



**HM GOVERNMENT OF GIBRALTAR  
PRESS OFFICE  
No.6 Convent Place  
Gibraltar  
Tel:20070071; Fax: 20043057**

**PRESS RELEASE**

No: 830/2012

Date: 13<sup>th</sup> December 2012

**SPANISH PRESS REPORTS UNTRUE: NO BILATERAL TALKS ON GIBRALTAR  
WATERS OR ANYTHING ELSE**

The statements made in Spanish news media - which are not attributed to any individual and rely on unnamed sources - stating that the Minister for Europe, Rt Hon David Lidington, has held bilateral talks with Spain on the marine environment in British Gibraltar Territorial Waters have been shown by the statement of the Foreign and Commonwealth Office in London to be false and misleading and can only be attributed to someone who has failed to understand either the legal or political realities of the UK/Gibraltar relationship.

Firstly, the FCO has specifically confirmed to HM Government of Gibraltar that there has been no bilateral meeting on Gibraltar. This has now been confirmed publicly in a statement by the FCO itself and is in keeping with the position the FCO took in responding to the statement by Mr Margallo on Monday when he suggested such a meeting might take place. The Government understands that yesterday the Minister for Europe met with Mr de Vigo and Mr Cabanas on a wide range of EU issues. It was at the end of this meeting that the Spanish side raised the issue of Gibraltar - most specifically issues relating to BGTW - as they have traditionally done.

The Government has been assured by the FCO (and this has been confirmed in the terms of the public statement by the FCO) that the response from Minister Lidington respected - as Gibraltar would expect - that all matters short of sovereignty in respect of BGTW are Constitutionally in the jurisdiction, competence and control exclusively of Her Majesty's Government of Gibraltar so that any meaningful engagement had to be with Gibraltar and that the United Kingdom and Gibraltar both remained strongly committed to the Trilateral Process.

Secondly, in any event, it should be understood by Madrid once and for all that the fact is that all matters relating to the environment (maritime or otherwise), fishing and all aspects of the control and management of British Gibraltar Territorial Waters (short of the defence of their Sovereignty) are Constitutionally the competence of Her Majesty's Government of Gibraltar, save for policing which is independent of executive control.

As a result, any engagement between Spanish and UK officials in respect of environmental matters (maritime or otherwise) in Gibraltar would be a foolish endeavour as it would be an ultra vires dialogue where both sides would be talking about areas outside their jurisdiction, competence and control. HM Government of Gibraltar is confident that UK Ministers are not acting ultra vires and in breach of the Gibraltar Constitution (which is as much a piece of UK legislation as it is Gibraltar law) despite the unattributed information reported in Spain.

Thirdly, any bilateral dialogue on sovereignty between the UK and Spain would be in breach of the United Kingdom's often repeated commitment (by both Labour and Conservative governments) to the People of Gibraltar that the UK will not enter into sovereignty negotiations with which Gibraltar is not content. Her Majesty's Government of Gibraltar has repeatedly made clear that it is not content for there to be any negotiation, discussion or other engagement with Spain in respect of the sovereignty of Gibraltar and the Government is confident that Ministers are not reneging on this cast iron commitment. In any event, even the erroneous and false press reports circulating in Spain about yesterday's meeting have stated that sovereignty was not raised by Spain.

In the circumstances, based on the information provided to the Government by the Office of the Foreign Secretary, the public statements of the FCO (before and after the meeting in London) and the underlying legal, constitutional and political realities, the reports circulating in Spain have been demonstrated to be entirely erroneous, false and self serving on the part of Spanish diplomats or politicians who have hidden behind the cloak of anonymity in providing this now discredited information to the media. Their sterile policy of ignoring Gibraltar's Constitutional competences has not borne and will not bear any fruit.

Gibraltar remains strongly committed to trilateral dialogue on non-sovereignty matters. The United Kingdom has previously stated that it also remains strongly committed to trilateral dialogue.