
Libya

U.N. vote overturns international law

by Joseph Brewda

On Jan. 20, the U.N. Security Council passed a resolution formally arrogating to itself the right to overturn international law under the pretext of combatting terrorism, in this case relating to alleged Libyan responsibility for downing a Pan American jet over Scotland in December 1988. The British-sponsored resolution, which passed 15-0, is part of a larger complex of resolutions that were mostly adopted at the time of the Gulf war, which gave that body the supposed authority to violate national sovereignty out of professed concern for "human rights," "minority rights," and the like.

In enthusiastic comments to the press after the passage of the resolution, U.S. Ambassador to the U.N. Thomas Pickering emphasized: "The resolution makes clear that neither Libya nor any other state can seek to hide support for international terrorism behind traditional principles of international law and state practice." British Ambassador David Hanney claimed that Libyan and other citations of international law were "simply irrelevant."

The permanent member-states of the Security Council—Britain, the U.S., France, Russia, and China—are intent on imposing a global dictatorship under the cover of such measures. An unprecedented meeting of the Permanent Five heads of state, called by Britain and set for Jan. 31 at U.N. headquarters in New York, is meant to further this process.

Colonies have no rights

Resolution 23422 demands that Libya "immediately provide a full and effective response" to British and American demands that it surrender two alleged Libyan agents for trial over the downing of Pan Am 103 over Lockerbie, Scotland in 1988. It requires that Libya disclose all that it knows of the crime and pay appropriate compensation.

The passage of the resolution followed weeks of sensational media claims that Libyan agents carried out the atrocity, substituting for earlier claims that Syria and Iran were responsible. Claims against the latter two states were quietly dropped when they allied with the Anglo-Americans in their war against Iraq, a war Libya had opposed. British and U.S. federal authorities indicted the two Libyans in November, and demanded their extradition.

From a legal standpoint, the resolution and extradition

demands are wildly contrary to normal practice. The resolution presumes that the investigation of the crash is complete, which it is not. In fact it is not even currently known at what airport the presumed bomb which destroyed the plane was placed onboard. It presumes that extradition of the two accused should immediately follow, although evidence is lacking—in fact no evidence has been formally presented to Libyan authorities at all. It presumes that the two Libyans had already been tried and convicted in British and American courts, which they have not. Implicitly, the resolution presumes that the accused are guilty until found innocent. Further, there are no extradition treaties providing for the two alleged terrorists' surrender by Libya to either the United States or Britain. Extradition to and by whom? Perhaps through the same means that the U.S. Justice Department acquired Panamanian Gen. Manuel Noriega?

If any state's Attorney General, from, say, Virginia or Oregon, were to attempt to extradite someone from Illinois or Florida, based on the reasoning used by the U.N. Security Council, he or she would be thrown out of court. As Libyan Industry Minister Jadallah Belgassem told the Security Council, the resolution "contradicts the established principles and fundamentals not only in my country, but also in the constitutions of different countries of the world."

Bombs away

If Libya does not promptly turn over the two alleged terrorists, then "the council is ready to face up to its full responsibilities," in the words of Ambassador Pickering. "The voice of the international community in this regard is clear and determined." Already, according to U.S. press leaks, the U.S. Air Force has drawn up contingency plans for bombing Libyan air and sea ports, industrial infrastructure, and, above all, the recently completed "Great Man-made River" pipeline, which carries water from southern aquifers to the coast. The pipeline will make Libya food self-sufficient, which the imperial powers consider in itself to be a cause for war.

In order to prepare the mood for the coming raid, which some project for U.S. presidential primary season this spring, CIA director Robert Gates testified before the Senate Armed Services Committee the same week that the U.N. resolution was adopted. There, Gates railed against the threat of "Arab terrorism," warning that "developments in the Arab-Israeli peace process are likely to stimulate attacks against various participants," including the United States. In the same testimony, Gates warned that Libya had stockpiled up to 100 tons of chemical weapons.

Meanwhile, to ensure that the Third World knows there is unanimity in the new world order, it was Russia's top U.N. official, Undersecretary General Vasily Safronchuk, who was dispatched to Libya to inform Col. Muammar Qaddafi that he had better cooperate, or he would get the Iraq treatment.