

No. 2252

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND
and
LIBYA**

**Agreement regarding certain financial matters. Signed at
Tripoli, on 25 March 1953**

Official texts: English and Arabic.

*Registered by the United Kingdom of Great Britain and Northern Ireland on
31 August 1953.*

**ROYAUME-UNI DE GRANDE-BRETAGNE
ET D'IRLANDE DU NORD
et
LIBYE**

**Accord relatif à certaines questions financières. Signé à
Tripoli, le 25 mars 1953**

Textes officiels anglais et arabe.

*Enregistré par le Royaume-Uni de Grande-Bretagne et d'Irlande du Nord le
31 août 1953.*

No. 2252. AGREEMENT¹ BETWEEN THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE GOVERNMENT OF LIBYA REGARDING CERTAIN FINANCIAL MATTERS. SIGNED AT TRIPOLI, ON 25 MARCH 1953

Whereas the General Assembly of the United Nations by its Resolutions of 21st November, 1949,² and 17th November, 1950,³ decided that Libya (comprising Cyrenaica, Tripolitania and the Fezzan) should be constituted an Independent and Sovereign State and that a Constitution for Libya, including the form of the Government, should be determined by a National Assembly of Libya :

And Whereas the Constitution for Libya was duly determined and promulgated on 7th October, 1951, and provided that Libya should have a federal form of government and that Cyrenaica and Tripolitania should be Provinces of Libya :

And Whereas Libya became an Independent and Sovereign State in accordance with the said Resolutions on 24th December, 1951, and His Majesty The King of Libya, in accordance with the Constitution, appointed a duly constituted Government of Libya :

And Whereas by virtue of the Transitional Powers Proclamation of Cyrenaica, which was made by the Chief Administrator of Cyrenaica on 16th September, 1949, a Government was established in Cyrenaica with executive and legislative authority in relation to internal affairs, including full authority to raise internal revenues :

And Whereas by virtue of the Transitional Powers Proclamation of Tripolitania, which was made by the Chief Administrator of Tripolitania on 5th March 1951, a Government was established in Tripolitania with similar authority :

And Whereas in connection with the establishment of the said Governments of Cyrenaica and Tripolitania all stores and equipment (approximately valued at £3,036,025 sterling) belonging to the former British Administrations were handed over to them :

¹ Came into force on 25 March 1953, by signature.

² United Nations, *Official Records of the General Assembly, Fourth Session, resolution 289 (IV)*.

³ United Nations, *Official Records of the General Assembly, Fifth Session, Supplement No. 20, resolution 387 (V)*.

And Whereas a loan of £351,599 was made by the Government of the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as the " United Kingdom Government ") to the Government of Cyrenaica on 30th September, 1949, in order to provide them with initial funds :

And Whereas a loan of £250,000 sterling was made by the United Kingdom Government to the Government of Cyrenaica on 1st September, 1951, to enable them to purchase grain :

And Whereas financial assistance has been given by the United Kingdom Government to facilitate the introduction of a Libyan currency :

And Whereas the Government of Libya recognise that certain financial arrangements are necessary by reason of the matters above recited :

Now, Therefore, the United Kingdom Government and the Government of Libya have agreed as follows:—

LOANS TO THE GOVERNMENT OF CYRENAICA TO PROVIDE THEM WITH INITIAL FUNDS
AND TO ENABLE THEM TO PURCHASE GRAIN

1. The Government of Libya guarantee the repayment free of interest to the United Kingdom Government, on terms to be agreed between the two Governments, of the loan of £351,599 sterling made by the United Kingdom Government to the Government of Cyrenaica on the 30th September, 1949, for the purpose of providing that Government with initial funds, and of the loan of £250,000 which was made by the United Kingdom Government to the Government of Cyrenaica on the 1st September, 1951, to enable that Government to purchase grain.

CURRENCY LOAN

2. The Government of Libya guarantee the repayment to the United Kingdom Government on or before 14th August, 1953, or such later date as may be agreed between the two Governments, of all loans made to the Preparatory Currency Committee of Libya, and of all loans made to the Libyan Currency Commission, to facilitate the introduction of a Libyan currency; and the Government of Libya also guarantee the payment annually to the United Kingdom Government of interest at the rate of two per centum per annum on the amounts from time to time outstanding in respect of such loans, the first payment of interest to be made on 14th August, 1952.

OBLIGATIONS OF THE FORMER BRITISH ADMINISTRATIONS IN CYRENAICA AND
TRIPOLITANIA

3. The Government of Libya will—
(a) indemnify and keep indemnified the United Kingdom Government in respect of all claims, costs and expenses relating to things which have been

done or omitted by or on behalf of the United Kingdom Government or the Chief Administrators as part of the administration of Cyrenaica prior to 30th September, 1949, and of Tripolitania prior to 31st March, 1951;

- (b) subject to the contractor's agreement, take over, or arrange for the Province of Cyrenaica or Tripolitania to take over, as may be appropriate, the benefit and the burden of all outstanding contracts which have been made by or on behalf of the United Kingdom Government or the Chief Administrators as part of the administration of Cyrenaica prior to 30th September, 1949, and of Tripolitania prior to 31st March, 1951; and indemnify and keep indemnified the United Kingdom Government in respect of all claims, costs and expenses relating to any such contract or to any like contracts which were determined in whole or in part by reason of the establishment of the said Governments of Cyrenaica and Tripolitania.

This paragraph shall not apply to the contract made on 3rd July, 1947 between the Admiralty and Messrs. Mackenzie Metcalfe & Co., for the clearance of the ports of Benghazi and Tobruk or to the contract made on 21st March, 1947, between the Admiralty and Captain Rippon for the clearance of the ports of Tripoli, Massawa and Assab, which contracts were not made as part of the administration of Cyrenaica and Tripolitania.

OTHER AGREEMENTS AND CONTRACTS

4. The Government of Libya will indemnify and keep indemnified—
- (a) the United Kingdom Government in respect of all claims, costs and expenses in connection with any contracts heretofore made by the United Kingdom Government for the benefit of Libya with the United Nations or the Specialised Agencies;
- (b) the United Kingdom Government and their Agents as the case may be in respect of all claims, costs and expenses in connection with any contracts heretofore made by the United Kingdom Government or their Agents on behalf of the Governments of Cyrenaica and Tripolitania.

IN WITNESS WHEREOF the undersigned, being duly authorised thereto by their respective Governments, have signed the present Agreement.

DONE in duplicate at Tripoli on the twenty-fifth day of March, nineteen hundred and fifty-three, in English and Arabic, both texts being equally authoritative.

For the Government of the United Kingdom
of Great Britain and Northern Ireland :

A. KIRKBRIDE

For the Government of the United Kingdom of Libya :
FATHY KEKHIA