

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The serious nature of the Spanish main civil guard incursion into Gibraltar's land and sea territory last year is reflected in the opinion of the European Commission published last week that there is no legal basis for it. This confirms the response previously given by the European Council to a question by Gibraltar Liberal Democrat MEP Graham Watson.

The European Commission has confirmed that the legal basis for cross-border pursuits at European Union level are Article 41 of the Schengen Convention and Article 20 of the Naples II Convention. These do not apply to Gibraltar therefore the Spanish Civil Guard incursions of December last year can only be regarded as an illegal act in that context.

Meanwhile, the Opposition continues to receive details of further incursions by Spanish patrol boats into the territorial waters of Gibraltar from eyewitness reports. On Sunday 28 March a Civil Guard patrol boat was observed from Europa Point moving in the direction of the Bay of Gibraltar. It was seen to be stopping and looking into fishing and other pleasure craft in the lighthouse area.

A Gibraltarian was fishing in a small boat just off the Detached Mole. The Spanish patrol boat approached him and proceeded to continuously circle the small fishing boat in an aggressive manner which created waves and posed an unnecessary hazard. The person who was fishing rung up the Royal Gibraltar Police which arrived on the scene and whose vessel went side by side with the Civil Guard launch. The RGP and the Civil Guard then both went in the direction of Algeciras and the Spanish patrol boat was escorted until they had left Gibraltar waters. The RGP then left the scene.

However, once the RGP had left, the Civil Guard launch changed course and came straight back into Gibraltar's territorial waters, in an obvious act of defiance, this time passing close to the outside of the Detached Mole from one end to the other.

The Opposition understands that incidents of this nature are happening almost on a daily basis. It is becoming increasingly obvious that the Spanish Civil Guard, encouraged by the policy of their Government that Gibraltar has no waters, has absolutely no respect for the sovereignty, jurisdiction and control which Gibraltar exercises over the sea around the Rock. It is imperative that those who are responsible for maintaining the integrity and protecting the sovereignty of Gibraltar's territorial sea take firm and decisive action to put an end to these incursions once and for all. ENDS