

CHIEF MINISTER'S ADDRESS COMMITTEE OF 24

**11 June, 2018
UN Headquarters
New York**

Mr Chairman

May I start by congratulating you on your appointment to the Chair of this important committee.

Forty nine years ago this month, General Franco closed the frontier between Gibraltar and Spain to try to force the Gibraltarians to give up our right to self-determination.

Instead, it had the effect of dividing communities and people and reinforced our commitment never to surrender our right to determine our political future for ourselves.

In the seven years I have been addressing you as Chief Minister, Gibraltar has experienced, at the hands of the former Government of the Kingdom of Spain, some of the worst economic sanctions and restrictions our people have known since the land frontier was opened in 1982.

Whilst the Partido Popular have held power in Spain, and in particular during the period in office of former Foreign Minister Margallo, Gibraltarians have been subjected to a campaign of opprobrium that was designed to break down the excellent relationships that exist between our people and the people of the Spanish hinterland around us.

Those relationships exist at a commercial level and they affect all areas of business.

But, more importantly, those relationships exist at a human level.

Human relationships of friendship, love and mutual respect.

And yet, even the concerted campaign of the Margallo years has been unable to destroy or even dent the depth of understanding that exists between the good people of our neighbouring nations.

What has been concerning in the past years, has been the effect of the lack of investment in the region of the Campo de Gibraltar on the part of the Spanish administration led by the Partido Popular.

My prepared text deals in detail with the effects of that on the illicit trafficking in the region.

The fact is, Mr Chairman, that these are tactical smears by Spanish Government, invoked to discourage the international community from recognising the right of the People of Gibraltar to self-determination.

However, the Spanish Government is wasting its time.

What is important for the Committee to note is that the right of the People of Gibraltar to determine our own political future is impossible to deny. It is a right enshrined in the Charter of the United Nations, and in several resolutions of the General Assembly.

Since we were added to the list of non-self governing territories, there has only been one direction of travel – to quote the General Assembly's seminal Resolution 1514 (XV) of 1960:

'Immediate steps shall be taken, in Trust and non-self-governing territories or all other territories which have not yet attained independence, to transfer all powers to the peoples of those territories, without any conditions or reservations.'

It is not only Administering Powers that must abide by this requirement. The General Assembly has also said, for example in Resolution 637 (VII) of 1952, that "... ***every Member of the United Nations, in conformity with***

the Charter, should respect the maintenance of the right of self-determination.”

The International Court of Justice stated in its 1971 *Namibia* Advisory Opinion that the right of self-determination applies to *all* non-self-governing territories.

No exceptions.

Spain’s attempt to carve out a special exception to the self-determination rule in the case of Gibraltar is not only transparently self-serving – it is also legally unconvincing, and it is not a view that enjoys widespread international support, as Dr Jamie Trinidad has shown in his recent book “Self Determination in Disputed Colonial Territories”:

Mr Chairman, our right to self-determination is clearly established and we will never cease to insist on its implementation.

Our wish is to be decolonised in accordance with the freely expressed will of the People of Gibraltar.

In recent decades, we have moved progressively towards self-government, and in 2006 we voted for a constitution that makes Gibraltar entirely self-governing other than in respect of defence and external relations.

We have repeatedly asked this Committee to give us feedback on what it considers the effect of our choice in a referendum of that Constitution means.

Have we reached the “maximum possible level of self-government short of independence”?

We have had no feedback.

Under your chairmanship, we once again seek your guidance in this respect.

We also, once again, renew our call for the Committee to visit Gibraltar to see for yourselves the real circumstances of our modern reality.

But most importantly, Mr Chairman, we call for an opportunity to see cooperation between Gibraltar and its neighbouring region grow.

That has been facilitated, but not delivered, by the lowering of the anti-Gibraltar rhetoric since Snr Dastis took over as Foreign Minister in Spain from Snr Margallo.

We sincerely trust that the political change in Madrid may allow the space for such future cooperation.

Indeed, since the United Kingdom started to negotiate its withdrawal from the European Union, we have been exploring, in discussions with Spanish officials, ways of pursuing future cooperation.

Her Majesty's Government of Gibraltar is ready to work on solutions that deal with the consequence of our involuntary departure from the European Union and in, in particular, to protect the right of free movement to and from Gibraltar for all citizens, including but not only cross-frontier workers.

In fact, there are almost 13,500 people who live in Spain and work in Gibraltar.

Already, we are the second largest employer in Andalucia.

And we are an economic engine of legitimate activity for the whole region, providing 25% of the GDP of the whole Campo de Gibraltar.

That is what we explored more successfully with the former Socialist administration in Spain between 2004 and 2011 in the Forum for Dialogue, which the Partido Popular Government of Snr Margallo withdrew from.

Gibraltar continues to strongly support that Forum, as the United Kingdom has itself repeatedly also stated in its interventions before this Committee and the Fourth Committee of the General Assembly to which you report.

We are also committed to delivering on our obligations under the agreements done in Cordoba in 2006, in particular in relation to Gibraltar Airport, which were the fruit of that Forum for Dialogue.

Gibraltar and the UK have entirely complied and are complying with those obligations, including the payments of over one hundred million pounds sterling to Spanish pensioners who used to work on the Rock before the frontier closure.

Gibraltar has spent over one hundred million pounds itself on the new Airport terminal and associated works to comply with the agreement on the airport.

Yet, the Spanish Government has singularly failed to comply with its obligations under these agreements since the Partido Popular was elected in 2011.

We trust that this attitude of non-compliance with agreements and false columnies about Gibraltar will now be re-assessed by the Government of Prime Minister Sanchez.

And we are ready to conclude further agreements in areas of mutual concern and interest, including agreements to provide full and unimpeded fiscal transparency of persons and corporations, agreements for the protection of the environment and for deeper police and judicial cooperation.

There is so much we can do, Mr Chairman.

There is so much potential we can unlock.

There is so much mutual benefit to explore.

Because, Mr Chairman, although we will not deviate from our stated position that Gibraltar will never be Spanish, we reach out our hand in friendship and reiterate equally forcefully our desire to have a strong and positive relationship of cooperation with our Spanish neighbours.

In that respect, the ball is in their court.

We will not be found wanting.

We remain ready to work together in the mutual interest and to the mutual benefit of our people.

ENDS