

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

149/2009

27 October 2009

The news that Gibraltar's sovereign waters are again going to be included in another EU designation after being proposed by Spain is a very serious matter. It confirms the view of the Opposition that the issue was far from settled when the Spanish Foreign Minister visited Gibraltar in July.

Mr Caruana told Parliament during the swearing-in ceremony of the new Governor that the "EU Commission is about to issue a new decision about European Sites of Community Importance, again including one designated by Spain in our waters." He then went on to call on the United Kingdom to take legal action against the Commission on this matter. However, Mr Caruana did not comment on what this second designation reflects about the attitude of Spain.

It will be recalled that at the end of last year, the European Commission accepted a Spanish proposal for the designation of a site called "Estrecho Oriental" which included the territorial waters of Gibraltar as well as an area of international sea. The acceptance by the Commission of the Spanish designation gives Spain specific legal responsibilities over the area, even though the waters are British.

The news of the Spanish designation was followed by Spain sending in a fisheries protection vessel, the Spanish navy corvette "Tarifa", into Gibraltar waters in May. A RIB lowered by the "Tarifa" proceeded to question and inspect fishing boats inside Gibraltar waters as if they were in Spanish waters and it refused to leave when asked to do so by the Royal Navy. There have since been countless incursions by Spanish civil guard patrol boats which have also proceeded to behave as if Gibraltar's waters were Spanish. At the same time, there have been over-flights in the area by aircraft from the Spain's environmental agency.

The situation reached such a critical point that the Gibraltar Government itself advised boat-owners to defy the Spanish Civil Guard and call the RGP or let off a flare gun if they were challenged. The visit by the Spanish Foreign Minister in July took place with the territorial waters issue remaining unresolved. The incursions by the Spanish Civil Guard continued and Spain did not withdraw the designation of Gibraltar waters as if they were Spanish.

Therefore the news that there is now a new decision about European Sites of Community Importance which includes one put forward by Spain in Gibraltar waters can only serve to add insult to injury. While it is important that the United Kingdom takes action to defend British sovereignty, it is also important to question the motivation of Spain in having made such a proposal again when this action has created the problem in the first place.

In the view of the Opposition it is totally unacceptable that we should continue to be told that there is a new climate in relations between Gibraltar and Spain when at the same time as Madrid continues to embark on aggressive acts of this nature against Gibraltar. The Spanish Government must understand that their professions of good faith and friendship towards Gibraltar can only be judged by their actions and not by their words. This second designation of our waters as if they belonged to Spain is outrageous and in flat contradiction to the propaganda of how good relations between the Gibraltar and Spanish Government are that we are being fed practically every day.

ENDS