



PRESS RELEASE

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Constitution Must be Shaped by EU Exit and UN Requirements, says Government

The Government is surprised at the comments made by the Leader of the Opposition Roy Clinton regarding the reform of the Constitution. It is as if Mr Clinton lacks the basic knowledge and experience about this serious matter and simply says the first thing that comes into his head.

It is also relevant to note that the position that Mr Clinton has taken differs both in substance and in approach from that taken by his predecessor Mr Feetham and by his rival Mr Azopardi.

Mr Clinton is critical of the fact that the Government has commissioned a report into the peace, order and good Government provisions of our existing Constitution. He is also critical of the view expressed by a leading UK academic on the matter Dr Hakeen Yusuf, that our existing Constitution is ill-suited for post-Brexit life.

The analysis of the so-called UK residual powers in Gibraltar, and the effect of this on delisting, is a matter where Government and Opposition have stood shoulder to shoulder in the past. Indeed, Sir Peter Caruana and Mr Azopardi have both shared this view also. It is quite incredible that Mr Clinton should advocate something different. It surely makes sense for the Government to obtain an expert opinion first, and then to call a meeting of the Select Committee afterwards so that Members can count on the benefit of an informed, expert opinion on the subject - to do otherwise would be to put the cart before the horse.

While it is true that the Select Committee was created in March 2016, it is also true that a Motion to amend the composition of the Committee was tabled in December 2016 when the first Independent Member left the GSD. It should also be abundantly obvious that a referendum to exit the European Union took place in June 2016 some three months after the original Motion.

Given the outcome of the referendum, the fact is that whether Mr Clinton likes it or not, the 2006 Constitution will be impacted by Brexit. Indeed, there are direct references to European Union matters which will require revision as we leave the EU.

It is therefore not a question of “meddling with the Constitution”, as Mr Clinton wrongly suggests, but a question of preparing in a prudent, sensible and informed manner for the impact of EU exit on our future constitutional structure and in a manner which is consistent with our claim to be removed from the United Nations list of Non-Self-Governing Territories.