



Chief Minister  
Hon Fabian Picardo's  
Address  
to the  
FOURTH COMMITTEE  
OF THE UNITED NATIONS

New York

Wednesday, 9<sup>th</sup> October 2013

Mr Chairman

I address you today on behalf of Her Majesty's Government of Gibraltar and the People of Gibraltar; fifty years after our first Chief Minister, Sir Joshua Hassan, and Mr Peter Isola first addressed the Committee of twenty four on decolonisation.

Fifty years since we started our struggle to achieve delisting from the list of non-self-governing territories.

Today I am here accompanied by the Deputy Chief Minister of Gibraltar, Dr Joseph Garcia, and our Minister for Justice and Education, Mr Gilbert Licudi QC.

With us also are six pupils of our senior schools who have been selected for their interest in the importance of the work of the United Nations.

In that first address to the C24 in 1963 Gibraltar's representatives told the Committee that Gibraltar had "not yet achieved full self-government," but that "[T]his, however, [was] the aim of Gibraltarian politicians and [was] an aim which [had] been accepted by the British Government." [END QUOTE]

Well, fifty years on, I am here to tell you that Gibraltar has now achieved a status under our 2006 Constitution which we believe is one potential modality of a status granting us a full measure of self-government short of independence.

We delivered to your Committee some years ago already a copy of that Constitution.

I submit it is now the duty of the C24 and of this Committee to revert to us and advise whether you consider that a full measure of self-government short of independence has been achieved.

If it has, then we should be delisted as having fulfilled the fourth option for decolonization available to the peoples of non-self-governing territories as provided for in General Assembly Resolution 2625 (XXV) of 24<sup>th</sup> October 1970.

If our Constitution does not, in your view or the view of the C24, grant us a full measure of self-Government short of independence, then we ask you to tell us where you consider that the deficiencies lie in our Constitution so that we can engage with the United Kingdom to address any such shortcomings.

What makes no sense, Mr Chairman, is a continued deafening silence by the C24 and a continued reference to a consensus decision between the United Kingdom and Spain which does nothing to advance our progress towards decolonisation.

What makes even less sense are some of the statements which have been attributed to the His Excellency Rodolfo Reyes Rodriguez, Chair of the C24, that

he had stated that some colonial situations are defined as “special and particular” because they involved sovereignty disputes.

Mr Chairman, that statement is based on the entirely false and unsustainable premise that different principles could apply to the decolonization of the people of non-self-governing territories simply because a neighbouring state might stake a claim to the territory in question.

There is no trace in any one of the resolutions of the United Nations to such nonsense.

There is no customary rule of international law that, however stretched, might give rise to such a principle.

What there is, however, is a concerted effort by Spain and Argentina - working closely together as the two states that are staking claims to Gibraltar and the Falklands respectively – to try to create such a doctrine in order to avoid the application to our people of the inalienable right of self-determination.

It appears that they subscribe to the established doctrine that if you repeat a lie often enough it becomes the truth.

You must guard against that.

Because it is only through giving effect to the wishes and aspirations of the people of Gibraltar that our territory will ever be decolonized.

Indeed, Mr Chairman, for the past fifty years the people of Gibraltar have been subject to the most terrible regime of bullying by successive Spanish Governments in dictatorship and in democracy. In fact, except for some short periods of enlightenment, the face of Spain that we see now is not very different to that which we saw when the notorious dictator General Franco was in power in Spain.

We are experiencing lengthy queues at the frontier between Gibraltar and Spain, sometimes of up to 8 hours, created by Madrid at their political whim. As their Ministers have recently accepted these queues are designed to attempt to choke our economy and in that way to try to get Gibraltarians to negotiate our sovereignty.

We are suffering incursions by Spanish state vessels into waters which the United Nations Conventions on the Law of the Seas of 1958 and 1982 record as being exclusively British.

And in June this year shots have been fired by Spanish Guardia Civil officers at a Gibraltarian using a jet-ski craft for pleasure in our waters.

Indeed, this year there is a new and shocking development which will cause you serious concern and which you will want to take up with the Kingdom of Spain.

Whole sectors of the Spanish government and media have launched head long into a concerted and unrelenting campaign of lies designed to demonize the Gibraltarians.

The target audience is the Spanish people who are caught at a particularly vulnerable time as they struggle with record unemployment, economic difficulties and a constant stream of allegations of corruption affecting the most senior politicians in government.

All these are, of course, the historically recognisable ingredients of any offensive to defame and target a minority population.

Since the beginning of the propaganda onslaught in July of this year, Spanish citizens have been exposed to literally thousands of untrue official statements, press articles and broadcasts denigrating the people of Gibraltar.

Already there have been cases of damage and arson to property belonging to Gibraltarians in Spain and a rift has been created between ordinary people on both sides of the frontier – something that did not happen even in the 1960s under dictator General Franco.

The worst and most harrowing manifestation of the effect of this campaign of hatred against the people of Gibraltar has been a video posted on YouTube of Spanish teenagers acting out a play in which three dressed as Guardia Civil Officers relish with glee a military invasion of our territory and the assassination of three young Gibraltarians.

That is the effect of the campaign of incitement to hatred through lies which has dominated the summer months.

Economic sanctions, physical restrictions at our frontier, police and military invasions of our territorial sea, shots fired at innocent Gibraltarians, arson and damage against the property of Gibraltarians in Spain.

In Europe.

In the twenty first century.

Yet when you look at the reality of the Gibraltarians a people – as Sir Joshua Hassan told you fifty years ago - we “ask for nothing except to be allowed to live our lives the way we want to live them without interference from outside, in friendliness with all peoples and in cooperation with our immediate neighbours for what, I assure you, can only be our mutual good, socially, culturally, economically, and in every other way.” [END QUOTE]

We already provide approximately 10,000 jobs in our economy for cross frontier workers from Spain.

If the current Spanish Government spent one tenth of the time that it spends attacking us instead working with us, we could easily envisage increasing those numbers.

Nonetheless, and despite that background of incitement to hatred against our people, the Government of Gibraltar has remained steadfast in offering to engage in dialogue with the Government of the Kingdom of Spain on all issues which are not related to Sovereignty and which would be in the interest of the people who live on both sides of the frontier.

The United Kingdom and Gibraltar Governments have both repeatedly restated our strong commitments to the Trilateral Forum for Dialogue established by the three Governments of the United Kingdom, Spain and Gibraltar in 2004 and which this Committee welcomed and encouraged.

The present Spanish Government of the Partido Popular have unilaterally turned their backs on that Forum and want to unravel the agreements reached under it.

In light of that, in April 2012, the UK and Gibraltar Governments proposed that a parallel process of “ad hoc” contacts should take place to try to address areas of potential mutual benefit and understanding but not any discussion of the sovereignty or future of Gibraltar.

This proposal was not accepted by the Foreign Minister of Spain, Snr Margallo, until this September – a year and a half later.

We trust that these contacts will be established soon in order to address matters that may deliver benefit to the people of our region.

What will never happen will be talks between the United Kingdom and Spain under the Brussels Process to negotiate a transfer of sovereignty to Spain.

The United Kingdom has made clear it will not transfer the sovereignty of Gibraltar without the consent of the people of Gibraltar and that it will not even enter into a process of negotiation of the sovereignty of Gibraltar without the consent of the people of Gibraltar.

So, in order to avoid Spain continuing to sound like a scratched record every year, let me make this categorically clear:

The people of Gibraltar are never going to consent to the United Kingdom discussing or negotiating any transfer of our sovereignty to Spain.

Full stop.

Its time for Spain to move on; to tackle the real problems facing the Spanish people and to stop chasing quixotic windmills.

If Spain wants to continue the intellectual arguments about the Sovereignty of the land she lost 309 years ago, lets do it in the relevant and objective international tribunals with competence to determine these matters. Gibraltar will win any such fair and just litigation in which it is represented.

For our part, the people of Gibraltar are clear in understanding that our destiny is not to become a colony of the Kingdom of Spain.

We will therefore continue to call on you for Gibraltar to be removed from the list of non-self governing territories.

Because, Mr Chairman, the people of the Rock are a tenacious people.

Fifty years have passed since we first made our case to you.

Maybe another fifty years will have to pass until we succeed in our endeavour; but this story will not end until we succeed.

You have heard from Chief Ministers before me that represented past generations.

You are hearing from me as my generations representative.

And you have here representatives of future generations of Gibraltarians.

Past, present and future, the message has been, is and will be clear: we will never give up our right to determine the political future of our nation and we will play every card in our hands to preserve it.

I am of course available to answer any questions Your Excellencies may have.

ENDS