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Attached is the full text of the Chief Minister's address at the United Nations Committee of 24 on 18 June 2008.

Mr. Chairman, thank you for allowing me to address the Special Committee again this year.

This is my thirteenth successive annual address to you as Chief Minister, that is as the elected political leader of Gibraltar, its people and Government. On each of those occasions, that is twelve times, I have set out the position, wishes and inalienable rights of the people of my country. I am not going to do so again, lest continued repetition should sound like a plaint in the face of the Special Committee's apparent disinclination to adopt a clear position in support of the rights and aspirations of the people of Gibraltar.

As this Committee knows, Gibraltar has been one of the most consistent supporters of its work, which we have supported by annual visits to New York to address the Committee here at the UN and attendance at your regional seminars. But, despite the strength and persistence of our arguments and our support for your works we appear to have failed to recruit your support of our decolonisation based on the core elements of our position, namely:

1. That under the Charter and doctrine of the United Nations, and under established principles of international law, decolonisation can only be brought about by the application of the principle of self determination;
2. That there is no rule or principle that enables, still less requires, decolonisation to be other than by self determination in cases where there is a sovereignty dispute. In other words , such cases are not, and cannot be an exception to the general rule, and that there is no UN doctrine to this effect;
3. Accordingly, whether it be on the application of the properly applicable principles of international law, or the correct doctrine of the UN, or the principle of territorial integrity to the facts of the case of Gibraltar during the last 300 years and today, only the principle of self determination applies to our decolonisation;

Instead, you have allowed the principles applicable to a colonial peoples' decolonisation to be contaminated by the anachronistic and competing territorial sovereignty claims of neighbours. You have allowed arguments in support of such claims to stand above sacred principles and doctrines that exist to protect the very peoples whose rights you are mandated to uphold.

I do not believe that this has happened as a result of any objective consideration of the issues and principles, but rather as a result of the machinations, and disproportionate influence on the work of this Committee of sovereignty claimants and other countries that are their diplomatic friends. This is not a measure of the merit of our case or of the extent of our rights, or of UN doctrine, but rather, it is a measure of our inferior diplomatic strength and horse trading power as a very small country. Indeed, this Special Committee exists to protect colonial peoples from that very thing, which the Committee has singularly failed to do in our case.

The Special Committee needs to be clear in its mind whether its mandate and function is to promote and defend the sovereignty claim of the territorial claimant, or to promote and defend the rights and aspirations of the people of the listed territory.

These things of which I speak are sharply illustrated by the wholly unacceptable goings on at Regional Seminars, which by slight of hand and total lack of integrity of process, submit reports to this Special Committee that certain principles have been adopted by the participants, which have never even been discussed by the participants, and which are in reality, simply the fruit of the manipulation in the drafting committee room of sovereignty claimants and their friends, who, as member states, have access to the drafting committee room, which is denied to participants from the Territories.

We had understood that Regional Seminars were intended to be for the benefits of the Territories. This is why the Government of Gibraltar no longer attends the regional seminars, and will not do so while our presence might add legitimacy and credibility to these shocking practices, about which I have complained before.

To make matters worse the Special Committee then receives and adopts those Reports, containing as they do outrageous misrepresentations of facts and self serving distortions of principles amounting, in effect, to a denial of the existence of the right to self determination (in flagrant breach of the Charter, Covenants and Doctrine of the United Nations) in colonial cases where a sovereignty dispute exists. This is intellectually, politically and legally preposterous.

And so, by these means, it is pronounced in the Reports that listed territories which have the misfortune to be the subject of a sovereignty dispute are not entitled to decolonisation by self determination (despite this then being described as a fundamental human right!). Further, we may not participate in the development of work programmes, nor benefit from Special Committee focal points, nor from electoral assistance regarding any act of self determination, nor receive visits or special missions by the Special Committee.

Mr. Chairman, it is a complete misconception to mix up and confuse decolonisation and sovereignty disputes in this way. But in so far as concerns this Special Committee, I believe that it's obligations are very clear. If you think that Gibraltar is a colonial case that remains pending decolonisation, then you are obliged to apply the principle of self determination to its decolonisation, since self determination is, under UN doctrine and international law, the **only** principle applicable in the decolonisation process.

On the other hand, if you think, for any reason, that Gibraltar is not really a colony, but a sovereignty dispute, then this Committee has no jurisdiction in the case of Gibraltar, because you simply have no mandate or other jurisdiction to deal with sovereignty disputes, and you should therefore ask the General Assembly to relieve you of responsibility for the case of Gibraltar, by delisting us.

But, whatever may be the case the Special Committee has no mandate to establish decolonisation principles that mixes up the two cases. While we are on your list as a decolonisation case, you are entitled to apply only the principle of self determination. The principle of territorial integrity is not a principle that is applicable to the decolonisation of a territory on your list, since such a territory is not part of a state that would be disintegrated by such decolonisation.

Spain and others will point to non binding Resolutions of the 1960s which they say have precisely the effect which I am denouncing. Such resolutions, whatever may be their correct interpretation have ceased to be relevant in a world which has moved on. They are certainly irrelevant to the decolonisation of Gibraltar, which as far as we are concerned has already happened.

In all these circumstances that I have described, Mr. Chairman, it is not surprising that the people and Government of Gibraltar no longer look to this Special Committee or to the UN to help us bring about our decolonisation, legitimately in accordance with our rights and wishes. We have resorted to self help. I no longer come here asking the Special Committee to recognise our right to self determination, or to help us exercise it, still less do I acknowledge the Special Committee, or the UN, as the authoritative arbiter or judge or gatekeeper of Gibraltar's decolonisation.

As I reported to you last year, we have negotiated a new constitutional relationship with the United Kingdom, which the people of Gibraltar have freely accepted in an act of self determination, namely a referendum. If the Special Committee is interested in knowing whether the result of that referendum constituted the informed, genuinely and freely expressed will of the people of Gibraltar, you are welcome to establish that by whatever means you consider appropriate.

This new constitutional relationship, which includes the formal acknowledgement in our Constitution by the UK of our right to self determination, is acknowledged and understood by the Governments of both the United Kingdom and Gibraltar, to be a modern, non colonial relationship which results in Gibraltar no longer being a colony. The UK has so declared publicly, including here at the UN, in Gibraltar and in its own Parliament.

The status of Gibraltar, and its relationship with the United Kingdom for the future, has thus been settled in a way which is entirely acceptable and agreeable to the people of Gibraltar. As far as we are concerned the decolonisation of Gibraltar is no longer a pending issue.

If the UN wishes to define decolonisation differently, or to cling to outdated and unrealistic delisting criteria, that amongst other consequences will result in the Special Committee never being able to finish its work, that is a matter for you. But, that does not alter the reality of our circumstances as I have just described them. We no longer regard that matter, namely, our presence on that list as signifying that we are a colony pending decolonisation.

In its letter to the Committee submitting its annual report on Gibraltar for the year 2007 under article 73E of the Charter, the United Kingdom has made it clear that following the new Constitution, and as a result of it, its relationship with Gibraltar is now non colonial in nature (a statement with which we agree) and that accordingly Gibraltar should not remain on the UN list of non self governing territories. The UK also makes it clear that it submits the report only because the Charter requires them to do so while Gibraltar actually remains on the list. The Committee should be aware that the report was in fact prepared by the Gibraltar Government.

Nor does the UK's continuing subscription to an annual Consensus Resolution on the case of Gibraltar signify that it continues to believe that Gibraltar should remain on the list, or that it remains a colony pending decolonisation. The dispute between the UK and Spain relates to the Sovereignty of Gibraltar, not its decolonisation. The UK has not agreed to discuss, still less negotiate with Spain the issue of our decolonisation.

Furthermore, the text of that annual Consensus Resolution is now a fiction. There is no such process ongoing between the UK and Spain. There have been no meetings under the Brussels Process for many years. What is more, the UK has told us, Spain and the UN that it will not resume any such process unless we are content. We are not content, and will never be content for our affairs to be discussed in a process that is bilateral between the UK and Spain, and consequently that process is for all practical and political purposes dead and defunct.

Mr Chairman, this is what the UK Permanent Representative Sir John Sawers said to the Fourth Committee on 15th October 2007, on behalf of the United Kingdom:

“Her Majesty’s Government therefore confirms that it would not enter into a process of sovereignty negotiations with which Gibraltar is not content. Given these previously stated commitments, while this year the UK will again be part of the consensus decision on Gibraltar, any reference to the Brussels Process needs to be understood in this context. In light of this, the implications of Gibraltar’s well-known view of the Brussels Process, as regards to both sovereignty and bilateralism between Spain and the UK, are clear.”

In other words, the Brussels Process is dead because Gibraltar is opposed to it and the UK will not participate in it if Gibraltar is opposed to it.

It is thus wholly inappropriate that a process that is known by all to be, and is actually, defunct should be misrepresented to be extant and in operation, and continue to be placed, year after year, at the centre of the Consensus resolution, when in reality its existence is now a fiction.

Mr Chairman, the only process of dialogue that now exists is the Trilateral Forum of Dialogue between the Governments of Spain, Gibraltar and the United Kingdom. If the Consensus Resolution is to be accurate and realistic, and not remain a make believe consensus based on a fiction, it must reflect

this now inescapable and permanent reality, namely, that the Brussels Process has now effectively been consigned to the history books, and has been replaced by the Trilateral Forum.

The Government of Gibraltar is totally committed to its participation in this trilateral forum, which is open agenda, thus allowing any and all issues to be raised for discussion. It has already done good work and produced good agreements, and it will continue to do so if all the parties continue to participate constructively and in good faith, as will the **Gibraltar** Government. Finally Mr Chairman, even though we profoundly disagree with the Special Committee on many issues of fundamental importance to us, and even though there is no longer any need for us to look to the Committee to help us bring about our decolonisation, we continue to acknowledge the essential work that the Committee has carried out in the past, and its contribution to the advancement of the world over decades. We do of course remain willing to co operate with the Special Committee on any matter that it wishes, not least its delisting criteria and how Gibraltar can now be removed from the UN's list of non self governing territories.

I thank the Special Committee and its staff for the many courtesies that it , and they have shown the Gibraltar Government now and in the past, and through the Gibraltar Government, to the people of Gibraltar.