



**HM GOVERNMENT OF GIBRALTAR  
OFFICE OF THE DEPUTY CHIEF MINISTER  
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## **PRESS RELEASE**

No: 516/2013

Date: 15<sup>th</sup> July 2013

### **Treaty of Utrecht is not a bar to self-determination**

The Government considers that the Treaty of Utrecht is hopelessly out of date and that it cannot be used 300 years after its signature as a means to deny the people of Gibraltar their right to self-determination and decolonisation. This is one of the reasons why the Government has chosen not to celebrate the tercentenary of the signing of the peace treaty between Britain and Spain on 13 July 1713. Instead, it has chosen to commemorate its tercentenary, 1713-2013, because this is a fact of history.

The Government rejects the concept that a Treaty signed 300 years ago, when the right to self-determination did not even exist, can be used to curtail the application of that principle and its exercise in the case of Gibraltar. Moreover, those who argue that Utrecht is a bar to self-determination should have the courage of their convictions and test this absurd proposition in the International Court of Justice.

It is well known that there are many aspects of the Treaty that are repugnant in this day and age. This includes the provision in Article X, the one that refers to Gibraltar, which prohibits Jewish and Moorish persons from residing here. There are others elsewhere.

The reversion clause is also a source of considerable controversy. The reality is that Spain cannot have it both ways. If the Treaty is applicable then Gibraltar is British in perpetuity and the reversion clause is irrelevant. If the Treaty is not applicable, then Gibraltar is British by right of conquest and the people of Gibraltar have same the right to self-determination and decolonisation as any other non-self-governing territory.

These and many other issues relating to the Treaty of Utrecht will be debated by a panel of international historians and experts at a symposium that the Government is organising for October this year. The focus will be wider than only Gibraltar, given that Utrecht was a general European peace settlement that followed the War of the Spanish Succession.

The Government has already made it clear that it intends to mark the anniversary of the Treaty of Utrecht with a series of events, one of which will be the symposium. A set of stamps has already been issued, a commemorative coin has been approved and an exhibition has taken place at the European Parliament in Brussels. A number of events for the local community took place on Saturday, the actual anniversary of the signing, at John Mackintosh Square and the Garrison Library.

Commenting on the matter, the Deputy Chief Minister Dr Joseph Garcia who has been coordinating the events said:

“In 1713 territories and countries were bandied about from one monarch to another, regardless of the wishes of the people who lived in them. Three hundred years on Europe is a very different place. The fundamental democratic right of a people to decide their own future, the right to self-determination, is now an overriding principle of international law. This means that the future of Gibraltar can only be decided by the people of Gibraltar. It is a serious error of judgement and of fact to see this question through the eyes of 1713, as some continue to do. The days of absolute monarchies in Europe who ruled by divine right ended very many years ago. Today people come first. The Treaty of Utrecht is not a bar to Gibraltar’s self-determination and decolonisation.”