

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

**116/2010**

**31 August 2010**

The Opposition condemn the continuing incursions by the agencies of the Spanish state into the territorial waters and airspace of Gibraltar. These actions are in line with the policy of the central Government in Madrid that Gibraltar has no airspace and no waters other than those inside the Port.

The Opposition understands that there was another such incident last week involving both a helicopter and a launch from Spain's Servicio de Vigilancia Aduanera (SVA). A helicopter and a patrol boat belonging to that organisation were observed only metres away from Europa Point as they both made their way around Gibraltar. The close proximity to Gibraltar's shoreline suggests that they had a point to make by moving through our waters and our airspace as if they were in Spanish territory.

The Opposition reject the Spanish claim to the territorial waters and airspace of Gibraltar and consider it imperative that any incursions be stopped once and for all. It is important to emphasise that this is not a normal situation as exists between other EU member territories, the situation here is far more serious because Spain uses these incidents to assert its claim to our waters and airspace.

The Opposition had predicted that the summer months would see an increase in the profile of the incursions given that more people use our beaches and our territorial sea for leisure purposes. It will be recalled that there was such a high-profile incident at Camp Bay not that long ago. There have been many recorded cases of Spanish Civil Guards attempting to exercise jurisdiction in our waters by chasing or stopping boat owners and asking them for their papers. There have also been cases of Spanish Civil Guards playing cat and mouse with the Royal Gibraltar Police making use of their larger and superior vessels.

It will be recalled that during last year's budget debate, the Chief Minister declared that he intended to put an end to the incursions in so far as this affected the competences for which the Gibraltar Government was responsible. While the UK was responsible for sovereignty and defence, the Gibraltar Government still had "jurisdictional competences for official acts in Gibraltar waters". He added that the Government intended to "upgrade our investment to make much more senior our assets to uphold them. Not only will that involve the installation of a new VTS system, but it will also involve the acquisition of vessels of a much more important size and capacity with which to exercise and enforce our jurisdictional competences and our statutory obligations."

The failure of the Government to act on the comments made by the Chief Minister over a year ago has no doubt been a contributing factor in the increase in the scale and profile of the Spanish incursions. There has been no indication that the purchase of larger vessels, which the Government itself identified as a requirement a year ago, is any nearer to materialising. In the meantime, the officers of the Spanish state continue to ride roughshod through the territorial waters of Gibraltar acting in accordance with the policy of the central Government in Madrid that the waters around the Rock belong to them.