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FOURTH INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

Caribbean regional seminar on the implementation of the Fourth International Decade for the Eradication of Colonialism: charting a dynamic course for decolonization in commencing the Fourth International Decade and in the light of the coronavirus disease (COVID-19) pandemic, through commitment to mandate, collaboration, pragmatism and agility

**Parish of St. John, Dominica
25 to 27 August 2021**

STATEMENT BY

MR. JOSEPH BOSSANO

(GIBRALTAR)



THE RIGHT TO SELF-DETERMINATION

ADDRESS BY

THE HON SIR JOE BOSSANO KCMG MP

TO

THE UNITED NATIONS

CARIBBEAN SEMINAR, DOMINICA

AUGUST 2021

Mdm. Chair,

On behalf of the People of Gibraltar can I express our appreciation to the Government and people of Dominica for hosting this seminar and congratulate the Government on their success in dealing with Covid.

These seminars are for C24 members to engage with the listed non-self-governing Peoples, to assist in their progression to full self-government, the only trigger for decolonization.

However, C24 members need to understand that the only obstacle to our decolonization is Spain. It has participated in the process since the 1960s not to bring about our decolonization, as they claim, but to prevent it.

I accuse them of acting in breach of their obligations under article 74 of the Charter.

I will therefore proceed to debunk the two arguments, on which they have relied to stop us exercising our right to self-determination namely that we are not a People and that our territory is theirs.

In the very first meeting of the General Assembly on 9th February 1946 a resolution was passed on non-self-governing Peoples and their political aspirations.

In the 64th meeting on 14th December 1946, Resolution 66(I) recorded that UK had started transmitting 73e information in respect of the non-self-governing People of Gibraltar.

On the 27th November 1953 resolution 742 (XIII) listed the factors to decide whether a territory is one whose People have not yet attained as full measure of self-government. The famous list of territories in which we were included, required that there should be a People of the territory.

When C24 first considered the question of Gibraltar in October 1964 its consensus Affirmed that the Declaration on the Granting of Independence to Colonial Countries and Peoples was fully applicable to the territory of Gibraltar. It also noted that there was a disagreement between UK and Spain as to the status of the territory and invited them to hold talks, bearing in mind the interest of the People of the territory.

Ever since, Spain has attempted to convert this invitation to hold talks with UK into the elimination of the affirmation by the Committee.

So Gibraltar clearly is and has been since 1946 recognised as a Colonial Country and the Gibraltarians its Colonial people.

It could not be any other way otherwise the reporting requirement under 73e would not apply.

Moreover following this, in December, the C24 Report clearly stated:

“The exercise of Sovereignty is an inalienable right of all peoples, and no conditions should be attached to it. All peoples should enjoy full sovereignty and determine themselves the conditions of their national existence.”

As well as listening to Gibraltar petitioners, the Committee also heard a statement from Pedro Hidalgo, Mayor of San Roque who said that self-determination for the People of Gibraltar would be a “monstrosity”, and Gibraltar’s soil was theirs.

The so called doctrine that disallows the binding requirements of the UN Charter, was not born in C24. It was the brainchild of the fascist Minister Castiella. He considered the start of the Civil War in 1936 a heroic initiative of the Nationalist Movement and served in the Blue Division of the German Army in the Leningrad Campaign.

Inspired by the clear statement that decolonization was fully applicable to us and concerned by the caveat about talks between UK and Spain, I got involved in politics at 25, to campaign for decolonization and oppose discussions with Spain on our future.

I am now 82 and still at it.

My Party, the GSLP campaigned against the 1977 Strasbourg talks, the 1980 Lisbon declaration, which was signed by Minister Oreja who’s hero and mentor was Castiella, and the 1984 Brussels agreement and formed first socialist government in 1988.

I was asked as Chief Minister to participate in the Brussels talks as part of the UK delegation initially by Sir Geoffrey Howe who said my presence was essential to give the talks legitimacy, and later by Mrs Thatcher at the request of Felipe Gonzalez.

I said no.

We had won the election promising to boycott the talks.

Our position was and is that our decolonization is exclusively a matter to be negotiated between us, the non-self-governing colonial People and UK.

Mdm. Chair, on occasions when I have attended previous seminars and described statements from distinguished representatives of Spain as “fascist”, they have taken offense and protested to the Chair.

I want to make clear that I have never intended to suggest that the person delivering the statement is a fascist, what I am saying is that the message delivered is fascist in content and I will now proceed to prove why I am right.

However there still are fascists in Spain. Last month on the Spanish side of the frontier, Macarena Olona, the general secretary of the Vox parliamentary group, claimed that her party would try to “suffocate” Gibraltar immediately after being elected, by closing access by land, sea and air.

Mdm. Chair, the Gibraltar Government was saddened to learn in 2020 of the death of Fernando Moran and sent our condolences to his family. He was as Foreign Minister

responsible for the initial opening of the frontier and the architect of the Brussels Agreement to which we are totally opposed.

However he empathized with the Gibraltarians and said on one occasion that if UK gave him Gibraltar on a plate against the wishes of the Gibraltarians he would have to accept it but it wouldn't be a good deal for Spain.

This gained him the respect of our People.

The elected mayor of San Roque Juan Carlos Ruiz made a statement praising him for the reopening of the frontier after 13 years. This he said had created economic activity and jobs for the region whilst the closure introduced by the dictatorship, separated families, friends and sister cities, who shared a common physical space.

Distinguished delegates contrast the views of the democratically elected Mayor in 2020 with the unelected fascist Mayor in 1964.

The 1968 resolution told UK to complete our decolonisation by no later than September 1969, which is interpreted to this day by Spain as an instruction to UK to hand us over to the tender mercies of the Franco regime.

A democratic Spain that has rejected the values of the 1960's regime continues to quote this as the cornerstone of its case.

The first victims of this would have been the Republicans that had political asylum in Gibraltar after the civil war who were only able to return to Spain after Franco's death.

How can the values of the UN be made consistent with a concept of decolonising a People by handing them over to a regime that denied all forms of freedom and civil liberties to its nationals.

In our view that decision is a black mark in the history of decolonization which otherwise has been a shining light of freedom and democracy for the Peoples of this planet that were under colonial rule.

In 1973 Fascist Spain told UN it accepted that the interest of the Gibraltarians had to be protected but that it did not consider the principle of self-determination applied because we were not the indigenous population.

We all know in the seminar that limiting self-determination to indigenous populations, has never happened in the past and is not being applied to the territories on the list.

Compare the above with the statements on behalf of a democratic Spain.

In 2016 Spain told the seminar it did not recognise and would never recognise that the actual inhabitants of Gibraltar had a legal personality internationally, nor the condition of a People nor any property rights whatsoever over the Rock.

In 2020 Spain claimed that the General Assembly had clearly denied the supposed right to self-determination of the supposed People of Gibraltar which did not exist.

As in 1964, in 2021 Spain claimed that Spaniards expelled in 1704, after 220 years, are the original Gibraltarians.

We have been there 317 years.

What makes them special?

They expelled Moors who were there 750 years, who expelled the Visigoths after 300 years.

Mdm. Chair, I exist and have addressed you in all 4 decades at your invitation as an elected representative of the People of Gibraltar, since 1972.

So when the General Assembly urged Spain and UK to resume talks while listening to the interest and aspirations of Gibraltar, who in Gibraltar are they required to listen to?

Not us, we don't exist.

There are also wild barbary macaques who are the indigenous inhabitants but if they could speak not even they would want to live under Spanish sovereignty.

The recent tax treaty is the first International Treaty signed by UK and Spain that recognises the separate identity of the Gibraltarians who are given preferential treatment in transferring tax residence from Spain to Gibraltar. **(ANNEX 1)**

In October 2007 Spain said that the principle of self-determination did not apply to Gibraltar, as it would in the absence of a sovereignty dispute.

So even when Spain accepts that we are a People, as it is now beginning to do, we still have the sovereignty dispute as an obstacle.

Unless Spain accepts in the next 10 years that they gave away Gibraltar in perpetuity and will never get it back, I expect to be participating when I am 92 for the fifth decade.

Spain as regard its territorial claim, describes the frontier as a "fence"

What separates our country from theirs is an international frontier, which demarcates the limits of the EU, the Schengen area and Spain.

Under International Law therefore, on the isthmus you are not in Spain.

When we joined the European Union in 1973 the isthmus became EU territory.

In 1946 the territory of Gibraltar listed by the UN as a non self-governing territory included the isthmus.

What Spain has been trying to do since 1965 is an attempt at the partial disruption of the territorial integrity of the City State of Gibraltar.

This explanation is consonant with the position taken that Chagos was a part of Mauritius as a single colony prior to 1964 and should have been decolonised at the same time.

On many occasions in these seminars I have made it clear that we will not relinquish 1 mm of our land, not one grain of sand from our beaches.

We believe that a mutually beneficial economic relationship is possible with our neighbours in Spain but we will never sacrifice our right to the jurisdiction and control of our land, sea and air space.

Spain says we have to stay on the list until the General Assembly decides otherwise.

I agree.

The City State of Gibraltar will one day be decolonised, but to be fully owned by its People, not to become a colony of Spain.

Finally, at a personal level, the message I would like the distinguished representative of Spain to take back to his government is that Gibraltar will be Spanish over my dead body and as the Freedom Fighter that I am, I still have a lot of years of fight left in me.

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