



PRESS RELEASE

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The Chief Minister of Gibraltar: An Address to the Foreign Press Association Annual Awards Dinner 2018

Ladies and Gentlemen

It is a pleasure to be with the Foreign Press corps at this pivotal point in the history of the United Kingdom.

For Gibraltar, of course, these are, in equal measure, challenging and exciting times.

The small nation that I am proud to lead has found itself thrust into a Brexit it did not want.

And during the last week, we have been particularly thrust forward into a prominence we did not seek.

It is for that reason that we have been working diligently with UK colleagues and EU partners to ensure that Gibraltar's orderly and involuntary withdrawal from the EU could be agreed.

Without creating a maelstrom of concern amongst our people or our many friends in the UK.

Or any unnecessary last minute hitches.

Or any unnecessary drama.

We were doing so well until last week!

And, in fact, in great measure, that has been achieved by the inclusion of the Protocol on Gibraltar in the Withdrawal Agreement which the Prime Minister secured yesterday in Brussels.

In doing so, we have finalised work on four memoranda of understanding and a draft tax treaty we have agreed with our EU neighbour, the Kingdom of Spain.

These are positive understandings about practical arrangements designed to usher in arms length cooperation between us in a number of key areas.



But we have not ceded and we will not ever cede any ground when it comes to any aspect of our sovereignty or any aspect of our jurisdiction or control.

Most importantly, and despite occasional pressure and threats, we have not conceded anything in respect of our airport.

And that despite it having been said to have been essential at one stage.

And the lesson therefore for those reporting on Gibraltar matters is to ensure that what is said by some in Spain in respect of Gibraltar should be treated with a pinch of salt.

Indeed, if anything has emerged indisputably in the past twenty seven months, it is the depth of the commitment from the Prime Minister to the defence of the territorial integrity of Gibraltar and our right to remain British.

And these past seventy two hours may have been the harshest test of those commitments.

They have represented the moment when Mrs May has shown her real, unbending steel in defence of her commitments to us.

So, let's not allow any electoral hyperbole in Spain persuade anyone that Gibraltar has in any way been let down by the Prime Minister.

And, similarly, let's not allow any campaigning in London persuade anyone that Gibraltar has in any way got anything to fear from this Withdrawal Agreement.

I call on all parties in the United Kingdom to respect the views of the Government and people of Gibraltar of the effect of the Withdrawal Agreement on Gibraltar.

In fact, for the reasons that the Spanish Government has repeatedly rehearsed in the past week, my Government considers that this Withdrawal Agreement is actually very good indeed for Gibraltar.

It represents a soft landing in our enforced departure from the European Union.

The mechanism for an orderly exit rather than a "Thelma & Louise" style cliff-edge fall into the unknown.

The reality is that the jeopardy for Gibraltar in the future arises from the requirement for unanimity for the approval of new trade deals that already existed in the existing treaties.

That is the danger that leaving the EU makes a reality.

That is the jeopardy to which those who have argued for Brexit have exposed Gibraltar.

Thanks for nothing chaps!



But none of that arises from any of the communications, declarations or statements made this weekend.

In fact, if Brexit is going to happen, then this Withdrawal Agreement is – especially on the Spanish Government’s legal interpretation – actually a very good thing for Gibraltar.

You see, the fly in the ointment at the last minute was a technical reading of the Withdrawal Agreement by Spain which suggested that Gibraltar’s position was legally protected in the agreement in a way that potentially vitiates Spain’s future veto right under the existing treaties.

Spain specifically sought to have the treaty changed – although Foreign Secretary Borrell seems to be arguing the opposite today.

They specifically sought that at the General Affairs Council meeting of the 22nd November, as the minutes reflect.

Having failed to achieve a change to the proposed Withdrawal Agreement text, Spain has therefore, in effect, now landed itself with a public interpretation it cannot get out of, that Gibraltar is covered by the text.

Ironically, the actions of the Spanish Government in the past week have managed to unite some pretty strange bedfellows in our interpretation of the final position.

Spain’s Opposition Partido Popular and Ciudadanos and their leaders Snr Casado and Snr Rivera, respectively, and former Spanish Foreign Minister, Snr Margallo and the former Prime Minister Snr Aznar, interpret the effect of the declarations made in light of the express terms of the treaty in the same way as the Government of Gibraltar.

Quite an unexpected alliance of interpretation.

Unsurprising though given the established hierarchy of legal texts that we are dealing with and the provisions of the Vienna Convention on the Law of Treaties.

In fact, additionally, the declarations from the United Kingdom do nothing but explicitly set out that the UK will negotiate to include Gibraltar in its future arrangements or deals.

So thanks to the Spanish posturing of the past week, we are now armed with a better and stronger opportunity to enforce our inclusion in future trade arrangements than we might have been.

A legal right.

Yet all of that is, in my view, academic.

Because, you see, the human, geographic and political reality is that we want to engage with Spain in an open, reasonable and positive process of dialogue about future cooperation.



Mighty Spain doesn't need a legal veto – which she doesn't have – to bring tiny Gibraltar to the negotiating table.

We are already there.

And we will talk about everything.

But not about sovereignty.

And Spain actually knows and specifically acknowledges that.

In fact, it was in the Spanish Parliament only last Thursday that the Spanish Minister for Europe, Marco Aguiriano, explicitly stated that they could have put the issue of Joint Sovereignty to us in the discussion we were holding about the Withdrawal Agreement.

He said himself that they did not do so because, if they had we – the British and the Gibraltarian delegations - would simply have got up and left.

Too right.

I like a man who knows how to read his opponents.

And the position of the people and Government of Gibraltar will not change in this respect.

So we are as secure today as we were last week.

In fact, more so given the now ubiquitous Spanish interpretation of the unchanged legal text of the Withdrawal Agreement.

I would therefore ask all colleagues here to treat with an element of healthy scepticism the statements emerging from Madrid these days about great victories.

Spanish Foreign Minister Josep Borrell seems to have allowed Brexit to go to his head, when he has declared the various declarations made and letters exchanged as the “most important step since the Treaty of Utrecht.”

Well, that's the first time I have ever seen someone who has had to settle for second best announce his failure to achieve his primary objective as a “victory.”

I guess this is all a bit of an electoral “flourish” of sorts, given the regional Andalucian elections are in six days' time.

Indeed, I think that the “fly in the ointment” in Europe this week was actually a “Spanish fly”.

A political aphrodisiac designed to stimulate and arouse flagging electoral fortunes.



Because the United Kingdom is as sovereign today in Gibraltar as it has been for the past three hundred years.

More so perhaps than ever, as the relationship of sovereignty is now one of genuine and voluntary partnership between Gibraltar and the United Kingdom.

Indeed, the mere fact that we are leaving the European Union together demonstrates the sheer depth of that relationship.

But for you, the foreign press corps, I guess it makes for occasional good copy that Gibraltar should still obviously remain 'THE foreign affair' for Spain.

Little seems to have changed in that respect since that phrase was coined during the 1960's.

This past week, Spain has herself once again demonstrated that, by almost derailing the whole Withdrawal Agreement around Gibraltar and their legal analysis of our benefits under it.

I don't think many in European capitals beyond Madrid considered such brinkmanship edifying in any way.

I don't think it has done much to build confidence for the future amongst the people of the Spanish hinterland around Gibraltar.

14,000 of them rely on Gibraltar for jobs that are not available in their own country.

But when I look to the future, I try to leave all our differences to one side.

I prefer to talk about the things that matter to real people.

I prefer to talk about dialogue as the way to greater cooperation to mutual benefit.

I prefer to talk about extending the hand of friendship and not about strengthening my hand before talking.

And to help us progress in our seamless path with Britain, our friends in Parliament should know that for all these reasons, this Withdrawal Agreement is good for Gibraltar.

For all the reasons that the Spanish legal services has identified, this Withdrawal Agreement is good for Gibraltar.

Because of the clear and unequivocal statements from the UK in the various letters and declarations over the weekend, this Withdrawal Agreement is good for Gibraltar.

And, maybe next year, once all the bluster and the hyperbole of this weekend has passed;

Once the jingoism has cooled...



..we will be talking to our erstwhile European partners about a future relationship that preserves the best of the freedoms of the European project for the international relationships between our people and businesses.

That, my friends, is an ambitious future into which I am ready to invest my time, my energy and my commitment.

Thank you for the opportunity to address you tonight.