



HM Government of Gibraltar

Ministry of Economic Development,
Telecommunications and the
Gibraltar Savings Bank

PRESS RELEASE

No. 313/2017

Date: 17th May 2017

Minister Bossano's Speech at UN C24 Regional Seminar

"Mr Chairman,

Although I know only too well that it will have no effect on the deliberations of the C24, or change one iota its position on the right to self-determination of our People, this seminar needs to know that our neighbour, the Kingdom of Spain, has taken the step of attempting to bend our will, by the use of blackmail, contrary to its obligation under article 74 of the charter.

They should know us better by now.

They should have learned by now, that we are a true People under colonial rule, committed to the defence of our human rights, in particular, our right to self-determination, and that we shall stand steadfast and defend our right to the land of our fathers.

The only land that we have had and known for 313 years, free from Spanish domination.

We shall remain free and defend our freedom.

We shall not be bought, and we shall not be intimidated, powerful and hostile though our neighbour, may be.

We shall not waver in our resolve, because we know who we are.

We know we are a People, and not a prefabricated population, as Spain would have you believe.

We are the Gibraltarians and our Rock, the 6 km² lump of limestone that guards the entrance to the Mediterranean, is what we call home.

It is ours, it had been ours for 313 years and it will always be ours.

Ministry of Economic Development, Telecommunications and the Gibraltar Savings Bank

HM Government of Gibraltar • 31 Town Range • Gibraltar GX11 1AA

t +350 200xxxx (Centrex xxxx) f +350 20042509 e xxxxxx@gibraltar.gov.gi w gibraltar.gov.gi



Let us remember what Spain's argument has been in previous seminars, though it may change this year. It has been that we are not the People of the territory, but the squatters, that the colonial power populated the territory with. What utter and complete nonsense, distinguished delegates.

Well in 1704, who were the People of St Vincent's who came under French colonial rule in 1719? The Caribs and the escaped African slaves.

Were they therefore the only true Vincentians entitled to self-determination, and all the subsequent settlers and African slaves brought by the colonial powers an artificial population?

Is it not the case, as with the rest of the Caribbean, that when St Vincent emerged as a nation, by the exercise of self-determination, all the Peoples that had settled, or been transported here as slaves, were able to exercise that right?

Indeed, let me remind the seminar that many of those slaves were brought to the Caribbean colonies by English ships from West Africa. This was as a result of the concession under the Treaty of Utrecht, granted by Spain, for the transportation of slaves. The very same treaty that Spain uses in respect of Gibraltar and claims to be still valid.

This is Spain's case for denying us our right to self-determination.

They say our new constitution is not a valid instrument because it is an Order in Council made by the Queen. So are the constitutions of every other British colony where self-determination is not questioned, and so indeed that of many former colonies, including St Vincent's and Fiji's, where seminars have been held.

The reality is, that the Spanish argument has no place in the international order of 2017 and should not have been given the time of the day, when first introduced in 1964, by the then fascist foreign minister Castiella still considered in Spain, the father of the Spanish doctrine.

It was to fight against this doctrine, Mr Chairman, and to pursue our self-determination and decolonisation, that I entered politics 53 years ago.

Who was I then, distinguished delegates?

I was a young, left-wing, revolutionary, campaigning for self-determination, the UN was not listening to us, and Spain had a right-wing dictatorship and insisted we had no right to choose our destiny, or determine the future of our homeland.

This year we celebrate the 50th anniversary of the 1967 Referendum, the first step by the colonial power to ascertain the will of the People, who were under "colonial rule and alien subjugation," to use the colourful language of the period. In that referendum the People were asked whether they accepted the Castiella's proposals, to pass under the sovereignty of Spain or wanted to continue under UK.

This referendum was not the exercise of our right to self-determination because it was limited to the acceptance or rejection of the Spanish proposals. It did not give us all the options that then



existed under 1541. Nevertheless, for us, it was an important milestone in the building of our nationhood.

So what has changed since then?

Well, now a right-wing government in Spain, which is not the result of a military coup, democratically elected, nonetheless pursues the same doctrine on Gibraltar as the dictatorship of 50 years ago; the UN is still not listening to us and I am now, a not so young, left-wing, revolutionary, campaigning for our right to self-determination.

Except for me getting older, not much has changed in Spain's or the UN's attitude to the question of Gibraltar, notwithstanding the massive changes that have taken place in the rest of the planet.

Our constitutional relationship with the administering power has come a long way since 1967, however not yet sufficient to have us delisted, because there is only one delisting criteria that C24 can apply.

Namely, the transfer of power from the administering country to us such that we reach the point where you are satisfied with the degree of self-government it delivers.

Once that happens, the requirement for UK, to report on our progress under article 73e will cease, and we shall be decolonised.

The C24 has have no other jurisdiction than this. You are not empowered to determine if the territory should be belong to one member state or another. Your role consists in monitoring the relationship with the state that you consider to be responsible for the territory and the People of that territory, to assess the People's progress on the road to full self-government. That is all the decolonisation resolutions require you to do.

Let me now turn to Spain's latest proposals of our decolonization.

This year the language may change, but not the strategy of Spain's submission.

You have already heard in New York, the new Spanish proposals seeking to take advantage of our unintended departure from the EU in 2019.

The tone has changed.

Now it is not something that Spain wants to impose on us, it is an opening position for discussion with UK and we are invited to participate as if we were a part of UK.

This, despite the fact that both C24 and Spain argue we are not part of UK.

Both are right of course, because if we were then the "Declaration on the granting of independence to colonial countries and Peoples," would not apply to us, and you have always stated that it does. This means and can only mean, that Gibraltar is a colonial country and that Gibraltarians are a colonial People.



The new Spanish proposal will go nowhere, because it is merely, a repetition of what has already been rejected in the past.

Spain in 2002, almost reached agreement with UK on a possible sharing of sovereignty over Gibraltar and the Gibraltar parliament, contrary to the wishes of UK called a referendum to determine the very principle of joint sovereignty over our country.

The question was, “do you approve of the principle that Britain and Spain share sovereignty over Gibraltar?” 17,900 Gibraltarians said no; 98.5% of those who voted.

Since then, our parliament has passed a Referendum Act which makes this result binding unless overturned by a new referendum. Moreover, UK for its part, has given us a solemn undertaking that they will not discuss any such proposal without our prior approval.

Senor Margallo, the former Foreign Secretary, had already indicated, while still in office what the position of Spain would be if we were to leave the EU.

Very recently, he has explained in Spain that this is their best chance since 1700, of recovering our Rock.

His statement is wrong on two counts. They lost our Rock in 1704 not 1700 and they have zero chance of recovering it.

He is now so optimistic that, he says Gibraltar will be Spanish within four years.

Wrong again, Mr Chairman, not in 4, not in 40 and not in 400 years.

In spite of this, distinguished delegates you will no doubt be surprised to hear, that I welcome Spain’s proposals on joint sovereignty.

Not because they have any merit but because it gives me the opportunity to expose the Spanish case for what it is; an attempt to prevent our decolonisation and perpetuate colonial rule.

Margallo has explained that the joint sovereignty status would involve the sharing with UK the powers that UK now exercises in retaining control over and responsibility for our defence; and in acting for us in respect of our foreign affairs.

These two areas, our 2006 Constitution leaves in the hands of the administering power. It is similar to the Associated Statehood that St Vincent achieved in 1969 on the road to independence, and which the UN considered did not go far enough to constitute full self-government and therefore de-listing.

The essence of the Spanish proposal is not much different to what they proposed in 2002, but now senor Margallo has made crystal clear what it entails.

If Spain, the committee and we, the Territorial Government, all agree that the status of Gibraltar is that of a colony, and that we have currently not yet achieved a position of being fully self-governing, as defined by resolution 1541(XV) Annex, Principle (II), then the UK remains as the colonial power, because it administers those areas in the constitution that we do not control, namely defence and



foreign affairs.

These are the areas that Spain wants to administer jointly with UK. That is what Spain is proposing should be put in place in exchange for not blocking the application to Gibraltar of whatever concessions the UK may obtain from the EU from 2019, thus becoming the joint colonial power, with UK, over the non-self-governing territory of Gibraltar.

This is a proposal manifestly designed to perpetuate colonial rule and take over joint responsibility as administering power with UK.

This could not possibly result in a change in our international status as a colony or the de-listing of our country, since the level of self-government that we enjoy would not have been advanced 1mm. Spain and UK jointly would report to the Secretary General under article 73(e) on our progress towards full self-government.

Distinguished delegates what a farce this proposal entails. Every single step in the increased self-government of the People of Gibraltar that we have wrested from the UK, as the colonial power, since our People's decolonisation was first raised before this committee, has been opposed by Spain.

How could anybody seriously believe that the very country that has attempted to prevent us progressing, now purports to be interested in sharing with the existing administering power the responsibility for encouraging our progress as mandated by Chapter 11 and reporting our annual progress to the UN.

Distinguished delegates, I trust that my analysis of the situation will have served to expose the absurdity of the Spanish proposals and that therefore this committee will not entertain giving any support of the proposals, and neither will this seminar.

If it were otherwise, it would mean that the committee would be entering into the most serious betrayal of its mandate since it came into the existence.

I therefore call on the seminar rapporteur to clearly reflect in the record that is finally put together in New York the analysis I have provided and ensure that no step is taken to commit the C24 to supporting the Spanish proposal.

The committee's role is not to concern itself with competing real estate claims but with the rights of Peoples who do not enjoy, full self-government and to help them obtain this, in furtherance of their human rights.

We are one of the 17 such Peoples and the C24 continues to fail to do its duty by us.

From those of you who have emerged from colonial status, where we still are, it is an attitude that is indefensible.

But because we still are like you were once a campaigning colonial People, we shall never give up.



We shall fight this battle to the end and we shall win it, whatever it takes.”