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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: current realities and prospects

Quito, Ecuador
30 May to 1 June 2012

STATEMENT

BY

THE REPRESENTATIVE OF GIBRALTAR

UN Seminar Speech

Mr Chairman

In the name of the Government and people of Gibraltar I want to thank the Government of Ecuador for hosting this seminar.

I wish to remind delegates of the history of the process of decolonisation for my country at the UN.

Gibraltar was included in the list of colonies by UK, its administering power, when the list was first created in 1946.

The UN Charter and the Declaration of Human Rights created the International basis for the decolonisation process which is still unfinished business, as we are constantly reminded by successive Secretary Generals of the organisation.

The international order that the UN Charter created in the context of colonialism was to redefine the status and the role of the former colonial powers.

They ceased to be owners of their colonies and became the administering powers of all such territories.

They were therefore required to administer the territories for the benefit of their inhabitants; required to promote the progress of the peoples of the colonies on the path to decolonisation by the attainment of the fullest possible measure of self-government.

In order to bring this about, the peoples of the non self-governing territories had to exercise their inalienable human right to self-determination, in determining their future status.

The role of the UN under the Charter, the Declaration of Human Rights and the Human Rights Conventions is clear, crystal clear and beyond doubt. The Special Committee, 4th Committee and General Assembly are all charged with a duty to protect and defend the rights of the people under colonial rule, and not allow themselves to be manipulated in territorial squabbles between two States, members of the Organisation which has nothing whatsoever to do with the decolonisation question.

The C24 first addressed the question of Gibraltar in September 1963 and concluded in 1964 that resolution 1514 (XV) was fully applicable to the people and the territory of Gibraltar. It could not do otherwise; if 1514 (XV) were not applicable, we should not be on the UN list at all.

The continued existence of the list is the reason for this seminar. This meeting takes place so that we can consider how the peoples of these countries, still on your list, can be assisted in fulfilling the Charter requirement to exercise their self-determination. For as long as even one country is left on the list, your task is not complete. Being on the list and having a legal entitlement to self-determination is one and the same thing.

In 1964 all the elected leaders in Gibraltar declared that the soil of Gibraltar belonged to no-one but the people of Gibraltar, that the people of Gibraltar did not wish to pass under the sovereignty of Spain and that Gibraltar's sovereignty was not a matter for negotiation between UK and Spain.

This continues to be the position today.

I became involved then in an NGO campaigning for self-determination, was elected to the Parliament of Gibraltar in 1972 and have continued to be elected by the people of Gibraltar for the last 40 years.

The Committee has been studying the case of Gibraltar's decolonisation for 58 years and I have been involved in Gibraltar's campaign for self-determination for that same number of years. I have known many members of this Committee; they have privately acknowledged that the case for our right to self-determination is unassailable but have also told me that UN Members often take decisions, not on the merits of the question before them, but for totally extraneous reasons. Spain is well aware of this and has astutely manipulated it. This manipulation may be something that Spain can engage in but it will not serve its purpose and it will not get it one millimetre closer to its objective.

Let me make clear that the present Spanish Government will no more succeed in its attempt to conquer Gibraltar than any of its predecessors have done, in the last 58 years, no matter what alliances it makes with others.

The process of decolonisation is required by the Charter to be conducted to establish the freely and democratically expressed wishes of the colonial people. Spain constantly objects to this Committee finding out for itself, what we Gibraltarians, the only owners of our soil, want.

The Charter requires UN Members not to put pressure on colonial peoples to influence their choice. Spain has been doing the very opposite for 58 years in flagrant violation of the UN Charter.

What then is the basis of Spain's claim to our land and the source of its legitimacy which, it considers, supersedes the UN Charter and the Human Rights Convention?

Let me take this opportunity to share with our host our common history, to illustrate the point.

In the year 711, at the time of the Kingdom of Quito, my country formed part of a Visigothic Kingdom in the south of Iberia. A Celtic settlement.

Moors from North Africa invaded and conquered Gibraltar. Spain did not exist.

After the Incas had taken over in Quito in 1462, the Duke of Medina Sidonia expelled the Moors from Gibraltar. The Queen of Castile, Isabella, later took Gibraltar from the Duke in 1502. It was only then, for the first time, that we came under Spanish sovereignty.

32 years later, in 1534, we formed part, therefore, of the State which sent Pizarro to massacre Incas in Quito.

The concept of sovereignty in 16th century Europe was not what it is today, although Spain does not seem to have noticed the change in the intervening 400 years.

Quito belonged to the Spanish monarch, as did Gibraltar, after they were both taken in battle as spoils of war. They were the monarch's private personal property, to keep or give away as she pleased, irrespective of what the peoples in the territories wanted or believed.

In 1704 another battle, in one of the many territorial wars in Europe, resulted in the Dutch and the English taking Gibraltar in a war between the Austrians and the French to decide who should rule Spain.

Gibraltar had gained its independence from Spain after 202 years under Spanish sovereignty.

118 years later the criollos in Ecuador followed us and gained for this country its independence from Spain in 1822.

I wish to impress upon delegates that the history of the Americas is not a history of indigenous people exercising self-determination and expelling the invading Europeans.

Whether we talk of the English colonies in North America in their war of independence or we talk of Ecuador, it is the native-born descendants of the invaders, an artificial population, that has claimed and won the right to home rule, even well before this principle became enshrined in International Law.

Mr Chairman, I am a Gibraltarian criollo with a continuous settlement in Gibraltar since 1748. What Spain claims is an example of a parachuted population, though no-one had heard of parachutes in 1748 when the first Bossano was born in Gibraltar to parents from the Republic of Genoa, long since disappeared as an independent nation.

Let me therefore assure distinguished delegates that there is no more prospect of Gibraltar ever again coming under Spanish sovereignty today, after a gap of 308 years, than there is of Ecuador doing so after a mere 190 years, whatever resolutions may be cooked up at the UN, telling us what we have to do in our country, with our future, and the future of our children.

But we have not come to this seminar to hear history lessons. It's about the future we should be talking, not about the past, although if Spain wants to talk about the past, we have no problem with that.

My Government was elected in December last year and, just as we were between 1988 and 1996 and we have continued to be whilst in Opposition, we are fully committed to participation in the work of the Special Committee of which my presence in this seminar is evidence.

We are one of the remaining 16 territories on your list which you are required, by the mandate of the General Assembly, to protect from outside interference and assist in the achievement of decolonisation.

I urge members of the Committee and participants of the seminar to remember that the C24 is the guardian of the rights of colonial peoples, not the ally of one or other of member states in territorial disputes.

The issue before us is simple. Are we going to spend the next 8 years lamenting our failure to make progress in the 3rd decade for the eradication of colonialism as we have been doing in the 1st and the 2nd decades?

At a personal level, having devoted so many years of my life to the cause of decolonisation, I can assure distinguished delegates that my commitment is to the philosophy of terminating colonial rule. Ending this element in the history of mankind, which is long overdue and my commitment will continue in respect of the other 15 territories if Gibraltar were to be decolonised tomorrow.

The Committee says these seminars are to gain an insight into the views of the peoples of the territories and the aspirations of the territorial Governments. However, we have seen little of that insight reflected at a later stage in the deliberations of the Committee in New York. The Committee has the independence granted to it by its mandate to take a proactive role. It is expected to look at what stage in the process of decolonisation each territory is, on a case by case basis, and there is a reason for this.

Decolonisation can be an overnight change when it results from a violent act by the people of the colony expelling the colonial power but that phase, which is what produced the creation of many new States which are now part of the UN family, is over. None of the 16

remaining territories are in that situation. We have seen Tokelau's caution in moving out of the colonial relationship when offered what is probably the most generous offer ever made to any non-self governing territory by any administering power, to the credit of New Zealand.

I honestly believe that no progress can or will be made unless the Committee identifies the requirements that need to be achieved by each territory in what was always intended to be a progressive development from colonial rule to self-rule. This is a route which the Administering Powers are required by the Charter to encourage and report on, and which the Special Committee is required to monitor and supervise and in respect of which, in my view, not enough is being done. A situation which I am confident is about to change, given the leadership you have provided in this seminar, Mr Chairman, lending a much-needed impetus and sense of urgency to the important task of eradication of colonialism.