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CONSULTATIVE ASSEMBLY

POLITICAL COMMITTEE

The situation in Spain

Draft report submitted by
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1. On 25th April 1961, the Assembly referred the motion for a resolution presented by Mr. Kirk and others (Doc. 1226 rev.) concerning the situation in Spain to the Political Committee for a report and to the Committee on Non-Represented Nations for an opinion.

2. This motion is as follows:

"The Assembly

Considering that the situation in Spain is the concern of all democratic European nations;

Resolves

That European public opinion should be fully informed on current events in Spain through the medium of the Consultative Assembly of the Council of Europe."

3. The Committee on Non-Represented Nations sent its opinion to the Political Committee on 16th November 1961.
4. The Political Committee examined at length both Mr. Kirk's motion for a resolution and the opinion of the Committee on Non-Represented Nations.
5. It decided on 8th July 1963, by 14 votes to 1 and 1 abstention "that no further action need be taken for the time being on the motion tabled by Mr. Kirk and others". This decision was made known to the President of the Assembly in a letter from the Chairman of the Political Committee dated 31st July 1963.
6. In reaching this conclusion, the Committee was moved by the following considerations:
 - (a) During the time that had elapsed since the tabling of Mr. Kirk's motion several organisations had published reports on specific aspects of the situation in Spain. Three reports in particular deserved attention: the economic survey on Spain approved by the Economic and Development Review Committee of the OECD in June 1963 (1); the report of the International Bank for Reconstruction and Development called "The Economy of Spain" issued in February 1963 and the report published by the International Commission of Jurists in Geneva in November 1962 under the title "Spain and the rule of law".
 - (b) The Rapporteurs of the Political Committee, Mr. Maurice Macmillan and Mr. Margue, both discussed the question of Spain's application for association with, leading to full membership of, the European Economic Community in reports which were submitted to the Assembly in 1962 (Doc. 1420 and Doc. 1477). The matter was debated at some length on 15th, 16th and 17th May 1962 and the Assembly agreed, by a majority, to Recommendation 314 on the possibility of some form of economic agreement between Spain and the EEC. This recommendation was sent to the Committee of Ministers. Mr. Margue, in the report which he presented on behalf of the Political Committee at the

(1) Reports on Spain were also published by the OECD in June 1962 and July 1961 and by the OEEC in August 1960.

Ninth Joint Meeting of the members of the Assembly of the Council of Europe and of the European Parliament on 17th and 18th September 1962, included a specific mention of the Assembly's recommendation and referred to it in his speech.

- (c) The Political Committee had also been able to study the opinion of the Committee on Non-Represented Nations which was prepared after that Committee had heard evidence from both representatives of the present régime and from members of exile groups.
- (d) The Political Committee had noticed that the report of the International Commission of Jurists had been much discussed. This report was the result of a very thorough investigation, but nonetheless it had been criticised on some points even by certain members of the International Commission. This showed that it was impossible to produce a useful report on Spain unless first-hand evidence was available concerning the present political, social and economic conditions prevailing there. But the preparation of such a report would involve considerable work, much of which would have to be done in Spain by a delegation from the Committee and with the help of a number of experts. The Committee felt that such a task was beyond the resources of the Political Committee and, indeed, of the Assembly itself. Moreover, the Bureau of the Assembly had decided on 5th July 1962, following certain events which had taken place in the summer of 1962, that a visit to Spain by a delegation of the Political Committee would be undesirable in the circumstances then prevailing and the Political Committee was bound by this ruling.

7. The Committee were aware that changes had been made the previous year in the composition of the Spanish government and they understood from newspaper reports that social reforms and other measures were being introduced in Spain. The Committee were not in a position to ascertain the precise implications of these developments which, if they could be verified, would no doubt be welcomed so far as they went. But such changes as appeared to have been made did not seem to be fundamental or to alter the basic character of the régime. In this connexion, the Committee

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noted the resolution adopted by the Congress of the European Movement in Munich on 8th July 1962 which confirmed that in the eyes of the participants genuine democratic conditions did not exist as yet in Spain.

Procedure

8. The leader of the Socialist Group asked in the Assembly on 18th September 1963 that the Assembly should be informed of the Political Committee's findings. The President of the Assembly replied that the comments made would be brought to the notice of the Political Committee and that the question would be considered by the Bureau when preparing proposals for the agenda of the next session of the Assembly.

Two courses appear to be open. The Committee could ask the Assembly, in accordance with Rule 14(4), to remove Mr. Kirk's motion on the situation in Spain from its register. But this might possibly be said to go beyond the decision of the Political Committee taken on 8th July 1963 which was that no further action need be taken for the time being on the motion. It might therefore be considered more appropriate simply to report the Committee's position to the Assembly.

Supposing the Committee decided in favour of asking the Assembly to remove Mr. Kirk's motion from its register, it would be in order, subject to the President's discretion under Rule 28 (2), for one or more new motions to be put down on Spain which, if referred to the Political Committee, would have to be considered by it.