

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The suggestion by the European Commission that there could be joint management of Gibraltar's territorial sea has come about as a direct consequence of their designation of the waters as if they were Spanish in the first place. This means that the latest diplomatic crisis has therefore been created by Spain as a result of their underhand moves to advance their claim over Gibraltar's waters.

The Opposition totally reject that there should be joint management between the United Kingdom and Spain over the territorial waters of Gibraltar. We do not acknowledge, understand or accept that Spain has a different position to our own because the position taken by Madrid on this issue has no basis in international law.

Moreover, it is obvious that there cannot be two different sets of laws enforced by two different law enforcement agencies applicable in the same area. Gibraltar, for example, has implemented EU directives giving greater protection to certain species found in our waters than the protection which is given to them in Spain. The spider crab is an obvious example of this. It is clear that our laws can only be enforced by us in Gibraltar and its waters and that Spain's laws can only be enforced by them within their own jurisdiction and in their own waters.

As far as the Opposition is concerned, a reversal to the status quo can only mean that Spain respects our sovereignty, jurisdiction and control over the waters that surround the Rock. It will be recalled that even in the days of General Franco a series of marker buoys were placed in the Bay along the median line to divide British from Spanish waters. Indeed, the Spanish warship known locally as "Smokey Joe" used to patrol the waters on the Spanish side of the Bay. This was recognition that the waters to the east of the marker buoys belonged to Gibraltar and were under our sovereignty and is a far cry from the actions of the Spanish Civil Guard in recent times who continue to behave as if the waters belong to Spain.

It will be recalled that when the waters issue threatened to derail the visit to Gibraltar in July of the Spanish Foreign Minister, a form of words was cobbled together to allow the visit and the talks to take place and the participants to claim that the waters issue had been neutralised. The Opposition argued at the time that the waters issue was far from neutralised and we pointed out that, among other issues, the incursions continued and the wording agreed then was ambiguous and open to different interpretations. Time has shown that the analysis of the Opposition was the correct one. In fact the developing situation over British Gibraltar Territorial Waters is now worse in December than it was when Mr Moratinos came here in July.

The Opposition consider that the sovereignty implications surrounding Spain's challenge to our territorial waters is fundamental and no attempt must be made to fudge the issue again. Everyone knows that the aggressive stance that the

Spanish Government has taken on this issue is in flat contradiction to the professions of friendship and cooperation towards us which they make at the same time. It is obvious that the Spanish Government have to be judged by their actions and not by their words.

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