

SPAIN

ATTITUDE OF THE UNITED STATES WITH RESPECT TO THE FRANCO REGIME IN SPAIN FOLLOWING THE SECOND WORLD WAR

711.52/3-2845

*President Roosevelt to the Ambassador in Spain (Armour)*¹

WASHINGTON, March 10, 1945.

MY DEAR MR. ARMOUR: In connection with your new assignment as Ambassador to Madrid I want you to have a frank statement of my views with regard to our relations with Spain.

Having been helped to power by Fascist Italy and Nazi Germany, and having patterned itself along totalitarian lines the present regime in Spain is naturally the subject of distrust by a great many American citizens who find it difficult to see the justification for this country to continue to maintain relations with such a regime. Most certainly we do not forget Spain's official position with and assistance to our Axis enemies at a time when the fortunes of war were less favorable to us, nor can we disregard the activities, aims, organizations, and public utterances of the Falange, both past and present. These memories cannot be wiped out by actions more favorable to us now that we are about to achieve our goal of complete victory over those enemies of ours with whom the present Spanish regime identified itself in the past spiritually and by its public expressions and acts.

The fact that our Government maintains formal diplomatic relations with the present Spanish regime should not be interpreted by anyone to imply approval of that regime and its sole party, the Falange, which has been openly hostile to the United States and which has tried to spread its fascist party ideas in the Western Hemisphere. Our victory over Germany will carry with it the extermination of Nazi and similar ideologies.

As you know, it is not our practice in normal circumstances to interfere in the internal affairs of other countries unless there exists a threat to international peace. The form of government in Spain and the policies pursued by that Government are quite properly the concern of the Spanish people. I should be lacking in candor, however, if I did not tell you that I can see no place in the community of nations for governments founded on fascist principles.

¹ This letter was released to the press on September 26, 1945.

We all have the most friendly feelings for the Spanish people and we are anxious to see a development of cordial relations with them. There are many things which we could and normally would be glad to do in economic and other fields to demonstrate that friendship. The initiation of such measures is out of the question at this time, however, when American sentiment is so profoundly opposed to the present regime in power in Spain.

Therefore, we earnestly hope that the time may soon come when Spain may assume the role and the responsibility which we feel it should assume in the field of international cooperation and understanding.

Very sincerely yours,

FRANKLIN D. ROOSEVELT

123 Armour, Norman H./3-2445: Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, March 24, 1945—9 p. m.
[Received March 26—11:30 a. m.]

629. I presented my letters to General Franco² at 1 p. m. today. The ceremony, which was much simplified even as compared with that of the Italian Ambassador who was received about a month ago when the throne room was used, took place in one of the smaller rooms of the palace. Only the ceremonial officers and members of Franco's civil and military households were present. There were no speeches and after presenting my letters and introducing the staff, Franco took me and the Foreign Minister³ into an adjoining room for an interview which lasted three-quarters of an hour.

I opened the conversation with a reference to Mr. Hayes,⁴ whom I had seen before my departure and who had, I said, asked me to convey his greetings. Franco expressed warm appreciation of the very able and tactful way in which the Ambassador had accomplished his mission during a particularly difficult period initiated at a time when the war was in its most critical stage.

Franco then passed on to a somewhat philosophical dissertation on the war. He attempted to make the point, as I note he had done in several of his conversations with Mr. Hayes, that there were really two wars in progress: in Europe and in the Pacific. So far as the European war was concerned, of course, Nazism was doomed—the Germans were on the verge of defeat—but Spain could not remain indifferent to the dangers presented by communism in postwar Europe.

² Generalissimo Francisco Franco, Spanish Head of State.

³ José Felix Lequerica.

⁴ Carlton J. H. Hayes resigned as United States Ambassador to Spain on February 20, 1945.

As to the war in the Pacific, there were no two ways of looking at the matter. . . . He referred bitterly to the atrocities committed against Spanish citizens in the Philippines adding that a strong note of protest had already been sent to the Japanese Government and that Spain would no longer be willing to represent Japanese interests. In this connection he said that some time ago when his Government had learned of the barbarous treatment accorded our prisoners by the Japanese his Government had warned the Japanese Government that if this continued they would have to withdraw further representation of Japanese interests. He did not however give any indication to confirm the current reports that his Government was planning to break relations and I deliberately refrained from questioning him on this point having in mind the Department's instructions.

Taking up the point Franco had tried to make in distinguishing between the European and Pacific conflicts, I told him that he must understand that so far as we were concerned it was one war: That as he had truly said the battle in Europe was approaching its victorious conclusion and that once unconditional surrender of the Germans was an accomplished fact the full power of Allied arms would be concentrated on the Pacific. In the meantime, we were entirely satisfied with the progress made in that area. I could well understand the feelings of Spain and the Spanish people over Japanese atrocities committed against their citizens but I had been glad to note that he realized that acts of similar barbarity had from the initiation of hostilities been committed by the Japanese against those unfortunate enough to fall into their hands. As regarded his reference to the dangers presented by communism following the defeat of the Nazis, I had noted that he distinguished between Russia, our Ally in the war, and communism per se, the distinction clearly brought out by Mr. Hayes in his letters to the late Count Jordana more than a year ago.⁵ I felt, with Mr. Hayes, that communism was an essentially internal problem and a menace that could best be met by not permitting to exist in a country conditions conducive to its growth. So far as the United States was concerned, the question would never arise.

As to the fears he had expressed of Russia dominating Europe and spreading communism in its wake, I felt that Russia had changed greatly during the last years and we were confident that the same cooperation we were receiving in the war would carry over into the peace. Russia would require a good deal from us in the way of materials and cooperation in the postwar period and I felt that we would be able to exert considerable influence and this would doubtless be exercised particularly in behalf of those countries which had put their

⁵ Ambassador Hayes' letters to Count Jordana, dated October 29 and December 27, 1943, not printed.

own houses in order and were attempting to live in peace with their neighbors.

I then told General Franco that I had had a talk with the Foreign Minister (see later) last evening and had explained to him that while I realized that in this first interview it might not be customary to take up more fundamental aspects of our relations, in order to avoid any possibility of later misunderstanding and in compliance with the President's wishes as expressed in a talk I had with him just prior to my departure, I felt it was important that I make my Government's position entirely clear in this our first talk. Franco nodded agreement, indicating that Lequerica had taken the matter up with him. I then stated our case along the lines set forth in the President's letter of March 10. I said that while I had come to Madrid with every desire to see our relations improved and would do whatever I could towards that end, my presence must not be interpreted as meaning that my Government was satisfied with the existing situation or approved the structure of the present regime in Spain. While this was, of course, an internal question and while I need not assure him that it was against the policies of our Government to interfere in the internal affairs of other governments, nevertheless, as he must know there were elements in the United States covering a wide range of public opinion who were opposed to the continuance of official relations with his Government. My Government had not deferred to the wishes of these groups as my presence here indicated but, in all frankness, I must make it clear to him that so long as the present type of government was maintained with the Falange, a government within a government and along totalitarian lines, it would not be possible for my Government to enjoy the relations of complete confidence and understanding that we would like to have and that our friendship for Spain and for the Spanish people would normally indicate. He must realize that the Falange represented for our people the symbol of the collaboration with our enemies during the days when the war was not going so well for us. We realized that Spain had gone through difficult days. No one wished to see the country again plunged into civil war or civil strife. But we had hoped to see an evolution in the government take place that would be in line with the trend of events and the new spirit abroad in the world; an evolution that would enable Spain to occupy the role that properly belonged to it in the postwar world. I mentioned the Foreign Minister's recent speech in which he discussed Spain's role in the Americas as an example of one of the many contributions that Spain might make to the cause of world peace if and when she made it possible for us to welcome her participation in the family of nations. Franco listened attentively and apparently took my remarks in good part (the Foreign Minister offered no comment, in fact throughout the

interview took no part in the discussion). He then entered into a long dissertation on the very evident misunderstanding abroad of the present regime in Spain. The Falange was, he insisted, not a political party but rather a grouping together of all those having a common interest, an objective—the welfare of Spain, the maintenance of order, the development of the country along sound religious, cultural, and economic lines et cetera. It was open to anyone to join and included representatives from all walks of life. He referred to the accomplishments of his regime in rebuilding the devastation caused by the civil war and in healing the wounds arising out of the bitterness the conflict had engendered and pointed out that many administrative posts under the Government were now held by those who had been on the other side during the civil war. I asked Franco if it was not true, however, that many thousand political prisoners were still held, adding that as he must know, knowledge of this and reports that executions were still continuing had produced a very painful impression in our country. He replied with some warmth that these reports were greatly exaggerated; that only those who had been proven guilty of gross crimes and assassinations were still in prison and that the number did not exceed 26,000. He remarked that he had heard that some press reports had put the figure at 225,000 which was fantastic. As a matter of fact there were not prisons enough in Spain to hold a fraction of that number nor did any concentration camp exist, but this showed the type of propaganda to which his Government was subjected abroad.

The interview terminated with Franco's saying that he hoped we might soon have an opportunity for another talk when we could go more into detail on certain of the points brought out in the conversation. In the meantime he wished to assure me that I could count on his full support and cooperation in all matters. In thanking him I told him that the President had asked me to convey his greetings. General Franco said that he had the highest admiration for the President, and he hoped that I would convey to him the assurances of his highest respect and esteem.

Last night after Butterworth⁹ and I had decided that it would be advisable not to permit this first interview with Franco to pass without getting down to certain fundamentals, I arranged to see the Foreign Minister and outline to him the main points that I proposed to make. Lequerica was well disposed and agreed that it was important that the circumstances of my appointment should be made entirely clear from the start, adding however that he felt I should not attempt to go into too much detail.

ARMOUR

⁹ W. Walton Butterworth, Counselor of Embassy in Spain.

741.52/3-1345

The Department of State to the British Embassy

AIDE-MÉMOIRE

The Department has given careful consideration to the *aide-mémoire* of the British Embassy dated March 13, 1945,¹¹ setting forth the general lines of British policy toward Spain.

This Government is in substantial agreement with the British Government's statement of policy toward the present Spanish regime and the Falange Party. It considers that while the present regime remains in power it will be difficult for Spain to assume its proper role and responsibilities in the field of international cooperation and understanding. While this Government and the American people entertain the most friendly feelings toward the Spanish people and desire a development of genuinely cordial relations between the United States and Spain, public sentiment in this country is profoundly opposed to the present Spanish Government, both because of its policies and acts, which until recently have been distinctly unfriendly to the interests of the United States, and because that Government and the Falange Party were founded on undemocratic principles.

This Government considers that the form of government in Spain and the policies pursued by that Government are the concern of the Spanish people, and it is not the policy of this Government in normal circumstances to interfere in the internal affairs of other countries. It shares the hope of the British Government however, that any successor regime in Spain will be based on democratic principles, moderate in tendency, stable, and not indebted for its existence to any outside influences.

A tranquil Spain is desirable, from the standpoint of international cooperation, and a recurrence of civil strife in Spain could only militate against the general postwar objectives of reestablishing peace and order in Europe and of rehabilitating devastated areas. In the general interest therefore, and in the particular interest of the Spanish people, any tendencies toward renewed disorder in Spain would be regretted.

This Government fully agrees that there should be a close coordination of policy between it and the British Government respecting Spain. The policy of the United States Government toward the Franco regime, described in the foregoing paragraphs, has been followed by this Government without deviation for a long time. There have been no acts of this Government or public utterances of its officials on the subject at variance with that policy. It is not thought possible that General Franco or his Government can be under any

¹¹ Not printed.

misapprehension respecting the views of this Government or of the American people toward the Spanish Government and the Falange Party. These views have been expressed to General Franco and to his Foreign Ministers repeatedly and with clarity over a considerable period of time.

In the circumstances, the Department of State is at a loss to understand why the United Kingdom Government would take seriously enough to include in its memorandum the reported allegations of the Spanish Government that United States feelings toward it are less hostile than those of the United Kingdom Government.

WASHINGTON, April 6, 1945.

852.00/4-1245

*Memorandum of Conversation, by the Ambassador in Spain
(Armour)¹²*

[MADRID,] April 12, 1945.

I called on the Foreign Minister by appointment this morning. Although I had seen him on various occasions at social functions, it was the first time that I had had an opportunity for a formal talk with him since the presentation of my letters.

The Minister opened the conversation by referring to the decision to break relations with Japan. He said that there had been absolute unanimity regarding this decision at the Cabinet meeting which is still in progress (these meetings, he said, occur only once a month and last several days. One must not be misled by the length of the meetings into thinking that only important things are discussed, as Franco insists in entering into great detail with all the Ministers on relatively small matters).

I then asked the Minister how the "evolution" was progressing. He said that several important decisions are about to be reached.

1. Franco is planning the establishment of a "Monarchical form of government". The idea apparently is to have a Council of the Kingdom (*Consejo del Reino*) created to determine the succession. Franco will continue as head of the State (under the Monarchical form of government) and it will be the function of the Council of the Kingdom to designate the King, who would, however, not assume the power until Franco either dies or abandons office. I asked Lequerica how there could be a Monarchy without a King and whether this meant that Franco would act as Regent. He said that the situation would be somewhat similar to that which had existed in Hungary but that

¹² Copy transmitted to the Department in despatch 78, April 12, 1945, from Madrid; received April 26.

Franco would not assume the title of Regent but would merely be known as the Head of the State. Apparently the Council of the Kingdom would look into the qualifications of those eligible and decide which of them possessed the best qualifications. The Council would also establish the general condition for the succession, that is, revise the old Monarchical rules of succession regarding the age at which the King could assume power, etc. I asked Lequerica how soon this would be finally decided and what form the announcement would take but he was vague on this point except to say that he thought it would be shortly.

2. The Bill of Rights which has been under study for some time by Franco's legal advisers is now in definite form and is to be presented to the Consejo Nacional. This, he hopes, will be acted upon shortly and will have the effect of stabilizing conditions through definition of individual rights and privileges. Municipal elections are also contemplated.

3. It has been decided to grant complete freedom from censorship to the foreign press correspondents. Lequerica asked me to consider this as confidential, as he wishes to call in the correspondents and himself give them this notification. It is also planned to remove the control of the Spanish press from the present Falange Vice Secretariat of Education and put it under the ordinary Ministry of Education.

4. The death penalty for offenses committed during the civil war is to be abolished and I understood him to say this will apply to all those at present under sentence. Furthermore, all sentences for civil war crimes for terms of twenty years or under have been annulled. This already holds to those in the country and will now be applied to those abroad who will be invited to return to Spain. In fact, all Spaniards now abroad will be invited to return and public notification will be made that those who are in any doubt as to whether they can safely return have only to apply to the Consuls who will receive instructions to telegraph to the Government for specific confirmation in individual cases. Incidentally, he said that the latest figures given him by the Minister of Justice show that only 17,000 political prisoners are now held in the prisons of the country.

5. The present special courts for judging political offenses arising out of the civil war are to be abolished. In other words, in the future only the regular tribunals will have jurisdiction. I understood him to say that announcement on these last points would be made on the termination of the present meeting of the Cabinet, probably within the next two or three days.

I told the Minister that I had been very much interested in what he had to tell me. I asked him how the Falange would be affected by

this evolution. He was somewhat vague in his reply, falling back on his previous arguments that the real functions of the Falange had been misunderstood abroad, that it was not a party but a movement, etc. He said that Franco was very much interested in the social welfare work which the Falange had been conducting and wished this to go on in one form or another, but Lequerica felt that with the evolution that he had described in the internal field, as well as the very marked evolution in the international field, many of the bad features of the Falange would automatically be disposed of. I said that I had told him in our first talk and as I knew he himself realized, the existence of the Falange was perhaps the greatest obstacle to an improvement in our relations and that, while implementation of certain of the measures he had described would undoubtedly be well received abroad, so long as the totalitarian aspect of the regime continued and the Falange had its place in the structure of the Spanish State, it was more than unlikely that public opinion in my country, and I felt sure in the other democracies, would be satisfied. I said that I had been somewhat concerned that the Spanish press was conveying the impression that our relations with Spain were on an entirely satisfactory basis and I had also seen a tendency to draw a distinction between our attitude and that of the British towards the present Spanish regime. Lequerica said that this was, of course, absurd, that the Government entirely understood our position and if the press were assuming this attitude it was certainly not with any encouragement from the Government. So far as a distinction between our policy and that of the British, he realized that there were certain elements, largely in the Monarchist group here, who had tried to give this impression, adding that the Duke of Alba¹⁴ had come to see him shortly before I presented my letters to say that he had heard that demonstrations, flags, etc. were being planned as a mark of special consideration for the American Ambassador, with the implication of drawing a distinction between the United States and Britain. He had told Alba that any such reports were without foundation. I said that I felt it would be most unfortunate if this situation were to develop to a point where my Government or even the President, might find it necessary to make a public statement defining the exact situation. I said that, while I felt I had already stated clearly to him and to General Franco our Government's position, perhaps the best way to sum it up would be to read him a letter which the President had written me on the eve of my departure. I then read him the President's letter,¹⁵ stressing particularly the last four paragraphs.

¹⁴ Jacobo Fitz-James Stuart, Spanish Ambassador in the United Kingdom. He had offered his resignation in March 1945 but it was refused by Franco and it did not take effect until October.

¹⁵ Letter of March 10, p. 667.

Lequerica listened with keenest interest but vouchsafed no comment except to say that he hoped very much that the evolution which he had described to me would contribute towards an eventual solution of the situation and enable us to establish our relations on the basis which we all desired. I told the Minister that we would await with interest the announcement of the various measures he had outlined and perhaps when this had taken place we would be in a position to pursue these matters further.

N[ORMAN] A[RMOUR]

852.00/5-145 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 1, 1945—8 p. m.
[Received May 2—3 : 43 p. m.]

913. There is increasing evidence that the Spanish Government is greatly concerned over the situation that will confront Spain on the German surrender and in particular that the Soviet Government may shortly thereafter seek to induce the American and British Governments to bring pressure to bear on it in one form or another. From questions put to me recently by various high Spanish officials it is clear that the Spanish Government would like to secure assurances from us in advance that if such changes in the government structure now contemplated are put into effect Spain may be able to count on the American Government at any rate to pursue its own independent policy vis-à-vis Spain. They profess to believe that the steps this Government is planning to take in its evolution will at least temporarily weaken the central authority and be seized upon by the opposition elements in the country, already encouraged by dissident Spanish groups across the border in France, to attempt a test of strength. If at this juncture, they say, we and the British were to accede to Soviet pressure and take a position openly opposed to the present Spanish Government the consequences might well be another civil war.

This was the line of reasoning the War Minister General Asensio used with me in a recent talk I had with him and Lequerica. He stated that he felt sure that the Russians in their plan to dominate Europe would attempt to make use of the not inconsiderable elements in Spain favorable to them in order to bring about a violent upheaval. He then asked me what I thought would be our Government's position and that of the British in the event that the Russians either at San Francisco¹⁶ or later should insist upon a break in relations by

¹⁶ United Nations Conference on International Organization held at San Francisco, April 25-June 26, 1945. For documentation regarding the Conference, see vol. I, pp. 1 ff.

our Government with Spain. I told him that I could not answer a hypothetical question of this sort. So far as I knew political questions of any such nature were not on the agenda of the San Francisco Conference. I must frankly inform him, however, that Russia was not alone in its feeling about the character of the present regime in Spain and, while it was not our policy to interfere in the internal affairs of other countries and while the reorganization of the government structure was a matter for Spain and the Spanish people, he must understand that until they had taken steps to effect these changes and make it abundantly clear that a real evolution was under way they could expect little sympathy or support from us or, I believed, from any of the democratic nations.

Our position as it had been clearly set forth to the Foreign Minister and to General Franco himself was that while we maintained formal diplomatic relations with the Spanish Government, these relations would have to remain on a purely formal basis so long as the present structure with the Falange constituting a government within a government remained unchanged. On the other hand, the United States Government, of course, had no wish to see a renewal of civil war in Spain. I suggested that instead of speculating on what would be our Government's position in the event certain steps were taken it would be better for Spain to proceed to take requisite steps without further delay. I pointed out that valuable time had already been lost and they now found themselves on the eve of Germany's collapse with virtually nothing to point to in changes effected to bring their regime into line with new conditions in the world.

General Asensio said that he did not question the high desirability or necessity of evolutionary change in the character of the Spanish regime; on the other hand, it must be recognized by us that it was not easy to take such steps and at the same time avoid civil strife in a country whose people were by nature violent and who had but a few years ago engaged in the bloodiest of civil wars. He said the problem in his mind which he wanted to make clear was that if in undertaking the necessarily painful steps of discard and change in the character of the regime whereby at least temporarily the executive power of the government was weakened at a critical and dramatic moment in European affairs and if at the same time the Soviet Government pressed for action on the part of the United States in pursuance and furtherance of the Soviet policy of European domination, the United States Government must not regard Spain as a minor issue, such as that of the presidency of the San Francisco Conference, but as an issue as important as Spain's key strategic geographical position justified and, therefore, should be prepared to resist extreme Soviet demands as in the case of Poland.

Incidentally, in the course of my conversation with Lequerica today (my 912 of May 1, 7 p. m.¹⁷) he reverted to this same matter as did the Minister of Commerce and Industry¹⁸ some days ago.

In order to exploit to the full Spanish preoccupation and fears, I have merely met this query by pointing out its hypothetical nature and emphasizing our firm desire that rapid evolution and not civil strife take place in Spain. I shall continue to press for beneficial and peaceful change in the character of the regime, towards which some beginning has been made. In the meantime, I should appreciate any information which may have reached the Department arising out of formal or informal conversations at the San Francisco Conference relating to the above.

ARMOUR

852.00/5-2545 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 25, 1945—11 p. m.

[Received May 26—11:29 a. m.]

1145. In a conversation with the Foreign Minister yesterday, I drew his attention to a despatch from New York dated May 22, from the EFE¹⁹ correspondent, published in the papers here, which stated in effect that Franco's speech last Sunday²⁰ at Valladolid had been interpreted in the US as a reaffirmation of Gen Franco's support of Falange and as indicating that no immediate change in the existing political regime here was envisaged. I said I could not but feel after reading the speech that this interpretation was a natural and logical one to place upon it. Furthermore, the fact that the local press authorities had permitted the publication of the despatch would, I felt, be taken as confirmation that the Govt approved this interpretation.

Lequerica vigorously denied that this was the interpretation to be given the speech. Today he called me up to say that he had brought the EFE despatch to Gen Franco's attention and the latter had emphatically confirmed what the Minister had told me.

ARMOUR

¹⁷ Not printed.

¹⁸ Demetrio Carceller Segura.

¹⁹ Spanish Foreign News Agency, Pedro Gómez Aparicio, Director.

²⁰ May 20.

852.00/6-245 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, June 2, 1945—7 p. m.
[Received June 3—12:10 a. m.]

1202. General Franco gave a dinner for us at the Pardo last night. It was the first opportunity I had had to see him since presenting my credentials on March 24, and I took advantage in a short conversation to stress again our Govt's viewpoint.

I expressed my disappointment at what I felt to be the lack of any real progress in the evolution of the regime in the 2 months since our last talk. Franco pointed to certain steps taken, freedom from censorship of Foreign press correspondents, the bill of rights now before the Cortes, proposed municipal elections, etc. as evidence of a gradual change. I said that while the two latter matters cited might have some significance internally—although I felt that their importance depended in large measure on how they were applied—so long as the Falange continued to occupy its present position in the structure of the Govt and the totalitarian aspect of the regime remained unchanged, he could not expect any improvement in our relations. I said that I felt the important thing was that they should get started as soon as possible along the right road even though attainment of the ultimate goal might not be immediately realized. Time was passing, the San Francisco Conference was nearing its end and where would Spain be in the new world organization that would emerge? Franco fell back on his usual arguments stressing the Communist menace to Europe including Spain. He admitted that the danger of a clash between the Western Allies and Russia might have been exaggerated, particularly in their own press (plans for relaxation in the press control are now he said under way). He thought it not unlikely that we would be able to work out many of our pending problems with the Russians although he was pessimistic of a favorable solution on the Polish question. But he emphasized that Spain was the particular target for Communist propaganda and that France was playing Russia's game. The combined Soviet French attacks, he said, made it necessary for them in accomplishing their evolution not unduly to weaken the central authority.

Franco said that he sincerely desired the closest relations with the United States and Great Brit and he could not believe that with the many grave problems that confronted us in Europe we would not be disposed to show a sympathetic understanding of Spain's difficulties, having in mind the nearness of their own civil war and therefore give them time to work out their problems in their own way, which he felt sure they would be able to do.

I said we considered this to be an internal problem for Spain: That as he knew it was not our policy to interfere in the internal affairs of other countries but he must realize that until they at least made a real start in bringing this regime more into line with the new world currents he could not expect relations on the basis that we would like to have them.

The FonMin who was present at the dinner did not take part in the conversation which was entirely informal as the party was breaking up.

ARMOUR

852.00/7-745 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, July 7, 1945—7 p. m.
[Received July 8—4:25 p. m.]

1468. From recent talks with the Foreign Min and other Spanish officials it now seems reasonably certain that Franco shortly is to make a pronouncement on the steps he proposes to take toward an evolution of the regime and that this will probably be in the form of a speech to be made on July 18, anniversary of the beginning of the Span Civil War. A plenary session of the Cortes has been called for July 13-14 when the bill of rights, possibly the municipal election law, and certain other measures will be voted. At least two Ministers have told me that there will be Cabinet changes, including the elimination of all or some of the Falange Ministers and their replacement probably by members of the Acción Católica; that Arrese will go out and the Ministry of Movement be suppressed. Carceller states quite openly that he is slated for the Ministry of Finance.

There is a report given me by certain of my colleagues that Lequerica will leave the Foreign Office. Those who are inclined to give some credence to this last report claim that Franco for some time has been irritated by Lequerica's independent attitude and furthermore is not satisfied with his handling of Spanish French relations. It is rumored that he wishes to give the post to Mateu, former Mayor of Barcelona and at present Span representative in Paris, who reputedly enjoys his confidence. I believe all this is highly speculative.

While Franco's recent interview with Bradford of the United Press set forth the general lines of the evolution he has been developing over a period of months, there seems little doubt that recent events, notably the attack on the Span regime at UNCIO,²¹ coupled with

²¹ United Nations Conference on International Organization held at San Francisco, April 25-June 26, 1945. Reference is apparently to objections to membership of Spain in the United Nations voiced at the Third Meeting of Commission I on June 19, 1945. For text of minutes on this subject, see *Documents on International Organization*, vol. 6, pp. 124-136.

thought that the action first by Guatemala and then by Panama may be infectious, have brought home to him the urgency for action. He probably hopes by combining these various steps in a single pronouncement, probably coupled with a reference to the constitution of a Regency Council and an announcement of some lessening of the press control, to curb local criticism and to divert attacks from abroad.

I am not sanguine that any real evolution is to be expected or that fundamental changes, notably complete disestablishment of the Falange, will be forthcoming. Even Franco's own Ministers, however, admit that they do not pretend to know what he has in mind and appear to be completely in the dark as to how far he proposes to go in his announcement on July 18 or the date chosen. Lequerica still professes to be optimistic that things are moving in the right direction. I have advised him that if Franco hopes to change public opinion abroad, notably in the United States, a real and fundamental change in the structure of the present regime will be necessary. The real test of the adequacy of the reform measures, however, would lie with Span public opinion itself. Although I believe Lequerica is sincere when he assures me that he thoroughly agrees with this and has so informed Franco, I am not certain how strongly Lequerica has dared to express himself to Franco or how much weight his opinions carry.

ARMOUR

852.00/7-1845 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, July 18, 1945—noon.

[Received 8:14 p. m.]

1547. Franco yesterday delivered 45-minute address to the National Council of Falange being accompanied on arrival and departure by Arrese, Minister-Secretary of Movement. Speech was in general aggressive, confident and highly nationalistic. It gave no indication whatever of imminence of any real change either in principles or personnel of the regime, being on the contrary largely devoted to glorification of what has been achieved. Toward end of address Franco said: "The best laws would be of little importance if the spirit of our Falange were to fail, if we were to fall asleep on easy laurels or if we were to lose heart before the difficulties of the road which we must yet cover."

Franco presented the establishment of the traditional Spanish Monarchy as the next step in the progress of national movement to be achieved through a law to be presented to Cortes in order that the succession to the high office now held by Franco himself may be as-

sured. Translation of his remarks on subject is being cabled *en clair*.²²

Other topics dealt with generally along familiar lines were as follows:

Peace and progress of Spain contrasted with conditions elsewhere in Europe.

Great merit of Spanish neutrality. Reference made in this connection to assurances received from Roosevelt and British Government at time of North African landings.²³ Pact with Portugal of July 1940²⁴ also referred to.

Difficulty of Spain's relations with other countries since this is hour of passion not hour of reason and fact of Spanish crusade involving 1,200,000 Spanish soldiers not appreciated. When full story of Spain's international conduct can be made known, relations will be restored to normal. Spain has shown desire to cooperate but must now maintain attitude of reserve about what may be decided behind her back on matters affecting her.

Revolutionary characteristics of national movement with emphasis on social justice, Catholic religion and national unity. Paradox that this is misunderstood abroad precisely by sectors who should be most interested. Peculiarly Spanish quality of movement stressed. Spain does not need and should not import political ideas from abroad.

Necessity for anti-communism of Spain and of foreign propagandists about true nature of communism. Stress here is on Spanish experience.

Solidity and stability of regime and error of those abroad who speculate about it. Experiences and accomplishments of national movement already being studied abroad.

Review of work of Cortes with emphasis on bill of rights and local aviation law. Statement that proposed elections will give to institutions the spontaneous and efficacious popular integration proclaimed by doctrine of the movement. Popular participation to be through family, syndicate and municipality.

Campaign against unemployment and establishment of unemployment insurance designated immediate specific task.

ARMOUR

²² Telegram 1549, July 18, 1945, not printed.

²³ For text of President Roosevelt's letter of assurance to General Franco, dated November 12, 1942, see Department of State *Bulletin*, November 14, 1942, p. 906.

²⁴ Protocol between Spain and Portugal signed at Lisbon, July 29, 1940; for text, see *British and Foreign State Papers*, vol. CXLIV, p. 520. The protocol was made as an annex to the treaty of friendship and non-aggression of 1939, *ibid.*, vol. CXLIII, p. 673.

852.00/8-545 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

SAN SEBASTIAN, August 5, 1945.

[Received August 5—4: 46 p. m.]

SS 9. I have today received from the Foreign Affairs Office a *note verbale* translated below.

"The Ministry Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to inform it that the Spanish Government has decided to make public the following note:

In the face of the extraordinary reference to Spain which is contained in the communiqué of 'The Three' at Potsdam²⁵ the Spanish State rejects as arbitrary and unjust those concepts which refer to it and considers them the result of the false atmosphere created by the slanderous campaigns of the expatriated Reds and their like abroad.

Spain, following the policy of discretion and goodwill which she had fixed for herself in the face of the errors of others which would not directly affect her, did not wish to set forth her reserves in respect to the agreements at the Conference of San Francisco, reached in the absence of almost all the European countries; but on being today so unjustly referred to, she finds herself obliged to declare that she neither begs for a place at international conferences nor would she accept one which was not in relation to her history, her population and her services to peace and culture.

Similar reasons one day led her to abandon under the Monarchical regime the former League of Nations.

Spain once again proclaims her peaceful spirit, her goodwill toward all peoples and is confident that once those passions are quieted which the war and propaganda exacerbated, the excess of this hour will be revised and from within or without she will continue to collaborate in the work of peace for which the fact of her having remained neutral, free and independent in the two greatest and most terrible wars recorded by history constitutes an outstanding credential. San Sebastian, August 4."

Repeated to London, Paris and Madrid by courier.

ARMOUR

²⁵ For communiqué of August 2, 1945, see *Foreign Relations*, The Conference of Berlin (The Potsdam Conference), 1945, vol. II, p. 1499. The statement referred to here is the last paragraph of section X, "Conclusion of Peace Treaties and Admission to the United Nations Organization", p. 1509. This paragraph reads:

"The three Governments feel bound however to make it clear that they for their part would not favor any application for membership put forward by the present Spanish Government, which, having been founded with the support of the Axis Powers, does not, in view of its origins, its nature, its record and its close association with the aggressor States, possess the qualifications necessary to justify such membership."

852.00/8-1645

*Memorandum of Conversation, by the Ambassador in Spain
(Armour)*²⁶

MADRID, August 10, 1945.

The Foreign Office had advised me that Sr. Martín Artajo^{26a} would receive me at 4:30 this afternoon, and I called at that hour.

The Minister opened the conversation by extending his congratulations and expressing his satisfaction over the news they had just received of the Japanese Government's offer of surrender.

He then passed on to immediate problems. The Foreign Minister told me that he had spent Saturday afternoon, August 4, and most of Sunday with General Franco, during which time he had had an opportunity to discuss matters very fully with him. I asked the Minister how he viewed the situation. He said he felt the Spanish Government's position had been misrepresented in the press and radio abroad, including the United States. However, before giving me his views he would like to have my own.

I began by saying that I presumed he was aware of my Government's position as I had set forth very frankly in discussions with his predecessor, Sr. Lequerica, and in the two conversations with General Franco. However, I then reviewed for him our position along the usual lines, concluding by saying that so long as the present regime continued unchanged I felt there was no possibility of improved relations between our two governments.

Referring to the Potsdam Declaration, I said that I could not believe this had come as a surprise to his Government, in view of the position my Government had consistently taken. Furthermore, it was a reaffirmation of the position taken by the fifty nations represented at the San Francisco Conference more than a month earlier. He must know the strong feeling of opposition that existed in the United States towards the present regime in Spain, a sentiment which, far from becoming less, was, I felt, steadily on the increase. In this connection, I mentioned recent radio broadcasts by two prominent United States senators, advocating a break in relations with the Franco regime (the Minister indicated that he had heard of this). In view of all this and similar feelings in other democratic nations of which he must be aware—I mentioned specifically the recent action of the Peruvian Congress in recommending the suspension of relations with the present regime in Spain—I hoped that his Government realized the seriousness of the situation and was prepared to take a realistic attitude. Unfortunately, I could see no evidence thus far of this. General

²⁶ Copy transmitted to the Department in despatch 753, August 16, 1945, from Madrid; received August 27.

^{26a} Spanish Minister for Foreign Affairs, succeeding Lequerica on July 19, 1945.

Franco's speech of July 17 had stressed that any evolution that took place must be within the framework of the Movement (*Movimiento*) and inspired by the spirit of the Falange. There had, to be sure, been changes in the cabinet but, while the Ministry of the Movement had been suppressed, Sr. Arrese had been appointed a member of the Junta Política, while Sr. Girón, a well-known Falangist, remained in the cabinet and Fernandez Cuesta, one of the original Falangists, had been appointed to succeed Sr. Aunos as Minister of Justice. One of the factors in the present situation in Spain which had caused the most painful impression in my country was the continued holding in prison of so many political prisoners. According to reliable reports executions were also still being carried out. Admitting the bitterness the struggle had engendered, it seemed to many of us that General Franco could have done far more than he has done to heal the breach. Referring again to the Potsdam Communiqué, I pointed out that the Spanish press had not been allowed to publish the text of that portion referring to Spain while, on the other hand, all of the Spanish papers had been required to publish the note of the Spanish Government and, subsequently, evidently inspired and provocative editorials had come out, setting forth the Government's attitude. All of this, I felt, had created an increasingly unfavorable public opinion in my own country and I believed in the other countries. In this connection, I referred to the references in these inspired articles to the Non-Intervention Committee. Calling attention to this episode could only have the result of recalling painful memories and be used against our Government by those elements in our country favoring strong measures against the present regime here.

Finally, I could not see that the evolution proposed by Franco, even if carried out immediately, would essentially change or modify the opposition in our country to the present regime. Unless and until a substantial proportion of the Spanish people were given an opportunity freely to decide on the form of regime they desired, there could, I believed, be no final solution to the problem. We all, of course, realized their difficulties and no one wished to see Spain plunged again into civil war. It might be said that all of this was an internal matter, but as I saw it the time had come for them to decide how much an improvement in relations with the United States, Great Britain, and other democratic countries meant to them. This, I believed, was one of the questions on which they must make up their minds without delay.

The Minister listened attentively and, when I had finished, expressed his appreciation for the frankness with which I had spoken. He insisted that he had accepted the post only because he believed that Franco intended to carry out a real evolution and that it was his plan

eventually to restore the monarchy. In the meantime there would be liberalization of the press, although here they would have to proceed carefully since the public had been so accustomed to believing that everything the papers said was inspired by the Government that too sudden liberty of expression might give rise to misunderstandings. Furthermore, General Franco intended to call municipal elections along the lines set forth in his program and, while these would not be on as broad a basis as he himself might have wished in view of his own liberal leanings, nevertheless he thought that it would be a good start. Furthermore, he hoped that, as a result of these elections, a new Cortes might later be formed with a broader basis of popular support. The important point was that these steps should be carried out without impairing the central authority, since anything that would run the risk of bringing about disorders or lead even to civil war must be avoided. He had himself been a prisoner of the "Reds" during the first six months of the civil war and he knew from personal experience from what a real catastrophe the country had been saved by the victory of the elements fighting for decency and order. Nothing, he repeated, must be done, in effecting the evolution, to weaken the central authority to a point where it might plunge the country again into civil strife and bloodshed. The Minister said he believed General Franco had in mind the analogy of the dictatorship of Primo de Rivera.²⁷ Once the strong hold was relaxed disintegration set in. The monarchy fell shortly thereafter, then came the Republic and the gradual chaos that finally resulted in the civil war. The Minister then entered on a long dissertation on the character of the Spanish people which made it impossible to have here anything such as had occurred in England during the recent elections when, overnight, the Conservative Government was turned out and a strong Labor majority brought in, without disorders or trouble of any kind.

They desired, he said, nothing more than to have the best possible relations with the United States, Great Britain and the other democratic countries. Here the Minister referred to the position General Franco's government had taken during the war, giving the usual explanation as to why it had been necessary for Franco to do certain of the things that were now being held up against him. The Minister insisted that the regime was not Fascist in character and that even the Falange had represented in its ranks many of the so-called working classes. However, so far as the Falange was concerned, he could assure me that it was now "out" and that Franco had every intention of separating it completely from all participation in the Government. It was also his conviction that both the Junta Política and the Consejo

²⁷ Miguel Primo de Rivera established himself as military dictator of Spain on September 13, 1923; his dictatorship lasted about two years.

Nacional would be suppressed. As to the appointment of Sr. Fernandez Cuesta to the Ministry of Justice, Cuesta was no longer an ardent Falangist. He personally had always found him to be a man of moderate views, and he felt sure he would do his utmost to remedy certain of the features I had referred to, although he, the Minister, himself believed that the figures of the number of political prisoners still held in custody had been greatly exaggerated.

When the Minister finished, I said that I could only reach the conclusion from what he told me that it was evidently the intention of General Franco to continue along the lines set forth in his July 17 speech and that, if this were true, I could see little hope of any real improvement in the present status of our relations: in fact, given the increasing feeling of opposition in my country, I had serious misgivings as to whether it would be possible to maintain even the *status quo* unless something far more radical than what he had outlined were done to change the present character of the regime.

852.00/8-2945 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

SAN SEBASTIÁN, August 28, 1945—midnight.

[Received August 28—6:35 p. m.]

SS 28. I saw Foreign Minister for 2 hours last evening at his residence and during course of informal conversation endeavored once more to impress upon him importance of early and far reaching changes in present Spanish regime. He insisted that evolution is progressing as rapidly as could be expected and said that even greater changes may be expected in near future. It was readily apparent from conversation that situation continues to revolve in direction of restoration of monarchy.

He informed me that he planned to leave today for Galicia in order to see Franco prior to next meeting of Council of Ministers and promised to acquaint Caudillo²⁸ with strong views which both British Ambassador and I have expressed on this subject.

I had short talk with Minister again today shortly before his departure for Galicia at which time he stated that Council of Ministers will probably be held in Madrid on or about September 7. I took advantage of occasion to refer to last night's conversation and to ask if recent developments particularly Potsdam Declaration had not convinced him that there could be no solution to Spain's problem until Franco handed over the reins of government. He replied that not only he but he believed Franco himself now realized this and that

²⁸ The Spanish Head of State, Generalissimo Franco.

it was only a question of when and by what means this could be accomplished without rise of disorder.

By courier to Madrid.

ARMOUR

852.00/8-3045

The Acting Secretary of State to the Spanish Ambassador (Cárdenas)

WASHINGTON, September 11, 1945.

MY DEAR MR. AMBASSADOR: Just before leaving for London the Secretary turned over to me your personal letter to him of August 30.²⁹

I have noted the protest which you were instructed to make.³⁰ Since the United States Government took no part in the activities complained of, it is assumed that this Government was informed of this protest for information purposes.

I have also noted the review set forth in your letter of the Spanish situation. The attitude of the United States Government has, I think, been made clear at San Francisco and Potsdam. In these circumstances I do not believe that any further comment by me on matters dealt with in your letter would serve a useful purpose.

Sincerely yours,

DEAN ACHESON

711.52/9-3045 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, September 30, 1945—6 p. m.

[Received October 1—5:15 p. m.]

2029. I have not yet had any direct official reaction to publication of Acting Secy's statement on Spain.^{30a} It has not, of course, been published here nor has any reference direct or indirect to it appeared in any paper. Emb's confidential bulletin sent to high Spanish officials and certain Spaniards outside of Govt contained full statement including text of Pres. Roosevelt's letter as well as comment on it in US and British official circles. British Ambassador who saw FonMin day following publication tells me Artajo made no reference to it or what surprised Mallet to publication of Churchill^{30b}—Franco exchange.

I learned from American correspondent that one or two high officials in FonOff expressed indignation over publication which they considered unethical. While admitting that our Govt's position as

²⁹ Not printed.

³⁰ The Ambassador stated that the Spanish Government had instructed him to ask the Department of State to note its protest to the Mexican Government for recognizing a Spanish Government in Exile formed in Mexico (852.00/8-3045).

^{30a} This statement was printed in the weekly publication of the American Embassy, *Semanario Gráfico*, dated October 3, 1945.

^{30b} British Prime Minister until July 26, 1945.

stated in letter had been fully presented to Govt and therefore came as no surprise, they argued that it was unprecedented to make public confidential instructions of this nature. In other words it is clear that Govt here had hoped to be able to keep Spanish public including their own supporters in ignorance of the true attitude of our Govt towards Franco regime and probably realize that in spite of strict censorship contents of letter are bound to become known to some extent thru clandestine channels. What apparently worries Govt most is that statement is a unilateral one by our Govt, as Churchill letter was of British Govt, in contrast with San Francisco and Potsdam declarations which were participated in by Soviet and other govts.

Judging from past instructions to OWI³¹ outpost we take it for granted Dept would desire to secure full publicity on pronouncement of this nature and despite fact that British Embassy has decided to publish Churchill-Franco correspondence in their corresponding bulletin we are arranging to carry translation full text including President's letter in next number of Emb's *Semanario Gráfico* scheduled to appear Oct. 3. This has circulation of 90,000 copies that probably reach more than a million people. Since this action will undoubtedly be resented by Govt as tending to defeat their censorship and **may even call for strong protest** possibly coupled with sanctions against *Semanario*, I feel Dept should be informed of procedure we propose to follow. As publication will follow closely upon action British Ambassador and I are taking in not attending Te Deum and official reception tomorrow to celebrate Ninth Anniversary of Franco's assumption of power to which all Chiefs of Missions are invited and majority apparently attending, the challenge will inevitably be clear and provocative.

While in agreement with what I believe to be the Depts policy that no suitable opportunity should be overlooked to make clear our attitude toward present Spanish regime, I feel we must, however, not lose sight of fact that so long as regime remains in power it is the one we have to deal with and on whose cooperation we must rely in such matters as repatriation of Germans, SAFEHAVEN, aviation and other questions. While Franco would probably hesitate to retaliate openly he can always find ways in which to make things difficult for us. Furthermore, I believe we must take into consideration that peaceful evolution can only be achieved thru those who now hold power and influence in the present Spanish State, notably the Army, the Church and to a lesser extent industry, and we should weigh our acts so as not, through offending Spanish pride and patriotism, strengthen Franco and Falange by drawing to their support those who now favor peaceful evolution.

³¹ Office of War Information.

I feel, therefore, that before proceeding finally with proposed publication all preparations for which have been made, I should bring these considerations to Dept's attention. Unless hearing from the Dept we propose to send out bulletin on the morning of Wed, Oct 3.

ARMOUR

711.52/10-145 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Armour)

WASHINGTON, October 2, 1945—9 a. m.

1654. Urtels 2029 and 2030.³² One of the reasons behind release of President Roosevelt's letter was to let the Spanish people know our attitude toward Franco and the Falange. We feel therefore that you should proceed with publication in Embassy bulletin. We can probably meet any difficulties Franco might make for the Embassy.

ACHESON

711.52/10-2645

*The Spanish Ministry for Foreign Affairs to the American Embassy in Spain*³³

[Translation]

NOTE VERBALE

No. 835

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honor to state the following.

The Madrid correspondent of the United Press, Mr. Forte, has sent to his headquarters a telegraphic report framed in the following terms: "While General Franco today convoked his Government, thousands of Madrid people read for the first time the text of the letter sent by President Roosevelt to the present North American Ambassador in Spain, Norman Armour. This has been possible through the insertion of the text of the letter denouncing the Falange into the *Graphic Weekly* published twice a month which is edited in Spanish. 90,000 copies of this publication are issued which are distributed in Madrid and the provinces by the Consulates of the United States, and in Madrid it has a wider circulation than any of the local newspapers."

Elsewhere, the same correspondent reports: "Scarcely were Spaniards aware that the Embassy had published in its News Bulletin,

³² Telegram 2030, dated October 1, 1945, not printed.

³³ Copy transmitted to the Department in despatch 1072, October 26, 1945; received November 7.

Semanario Gráfico, the text of the letter sent by President Roosevelt to the present Ambassador, Norman Armour, which had never been made public in Spain, than they congregated by the hundreds in front of the Embassy, forming lines to obtain a copy of the Bulletin. It is estimated that each of those distributed has been read by a minimum of ten persons. It seems that the Embassy of the United States is determined to give publicity to all documents, speeches, and news which are not announced through other methods in this country, for which reason a large part of opinion does not know the true position of Spain in the world."

On their side, the press and radios of the United States have given wide diffusion to the news that the Bulletin of the North American Embassy in Madrid has published integrally the text of the letter under reference, in which the deceased President accused the Franco regime. "This document," the report adds, "was not picked up by the Spanish press, being treated in the same way as the Potsdam declaration and President Truman's rebuke, but public opinion of the country has been sufficiently informed because the Bulletin of the North American Embassy is run off in 90,000 copies, more than any large Madrid daily, and reaches all social classes." The report moreover permits itself to point out that "no protest from the Spanish Government is expected for this act of the Embassy of the United States."

This Ministry of Foreign Affairs can do no less than express its surprise at the transcribed reports. Knowing the correct manner with which the Embassy of the United States has always conducted itself, it naturally resists giving credit to the report relative to the exorbitant distribution of the *Graphic Weekly of the Embassy of the United States of America*. The Spanish Government believes on the contrary that that diplomatic representation adheres strictly to the standards which, with a spirit of ample tolerance, the Spanish authorities issued on the publication and distribution of news bulletins by foreign representations accredited in Spain—standards which establish that the cited bulletins are edited *exclusively for destination to the authorities*. If, on the contrary, the above transcribed cables reflect the truth of what has happened, the Spanish Government would find itself, much to its regret, forced to prohibit the circulation of a publication which could be considered illegal in not adhering to the dispositions in force in Spain on the subject.

As a consequence, this Ministry of Foreign Affairs trusts that the Embassy of the United States will consider it convenient, in reciprocation of the correct attitude observed by the Spanish authorities and press with regard to everything concerning its country, to order its press section not only to adhere to the norms established on publication of news bulletins but also to abstain from reproducing documents or

declarations which refer to Spanish policy, the publication of which is not expressly authorized by the Spanish Government.

MADRID, October 10, 1945.

711.52/10-2645

*The American Embassy in Spain to the Spanish Ministry for Foreign Affairs*³⁴

NOTE VERBALE

No. 1073

The Embassy of the United States of America presents its compliments to the Ministry for Foreign Affairs and has the honor to acknowledge the receipt of the Ministry's *Note Verbale* No. 835 dated October 10, 1945 and received at this Embassy on October 18, which refers to the distribution of the *Semanario Gráfico*, a publication of the Press Section of this Embassy. The *Note Verbale* in question deals particularly with the issue of the *Semanario Gráfico* which contained the letter addressed by the late President Roosevelt to the American Ambassador in Spain, the text of which was recently made public by the Department of State in Washington.

The *Semanario Gráfico* has been distributed in Spain since June, 1943. The issue to which reference is made above is No. 113 and was circulated in a manner wholly similar to the previous issues. This publication, insofar as distribution and circulation are concerned, is similar to the publications of other Embassies, including those of the late Axis, which have been circulated in Spain in recent years.

The *Note Verbale* of the Foreign Ministry raises the question of whether the distribution and circulation of the *Semanario Gráfico* after being in force for over two years and having been matters of general knowledge, should now be altered. There can, of course, be no discussion as to the right of the Spanish Government to order such alteration or of this Embassy to decide in view of the attitude assumed by the Spanish Government whether it desires to continue publication.

The *Note Verbale* also raises a further important question. The issue of the *Semanario Gráfico* cited therein published a letter from the President of the United States to his Ambassador in Spain. Is it consistent with the relations prevailing between the two Governments for the Spanish Government to prevent either in the Spanish press or in the official bulletin of this Embassy the publication of statements by the President or other high officials of the Government of the United

³⁴ Copy transmitted to the Department in despatch 1072, October 26, 1945; received November 7.

States? No such restrictions exist in the United States on the publication of statements of the Spanish Chief of State or of other Spanish officials.

In view of the importance of the above questions, this Embassy will defer any action in the premises pending receipt of further word from the Ministry for Foreign Affairs.

MADRID, October 22, 1945.

852.00/11-945 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, November 9, 1945.

[Received November 10—11:36 a. m.]

2306. The following is a translation of a *note verbale* dated November 6 just received from the Spanish Foreign Office:

"The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and with the object of correcting tendentious and inexact news reports recently circulated abroad with the intention of injuring the prestige of Spain and its Government is pleased to inform (the American Embassy) that there having been revealed to all persons of good faith the falseness of the defamatory campaign which international communism has directed against Spain during the past summer putting into play the press, radio and every kind of propaganda because of the arrest in Madrid of the Communist agitators Alvarez and Zapirain. There is now being unleashed anew another equally calumnious accusation because of the arrest in the province of Cádiz of the members of certain clandestine cells of Communist agitation it being now alleged that there is involved a group of peaceful citizens who have been condemned to death because of their political ideas.

On the contrary the truth is that there having reappeared in Spain certain crimes of terroristic nature, kidnappings, holdups, et cetera, which are being perpetrated in rural districts by some individuals who have infiltrated clandestinely across our frontiers, the state organs of security have succeeded in detaining in the south of Spain the members of those cells of agitation (who have been) in contact with the outlaws and have delivered them to the tribunals of justice which are commencing the appropriate processes of law, up to the present no sentence whatever having been pronounced against them, inasmuch as the case is (still) in the process of indictment.

In denying the new accusation and putting things in their proper places, once again it is necessary to caution Governments, diplomatic representatives and the press so that they will be able to discern in their noise-making campaigns the peculiar methods of agitation and propaganda which international communism uses when it proposes to attack a given country. Once again, also, the Spanish Government gives assurance that there reigns in Spain a regime of law in accordance with which the Government, respectful of the law and of the autonomy of the judicial power incharged with applying it, leaves

exclusively to the courts the judgment and the punishment of any criminal deeds whatever, subject always to the prior judicial process. Finally the policy of generosity and clemency which the Spanish Government follows in progressively pardoning those responsible for the past Communist revolution must have as a fundamental premise the unshakable affirmation of the principle of order and authority which is required for an inflexible application of justice."

ARMOUR

852.00/11-3045 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, November 30, 1945—7 p. m.

[Received December 2—6 : 39 a. m.]

2430. I called yesterday on General Franco to say goodbye. In the course of a 2-hour conversation, his characteristic volubility was such as to justify description as a filibuster by a man not desiring to discuss certain unwelcome topics upon which his mind was made up. However, I was able to get across very definitely certain points.

1. I emphasized disappointment at slowness of political evolution during my stay here.

2. Although recognizing that foreign correspondents in Spain have now freedom from censorship, I pointed out with concrete examples that there has been no liberalization of local press control.

3. I referred to the question of political prisoners and urged greater publicity and clearer definition of govt policy.

4. I said that the Falange, the symbol of cooperation with our enemies, seemed as influential as ever.

5. I said to him that in all frankness I must state that I considered the situation serious and I knew that my British colleague shared my opinion: that opposition to his regime in the US, far from lessening, had increased during the past months, and that our Govt, as he must know, was being submitted to ever-increasing pressure to break relations, not to mention the South American Republics where, as he knew, certain govts had already broken and others were showing a disposition in the same direction.

To all this General Franco replied with a great flow of familiar generalities and digressions. He said that opposition abroad to his regime is artificially stimulated by Communist elements and is based upon widespread ignorance of conditions here. He was particularly eloquent regarding the Communist threat to Europe and South America.

In closing I asked General Franco what I could tell the President and Secretary regarding Spain's political evolution. He replied that I might say he is working honestly and loyally for evolution on liberal lines, that the problems confronting him and his collaborators

particularly those arising from the Spanish Civil War and the World War counsel patience on our part. He emphasized the need for avoiding further fratricidal strife in Spain. He closed by regretting that I could not stay on for another year since he believed that at the end of that time I would be convinced of the truth of his words.

I wish to stress that General Franco's attitude throughout our talk was one of complete confidence and self-righteousness.

ARMOUR

852.00/12-145 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, December 1, 1945—11 a. m.

[Received December 2—6:39 a. m.]

2438. After a farewell luncheon yesterday at the Foreign Minister's I had an opportunity for a further talk with him.

I expressed disappointment in my talk with General Franco (see my 2430, November 30, 7 p. m.) indicating that I nevertheless hoped Franco had realized from what I had said what a serious view I took of things. The Minister said that he had been in touch with Franco and that the latter had been left in no doubt as to my views which had given him pause for thought.

I took occasion to reiterate to Martín Artajo that the standing of Spain had steadily deteriorated in recent months, mentioning the resolution against Spain at San Francisco, the Potsdam Declaration, and the clear statements by high officials of the British and American Govts and the breaking of relations by various American Republics with the probability that others might soon follow. I said I was personally convinced that there could be no real amelioration in the situation so long as Franco remained as head of the Govt. The Minister indicated that he himself had been aware of the seriousness of the situation and that both Ambassador Cárdenas and Manuel Aznar³⁵ had confirmed to him much of what I had said. On the other hand, he felt that, much as Franco and many of his supporters would regret a worsening or a break in relations with other govts, they would prefer this rather than to compromise themselves or take premature action here which might result in grave disorders or civil war.

I told the Minister that, while it was a purely internal problem, I could not believe that the Spaniards would be willing to admit that Franco was the one and only man in the country who could handle the situation; that I could not see why, if Franco could be induced to hand back the power to the generals from whom he had originally received it, and if those in turn were to call in some outstanding civil-

³⁵ Spanish Minister in the United States.

ians and together work out a form of constitution, to be submitted to plebiscite, this might not prove to be a way out of the present impasse. The Minister agreed that such an arrangement seemed practical and logical but interposed that unfortunately the military could not be given a free rein the danger being, and he felt sure Franco knew this, that once they had been given the power, they would not willingly relinquish it. Franco, he said, being a military man himself, knows the weaknesses of his own military.

He said Franco always had in mind what happened to Alfonso XIII in 1931.³⁶ He said that the King had abandoned the power in the mistaken idea that the country was against him which as a matter of fact events subsequently proved was not the case and with the result that disaster ultimately followed. Franco feared that if he were to transfer the power when he is not convinced that the time has come, a similar situation might [now?] result. For this reason Franco had gone back on [to?] his original idea of creating shortly a Council of the Realm (in this connection the Minister stated that the very frank discussions the British Ambassador and I had with him in the summer in San Sebastián had been useful in bringing Franco around to his original plan) composed of six to eight leading figures. This council would be submitted to the new Cortes formed after the March municipal elections. Once approved by the Cortes, it would be submitted by referendum to the people. Franco would then turn over the power to the Council thus formed with the full approval of the people, which in turn would decide upon the form of govt to be established, presumably a monarchy. The Foreign Minister said that he was satisfied that the British Govt would accept a monarchy but had some doubts as to what our Govt's position would be. I told him that in my opinion it was a question for the Spaniards themselves to decide what form of govt they desired, but that I did not believe there would be any difficulty if the govt decided upon appeared clearly to have the approval of the majority of the reasonable elements of the country, adding however that time was of the essence. As the municipal elections would not be held until March and the Minister himself stated that such a plan could not be put [apparent omission] as to whether they would weather the storm until then.

The Minister said that Franco was a man who did not respond to pressure or rough treatment, and that he thought it might be useful if some form of statement or message could be received from the Secretary of State or from Mr. Bevin³⁷ or both. I asked him what type of statement he had in mind, but he replied vaguely that he thought we

³⁶ For documentation regarding the recognition of the Provisional Government in Spain in 1931, see *Foreign Relations*, 1931, vol. II, pp. 985 ff.

³⁷ Ernest Bevin, British Secretary of State for Foreign Affairs.

would be the best judges. I then said that I did not see how our Govt could send any such statement to Franco under existing circumstances.

I suggested that General Franco put his plan in writing, with definite details and dates, and that this statement be given Ambassador Cárdenas to carry back to Washington. My British colleague who joined us at this point and who expressed in the strongest terms the serious view he takes of the situation mentioning the strong criticism already evidenced on the Govt side of the House of Commons against Bevin's policy towards Spain appeared to agree that this could be a constructive procedure.

The Minister not only agreed with this suggestion, but added significantly that this would likewise have the effect of committing General Franco to a definite schedule. I then pointed out that while such an arrangement might be helpful it still did not meet the question of public opinion abroad which would be in ignorance of Franco's plans and would see the situation as unchanged. For this reason I suggested that they might also wish to have the plan perhaps in less detail made public. Here again the Minister expressed concurrence adding that Cárdenas had brought back an invitation from the NBC³⁸ for Franco to broadcast to the US at the end of the year which might offer an excellent opportunity for some such declaration.

My British colleague and I agree that the above is interesting but it remains to be seen whether or not Franco is prepared to commit himself which is after all the crux of the situation.

In the meantime both Cárdenas and Aznar have assured me that they intend to present in realistic colors the situation as they know it to be.

ARMOUR

711.52/12-1545

*The Spanish Ministry for Foreign Affairs to the American Embassy in Spain*³⁹

[Translation]

NOTE VERBALE

No. 1007

The Ministry of Foreign Affairs presents its compliments to the American Embassy and regrets to have to call again its attention to the attitude of the Press Section of the Embassy concerning the publication of the so-called *Semanario gráfico de la Embajada de los Estados Unidos*.

³⁸ National Broadcasting Company.

³⁹ Copy transmitted to the Department in despatch 1319, December 15, 1945; received January 2, 1946.

Indeed, in its November 29 issue the Bulletin transcribes an article of the *New York Herald Tribune* of November 26 in connection with the secret correspondence between Franco, Hitler and Mussolini which was found in Germany and sent from there to the Department of State.⁴⁰

This Ministry would have nothing to object against the transcription of that article in the *Semanario* if it would not be a specially tendentious and offensive comment against the Chief of the Spanish State, and, as this Ministry cannot believe that one of the purposes of the aforesaid Bulletin of information is to attack the Chief of the State to whom your Embassy is accredited, it has no doubts that that diplomatic Mission will be good enough to repeat the necessary instructions to the cited Press Section in order to avoid that acts of serious discourtesy—as those which on two occasions the Ministry has had to point out—are repeated in the future.

MADRID, December 4, 1945.

852.01/12-1245 : Telegram

The Ambassador in France (Caffery) to the Secretary of State

PARIS, December 12, 1945—5 p. m.

[Received 9:11 p. m.]

7133. In accord with what he told me on December 8 Bidault handed me this morning a note reading in translation as follows:

“The Ministry for Foreign Affairs has the honor to invite the attention of the Embassy of the United States of America to the very sharp reaction of public opinion in the democratic countries, caused by the recent publication of the correspondence exchanged, during the last few years between Hitler, Mussolini and General Franco.

“In the light of this publication, the attitude of the present Chief of the Spanish Government appears to be such that it can be denounced as treason with respect to the democracies at war. This can only accentuate the hostile attitude which public opinion has adopted toward the political tendencies of General Franco and toward the absence of a sincere effort to prepare the way for guarantees of political and personal freedom of thought in Spain.

“France, as a neighbor of Spain, is particularly sensitive to the political evolution of that country, and feels a special responsibility in everything concerning it. As matters stand, the French Government considers that the disclosures outlined above make it difficult to continue to give to the Franco regime the support which is, in fact,

⁴⁰ Selections from this correspondence were published by the Department of State in a booklet entitled *The Spanish Government and the Axis*, European Series No. 8 (Washington, Government Printing Office, 1946). Additional papers through 1941 appear in *Documents on German Foreign Policy, 1918-1945*, series D, vol. XI (Washington, Government Printing Office, 1960).

afforded to it by the maintenance of relations, even when reduced, as in the case of France, to the exchange of official representatives.

"The French Government considers, however, that the breaking off of these relations would assume its full significance in the eyes of the Spanish people only if it formed the subject of a joint decision on the part of the American, British and French Governments. The French Government considers, in particular, that common action on the part of the Three Powers would alone be capable of bringing about a change of regime in Spain.

"The Ministry for Foreign Affairs would be obliged to the Embassy of the United States of America if it would be good enough to convey to its Government the above information. The Ministry would, moreover, appreciate greatly knowing the attitude of the Department of State concerning the possibility, at present, of concerted action with respect to the Franco government. The Ministry would also like to be informed of the position which the American Government in case of rupture (of relations) with Madrid, would propose taking with reference to the Giral government,⁴¹ considered as legally representing Republican Spain. A similar communication has been made to the Brit Emb."

Sent Department 7133, repeated to Madrid 410, London 859 and Moscow 437.

CAFFERY

711.52/12-1545

*The American Embassy in Spain to the Spanish Ministry for Foreign Affairs*⁴²

NOTE VERBALE

No. 1050

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and has the honor to acknowledge the receipt of the Ministry's *Note Verbale* No. 1007 regarding an alleged publication in the *Semanario Gráfico* of the Press Section of this Embassy. The aforesaid *Note Verbale*, although dated December 4, was received in this Embassy on December 10.

The *Note Verbale* states that the aforesaid publication in its number dated November 29, last, contained an article from the *New York Herald Tribune* of the 26th of the same month regarding "secret correspondence between Franco, Hitler and Mussolini found in Germany" and now in the Department of State. The *Note Verbale* goes on to say that the Ministry of Foreign Affairs would have no objection to the publication in the *Semanario* of the aforesaid article if

⁴¹ An *émigré* government in Mexico City, under the premiership of Señor José Giral.

⁴² Copy transmitted to the Department in despatch 1319, December 15, 1945; received January 2, 1946.

there were not involved an especially tendentious commentary and one offensive for the Chief of the Spanish State. It adds that since the Ministry cannot believe that among the purposes which the aforesaid publication may pursue there is that of attacking the Chief of the State to which the Embassy is accredited, the Ministry does not doubt that the Embassy will reiterate the necessary instructions to the aforesaid Press Section in order to avoid the repetition in the future of actions of serious discourtesy as are those which the Ministry has had to point out on two occasions.

The Embassy desires to state categorically that the *Note Verbale* in question is based upon a complete error as to facts and furthermore this Embassy regrets and rejects the tone which the Ministry of Foreign Affairs has seen fit to employ in the aforesaid *Note Verbale*.

There was no issue of the *Semanario Gráfico* of this Embassy dated November 29. A copy is attached⁴³ of the issue of November 28. It does not contain any quotation whatever from the *New York Herald Tribune*.

In the November 29 English language, "Department of State Radio Bulletin", a copy of which is attached,⁴³ there did appear an editorial comment from the *New York Herald Tribune*, the text of which was as follows:

New York Herald Tribune November 26th:—

"Unearthed in Germany, the secret correspondence between Franco, Hitler and Mussolini is now in the possession of the State Department in Washington. The news may well provide much food for thought to the Generalissimo in Madrid. The anomaly of Franco poses a difficult problem for the State Department as it studies the confidential correspondence. While it endeavors to make up its mind, the publication of that correspondence would be of assistance to the general public in making up its own mind."

This "Bulletin" incorporates material which is sent daily by the Department of State to the diplomatic missions of this Government all over the world in order to keep the officials of this Government informed as to news developments and public opinion in the United States. The following note, which daily appears at the head of the "Bulletin" explains this plainly:

"This Bulletin is prepared by the Department of State for the use of the officials of the United States Government abroad. It has been compiled from press and other sources and is in no way an expression of official opinion."

A feature of this "Bulletin" is the so-called editorial comment section, the purpose of which is explained as follows in the section itself:

"The following is an attempt to present an objective, factual and unbiased daily picture of the editorial opinion appearing in repre-

⁴³ Not attached to file copy of this *note verbale*.

sentative American newspapers. In an effort to indicate opinion in different parts of the country, the newspapers selected will be varied from time to time. No effort has been made to select editorials or to give either favorable or unfavorable emphasis."

The above-quoted editorial from the *New York Herald Tribune* was one of thirteen editorial selections published in the issue of the "Bulletin" of that day. It is desired to repeat that these selections are made by the Department of State and are sent in identical form to all of the diplomatic missions of the United States abroad.

This "Bulletin" then is not a publication of the Press Section of this Embassy but rather of the Department of State in Washington for the benefit of the missions of the Government of the United States throughout the world. A sufficient number of copies is prepared in the English language only for distribution in Spain to official American personnel, to the diplomatic representatives accredited to Spain or certain foreign countries, to certain American and British citizens resident here, to certain foreign press correspondents and finally to certain officials of the Ministry of Foreign Affairs to whom the Embassy is pleased as a courtesy to send copies. The latter category together with a small number of miscellaneous cases involves fourteen copies daily.

Since the Ministry of Foreign Affairs raises the issue of a previous occasion on which a *Note Verbale* was forwarded by the Ministry with regard to the *Semanario*, this Embassy desires in closing to reiterate the serious concern with which it views the fact that official utterances by the President of the United States or by the Secretary of State or other high American officials regarding the relations between the United States and Spain are denied publication in the Spanish press because of official Spanish censorship. This situation is indeed inconsistent with that prevailing in the American press in regard to statements of Spanish officials, regardless of the circumstances or the nature of those statements, and is a serious obstacle to mutual understanding.

MADRID, December 14, 1945.

751.52/12-1945

*Memorandum of Conversation, by the Assistant Secretary of State
(Dunn)*

[WASHINGTON,] December 19, 1945.

The Spanish Ambassador came in by appointment at his request this afternoon at 3:30. I had not seen him for about ten months.

The Ambassador asked whether the question of Spain would be

raised in Moscow at the present meeting of the Foreign Ministers there.⁴⁴ I said that I did not know, but that, as he may have read in the press, the matter of relations with Spain had been brought up by the French Government with the Governments of the United States and Great Britain.⁴⁵ He said that he had seen reports of the French approach on the subject and wished to give me some information on the background of this *démarche*. He said his information was that the French Government had been under tremendous pressure by some of the extremist groups in France, particularly the Communists, to consider breaking off diplomatic relations with Spain, but that although Mr. Bidault, the Minister of Foreign Affairs, had taken this matter up with the British and United States Governments, Mr. Bidault had no intention of actually coming to the point of breaking off diplomatic relations with the Spanish Government. I told the Ambassador that our information with regard to the background of the French approach was entirely contrary to his statement; that, as it had come to us, the three major parties in France were all very strongly opposed to the Franco regime and had taken the position that the time had come to press for rupture of diplomatic relations with the Franco Government.

The Ambassador asked what the attitude of the United States would be with regard to this question. I said that there was a tremendous feeling of resentment in this country over the activities of Franco as disclosed in the correspondence and documentation of Hitler and the Nazi Government, and that this Government would certainly not be disposed to raise any objection to the rupture of diplomatic relations with the Franco Government provided the French and British Governments were inclined to adopt that course. I went on to say that it would be perhaps just as well if I spoke in an entirely frank and straightforward manner to the Ambassador and to tell him just what the attitude of this Government was. I said that it had been made entirely clear by public declarations of this Government at San Francisco during the United Nations Conference there, at Potsdam during the meetings of the three Heads of States there last summer, and by public statements of high officials of this Government that we did not like the Franco regime nor the policies and activities pursued by that regime and the Falange organization with which it was connected. I said there was no use in reviewing all of the various activities of the Franco regime which were inimical to the policies and attitudes of this and the other Allied Governments, as the record was plain for everyone to see in that regard.

⁴⁴ For documentation pertaining to the Foreign Ministers Conference at Moscow December 16-26, 1945, see vol. II, pp. 560 ff.

⁴⁵ See telegram 7133, December 12, 5 p. m., from Paris, p. 698.

The Ambassador then asked whether I thought the Government of the United States would declare a rupture of diplomatic relations with Spain. I replied that as the present official relations between the two Governments were bad, and as they were becoming increasingly worse and were not even remaining in the same state but deteriorating progressively, I saw no other outcome of such a progressive deterioration than the final rupture of diplomatic relations, and I thought it was incumbent upon us to be frank and straightforward with respect to our attitude in this regard.

The Ambassador said that he appreciated this frankness and regretted only that we seemed to be forcing this action in such a manner as to preclude the possibility of finding some solution to the problem of Franco in Spain, as many Spaniards were applying themselves to some solution of the Franco problem, and it looked as if they would not have the time to work out a remedy which would avoid civil war and general devastation in that country. I asked him what prospects there were for substituting for the Franco rule a representative and democratic form of Government. He said that while he was in Spain he learned of a plan which, he had been informed, also was acceptable to Franco himself, for the turning over of the Government by Franco to a form of council which would hold a plebiscite or referendum in the country in order to determine the type of government the Spaniards wanted themselves. He said this plan was to have been put into effect sometime next March or April in conjunction with the holding of municipal and provincial elections and elections for national representation in a constituent assembly. He said it was to be regretted if the plan for putting into effect such a program of transition were to be interfered with by precipitate action on the part of the United States, Great Britain, and France. I asked the Ambassador whether any public announcement had been made of the program he spoke of, and he said that he himself had endeavored to have this program announced before Christmas but had been unable to achieve this purpose while he was in Spain; that he was still hoping that these arrangements would be made public, and that the program would proceed early next spring. I said that, in my opinion, the publication by the Spanish Government of any program which would provide for the removal of Franco and the substitution for him of a representative democratic government would be welcomed by all those who were real friends of the Spanish people.

Upon leaving, the Ambassador said that he would appreciate very much being informed of anything he could do in the situation, and particularly if he could be informed of any important move this Government decided to undertake. I said that, of course, I could not tell where the consultations on this subject might take place, and it might

be difficult for me to assume to inform him as the matter developed in consultation with the other Governments. Señor Cárdenas, referring to the retirement of Mr. Norman Armour, the present Ambassador to Madrid,⁴⁶ asked whether this Government intended to name his replacement soon. I said to the Ambassador that as far as I knew, there was no present intention of naming any replacement for Mr. Armour, and that it did not seem to me to be appropriate to name an ambassador to a country with the Government of which we were in such bad relations at present. I said further that I did not see any prospect of these relations improving as long as General Franco and his regime remained in control of the Spanish Government.

JAMES CLEMENT DUNN

711.52/12-2045

*Memorandum of Conversation, by the Assistant Secretary of State
(Dunn)*

[WASHINGTON,] December 20, 1945.

Señor de los Ríos, who was formerly Ambassador from the Spanish Republican Government to the United States and now occupies the post of Minister for Foreign Affairs in the group which have set themselves up as the Spanish *émigré* government in Mexico City under the premiership of Señor Giral, came in to see me this morning at his request. He said that he was leaving on December 27 for a visit to London and Paris, and as he had seen some conflicting reports in the papers recently of the attitude of the United States Government toward the Spanish problem, he had thought, in view of our past association during his time here as Ambassador, that it would be well to come to see me and ask me frankly what our attitude is at present toward the whole Spanish question. He then took considerable time in describing to me the composition of the Giral group and in stating the program he thought should be followed by the United States toward Spain. According to this plan, the United States should break off diplomatic relations with the Franco regime and should immediately recognize the Giral ministry as the Government of Spain. He said that, if the United States did not come to the assistance of the Giral cabinet by recognizing and supporting them, it would be necessary for them to make some arrangement by which the Communists were brought into their group. Up to the present time they had representation of all the Spanish elements except the Communists, but, if support were not forthcoming from the western democratic powers, the Giral ministry would find itself forced to enter into negotiations with the Communists in order that it might receive the support of

⁴⁶ Mr. Armour retired December 31, 1945.

Soviet Russia for its activities. Señor de los Ríos said that he had just seen a report in the press to the effect that the United States would require certain changes or readjustments in the Giral group before they would afford [*accord?*] recognition to it. He asked if I could inform him as to what changes or adjustments would be required, as they were most anxious to conform to anything we should consider desirable.

With regard to the latter point, I said that I did not know of any position which had been taken by the State Department or this Government to the effect that they would have to undertake certain changes before they would be granted recognition. I said that this Government was not making any stipulations or stating any requirements along those lines, and that, although I had only just returned from a rather extended absence on conference work, I had not heard of any plan of the kind he said he had seen in the press.

I told Señor de los Ríos that, of course, the attitude of this Government toward the Franco regime was clearly known and of public record, and there was no need to further elaborate on that for his benefit. I said that, as he probably had seen reported, we had just received from the French Government a suggestion⁴⁷ that an exchange of views take place between the French, British, and United States Governments on the possibility of terminating diplomatic relations with the Franco regime. I could tell him that, far from raising any objection to the discussion of this subject, we would notify the French Government that we would be prepared to discuss every aspect of this question. I told Señor de los Ríos that I could also tell him that as the relationship between this country and the Spanish Government was deteriorating progressively, it was inevitable that the final outcome of such progressive deterioration would be a rupture of diplomatic relations between the two countries. I said that it was very hard to predict within what time such a result might eventuate, but that it was certainly moving toward that end, and it was possible and even likely that as a result of these conversations suggested by the French, a decision on the breaking of relations would be accelerated.

Señor de los Ríos went on then to press the advisability and necessity of the United States recognizing the Giral government, at which point I asked him whether he thought it would be possible for the Giral government to go into Spain in the event of General Franco's leaving the power. He said that it would be necessary for some arrangement to be made which would guarantee the peaceful holding of free elections, and that in his opinion the result of such free elections would unquestionably be a government exactly similarly composed as the present Giral group. He then continued with a very exhaustive description of the objectives and composition of the different representative groups contained in the Giral government.

⁴⁷ See telegram 7133, December 12, 5 p. m., from Paris, p. 698.

I asked Señor de los Ríos if he thought it would be possible for Franco to turn the power over to some kind of provisional council for the purpose of holding elections with a view to setting up a really representative democratic government in Spain. He said he did not think this was possible, and that the only procedure which could be followed would be to call in the Giral government to take over the power and make certain that the people were guaranteed a free expression of their choice, and that this would have to be supported by the insistent demand of the European democracies and of the United States.

I told Señor de los Ríos that it was rather difficult to discuss future developments with respect to Spain, but that I was very happy to inform him of the present attitude toward the Franco regime and also our attitude toward the suggestion of the French Government with respect to discussing a rupture of relations with that regime.

Señor de los Ríos said that he appreciated very much indeed the time I had given him, and that he felt that his information was very much clearer on the attitude of this Government. He hoped to see me either in London, if I went over for the United Nations meeting,⁴⁸ or back in Washington upon his return, when we would have a further discussion and report the situation as we found it.

JAMES CLEMENT DUNN

751.52/12-2245 : Telegram

The Acting Secretary of State to the Ambassador in France (Caffery)

WASHINGTON, December 22, 1945—3 p. m.

5992. Embtel 7133 Dec. 12. Following is literal text of note which you should with any minor changes you think necessary, deliver to FonOff.

“The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs and, on instructions from its Government, has the honor to refer to the Ministry’s Note of December 12, 1945, on the subject of relations with Spain and to make the following reply.

The United States Government agrees that consultation between the Governments of France, the United Kingdom and the United States, as the countries most directly interested, is of great advantage and welcomes the opportunity afforded by the Ministry’s Note.

There should be no doubt, either generally or on the part of the Spanish Government and the people of Spain, as to what the position of this Government has been, namely, that, because of the origins and nature of the present regime in Spain, and because of its close associations with the enemies of the United States, there is entirely lacking

⁴⁸ The General Assembly of United Nations convened for the first time at London in January 1946.

a basis for that confidence which must be the foundation of satisfactory relations between two countries. The reasons for this position were stated in a letter addressed by the late President Roosevelt on March 10, 1945 to the Honorable Norman Armour, then the newly appointed Ambassador to Spain. That letter was made public on September 16 [26], 1945, and the United States Government intended thus to confirm the policy stated therein.

As the Ministry knows, the United States supported the Resolution with respect to Spain passed on June 19, 1945, by Commission I of the United Nations Conference on International Organization at San Francisco.⁴⁹ This position was reiterated in the Declaration made by the Governments of the United States, the United Kingdom and the Union of Soviet Socialist Republics at Potsdam on August 2, 1945.

The American Ambassador at Madrid recently applied for permission to retire and was granted that permission. He has now left Madrid and it is not the intention of the United States Government to appoint an Ambassador to Spain at this time.

The United States Government is therefore prepared to take part in an informal exchange of views with the Governments of France and the United Kingdom at any time agreeable to these Governments to discuss frankly and realistically all aspects of this question. Such an oral and informal exchange of views could take place in Paris, Washington or London."

Sent Paris as 5992, rptd. London 11037, Madrid 2068.

ACHESON

852.00/12-1945 : Telegram

The Acting Secretary of State to the Diplomatic Agent and Consul General at Tangier (Alling)

WASHINGTON, December 28, 1945—9 p. m.

363. Legtel 417, Dec. 19.⁵⁰ Following for your information only. US reply to French Note suggesting consultation requesting our views on possible joint break of relations with Spain recited record of official public statements on Spain and indicated our willingness to have informal talks with French and Brit to discuss frankly and realistically all aspects of the problem.

Brit reply reaffirmed their desire to see Franco replaced by representative and stable regime acceptable to majority of Spaniards. Brit conclude however that breaking relations now would be premature and unwise since they did not believe such action would lead speedily to desired result, that renewed civil war might ensue and that there might even be rallying to support of Franco. Certain practical

⁴⁹ See vol. I, p. 1358.

⁵⁰ Not printed.

considerations militating against rupture now were also to be mentioned orally by Brit Amb Paris in delivering reply to French For Min.

ACHESON

INTEREST OF THE UNITED STATES IN THE SPANISH DISPOSITION OF PIERRE LAVAL AFTER HIS ARRIVAL IN SPAIN ON HIS ESCAPE FROM FRANCE

851.00/5-245 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 2, 1945—5 p. m.

[Received 7:20 p. m.]

918. Shortly after 1 p.m. the Consulate General in Barcelona received information from one of its informants at the Barcelona airport that a German Junker-88 plane containing five men and one woman had just landed there. It was ascertained that Laval⁵¹ and Abel Bonnard⁵² were among the passengers and that it seemed quite possible that Marcel Déat⁵³ was also a passenger. The Consulate General immediately got in touch with both the Civil Governor and the Embassy. In turn, I have had several talks with the Foreign Minister⁵⁴ on the telephone and have just returned from seeing him at the Foreign Office. He confirmed to me that Laval and Bonnard were on board the plane but did not have the names of the other passengers. He said that when informed of this, General Franco⁵⁵ had agreed that the plane must leave Spanish territory at once with all on board except the woman.⁵⁶ Having in mind the position set forth in the Department's telegram 2701, October 3 [4], 5 p. m.,⁵⁷ I told the Minister I felt this solution would be satisfactory to us. However, I suggested to the Minister that a Spanish plane accompany them to make sure that the plane left Spanish territory and not return to metropolitan Spain or to the islands. In my presence he telephoned this request to the Air Minister.⁵⁸ The Air Minister apparently asked Lequerica what they should do if Laval and the others refused to board the plane or the pilot to take off. Lequerica replied that under Franco's orders he should tell them that if they refused to leave they would be "held here at the disposition of the Allied Governments".

⁵¹ Pierre Laval, formerly French Chief of Government at Vichy.

⁵² Formerly French Minister of National Education at Vichy.

⁵³ Formerly editor of newspaper *L'Oeuvre* in Vichy.

⁵⁴ José Felix Lequerica.

⁵⁵ Generalissimo Francisco Franco, Spanish Head of State.

⁵⁶ Madame Laval.

⁵⁷ Not printed. The position set forth by the Department was that Spain had the prerogative to expel at once any political refugee from another country (740.00116 E.W./9-2944).

⁵⁸ Gen. Vigón Suerodíaz.

Shortly after the arrival of this plane I notified the French delegate⁵⁹ and the British Chargé d'Affaires.⁶⁰

Repeated to Lisbon as 86, Tangier as 41 and Paris as 178.

ARMOUR

851.00/5-245: Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 2, 1945—7 p. m.

[Received 10:20 p. m.]

919. The Under Secretary of Foreign Affairs⁶¹ has telephoned me that Laval and his associates refuse to leave. Castillo spoke to Laval personally by telephone and the latter said that he also refused to give himself up to a French Tribunal where he would not get a fair trial, but was disposed to submit himself for trial to an American or International Tribunal. On these conditions he proposed to come to Madrid and give himself up to the American Embassy. I told Castillo that I would, of course, refuse to see him or have anything to do with him, and reminded him that the Foreign Minister had told me that, in the event that Laval and the others did refuse to leave, they would be held here in Spain at the disposition of the Allied Governments. I said that, of course, I presumed they would not be permitted the liberty of a hotel but would be confined.

Castillo called me back later to say that he had again spoken to Barcelona and that Laval and all the others on the plane except Madame Laval would be imprisoned in the military fortress of Montjuich at Barcelona, to be held at the disposition of the Allied Governments as a whole. He said that the Spanish Government would, therefore, await word from the Allied Governments as to their desires. I said that I presumed that all documents in their possession would also be held at our disposition. He said that Laval had expressed a desire to retain certain of his documents in order to prepare his defense while in prison but indicated that the Spanish Government would not permit this. I have brought the above to the attention of my British and French colleagues and shall await instructions from the Department.

The Foreign Office has given me the following as the list of those who arrived in the plane: Pierre Laval, Madame Laval, Abel Bonnard, Eugene Bonnard, Maurice Gabol, Paul Neraud. Also three members of the crew (apparently German) Gerhard, Helmuth, and Funk.

Repeated to Tangier as 42, Lisbon as 87 and Paris as 180.

ARMOUR

⁵⁹ Jacques Truelle.

⁶⁰ Reginald J. Bowker.

⁶¹ Cristóbal del Castillo y Campos.

851.00/5-245 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 2, 1945—9 p. m.

[Received 9:50 p. m.]

920. Following the conversation with the Under Secretary reported in my telegram No. 918 the Foreign Minister telephoned me to confirm that all those aboard plane, with the exception of Madame Laval, are being confined in the fortress of Monjuich and will be held "as prisoners" at the disposition of the Allied Governments. He expressed the hope that an early decision might be reached by our Governments as to what we wished to have done with them.

I suggested to Lequerica that in their own interest I thought it would be advisable for the Spanish Government to issue a clear statement to the press stating the position they had taken in this matter, as rumors were already circulating and I thought that it was important that the facts be authoritatively stated.

Repeated to Lisbon as 88, Tangier as 43 and Paris as 181.

ARMOUR

851.00/5-345 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 3, 1945—noon.

[Received 3:40 p. m.]

924. The Foreign Minister has just made to me the suggestion that Laval and his entire party be turned over to the British authorities at Gibraltar. He said that their presence here is becoming increasingly embarrassing to the Spanish Government and he feels that this would be the best solution.

I asked him whether this would include the German crew of the plane. While he was not entirely specific he indicated that they were not interested in the crew, and I judge that satisfactory arrangements with regard to them could be made. The idea apparently would be to have the party sent to Gibraltar by car or by any means that the British might suggest.

I immediately consulted my British colleague who is telegraphing London. He said he assumed the delivery would be made to the British on the understanding that they would receive them on behalf of the United Nations.

I am also notifying my French colleague.

The prompt handing over of Laval to the Allied authorities will no doubt deter other war criminals from seeking refuge in Spain.

I believe that the proposed method would be the most expeditious manner of handling the matter since the Spanish will obviously be reluctant to hand Laval and his party over directly to the French, particularly since the French have thus far been unwilling to enter formal diplomatic relations with Spain.

Repeated to London as 263, Paris as 185 and Lisbon as 89. By courier to Tangier.

ARMOUR

851.00/5-245 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Armour)

WASHINGTON, May 3, 1945—7 p. m.

728. We have discussed with the British and the French Embassies here the subject matter reurtel 920, May 2, 9 p. m. and previous telegrams and both Embassies have undertaken to wire their respective Foreign Offices. We suggested that the problem of Laval being brought to justice for his crimes against France is essentially a French problem. We feel therefore that the French should seek to have Laval and his party taken to the French border and there turned over to the appropriate French authorities. We told the French Embassy here that we would fully support such a request of the Spanish Government and we have suggested to the British Embassy that its Government instruct the British Embassy in Madrid to take similar action. Please consult with your British and French colleagues and take such action as you deem most appropriate to the end that the Spanish authorities deliver Laval and his party to the French border.

Are the people mentioned in urtel 911, May 1,⁶² the same as those mentioned in your 919, May 2? If not please report what action the Spanish authorities have taken with regard to those people.

GREW

851.00/5-445 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 4, 1945—1 p. m.

[Received May 4—11:37 a. m.]

938. The Foreign Minister telephoned me again this morning to ask whether I had any reply on the Laval matter and to urge a rapid decision on our part. He said that the situation was becoming increasingly embarrassing for the Spanish Government as it was developing into an international incident. He said that he still felt that the

⁶² Not printed.

Gibraltar solution was the best one and that his Government would be prepared to hand Laval and his entire group over to the British authorities without any attached conditions. If, however, a decision was not reached shortly, he proposed again to insist with Laval that he and his party leave Spanish territory on the same plane in which they had arrived. For obvious reasons, he said he did not feel that this would be a satisfactory solution, nor did he seem hopeful that Laval would be more responsive now to this suggestion than he was 2 days ago, but he insisted again that a decision must be reached as soon as possible.

In the given circumstances the Spanish Government obviously does not wish to hand Laval over directly to the French authorities, although they probably assume that eventually Laval will have to stand trial in France. If the direct transfer is insisted on for its own sake, I fear that it will only serve to cause delay, all of which I must emphasize may result in encouraging others to make similar attempts to impose upon Spain for refuge. Please instruct.

ARMOUR

851.00/5-445 : Telegram

The Ambassador in the United Kingdom (Winant) to the Secretary of State

LONDON, May 4, 1945—5 p. m.
[Received May 4—2:05 p. m.]

4520. We were told at Foreign Office this afternoon that when word was received here of Laval's arrival in Spain, British Embassy in Paris was asked to tell French Foreign Office that question of what to do with Laval was in the British view a matter to be decided between the French and Spaniards. Foreign Office says it was very pleased to learn through British Embassy at Washington that that was also Department's view. British Embassy in Madrid has been instructed to impress British view on Spanish Foreign Office. Foreign Office adds that no information on French reaction to leaving this matter in Spanish and French hands has as yet been received here.

Sent Department as 4520 repeated Madrid as 120.

WINANT

851.00/5-445 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Armour)

WASHINGTON, May 4, 1945—7 p. m.

733. Your 938 May 4. Although we would much prefer the procedure suggested in Department's 728, May 3, we would be willing, if

this proves impracticable, to accept procedure outlined in your 924, May 3, under which Laval and party would be turned over to the British at Gibraltar for eventual handing over to the French.

For your information we think it desirable to play down the United Nations aspect of the matters since the question of whether nationals of Allied countries should be listed as war criminals to be tried by the United Nations has never been clarified. As indicated in Department's previous telegram Laval is apparently not now listed as a war criminal by the United Nations War Crimes Commission for the reason that up to the present these lists have been confined to nationals of enemy countries. The French would almost certainly prefer to deal with their own nationals in accordance with French law rather than have them dealt with by an international tribunal, and in view of Laval's trial and conviction *in absentia* by a French court his early delivery to French justice would appear the best solution from every angle.

We appreciate, however, that the important thing is to obtain his removal from Spain at the earliest possible moment and if it is impossible to obtain his direct delivery to the French, we are prepared to support any proposal along the lines you suggest which will accomplish the purpose of placing him under French or British control and which has the approval of your French and British colleagues.

Sent to Madrid as 733, repeated to Paris as 1866, and London as 3513.

GREW

851.00/5-445 : Telegram

The Ambassador in Spain (Armour) to the Under Secretary of State (Grew)

MADRID, May 4, 1945—7 p. m.
[Received 11:08 p. m.]

947. Personal for the Under Secretary. My British colleague has shown me a telegram sent last night by the British Embassy in Washington to the Foreign Office London and repeated to him in Madrid indicating that I am to receive instructions from the Department to make representations to the Spanish Government jointly with him to the end that Laval be turned over to the French. My French colleague has received no instructions from Paris and my British colleague has not received any instructions from London to take any action. In its first telegram to Madrid the Foreign Office appeared to take the position that although the Spanish Government was probably entitled to put these undesirable aliens across the frontier into France, they were under no obligation to do so.

There is no doubt that the quickest means of ending this matter is for Laval and party to be sent to Gibraltar where with British consent they could be immediately handed over to the French and placed on a French vessel. For obvious reasons the Spanish Government would be most reluctant to hand Laval directly over to the French and the relations between Spain and France are such that, if left to their own devices, this matter may well drag on.

I bring this matter to your attention because if Laval is not considered a war criminal by the American and British Governments the two Embassies have really no local stand in the case and if the French are unable to get Laval extradited, will it not be difficult to explain why as alleged in British telegram, Laval is not on the United Nations' list of war criminals.

Repeated London as 270 and Paris as 193 to Lisbon by courier.

ARMOUR

851.00/5-545 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 5, 1945—10 p. m.

[Received May 6—10:05 a. m.]

969. On instructions from his Government, the French representative called on the Foreign Minister at noon today and formally requested that Laval and his party be delivered to the French authorities at the Franco-Spanish frontier. The Foreign Minister asked that the request be submitted in writing and apparently did not at the time commit himself although Truelle lately appeared to be somewhat optimistic.

This afternoon my British colleague and I called together on the Minister and supported the French request. We state that our Governments considered this to be primarily a French question but we hoped that the Spanish Government would accede to it.

The Foreign Minister was most emphatic in stating that the Spanish Government could not consider for a moment acceding to this extraordinary suggestion of the French Government: that it ran counter to the traditional relations between Spain and France; not to mention international law and to accept it would submit the Spanish Government to the most justifiable criticism. The Minister pointed out that a large number of political refugees from the Spanish Civil War charged with serious crimes were in France, the Spanish Government had never attempted to secure their extradition. He pointed out that the Spanish Government's position had been clear from the beginning; they wanted to rid themselves of Laval at the earliest possible moment. When he had refused to leave by plane, he had been in-

turned in a fortress and the Spanish Government continued ready to hand him over to the United Nations representatives at any time. They would, for example, be entirely agreeable to placing Laval and his party on a British or American warship or merchant ship with French officers on board either in the Bay of Barcelona or any other suitable point. Or they would be glad to put Laval across the border at Gibraltar where within ten minutes he could be made to board a French ship. Lequerica made it clear that once they were rid of Laval through one of the procedures described the Spanish Government was not interested in his ultimate destination. But it was out of the question, he insisted and it would create break [in?] a long tradition which was founded on realistic humanitarian consideration for France and Spain gratuitously to extradite people for purely political offences. My British colleague and I told the Minister that we would communicate this [apparent omission] the French representative would be notified.

Truelle was later called to the Foreign Office and informed by the Under Secretary of the Spanish Government's position along the same general lines set forth above. I have acquainted both my British and French colleagues with the purport of the Department's 733, May 4 for which I wish to express my appreciation. It now remains to be seen whether the British and French Governments are prepared to take accommodating action.

Repeated to London as 277, Paris as 195 and Lisbon as 95 and by pouch to Tangiers.

ARMOUR

851.00/5-1045 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 10, 1945—9 p. m.
[Received May 13—2:48 a. m.]

1012. My French colleague informs me his Government is now ready to accept Gibraltar solution for Laval and British Chargé is so informing his Government. I have authorized him to say that our Government is also prepared to accept this solution (Department's 733, May 4, 7 p. m.). If British Government accepts, Bowker will make arrangements with British authorities at Gibraltar.

To Paris as 216, repeated to Lisbon as 107, to London as 298, to Tangier by courier.

ARMOUR

851.00/5-1245: Telegram

The Acting Secretary of State to the Ambassador in Spain (Armour)

WASHINGTON, May 12, 1945—9 a. m.

781. For your information only. Department has informally discussed with War Department possibility of requesting Spanish Government to deliver Laval to SHAEF.⁶⁴ However, Department definitely prefers solutions already proposed, namely, direct delivery to French or delivery to Gibraltar, and we do not wish to suggest this procedure unless those proposals fail. So far British have shown no inclination to go further than to support French request for direct delivery of Laval to French. Of course, their cooperation is essential for any other solution.

Sent to Madrid as 781, repeated to Paris as 2025 and London as 3720.

GREW

851.00/5-1945: Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 19, 1945—6 p. m.

[Received May 21—10:50 a. m.]

1090. British Embassy has now received instructions regarding Laval in a telegram from the British Foreign Office number 392, May 18 and repeated to the British Embassy, Washington, directing the Chargé d'Affaires to inform the Spanish Foreign Office that they cannot accede to the French request that Gibraltar proposal be accepted. They made clear they will not interfere in what they consider to be a purely French-Spanish question and repeat the line taken in former British telegrams that they can see no reason to help Franco out of his present embarrassment.

It seems obvious from what the British Chargé said that the British do not want to be associated in any way with the type of trial or treatment which Laval might receive on his return to France. Although he has been instructed to take this up with the Spanish Foreign Office, Bowker takes the line that the Spanish Government when informed of the British position will revive suggestion that Allied (other than British or French) warships come to Barcelona and interprets his instructions to mean that British Govt would refuse to participate in any such action. He states he is telegraphing British Foreign Office to ascertain from Washington whether our Govt would

⁶⁴ Supreme Headquarters, Allied Expeditionary Force.

be willing to have a US vessel go to Barcelona for the purpose since it then would follow—if we did not agree—that our position and the British position were the same.

It is most unlikely that the Spanish Govt will agree to hand over Laval directly to the French for the reasons stated in my previous telegrams as well as those implicit in the British refusal to participate. The British, I believe, overestimate the embarrassment accruing to Franco from this unwelcomed guest if it is brought out later that Laval is not considered by Great Britain and the US or the United Nations as a war criminal and his presence here is merely a question between France and Spain.

In any case, such are the relations between France and Spain at the present time that no speedy acceptance of a French demand could be expected from the Spanish Govt. Meanwhile the longer Laval remains in Spain the more chance there is of his escaping justice. Although this Embassy is not in a position to comment on the British reference to the creation of an undesirable precedent in the use of Gibraltar, the continuation of the present situation in regard to Laval hardly creates the impression of effective action on the part of the United Nations. There is no evidence that the Spanish Govt desires to protect Laval or to delay his departure. It is prepared to hand him over to the United States or Great Britain as a war criminal for trial in France in accordance with a policy which the Spaniards have acknowledged, but to hand him over directly to the French runs counter to treaty and traditional Franco-Spanish practice.

Please instruct.

ARMOUR

851.00/5-2645 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

MADRID, May 26, 1945—9 a. m.

[Received May 27—6:34 a. m.]

1146. My 1090, May 19, 6 p. m. Pursuant to instructions from London the Brit[ish] Chargé d'Affaires called on the Foreign Minister yesterday to reassert the attitude of his Govt to the effect that the Laval affair is a matter to be settled between the French and Spanish Govts and one in which the Brit Govt does not choose to permit itself to become involved and that Laval should therefore be turned over directly to the French authorities without further delay as an undesirable alien being deported to the country of his origin. Invoking the familiar arguments with which he has on previous occasions countered similar proposals Lequerica reiterated the view of the Spanish Govt that such a solution is completely unacceptable and out of the question.

The ForMin speaking personally and informally then advanced the suggestion that arrangements might be made to return Laval to the point of his original departure (understood to have been Bolzano) to be turned over to whatever Allied authorities might be in control at that point in reply to which Bowker expressed the opinion that if such a course were to be followed he should be returned in a Spanish plane or if in his own plane at least with a Spanish crew. (A suggestion to this effect had in fact been advanced by the French Govt in its telegram of May 22 to the French Minister in Madrid and, according to the latter, mentioned by the BBC⁶⁵ and Bowker had planned to propose it of his own accord as an alternative solution.) After a brief discussion the Foreign Minister stated that he would give this suggestion his continuing consideration.

The French Minister states that he does not wish to call on Lequerica until he has received from his Govt a denial of certain damaging statements recently made by the BBC concerning assurances alleged to have been given Spanish republican leaders in the United States by Bidault but that he hopes to be able to see him early next week at which time he will, in consonance with instructions contained in his Govt's tel of May 22, pursue the suggestion that Laval be returned by the Spanish to the point from which he originally departed for Spain.

Pending the receipt of instructions requested in my reference telegram, I plan to make no further mention of the Laval affair in my conversations with the Foreign Minister.

Repeated to Paris as 259, London as 336, and Rome.

ARMOUR

851.00/7-2945 : Telegram

The Ambassador in Spain (Armour) to the Secretary of State

SAN SEBASTIÁN, July 29, 1945—8 p. m.

[Received July 30—11:41 a. m.]

Niact SS5. Chief of Protocol called this morning with message from FonMin who is still in Madrid, to effect that Spanish Govt has decided to send Laval back to point from which he came in same plane in which he arrived. They wished to have this done as soon as possible and proposed to get him off tomorrow, Monday. He described plane as Junker 88 with no special design on wings and speed of 472 kilometers per hour.

Later in the day the British Ambassador⁶⁶ and I discussed matter with French representative Hardion who had been given above in-

⁶⁵ British Broadcasting Corporation.

⁶⁶ Sir Victor A. L. Mallet became British Ambassador to Spain on July 25, 1945.

formation yesterday by Spanish Under Secretary and had immediately telegraphed it to Paris. Hardion is telephoning his Govt this evening to see that Allied military authorities are advised and that proper measures are agreed upon to receive plane.

Plane is supposed to be flown to Bolzano its point of origin but Spanish official has expressed to Hardion view that German pilots who will fly plane may endeavor make clandestine landing in Bavaria, abandon Laval and wife, burn plane and rejoin families.

My British colleague and I have agreed, and have so informed Hardion, that to avoid confusion, Hardion should handle all details with French Govt leaving to latter coordination and clearing with Allied authorities.

British Embassy here states Foreign Office some time ago approved in principle return of Laval in manner now contemplated.

Repeated to Paris and London. To Madrid by courier.

ARMOUR

851.00/7-3145 : Telegram

The United States Political Adviser on Austrian Affairs, Supreme Headquarters, Allied Expeditionary Force (Erhardt), to the Secretary of State

VERONA, July 31, 1945—3 p. m.
[Received July 31—2:09 p. m.]

129. Premier Laval landed today at Linz in American zone in Austria in a JU 88 with markings painted out. Laval was immediately taken into custody by US forces in Austria and will be turned over at once possibly today to French commander at Innsbruck.

Repeated Paris as 16.

ERHARDT

851.00/7-3145 : Telegram

The United States Political Adviser on Austrian Affairs, Supreme Headquarters, Allied Expeditionary Force (Erhardt), to the Secretary of State

VERONA, July 31, 1945—6 p. m.
[Received July 31—2:30 p. m.]

132. Re my 129, July 31, 3 p. m. Army authorities will deliver Pierre Laval to French Commander at Innsbruck at 2000 hours tonight. Laval had intended to land in Salzburg. Mrs. Laval is accompanying her husband. German pilot and co-pilot former members of Luftwaffe, the only other occupants of plane are being de-

tained. Among Laval's possessions was 10,000 American dollars in cash in 500 notes.

Repeated Paris as 17.

ERHARDT

[On October 9, 1945, Laval was sentenced to death for plotting against the State and collaborating with the enemy. He was executed October 16, 1945.]

AGREEMENT BETWEEN THE SPANISH GOVERNMENT AND COMPAÑÍA TELEFÓNICA NACIONAL DE ESPAÑA ASSURING PROTECTION OF INTERESTS OF AMERICAN SHAREHOLDERS⁶⁸

852.75 National Telephone Company/1-1345 : Telegram

The Ambassador in Spain (Hayes) to the Secretary of State

MADRID, January 13, 1945—9 p. m.

[Received January 15—12:06 p. m.]

87. In the course of my formal farewell interview with General Franco⁶⁹ I took occasion to say that I was glad that the negotiations between the appointed representative of the Spanish Government and the representatives of the IT and T⁷⁰ were making progress and I expressed the hope that the Spanish Government would do its part to bring them to a successful and speedy conclusion. Franco said that he too was aware that progress was being made in the negotiations which he hoped would terminate successfully for both parties because he was most anxious that American capital and technical facilities would be made available to Spain to help in its reconstruction and that he realized that the successful termination of these negotiations were not unconnected with such a development.

HAYES

852.75 National Telephone Co./2-2245 : Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, February 22, 1945—10 p. m.

[Received February 22—1:05 p. m.]

388. Carceller⁷¹ informed Caldwell⁷² that in the Cabinet meeting held last Friday⁷³ it was decided the Spanish Government should

⁶⁸ For previous documentation regarding representations by the United States to Spain for the protection of American interests in the Spanish National Telephone Company, see *Foreign Relations*, 1944, vol. iv, pp. 423 ff.

⁶⁹ Generalissimo Francisco Franco, Spanish Head of State.

⁷⁰ International Telephone and Telegraph Corporation.

⁷¹ Demetrio Carceller Segura, Spanish Minister of Industry and Commerce.

⁷² F. T. Caldwell, Vice President of International Telephone and Telegraph Corporation.

⁷³ February 16.

exercise the right provided for in the telephone concession contract to purchase all of the American owned shares in the CTNE.⁷⁴ This decision is motivated primarily by the fear that if shares are sold to bankers there is danger of speculation and manipulation which would open the way for serious criticism of the Government and secondarily to avoid lengthy delays in the negotiations which may occur from demands of bankers for adjustment by the Government of tariffs and other CTNE problems as prior condition to agreement to purchase. Carceller stated the autonomous position of the CTNE will not be changed, that the Government is merely substituted in the erstwhile position of the ITT and that it is the present intention of the Government to resell to the public when convenient all or the major part of its holdings. He also stated that authority to purchase will be conveyed by a simple decree law which will then pass directly to the plenary session of the Cortes for approval.

Carceller also reaffirmed the intention of the Government to pay the purchase price figured at 2000 pesetas per share with dollar bonds and to liquidate the \$25 million outstanding indebtedness to ITT by payment of \$15 million immediately upon the issue of the enabling decree law and the balance by short term non-interest bearing notes in dollars or sterling.

CTNE would enter into a service contract with ITT for a minimum period of 10 years and would pay therefor three-fourths of one percent of gross annual income but payment for these services may not exceed 3 million pesetas in any one year. CTNE would also enter into an arrangement with Standard Eléctrica for purchase of materials under terms and conditions to be determined at a later meeting. The Government would approve an increase in capitalization in Standard Eléctrica provided at least 25 percent of its voting shares would be sold to CTNE.

Last night Caldwell informed Carceller that ITT is not disposed to accept the above proposal. ITT however would sell to the Government at 2000 pesetas the 280,941 shares previously agreed upon and the balance of its holdings or 38,000 shares at 3000 pesetas; payment to be made in dollar bonds based on present exchange rates, and the 286 million pesetas outstanding arrears liquidated by transfer of \$15 million upon reaching agreement and balance accepted in notes payable half June 1, half September 1, 1945. Inasmuch as ITT would thereafter have no capital investment in the company, its representation on the CTNE board, if any, would not have adequate powers to insure that the company would follow its recommendations and under these circumstances, and the reduced compensation, ITT would not

⁷⁴ *Compañía Telefónica Nacional de España.*

be willing to enter into a service contract. Nevertheless it would be disposed to offer its services at such time as the control of the company reverts to private ownership and under conditions which would insure that its recommendations would be followed by CTNE.

In view of CTNE's urgent need for a large amount of automatic equipment ITT would accept confirmation of orders authorized by the board of CTNE last May. As a major part of this equipment would be manufactured by Standard Eléctrica SA, its capital would have to be increased by 7 million pesetas and ITT would require that it be granted full preemptive rights to subscription of this capital.

Carceller stated he wished to discuss these proposals with Franco and would give an answer within a few days.

BUTTERWORTH

852.75 National Telephone Co./3-245: Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, March 2, 1945—midnight.

[Received March 4—8:51 p. m.]

455. During the course of negotiations developing from the two proposals reported in Embassy's 388, February 22, 10 p. m., it became apparent that the Spanish Government is very anxious to have assurances from the ITT that it will enter into a service and technical contract with the CTNE. These conversations led to an agreement between Carceller and Caldwell along the following lines:

1. The Government will purchase all ITT shares at 2,000 pesetas per share to be paid (a) \$98,752 in cash with surrender of shares; (b) \$50,000,000 in 4% bonds to be completely amortized in 16 years. Minimum annual amortization will be \$2,000,000 payable semiannually. If in any year 20% of the total dollar value of Spanish exports to the United States exceeds this minimum plus interest charges amortization will be increased by the sum of the difference. Furthermore, annual amortization will be increased by (1) the application of 75% of the dollar value of exports of Standard Eléctrica to ITT New York, and its subsidiaries and (2) at the option of the ITT by the return to the Spanish Government of bonds equivalent to 75% of exports of Standard Eléctrica to subsidiaries of the ITT in countries other than the United States (3) \$6,700,00 in 4% Government notes due December 1, 1945.

2. The Government will authorize the transfer of dollars \$15,263,000 against ITT/CTNE credits as soon as the Government and ITT lawyers reach an agreement on the exact phraseology of the sales contract. (Carceller assured Caldwell this payment would be made before March 15, 1945.)

3. The balance of \$11,000,000 of these credits will be covered by two notes without interest, one of \$6,000,000 due July 1, 1945 and one of \$5,000,000 due September 1, 1945.

4. Contract for sale of shares and notes and bonds issued in payment thereof will be exempt from taxes.

5. During the month of March the Government will authorize an increase in the capital of Standard Eléctrica Madrid of 5,000,000 pesetas in ordinary shares and 2,000,000 pesetas in preferred shares with full preemptive rights to International Standard Eléctrica Corp.

6. After above capital increase has been carried out and the Standard surplus account has been liquidated the ISEC will sell to the CTNE 17% of the ordinary shares of Standard at par.

7. At the request of the Government the ITT will allow up to 3 of its representatives to remain on the board of directors of CTNE without compensation other than their fees as board members during the period of reorganization but not to exceed 3 months. These representatives of the ITT will act as special advisors to the Government appointee as president of the CTNE during this transition period.

8. The ITT gives an oral undertaking to the Minister expressing its willingness, once assured the Spanish national telephone service would be operated under a private company with satisfactory distribution of shares board of directors concession contract, et cetera, that the ITT would enter into a service and technical contract with the CTNE and repurchase 38,000 shares by the surrender of the \$6,700,000 4% Government notes due December 1, 1945 plus the necessary additional cash to make the price correspond to that paid by the Government to the ITT. This service contract would be based on 1½ of gross revenue for a minimum period of 5 years continuing thereafter from year to year until cancelled on one year's advance notice by either party.

Subsequently Carceller informed Caldwell that General Franco has approved the above and that it is probable Cabinet approval will be given within the next few days.

BUTTERWORTH

852.75 National Telephone Co./3-1345: Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, March 13, 1945—9 p. m.
[Received March 14—11:45 a. m.]

534. Embassy's 472, March 6, 10 p. m.⁷⁶ Government and Company lawyers today signed memorandum to the effect that both parties are

⁷⁶ Not printed.

in agreement on conditions for the purchase/sale of ITT shares in CTNE and also in agreement on the English and Spanish text of bonds to be issued. The substance of the conditions of sale, in abbreviated form, will be incorporated in a bill to be presented to the Cortes, probably for action on March 15, which would authorize the Government to purchase the shares under the terms outlined. Subsequently the contract will be submitted to the Consejo del Estado which will determine whether it complies with the law.⁷⁷

Upon approval by the Consejo del Estado the Government and ITT will formally sign the contract and at that time the Government will deliver provisional bonds to the company in exchange for the company's shares.

CTNE is now arranging to deposit with the Instituto de Moneda funds sufficient to pay for the indebtedness owed to ITT and it is anticipated that before the end of the present week the first payment of \$1,500,000 will be transferred to the United States.

BUTTERWORTH

**PROTOCOL ADDITIONAL TO THE AIR TRANSPORTATION AGREEMENT
BETWEEN THE UNITED STATES AND SPAIN**⁷⁸

811.248/1-1345 : Telegram

The Acting Secretary of State to the Ambassador in Spain (Hayes)

WASHINGTON, January 13, 1945—10 p. m.

88. The War Department desires to obtain the permission of the Spanish Government to make landings in Madrid of planes of the Air Transport Command on regularly scheduled flights from the United States to Paris and Rome. As Mr. George⁷⁹ is thoroughly familiar with this project he is being sent to Madrid, accompanied by Colonel Payne,⁸⁰ to assist you. They expect to leave Washington the morning of the 16th by transport plane and to proceed via Casablanca. Depending on connections, they probably will travel to Lisbon by air from Casablanca.

GREW

⁷⁷ The Decree Law of April 13, 1945, authorizing the Spanish Government to acquire 318,641 holding shares in the Compañía Telefónica Nacional de España owned by the International Telephone and Telegraph Corporation of New York was ratified May 14. For text, see *Boletín Oficial Del Estado*, No. 138, May 18, 1945, p. 4053.

⁷⁸ The protocol effected by an exchange of notes signed at Madrid February 19, 1945, is an addition to the Air Transportation Agreement signed at Madrid, December 2, 1944. For text of the agreement of December 2, see Department of State Executive Agreement Series No. 432, or 58 Stat. (pt. 2) 1473.

⁷⁹ William Perry George, Assistant Chief of the Division of Western European Affairs.

⁸⁰ Lt. Col. Robert G. Payne of the Air Transport Command.

811.248/2-645 : Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, February 6, 1945—9 p. m.

[Received February 7—11 : 02 a. m.]

276. For Hickerson⁸¹ and Culbertson.⁸² After several meetings attended by George, Payne, Haering and Bond with the Spanish delegation the following definite proposal was finally obtained from the Spanish Government. As translated it reads:

[Here follows text as in protocol effected by exchange of notes, February 19, printed on pages 727-730, except that in final text article V was added and articles V to XI of this draft were accordingly re-numbered.]

Pertinent comment will follow.

George and Payne left for Lisbon tonight.

BUTTERWORTH

811.248/2-745 : Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, February 7, 1945—1 p. m.

[Received February 8—1 : 59 a. m.]

278. For Culbertson and Hickerson. In making the proposal contained in my 276 February 6, 9 p. m. the Spaniards stated they fully understood that ATC operation in question would have military aspects and that they had no objections to collaborating but could not make an outright written commitment which would in the first place put them on record as allowing an ostensible subrogation of sovereignty and secondly of openly participating in breaches of neutrality. A third factor involved was the necessity of providing authority for a unique operation which would cut across numerous internal laws and regulations and the jurisdictions of several Ministries.

The proposal they have now presented constitutes a formula which they feel will in effect enable ATC to satisfy its requirements and will at the same time cover the above mentioned factors. The Spaniards pointed out that although the wording of their proposal is somewhat obscure on some points, the full collaborating intent is not affected and that the device of a regulating committee of special delegates stipulated in article IX constitutes the core of the proposal since this Commission will be able to issue orders overriding the procedure and limitations of individual Ministries. Moreover, the Spaniards intend to have these proposals (if accepted by us) incorporated in a protocol to

⁸¹ John D. Hickerson, Deputy Director, Office of European Affairs.

⁸² Paul T. Culbertson, Chief, Division of Western European Affairs.

our existing air agreement to give the matter some outward semblance of plausible legitimacy. The protocol will not be published. To increase the veneer of legal respectability Spanish article I refers to the operation within this country as being "ATCCS" with the implication that the two last letters of this anagram signify "civil services".

A further fiction for seeming alignment of the protocol with existing legal procedure is that of article VIII providing for special visa procedure in case of American officials (including military personnel) in transit. The procedure would consist of furnishing some rough form of manifest of such passengers under Embassy or other American Governmental seal with the understanding that aliases could be used if necessary and that there will be no inspection. Cargo in transit need not be manifested or inspected under this article. Foreigners and American commercial passengers in transit as well as all passengers stopping at Madrid would have to comply with regular Spanish visa regulations.

Article 6 would be interpreted liberally in that civilian coats or jackets could be used to cover uniforms during the stop at Madrid and a supply of these could be kept on hand for that purpose.

Under article 3 the installations required by ATC would be constructed or erected in collaboration with and for account of Spanish Air Ministry and would be under its general jurisdiction though set aside for ATC and, so far as confidential matter is concerned, restricted to handling entirely by ATC personnel within this face-saving structure. Similarly under article 4 a Confidential Section would be created within the Meteorological and Communications Services to cover American personnel and its operations.

Presumably most of the basic arrangements could be established by the Commission mentioned in article 9 within 60 days and thereafter Commission would probably have only minor matters to deal with. The Commission would settle payment terms on which installations would be set up for Air Ministry. It would appear that Americans appointed to Commission (the Spaniards have suggested three delegates from each side) in beginning should be of especially high calibre who would gain confidence of Spaniards and we particularly recommend Stanton of CAA as a member during opening stage.

The Spanish proposal is unusually liberal according to all local standards and certainly in advance of any concessions made during this war to other nationalities including Axis. Spaniards were undoubtedly moved to make such a liberal proposal at least partially under the influence of George's references to the opportunity afforded them to collaborate with us in the rehabilitation of Europe, and of having Madrid airport improved as well as of becoming closely associated with us in international aviation matters.

The Sub-Secretary of Foreign Affairs⁸³ who has been in direct charge of negotiations has indicated he would appreciate being informed of Washington's reaction by February 10 in order that he may decide upon vacation he intended to take. Since George and Payne emphasized the importance of speed in pressing negotiations with Spaniards while here I hope Department will send Embassy some reply by 10th to convey to Sub-Secretary.

Repeated to Lisbon as 17.

BUTTERWORTH

811.248/2-845 : Telegram

The Chargé in Spain (Butterworth) to the Secretary of State

MADRID, February 8, 1945—3 p. m.

[Received February 9—1:58 a. m.]

291. I called on the Foreign Minister today at his request. Lequerica said that he hoped that we were satisfied with the arrangements worked out about the Air Transport Command and the rapidity with which they were concluded and that he wanted the United States Government to understand that they would be implemented with a ready disposition on the part of the Spanish Government. Lequerica further stated that since it was a most unusual procedure to permit an army air transport command to operate through a neutral country, it had to be clothed in a certain manner but the Spanish Government wished to be most helpful to the United States and to contribute to the rehabilitation of Europe and European stability and the ATC would find that when its operations began the Spanish authorities concerned would in practice interpret liberally and he felt sure to our satisfaction the terms of the proposed arrangement.

Repeated to Lisbon as 18.

BUTTERWORTH

811.248/2-2045

*The American Chargé in Spain (Butterworth) to the Spanish Minister for Foreign Affairs (Lequerica)*⁸⁴

No. 3801

MADRID, February 19, 1945.

EXCELLENCY: I have the honor to refer to negotiations which have recently taken place between the Government of the United States of America and the Government of Spain for the conclusion of a Protocol⁸⁵ to the Air Agreement of December 2, 1944.

⁸³ Cristóbal del Castillo y Campos.

⁸⁴ Copy transmitted to the Department in despatch 4070, February 20, 1945; received March 6.

⁸⁵ Authorization by the Department of State, the ATC, and the War Department to effect this agreement was given in telegram 301, February 18, 1945, 2 p. m. to Madrid, not printed (811.248/2-2045).

It is my understanding that it has been agreed in the course of the negotiations now concluded that this Protocol shall be as follows:

PROTOCOL TO THE AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND SPAIN RELATING TO THE OPERATION OF INTERNATIONAL AIR TRANSPORT SERVICES

As a provisional measure and in conformity with the provisions of the Agreement of December 2, 1944, the Spanish Government and that of the United States of America agree to amplify its stipulations with the following conditions:

I. A.T.C., which for internal purposes of Spain shall be designated A.T.C.C.S., shall be considered as one of the air transport enterprises of the United States to which Articles I and II of the Agreement of December 2, 1944 refer, for the purposes of realizing exclusively in transit the air traffic to which Article II of this protocol pertains.

II. All the routes defined in No. I(*a*) of Article I of the cited Agreement may be used by A.T.C. independently of the stops which are stipulated thereon, stops which shall be limited for the purposes of this Protocol to the air connection between the United States of America or other points on the itineraries covered by A.T.C. and Madrid, and beyond.

The Spanish Government will authorize moreover the non-stop flight over Spain on the direct Lisbon-Paris route, as an exceptional privilege and within the special conditions established in this protocol.

III. To this end the airport of Barajas shall be duly enlarged to the extent which the new service may require, the enlarged zone being destined to A.T.C., even though it form a part of the cited airport and be subject to the authority of the Chief thereof. The new installations and services shall be constructed by the Ministry of Air in accordance with the needs planned for by the North American technicians.

IV. The meteorological and communications services shall be the corresponding national services, which may contract North American technical personnel with respect to the needs of A.T.C., the confidential nature thereof being guaranteed.

V. The equipment and material which are to be imported for the A.T.C.C.S. will be purchased on reasonable terms by the Spanish Government with the exception of those which, for reasons of military protection, should be reserved by the Government of the United States and which will be also sold to the Spanish Government on reasonable terms when the named reasons disappear.

VI. A.T.C. shall be authorized to employ the minimum number of ground personnel necessary for its operation, under the general discipline of the airport.

VII. The aircraft employed in this service shall fly completely unarmed, and their crews shall make no ostentatious display of military character.

VIII. The Spanish Government shall authorize the necessary supplies for the proper functioning of the aircraft of A.T.C.

IX. The legislation in force on transit traffic shall be applied to the air traffic provided for in this Protocol, with the exception of

passengers of North American nationality who may be traveling on official duty at expense of the State, the visas of whom shall be adjusted to special procedures.

X. All political, financial and technical modalities relative to the execution of this Protocol shall be resolved by common agreement between both Parties, special delegates charged with proposing or deciding the opportune measures in each case being named for the purpose.

XI. This Protocol enters into effect on February 19, 1945, remaining in force for fourteen natural months counting from the cited date. Either of the Parties may after that date communicate in writing to the other Party its desire to terminate the present Protocol. Said notification may be effected only after a consultation celebrated between both Parties for a period of not less than ninety days. Once the Protocol is denounced in the manner indicated, it will cease to be in force ninety days counting from the date on which notification is given by one of the Parties to the other.

XII. Both Parties agree that the present Protocol shall not constitute a precedent applicable to their relations in the aeronautical field and that whatever is not expressly provided for in its text or may arise from the attributes granted the delegates to whom Article X refers, shall be adjusted to the general provisions agreed to between the Spanish and North American Governments in the Agreement relative to the operation of international air transport services signed in Madrid December 2, 1944.

I shall be glad to have you inform me whether it is the understanding of your Government that the terms of the Protocol reached as a result of the negotiations are as above set forth. If so, it is suggested that the Protocol become effective on February 19, 1945; if your Government concurs in this proposal the Government of the United States will regard it as becoming effective on that date.

I avail myself [etc.]

W. WALTON BUTTERWORTH

811.248/2-2045

*The Spanish Minister for Foreign Affairs (Lequerica) to the American Chargé in Spain (Butterworth)*⁸⁵

[Translation]

MADRID, February 19, 1945.

MR. CHARGÉ D'AFFAIRES: I have the honor to acknowledge the receipt of your Note of today's date, in which you communicate to me the terms of a Protocol additional to the Air Transportation Agreement between the Spanish Government and the Government of the United

⁸⁵ Copy transmitted to the Department in despatch 4070, February 20, 1945; received March 6.

States of America signed in Madrid on December 2, 1944, a Protocol which has been agreed to in the negotiations now concluded between both governments.

The terms of the said Protocol which Your Honor has communicated to me are the following:

[Here follow the terms of the Protocol as given in note No. 3801, printed *supra*.]

I have instructions to inform Your Honor that my Government accepts the terms of the Protocol in the form in which they have been communicated to me, and likewise that it agrees with Your Honor's proposal that the said Protocol enter into effect on February 19, 1945, considering it therefore as being in force from the indicated date.

I avail myself [etc.]

LEQUERICA