

STATEMENT BY THE GSLP/LIBERAL OPPOSITION 71/2007

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The Opposition understands that the Spanish Government has been seeking to put pressure in the context of the tripartite forum to have their complaints regarding the Odyssey operation resolved. Spain wants this issue to be included as an agenda item in the next round of talks if the matter is not resolved to their satisfaction before then.

It is also claimed that neither the United Kingdom nor the Gibraltar Government are keen to see this happen. However, Spain's position is that they are not willing to proceed to any future tripartite meeting without Odyssey on the agenda if issues remain pending.

The Opposition has made it very clear from the beginning, in the context of the search for HMS Sussex, that Spain had no right to be consulted over the vessel or to be involved in its recovery. It is believed that the wreck of the Sussex lies in what would be Gibraltar waters of the east coast, if we enjoyed the normal twelve miles of territorial sea that we are entitled to claim, instead of just three miles.

That is to say, either those waters are Gibraltar waters or they are international waters. They are not Spanish waters under any circumstances and we cannot create a precedent that these are Spanish waters by accommodating Madrid's demands.

In a recent interview for a US television programme scheduled for broadcast on the Discovery channel, the Leader of the Opposition made precisely this point to the interviewer. In addition, when asked to comment as to the rationale of Spain's position, Mr Bossano made the point that given that we are dealing with a country that lost Gibraltar 303 years ago, and that believes it still belongs to them, it is not surprising that they should argue that if there is any treasure lost in the vicinity of Gibraltar it must belong to them as well.

During the course of the interview, Mr Bossano stressed that we believe in the rule of law and that therefore if there was any question of Spain having any legal right over the treasure, it is a matter for the courts to decide. However, he added that it is not unusual for Spain to have a very self-serving and biased interpretation of international law. They already do on issues like Gibraltarian self-determination and the Treaty of Utrecht. Indeed, it is quite common for Spanish Governments to deploy the strategy of creating obstacles in totally unrelated areas unless they get their way.

It would therefore not be surprising if Spain were trying to use the tripartite forum to obtain leverage over the Odyssey question. In the past Spain put pressure on European airlines willing to fly to Gibraltar by making it clear to them that if they did, as they are perfectly entitled to do, and have always been, Spain would see it as an unfriendly act and that this

would be reflected in the treatment that those same airlines received in Spanish airports.

Mr Bossano explained to the interviewer that this is the kind of behind the scenes pressure that Gibraltar has experienced at the hands of Spain. Therefore if Madrid does not get what they want, Spain is likely to pull out every stop against American interests, although it needs to be said that being nasty to Gibraltar is one thing and being nasty to the USA would be quite another.

When asked for a view as to why the Spanish Government was taking the line that it was, the Leader of the Opposition said that he doubted that Spain would have taken the matter to heart if all Odyssey had found was a few clay amphoras, instead of millions of dollars worth of gold.

The Opposition understands that the gold discovered by Odyssey, was provided with an import and re-export license to be able to transit through Gibraltar, in accordance with Gibraltar law, and Spain has no right to try to interfere with this process.

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