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LETTER DATED 1 OCTOBER 1969 FROM THE MINISTER FOR FOREIGN AFFAIRS OF SPAIN
ADDRESSED TO THE SECRETARY-GENERAL

"Over a period of five years, the General Assembly of the United Nations has discussed the question of Gibraltar, a Spanish territory subjected to military and colonial occupation by the United Kingdom. In the course of these cumulative and continuing debates in the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, in the Fourth Committee and in plenary meetings of the General Assembly, the United Nations has reached the clear and definite conclusion that Gibraltar is indeed a portion of the territory of the Spanish nation, which must immediately be decolonized and returned to Spain. This conclusion was reached in a gradual process through resolutions 2070 (XX), 2231 (XXI), 2353 (XXII) and 2429 (XXIII). In the last-mentioned resolution, a deadline was specifically set for the United Kingdom to decolonize Gibraltar: the deadline is today, 1 October 1969.

In reminding you of this process, with which you are well acquainted, I wish to emphasize that the decision of the United Nations is not the result of

* The text of this communication also appears in document A/7550/Add.5.

improvisation, or a doctrine on which legitimate reservations may be made, but is obviously the mature conclusion of slow and careful deliberations and a policy repeatedly approved by the immense majority of the States Members of the United Nations.

In the face of this objective decision of the United Nations, of the favourable reaction to Spain's demand of the greater part of world public opinion, and of Spain's own repeatedly proved determination to find a negotiated solution to this colonial problem, the United Kingdom's response has been to ignore all these facts and to apply a wholly subjective interpretation which is radically opposed to that of the General Assembly. The United Kingdom maintains that the resolutions adopted by the Organization are substantially at variance with the principles of the United Nations Charter.

The United Kingdom Government has followed up this basic attitude by delaying in every possible way its duty to negotiate; by making all kinds of false excuses; by unilateral actions, such as the holding of a referendum that was first prohibited and then repudiated by the General Assembly; and, lastly, by actions clearly intended to intimidate, as is shown by the large military concentrations which are at present taking place at the Gibraltar base.

By this behaviour, the United Kingdom is presuming to sit in judgement on the United Nations by ruling, without any authority, that its decisions are in open contradiction with its own Charter. Spain fails to understand how it can be tolerated that a Member of the Organization should thus, indirectly and tacitly but quite clearly, make bold to bring against the United Nations in general and the majority of its Members in particular the insulting accusation of ignoring and flouting the fundamental principles of our Charter.

In short, all that the United Kingdom is doing is to defy the United Nations. We have before us a colonial problem and a dispute between two countries because of that problem. The moral rules regulating the life of the international community oblige us all to seek peacefully agreed solutions to our disputes; and the specific rulings of the United Nations oblige the two countries concerned to negotiate immediately on the substance of the Gibraltar problem, which is, simply and exclusively, the decolonization of the Territory. From the very

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beginning Spain has obeyed both sets of rules and has been prepared for years to negotiate bilaterally. The United Kingdom has systematically refused to do so.

Thus, through the fault of the United Kingdom, the process outlined for us by the United Nations is at a standstill. The United Kingdom attempts to justify its attitude with an argument which it endlessly parades before the world: its concern for the interests of the population of Gibraltar. But everyone sees something which even the United Kingdom cannot conceal, and that is that this artificially created population, composed simply of civilian servants of a military base, is a mere screen to mask an exclusively military and imperialist interest, whereby today, for a civilian population of 18,000 and a tiny territory of less than five square kilometres, the British Government has assembled at the base a force of 10,000 men and a very large naval concentration.

Incidentally, Spain is very surprised that the same Government which says it is so concerned for the interests of a population and so committed to the will of a few inhabitants should have formally stated to the Spanish Government - on 18 May 1966 - that the Gibraltar population would never be a party to the dispute, while on frequent occasions in other parts of the world, as we are seeing at this very time, when the indigenous inhabitants of a territory are not entirely docile to its purposes the United Kingdom sends its troops to subdue them by force. These are paradoxical situations, in which such supposedly humane concerns are difficult to reconcile with indifference towards, or even violence against, populations.

With respect to this question of the population, I do not believe it is necessary to remind you that my Government, although it does not accept that the inhabitants of Gibraltar should be a decisive factor where the future of the Territory is concerned, has nevertheless proved at all times its greatest respect for their legitimate rights. My Government has not the slightest intention of absorbing this population by force or of making it Spanish against its will. The Spanish Government is still awaiting, since 18 May 1966, the British answer to certain offers in accordance with which, in an international treaty registered with the United Nations, all the fundamental human rights of the Gibraltarians would be guaranteed, together with their continuing British

citizenship, the right of residence, municipal self-government, a special and extremely favourable economic status, their present employment and legitimate occupations, and the integration of their development into that of the rest of the Spanish area known as the Campo de Gibraltar - in short, a way of life that would not in any unjust or unreasonable manner change the present circumstances of the population of Gibraltar. Spain's only demand - and it will never renounce it - was the restitution of sovereignty over a Territory which belongs to Spain on irrefutable geographical and historical grounds.

You are perfectly familiar with the contents of the Spanish proposals, and you are also aware that their generous nature resulted in a movement among the population of Gibraltar itself in favour of a dialogue with Spain which was suppressed with violence, tolerated by the United Kingdom, on the occasion of the well-known conflict of the "hawks" and "doves" in Gibraltar on 6 April 1968 - a date which came to be known as the city's "Black Saturday".

It seems to me a serious matter, at the present stage of world affairs, to note that, while one State Member of the United Nations is ready to comply with its resolutions and demonstrates its intentions with specific offers, another Member State which is, moreover, a founder of the Organization and a permanent member of the Security Council, can rebel with impunity against the United Nations whenever a resolution is not to its liking. The example it sets is lamentable and may cause any State which observes it to consider itself perfectly entitled to accept or reject a resolution according to its own whim or convenience. I do not think it is necessary for me to dwell on the consequences to which such a situation may lead.

I should like to add that in the case of Gibraltar - which was submitted to the consideration of the United Nations by the United Kingdom itself when it included it in the list of Non-Self-Governing Territories - it may come about that the United Kingdom, with its constant military manoeuvres and activities, will create circumstances propitious for an incident to take place in that area at any moment. If that is its intent, my Government wonders whether the United Kingdom is attempting to remove a colonial problem from the authority of the General Assembly, which by definition is competent to deal with it, in order to be able to bring it before the Security Council, where it could veto it

through the privilege of the qualified vote, as it has already threatened to do in a government statement to the House of Commons, on 19 December 1967 by the present Secretary of State, Mr. Stewart. In such a case, the United Kingdom would be not only flouting the resolutions of the United Nations but definitely defying the Organization.

This growing British defiance has gone hand in hand with a series of aggressive acts against Spain. As a flagrant example, I shall mention the 1966 and 1967 British declarations of sovereignty over the Spanish land, sea and air space adjacent to Gibraltar. All these actions are inducing Spain to adopt measures of self-defence in the Gibraltar area - and this is in accordance with the Treaty of Utrecht. Distorting their true character, the United Kingdom presents them to the world as hostile acts towards the inhabitants of the Rock, as acts of ill will towards them, thus seeking to justify an apparent fear on the part of the British Government and of the inhabitants of the military base that they might succumb to the threatening prospect of Spanish oppression. The United Kingdom then argues that, if Spain were to discontinue these measures, it would be making a genuine display of its respect and sympathy for the Gibraltarians and of its desire to settle the conflict peacefully through a "civilized dialogue" with the United Kingdom.

My Government wonders whether, after 265 years of forced military occupation of Gibraltar by the United Kingdom in opposition to the constant demands of the whole nation, Spaniards have the right to be so naive as to think that, if we discontinued these defensive measures, the United Kingdom would graciously return the Rock to us.

Unfortunately, the only reality that has survived the long process in the United Nations for the decolonization of Gibraltar is the outright refusal of the United Kingdom to comply with the directives of the Organization. I sincerely believe that we should not passively agree that this negative fact should simply be recorded. It is for the Organization - and I respectfully point this out to you - to react strongly against this defiance and to apply all the means at its disposal to prevent the authority, the effectiveness and the very purposes of the United Nations from being once again called into question.

In 1704, at a time when England and Spain were not at war, English troops occupied our territory of Gibraltar deceitfully and by force. Since then, all Spaniards, of every class and ideology, have never ceased to claim this portion of the national soil, in a constant historical plebiscite which is the best proof that we were treacherously deprived of a part of our country. I wish to state here, on behalf of my country, that in the face of the use of force to perpetuate the existence of this military colony, the Spanish Government will uphold, by whatever means it considers appropriate, respect for its inalienable right to national integrity and unity and will not cease for a single moment to do all that is necessary until both of these are restored.

Finally, thanking you for your efforts to achieve the implementation of the resolutions adopted year after year by the General Assembly, especially resolutions 2353 (XXII) and 2429 (XXIII) of the last two years, I shall be grateful if you will circulate this communication as a General Assembly and Security Council document.

(Signed) Fernando M. CASTIELLA
Minister for Foreign Affairs of Spain"
