



PRESS RELEASE

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Outrageous violation of British sovereignty & unacceptable unilateral executive action by Spanish Customs allows a Drug Trafficker to Escape

- *SVA helicopter hovered above Sandy Bay*
- *Chase across the Strait led to the jettisoning of bales of drugs*
- *SVA were escorted out of BGTW*
- *Two other incidents this weekend involve Guardia Civil in sovereignty violations*

Her Majesty's Government of Gibraltar is astonished and appalled at the actions of the Spanish Servicio de Vigilancia Aduanera (SVA) in the early hours of Sunday morning which appear to have resulted in at least one drug smuggler managing to avoid capture.

Her Majesty's Government of Gibraltar supports the close cooperation which is essential between law enforcement agencies of Gibraltar, Spain and Morocco in order to curtail drug trafficking, people trafficking and terrorism in the Strait of Gibraltar. Law abiding citizens on both sides of the frontier want to see cooperation leading to arrests of these types of criminals. The Royal Gibraltar Police (RGP) and HM Customs Gibraltar always make themselves available to assist when called upon to do so by their Spanish counterparts and the RGP and HM Customs and the Guardia Civil often cooperate at an operational level. Such cooperation is not possible if the relevant Spanish law enforcement agency in a particular incident fails to notify their RGP or HM Customs colleagues in Gibraltar and pretend to proceed to take executive action within BGTW. The only winners in such an instance are the drug smugglers who evade capture because Gibraltar law enforcement agencies are not alerted to their imminent arrival on our shores. One such criminal has escaped capture today.

The landing of vessels and, in particular, the flying of aircraft in Gibraltar, a terrain the relevant Spanish officers are unfamiliar with, is unlawful and unacceptable as it is a violation of the sovereignty of Gibraltar. Such activity is also extremely dangerous – especially in pitch darkness.

Sandy Bay is also a residential area and flying a helicopter low over the beach within 50 metres of people's homes, including those of elderly people, is something that should not have happened. It



is further a matter that disrespects and defies Gibraltar's exclusive jurisdiction in BGTW and on land.

In two separate incidents the Guardia Civil also purported to take executive action in BGTW over the past 48 hours. In one incident, they boarded a Spanish pleasure craft off Eastern Beach and questioned its crew. In another the Guardia Civil helicopter chased a Spanish RHIB through BGTW.

The Chief Minister, Hon Fabian Picardo QC MP, has been alerted immediately of these events by the RGP and by the acting Chief Minister, the Hon Dr John Cortes MP.

Mr Picardo said: "I am sure I am speaking for the whole of Gibraltar when I say that we consider this has been a serious and unnecessary failure on the part of the Spanish SVA which has had outrageous consequences in respect of the violation of our sovereignty. Its actions have ultimately resulted in the escape of a criminal that citizens on both sides of the frontier would have liked to have seen arrested and imprisoned for his drug trafficking. If the SVA had been doing a good job of chasing these criminals for 18km in the Strait, they should have culminated in alerting the excellent Gibraltar law enforcement agencies of the Royal Gibraltar Police and HM Customs to take over the chase in BGTW. The RGP and Customs would then, as they usually do, have also deployed the necessary maritime and ground resources to ensure the capture of any Spanish smugglers who might have run aground in Gibraltar. The SVA's failure to cooperate has therefore ironically thwarted the proper law enforcement objective of their activity. Their bravado in illegally and dangerously flying their helicopter in Gibraltar has served no purpose other than to endanger themselves and the residents of Both Worlds. We all want to stop the drug smugglers. It beggars belief that the SVA have acted in this way that, in effect, has allowed a criminal who should be behind bars to get away. The whole of Gibraltar will be outraged at their failure to cooperate in a way that would have better assisted to capture the criminals in question. The RGP and Customs are to be commended for, as ever, dealing professionally with this matter. They have an excellent track record in catching Spanish drug smugglers and confiscating tonnes of cannabis and their expertise would have helped in this case to avoid one criminal going free. The Gibraltar Defence Police and Royal Navy are also to be thanked for their prompt assistance of the RGP and Customs. The fact that this was only one of three incidents of Spanish law enforcement agencies taking executive action in BGTW is outrageous and the whole of Gibraltar will expect that this matter will be properly and effectively pursued by the Government of the United Kingdom. I will be engaging directly with UK ministers in this respect immediately to consider what action should now be taken."

Notes to Editors:

As a result of reports received from the Royal Gibraltar Police, the Government understands that:



1. The Royal Gibraltar Police Marine Section received reports of fast launch and helicopter activity in the area of Sandy Bay at about 0240hrs Sunday 9th August. When attending they found that an SVA helicopter and a larger SVA RHIB were in the area.
2. The helicopter was hovering about 30 feet above the beach at Sandy Bay and was taking off on instructions from Windmill Hill Signal Station and the RGP. The crew of the large SVA RHIB had deployed a smaller dinghy and were using it to try to recover a suspect vessel that had come into the area of the submerged breakwater in Sandy Bay.
3. The SVA informed the RGP that they had been chasing suspected drug smugglers who had jettisoned several bales of drugs during an 18km chase through the Strait.
4. The RGP reminded the SVA that Gibraltar's law enforcement agencies have exclusive jurisdiction over British Gibraltar Territorial Waters and they retained custody of the suspect vessel. GDP and Royal Navy assets assisted to escort the SVA vessels out of BGTW.
5. The suspect RHIB is now in the custody of the RGP. Two of its occupants, both Spanish nationals were taken into custody but a third man evaded arrest.

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