

Committee: Political and Decolonization Committee

Issue: The question of Gibraltar

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Position: Co-chair, Chair

PERSONAL INTRODUCTION

Hello everyone!

My name is Dimitris and I'm an IB1 student at Pierce - ACG. This is my first time chairing and I'm very excited to be working towards providing you with an amazing MUN experience. I was personally interested in this topic before I even knew I would be chairing this committee, and thus I'm very happy to be providing you with this study guide. Remember, this guide won't be enough to completely prepare you for committee work, and I suggest that you perform quite a bit of personal research. However, feel free to come back to this guide if you need help understanding the context of this issue. Feel free to email me if you have any questions about the topic at d.beis@acg.edu. I'm always willing to work with you in preparing for discussion on this topic, as well as assisting with anything else ACGMUN-related.

My name is Dioni and I am a year 11 student in St. Catherine's British School and this will be my second time attending ACGMUN. This will be my third time as a student officer. I am looking forward to working with all of you to have a fruitful and productive session in the committee. This study guide will help delegates understand the topic but in order to form resolutions, you also need to do your own research on your country's policy and further research as the topic is a very complex one. You can always contact me for any questions regarding the study guide or topic at dioniellinikaki15@gmail.com.

TOPIC INTRODUCTION

At first sight, Gibraltar may seem as a small area at the edge of the Iberian peninsula. Many are surprised to find that it's not a part of Spain, let alone that it belongs to the United Kingdom. However, the rock of Gibraltar represents political tensions which span centuries, and have once again become relevant. The United Nations classifies Gibraltar as a Non-self-governing Territory, while the United Kingdom lists it as a British Overseas Territory. Spain, which originally ceded Gibraltar to the UK, currently supports a territorial claim over the region. The UK's decision to leave the EU has sparked discussion over Gibraltar's status, as well as debate over its future relationship with Spain, the UK, and the EU. Delegates will be required to effectively settle the matter, in a way that is deemed acceptable by all major stakeholders.

DEFINITION OF KEY TERMS

Brexit

Brexit is an abbreviation for "British exit," referring to the UK's decision in a June 23, 2016 referendum to leave the European Union. "Leave" won the June 2016 referendum with 51.9% of the ballot,; "Remain" received 48.1%¹

Sovereignty

The authority of a state to govern itself or another state.²

Referendum

'a vote in which people of a country or area are asked to give their opinion about or decide on an important political or social question'³

Single Market

'The Single Market refers to the EU as one territory without any internal borders or other regulatory obstacles to the free movement of goods and services. A functioning Single Market stimulates competition and trade, improves efficiency, raises quality, and helps cut prices. The European Single Market is one of the EU's greatest achievements. It has fuelled economic growth and made the everyday life of European businesses and consumers easier.'⁴ The single market is one of the

¹ "What is 'Brexit'." *Investopedia.com*, www.investopedia.com/terms/b/brexit.asp.

² "sovereignty". *Dictionary.com Unabridged*. Random House, Inc. 4 Jan. 2018.

³ "Meaning of "referendum" in the English Dictionary." *Dictionary.cambridge.org*

⁴ "Single Market ." ec.europa.eu/growth/single-market_en.

benefits of a membership in the European Union which allows countries that are members to trade without barriers or tariffs.

Customs Union

A customs union sets regulations in which it is ensured that countries have the same charge on imports for goods that are being brought into the customs union. It also ensures that other members of the union do not charge tariffs on those goods or services when they are crossing borders that are within the union.

BACKGROUND INFORMATION

A solid grasp of the historical background that has led to the current state of Gibraltar is imperative to truly comprehend this topic. Once delegates understand how the positions of certain states on Gibraltar have shifted over the years, they can begin to attempt to resolve the problems that have arisen.

War of the Spanish Succession

Charles II, the last king of Spain of the Habsburg dynasty, died in 1700 childless. Three states, England, the Dutch Republic, and France sped to control the impending succession, which had been left disputed. They had signed the First Treaty of Partition in 1698, agreeing on a successor as well as a split of Spain's vast lands. However, the successor died in 1699. Initially, a second treaty was signed, awarding Spain and the Spanish Netherlands to Archduke Charles, second son of the Holy Roman emperor Leopold I, while giving Spain's Italian territories to France. However, Archduke Charles, as well as the Spanish nobility, refused to accept any partition of Spain's lands. In his will, Charles II named Phillip, grandson of Louis XIV of France, as his successor. Once he died, Louis XIV immediately proclaimed his grandson king of Spain, before invading the Spanish Netherlands. An anti-French alliance was born, consisting of England and the Dutch Republic among other states. The Grand Alliance captured Gibraltar in the name of Archduke Charles.

Treaty of Utrecht

The Treaty of Utrecht saw the end of the War of the Spanish Succession, and established a period of peace, called the Peace of Utrecht. The only part of this treaty that is relevant to this issue is the concession of Gibraltar to England, so as to ensure that it left the war.

Spanish Attempts to Regain Gibraltar

Ever since it ceded Gibraltar to Britain, Spain has had an eye on the southernmost edge of the Iberian Peninsula. It made two attempts to annex the

region, with the siege of 1727, and the Great Siege of Gibraltar. Both were unsuccessful. Notably, the latter is the longest siege that has ever been endured by the British Armed Forces. Britain's control over Gibraltar was confirmed on both instances, with the Treaty of Seville and the Treaty of Paris, respectively.

Spanish Blockade of Gibraltar

Under Francisco Franco's rule, Spain had imposed a land blockade on Gibraltar. The only individuals that were allowed to move between Gibraltar and Spain were Spanish citizens that worked there, as well as Gibraltarians that applied for special one-day permits. The 13-year blockade was finally lifted on December 15, 1982, going as far as to reunite families that had been torn apart for the duration. It is feared that if the current unstable political climate is to persist, such an action may be taken once again from the Spanish government.

1967 Gibraltar Sovereignty Referendum

The question posed to Gibraltarians was whether they wanted to pass under Spanish sovereignty, retaining their British citizenships, or remain under British sovereignty, while reserving certain self-governance rights. Gibraltarians overwhelmingly supported the latter solution of maintaining the status quo, with a 99.64% vote in favor of British sovereignty.

Brussels Agreement

Also known as the Brussels Process, this was an agreement in 1984 between the United Kingdom and Spain, aiming to settle the issue of Gibraltarian sovereignty. Apart from guaranteeing free movement between Gibraltar and Spain, as well as equal rights for Gibraltarians in Spain, the agreement set the framework for a negotiation process between the two states over the future of Gibraltar. Its sovereignty was explicitly set as part of the negotiations' agenda. It was highly criticized by the Gibraltarian government, as it had been completely excluded from the formation of the agreement, as well as the established process for negotiations. In 2006, Gibraltar's former Chief Minister, Peter Caruana, stated that "It is well known and documented and accepted by all that, since 1988, Gibraltar has rejected the bilateral Brussels Process, and will never be content with it", making the territory's position clear once again.

2002 Gibraltar Sovereignty Referendum

This was the second time Gibraltarians were asked to choose between exclusive British sovereignty and an alternative. This time, they had to select between remaining under British control and having shared sovereignty between the UK and Spain. The government of Gibraltar issued this referendum to make its

people's stance clear on the negotiation attempts that had been made between the UK and Spain, in which joint sovereignty had been generally agreed upon as a principle. Once again, Gibraltarians chose to remain under British sovereignty, with a 98,48% vote.

Cordoba Agreement

This 2006 agreement between the governments of the United Kingdom, Spain, and Gibraltar set the framework for co-operation on the Gibraltarian problem, establishing a three-party forum. The idea for such a solution began with the Spanish Socialist Workers' Party, which had proposed a Forum of Dialogue in 2004. The main points of this forum were aviation, telecommunications, transportation, and pension payments. On the basis of this forum, Spanish foreign minister Miguel Ángel Moratinos visited Gibraltar, to attend discussion on the issue. In Spain, this was regarded as a shameful moment, while Gibraltarians were also left dissatisfied. The issue of sovereignty was left aside, as Spain officially refuses to discuss the matter with anyone other than the United Kingdom.

Brexit

On 23 June 2016, the United Kingdom decided by referendum to depart from the European Union, with a 51.9% majority. Since then, delays in the process of departure, commonly known as "Brexit", have been heavily criticized. Gibraltar, which belongs to the European Union itself as part of the UK, saw different results. There, citizens voted to remain with an astonishing 95.9% vote. Thus, there has been discussion surrounding the future status of Gibraltar in regards to the European Union, which hasn't been extensively addressed by the UK government. In a recent letter to the EU, UK Prime Minister Theresa May laid out general plans for Brexit, but failed to consider the situation in Gibraltar. On the other hand, EU diplomats have stated they will support Spanish demands on the issue, and will ask for Spanish agreement on any trade deal involving Gibraltar. May's government hasn't shown any signs of willingness to cede Gibraltar, while her supporters insist she shall remain adamant on the subject.

MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

United Kingdom

The United Kingdom has a naval and military base in Gibraltar. The rock was declared a colony in 1830 by the British but the people of Gibraltar voted in 1967 to be a dependency of the United Kingdom. Britain has not made any approach to Spain

to discuss the future of Gibraltar. Theresa May, the prime minister has reassured that they have remained committed to sorting Gibraltar's future state.



#1 Facts about the British Rule in Gibraltar

Spain

Spain insists on having veto rights on any agreement regarding the agreements on the future of Gibraltar when Britain officially leaves the European Union. The European Union agreed on giving this veto right, meaning Spain will have a veto over how any U.K.-E.U. trade deal or arrangement will affect Gibraltar. This does not necessarily satisfy the people in Gibraltar as Spain has been trying to gain control of Gibraltar because of its strategic position since 1713, when Britain claimed it.

Gibraltar (Non-Self-Governing Territory)

Gibraltar's official language is English used by the government and schools. The people in Gibraltar have repeatedly shown that they want British sovereignty, in the 1967 and 2002 referenda that gave them the chance to vote on whether or not the United Kingdom should share the territory between Britain and Spain. In the summer of 2016 another referendum was held in Gibraltar on Brexit, and there was an overwhelming majority of 96% of Gibraltar's resident's votes to remain which made it have the most pro-European Union votes. Gibraltar wants to remain in the European Union but not as a self-governing party.

European Union

The European Union had sided with Spain when its guidelines outlining their approach to the Brexit negotiations insisted Gibraltar would be outside any future trade deal with the UK unless an agreement was reached in advance with Madrid.

RELEVANT RESOLUTIONS, TREATIES AND EVENTS

Treaty of Utrecht

This treaty first established British sovereignty over Gibraltar, as an incentive to end the War of Spanish Succession. Article X, in specific, is connected to this issue.

Treaty of Seville

After the siege of 1727, this treaty confirmed British sovereignty over Gibraltar.

Treaty of Paris

After the Great Siege of Gibraltar, this treaty once again confirmed British sovereignty over Gibraltar

Cordoba Agreement

As aforementioned, this agreement set the framework for discussion of the issue of Gibraltar including all three involved parties.

1967 Gibraltar Sovereignty Referendum

Gibraltarians confirmed British sovereignty with a 99.64% majority, denying Spanish sovereignty and a special classification under Spain.

2002 Gibraltar Sovereignty Referendum

Gibraltarians confirmed British sovereignty with a 98.48% majority, denying joint sovereignty under the UK and Spain, ending talks on such a solution.

PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Brussels Agreement

This attempt between the UK and Spain, to set up framework for discussion, mainly failed because it was rejected by Gibraltarians. This was because Gibraltar's government was excluded from these talks. As a region with its own government, Gibraltar's interests can't be viably ignored in a diplomatic context.

Cordoba Agreement

Even though Gibraltar was included in these discussions, no solution was reached in terms of sovereignty. Regardless, many important aspects of the Gibraltarian problem were addressed, such as transportation and effectively

managing the problem. However, as Spain refuses to discuss sovereignty with Gibraltar, any similar attempt would probably prove futile.

2002 Gibraltar Sovereignty Referendum

This referendum stopped talks between the UK and Spain, during which joint sovereignty had been generally agreed upon. Gibraltarians do not seem to be accepting of any sovereignty status that differs from the status quo, which should be taken under consideration. Additionally, these talks were also exclusive of Gibraltar's government, which further reduced their legitimacy in Gibraltarians' point of view.

Possible Solutions

Taking into consideration the complexity of the dispute, a single solution is very hard to be achieved. A good approach would be raising awareness about the situation and engaging in negotiations and talks with all parties involved including representatives of the United Kingdom, Spain, Gibraltar, the European Union that are helped by the United Nations. Appointing a United Nations official to mediate the negotiations would allow all sides to have an equal input.

The options for Gibraltar's future state is either Gibraltar remains in the UK and exits the EU on the same terms or it remains in the UK, but will be subject to different Brexit terms. Another solution is setting specific framework for Gibraltar to reserve more self-determination in regards to this issue via adopting specific terms with Spain that would satisfy both parties

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