



No: 529/2019

Date: 12th July 2019

Chief Minister's Statement to Parliament Regarding Grace 1

Mr Speaker

All honourable members will be aware that last week I signed a Direction under Regulations made under the Sanctions Act 2019.

Acting pursuant to that Direction and all other relevant legal powers, the Captain of the Port, ably assisted by the Royal Gibraltar Police and HM Customs and the Gibraltar Defence Police detained a super tanker, known as a very large crude carrier, or VLCC, by the name of The Grace 1.

With my consent, the actions of our Port and Law Enforcement agencies have been supported by the Armed Forces of the United Kingdom under a request for Military Assistance to the Civilian Authorities.

Last week we acted because we had reasonable grounds to believe that this vessel was taking actions in breach of established EU sanctions against Syria.

These actions would be contrary to the law of Gibraltar, as the EU sanctions are contained in an EU regulation which has been directly applicable in Gibraltar since 2012.

After laboratory testing, the cargo has now been confirmed to be 2.1 million barrels of light crude oil.

We will not allow Gibraltar to be used or to be knowingly or unknowingly complicit in the breach of EU or other international sanctions or for any of the matters which our laws prohibit.

With the powers that we took under the 2006 Constitution come also the responsibilities to act as required under European and international law when the time comes and the circumstances require it.

Now that these actions have been taken, their consequences may be challenged and tested in the courts.

The Regulations I made set out specific provisions to allow for such a challenge by any party alleging they have a claim to the vessel and its cargo.

As the sanctions being enforced are established by the European Union, I wrote immediately after the detention of the vessel to the Presidents of the European Commission and of the European Council, Mr Junker and Mr Tusk, setting out which EU Sanctions we have enforced.



I have also provided this information directly to the office of the High Representative, Ms Federica Mogherini.

These actions were of course taken after a unanimous decision of the Cabinet.

The matter is now in the Supreme Court.

Yesterday the Royal Gibraltar Police announced that they had arrested the Captain and the First Mate of the Grace 1.

The RGP stated that this followed a protracted search of the vessel where documents and electronic devices have been seized and examined.

RGP and HM Customs also confirmed that officers involved in the investigation of a suspected violation of these sanctions, were interviewing both men under caution at RGP HQ New Mole House.

Both have been accorded their legal entitlements and access to consular representation.

Gibraltar's actions in relation to the Grace 1 have been reflected in the world headlines in the past week.

I therefore want to confirm to the House that all relevant decisions in respect of this matter were taken as a direct result only of the Government having reasonable grounds to believe that the vessel was acting in breach of established EU sanctions against Syria.

There has been no political request at any time from any Government that the Gibraltar Government should act or not act, on one basis or another.

The information which related to the alleged Syrian destination of the vessel and its cargo legally required Gibraltar to take the necessary action once the vessel freely entered the jurisdiction.

The decisions of Her Majesty's Government of Gibraltar were taken totally independently, based on breaches of existing law and not at all based on extraneous political considerations.

These important decisions about breaches of our laws were certainly not decisions taken at the political behest or instruction of any other state or of any third party.

In nations governed by the rule of law, decisions about the application of laws relating to what are potentially criminal offences are decision made based on facts and legal analysis and are not decisions made on the basis of political requests, whoever the requesting party may be.

The provenance and origin of the cargo aboard the Grace 1 has not been relevant at all to Gibraltar's actions.

We have no desire, right or obligation to do anything other than enforce the existing sanctions against the Syrian regime, as we are bound and legally required to do by EU regulation 36/2012.

Because these are not our sanctions, but the EU's sanctions.



Mr Speaker we are acutely conscious of the environmental issues that arise from the type of cargo that is held about Grace 1. There are obvious inherent risks in the maintenance of such a cargo, all of which are being skilfully mitigated by the Gibraltar Port Authority, both as to security and all other relevant concerns.

I know this will of course be a concern to citizens both in Gibraltar and in neighbouring states.

The Government will want to give reassurances that we are working to ensure that there will be no transboundary effects as a result of the maintenance of the cargo of the Grace 1 in Gibraltar.

Finally, I want to thank the brave men and women of our British Armed Forces, the Royal Gibraltar Police, Her Majesty's Customs Gibraltar, the Gibraltar Defence Police and the Gibraltar Port Authority for their work in securing the detention of this vessel and its cargo.

Mr Speaker the House can be assured that Gibraltar remains safe and our international reputation is nothing but enhanced by these actions.