



Twentieth session
Agenda item 23

IMPLEMENTATION OF THE DECLARATION ON THE GRANTING
OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES

Letter dated 5 November 1965 from the Permanent Representative of
Spain to the United Nations addressed to the Secretary-General

In the letter dated 27 October 1965 from the distinguished Permanent Representative of the United Kingdom, circulated on 1 November as a working document of the General Assembly's twentieth session (A/6084, agenda item 23), it is asserted that the Spanish Government has adopted measures at the La Línea post, established by Spain at the place where overland communication is effected between Gibraltar and the rest of Spanish territory, which are designed to prevent the holding of the Spanish-United Kingdom talks on the problem of Gibraltar recommended in the consensus adopted on 16 October 1964 by the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Moreover, it is maintained in that letter - placing a strange construction on the Spanish note of 10 February 1965 (A/AC.109/L.235, annex III) - that the Spanish Government made it a prior condition to the holding of the said talks that the political organization of Gibraltar should be restored to the state in which it was before the establishment of a Legislative Council there in 1950.

Desiring to explain to the General Assembly at this point, albeit briefly, the circumstances which have prevented the holding of the talks provided for in the aforementioned consensus - and without prejudice to the dispatch to you, in the very near future, of full documentation explaining Spain's position on this item - I have the honour to inform you of the following:

I. The Spanish Government has not and does not set any prior condition to the holding of the aforementioned talks and has adopted no measures designed to prevent their being held. The measures referred to by the distinguished Permanent Representative of the United Kingdom in his letter of 27 October are a mere reflection of the normal exercise of Spain's sovereignty in its own territory, which in no way affects or prejudices the negotiations recommended by the Special Committee but which the United Kingdom Government is using as a pretext for refusing to open those negotiations, so as to avoid the application of what constitutes the substance of the said Committee's decision.

II. With this pretext, the United Kingdom Government has repeatedly refused to negotiate with Spain on the terms recommended in the aforementioned consensus and has tried to set conditions.

III. In a note of 18 November 1964, the Spanish Government asked the United Kingdom Government for the negotiations provided for in the consensus and it repeated this request in a note of 16 January 1965 in reply to the United Kingdom's first refusal. In my statement of 21 January 1965 at a plenary meeting of the United Nations General Assembly at the nineteenth session (A/PV.1318), I had occasion to read out these two Spanish notes and reiterated once again the Spanish desire to begin talks with the United Kingdom in accordance with the consensus of the Special Committee.

This Spanish animus negotiandi is clearly reflected in the very pages of the United Kingdom White Paper which the distinguished Permanent Representative of the United Kingdom sent you enclosed with his letter of 27 October. The documents in that White Paper show that the Spanish Government is even prepared to study with the United Kingdom Government ways and means of overcoming the artificial obstacles by which the United Kingdom itself has blocked the negotiations provided for in the aforementioned consensus of the Special Committee.

Consequently the Spanish Government was surprised to see that Mrs. White, the United Kingdom Parliamentary Under-Secretary for the Colonies, had asserted, in reply to questions asked by a Member of Parliament during a debate held in the House of Commons on 4 August 1965, that it was the Spanish Government which refused to negotiate with the United Kingdom Government. Meeting these assertions head-on, the Spanish Ministry of Foreign Affairs, in a communication of 8 August 1965,

reiterated the Spanish desire to reach a negotiated solution on Gibraltar with the United Kingdom Government. The Deputy Permanent Representative of Spain to the United Nations transmitted that communication to you in a letter of 30 August (A/5959).

For the seventh time, the Spanish Government reaffirms that it is prepared to undertake with the United Kingdom Government the negotiations recommended by the Special Committee's consensus of 16 October 1964.

IV. My delegation cannot but express to you its surprise at the contents of the letter from the distinguished Permanent Representative of the United Kingdom, in which an attempt is made to foist onto the Spanish Government the responsibility for the failure to begin the negotiations recommended in the aforementioned consensus.

It is the wish of the Government of Spain that misinterpretations, conflicting arguments and pretexts more or less artificially created should not conceal from the Members of the United Nations the fact that the only reason why it has not been possible to begin the negotiations recommended on 16 October 1964 by the United Nations is that the United Kingdom Government has not wished to do so. In this connexion I venture to remind you that it was the delegation of Spain which asked the Special Committee to recommend talks on Gibraltar with the United Kingdom Government. The United Kingdom delegation's attitude in that Committee was to reject any talks with Spain.

The Government of Spain, stating once again that it wishes to comply, without setting any prior conditions whatsoever, with the consensus of the Committee of Twenty-Four on Gibraltar, reaffirms its confidence in the United Nations and expects that the Organization will support the just Spanish desire to reach a negotiated solution for the decolonization of the Non-Self-Governing Territory of Gibraltar as conclusively specified in the decision adopted by the Special Committee on 16 October 1964.

May I ask you to be so good as to arrange for this communication to be circulated as a General Assembly document.

(Signed) Manuel AZNAR
Ambassador
Permanent Representative of Spain
to the United Nations