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THIRD INTERNATIONAL DECADE FOR THE ERADICATION OF COLONIALISM

**Pacific regional seminar on the implementation of the Third International
Decade for the Eradication of Colonialism: commitments and actions for
decolonization in the Non-Self-Governing Territories**

**Managua, Nicaragua
31 May to 2 June 2016**

STATEMENT BY

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(GIBRALTAR)

UN REGIONAL SEMINAR 2016

Nicaragua.

Gibraltar's Decolonization.

Presentation by,

Joe Bossano MP. Minister for Economic Development.

Gibraltar Socialist Labour Party.

Mr Chairman,

Last year I raised a number of concerns about the accuracy of the Gibraltar working paper and the conclusions reached after the seminar.

I am grateful to the Secretariat for correcting those inaccuracies this year.

Regretfully, however, I cannot say the same for the seminar conclusions by participating C24 members. I wrote to the Chair last August but have not had a reply to date.

Like other participants I want to express my appreciation to the Nicaraguan Government for once again hosting this Seminar.

Participants however should know that this became necessary because the only other country offering to host the seminar was my own and it was not accepted. We were told that given the Territorial dispute surrounding my country, the Committee is obliged to decline the offer, to maintain its neutrality.

Well Mr Chairman, I am sorry to tell you that we have seen no evidence

of such neutrality at all. When has this Committee ever sided with us and disagreed with the Government of Spain on any of the points of principle and applicable law, which we raise?

Once, at the mid-term meeting of the 1st decade in Port of Spain when the Distinguished delegate from India responded to my speech on our rights as a People.

He said: "I completely endorse the statement of the Chief Minister that the committee should not dictate options to the People. It should be the People who choose the options. There can be no doubt in the minds of the Members of this Committee. But again, for the record we reiterate that the interests of the People are paramount. Their wish, their will about the future status that is the one that will dictate to the Committee and it is the only way."

That would still be the position of this Committee if it acted in accordance with its mandate under the Charter, but there has been scant evidence of it in recent years.

On 16th October 1964, your Committee affirmed that the Declaration on the Granting of Independence to Colonial Territories and Peoples was

fully applicable to Gibraltar. You also noted that there was a disagreement between UK and Spain and called on them to begin talks in accordance with the Principles of the Charter and bearing in mind the interests of the People of the Territory.

By definition, Gibraltar is therefore a country under Colonial Rule and we, the Gibraltarians, its People.

This is why; we are on your list.

Unless and until we are removed, UK has to submit Annual Reports under Article 73: paragraph (e).

You agree that this is so, so do we, so do the UK and Spain. It is the only thing on which we all agree.

However, what Spain cannot do is be selective, say that 73 (e), applies to us but 73 (b), does not.

73 (b), Mr Chairman requires UK to develop our self-government and to take due account of our political aspirations as a People.

Spain, in breach of its obligation as a member of the UN, opposes the development of our self-government and tells you we are not a People, but an artificial population. The population of Gibraltar is 33,140 made of 48 nationalities, 26,148 of whom are Gibraltarians, the People to whom Article 73 applies.

This Seminar cannot support Spain's view on the 'selective application' of Article 73. For the UN we are the People of Gibraltar, irrespective of the merits that you may attach to Spain's sovereignty claim.

Have we not just celebrated the week of solidarity with, 'The Peoples of the Listed Territories?'

Are we Gibraltarians included in this solidarity event, or are we not?

If not what are we doing here?

Distinguished Members, you note that I talk of the Peoples of the listed Territories and not about the Territories themselves.

I do so because if a territory is owned by a country that is geographically distant, as is the case with the UK owned Ascension Island, this territory does not feature as your responsibility.

To be on your list, a Territory must have its own People with a distinct culture and identity, separate from that of the administering power.

We are here because we fit that description.

Your mission is to monitor levels of self-government.

You have to identify the will and aspirations of the People, on a case by case basis, and ensure that the maximum level of self-government, reasonably attainable, has been reached, and you are doing none of these.

This is why you invite us to these seminars.

I have difficulty in understanding how a Committee which has done so much to free people from colonial rule in over half a century, in its final chapter conducts itself in this manner.

Is it that those of you who have been under colonial rule, at least 23 out of the 29 members, genuinely do not find an echo in your hearts of your own people's feelings and aspirations, when you hear the words that I use when I have addressed you in the 24 years that I have been coming to seek your help?

Why do you turn a deaf ear to everything we Gibraltarians say?

No sovereignty claim from anybody, can disapply parts of Article 73.

Either it applies as a whole, or it does not.

Your report of last year's seminar refers to us as, 'the population of Gibraltar', Spain's terminology.

I remind you, Mr Chairman that the General Assembly resolution states that you are: "to facilitate participation **by the Peoples** of the territories in the seminar".

I am therefore asking you, in the name of **the People of Gibraltar**, to refer to us, for whom we are under the Charter; in your conclusions, your summaries and reports.

If you're not prepared to do that, then I invite the participating members to explain to me, what right this committee has to selectively disapply Article 73.

If you continue to use Spain's terminology, describing us as the territory's population and not its People, then, I submit you are in breach of the text of the Charter, the highest International Law.

In the first and second decades the seminar conclusions included the statement that the process of decolonisation would be incomplete, until all decolonisation issues were resolved in a satisfactory manner.

At the beginning of the third decade, mysteriously and without any debate or transparency, the words "and related follow-up matters," were inserted, **as an additional condition.**

What on earth, does: 'related follow-up matters' mean, once all outstanding decolonisation issues have been resolved in a satisfactory manner?

Mr Chairman, if this is the view of the participating members then I believe we are entitled to know in this seminar the implications of the use of these words which had not appeared in the preceding 20 years.

Last year I complained about the reference to an agreement to hold 4 sided talks to replace the tripartite forum, and asked you to correct this, because it was not true.

This year's report is worse. You now say there are attempts to set up five-sided talks, which is again not true.

At the Fourth Committee, Spain went further and suggested six-sided talks, which again is not going to happen. I hope therefore Mr Chairman this will not find its way into this year's conclusions by the participating members.

Is this what you call neutrality, Mr Chairman?

Rule 9 on conclusions of the seminar last year, provides that a draft report be prepared.

Point 9, in that report says participating C24 members present the conclusions and recommendations of the Seminar to the Committee.

This is not what has happened. What has been presented has been the conclusions of those participating members and not of the Seminar as a whole.

I trust that this will change this year and I invite you, Mr Chairman and other participating members to address this point, and if necessary debate it.

The right wing caretaker Government in Madrid has made clear, that, to them, we are nothing, mere squatters.

They accuse us of all sorts of illegalities and corrupt practices.

They certainly know a lot about corruption and are constantly being investigated at the highest level by the Spanish courts, but their

accusations about us, are false and an attempt to blacken our reputation and influence this Committee.

Well Mr Chairman, my message to the Caretaker in Madrid is, "you are more likely to finish up losing your control over the Basque and Catalan Nations, than being able to impose it on the Gibraltarian Nation, which will never happen, because we will never allow it".

At first it was just us, the socialists, who opposed sovereignty talks with Spain. Now, there is not one single voice in Gibraltar, supporting the resumption of the Brussels process.

Today our Nation is more united and stronger than ever before, and we have a cast-iron commitment that, without our prior consent, no talks will ever take place with Spain, repeated in Gibraltar last week by the Foreign Secretary. Also last week, we were welcomed by FIFA as the

latest nation to compete in International football, finally overcoming Spain's decade's long campaign, to keep us out.

Spain has one purpose, and one purpose only, to minimise our role and suppress our voice.

But they will never win, Mr Chairman.

They will never break our spirit, and they will never conquer our land.

We are not going to give up and we are going to win this battle, because we are a true People, fighting for our human rights and defending the land of our forefathers.

The UN is 71 this year and I am 77; and I have already invested 53 years of my life in our decolonisation campaign.

And if I have to, I will keep on coming back, until I am a 100, to unmask

Spain's perfidious attempts to strip away our Human Rights and deprive us of our Freedom.

I will come, to put our case to this Committee, until the day it does the correct thing and supports our decolonisation through our Self-Determination.

In conclusion Mr Chairman, there is a battle cry that you will be familiar with, and I embrace.

"Hasta la Victoria, siempre!"