



HM Government of Gibraltar

Office of the Chief Minister

UNITED NATIONS

FOURTH COMMITTEE

ADDRESS BY

THE CHIEF MINISTER OF GIBRALTAR

HON FABIAN PICARDO QC MP

9th October 2015, United Nations Headquarters, New York City, NY.

Mr Chairman

Since 1993 the Chief Minister and other representatives from Gibraltar have been addressing this Committee and the Committee of 24 each year.¹

Yet we have made little or no progress in respect of the decolonisation of Gibraltar.

Last week the Foreign Minister of the Kingdom of Spain told the General Assembly that Gibraltar is the **last colony in Europe**.

Well, it is only because of the objections of the Government of the Kingdom of Spain that we remain on the list of Non-Self Governing Territories.

There is no impediment to our delisting other than Spain insisting that the inalienable principle of self determination should not apply to us as a people.

That position is contrary to the clear provisions of the Charter and the relevant resolutions on the rights of the colonial people of Non-Self Governing Territories.

A more detailed statement of our rights has repeatedly been made by me and my predecessors in the Committee of 24 which has specific responsibilities to us.²

Yet even there, we see no action taken in our support.

We have repeatedly invited the C24 to send a visiting mission to Gibraltar.

The Administering Power has also extended an invitation for a visit.

But the Committee do not even formally respond to our invitation.

And this despite C24 visiting missions being strongly encouraged even by this Committee.

Instead, Mr Chairman, we are treated each year only to the repetition of a stale consensus decision.

And by that stale approach, the people of Gibraltar are being consistently thwarted and obstructed in our quest to see our nation removed from the list of Non Self Governing Territories.

But we are not standing still, Mr Chairman.

Under successive political administrations, we have put in place already the building blocks of our nationhood.

We are better prepared to be removed from the list than many who have already been removed.

¹ Before then, Sir Joshua Hassan, as Chief Minister had addressed the Committees as head of a Gibraltar delegation in the 1960's

² See in particular Chapter XI of the UN Charter and Resolution 1514 (XV) of the General Assembly.

Our Government is autonomous in all respects except in relation to defence and external relations.

Our democratic institutions are strong and a vibrant democracy will see free and fair parliamentary elections held again this year as they are every four.

And in just this year we have seen established, in addition to all our other existing institutions, The University of Gibraltar and a national bank, the Gibraltar International Bank.

Indeed, our nation is the third largest in the world in GDP terms per capita.

And our financial services are amongst the most highly regulated in the world.

We enjoy exchange of information agreements with 79 countries, including the United States, Germany, France, the United Kingdom and Spain.

And Gibraltar will be the first EU jurisdiction to have a central register of beneficial ownership of companies, which will be in place before the end of the year.

Because we are totally committed to transparency in international financial transactions.

Our sales of tobacco are also the most highly regulated in Europe, despite the annual criticism here.

And so you can see that any criticism of our economic activity is based solely on the political desire to damage our reputation and not on any real concerns that can be harboured of our highest standards of regulation.

Indeed, any criticisms of Gibraltar which you may see in any press or tribunal originate invariably from one source alone, the Government of the Kingdom of Spain.

And on each occasion that I have come here I have heard, like today, the baseless accusations of the distinguished Ambassador of the Kingdom of Spain.

That is what we have come to expect though.

Because the Government of Spain is seeking to close all doors to our decolonisation and delisting and seeks to denigrate our economy.

They are seeking to prevent us from freely and fairly choosing our political future in order to secure a transfer of the sovereignty of our nation to them without our consent.

They will never succeed.

But just the fact that they are trying to prevent the application of the right of self determination to Gibraltar, whilst seeking to take us over, demonstrates their neo-colonial and expansionist approach.

It is Spanish territorial revisionism based on the world map of 1704.

In fact, Mr Chairman, what is clear is that the Spanish Government are behaving like **the last colonists in Europe!**

And as a Committee charged with the eradication of colonialism, what you and the C24 must do is prevent Spain's neo-colonialism.

You must stop if from taking root.

You must not promote it.

And the Spanish attempts at territorial revisionism extends to attempting to re-write United Nations Convention on the Law of the Sea.

Indeed, in the past year we have seen serious incursions into the British Gibraltar Territorial Waters which surround the Rock.

They entered British Waters 119 times in September alone.

The Spanish navy has sailed into our waters and asserted that they are in Spanish waters.

They achieve nothing except to create confrontation with a NATO ally and waste diesel.

Spanish state survey vessels have also made repeated incursions into our waters to pretend to carry out surveys.

They have attempted to deploy probes to take samples of water.

This has resulted in serious confrontations occurring at sea which have seen Spain creating life threatening situations.

And all, Mr Chairman, for a bucket of salt water.

Last month a Guardia Civil vessel mounted a Gibraltar pleasure craft, endangering the lives of a family and in particular a twelve year old child.

Video evidence shows the child crying in fear at the reckless and dangerous manoeuvres of the Spanish vessel.

You will be able to see the shocking evidence for yourselves.³

And most recently we have seen Spanish Customs officers admit shooting live rounds as warning shots into the water at a small Gibraltar pleasure craft.

This clearly endangered the lives of properly licensed innocent fishermen who are peacefully enjoying our waters.

Earlier incidents of shootings by Spanish authorities in our waters have been denied.

This one has been accepted.

I am also providing you with a link to the video of that incident in which the shots are clearly audible.⁴

All of these incursions are in clear breach of UNCLOS and endanger lives unnecessarily.

Yet the Foreign Minister of Spain has clarified that the Spanish government prosecutes its claims to our waters in this way because it has legal advice that it would lose a claim in an international court.

³ <https://www.youtube.com/watch?v=3DePA7bZYrg>

⁴ <https://www.youtube.com/watch?v=KOjgfd5cKJw>

However ridiculous it sounds, I am not making this up.

I leave with a printed copy of my speech a copy of the interview in which he spells that out.

Our concern Mr Chairman is for the lives of all those at sea, of all nationalities, who are being put at risk by this political recklessness.

And, indeed, our further concern is that whilst Spanish authorities are playing these games, the Spanish drug smugglers who operate in Spanish waters go unchallenged in their importation of huge amounts of cannabis and cocaine into Europe from North Africa via Spain.

Our properly resourced and excellent Royal Gibraltar Police and Customs assisted by the Defence Police, do a brilliant job of keeping our waters and coastline clear of drug smugglers.

Yet there is widespread criticism in Spain itself of the failure of the current Spanish administration to deal with smuggling in the region.

Various articles dealing with this very concerning development are attached to my printed text.

In a process of open and positive dialogue between neighbouring nations, we should be working together with Spain on issues such as this.

But the current Spanish Government has chosen to withdraw from the Trilateral Forum for Dialogue which this Committee has previously endorsed and which was established by the UK, Spain and Gibraltar.

We remain strongly committed to that Forum for Dialogue, as the United Kingdom has itself repeatedly stated it is.

Former Spanish Foreign Minister, the distinguished Snr Miguel Ángel Moratinos, said recently in a speech on the subject, that the Trilateral Forum is the only process which has enabled all the relevant parties to talk.

He added that any incoming Spanish administration, of whatever partisan complexion, had to realise and accept that.

We sincerely agree.

Because, Mr Chairman, with dialogue we will be able to work together to deliver an **arc of prosperity** for people in the area of the Bay of Gibraltar.

And this would be of mutual benefit to the economies of both sides of the frontier.

That is what you have to encourage.

Because Mr Chairman, the strong and resolute determination of the People of Gibraltar will not waiver.

We are not going to buckle to any type of Spanish Government pressure.

We are not going to give up our birthright.

We are not going to surrender our sovereignty or any part of it.

And the party is over for those who thought they would could somehow pressure us into giving up our rights.

The joke is over for those who thought that they might advance their neo-colonialist agenda with the stick.

The time is up for those who think they can change the sovereignty of our nation over the heads of its people.

The Gibraltarians are on their Rock to stay.

And we will be here to remind you ever year until we achieve our aims.

Thank you.

ENDS.

**** CHECK AGAINST DELIVERY ****