

S/S 7115921

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DEPARTMENT OF STATE

~~CATEGOR~~ Memorandum of Conversation

**NODIS**

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DATE: October 7, 1971  
TIME: 10:00am  
PLACE: Amb. Johnson's office

SUBJECT: Law of the Sea

PARTICIPANTS: His Excellency Jaime Arguelles, Ambassador of Spain  
Acting Secretary, U. Alexis Johnson  
George W. Landau, Country Director, Spain and Portugal

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Ambassador Arguelles said that he had just returned from New York where he had a long conversation with Foreign Minister Lopez Bravo on the Law of the Sea. The Ambassador said he had informed the Foreign Minister of the deep U.S. concern over Spain's attitude which Ambassador Johnson had outlined to him at the Stevenson dinner October 4.

As a result of the talk between Arguelles and the Foreign Minister, the latter had asked that the following message be passed by Arguelles to Ambassador Johnson with the request that this information remain most restricted and not be distributed.

Lopez Bravo's position on Law of the Sea is not directed against any country in particular and was not intentionally intended to be harmful to the U.S. or anyone else. It was only a repetition of traditional policy of Spain and other strait countries to support the idea of "innocent passage."

*hwh*  
EUR:SPP:GWLandau:msa  
(Drafting Office and Officer)

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Lopez Bravo had not planned anything harmful against the U.S. and as a matter of fact he indicated that Project Darlington might well be approved by him if it is of interest to the U.S. in exchange for a suitable quid pro quo.

Lopez Bravo does not yet have a definite idea how to deal with the Law of the Sea question. The major problem affecting the Spanish position is that he has not as yet decided how to play the Gibraltar angle. The question of Gibraltar is connected with the Law of the Sea problem but Lopez Bravo has not quite figured out how. His tentative thinking is that free passage through the Straits increases Gibraltar's importance. However restricted passage restricts the value of Gibraltar. There is no question that the Gibraltar question will be the major ingredient in forming Spain's position on Law of the Sea. Lopez Bravo wanted Ambassador Johnson to understand that he did not invent the Spanish position but that he solely supported the existing Spanish thesis of "innocent passage," which moreover is the traditional policy of most Straits countries.

Lopez Bravo also found that the countries with which Spain desires particularly close relations (Latin America and Arab states) look with favor on Spain's Law of the Sea pronouncements and this policy has been helpful to him in his relations with these countries. As Spain is not among the great powers it does not quite understand all of the U.S. strategic concerns and Lopez Bravo thinks that our strategy could be more flexible and that there might be other ways, even if more costly, to carry out our strategic aims. However because Lopez Bravo does not understand all of the U.S. concerns he is prepared to sit

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down and discuss with high-level U.S. representatives the whole range of Law of the Sea problems. He would be able to do so by the end of November after he returns from his next Latin American trip. On this forthcoming trip he will be more careful about what he says on Law of the Sea but will not change his basic pitch for "innocent passage."

Meanwhile, he has asked Ambassador Arguelles to be thoroughly briefed on the U.S. position and obtain as much information as possible so that he becomes conversant with our concerns.

Arguelles stressed again that not being a great power Spain does not fully understand our concerns. He requested that Ambassador Johnson not divulge the Foreign Minister's message to other officials.

Ambassador Johnson said he would respect the Foreign Minister's confidence and restrict the information to the most interested U.S. officials. Ambassador Johnson thanked Ambassador Arguelles for the Foreign Minister's message and said that he would be happy to arrange high-level conversations between State and DOD officials with him at an early date.

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