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HMGOG reaction to Spanish Government complaint on Tuna

The complaint from the Spanish Ministry for Food and Environment about Gibraltar's new Tuna Preservation Regulations shows the lengths to which the Spanish Government will go to try to discredit Gibraltar.

ICCAT (The International Convention on the Conservation of Atlantic Tuna) was not extended to Gibraltar by the UK and therefore its provisions do not apply. The Government has over the past few years been holding discussions with various entities aimed at joining ICCAT and obtaining a quota. This included a request for Gibraltar officials to visit ICCAT headquarters in Madrid, which was not acceded to.

Fishing for Tuna in BGTW waters has increased in recent years due to the recovery of the species as a result of ICCAT measures. However, this was unregulated and HM Government of Gibraltar, in view of the delay in progressing ICCAT membership, decided that as custodians of marine resources in BGTW, and conscious of its EU and international responsibilities for wildlife protection, it should introduce its own regulations to mirror ICCAT requirements. As BGTW are not controlled by ICCAT, that organisation can neither allocate nor refuse to allocate a quota, and it falls on HM Government of Gibraltar to do so as the only authority competent to do so in BGTW.

Indeed, in some provisions the Gibraltar law is stricter, with a lower weight limit being set at 40kg instead of the 30kg set by ICCAT.

If Spain were honestly concerned about the protection of the Tuna, it would welcome Gibraltar's measures. It is interesting to note that Spain has on several occasions in the recent past complained about the fact that Gibraltar did not regulate Tuna fishing. Now that Gibraltar has taken this significant step, it complains again. Ironically, if BGTW were Spanish, which they clearly are not, Tuna fishing would be allowed under the Spanish quota.

The statement by the Spanish Ministry is misleading. For example it suggests that the Gibraltar regulations allow fishing for more than one species of tuna, simply because three species are listed, and implies that the permits to be issued by HMGoG will apply to waters outside BGTW. The fact that is that the Regulations are an instrument of the Nature Protection Act which, in so far as the marine area is concerned, specifically applies only to BGTW.

This latest Spanish initiative condemns an action taken in order to control the fishing of tuna, and not allow a free for all in British Gibraltar waters. It is a responsible act by a Government that values its natural resources and their sustainable use. The complaint shows Spain's frustration at the fact that HM Government of Gibraltar takes its stewardship of our waters and the protection of the marine environment very seriously, and is legitimately exercising its jurisdiction and control, something that clearly Spain wishes it would not do.