

STATEMENT BY THE GSLP/LIBERAL OPPOSITION 48/2007

9 May 2007

The Opposition considers it is totally unacceptable that Spain should continue to block the ratification by the EU of a number of international conventions because she is concerned about the arrangements for communicating with competent authorities in Gibraltar.

These include the ratification of the 1996 Hague Convention on the international protection of children and other conventions of this nature which are not purely EU instruments and include countries which are not in the European Union. This Convention for the protection of children is particularly relevant in the face of a high profile child abduction case in the Algarve region of Portugal, which is dominating the UK news, and of reports in Gibraltar of attempted abductions locally.

The Convention on the protection of children will help prevent international child abduction and provide a legal framework for the co-ordination of legal systems and for international judicial and administrative co-operation between different countries. It is also expected to help cross border contact between children and their families when families separate.

It will be recalled that in February of this year the Spanish Government blocked a measure which required all EU countries to prevent the sale or transfer of weapons to North Korea and the freezing of funds overseas belonging to people or businesses connected with North Korea's nuclear programme. This made the news in the UK press at the time.

However, nothing more on the Korea issue was heard and it was never publicly established whether it had been resolved or not.

The Minister for Europe Geoff Hoon said in answer to questions in the House of Commons recently that negotiations on the competent authority issue are at an advanced stage but added that it is difficult to estimate a precise time-scale for their conclusion.

The British Government gave more detail in the House of Commons last year. They then said that "Spain is currently blocking the EU from making decisions on the signature or ratification of international instruments that involve a degree of EU competence unless special provision is made for their application to Gibraltar. The most prominent case to date has been the 1996 Hague convention on the protection of children."

The UK Government added that Spain wants to limit the extent of direct contact between the competent authorities in Gibraltar and those of other parties to such instruments including states outside the EU, adding that what Spain wants represents a significant move beyond the post-boxing arrangements agreed in April 2000. Spain, the UK Government has said,

wants “that any country that is party to an international instrument to which the EU is party must communicate with Gibraltar via the FCO post-box.”

It will be recalled that at the time of the post-boxing agreement the Opposition raised their concerns and predicted that Spain, at some future date, would try and build on this to extend it beyond the EU.

The Opposition totally condemn the non-recognition by Spain of the right of competent authorities in Gibraltar to communicate with their counterparts in the European Union and elsewhere. It is deplorable that Spain should continue to use this in order to block the ratification of international agreements imposing sanctions on North Korea or giving greater protection to children.

Following contact between Liberal Leader Dr Joseph Garcia and Liberal Democrat MEP for the South-West and Gibraltar Graham Watson, the latter has tabled a series of questions to the European Commission in the European Parliament on this matter.

ENDS