



**GOVERNMENT OF GIBRALTAR
PRESS OFFICE
No.6 Convent Place
Gibraltar
Tel: 20070071; Fax: 20074524**

PRESS RELEASE

No. 88/2008

Date. 18th April 2008

Pages 1 of 2

In his recent evidence to the Foreign Affairs Committee of the House of Commons, Europe Minister Jim Murphy said of the New Constitution that it is a modernisation, and that it is described by others as an end to the colonial relationship, “although he had never described it in those terms”. The Opposition said that Mr Murphy’s remark proves that the Opposition’s analysis of the effect of the New Constitution is correct. The Government rejects the Opposition’s Statement.

The New Constitution is indeed a “modernisation”. As the UK Government has itself declared on many occasions it results in a modern relationship that is not colonial in nature.

It is also true that, as Mr Murphy told the FAC, he has never described it as an end to the colonial relationship. The Gibraltar Government is not aware that Mr Murphy himself has ever said anything at all in respect of the new Constitution. It is therefore true that he himself has never described it in the above terms, or indeed in any other terms.

However, on 31st March 2006 the Foreign Secretary, Jack Straw wrote to Sr Moratinos and told him that the New Constitution provides for a modern and mature relationship and that he did not think that that description would apply to any relationship based on colonialism.

On 4th July 2006 Europe Minister Geoff Hoon said the very same thing in the House of Commons in answer to a Parliamentary question, namely, “The new constitution provides for a modern and mature relationship between the UK and Gibraltar. I do not think that this description would apply to any relationship based on colonialism.”

Pages 2 of 2

On 23rd January 2007 the UK's Ambassador to the United Nations, Sir Emyr Jones Parry said these exact same things in the letter to the Secretary General of the United Nations in which the UK Government sent the text of the Constitution formally to the Secretary General.

On the 15th October 2007, the new UK Ambassador to the UN, Sir John Sawers, said in the UK's address to the UK Fourth Committee that Her Majesty's Government shared the Gibraltar Chief Minister's view that Gibraltar "is now politically mature and the UK – Gibraltar relationship is non-colonial in nature".

On 9th February 2008 the UK Mission to the United Nations submitted to the UN the 2007 Gibraltar Report under Article 73(e) of the UN Charter. In the covering letter the UK Government referred to the New Constitution, and stated the UK's position to be that "this New Constitution provides for a modern relationship between the UK and Gibraltar which is "now non-colonial in nature and that "accordingly" the UK does not believe that Gibraltar should remain on the UN list of non-self governing territories."

The UK Government's position is thus crystal clear, namely that following the New Constitution, and as a result of it, the relationship between Gibraltar and the UK is not "based on colonialism" and is "non-colonial in nature". If the relationship is neither colonial in nature, nor based on colonialism, as the UK Government has told Gibraltar, the UK Parliament, Spain and the whole world, then there must necessarily have been "an end to the colonial relationship". It is not semantically or politically possible to argue differently, without first challenging the truth of all the UK's afore-cited statements. The Gibraltar Government therefore rejects the Opposition's view that Mr Murphy's statement proves that Gibraltar has not been decolonised and thus remains a colony.

The UK Government's stated position thus fully underpins the Gibraltar Government's position, namely, that while Gibraltar's international status remains that of a UK Overseas Territory and under British Sovereignty (as is indeed stated in the Despatch to the New Constitution), its relationship with the UK is no longer a colonial one and is necessarily thus effectively decolonised.