

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The Opposition believe that having a Spanish Foreign Minister coming to Gibraltar and telling us to our face and in our own home that Spain will never renounce to its claim to the sovereignty of Gibraltar might indeed be historic, but it cannot be good for Gibraltar under any circumstances and does not show the supposed goodwill of Spain in the Tripartite Process.

Mr Moratinos also put us on notice that the question of sovereignty will be taken up with the UK when Madrid considers that it is appropriate to do so, thereby suggesting that for him this is a process that will culminate in a sovereignty deal.

As proof that the Opposition is right in this analysis, one only has to take note of what Senor Moratinos has told "Radio Nacional de Espana" today, less than 24 hours after his visit to Gibraltar.

The Spanish Minister has appealed to the "Partido Popular" and to the Spanish people to be patient with the policy of the Spanish Government over Gibraltar which is to create the right climate in which to talk about sovereignty and to win the hearts and minds of Gibraltarians so that they will be able to accept Spanish sovereignty. He added that this patience he was talking about was not an inexhaustible one but a sensible patience that would allow him to establish negotiations with Britain "in a short space of time" so that Gibraltar will be returned to Spain which is the dream of every Spanish citizen.

As if that were not enough, he then boasted about his call to never ever renounce to the Spanish claim over Gibraltar, saying he had shouted "Gibraltar Espanol" in Gibraltar and with the Chief Minister of Gibraltar and the British Foreign Minister by his side, adding that it would have been much easier to have done this in another city but that he re-affirmed the position of Spain in Gibraltar itself.

These words, coming from this sheepish man that pretended to be our friend 24 hours before, only goes to demonstrate that the same ill-will that existed on the part of Spain when it sneakily moved to usurp our territorial waters behind our backs is still there and that it is wrong to lower our guard because neither Spain nor its Foreign Minister can be trusted to play ball by the rules of the game because they always break them regardless of who they leave in the lurch as a result.

It is clear, therefore, that Spain considers that this forum of dialogue is a means to an end and that it will assist it in creating the right conditions to attain sovereignty in the not too distant future. This is not a process of co-operation between two territories of the EU nor is it the fostering of friendly relations between two neighbours. This is a process that Spain sees as paying sovereignty dividends in a short space of time. Certainly the Minister's comments to

“Radio Nacional de Espana have served to put his visit to Gibraltar in its proper context and to vindicate the position of the Opposition when we said the visit should be postponed until such time as the matter of the territorial waters, which is a sovereignty issue, had been settled to Britain’s and Gibraltar’s satisfaction. This was when the Chief Minister himself was calling Moratinos names in public and asking citizens to use flare guns at sea if confronted by Spanish boats with armed Spanish Guards aboard. All that dissipated to insignificance when he bent over backwards to get Moratinos to visit Gibraltar.

The Opposition is also concerned that the issue of the territorial waters has not been resolved or even been “neutralised”. Instead it has been fudged. The language which has been used is ambiguous and leaves it open to interpretation as to whether the waters are in fact British or Spanish. The wording says: “Designations of Sites of Community Importance, and EU Commission Decisions relating thereto, made pursuant to Council Directive 92/43/EEC, have no implications for, and thus do not change the sovereignty, jurisdiction and control of waters to which they relate, which accordingly remain as they had been before.”

The word “Designations” is in the plural. This wording, as drafted, therefore applies to both the United Kingdom’s designation of Gibraltar’s waters in 2006 and to the Spanish designation of Gibraltar’s waters as if they were Spanish in 2008. It will be recalled that Spain protested in 2006 when Britain designated Gibraltar’s waters. The solution to this issue was not to place both designations on a par but to ensure that Spain removed their own. This has not happened.

Therefore by not making an explicit reference to there being no change to BRITISH sovereignty over these waters, the wording leaves the nature of that sovereignty, jurisdiction and control open to interpretation by each side. For Spain the waters will continue to be Spanish and for the UK they continue to be British. This is totally unacceptable to the Opposition given that under international law the position is clear and the waters are British and not Spanish.

Mr Caruana has therefore not resolved or even “neutralised” the issue. All that has happened is that, through the use of ambiguous language which is capable of different interpretations, he has accommodated the position of Spain in order for the talks to go proceed. The territorial waters of Gibraltar are too serious an issue for word games of this kind.

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