

## **STATEMENT BY THE GSLP/LIBERAL OPPOSITION 54/2007**

**23 May 2007**

**The following is the text of the speech delivered by the Leader of the Opposition Joe Bossano to the UN seminar in Grenada.**

Your Excellency,

In joining other participants to thank Grenada and its people for their hospitality, I wish to place on record the appreciation felt by those of us who have been involved with your committee for many years for the clear cut commitment of Grenada in upholding the right to self determination of the peoples of all 16 remaining colonies, including Gibraltar.

It is therefore regrettable that the purpose for holding these seminars, which is spelled out in paragraph 22 of the Plan of Action, should be converted by Spain into an occasion for advancing its territorial sovereignty claim over our country and then portraying its views as those of the UN. The seminar was set up as a forum for hearing first hand the views of the peoples of the colonies and Spain has the rest of the year to lobby UN members on its views; it has no need to hijack the seminar.

We are here to review progress in the implementation of the Decolonization Declaration, with the participation of the peoples of the colonies and their elected representatives. It is to hear the wishes of the colonial people that the seminars were set up.

Last November Spain's distinguished representative had a field day in Fiji, without fear of contradiction since there was no one from Gibraltar. I wish to make clear, as one of the elected representatives of the people of Gibraltar that most of us reject

much of what he had to say. He claimed that the UK accepts that in decolonizing Gibraltar it must be accomplished with Spain's consent. Well that is for the UK to clear up with Spain, it is certainly not what UK says to us. UK assures us that in their view only the independence option would require Spain's consent and we reject even that limited version.

He then went on to assert that paragraph 11 of the conclusions of the 2005 seminar implicitly endorsed Spain's approach. Well let me put the record straight. The St Vincent seminar, at which I spoke and Spain did not, neither discussed nor considered paragraph 11, let alone endorsing it. Seminar conclusions are supposed to reflect the views of the participants. In fact, paragraph 11 was introduced by Spain, or one of its allies, in the 2004 seminar in Papua New Guinea, when there was no one from Gibraltar to oppose it.

In Fiji in 2002 paragraph 8 states, "in the process of decolonization there is no alternative to the principle of self-determination, which is also a fundamental Human Right".

This position was accepted by Spain at the seminar but altered in 2004.

I invite any distinguished representative who shares Spain's view to explain how it is that we lost our right in Papua, New Guinea, in 2004. How can self-determination be a fundamental Human Right and be eliminated at the stroke of a pen by inserting the words "where there is no sovereignty dispute".

2004 let me remind distinguished delegates, is when Spain turns over a new leaf and tells us they were giving up their bad old habits of seeking to crush the Gibraltarian spirit. A habit, inherited from the fascist regime of the 1960s. The so-called “gust of fresh air”, quoted by Spain’s delegate in Fiji.

So what then, is the purpose of Spain’s new approach? How does Spain see the trilateral dialogue? It seems that the purpose of the exercise is to create a favourable climate to address Gibraltar’s decolonization in “a serene manner”.

The position of the overwhelming majority of us in Gibraltar is that, we can be as serene as Spain likes, but the answer to their claim is still no.

He claimed that a sentence in the understanding reached by the three parties on the 18 September 2006, which states “the references to sovereignty are bilateral to Spain and the United Kingdom” is there to safeguard not only Spain’s position but also what Spain claims to be the settled doctrine of the UN on the decolonization of Gibraltar.

Our side of the Gibraltar parliament neither understands nor accepts that the Cordoba references to sovereignty are bilateral to Spain and UK. We do not accept that Spain has any role to play in our sovereignty or our decolonization, which is exclusively a matter for us and the administering power.

Moreover, Spain considers that any change in the status quo of Gibraltar, that is its international status as a colony, would be a breach in the operational framework that has made possible the forum of dialogue, to quote the distinguished representative of Spain from last year.

This change in the status of Gibraltar is precisely what we are seeking to achieve with the new constitution which came into effect this year following its approval in a referendum last year, at the same time as the distinguished representative of Spain was making these outrageous comment at the Figi Seminar.

The referendum has been defined by UK as an act of self-determination. The UK is bound by international law to promote and respect the realization of the right to self determination in all the non-self governing territories, and so incidentally is Spain and every other member of the UN.

The Question and Answer leaflet you produce to meet your obligation to disseminate information on decolonization was copied by us and hand delivered to each one of the 10,000 households in Gibraltar, prior to the referendum. In it you clearly state that decolonization is the people exercising self-determination to choose a new status for their homeland.

Since this is the meaning of self-determination, it must follow that the new constitution changes the status of Gibraltar. However UK claims to be unwilling to engage the Special Committee on this issue because it alleges the Committee applies out dated criteria.

We disagree with UK. However if the Special Committee considers the new constitution fails to meet the UN criteria for what constitutes a full measure of self government then there is a clear duty to identify where it falls short and what needs to be done to put right the shortcomings. This is precisely what the terms of reference of the Special Committee require it to do in monitoring the political evolution of the colonies on the road to self determination and decolonization. This is what we are supposed to be assisting the Special Committee to do, with these Seminars.

This applies to constitutional change in Gibraltar, Turks and Caicos, or any other one of the 16 remaining colonies.

Finally I wish to take up the closing remark of Spain's representative in Fiji. He claimed, to my knowledge, for the first time, that the territorial claim of Spain to our country is an inalienable principle enshrined in the Charter. That must surely be in the

Spanish version of the charter. Territorial boundaries and sovereignty claims are not inalienable human rights recognised as fundamental international law and one can only suppose, they must be getting pretty desperate to try that one on.

Gibraltar's self determination and its decolonization is unstoppable and the sooner Spain accepts that inevitable fact of life the better for all concerned.

ENDS