

Distr. RESTRICTED

PRS/2022/CRP.16

ORIGINAL: ENGLISH

FORTH INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Pacific regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism: advancement of the Non-Self-Governing Territories through the coronavirus disease (COVID-19) pandemic and beyond

Castries, Saint Lucia

11 to 13 May 2022

STATEMENT BY

MR. JOSEPH BOSSANO

(GIBRALTAR)



HM Government
of Gibraltar



THE RIGHT TO SELF-DETERMINATION
ADDRESS BY
THE HON SIR JOE BOSSANO KCMG MP
TO
THE UNITED NATIONS
PACIFIC SEMINAR, ST LUCIA

MAY 2022

On behalf of the people of Gibraltar can I express our appreciation to the Government and people of Saint Lucia for hosting this seminar.

Madame Chair, you know decolonization has always been about people, not disputed ownership of real estate.

A territory with no people has never been on your list.

How else could it, when the political progress of the NSGT peoples, is the information required from the administering power?

In February 1946, the UN's first year, Resolution 9 (I) was about Non-Self Governing Peoples.

Gibraltar's people were included then as a distinct colonial people.

The UK, had to submit article 73e reports, on our progress to full self-government.

This was recorded in December 1946 Resolution 66 (I) and continues to this day.

Spain was not a member of the UN and not considered fit to be one, having a fascist regime which, in the then recently ended war, had been supportive of the Nazis.

Although the regime continued to be the same until 1975, they were allowed to join in 1955.

Your committee affirmed in 1964 that the provisions of the Declaration on the Granting of Independence to Colonial Countries and Peoples was fully applicable to Gibraltar but invited UK and Spain to begin talks in accordance with the provisions of the Charter.

Had Spain not been a member we would've been decolonized a long time ago.

At 25 I decided to campaign for our decolonization and oppose being handed over to Spain.

I did not anticipate it would take quite this long, but we have been increasing our level of self-government, with Spain opposing us every inch of the way.

1965 Resolution 2070 (XX), which Spain quotes in its favour, invited the two governments to begin talks.

On the same day Resolution 2072 (XX) was asking Spain to decolonize Ifni and Spanish Sahara.

The UN was asking two colonial powers to meet to discuss their differences. Spain says the meeting was to negotiate the handing over of our people to them, then a fascist colonial power.

Two colonial powers were to decide what was in a colonial people's interest, irrespective of their wishes and aspirations.

A clear example of colonialist behaviour.
In flagrant breach of Chapter XI.

This, Spain says, is the UN doctrine for our decolonization.

If so it would be the most shameful betrayal of the rights of non-self-governing peoples in the history of this organization.

This could never be decolonization, it would be perpetual colonization.

Off your list as a Spanish colony or remain on it as a British one, some choice, Hobsons choice.

I have always maintained that this cannot be the correct interpretation.

The UN position on NSGT's is "the process by which the peoples of these territories exercised their right to self-determination to decide the future status of their homeland is known as decolonization."

Distinguished delegates, C 24 members, as an elected representative of the people for 50 years, this is the 30th year in which I address UN members in defence of our people's right to self-determination. In the years that I have addressed the seminars, C 24 meetings and 4th committee sessions there have always been committee members that have expressed the view that many were convinced by my arguments of the legitimacy of our cause and encouraged me not to give up.

Indeed PNG Ambassador Samana then chair of C 24 was the first to encourage me to participate in UN sessions, against the wishes of the administering power. Unfortunately however, Spain was not one of the members that I have managed to convince.

Spain is the one we need to convince and if we ever do, the so-called doctrine of the UN will disappear overnight.

Of this I have no doubt.

Last Year in Dominica I thought that at last there was a chink of light.

The representative of Spain started by saying that he was following my contribution with the utmost respect for my views.

Madame Chair I was lost for words. Believe me that doesn't happen very often.

He then delivered a speech which had only two paragraphs about the past some of which we agree is accurate and the rest was all about the present, the future, and greater co-operation.

My own contribution rebutted Spain's submission to June's C 24.

Surprisingly Spain's position at Octobers 4th committee repeated the June arguments.

I will demolish these arguments now.

We shall see whether in St. Lucia we are dealing with New York Spain or Dominica Spain.

Spain, gave away almost one third of its year 1700, European territorial integrity, in the 1713 Peace Treaty.

The Rock of Gibraltar ceded in perpetuity accounted for 4 km².

It complains that the British later took an additional 1 km², the Isthmus.

This 1 km² loss means, according to Spain, that the provisions of Chapter XI of the Charter, the Universal Declaration of Human Rights, the international Covenants on Civil and Political Rights and the requirement in Resolution 1541 (XV) for progressive political development in self-government are all rendered inapplicable to the people of Gibraltar.

This, which would render our people homeless and stateless, is what Spain tells the world is the UN doctrine as the only option for Gibraltar's decolonization.

Spain is the third largest country in Europe, even with 1 km less.

This 1 km² fragmentation of territorial integrity is what they have been whining, whinging and moaning about, for some 300 years, which reduces their territorial integrity by 1 km² to 504,708 km².

This annual moan comes from a nation that some 300 years prior to its loss, stole an entire continent and during the intervening period engaged in genocide of the indigenous peoples, who were tortured, raped and murdered and had their numbers reduced by 80%. Then repopulated with their own citizens from the Iberian Peninsula the stolen lands, Central and South America.

We are expected to believe the UN intended in 1960, that paragraph 6 of 1514 should cover territorial losses 250 years in the past, in spite of the fact that its wording refers to the future. Much of Europe experienced similar losses in that period.

It is true the 1713 Treaty requires UK to give Spain the right of first refusal.

Both UK and Spain, believe this denies the independence and free association decolonization options to our people.

This interpretation has always been rejected by every Gibraltar Government.

It is incompatible with the charter which in the case of colonial people makes self-determination a 'Jus Cogens' binding international law.

The Treaty was broken by Spain's many military attempts to recapture Gibraltar so it can hardly still be valid.

The terms of the Treaty reflect the values of 1713s, it prohibits the residence of Muslims and Jews in our country and even worse makes provision for the transportation of slaves from west Africa to this part of the world.

Is a totally anachronistic and worthless piece of paper, used by both UK and Spain to deprive us of our rights to self-determination.

Gibraltar buys goods and service from the hinterland and runs a trade and balance of payments deficit, which generates 25% of their GDP.

This is the pernicious effect on the Campo.

The fiscal system of Gibraltar has had no negative impact until UK signed a Tax Treaty which discriminates against Spanish nationals at the request of their Government.

The median line in the bay of Gibraltar separates our waters from theirs. Between 1973 and 1986 British Gibraltar Territorial Waters were EU waters, not Spanish. Now they are no longer EU and still not Spanish.

As regards the requested return to Brussels negotiations.

In 1984 only our Socialist party in opposition rejected the Brussels agreement as we had done with Lisbon and Strasbourg previously.

Now, no one in Gibraltar supports the return to Brussels or the issues of sovereignty being discussed between Spain and UK, with or without Gibraltarian participation.

Distinguished delegates I have given you an indication of the differences we have with the current Government, but let me put the record straight. These are the good guys, so imagine what happens if the bad guys get elected.

The PSOE Government introduced the tripartite forum, the conservative Partido Popular pulled out and reneged on the Cordoba agreements when they came in.

The right of centre PP is now losing ground to a more right wing extremist party, Vox. They have made huge gains in the regional elections recently and national level polls have put them ahead of the PP in 2nd place.

If current trends continue, Vox would be the senior party in a Right-wing Spanish government.

If there is no Schengen access Treaty reached, then the external EU frontier on the Spanish side will remain, with our Country outside and will reduce fluidity of movement.

If Vox wins any future election and enters into Government, they may even try to starve us out.

But whatever they do, they will never break the Gibraltarian spirit.

They will never conquer us and they will never get Gibraltar back.

Like the fascist dictator Generalissimo Franco all they will achieve for our neighbours in the hinterland, El Campo, will be unemployment and emigration as in 1969, which we would very much regret.

The sovereignty of our nation is clearly that of her Majesty the Queen of Gibraltar who together with Government Ministers constitute the Gibraltar Government that exercises executive power.

That is how it is, that is how it's going to stay and the sooner Spain accepts that reality, the better.

Gibraltar will always survive.

It will always be our land, and no-one else's.

