

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION 89/2006**  
**2 August 2006**

The Opposition consider that the Government's explanations in relation to the persons who would be entitled to vote in the forthcoming Referendum are implausible and contradictory.

The Chief Minister has now said that this question is open and that the Government has made absolutely no decision on what to propose to the House in respect of the category of people who will be entitled to vote.

However, at the same time the Government has published full page official notices headed "Referendum on the new Constitution – Register of Voters". The wording of the notice implies that those already included in the Register used for the November 2003 election will be able to vote in the forthcoming Referendum and those who want to vote but are not included in the existing Register can acquire the right by applying provided they meet the same criteria that any British Citizen has to meet to vote in general elections. In effect what is taking place is the updating of the General Election Register.

Given the contents of the official notice, it is difficult to understand how the Government can say that the notice "informing the public about the opening of a Register of Voters, did not mean that these are the final category of people that will be allowed to vote in a referendum." It would not be the final category if in addition to those being registered now a further category was opened.

In an attempt to justify what has happened, after the event, the Chief Minister has also said that this official notice was issued by the Government at an administrative level. The obvious implication is that this had nothing to do with him. It has to be said that anyone who knows Mr Caruana will not fail to be amused at the notion that an official notice enshrining the right to self-determination in the Referendum can be issued without his prior approval.

A more plausible explanation may be that the updating of the general election register of 2003 is being conducted at this point in time in order to be available for a possible general election before the

end of this year. That might explain the peculiar condition that persons expecting to be 18 years old before the end of this year should be included, obviously if the general election were to be called using this register after the 1 January, it would require the register to be reopened and updated for those whose birthday was after 1 January.

In any event, the issue is not whether the criteria for participation in the referendum has been determined by the Government or requires to be determined by a decision in the House of Assembly, where the Government of course has a majority, the fundamental question is whether, those who vote in the Referendum will be making use of their right to self-determination.

The position is very clear from the reply given by Mr Hoon in Parliament that the act of deciding on their acceptance of the new Constitution in the forthcoming Referendum will be an exercise of the right of self-determination by the Gibraltarian people. This of course is consistent with the use of the right to self-determination under the Charter of the UN, which is only available to a colonial people in order to decolonise their homeland and acquire full self-government.

This should have been obvious to Mr Caruana from day one, and therefore his attempt to retract from the original position adopted regarding the Register is clearly in response to the shortcomings that have been exposed by the Opposition.

ENDS