautious nature of the Government's response to these difficult events? Will he put particular stress on the suggestions, already made by my hon. Friend the Member for Buckingham (Mr. Walden), that the matter should be tackled resolutely and come high on the agenda both at the European Community and the London summit?

**Sir Geoffrey Howe:** I certainly accept the importance of my hon. Friend's points.

**Sir Kenneth Lewis (Stamford and Spalding):** In case it may be forgotten, is my right hon. and learned Friend aware that the country's admiration for the police operations in St. James's square is equalled by our high appreciation for the work done by our ambassador and diplomatic staff in Libya?

**Sir Geoffrey Howe:** I am grateful to my hon. Friend. That opinion is widely shared and I shall pass it on to them.

**Mr. Eldon Griffiths (Bury St. Edmunds):** While welcoming the Prime Minister's undertaking to carry out a review, may I ask my right hon. and learned Friend to consider two matters concerning the police service? First, will he say whether the Foreign Office evaluation of the advance warning was conveyed to the Metropolitan police in an adequate fashion and, secondly, whether the decision

to call off the police operation before it achieved a result was a political one or an operational police decision? Those issues should not be hidden behind intelligence matters but should be made public in the interests of police morale. Will the Foreign Secretary ensure that that is done?

**Sir Geoffrey Howe:** The second point is a matter for my right hon. and learned Friend the Home Secretary, who is directly responsible for handling matters in connection with the police. In answer to his first point, I have nothing to add to what my right hon. and learned Friend said.

**Mr. Healey:** Is the Foreign Secretary aware that his enthusiasm to accept that British civilians in Libya are hostages against the British Government applying British law to crimes committed by Libyan citizens in Britain is a surrender to blackmail and sets a dangerous precedent for dealing with other unscrupulous regimes? Secondly, will he answer my earlier question and tell the House whether he has information about the intention of the United States Administration to use illegal or covert means to seek the overthrow of the Gaddafi regime? If so, will he assure the House that the Government will oppose it?

**Sir Geoffrey Howe:** The second question scarcely arises from the events, and I have no information in that respect. I recall a speech made by Secretary of State Shultz on 5 April, in which he expressed United States anxiety that action should be taken by free countries in respect of international terrorism by Libya. In reply to his first question—

**Mr. Healey:** Is the Foreign Secretary aware that his readiness to accept that British civilians in Libya are hostages—

**Sir Geoffrey Howe:** The proposition implied in that question in the circumstances of this case, as it has been handled by my right hon. and learned Friend and others, is superficial and a quite unjust observation.

## Ministerial Statements

5.38 pm

**Mr. Alan Williams (Swansea, West):** I return to a point of order mentioned by my hon. Friend the Member for Fife, Central (Mr. Hamilton) about the fact that the hon. Member for Bury St. Edmunds (Mr. Griffiths) had available to him a prior copy of the statement by the Minister. I raise the matter regardless of the fact that it may be a long-standing practice, as the hon. Gentleman might argue. It is a matter for the whole House. We should have a statement, not necessarily immediately but within a few days, from the Leader of the House on the present and future practice and criteria for making available advance copies of statements to hon. Members.

Many hon. Members, such as the hon. Gentleman, perfectly legitimately represent outside interests, whether professional, business or trade union interests. However, they do not have the same privilege of advance copies of statements, which is extended only to the Opposition Front Bench spokesman—or so we thought—because they must make substantial replies.

Will you, Mr. Speaker, clarify what it is that entitles this lobby to have this unsustainable advantage over all other outside interests and its representative to have priority over all other hon. Members?

**Mr. Speaker:** I have already dealt with this matter. I said that I shall look into it and must repeat that it seems unfair that any Back-Bench Member should have a copy of the statement if other Back Benchers do not. I shall look into the matter.

**Mr. Eldon Griffiths:** Further to that point of order, Mr. Speaker. Can I say with the greatest respect to you that I am a little surprised that you should already have apparently arrived at the conclusion that something is unfair before you have heard the facts of the matter from the hon. Member concerned? I merely say that in passing. I am sure that you intended no judgment in that respect but I would—

**Mr. Speaker:** Order. I must dispose of this matter. I do not think that we need go any further. I wish to be fair to all hon. Members. I shall certainly look into the matter and deal with it with total fairness.

**Mr. Dennis Skinner (Bolsover):** On a point of order, Mr. Speaker. Will you take steps, when considering this matter, also to examine another matter? When the police are mentioned, for example, in Prime Minister's Question Time invariably but not always the hon. Member for Bury St. Edmunds (Mr. Griffiths) is called to put a supplementary question on behalf of the Police Federation which he represents. I would like an assurance that those hon. Members who represent mining areas, for example, get an equal crack of the whip when miners are mentioned. Some of us have never yet been called. Perhaps you will consider that matter when you consider the other one.

**Mr. Speaker:** The hon. Gentleman is incorrect in saying that the hon. Member for Bury St. Edmunds (Mr. Griffiths) is called more frequently at Prime Minister's Question Time.

**Mr. Skinner:** I have never been called this year.

**Mr. Speaker:** Well, keep trying.

**Mr. Eldon Griffiths rose—**

# Annex 30

22 AP 17 Nov 84 Egypt tricks LIBYA into claiming ASSASSINATION of former Premier Bakoush after capturing death squad (899)

By MAURICE GUINDI CAIRO Egypt used faked photographs of a former LIBYAN prime minister lying in a pool of blood to trick LIBYA into claiming he had been ASSASSINATED by a roving death squad hired by Col. Moammar Khadafy, President Hosni Mubarak said Saturday.

Egyptian officials said the intended victim, Abdel-Hamid Bakoush, was 'alive and well,' and that two Britons and two Maltese had been arrested in the ASSASSINATION plot.

Interior Minister Ahmed Rushdi said the four told Egyptian police that the LIBYANS were planning attacks on heads of state and governments in West Germany, France, India, Pakistan, Britain, Saudi Arabia, Qatar, Kuwait, and the United Arab Emirates.

The stocky, 46-year-old Bakoush appeared at a news conference Saturday in Cairo with Rushdi.

'This incident proves that Khadafy lost his qualification as a responsible man and head of state,' he said. 'He is an international criminal, and I call on all countries and governments of the world to take a stand toward him.' Rushdi identified the Britons implicated in the plot as Anthony William Gill, 48, and Godfrey Chiner, 47, both of London, and the Maltese as Romeo Nicholas Chakambari, 42, and Edgar Bonic Cacia. All four were recruited by the LIBYAN ambassador to Malta, Ali Nejm, Rushdi said.

JANA, LIBYA'S official news agency, and the state-run Tripoli Radio both reported Friday that one of Khadafy's 'suicide squads' had 'executed' Bakoush on Monday - the last day friends and relatives reported seeing him and his wife.

Egyptian officials initially refused comment on the reports, but on Saturday Egypt's official Middle East News Agency quoted Mubarak as saying Bakoush was 'alive and well' in Aswan.

He said Egyptian authorities staged photographs to dupe the people hired by the LIBYANS to arrange the murder.

'We gave imaginary pictures showing Bakoush to be critically injured and lying in a pool of blood,' Mubarak said. 'These pictures were sent to the LIBYAN leadership by those terrorists through the LIBYAN Embassy in Malta.' Neither JANA nor Tripoli Radio mentioned Bakoush on Saturday, while Khadafy was in meetings on Malta. LIBYA and Malta's Socialist government have had normal diplomatic ties since resolving an offshore oil rights dispute in 1982.

Mubarak said he learned that a LIBYAN hit squad had been sent to Egypt when he was visiting West Germany last month. He said he also learned of purported terrorist plots to ASSASSINATE Chancellor Helmut Kohl of West Germany and King Faud of Saudi Arabia, and for forces loyal to Zulfikar Ali Bhutto, the late Pakistani prime minister, to overthrow the government of President Zia ul-Haq.

Pakistani officials have said that Bhutto's two sons - Murtaza and Shahnawaz - are said to have organized a LIBYA-backed underground group, Al-Zulfikar, to avenge their father's 1979 execution by Zia and overthrow Zia's regime.

Khadafy announced last May that he was forming roving death squads to hunt down and kill LIBYAN dissidents. That was after gunfire from inside the LIBYAN Embassy in London wounded 11 anti-Khadafy demonstrators on the street outside and killed a British policewoman.

The LIBYANS were ordered out of Britain, but there were no arrests because the LIBYANS inside the embassy claimed diplomatic immunity. The two countries subsequently closed their embassies in each other's capitals.

In the broadcast Friday, Tripoli Radio called Bakoush a 'stray dog' and said he was killed because he 'sold his conscience to the enemies of the Arab world and the LIBYAN people.' That broadcast also warned that Khadafy's hired killers would track down his opponents 'wherever they are.' Mubarak said the suspects were hired by LIBYA for 106,000 dollars to arrange the ASSASSINATION of Bakoush, King Idris' last prime minister before Khadafy overthrew the LIBYAN monarchy in 1969, and other LIBYAN dissidents living in exile in Egypt.

Rushdi said the first of the four LIBYAN agents arrived in Cairo on Oct. 17 and 'from the first minute he was under surveillance by the authorities.' The others arrived separately between Oct. 23 and Nov. 9, he said.

According to the minister, the group sought to recruit Egyptians to do the actual killing, but Egyptian intelligence managed to pass off their own agents as would-be assassins.

The Egyptians then showed the four pictures of Bakoush, one with his hands tied behind his back and his mouth gagged, the second with blood spattered on his face and shirt, and the third with Bakoush lying, supposedly dead, in a pool of his own blood.

Rushdi showed copies of the photographs to reporters.

According to Rushdi, an Egyptian undercover agent, posing as one of the assassins, then flew with the pictures to Malta along with a letter from one of the four 'suicide squad' members announcing that the ASSASSINATION had been successful.

The Egyptian returned immediately to Cairo with a receipt for the materials signed by an unidentified agent working out of the LIBYAN Embassy in Malta, Rushdi said.

With the documents in hand, the LIBYAN ambassador to Malta flew immediately to Crete to report to Khadafy, who was there for talks with French President Francois Mitterrand, Rushdi added.

The Tripoli Radio announcement of the 'execution' of Bakoush soon followed.

The Associated Press

23 AP 16 Nov 84 LIBYAN radio claims former Premier Abdel-Hamid Bakoush has been ASSASSINATED in Egypt (718)

By ROBERT H REID CAIRO LIBYA claimed Friday that 'suicide squads' loyal to Col. Moammar Khadafy had 'executed' a former LIBYAN prime minister and Khadafy critic who has not been seen by friends and relatives in four days.

Tripoli Radio, in a broadcast monitored in Cairo, said Abdel-Hamid Bakoush, the last prime minister under the LIBYAN monarchy overthrown by Khadafy in 1969, was killed last Monday because he 'sold his conscience to the enemies of the Arab nation and LIBYAN people.' In Cairo, where Bakoush had been living since 1977, Egyptian officials said they were unaware of the reported ASSASSINATION before the LIBYAN claim was broadcast. Police surrounded Bakoush's home in the fashionable Heliopolis area after word of the Tripoli Radio report spread.

LIBYA, meanwhile, vowed to continue hunting down its critics abroad.

Agents of Khadafy are blamed for a series of attacks on LIBYAN exiles in the West, including the killings of at least nine LIBYAN dissidents in Western Europe in 1980 and a string of bombings in England earlier this year that appeared aimed at Khadafy foes.

But a formal announcement by Tripoli Radio of a killing of an exile living on foreign soil - even before the attack had been reported by local police - was unprecedented for the LIBYANS.

'The revolutionary forces hereby declare responsibility for the liquidation of the stray dog Bakoush and promise the leader (Khadafy) and the people of LIBYA that suicide squads will continue to hound all stray dogs wherever they are,' Tripoli Radio said.

It said the 'execution' occurred Monday afternoon. The broadcast didn't mention Bakoush's wife, who also has disappeared.

Khaled Mansour, Bakoush's brother-in-law, told The Associated Press he had not seen Bakoush since he and his wife left the house they share in Cairo on Monday morning.

'They did not tell me where they were going, and I have not heard from them since,' said Mansour, adding that he knew of no plans for an extended absence.

Bakoush's private secretary, Mahmoud Abul-Kheir, said he had planned to see Bakoush Monday evening, but that Bakoush failed to keep the appointment.

Abul-Kheir said Bakoush normally was guarded by five bodyguards, but that they were not with him when he last saw him Monday morning.

There was no immediate explanation for why Bakoush's family and secretary failed to call police after his unexplained absence. Police answered the telephone at the Mansour residence Friday night, and refused to let reporters talk with family members.



Bakoush serves as general secretary of the LIBYAN Liberation Organization, one of several exile anti-Khadafy groups, but had not been visibly active in LIBYAN opposition circles in recent years.

There was speculation the ASSASSINATION may have been aimed at embarrassing the Egyptian government.

Tensions between Egypt and LIBYA have increased in recent months since President Hosni Mubarak accused LIBYA of planning an air strike against Egypt's Aswan high dam and of planting mines which damaged nearly 20 ships in the Red Sea last summer.

Mubarak publicly warned the Egyptians would strike back 'dozens of times' if the LIBYANS tried to attack any Egyptian installation.

If true, Bakoush's death would be the latest in a string of attacks on LIBYAN exiles. In April, gunmen in the LIBYAN Embassy in London opened fire on protesters, killing a British policewoman and 11 anti-Khadafy demonstrators.

As a result, Britain broke diplomatic ties with LIBYA. But LIBYAN diplomats were allowed to leave Britain without any arrests in the killing.

After the embassy incident, Khadafy warned in May that suicide squads were being created to hunt down and kill LIBYAN dissidents abroad.

Bakoush was arrested in the aftermath of the coup that brought Khadafy to power but was later acquitted by a revolutionary court of any wrongdoing.

He lived in LIBYA as a private citizen until May 1977, when he flew to Egypt and was granted political asylum by the late President Anwar Sadat.

After the London embassy incident, Bakoush had predicted that Khadafy would 'keep things quiet for two or three months' before resuming a terror campaign against LIBYAN exiles.

The Associated Press

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# Annex 31



**Security Council**

Distr.  
GENERAL

S/17554  
9 October 1985

ORIGINAL: ENGLISH

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 2618th meeting of the Security Council, on 9 October 1985, the President made the following statement on behalf of the members of the Council:

"The members of the Security Council welcome the news of the release of the passengers and the crew of the cruise ship Achille Lauro and deplore the reported death of a passenger.

"They endorse the Secretary-General's statement of 8 October 1985, which condemns all acts of terrorism.

"They resolutely condemn this unjustifiable and criminal hijacking as well as other acts of terrorism, including hostage-taking.

"They also condemn terrorism in all its forms, wherever and by whomever committed."

# Annex 32



**Security Council**

Distr.  
GENERAL

S/17702

30 December 1985

ENGLISH

ORIGINAL: ARABIC, CHINESE, ENGLISH,  
FRENCH, RUSSIAN, SPANISH

NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the 2639th meeting of the Security Council, on 30 December 1985, the President made the following statement on behalf of the members of the Council.

"The members of the Security Council strongly condemn the unjustifiable and criminal terrorist attacks at the Rome and Vienna airports which caused the taking of innocent human lives.

"They urge that those responsible for these deliberate and indiscriminate killings be brought to trial in accordance with due process of law.

"They call upon all concerned to exercise restraint and to refrain from taking any action inconsistent with their obligations under the United Nations Charter and other relevant rules of international law.

"They reaffirm the statement of the President of the Security Council of 9 October 1985 (S/17554), Security Council Resolution 579 of 18 December 1985, and endorse the Secretary-General's statement of 27 December 1985 in which he noted General Assembly Resolution 40/61 of 9 December 1985 and expressed the hope that it would be followed by determined efforts by all Governments and authorities concerned, in accordance with established principles of international law, in order that all acts, methods and practices of terrorism may be brought to an end."

# Annex 33

## Libye

## Tripoli décide la création de « commandos suicides » pour « frapper les intérêts américains et sionistes »

Le Congrès général du peuple, la plus haute instance exécutive et législative en Libye, a annoncé lundi 3 mars la création de « commandos suicides » dans le but de frapper « en tout lieu, les intérêts américains et sionistes », rapporte l'agence de presse libyenne Jana.

Le Congrès général du peuple, qui vient de clôturer ses travaux, a adopté une résolution appelant à « frapper les ambassades américaines et sionistes dans le monde arabe », à « pourchasser les organisations secrètes et publiques du mouvement sioniste mondial ». Le Congrès a également lancé un appel à l'ouverture en Libye de « camps d'entraînement militaire aux différents types d'armes à l'intention de tous les frères arabes résidant en Libye », indique l'agence. Ces « frères arabes », constitueront le « noyau d'une armée arabe unifiée qui engagera, sous le commandement du colonel Kadhafi, la bataille de la libération ».

Le Congrès a, par ailleurs, décidé d'« œuvrer en vue de détruire les radios arabes hostiles au mouvement révolutionnaire arabe » et de « consolider la voix des comités révolutionnaires » (libyens).

Le Congrès général du peuple regroupe les congrès populaires de base, les comités populaires (équivalent aux ministères), les syndicats, unions et organisations professionnelles. C'est l'instance suprême du pouvoir en Libye « remis au peuple » par le colonel Kadhafi.

### Le gouvernement remanié

D'autre part, le chef de la diplomatie libyenne, M. Ali Triki, « souffrant », a été remplacé à son poste par M. Hassan Kamal al Mansour. Le nouveau Comité populaire général, c'est-à-dire le gouvernement dont le chef a aussi été changé, compte désormais onze membres au lieu de vingt précédemment. Voici la composition du nouveau CPG :

- Secrétaire du Comité populaire général (premier ministre), M. Jadallah Azouz al Talhi (nouveau) ;

- Secrétaire au plan, M. Fawzi al Chakchouki (inchangé, mais déchargé de l'économie et des affaires pétrolières) ;

- Secrétaire au trésor, M. Mohamed Kassem Cheriala (inchangé) ;

- Secrétaire aux communications et au transport maritime, M. Moubarak al Chamekh (inchangé) ;

- Secrétaire au bureau des relations extérieures, M. Hassan Kamel al Mansour (nouveau) ;

- Secrétaire à la fonction publique, M. Mohamed Abdallah al Mabrouk (inchangé) ;

- Secrétaire au commerce et à l'économie, M. Ibrahim Mohamed al Bichari (l'économie a été détachée du plan, et le portefeuille du commerce n'existait pas dans le précédent gouvernement) ;

- Secrétaire à l'industrie, M. Hassan Abdel Ati al Barghachi (nouveau, pour un nouveau secrétariat qui remplace les secrétariats à l'industrie lourde et légère de l'ancien CPG) ;

- Secrétaire à la santé, M. Abdallah Hussein Khdoura (nouveau) ;

- Secrétaire à l'enseignement et à la recherche scientifique, M. Ahmed Ibrahim (nouveau, pour un secrétariat auquel a été rattaché l'ancien Centre de recherche scientifique) ;

- Secrétaire à l'information et à la culture, M. Mohamed Ali Charafeddine al Fitouri (inchangé).

[Ancien secrétaire (ministre) libyen du pétrole, M. Hassan Kamal Al Mansour, nouveau chef de la diplomatie, était secrétaire général adjoint de l'UAA (Union arabo-africaine, signée le 13 août 1984 par le roi Hassan II du Maroc et le colonel Kadhafi). Après des études de droit à l'université du Caire, il devient conseiller juridique dans l'industrie pétrolière en 1970. Représentant de la Libye à la Cour internationale de justice à La Haye, il est ensuite ambassadeur aux Nations unies de 1972 à 1976, en France (1976 à 1978) et en Chine (1978-1981). Il est nommé secrétaire du pétrole de 1982 à 1984, et exerce la présidence de l'OPEP de fin 1983 à décembre 1984.

Sur décision du colonel Kadhafi, M. Hassan Kamal Al Machour avait changé son nom en Al Mansour (qui signifie « le victorieux ») en janvier 1985, car, selon le leader de la révolution libyenne, « il n'y a pas d'opprimés (Al Machour signifie l'opprimé) dans la révolution (libyenne), il n'y a que des victorieux ».]

● **Démenti.** - Le ministère djiboutien des affaires étrangères et de la coopération a catégoriquement démenti lundi 3 mars les déclarations de M. Christian Nucci (*le Monde* du 1<sup>er</sup> mars) selon lesquelles la Libye procède actuellement dans les pays sahéliers, notamment à Djibouti, à une campagne d'enrôlement pour sa légion islamique qui se bat au Tchad. Le ministère djiboutien a estimé que ces propos étaient « sans fondement », réaffirmant que le gouvernement djiboutien ne permettrait sous aucun prétexte, à aucun Etat quel qu'il soit, d'avoir la possibilité de recruter ses nationaux. La Libye avait pour sa part démenti dès vendredi les déclarations de M. Nucci, les qualifiant de « mensongères et sans fondement ». - (AFP.)

# Annex 34



# PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 96

## HOUSE OF COMMONS

OFFICIAL REPORT

THIRD SESSION OF THE FORTY-NINTH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTY-FIFTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1985-86

COMPRISING PERIOD  
21 APRIL—2 MAY 1986

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successful, without it. A large quantity of explosives was discovered after the Act's use on one occasion last year. Also last year, the power to arrest without warrant under this legislation was used to avert a conspiracy to attack a retired army officer who had served in Northern Ireland. Since 1974, 366 persons detained under this legislation have been convicted of offences, and 308 have been excluded from Great Britain or the United Kingdom, or have been deported or removed under immigration powers. Six persons detained under the Act received life sentences for murder or attempted murder, and 36 received sentences of more than five years' imprisonment for causing or conspiring to cause explosions. Twenty persons were convicted for possession of explosives and 33 for offences under the Firearms Act. The case for continuing the legislation is considered every year and the professional judgment of the police on each occasion has been that the Act helps to prevent and detect acts of terrorism.

### Libya

**Mr. Hickmet** asked the Prime Minister what information she has as to assistance the Libyan Government have given to the IRA and similar organisations since 1970 in the training of terrorists, the supply of arms and the supply of money; and if she will make a statement.

**Mr. Mason** asked the Prime Minister if she will publish the available information showing that the Libyan Government have supported the Provisional Irish Republican Army in the training of personnel, financial assistance and the supply of arms; and if she will make a statement.

**The Prime Minister:** Libyan support for the provisional IRA is beyond doubt. A paper on this subject was placed in the Library of the House in 1984; a revised paper is being prepared at present and will be placed in the Library as soon as possible.

**Mr. Hickmet** asked the Prime Minister (1) in what terrorist incidents or murders on mainland Britain the Libyan Government have been implicated since President Gaddafi came to power, giving details of all those killed or injured and property damaged with the date and place; and if she will make a statement;

(2) what information she has as to the incidence of terrorism sponsored by Libya in Europe; and what assessment she makes of the effect that this has, or is liable to have upon Britain, British subjects and the peace and security of Europe.

**The Prime Minister:** Whilst there have been no occasions when the Libyan authorities have claimed direct responsibility for specific acts of terrorism in this country, since the Libyan embassies in Europe were taken over by self-styled revolutionary committees in September 1979, information on recent Libyan involvement in terrorist activity is as follows:

*March 1980*

Libyan journalist shot in Regent's Park.

*June 1980*

Secretary-General of London Libyan People's Bureau states approval for killing of Libyan dissidents in Britain. He, and three other Libyans, expelled.

*November 1980*

Four Libyans convicted for poisoning of two children of Libyan dissident in Portsmouth.

*March 1984*

Bomb explosions in Manchester and London injuring more than 20 British citizens. Three Libyans convicted and six deported.

*17 April 1984*

WPC Fletcher shot dead by gunmen firing from Libyan People's Bureau, London. Ten Libyan dissidents injured in shooting. Resulted in seige of Libyan People's Bureau and ultimately its evacuation and closure.

*21 June 1984*

A Libyan student shot dead by Libyan gunmen in Athens.

*July 1984*

Two Libyan diplomats asked to leave London for activities incompatible with their status.

*July 1984*

Two Libyan dissidents, el Zawi and Fataz, shot dead in Athens.

*6 April 1985*

Dinali, leading dissident shot dead in Bonn by Libyan gunman Tarhuni. Tarhuni sentenced to life imprisonment.

*17 April 1985*

Libyan Arab Airlines manager at Heathrow, London deported for anti-dissident activities.

*17 April 1985*

Libyan (Sodani) previously in United Kingdom deported from Belgium.

*24 May 1985*

Three Libyan students deported for anti-dissident activities.

*September 1985*

Egyptian police detained four-man Libyan terrorist team in Alexandria. Team were tasked to murder Bukkush, ex-Libyan prime minister. Sentenced to 25 years prison each.

*27 December 1985*

Shooting and grenade attacks at Rome and Vienna airports carried out by Abu Nidhal. Libya provided logistic support for attack in Vienna.

*1986*

Arms found in Republic of Ireland—including boxes of ammunition stamped "Libyan Armed Forces".

*3 January 1986*

Libyan student excluded from United Kingdom for planning anti-dissident attacks.

RECENT EVIDENCE

*Berlin discotheque bombing: 5 April 1986*

On 25 March instructions were sent from Tripoli to the Libyan People's Bureau in East Berlin to conduct a terrorist attack against the Americans. On 4 April the Libyan People's Bureau told Tripoli the attack would be carried out the following morning. In the early hours of 5 April a bomb exploded in a discotheque frequented by United States servicemen, killing two people and injuring 230. On 5 April the Libyan People's Bureau reported to Tripoli that the operation had been carried out successfully.

*Support for IRA*

Major arms find in Irish Republic. 26 January, included rifles and ammunition from Libya.

*Paris—attempted bombing*

In late March intelligence uncovered a plot to attack with a bomb civilians queuing for visas at the United States embassy in Paris. France expelled two members of the Libyan People's Bureau for their involvement.

The measures we and our European Community partners agreed on 21 April should reduce the threat of such activity against our citizens and interests.

**Mr. Hickmet** asked the Prime Minister what representations Her Majesty's Government have made to the Government of Libya about their support of the IRA since such support was identified; and if she will make a statement.

**The Prime Minister:** There is no doubt about Libyan support for the Provisional IRA. Since 1972 we have repeatedly protested to the Libyan Government about this, most recently at the last meeting between British and Libyan officials in Rome in March 1985.

**Mr. Hickmet** asked the Prime Minister what action Her Majesty's Government have taken since President Gaddafi came to power to seek to deter Libya from sponsoring state terrorism; with what result; and if she will make a statement.

**The Prime Minister:** Our action has included repeated representations to the Libyan authorities, diplomatic action with and through other friendly Governments, breaking off diplomatic relations, expulsion of diplomats and other Libyans from the United Kingdom, imposition of a strict visa regime and a ban on new defence contracts. These measures we have taken have had some effect in reducing the ability of the Libyan authorities to sponsor and conduct terrorist attacks in the United Kingdom.

#### United States Export Regulations

**Mr. Meadowcroft** asked the Prime Minister what guidance she proposes to give to United Kingdom citizens who become subject to the United States export regulations coming into force on 24 April.

**The Prime Minister:** Companies and persons doing business in the United Kingdom should be guided by United Kingdom law and their own commercial judgment.

#### Noraid

**Mr. Mason** asked the Prime Minister what representations she has made to President Reagan to outlaw Noraid; and if she will make a statement.

**The Prime Minister:** The United States Government have made clear their opposition to those in the United States who give support of any kind to organisations involved directly or indirectly in terrorism in Northern Ireland. They take active steps to arrest and prosecute those engaged in the export of arms to the terrorists. Representations have been made on many occasions— together with thanks for the vigorous statements by the President and leading members of Congress.

#### Provisional IRA

**Mr. Mason** asked the Prime Minister if she will list the representations she has made to the United States of America, the European Economic Community and the Libyan Government on financial aid, military training and weapons sales to the Provisional Irish Republican Army; and if she will make a statement.

**The Prime Minister:** The United States Government and the Governments of the European Community share our total opposition to terrorist violence of any kind. We have their close co-operation in the fight to deny all forms of support to the organisations engaged in terrorism in Northern Ireland.

Since 1972 we have repeatedly protested to the Libyan Government about their support for the Provisional Irish Republican Army, most recently at the last meeting between British and Libyan officials in Rome in March 1985.

#### Dr. Kurt Waldheim

**Mr. Janner** asked the Prime Minister if she will authorise the release of those Government documents hitherto withheld from the Public Record Office which contain references to the wartime activities of Dr. Kurt Waldheim; and if she will make a statement.

**The Prime Minister:** I have nothing to add to my answer on 22 April to the right hon. Member for Brent, East (Mr. Freeson).

#### Engagements

**Sir John Biggs-Davison** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

**Mr. Forth** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

**Mr. Peter Bruinvels** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

**Mr. Greenway** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

**Mr. Flannery** asked the Prime Minister if she will list her official engagements for Thursday 24 April.

**The Prime Minister:** This morning I presided at a meeting of the Cabinet and had meetings with ministerial colleagues and others. In addition to my duties in this House I shall be having further meetings later today. This evening I shall attend a state banquet given by their majesties the King and Queen of Spain.

#### SCOTLAND

##### State Hospital, Carstairs

**Dr. Godman** asked the Secretary of State for Scotland what alterations and renovations are planned for the wards in the state hospital, Carstairs; and if he will make a statement.

**Mr. John MacKay:** Following discussions which I had with the state hospital management committee last year, the committee has submitted proposals to the Scottish Home and Health Department for modernising the ward accommodation at the state hospital, Carstairs. These proposals are now being considered by the Department.

##### Speech Therapists

**Mr. McQuarrie** asked the Secretary of State for Scotland what progress has been made in the scientific and professional council in the claim by speech therapists for equal pay.

# Annex 35



**Security Council**

Distr.  
GENERAL

S/18641  
28 January 1987

ORIGINAL: ENGLISH

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NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

Following consultations of the Security Council held on 28 January 1987, the President of the Security Council was authorized to issue the following statement on behalf of the members of the Council:

"The members of the Security Council have had occasion in the past to draw attention to various acts of hostage-taking and abduction. In resolution 579 (1985) the Security Council condemned unequivocally all such acts and called for the immediate safe release of all hostages and abducted persons wherever and by whomever they are being held. Conscious of the serious implications of this issue, and in particular, its humanitarian aspects, the members of the Council again condemn all acts of hostage-taking and abduction and demand the immediate and safe release of all hostages and abducted persons."

# Annex 36

# **Keesing's**

## **Record of World Events**

Edited by Roger East

**Volume XXXIII (1987)**

**56th Year of Publication  
(formerly Keesing's Contemporary Archives)**

Record of national and international current affairs with continually updated indexes. Keesing's factual reports are based on information obtained from press, broadcasting, official and other sources.



**Longman**

believed to tolerate the passage of Polisario guerrillas through its territory.) The current Chairman of the Organization of African Unity, President Sassou-Nguesso of Congo, held talks with Mr Abdelazziz in Algiers on Feb. 9, and on Feb. 21 met with King Hassan (Morocco had withdrawn from the OAU in protest at the admission of the SADR in 1984—see 33324 A). King Fahd of Saudi Arabia visited Algiers and Rabat (the Moroccan capital) in mid-March, when he was reported to have offered the good offices of Saudi mediators to help resolve the dispute. King Hassan and President Chadli of Algeria, with King Fahd in attendance, held talks on the Western Sahara issue on the Moroccan-Algerian border, near the Moroccan village of Akid Lutfi, on May 4, 1987. On May 25 Algeria released 150 Moroccan soldiers in exchange for 102 Algerian soldiers liberated by Morocco. Those detained had been held as a result of a number of mutual border violations over the past few years.

#### Diplomatic recognition of SADR - Attendance of Polisario delegation at PLO meeting

The SADR, already recognized by more than 60 countries [see page 34204], received further diplomatic recognition from Guatemala (April 1986), the Dominican Republic (July 1986), Belize (September 1986), St Kitts and Nevis (February 1987) and Antigua and Barbuda (also February 1987).

King Hassan ordered Moroccan officials to boycott conferences and meetings attended by Palestine Liberation Organization representatives after Mr Abdelazziz was permitted to address the 18th session of the Palestine National Council, held in Algiers in April 1987, as head of a Polisario delegation. King Hassan stressed, however, that Morocco would continue to support the Palestinian struggle.—(Le Monde - El Pais, Madrid - Guardian - International Herald Tribune - BBC Summary of World Broadcasts - Times - Financial Times - Independent - Observer) (Previous report 34203 A)

#### A. LIBYA — Government changes - Internal and foreign affairs

*11th session of General People's Congress (Feb. 27-March 3, 1986).*

*Reported political tensions within leadership (April 1986 to mid-1987).*

*Opposition activity (1986 to mid-1987).*

*Economic problems, debt figures (1986-87).*

*Budgets for 1986 and 1987.*

*Introduction of new calendar (July 1986).*

*12th session of General People's Congress (Feb. 25-March 2, 1987).*

*UN General Assembly resolution on US air raid (Nov. 20, 1986).*

*Implementation of US trade restrictions on Libya (May-July 1986).*

*Sale of Libyan holding in Fiat (Sept. 30, 1986).*

*Renewed US-Libyan tension: reported US*

*"disinformation" campaign (August-October 1986).*

*Continuing strained relations with West European countries (May 1986-April 1987).*

*Closure of people's bureau in Australia (May 19, 1987).*

*Visit of Maj. Jalloud to Soviet Union (May 26-27, 1986).*

*Syrian president's visit to Libya (Aug. 25-26, 1986).*

*Severance of relations with UAE (Jan. 31, 1987).*

The 11th ordinary session of the General People's Congress (GPC—the Libyan equivalent of a national assembly) was held in Tripoli, the capital, on Feb. 27-March 3, 1986. It approved the appointment of a new Secretariat and a General People's Committee (Cabinet) of 11 members (reduced from 20) as follows [for previous list see page 33003; for subsequent changes see pages 33436; 34202]:

#### Secretariat

*Dr Miftah al-Usta Umar	Secretary-General
*Mr Abdel-Raziq al-Sawsa	Assistant Secretary-General
Mr Umar Ishkal	Secretary for People's Congress Affairs
*Mr Ibrahim Bukhizam	Secretary for People's Committees' Affairs
*Mr Bashir Huwajj	Secretary for Trades Unions, Federation and Vocational Affairs
*Mr Rajeb Misellati	Chair of the Auditing Bureau

#### General People's Committee

*Mr Jadallah Azouz at-Talhi	Secretary-General of the Committee (Prime Minister)
Mr Fawzi al-Shakshuki	Planning
Mr Mohammed Qasim Sharlalah	Treasury
Mr Mubarak ash-Shamikh	Communications, Maritime Transport
*Mr Kamal Hasan al Mansour (formerly Maqhur)	Foreign Liaison
Mr Mohammed Abdallah al-Mabrouk	Public Service
*Mr Ibrahim Mohammed al Bishari	Economy and Trade
*Mr Hassan Abdel Ati al Barghashi	Industry
*Mr Abdallah Hussein Khmoura	Health
*Mr Ahmed Ibrahim	Education and Scientific Research
Mr Mohammed al Fayturi	Information and Culture
*New appointment.	
†New portfolio.	

Mr Talhi, previously Secretary-General of the General People's Committee from 1979 to February 1984 [see 29665 A; 33003 A], succeeded Mr Muhammad az-Zarrouk Ragab. Mr Mansour, who replaced Dr Ali Abdessalam at Turayki, had served as permanent representative at the UN from 1972-76, and then as ambassador to France (1976-78) and China (1978-81), before being appointed Petroleum Secretary in 1982 which post he held until 1984 [see 31680 B; page 33436]. In January 1985, at the request of Col. Moamer al Kadhafi, the Libyan leader, he changed his last name from Maqhur (meaning "oppressed") to Mansour ("victorious").

The GPC's other decisions were concerned principally with foreign affairs.

It called for the creation of "suicide commandos" whose task would be to "strike at American and Zionist interests everywhere", and specifically for attacks against "the ambassadors of Israel and the USA in the Arab world". It demanded the establishment of military training camps for all "Arab brethren" residing in Libya, who would form the core of a "united Arab army which will wage the liberation struggle" under the command of Col. Kadhafi (the "Leader of the Revolution"). It also resolved to work for the destruction of "Arab radio stations which are hostile to the Arab revolutionary cause".

#### Reported political tensions within Libyan leadership

In the wake of the US air raid on Libya in April 1986 [see 34454 A], there were several reports that Col. Kadhafi's personal authority within the country had diminished and that he was suffering from depression and, possibly, mental and physical illness. Apart from occasional radio and television broadcasts, Kadhafi made few public appearances until early September, and there was speculation that the country was being run by a team of



# Annex 37

# PARLIAMENTARY DEBATES

(HANSARD)

SIXTH SERIES—VOLUME 122

## HOUSE OF COMMONS

OFFICIAL REPORT

FIRST SESSION OF THE FIFTIETH PARLIAMENT  
OF THE UNITED KINGDOM OF GREAT BRITAIN  
AND NORTHERN IRELAND  
THIRTY-SIXTH YEAR OF THE REIGN OF  
HER MAJESTY QUEEN ELIZABETH II

SESSION 1987-88

COMPRISING PERIOD  
9 NOVEMBER—20 NOVEMBER 1987

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Both at the General Assembly in New York on 25 September, and again in London on 23 October when my right hon. and learned Friend saw the Chilean Foreign Minister, he took the opportunity to re-emphasise our concerns, which I also discussed in detail with Senor Garcia.

70. **Mr. Brandon-Bravo:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on human rights in Afghanistan.

**Mr. Eggar:** Widespread violations of human rights in Afghanistan have been documented in the interim report by Dr. Ermacora, special rapporteur of the United Nations Commission on Human Rights, presented recently to the General Assembly.

#### IRA (Arms Supplies)

42. **Mrs. Dunwoody:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will hold urgent talks with the Irish Government on the evidence that Irish nationals are obtaining arms for the Irish Republican Army from Libya, disclosed by the recent capture of the coaster Eksund off France, and if he will make a statement.

**Mr. Mellor:** We are naturally in close touch with the Irish and French authorities through normal channels. This incident demonstrates the importance of international co-operation against terrorism.

#### Canada

45. **Mr. Michael Brown:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to seek to visit Canada.

**Mr. Eggar:** My right hon. and learned Friend has no immediate plans to visit Canada.

#### German Democratic Republic

48. **Dr. Twinn:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he next intends to seek to visit the German Democratic Republic.

**Mrs. Chalker:** The Foreign Minister of the German Democratic Republic, Herr Oskar Fischer, visited the United Kingdom in November 1986, reciprocating my right hon. and learned Friend's visit to East Berlin and the German Democratic Republic in April 1985. He hopes to take up Herr Fischer's invitation to make a second visit to the German Democratic Republic in due course.

#### Afghan Guerrillas

50. **Mr. Rowe:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he has any evidence of collaboration between the Government of Iran and Afghan guerrillas; and if he will make a statement.

**Mr. Eggar:** Iran has consistently supported elements of the Afghan resistance, and given refuge to over 1 million Afghan refugees.

#### Inter-Parliamentary Union

52. **Mr. Michael Marshall:** To ask the Secretary of State for Foreign and Commonwealth Affairs what support his Department affords to the British group of the Inter-Parliamentary Union.

**Mr. Eggar:** We fully support the activities of the British group of the Inter-Parliamentary Union. For example, the Foreign and Commonwealth Office provides written and oral background briefing in connection with inward and outward visits; and our posts overseas provide whatever support may be required by IPU delegations. An FCO official attends the IPU spring and autumn conferences as an adviser to the British group.

We value the contribution of the IPU to the improvement of international and bilateral relations.

#### EC Budget

55. **Mr. Forth:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement about the Foreign Affairs Council's most recent consideration of the European Community budget deficit.

**Mrs. Chalker:** I refer my hon. Friend to the answer that I gave to the hon. Member for Wentworth (Mr. Hardy) on 21 October at columns 705-8.

#### Spain

56. **Mr. Sackville:** To ask the Secretary of State for Foreign and Commonwealth Affairs when next he intends to visit Spain.

**Mrs. Chalker:** My right hon. and learned Friend intends to visit Spain on 27-28 November for further discussions with the Spanish Foreign Minister in accordance with the pattern established under the Brussels agreement of 1984.

#### British Council

58. **Mr. Soames:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a statement on the work and future funding of the British Council.

**Mr. Eggar:** As our response to the Foreign Affairs Committee's recent report makes clear, we attach importance to our continuing work in the field of cultural diplomacy. The British Council plays a particular role in this, as do, notably, the BBC external services. We also recognise and welcome the very great contribution of the private sector. We shall continue to allocate funds to work in the cultural field in the light of our overall foreign policy priorities and public expenditure objectives. Details of planned funding for the British Council for the period from 1988-89 to 1990-91 will be published in the public expenditure White Paper early next year.

80. **Mr. Bowis:** To ask the Secretary of State for Foreign and Commonwealth Affairs when he expects the British Council to reopen in Malta; and if he will make a statement.

**Mr. Eggar:** The British Council has no immediate plans to re-open in Malta.

#### East-West Relations

59. **Mr. Cash:** To ask the Secretary of State for Foreign and Commonwealth Affairs if he will make a further statement on the future of East-West relations.

**Mr. Mellor:** We welcome the prospect of the United States-Soviet summit beginning on 7 December. We hope

# Annex 38

# United Nations

## Press Release

Department of Public Information - Press Section - New York

SC/5057

30 December 1988

### SECURITY COUNCIL CONDEMNS DESTRUCTION OF PAN AM FLIGHT 103

#### Calls on All States 'to Assist in Apprehension And Prosecution of Those Responsible for This Criminal Act'

The following statement was made today on behalf of the members of the Security Council by Council President Hideo Kagami (Japan):

The members of the Security Council share the outrage of the Secretary-General expressed in his statement on 29 December and strongly condemn the destruction of Pan American flight 103 on 21 December, which resulted in the loss of hundreds of lives.

They convey their deepest sympathy to the families and friends of those who died as a result of this tragedy.

They call on all States to assist in the apprehension and prosecution of those responsible for this criminal act.

They consider that unlawful acts against the safety of civil aviation jeopardize the safety of persons and property, seriously affect the operation of air services and undermine the confidence of the peoples of the world in the safety of civil aviation.

They encourage the International Civil Aviation Organization (ICAO) to continue its efforts to promote civil aviation security, including universal acceptance of and strict compliance with conventions on the safety of international civil aviation.

\* \* \* \* \*

# Annex 39

28 December 1988

STATEMENT FROM THE AIR ACCIDENTS INVESTIGATION BRANCH: LOCKERBIE

A number of items of wreckage, passenger baggage, and part of the framework of a metal luggage pallet are being examined by MoD scientists. More items have been collected by AAIB investigators from the accident area; each of these will be subjected to lengthy chemical and metallurgical forensic examinations.

However, it has been established that two parts of the metal luggage pallet framework show conclusive evidence of a detonating high explosive.

The explosive's residues recovered from the debris have been positively identified, and are consistent with the use of a high performance plastic explosive.

Other evidence collected by the AAIB, in particular that from the flight data recorder and the cockpit voice recorder and from the wreckage trail on the ground, has led to the preliminary conclusion that the explosion took place soon after the aircraft had crossed the Scottish border whilst it was in the cruise at 31,000ft and that this led directly to its destruction.

Much investigative work remains to be done to establish the nature of the explosive device, what it was contained in, its location in the aircraft, and the sequence of events immediately following its detonation.

# Annex 40





Security Council

Distr.  
GENERAL

S/RES/635 (1989)  
14 June 1989

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RESOLUTION 635 (1989)

Adopted by the Security Council at its 2869th meeting,  
on 14 June 1989

The Security Council,

Conscious of the implications of acts of terrorism for international security,

Deeply concerned by all acts of unlawful interference against international civil aviation,

Mindful of the important role of the United Nations in supporting and encouraging efforts by all States and intergovernmental organizations in preventing and eliminating all acts of terrorism, including those involving the use of explosives,

Determined to encourage the promotion of effective measures to prevent acts of terrorism,

Concerned at the ease with which plastic or sheet explosives can be used in acts of terrorism with little risk of detection,

Noting the International Civil Aviation Organization Council resolution of 16 February 1989, in which it urged its member States to expedite current research and development on detection of explosives and on security equipment,

1. Condemns all acts of unlawful interference against the security of civil aviation;
2. Calls upon all States to co-operate in devising and implementing measures to prevent all acts of terrorism, including those involving explosives;
3. Welcomes the work already undertaken by the International Civil Aviation Organization, and by other international organizations, aimed at preventing and eliminating all acts of terrorism, in particular in the field of aviation security;

4. Urges the International Civil Aviation Organization to intensify its work aimed at preventing all acts of terrorism against international civil aviation, and in particular its work on devising an international régime for the marking of plastic or sheet explosives for the purpose of detection;

5. Urges all States, and in particular the producers of plastic or sheet explosives, to intensify research into means of making such explosives more easily detectable, and to co-operate in this endeavour;

6. Calls upon all States to share the results of such research and co-operation with a view to devising, in the International Civil Aviation Organization and other competent international organizations, an international régime for the marking of plastic or sheet explosives for the purpose of detection.

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# Annex 41

1 AP 17 Jun 91 Libyan leader GADHAFI Says Britain Can Go To Hell  
(537)

LONDON Libyan leader Col. Moammar GADHAFI, who last month made overtures to Britain in a bid to restore diplomatic links, said Monday night that Britain can go to hell, Libyan television reported.

'To hell with Britain and relations with it until the day of judgment. To hell with America and Britain,' GADHAFI said in a speech at a session of the Libyan General People's Congress.

The speech was carried by Libyan TV. Parts of a transcript of the broadcast were issued by monitors in Britain.

Britain cut diplomatic links with Libya in 1984 after a policewoman was killed and 11 people were injured when gunmen inside the Libyan embassy in London opened fire on Libyan exiles holding an anti-GADHAFI demonstration outside.

The Libyan government extended feelers to Britain last month through British legislator Edward Taylor, who met with GADHAFI during a 10-day visit.

Taylor said he had brought back several secret proposals, plus a letter of regret and a check for 250,000 pounds (405,000 dollars) for the killing of the policewoman.

In a further move, Libya's ambassador to the United Nations, Ali Treiki, said June 10 that Libya would reveal information about its contacts with the Irish Republican Army if Britain agreed to restore diplomatic ties.

The British government has said it wants convincing evidence that Libya has cut its links with terrorist organizations, and has said that explosives and arms supplied by Libya to the IRA are still killing British citizens in Northern Ireland.

Treiki said on June 10 that Libya had cut its links with the IRA. He said its past support was a reaction to the decision by the then British prime minister Margaret Thatcher to allow US warplanes to fly from British bases to take part in the US bombing of Libya on April 15, 1986.

GADHAFI told the congress, according to the monitors' transcript: 'I read it in the newspapers - the British began to criticize us, saying GADHAFI must personally apologize, Libya is a terrorist state, he is a dictator, and we do not need these relations ..

'It is Britain who must come. It is Britain who needs relations with Libya.

It should come and kneel before Libya so that we can perhaps open the file and say we may reconsider the matter.' He said Taylor had told him he would like to put the relationship between Britain and Libya to rights.

'We told him that for you, yes, it is all right. We are here, we have demands. We said we have demands ..

' Britain took part in aggression against us. Britain planted mines in Libya ..

' He (Taylor) said: you are with the IRA, you are with Ireland. We said to him: Ireland is a just cause. We support it, terrorism or no terrorism.' In 1987, GADHAFI was asked by France's La Cinq television about a shipment of seized arms from Libya said to be intended for the IRA in its fight to end British rule in Northern Ireland. 'Yes, I support this (IRA) cause,' GADHAFI said then.

The Associated Press

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# Annex 42

**F U I**

50 QUEEN ANNE'S GATE LONDON SW1H 9AT

**POLICE  
DEPENDANTS'  
TRUST**

Patron: HM The Queen

Please address all correspondence to  
**THE SECRETARY POLICE DEPENDANTS' TRUST**

18 October 1991

**POLICE DEPENDANTS' TRUST**

The trustees of the Police Dependants' Trust have been considering, in the light of legal advice, what should be done about the donation of £250,000 which was sent to them earlier in the year by the Libyan Police Syndicate. With the donation the Trust was given a copy of a letter from the General Secretary of the Syndicate which included the following paragraph:

"The Libyan Police Syndicate, whose members are obliged to protect security and law and order - and in which task they face difficulties requiring the support of society for themselves and their families - feel that this painful event [the shooting of WPC Yvonne Fletcher] requires public apologies and co-operation and solidarity with our colleagues in the UK. The Syndicate has therefore decided to give the amount of £250,000 towards the fund for the protection of families of police in the UK as a contribution from the syndicate to support this noble and humanitarian activity."

Under charity law it is the duty of trustees to give priority to the financial interests of their charity and its beneficiaries for whom they are responsible. This duty normally requires them to accept unconditional gifts of money no matter what their source. The trustees of the Police Dependants' Trust have, however, concluded that they should not accept the donation from the Libyan Police Syndicate because of the Libyan authorities' record of support for terrorist organisations, including the Provisional IRA who have been responsible for the deaths of British police officers. The trustees have therefore decided to apply to the Charity Commissioners or (if the Charity Commissioners so direct) to the Court for authority to refuse the gift. They will issue a further statement when the outcome of the application is known.

All press enquiries should telephone: 071 273 4010

# Annex 43





Security Council

Distr.  
GENERAL

S/23221  
16 November 1991  
ENGLISH  
ORIGINAL: ARABIC

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LETTER DATED 15 NOVEMBER 1991 FROM THE PERMANENT REPRESENTATIVE  
OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED  
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit to you herewith the text of a communiqué issued by the People's Committee for Foreign Liaison and International Cooperation concerning British and American statements in which accusations are made against what they have called "Libyan elements" of having been involved in the distressing incident of the crash of a Pan American World Airways aircraft in 1988 and categorically denying that Libya had any association with the said incident.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ali Ahmed ELHOUDEIRI  
Permanent Representative

Annex

Communiqué issued by the People's Committee for Foreign Liaison  
and International Cooperation

The People's Committee for Foreign Liaison and International Cooperation learnt with astonishment of the British and American statements in which accusations are made against what they have called "Libyan elements" of having been involved in the distressing incident of the crash of a Pan American World Airways aircraft in 1988. The People's Committee for Foreign Liaison and International Cooperation categorically denies that Libya had any association with that incident or that there was any knowledge of it on the part of the Libyan authorities, reaffirms its condemnation of terrorism in all its forms, and extends the sympathy of the Libyan people to the families affected by the incident and expresses its solidarity with them.

When a small, developing country such as Libya finds itself accused by super-Powers such as the United States and the United Kingdom, it reserves its full right to legitimate self-defence before a fair and impartial jurisdiction, before the United Nations and before the International Court of Justice and other bodies.

The People's Committee for Foreign Liaison and International Cooperation, while it suggests that the language of intimidation is not in accord with the parameters of the present time and that the alternative thereto is dialogue, evidence and logic, emphasizes that no contact has been established with the competent judicial authorities in Libya with a view to exploring the truth and verifying these allegations.

We urge the United States and the United Kingdom to be governed by the logic of the law, by wisdom and by reason and to seek the judgement of impartial international commissions of inquiry or of the International Court of Justice.

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# Annex 44



General Assembly Security Council

Distr.  
GENERAL

A/46/660  
S/23226  
20 November 1991  
ENGLISH  
ORIGINAL: ARABIC

GENERAL ASSEMBLY  
Forty-sixth session  
Agenda item 67  
STRENGTHENING OF SECURITY AND COOPERATION  
IN THE MEDITERRANEAN REGION

SECURITY COUNCIL  
Forty-sixth year

Letter dated 17 November 1991 from the Permanent Representative  
of the Libyan Arab Jamahiriya to the United Nations addressed  
to the Secretary-General

I have the honour to transmit herewith a letter addressed to you by Mr. Ibrahim M. Bishari, Secretary of the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation concerning the British and United States statements accusing what they called "Libyan elements" of responsibility for the distressing incident of the crash of a United States Pan Am aircraft in 1988.

I should be grateful if you would have this letter circulated as an official document of the General Assembly under agenda item 67, and of the Security Council.

(Signed) Ali Ahmed ELHOUDEIRI  
Permanent Representative

Annex

Letter from the Secretary of the People's Committee of the  
People's Bureau for Foreign Liaison and International  
Cooperation to the Secretary-General

You have undoubtedly followed the statements issued by the Governments of the United Kingdom and the United States of America accusing what they have called "Libyan elements" of responsibility for the distressing incident of the crash of the Pan Am aircraft in 1988. While we are astonished at the issuance of such statements and the strong language in which they are couched at a time when the world is witnessing an international détente that has led to renunciation of the use of such language and such random flinging of accusations, while we are astonished at that, we warn that such statements stem from a premeditated intention to accuse the Great Jamahiriya and undertake aggression against it. They unquestionably represent a great threat to peace and security, not only in the region but throughout the world.

We categorically deny that the Great Jamahiriya had any association with that incident or that the Libyan authorities have any knowledge of its perpetrators, and we reaffirm our condemnation of international terrorism in all its forms and extend the sympathy of the Libyan Arab people to the families of the victims of the incident and express its solidarity with them.

The Great Jamahiriya is a small, developing country. It is subjected to false accusations by the United States of America and the United Kingdom and, consequently, reserves its right to self-defence before the United Nations. At the same time, it affirms its belief in the peaceful settlement of disputes, as provided for in Article 33, paragraph 1, of the Charter, which provides that the parties to any dispute "shall, first of all, seek a solution by negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement ...". The Great Jamahiriya is willing to resolve any difference between it and the United States of America and the United Kingdom by the means provided for in this Article.

The threatening language contained in the statements by the Governments of the United States of America and the United Kingdom are incompatible with the spirit of the age in which we live, the age of détente and peaceful coexistence, and is no longer the language of communication and dialogue between civilized nations. The alternative is adherence to the purposes and principles of the Charter of the United Nations. I hereby affirm that the competent authorities in the Great Jamahiriya adhere to the provisions of the Charter, particularly with regard to the peaceful settlement of disputes. We in the Great Jamahiriya are amazed that the Governments of States that are permanent members of the Security Council should direct such baseless accusations against a small State such as Libya.

Through you, Sir, we call upon the United States of America and the United Kingdom to resort to the language of dialogue and the logic of law, wisdom and reason, as provided for in the Charter. You will perceive, as you have in the past perceived, the extent of the Great Jamahiriya's readiness to cooperate in the conduct of any neutral and honest enquiry.

Raising issues as a means of propaganda and escalating them in this way without making any official contacts with the Libyan authorities and making insinuations and threats regarding the adoption of economic measures against the Great Jamahiriya before completion of the legal procedures, confirms our suspicion that these States seek only to intimidate us. It also recalls their interventions in the course of events that we have mentioned.

In conclusion, we affirm to you our condemnation of international terrorism in all its forms, to which Libya has fallen victim more than once. In 1983 a Libyan civilian aircraft was downed, and in 1986 the Great Jamahiriya was subjected to direct military aggression.

Ibrahim M. BISHARI  
Secretary of the People's Committee  
of the People's Bureau for Foreign Liaison  
and International Cooperation

# Annex 45



General Assembly

Distr.  
GENERAL

A/46/840  
9 January 1992  
ENGLISH  
ORIGINAL: ARABIC

REQUEST FOR THE CONVENING OF A SPECIAL SESSION  
OF THE GENERAL ASSEMBLY

Letter dated 7 January 1992 from the Permanent Representative  
of the Libyan Arab Jamahiriya to the United Nations addressed  
to the Secretary-General 1/

I have the honour to transmit to you the text of a memorandum from the Secretary of the People's Committee for Foreign Liaison and International Cooperation (see annex) requesting that a special session of the General Assembly be convened to consider the following item:

"Danger posed by the phenomenon of international terrorism to international peace and security and a number of other grave issues of concern to all nations".

(Signed) Ali Ahmed ELHOUEIRI  
Permanent Representative

1/ By note verbale of 9 January 1992, the Secretary-General transmitted the letter of the Permanent Representative and its annex to all States Members, in accordance with rule 9 (a) of the rules of procedure of the General Assembly.



ANNEX

Memorandum from the Secretary of the People's Committee for  
Foreign Liaison and International Cooperation of the Libyan  
Arab Jamahiriya addressed to the Secretary-General

On the basis of the historic and pioneering responsibility assumed by the 1 September Revolution for devising solutions to the many problems and issues that preoccupy mankind - The Green Book, which constitutes a guide to the emancipation of peoples from oppression, exploitation and ignorance, being known to one and all - and in an awareness of the danger that the phenomenon of international terrorism poses to international peace and security, this initiative is being taken to request the convening of a special session of the General Assembly in order first to reach a definition of international terrorism and then to eliminate it and the underlying causes of all those forms of terrorism and acts of violence to which the world is prone, and to consider a number of other grave issues of concern to all nations.

By means of such a session, the international community will thus be able to address the causes of international terrorism in a concerted manner and to eliminate it so as to open the way for the emergence of a secure international climate in which all peoples may live in security, peace and happiness in keeping with a proper implementation of the Charter of the United Nations.

Among the causes of the spread of violence in the world is the failure to resolve a number of political issues, some of which are set forth by way of example in appendix I.

There are a number of other phenomena that must also be addressed given that their elimination pertains to the elimination of terrorism and that without their elimination the world will be in a constant state of instability, fear and alarm. These phenomena are:

1. Weapons of mass destruction, offensive weapons and strategic weapons

The possession of these weapons and threats made with them constitute a significant form of intimidation to all mankind, including the possessors of such weapons.

Accordingly, we suggest that there is a need for agreement on a well-defined timetable for the achievement of the following:

(a) The complete destruction of nuclear, biological and chemical weapons in consideration of the fact that they are weapons which are psychologically intimidating and materially destructive;

(b) The banning and criminalization of their manufacture, possession and use;

/...

(c) The destruction of other weapons of terror, such as ballistic missiles, and the banning and criminalization of their manufacture;

(d) The banning and criminalization of the positioning of naval fleets on the seas, and their confinement to the oceans until such time as they are finally eliminated;

(e) The destruction and banning and the criminalization of the manufacture and acquisition of aircraft-carriers and in-flight refuelling aircraft;

(f) The restriction of acquisition to that of defensive weapons alone and only within the territorial waters and airspace of the State in question.

In order to promote the above, all military bases maintained by any State in other countries will be liquidated and removed so that outside armies are withdrawn from the territory of others.

## 2. Compensation

Compensation for those peoples who were colonized and underwent slaughter and torture at the hands of the colonizers and for those families and individuals who suffered damage from past acts of aggression will put an end to the injustice, hatred and revenge that are now considered to pertain to acts of international terrorism:

(a) Compensation for the colonial period, in that the colonizing States provide just compensation for the colonial peoples for the harm done to them, the plundering of their resources and the theft of their cultural heritage during the colonial period;

(b) Compensation for peoples, families and individuals who have been victims of terrorism and violence, as set forth, by way of example, in appendix II;

(c) Improving the security of aircraft and ensuring the presence of a medical team on board each flight and on each sea voyage.

## 3. Refugees, deportees and abducted persons

These groups have contributed to the spread of the phenomenon of reciprocal violence and terrorism on numerous pretexts by their home countries and the countries that give them shelter or exploit them. There must be:

(a) An undertaking on the part of all States to accept the repatriation of deportees and refugees, not to interfere with them and to assist them to resettle;

(b) Release of abducted persons and detainees and the handing over of all those being sought by international police authorities.

4. Review of the Charter of the United Nations

Meeting the responsibility for the maintenance of international peace and security is a grave and important matter, and therefore the participation of the great majority of peoples in this momentous task will lead to the elimination of terrorism and the strengthening of international stability and security. This can only be achieved by amending the Charter so that:

(a) The General Assembly of the United Nations, which represents all Member States, is given decision-making authority and it is for the Security Council to implement the decisions of the General Assembly;

(b) The composition of the Security Council and the right of veto are reconsidered;

(c) There is a similar review of the International Court of Justice.

5. Economic and social matters

The achievement of a world in which stability and well-being prevail and of a stage where the happy society is attained that will doubtless contribute to the creation of stability and security and the eradication of terrorism has become a matter of the utmost importance. In order to be able to achieve this important step on the road to the happiness of mankind, we propose the implementation of the following plan:

(a) Commitment to the implementation of the international agreements on the welfare and protection of mothers and children;

(b) The banning of all manifestations of violence such as boxing and wrestling of all kinds and of contests grueling to animals, and compassion towards them;

(c) A resolute approach to dangerous diseases such as cancer, acquired immune deficiency syndrome, poliomyelitis and malaria (appendix III);

(d) Combating and treatment of the phenomenon of narcotic addiction;

(e) Commitment to international agreements in the field of environmental protection, and the conclusion of new agreements on the protection of the atmosphere;

(f) The establishment of an international irrigation system to prevent the flow of rivers, rain, snow and ice into the seas and oceans, and their diversion to the land mass;

- (g) Low-cost desalination of sea water;
- (h) The elimination of agricultural pests, particularly locusts;
- (i) The halting of desertification;
- (j) The utilization of solar power.

6. Establishment of a fund

This historic proposal calls for the establishment of an international fund answerable to the General Assembly to which all States would contribute in accordance with their capacities in order to meet all of the aforesaid obligations.

7. An international central committee answerable to the United Nations should be established and should have subcommittees to cover all parts of the world. The committees should be endowed with the necessary powers and resources to undertake the tasks of inspection and implementation.

Ibrahim M. BISHARI  
Secretary of the People's Committee  
for Foreign Liaison and International  
Cooperation

APPENDIX I

The question of Palestine

The problem of South Africa

The problem of minorities in the world

The problem of the Kurdish people

The Kashmir problem

The problem of Northern Ireland

The problem of Cyprus

/...

APPENDIX II

The Libyan civil aircraft shot down by the Israelis over Sinai on 21 February 1973 with 111 passengers on board.

The Italian civil aircraft that crashed on 27 June 1980 over Ustica with 81 passengers on board.

The Korean civil aircraft shot down in the airspace of the former Soviet Union on 31 August 1983 with 269 passengers on board.

The United States and British attack on the cities of the Great Jamahiriya on 15 April 1986 in which there were some 400 civilian victims, including 104 children, 85 women, 33 disabled persons and 41 elderly persons.

The Iranian civil aircraft shot down by the United States Navy on 3 July 1988 with 290 passengers on board.

The United States Pan Am civil aircraft that crashed on 21 December 1988 with 270 passengers on board.

The French UTA civil aircraft that crashed on 19 September 1981 with 170 passengers on board.

APPENDIX III

Malaria

Meningitis

Infectious hepatitis

Cholera

Onchocerciasis

Heart and arterial diseases

Cancer

Acquired immune deficiency syndrome

Poliomyelitis

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General Assembly

Distr.  
GENERAL

A/46/840/Corr.1  
21 January 1992  
ENGLISH  
ORIGINAL: ARABIC

REQUEST FOR THE CONVENING OF A SPECIAL SESSION  
OF THE GENERAL ASSEMBLY

Letter dated 7 January 1992 from the Permanent Representative  
of the Libyan Arab Jamahiriya to the United Nations addressed  
to the Secretary-General

Corrigendum\*

Replace Appendix I by the following text

APPENDIX I

Question of Palestine  
Problem of South Africa  
Problem of minorities in the world  
Problem of the Kurdish nation  
Problem of Northern Ireland  
Problem of Cyprus

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\* This corrigendum is issued at the request of the Permanent Mission  
of the Libyan Arab Jamahiriya to the United Nations.

92-02567 2904h (E)



# Annex 46



General Assembly Security Council

Distr.  
GENERAL

A/46/841  
S/23396  
9 January 1992  
ENGLISH  
ORIGINAL: ARABIC

GENERAL ASSEMBLY  
Forty-sixth session  
Agenda items 69 and 125  
PROTECTION AND SECURITY OF SMALL STATES  
MEASURES TO PREVENT INTERNATIONAL TERRORISM  
WHICH ENDANGERS OR TAKES INNOCENT HUMAN  
LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS  
AND STUDY OF THE UNDERLYING CAUSES OF THOSE  
FORMS OF TERRORISM AND ACTS OF VIOLENCE  
WHICH LIE IN MISERY, FRUSTRATION, GRIEVANCE  
AND DESPAIR AND WHICH CAUSE SOME PEOPLE TO  
SACRIFICE HUMAN LIVES, INCLUDING THEIR OWN,  
IN AN ATTEMPT TO EFFECT RADICAL CHANGES  
(a) REPORT OF THE SECRETARY-GENERAL  
(b) CONVENING, UNDER THE AUSPICES OF THE  
UNITED NATIONS, OF AN INTERNATIONAL  
CONFERENCE TO DEFINE TERRORISM AND TO  
DIFFERENTIATE IT FROM THE STRUGGLE OF  
PEOPLES FOR NATIONAL LIBERATION

SECURITY COUNCIL  
Forty-seventh year

Letter dated 8 January 1992 from the Permanent Representative  
of the Libyan Arab Jamahiriya to the United Nations addressed  
to the Secretary-General

I have the honour to transmit to you herewith a letter addressed to you by Mr. Ibrahim M. Bishari, Secretary of the People's Committee of the People's Bureau for Foreign Liaison and International Cooperation.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 69 and 125, and of the Security Council.

(Signed) Ali Ahmed ELHOUEIRI  
Permanent Representative

ANNEX

The People's Committee of the People's Bureau for Foreign Liaison and International Cooperation has taken note of the statements issued on 20 December 1991 and circulated as documents of the General Assembly and the Security Council at the request of the permanent representatives of France, the United Kingdom and the United States of America. Having studied these statements, it is evident to us that they are merely a repetition of the allegations and accusations made against my country that we have already denied categorically and with regard to which we have repeatedly urged that any material and tangible evidence that might confirm them should be produced. In this context, my country would like to reaffirm its condemnation of terrorism in all its forms, inasmuch as it has been its prime victim. Perhaps the international community still recalls the deliberate downing of a Libyan civil aircraft over Sinai in 1973. Perhaps it also still recalls the United States military attack on peaceable Libyan cities in 1986, in which there were hundreds of innocent civilian victims, on the pretext that Libya was responsible for the bombing of a Berlin nightclub. It was subsequently made public that Libya was innocent of any involvement in that incident, but the United States expressed no regret and did not provide the compensation endorsed by the General Assembly of the United Nations and by other international and regional organizations.

It is our fear that this campaign to mar my country's good reputation and deceive world public opinion is merely a preliminary to renewed aggression against Libya. If it is merely a matter of inquiring into the two incidents in which the United States and French passenger aircraft were drowned, then my country has already expressed its readiness to cooperate with the parties concerned. It entrusted two judges with the task of conducting an inquiry and gathering information, and they have already embarked on that inquiry. With regard to those against whom charges have been made, they have taken all the measures that accord with the Libyan Code of Criminal Procedure promulgated in 1953, including contact with the competent judicial authorities in the three countries in question, which have, however, refused to respond to the judges' request. If, on the other hand, it is simply a question of a difference of legal opinion regarding the authority that has jurisdiction in the inquiry, then we do not believe that the language of threats and menaces that has been used by the three countries in their statements is called for. International law on the question is clear and explicit, and it shows that the Libyan judicial authorities are those that have jurisdiction, and this involves no great difficulty.

Despite the foregoing, aware as we are of the international dimensions and ramifications of the incidents invoked and of the large number of countries that are concerned parties and despite the fact that we are fully persuaded of the impartiality and fairness of the administration of justice in

Libya, we have nevertheless, in a desire to convince the other parties of our good faith, offered our acceptance in principle of a fair and impartial international inquiry into the matter or of recourse to the International Court of Justice, the major judicial instrument of the United Nations, for a decision on the question of conflicting jurisdictions. It is a source of regret that the three countries have rejected all of these offers. When they came together on the position they have adopted, they resorted to politicizing the issue by submitting it to the Security Council. We, however, affirm that submission of the matter to the Security Council has no basis either in the Charter of the United Nations or in international law, which does not stipulate that the Security Council has the power to consider judicial cases involving individuals.

If it is a matter of political differences between the three countries and Libya, then the differences must be discussed on the basis of the Charter of the United Nations, which does not endorse aggression or the threat of aggression but rather calls for the resolution of differences by peaceful means. Libya has expressed its readiness to pursue any peaceful means that the three countries may desire for the resolution of existing differences. We should like, through you, to offer the following:

1. To enter into dialogue with the three countries, either directly or through the United Nations, with a view to resolving any political dispute between us and the parties concerned.
2. To invite the parties, if it is maintained that a legal conflict exists, to reach agreement on its resolution through international judicial authorities, including the International Court of Justice and in accordance with its Statute.
3. To urge the three countries to provide the Libyan judges entrusted with the investigation into these two regrettable incidents with an official copy of the records of the investigation, concerning which they have already submitted requests to the authorities concerned in those countries.

My country is a victim of international terrorism and of terrorist groups, since the United States is training and arming terrorists for the purpose of murdering innocent civilians. It is maintaining terrorist camps and compelling Libyan army prisoners to work against their people and, from practitioners of an honourable military calling, it is converting them into terrorists.

A/46/841

S/23396

English

Page 4

Libya has affirmed and now reaffirms a position of principle that is fully committed to the provisions of the Charter of the United Nations relating to the settlement of disputes between States. Libya has expressed its complete readiness to cooperate with all parties to the present dispute for the resolution of that dispute by peaceful means, as explicitly required by Chapter VI, Article 33, of the Charter of the United Nations.

Ibrahim M. BISHARI

Secretary of the People's Committee of the  
People's Bureau for Foreign Liaison and  
International Cooperation

# Annex 47



General Assembly Security Council

Distr.  
GENERAL

A/46/844  
S/23416  
13 January 1992  
ENGLISH  
ORIGINAL: ARABIC

GENERAL ASSEMBLY  
Forty-sixth session  
Agenda item 125

SECURITY COUNCIL  
Forty-seventh year

MEASURES TO PREVENT INTERNATIONAL TERRORISM  
WHICH ENDANGERS OR TAKES INNOCENT HUMAN  
LIVES OR JEOPARDIZES FUNDAMENTAL FREEDOMS  
AND STUDY OF THE UNDERLYING CAUSES OF  
THOSE FORMS OF TERRORISM AND ACTS OF  
VIOLENCE WHICH LIE IN MISERY, FRUSTRATION,  
GRIEVANCE AND DESPAIR AND WHICH CAUSE SOME  
PEOPLE TO SACRIFICE HUMAN LIVES, INCLUDING  
THEIR OWN, IN AN ATTEMPT TO EFFECT RADICAL  
CHANGES: (a) REPORT OF THE SECRETARY-GENERAL;  
(b) CONVENING, UNDER THE AUSPICES OF THE  
UNITED NATIONS, OF AN INTERNATIONAL CONFERENCE  
TO DEFINE TERRORISM AND TO DIFFERENTIATE IT  
FROM THE STRUGGLE OF PEOPLES FOR NATIONAL  
LIBERATION

Letter dated 20 November 1991 from the Permanent Representative  
of the Libyan Arab Jamahiriya to the United Nations addressed  
to the Secretary-General\*

I have the honour to transmit to you herewith the text of a letter addressed to you by Mr. Ibrahim Muhammad Bishari, Secretary of the People's Committee for Foreign Liaison and International Cooperation, concerning the statements made by the Governments of the United Kingdom and the United States accusing what they call "Libyan elements" of responsibility for the distressing incident in which a Pan Am aircraft crashed in 1988 and concerning

\* Previously issued as document A/C.1/46/23; reissued as a document of the General Assembly, under agenda item 125, and of the Security Council at the request of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations.

A/46/844  
S/23416  
English  
Page 2

the fact that those statements contain accusations and threats at a time when international relations are undergoing a relaxation of tensions and there is a spirit of accord among members of the international community based on constructive dialogue and mutual respect.

I should be grateful if you would have this letter and its annex circulated as a document of the United Nations.

(Signed) Ali Ahmed ELHOUDEIRI  
Permanent Representative



ANNEX

Letter from the Secretary of the People's Committee  
for Foreign Liaison and International Cooperation  
of the Libyan Arab Jamahiriya addressed to the  
Secretary-General

You have no doubt noted the statements made by the Governments of the United Kingdom and the United States accusing what they call "Libyan elements" of responsibility for the distressing incident in which a Pan Am aircraft crashed over Scotland in 1988, while we have declared our astonishment that such statements of accusation and threat are being issued at a time when international relations are witnessing a concord among States that is promoting the value of dialogue.

Such official statements by the United States Department of Justice, the official spokesman for the White House and the British Foreign Secretary indicate a premeditated intention of and a carefully considered plan for aggression against the Libyan people.

Successive United States administrations have persistently intervened in Libya's internal affairs with a view to forcibly changing its popular political and social regime, bringing all possible pressures to bear on it, conspiring against the political and social choices it has made and intimidating it. This has, on many occasions, reached the point of aggression on false pretexts that lack any material and tangible evidence.

In the political, economic and military confrontation that has been imposed upon it, Libya has challenged United States administrations, before American and world public opinion, to produce tangible, material evidence to corroborate their accusations. On each occasion, however, United States administrations have failed to produce such tangible, material evidence and have evaded confronting the truth that lies behind the falsity of their allegations.

I

In 1986, the United States Administration invented false pretexts, unsupported by any tangible and material evidence, and falsely and slanderously accused Libya of responsibility for the bombing of a Berlin nightclub and for a bombing incident at Rome airport. It embarked on treacherous military aggression at night - without awaiting the outcome of any inquiry - against the Libyan people while they were peacefully and tranquilly asleep and thereby showed contempt for all moral and humanitarian values. It killed innocent children, old people and citizens, destroyed schools, hospitals and kindergartens and brought psychological terror into the hearts of sleeping children, old people and women with its treacherous and unwarranted aggression.

It subsequently became clear from the results of inquiries into those two incidents that Libya had no association with them. Nevertheless, the United States Administration expressed no regret for its aggression, and it was as if the people killed were no more than a flock of sheep, despite the fact that the world, as represented by international and regional organizations and by democratic forces, condemned the aggression, exonerated the Libyan people and expressed its condolences and its solidarity with the families of the dead and wounded in a whole series of international resolutions, including:

General Assembly resolution 41/38 of 20 November 1986;

The resolution of the eighth Summit Conference of the Movement of Non-Aligned Countries, held at Harare in 1986;

The Declaration of the Assembly of Heads of State and Government of the Organization of African Unity at its twenty-second ordinary session in July 1986;

Communiqué No. 21 of the Islamic Summit Conference at its session held in Kuwait in 1987.

## II

The United States is exploiting the current international situation to set itself up as a world government and an international policeman determining what is true and what is false and defining ethics and good conduct. Now, it suddenly surprises us and the whole world by fabricating new and groundless pretexts and by falsely and slanderously accusing Libya once again, three years after the crash of a United States Pan Am aircraft into which the United States Administration has conducted an inquiry.

Libya has heard, just as the world has heard, the statements of some United States and British leaders denying that Libya has any association with this incident and directing their suspicions against other parties. The United States of America has, however, with the power of one capable of doing so, endeavoured to refute the accusations made against other parties and to exculpate them. It has accused Libya, which it had previously exonerated, perhaps because of something in Libyan policy that does not please the United States Administration, with the premeditated intention of engaging in aggression in order to change the popular democratic regime by force, a popular political regime of which the United States Administration does not approve, thereby violating the provisions of the Charter of the United Nations prohibiting the threat or use of force and calling for the peaceful solution of problems between States by means of dialogue.

The United States Administration is once again inventing false accusations unsupported by any material, tangible evidence. It is jumping to conclusions and it is deciding for aggression, as has been said by United States and British leaders. Once more, we challenge the United States Administration and the British Government, before American, British and world public opinion, to produce convincing material, tangible evidence.

Furthermore, when the General People's Committee for Justice learned from the People's Committee for Foreign Liaison that it had received a note from the British Government in which accusations were made against "two Libyans", it proceeded to appoint a judge to inquire into the accusations made. The General People's Committee for Justice requested the United States Administration and the British Government to nominate lawyers to monitor the fairness and propriety of the inquiry. It also requested international humanitarian organizations to nominate lawyers to ascertain the propriety and fairness of the inquiry and the desire of the Great Jamahiriya to establish the truth as it was and not as it was seen or desired by the United States and British Governments. This corroborates the sincerity of our intentions and our unconditional readiness to cooperate in order to establish the truth.

The Great Jamahiriya declares its readiness to cooperate to the full with any impartial international judicial authority, because we are the victim in this matter. If, however, it is a matter of another premeditated act of aggression on the part of the United States Administration and the British Government with the intention of penalizing Libya, changing its popular political and social regime by force and punishing it for the political positions it has adopted, then we expect the Security Council and General Assembly of the United Nations, the international community, those peoples and governments that cherish justice and peace and world public opinion to stand by Libya in defence of its rights and in defence of the Charter of the United Nations. The Charter guarantees the equality of peoples and their right to make their own political and social choices, a right that is enshrined in religious laws and is guaranteed by international law.

In placing before you these facts and stating our point of view, we look forward to the adoption of a collective position that will put a halt to this repeated aggression against the Libyan people. We reserve our right, with your support, to defend ourselves in accordance with Article 51 of the Charter of the United Nations. We are appreciative of your role in the maintenance of peace and security and in the creation of a world in which great and small, powerful and weak are equal.

(Signed) Ibrahim Muhammad BISHARI  
Secretary of the People's Committee  
for Foreign Liaison and International  
Cooperation

# Annex 48



Security Council

Distr.  
GENERAL

S/23436  
17 January 1992

ORIGINAL: ENGLISH

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LETTER DATED 17 JANUARY 1992 FROM THE PERMANENT REPRESENTATIVE  
OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED  
TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour, in my capacity as the Chairman of the Arab Group for the month of January, to enclose the text of Resolution No. 5158 adopted by the Council of the Arab League on 16 January 1992 concerning the recent accusations directed against the Libyan Arab Jamahiriya.

I would greatly appreciate if you may kindly circulate the text of this resolution as a document of the Security Council.

(Signed) Ali A. ELHOUDERI  
Chairman, Arab Group for January  
Permanent Representative  
Libyan Arab Jamahiriya

Annex

Resolution adopted by the Council of the League of Arab States,  
at its resumed session, on 16 January 1992

[Original: Arabic]

The Council of the League of Arab States, meeting in resumed special session on Thursday, 16 January 1991,

Recalling its resolution 5156 of 5 December 1991 concerning the American-British accusations against the Great Socialist Libyan Arab People's Jamahiriya,

Welcoming the genuine cooperation shown by the Great Jamahiriya with regard to the ongoing inquiries relating to the distressing incidents involving the United States Pan Am aircraft and the French UTA aircraft,

Stressing the importance of cooperation by the parties concerned through legal channels with a view to bringing the truth to light and of the adoption of the legal measures necessary to ensure the achievement of that end,

DECIDES

1. To express once more its support for the Great Socialist People's Libyan Arab Jamahiriya and its commendation of the Jamahiriya's assiduous desire to uncover the facts relating to the distressing incidents involving the United States Pan Am aircraft and the French UTA aircraft.
2. To reaffirm the provisions of paragraph 2 of its resolution 5156 of 5 December 1991 calling for the establishment of a joint commission of the United Nations and the League of Arab States; and to entrust the Secretary-General of the League with the task of establishing contact with the United Nations so that its Secretary-General may offer his mediation to all the parties concerned with a view to devising a peaceful settlement to the problem.
3. To urge all the parties concerned to provide the facilities necessary for the performance of the commission's task.
4. To urge the Security Council to resolve the conflict by negotiation, mediation and judicial settlement in accordance with the provisions of Article 33 of Chapter VI of the Charter of the United Nations.
5. To request the Secretary-General to follow up the implementation of this resolution by any means that he deems appropriate; and to consider the Council as being in continuous session in order to monitor developments regarding the issue.

(RES/S/5158, 16 January 1992)

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# Annex 49



## Security Council

Distr.  
GENERAL

S/23500  
31 January 1992

ORIGINAL: ENGLISH

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### NOTE BY THE PRESIDENT OF THE SECURITY COUNCIL

At the conclusion of the 3046th meeting of the Security Council, held at the level of Heads of State and Government on 31 January 1992 in connection with the item entitled "The responsibility of the Security Council in the maintenance of international peace and security", the President of the Security Council made the following statement on behalf of the members of the Council.

"The members of the Security Council have authorized me to make the following statement on their behalf.

"The Security Council met at the Headquarters of the United Nations in New York on 31 January 1992, for the first time at the level of Heads of State and Government. The members of the Council considered, within the framework of their commitment to the United Nations Charter, 'The responsibility of the Security Council in the maintenance of international peace and security'. 1/

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1/ The meeting was chaired by the Prime Minister of the United Kingdom of Great Britain and Northern Ireland as the President of the Security Council for January. Statements were made by His Excellency Dr. Franz Vranitzky, Federal Chancellor of Austria, His Excellency Mr. Wilfried Martens, Prime Minister of Belgium, His Excellency Dr. Carlos Alberto Wahnou de Carvalho Veiga, Prime Minister of Cape Verde, His Excellency Mr. Li Peng, Premier of the State Council of China, His Excellency Dr. Rodrigo Borja-Cevallos, Constitutional President of Ecuador, His Excellency Mr. François Mitterrand, President of France, His Excellency Dr. Géza Jeszenszky, Minister for Foreign Affairs and Personal Emissary of the Prime Minister of Hungary, His Excellency Mr. P. V. Narasimha Rao, Prime Minister of India, His Excellency Mr. Kiichi Miyazawa, Prime Minister of Japan, His Majesty Hassan II, King of Morocco, His Excellency Mr. Boris N. Yeltsin, President of the Russian Federation, His Excellency the Rt. Hon. John Major MP, Prime Minister of the United Kingdom of Great Britain and Northern Ireland, His Excellency Mr. George Bush, President of the United States of America, His Excellency Dr. Carlos Andrés Pérez, President of Venezuela and His Excellency Dr. Nathan Shamuyarira, Minister of Foreign Affairs and Personal Emissary of the President of Zimbabwe, as well as by the Secretary-General, His Excellency Dr. Boutros Boutros-Ghali.



"The members of the Security Council consider that their meeting is a timely recognition of the fact that there are new favourable international circumstances under which the Security Council has begun to fulfil more effectively its primary responsibility for the maintenance of international peace and security.

"A time of change

"This meeting takes place at a time of momentous change. The ending of the Cold War has raised hopes for a safer, more equitable and more humane world. Rapid progress has been made, in many regions of the world, towards democracy and responsive forms of government, as well as towards achieving the Purposes set out in the Charter. The completion of the dismantling of apartheid in South Africa would constitute a major contribution to these Purposes and positive trends, including to the encouragement of respect for human rights and fundamental freedoms.

"Last year, under the authority of the United Nations, the international community succeeded in enabling Kuwait to regain its sovereignty and territorial integrity, which it had lost as a result of Iraqi aggression. The resolutions adopted by the Security Council remain essential to the restoration of peace and stability in the region and must be fully implemented. At the same time the members of the Council are concerned by the humanitarian situation of the innocent civilian population of Iraq.

"The members of the Council support the Middle East peace process, facilitated by the Russian Federation and the United States, and hope that it will be brought to a successful conclusion on the basis of Council resolutions 242 (1967) and 338 (1973).

"They welcome the role the United Nations has been able to play under the Charter in progress towards settling long-standing regional disputes, and will work for further progress towards their resolution. They applaud the valuable contribution being made by United Nations peace-keeping forces now operating in Asia, Africa, Latin America and Europe.

"The members of the Council note that United Nations peace-keeping tasks have increased and broadened considerably in recent years. Election monitoring, human rights verification and the repatriation of refugees have in the settlement of some regional conflicts, at the request or with the agreement of the parties concerned, been integral parts of the Security Council's effort to maintain international peace and security. They welcome these developments.

"The members of the Council also recognize that change, however welcome, has brought new risks for stability and security. Some of the most acute problems result from changes to State structures. The members of the Council will encourage all efforts to help achieve peace, stability and cooperation during these changes.

"The international community therefore faces new challenges in the search for peace. All Member States expect the United Nations to play a central role at this crucial stage. The members of the Council stress the importance of strengthening and improving the United Nations to increase its effectiveness. They are determined to assume fully their responsibilities within the United Nations Organization in the framework of the Charter.

"The absence of war and military conflicts amongst States does not in itself ensure international peace and security. The non-military sources of instability in the economic, social, humanitarian and ecological fields have become threats to peace and security. The United Nations membership as a whole, working through the appropriate bodies, needs to give the highest priority to the solution of these matters.

#### "Commitment to collective security

"The members of the Council pledge their commitment to international law and to the United Nations Charter. All disputes between States should be peacefully resolved in accordance with the provisions of the Charter.

"The members of the council reaffirm their commitment to the collective security system of the Charter to deal with threats to peace and to reverse acts of aggression.

"The members of the Council express their deep concern over acts of international terrorism and emphasize the need for the international community to deal effectively with all such acts.

#### "Peacemaking and peace-keeping

"To strengthen the effectiveness of these commitments, and in order that the Security Council should have the means to discharge its primary responsibility under the Charter for the maintenance of international peace and security, the members of the Council have decided on the following approach.

"They invite the Secretary-General to prepare, for circulation to the Members of the United Nations by 1 July 1992, his analysis and recommendations on ways of strengthening and making more efficient within the framework and provisions of the Charter the capacity of the United Nations for preventive diplomacy, for peacemaking and for peace-keeping.

"The Secretary-General's analysis and recommendations could cover the role of the United Nations in identifying potential crises and areas of instability as well as the contribution to be made by regional organizations in accordance with Chapter VIII of the United Nations Charter in helping the work of the Council. They could also cover the need for adequate resources, both material and financial. The

Secretary-General might draw on lessons learned in recent United Nations peace-keeping missions to recommend ways of making more effective Secretariat planning and operations. He could also consider how greater use might be made of his good offices, and of his other functions under the United Nations Charter.

"Disarmament, arms control and weapons of mass destruction

"The members of the Council, while fully conscious of the responsibilities of other organs of the United Nations in the fields of disarmament, arms control and non-proliferation, reaffirm the crucial contribution which progress in these areas can make to the maintenance of international peace and security. They express their commitment to take concrete steps to enhance the effectiveness of the United Nations in these areas.

"The members of the Council underline the need for all Member States to fulfil their obligations in relation to arms control and disarmament; to prevent the proliferation in all its aspects of all weapons of mass destruction; to avoid excessive and destabilizing accumulations and transfers of arms; and to resolve peacefully in accordance with the Charter any problems concerning these matters threatening or disrupting the maintenance of regional and global stability. They emphasize the importance of the early ratification and implementation by the States concerned of all international and regional arms control arrangements, especially the START and CFE Treaties.

"The proliferation of all weapons of mass destruction constitutes a threat to international peace and security. The members of the Council commit themselves to working to prevent the spread of technology related to the research for or production of such weapons and to take appropriate action to that end.

"On nuclear proliferation, they note the importance of the decision of many countries to adhere to the Non-Proliferation Treaty and emphasize the integral role in the implementation of that Treaty of fully effective IAEA safeguards, as well as the importance of effective export controls. The members of the Council will take appropriate measures in the case of any violations notified to them by the IAEA.

"On chemical weapons, they support the efforts of the Geneva Conference with a view to reaching agreement on the conclusion, by the end of 1992, of a universal convention, including a verification regime, to prohibit chemical weapons.

"On conventional armaments, they note the General Assembly's vote in favour of a United Nations register of arms transfers as a first step, and in this connection recognize the importance of all States providing all the information called for in the General Assembly's resolution.

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"In conclusion, the members of the Security Council affirm their determination to build on the initiative of their meeting in order to secure positive advances in promoting international peace and security. They agree that the United Nations Secretary-General has a crucial role to play. The members of the Council express their deep appreciation to the outgoing Secretary-General, His Excellency Mr. Javier Pérez de Cuéllar, for his outstanding contribution to the work of the United Nations, culminating in the signature of the El Salvador peace agreement. They welcome the new Secretary-General, His Excellency Dr. Boutros Boutros-Ghali, and note with satisfaction his intention to strengthen and improve the functioning of the United Nations. They pledge their full support to him, and undertake to work closely with him and his staff in fulfilment of their shared objectives, including a more efficient and effective United Nations system.

"The members of the Council agree that the world now has the best chance of achieving international peace and security since the foundation of the United Nations. They undertake to work in close cooperation with other United Nations Member States in their own efforts to achieve this, as well as to address urgently all the other problems, in particular those of economic and social development, requiring the collective response of the international community. They recognize that peace and prosperity are indivisible and that lasting peace and stability require effective international cooperation for the eradication of poverty and the promotion of a better life for all in larger freedom."

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# Annex 50



Foreign &  
Commonwealth  
Office

1 April 1992

London SW1A 2AH

*From The Secretary of State*

Dear Mr. Muir

Thank you for your letters of 11 and 25 March about WPC Fletcher.

The murder of this young policewoman in 1984 was an outrageous crime. As a result we broke off diplomatic relations with Libya shortly after the shooting and all Libyans in their diplomatic mission in London were required to leave. However, there was no evidence available to the police which would have allowed them to bring charges against any named individual.

The Lockerbie case is quite different. The Lord Advocate obtained warrants for the arrest of two Libyan officials on the basis of evidence collected during three years' investigation by the police. He has concluded that there is a case to answer in court. We have therefore asked the Libyans to hand over the two men accused of the bombing so that they can stand trial in Scotland or the United States. This request was endorsed by the unanimous United Nations Security Council Resolution 731.

Robert Muir Esq



Although there is still no evidence which would support a request to the Libyan Government to hand over any persons in connection with the murder of WPC Fletcher, we have not forgotten her. We have raised the case with the Libyan Government on many occasions, demanding that they accept responsibility for their officials' actions, make an apology and pay compensation to WPC Fletcher's family.

*Lawrence*

*Douglas Hurd*

(DOUGLAS HURD)

