

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION 108/2006**  
**12 September 2006**

The Opposition welcome the news that the European Court has rejected the case brought by Spain against the United Kingdom following the extension of the Eurovote to Gibraltar.

The Spanish Government argued before the Court that the incorporation of Gibraltar into the South West England constituency and the extension of the franchise to Commonwealth citizens was illegal.

The Court has ruled against Spain on both counts.

The Opposition has always maintained that the Spanish decision to challenge the enfranchisement of Gibraltar in court was politically motivated. This is borne out by the ruling of the court that has found no legal basis in the Spanish claim.

It will be recalled, for example, that Commonwealth citizens have voted in European elections in the United Kingdom in 1989, 1994 and 1999. Spain had joined the European Community in 1986 and she did not object. It was only after that same UK franchise was extended to Gibraltar that Spain objected, first before the European Commission and then before the European Court.

The Opposition considers that it is regrettable that a court case that was commenced by the Partido Popular was seen through to its conclusion despite the change of Government in Madrid and the PSOE coming into office.

There are many actions that Spain has taken against Gibraltar which are in breach of European law, and the UK has never taken any of these to Court. If the UK had been willing to do this, there would have been many other instances when Spain would have been found to be in the wrong.

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