



HM Government of Gibraltar

**ADDRESS TO THE 4TH COMMITTEE OF THE
UNITED NATIONS**

THE HON JOSEPH GARCIA MP

DEPUTY CHIEF MINISTER OF GIBRALTAR

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CHECK AGAINST DELIVERY

Mr Chairman,

There are seventeen non-self-governing territories left in the world.

These territories are, as you know, included in a list which is administered by the Committee of 24.

That Committee reports to this one.

Gibraltar is one of the territories to which the Declaration on the Granting of Independence to Colonial Countries and Peoples continues to apply.

That is why we are on the list.

That is why my colleague the Chief Minister addressed the Committee of 24 in June.

That is why I am here to address you today.

The Administering Power, the United Kingdom, included Gibraltar on your list in 1946 when it undertook to submit information to the United Nations on 74 non-self-governing territories.

The United Kingdom now has 10 territories left on that list.

Mr Chairman, 750 million people lived in territories dependent on colonial powers in 1945. Now there are less than 2 million.

32,000 of those are the people of Gibraltar.

In the decades after the Second World War, decolonisation was one of the success stories of the United Nations.

Thanks in part to the work of the Committee of 24, virtually half the world was freed from colonial rule.

It is fair to say that the brilliant success of those early decades has somewhat faded away.

The process of decolonisation has now almost ground to a halt.

The 1990s were the First International Decade for the Eradication of Colonialism.

Yet no territory was taken off the list.

The Second International Decade ended in 2010 with East Timor the only territory removed from the list.

This reduced the number down from 17 to 16.

We are now in the Third International Decade and no territory has been removed from the list so far.

Indeed, the reverse has happened: the number of listed territories has gone back up to 17.

The Special Committee was established in 1961. That is already over half a century ago.

One territory has been removed from the list in nearly thirty years.

At that rate the work of the Committee of 24 will last for five hundred and ten years!

Mr Chairman, something somewhere is not working.

Chapter XI of the Charter of the United Nations sets out the Declaration Regarding Non-Self-Governing Territories.

It says that “the interests of the inhabitants of these territories are paramount”.

That means us too, the people of Gibraltar.

The Charter creates an obligation “to develop self-government, to take due account of the political aspirations of the peoples and to assist them in the progressive development of their free political institutions, according to the particular circumstances of each territory...”

This last clause evokes the possibility of tailor-made solutions.

This is important in the context of the territories that remain.

Moreover, the position is clear in international law.

The principle of self-determination of peoples must be the paramount consideration in the decolonisation process.

Many of the countries represented in this room were colonies once.

Many small island countries in the Caribbean, some smaller than Gibraltar, achieved their decolonisation.

India achieved political emancipation after a dignified campaign.

Gibraltar's two Mediterranean counterparts Malta and Cyprus chose to go their own way in the 1960s.

Mr Chairman, members of the Committee, you all cherish your freedom now.

The people of Gibraltar cherish their freedom also.

The freedom to choose our own political future.

The United Nations must consider the decolonisation of Gibraltar and our removal from your list of non-self-governing territories in the same way as you have considered those territories that have gone before.

A visiting mission by the Special Committee is one of the first steps through which the United Nations learns about the reality of these territories at first hand.

In 1994 and in 2002 there were UN visiting missions to Tokelau.

In 2005 there was a visiting mission to Bermuda.

In 2006 to the Turks and Caicos Islands.

In 2014 and again in 2018 there were visiting missions to New Caledonia.

Gibraltar and the United Kingdom are both on the record as welcoming such a visiting mission to Gibraltar.

Yet the United Nations does not come.

Mr Chairman, in November last year, the United Kingdom Government and the different Governments of its Overseas Territories met in a Joint Ministerial Council.

That Council issued a communique after the meeting which made a number of important points.

It declared that the principle of equal rights and self-determination of peoples, as enshrined in the UN Charter, applies to the peoples of the Overseas Territories.

It made it clear that for those territories who wish it, the United Kingdom will continue to support requests for their removal from the United Nations list of non-self-governing territories.

Gibraltar and the United Kingdom agreed a new constitution which was promulgated in 2006.

A consequence of that constitution is that Gibraltar enjoys a greater degree of self-government than ever before. This includes responsibility over all areas except defence, internal security and external relations.

That constitution was forwarded at the time to the Committee of 24.

The question was posed also as to what changes, if any, would be required to the document in order to secure Gibraltar's removal from the list.

There was no reply from the United Nations.

Mr Chairman, Gibraltar has been coming here to address the UN since 1963.

We want to work with the United Nations.

We are enthusiastic supporters of decolonisation.

It is almost as if the United Nations does not want to work with us.

There was no response to the request for a visiting mission.

There was no response to our questions on the constitution.

There is silence on our removal from the list.

The Charter of the United Nations says that the interests of the people must be paramount.

We know where our interests lie.

We have freely and democratically expressed our wishes in the past.

So why has there been no movement on any of these issues?

The answer lies in a huge contradiction.

Spain complains that Gibraltar is a colony, when its outdated attitude towards Gibraltar is precisely what has caused the UN decolonisation process to stall.

And Gibraltar remains on the list.

Mr Chairman, fifty years ago next year, the Spanish dictator General Franco ordered the closure of the land frontier between Gibraltar and Spain.

This was the culmination of a series of economic and political sanctions against my small country by our comparatively giant neighbour.

That land border fully re-opened in 1985 because Spain wanted to join the European Economic Community, as it was then.

In withstanding sixteen years of blockade our people made a point of principle.

We would not surrender our sovereignty, our birth-right or our right to self-determination.

And we never will.

Some of you have fought wars of liberation against colonial rule.

You did not rid yourselves of one colonial power in order to be taken over by another one through the back door.

Mr Chairman, the United Kingdom and Gibraltar will be leaving the European Union in March 2019.

This is a challenge not just for Gibraltar but also for the neighbouring region of Spain.

The land border between Gibraltar and Spain continued to be utilised as a political weapon after General Franco.

Disproportionate controls exerted by Spain have often generated lengthy delays to traffic and pedestrians crossing in either direction.

In 2016 at the time of the Brexit referendum, Gibraltar was threatened with the closure of the border.

We were told that a relationship with the EU would only be possible if we agreed to share sovereignty with Spain.

In a referendum held in 2002, 98% of the people of Gibraltar rejected the very principle of sharing sovereignty between the United Kingdom and Spain.

Mr Chairman, the UN Charter itself calls for due respect for the culture of the people of the non-self-governing territories, for their political, social and educational advancement – for their just treatment and their protection against abuses.

It is important to ensure, as Gibraltar prepares to leave the European Union, that its people are adequately protected.

The Government of the United Kingdom and the Government of Gibraltar are in discussions with the different Member States, including Spain, as we prepare to leave the EU.

There has been direct discussion between Spain and Gibraltar, since the early part of this year, in order to ensure that people and citizens do not suffer as a result of our departure.

The Government of Gibraltar welcomes a positive approach based on dialogue and cooperation rather than the approach of the past which was based on conflict and confrontation.

This was reflected in the words of the new Prime Minister of Spain before the General Assembly in September.

He spoke of a new relationship with Gibraltar once we have left the European Union which he hoped would benefit and bring prosperity to the Gibraltarians and to the neighbouring Spanish region.

It is obvious that this has not yet trickled down to all parts of the Spanish administration.

Nonetheless, we stand ready to engage on this constructive basis.

Mr Chairman, the Government of Gibraltar wish to congratulate you on your election to the Chair of this Committee, and His Excellency Walton Alfonso Webson, the Permanent Representative of Antigua and Barbuda on his election as Chairman of the Committee of 24, where we have already noticed a more engaging approach.

We hope to work together with the Committee of 24 and through it with the Fourth Committee in order to secure the removal of Gibraltar from the list of non-self-governing territories.

This is 2018, Mr Chairman. The days when countries and regions could be handed over from one monarch to another without the consent of the population ended a long time ago.

In this day and age, the wishes of the people must come first.

Thank you.