

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION 151/2006**  
**29 November 2006**

The Government has accused the Opposition of conducting a cynical campaign to sow confusion in the minds of the people of Gibraltar about the new Constitution.

The Opposition could make the same accusation against the Government with greater strength, in that it has used public funds in issuing a supposedly informative booklet on the text of the Constitution which includes the view that the opportunity for constitutional change would be lost, possibly for all time, if the majority votes "no".

This, in fact, undermines the validity of the democratic right of people to choose which we are not seeking to influence one way or the other.

The motion calling the Referendum brought to the House by the Government was subjected to a number of amendments from the Opposition some of which were accepted.

The Opposition introduced the "welcome" to the British Government statement that the Referendum was an act of self-determination and the Government introduced the "welcome" to the results of the negotiations on the TEXT.

The paragraph on the holding of the Referendum presented by the Government defines the decision as the acceptance or rejection of the proposed constitutional text and the status it represents. HOWEVER, WHAT THIS STATUS IS WAS NOT DEFINED.

To make this clear and unambiguous we proposed that it should say the "new international status as a self-governing territory", but the introduction of the words "the new international status" and "as a self-governing territory" were not acceptable to the Government.

This is why the campaign of the Government for the "yes" vote is based on how good the text is and on how this constitutes progress for Gibraltar, but it does not say that its effect is to change our international status.

Notwithstanding the fact that we are supposed to be involved in the realization of our right to self-determination.

We cannot recommend a "yes" vote to people when this may simply consist of the modernisation of the constitution.

This is the language used by the UK in respect of all the other territories whose status will not change, and the claims made by the Spanish Government of the guarantees that it has received from UK in respect of this new Constitutional text.

Perhaps Mr Caruana can now understand why we are not enthusiastically calling for "yes" vote. He ought to be able to do so because we have been telling him this since 1999.

The Opposition is not mixing up the Referendum with the Cordoba agreements. Mr Pons, who has been negotiating the agreements with Mr Caruana, said in an interview in June that if the final result of constitutional reform altered the status of Gibraltar contrary to Spanish interests, then there would be no agreement entered into by Spain.

This is why on 17 March the Spanish Government welcomed the result of the negotiations with UK, even before that result has been announced, on the basis that their objections had been taken into account and reflected in the result. The same point was made at the UN.

All these factors, and not just the text, have to be taken on board by people before they vote.

Mr Caruana may believe that UK will not agree to constitutional change if we reject this constitution on Thursday. But that is not the official position of the UK, and it is wrong to make people think that it is. We consider that this is a self-serving opinion to influence the vote.

All the other territories have since 1969 had innumerable changes to their constitutions agreed with UK. Some territories have rejected constitutional texts previously agreed by their politicians and the UK has accepted the democratic result and agreed to continue the process.

If indeed that were not applicable in our case, it would amount not to the recognition of our right to self-determination but its denial, and we might as well have had a ballot paper with only one box saying "yes".

We consider that we are discharging our duty to the electorate and being completely responsible in bringing all these matters to their attention rather than giving them instructions on how to vote.

The Opposition therefore calls on the silent, non-silent and thinking majority of Gibraltarians, that is to say everyone, to mobilise on Thursday and vote with their conscience and not their party affiliation.

ENDS