



**GOVERNMENT OF GIBRALTAR  
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**PRESS RELEASE**

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**Government mounts a legal challenge to the designation by Spain of Sites of Community Importance within British Gibraltar Territorial Waters.**

The Gibraltar Government last night filed a legal challenge under Article 230 of the EC Treaty against the Commission of the European Communities.

The legal action seeks the annulment of Commission Decision 2009/95/EC adopting a second updated list of sites of community importance for the Mediterranean Biogeographical Region, to the extent that the Decision purports to designate a Site of Community Importance proposed by Spain which includes British Gibraltar Territorial Waters and areas of the High Seas contiguous thereto.

The legal challenge is based on errors of applicable international law, EC law, applicable EU legal principles and errors of fact which the Gibraltar Government believes afflict the Decision.

The Government of Gibraltar is represented by David Vaughan QC, an eminent QC specializing in EU and international law, and Michael Llamas.

The Chief Minister said: - "We had proposed solutions to this unacceptable situation that has been created on a vital issue for us, but they have not materialised before the deadline for filing legal action. We have accordingly been obliged to initiate the legal action to protect Gibraltar's vital interest; a possibility for which we had prepared in the event that no other acceptable solution emerged in time. We are confident in the success of what we believe to be a very strong and powerful case."