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208. Por último, como el Gobierno del Reino Unido había hecho saber al Gobierno español por nota del 1.º de junio de 1964, y como la delegación del Reino Unido había declarado ante el Comité el 30 de septiembre de 1964 (véanse los párrs. 141-156), el Gobierno del Reino Unido, sin estar dispuesto a debatir con España la cuestión de la soberanía sobre Gibraltar y sin dejar de considerar que no tenía ninguna obligación de consultar a España sobre los asuntos relativos a Gibraltar, estaría siempre dispuesto a celebrar conversaciones con el Gobierno español para mantener las buenas relaciones entre ambos países y eliminar cualquier causa de fricción.

209. El texto del consenso sobre la cuestión de Gibraltar, aprobado por el Comité Especial en su 291.ª sesión, celebrada el 16 de octubre de 1964, dice lo siguiente: (XVI)

"El Comité Especial, después de haber examinado la situación en el Territorio no autónomo de Gibraltar y oído las declaraciones del representante de la Potencia administradora y del representante de España, así como las de los peticionarios, afirma que las disposiciones de la Declaración sobre la concesión de la independencia a los países y pueblos coloniales se aplican íntegramente al Territorio de Gibraltar.

El examen de esas declaraciones ha permitido al Comité Especial comprobar que existe un desacuerdo, e incluso una controversia, entre el Reino Unido y España en relación con el estatuto jurídico y la situación del Territorio de Gibraltar. En tales condiciones, el Comité Especial invita al Reino Unido y a España a entablar sin demora conversaciones para encontrar, de conformidad con los principios de la Carta de las Naciones Unidas, una solución negociada, con arreglo a las disposiciones de la resolución 1514 (XV), teniendo debidamente en cuenta las opiniones expresadas por los miembros del Comité y teniendo también presentes los intereses de la población del Territorio.

Dentro del mandato que le ha sido confiado por la resolución 1654 (XVI), el Comité Especial pide al Reino Unido y a España que informen al Comité Especial y a la Asamblea General del resultado de sus negociaciones."

30 September 1964 (see paragraphs 141-156 above), the United Kingdom Government, although not prepared to discuss with Spain the question of sovereignty over Gibraltar, and while not departing from its view that it was under no obligation to consult with Spain on matters concerning Gibraltar, was nevertheless always willing to discuss with the Spanish Government the maintenance of good relations between the two countries and the elimination of any causes of friction.

209. The text of the consensus on Gibraltar adopted by the Special Committee at its 16th meeting, on 16 October 1964, reads as follows:

"The Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, after considering the situation in the Non-Self-Governing Territory of Gibraltar and hearing statements by the representative of the administering Power and the representative of Spain and by petitioners from the Territory and from Spain, affirms that the provisions of the Declaration on the

Granting of Independence to Colonial Countries and Peoples are fully applicable to the Territory of Gibraltar.

"In its consideration of these statements, the Special Committee noted that there was a disagreement, or even a dispute, between the United Kingdom of Great Britain and Northern Ireland and Spain regarding the status and situation of the Territory of Gibraltar. In the circumstances, the Special Committee invites the United Kingdom and Spain to begin talks without delay, in accordance with the principles of the United Nations Charter, in order to reach a negotiated solution in conformity with the provisions of General Assembly resolution 1514 (XV), giving due account to the opinions expressed by the members of the Committee and bearing in mind the interests of the people of the Territory.

"Under its terms of reference laid down in General Assembly resolution 1654 (XVI), the Special Committee requests the United Kingdom and Spain to inform the Special Committee and the General Assembly of the outcome of their negotiations."

## CHAPTER XI

### MALTA

#### A. ACTION TAKEN BY THE SPECIAL COMMITTEE IN 1963 AND BY THE GENERAL ASSEMBLY AT ITS EIGHTEENTH SESSION

1. The Special Committee considered the question of Malta at its meeting in 1963. At its 169th meeting on 10 May, it adopted a resolution (A/5446/Rev.1, chap. VI, para. 124) by which it confirmed the inalienable right of the people of Malta to self-determination and to national independence in accordance with the provisions of General Assembly resolution 1514 (XV) of 14 December 1960. The Committee invited the administering Power to hold as soon as possible a conference with the participation of delegates of all the parties represented in the Maltese Parliament, to consider the question of independence and all other related matters, including the question of holding general elections for the Legislative Assembly without delay and in the presence of international observers. The Special Committee recommended that the General Assembly invite the administering Power to set the earliest possible date for the attainment of independence by the State of Malta, in conformity with the wishes of the inhabitants of the Territory.

2. At its eighteenth session, the General Assembly, following its consideration in plenary meetings of the report of the Special Committee (A/5446/Rev.1), adopted, on 11 December 1963, resolution 1950 (XVIII) on the question of Malta. The operative paragraphs of this resolution read as follows:

"The General Assembly,

"1. Notes with satisfaction that Malta will attain independence not later than 31 May 1964;

"2. Expresses the hope that no new obstacle will hinder Malta's accession to independence and that the Territory will become an independent State not later than the date referred to in paragraph 1 above;

"3. Invites the administering Power to take the necessary measures for the transfer of power, not later than 31 May 1964, to the people of Malta, in accordance with their will and desire;

"4. Congratulates the Governments of Malta and the United Kingdom of Great Britain and Northern Ireland on the steps taken towards the achievement of the aims set out in the Declaration on the granting of independence to colonial countries and peoples."

#### B. INFORMATION ON THE TERRITORY

##### Introduction

3. Information on the Territory is contained in the report of the Special Committee to the General Assembly at its eighteenth session (A/5446/Rev.1, chap. VI). Supplementary information on political and constitutional developments is set out below.

##### Political and constitutional developments

4. The Constitutional Conference referred to in the Special Committee's report to the General Assembly at its eighteenth session was held in London in July 1963 and was attended by representatives of the political parties in the Maltese Legislative Assembly. The Conference met to consider two questions: whether Malta should become independent immediately and, if so, what was to be its constitution. The Conference failed to reach agreement and at its conclusion the Secretary of State for Commonwealth Relations and for the Colonies, Mr. Duncan Sandys, announced that the United Kingdom Government had decided that Malta should become independent not later than 31 May 1964.

5. The two main parties in Malta, the National Party led by Dr. Borg Olivier, and the Labour Party led by Mr. Don Mintoff, had previously announced