



Research Report

The Fourth General Assembly

Debating the issue of the
decolonisation of Gibraltar

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INTRODUCTION

Ever since the 'Declaration regarding non-self-governing territories' was published in 1945, over 80 former colonies have become independent. Gibraltar is one of the 17 remaining non-self-governing territories that is not yet decolonised. Gibraltar has proved to be one of the most problematic territories.

Gibraltar is a British Overseas Territory that is located on a narrow peninsula of the southern Mediterranean coast of Spain, northeast of the Strait of Gibraltar. Ever since the Berber troops first founded Gibraltar, the sovereignty over Gibraltar and its self-governance have been a complicated debate. Both Spain and the United Kingdom have historical and territorial interests in Gibraltar, but they have yet to come to a solution.

Gibraltar is an important asset to Spain and the UK due to its strategic location at the opening of the Mediterranean Sea. This enables Britain to use the Rock of Gibraltar as a military base, providing Britain and Gibraltar with safety and security. It is also beneficial for the defence of the Mediterranean and Atlantic Sea. On the other hand, Gibraltar's location would provide Spain with a maritime and military advantage. Gibraltar also acts as a central trade point for many Mediterranean countries including Spain. Sovereignty over Gibraltar would put Spain at an economic advantage.

Over the years, there have been several military sieges from both Spain and the UK over Gibraltar's territory. Eventually, the Treaty of Utrecht was signed as a way of ending the War of the Spanish Succession, in which both countries agreed that the UK would have sovereignty over Gibraltar. Nevertheless, Spain imposed another military siege on Gibraltar, as they claimed they did not sign the treaty voluntarily. Thereafter, various sieges were laid, but again no solution followed.

The dispute has negatively affected the diplomatic relations between Spain and the UK, with dire consequences. All though several solutions have been suggested by Spain, the UK, Gibraltar, and outsider parties, none have led to an agreement. This research report aims to dive into both the historical and political context of this issue, while discussing various perspectives of the conflict to the best of its ability.

Definitions of Key Terms

Decolonisation

Decolonisation is the action or process of a state withdrawing from a former colony, leaving it independent. The action or process of a state withdrawing from a former colony, leaving it independent of the colonizing country. Decolonisation is not just about political independence. It is also about cultural, psychological, and economic freedom.

Brexit

Brexit, abbreviation of 'Brittain' and 'Exit', is a term used for the withdrawal process of the United Kingdom from the European Union. Gibraltar voted with an overwhelming majority against Brexit, expressing it wanted to stay in the European Union.

Gibraltar

Gibraltar is a British overseas territory occupying the southern tip of the Iberian Peninsula. It is 5km long and 1.2km wide. Gibraltar is connected to Spain by an isthmus. Gibraltar was ceded to Britain by Spain in 1713. See the geographical picture on the right.

Joint sovereignty

Joint sovereignty is a solution proposed by Spain in 2016, in which the United Kingdom and Spain would have shared sovereignty over Gibraltar.

Referendum

A referendum is a general vote by the electorate, which refers to all inhabitants of a region who are entitled to vote in an election, on a single political question that they have been instructed to decide on.

Self-determination

Self-determination is the process by which a country determines its own statehood, which is the status of being a recognized independent nation and forms its own government.

Sovereignty

Sovereignty is the authority of a state to govern itself or another state.

The isthmus

An isthmus is a narrow strip of land with sea on either side, forming a link between two larger areas of land. The isthmus of Gibraltar is the strip of land that connects it with Spain.

The Rock

The Rock is a very large monolithic, meaning it was formed of a single large block of stone, limestone rock.

The War of the Spanish Succession

The War of the Spanish Succession (1701-1714) was caused by a disputed succession to the Spanish throne after the death of the childless king Charles II. The primary issue during the war was about whether the tremendous assets of the Spanish Empire should be partitioned to maintain the balance of power, or whether they should pass them to



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the House of Bourbon or the House of Habsburg, who both had hereditary interests. The House of Bourbon is a dynasty originated in the Kingdom of France. The house of Habsburg is a European dynasty which was divided into the Austrian Habsburgs and the Spanish Habsburgs.

Treaty of Utrecht (1713)

The treaty of Utrecht is a treaty signed after the War of the Spanish Succession in which Gibraltar was ceded to the UK.

Trilateral forum

A trilateral forum is a diplomatic forum, which brings together representatives of the governments of Britain, Spain, and Gibraltar. This was an attempt to improve their cooperation and discuss valuable issues.

General overview

Conflict over the years

The decolonisation of Gibraltar is a long-standing issue that is considered a complicated challenge. Back in 711 AD, Berber¹ troops together with their commander Tariq ibn Ziyad occupied Gibraltar.

After approximately 750 years, the occupation was permanently ended by the Spanish Catholic Monarchs. This was during the eighth siege of Gibraltar.

During the twelfth military siege British and Dutch forces of the Grand Alliance led by Admiral Sir George Rooke and Prince George of Hesse-Darmstadt captured Gibraltar for the British in 1704. The fact that Spain was in the middle of the War of the Spanish Succession made it relatively easy for them to attack the Spanish garrison. The defences were not prepared to withstand a determined assault, as Spain was experiencing internal disunion and political unrest. After all, Spain had just lost their childless king Charles II in 1700. The king had left his crown to Philip, the French Prince of Anjou. Shortly after Charles II his death, Philip's grandfather declared Philip king. This led to the War of the Spanish Succession.

Eventually, an agreement called the Treaty of Utrecht was signed as a way of ending the War of the Spanish Succession. This consisted of several peace treaties that were signed by representatives of the members of the Grand Alliance and France and Spain. The articles on Gibraltar stated that the Spanish King would yield "the full and entire propriety of the town and castle of Gibraltar, together with the port, fortifications, and forts thereunto belonging" to Great Britain without any territorial jurisdiction. It was also agreed that should Great Britain ever wish to renounce Gibraltar; the territory would first be offered to Spain.

Despite the agreement, Spain once again imposed a military siege on Gibraltar in 1727. Philip V, the king of Spain, felt like he did not sign the treaty voluntarily, thus he decided to attempt to regain Gibraltar. This was the thirteenth siege of Gibraltar, the second siege by Spain. It once again failed, due to the immensely strong British defences.

The final military siege, also known as the Great Siege, lasted from 1779 to 1783. It was Spain and France's final and biggest attempt to regain Gibraltar. However, it was yet again an unsuccessful siege. During this time however, there were some other developments in Gibraltar. Soldiers in the British Army started digging the first

¹ The Berbers are a pre-Arab ethnic group. They are the indigenous peoples of North Africa.

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tunnels into the Rock in order to place cannons and fire them from these tunnels to the enemy.

The many years following, the Royal Navy protected the strait of Gibraltar, thus ensuring a period of stability and peace.

Gibraltar also played an important role during World War I and World War II.

In the 1960s, Spain set up new demands for the decolonisation of Gibraltar. Most Gibraltarians voted against a referendum that gave them the opportunity to vote for Spanish sovereignty. Britain eventually introduced a new constitution which allowed a full internal self-government in Gibraltar. Therefore, Spain implemented border restrictions, not allowing any trade nor labour force of Spanish commuters.

About 15 years later, Spain partially reopened their border to Spanish and Gibraltarian pedestrians. In 1985, the border was fully opened, because it was going to join the European Communities.

In 2002, the British and Spanish government finally agreed that Gibraltar was allowed to defend itself in future negotiations. However, tensions were still high between Britain and Spain. In an attempt to ease up this tension, a trilateral forum of dialogue was created. A trilateral meeting marked the first time a Spanish minister had ever been in Gibraltar.

A decade ago, the Spanish government once again increased its border restrictions on Gibraltar. This was due to a disagreement on fishing rights. The United Kingdom views this as a violation of EU laws governing freedom of movement.

Current status

At the moment, Gibraltar is still an overseas territory of the United Kingdom. It is self-governing when it comes to all matters except defence. Most Gibraltarians wish to remain a territory of the United Kingdom. However, Spain continues to advocate for joint sovereignty, which is strongly rejected by Gibraltar. Spain argues that joint sovereignty is crucial for the EU benefits that Gibraltar would receive, especially regarding Gibraltar's economy. Joint sovereignty would allow Gibraltar to stay in the EU. A mutually acceptable solution remains difficult to find.

Relevance

The decolonisation of Gibraltar is closely tied to the cultural preservation and the desire to maintain close to their Gibraltarian identity. Gibraltar has developed a diverse culture due to its many ethnic origins. Most Gibraltarians are a mix of Spanish, Genoese, Maltese, Portuguese and British.

To Britain, Gibraltar is an important asset due to its strategic location at the entrance of the Mediterranean Sea. Hence, Britain uses it mainly for military purposes. Since the British Military Base is located on the Rock of Gibraltar, it provides safety and security for not only Britain but also Gibraltar. It is extremely important for the defence of the Mediterranean and Atlantic.

Aside from safety and security, Gibraltar's status has and will continue to affect the trade relation between Spain and Gibraltar. As mentioned under the previous headline, Spain has occasionally closed its borders to Gibraltar. This can disrupt economic dynamics of Spain and Gibraltar.

The royal navy base being situated in Gibraltar is significant for military purposes.

The excavated material from the tunnels through the Rock has been used to reclaim part of the sea, which expanded the Gibraltarian territory. Therefore, Britain became a vital repair and assembly point during the first and second world war, but also a way for Britain to control maritime routes.

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The Suez Canal opening in 1869 was once again a motive for Britain to keep territory of Gibraltar. The canal facilitated quicker access between the Mediterranean Sea and the Red Sea.

The Brexit makes the decolonisation issue a little more complicated. Due to the Brexit, any agreements on Gibraltar by the European Union and the United Kingdom would require a prior agreement from Spain. Which means Spain and the United Kingdom would have to agree with each other. That is because Gibraltar was not a part of the European Union the same way the United Kingdom was. Therefore, there are now a lot of discussion regarding the relationship between the European Union and Gibraltar. This also includes issues related to trade and migration. In fact, Gibraltar's economy largely depends on the EU's single market, which ensure free movement of goods, services, capital, and persons withing the EU.

Major parties involved

Gibraltar

The main party involved in the issue.

Spain

Spain disputes British sovereignty over Gibraltar due to historical and territorial aspirations. Sovereignty over Gibraltar is of great importance to Spain, because of the strategic location of Gibraltar to the Mediterranean Sea. It is therefore important for national security, economy, and international relations.

The United Kingdom

The United Kingdom currently has sovereignty over Gibraltar, managing its defence and administrative power, as agreed to through the Treaty of Utrecht. The United Kingdom fully sports Gibraltar's self-governance, making their relationship very complex and contradictory to usual colonial terms. The Brexit has led to even more disagreements between Spain, Gibraltarians, and the United Kingdom.

Timeline of Key Events

711 Muslim commander Tariq ibn Ziyad captured Gibraltar

1462 The Muslim occupation was permanently ended by the Spanish

1501 Isabella I annexed Gibraltar to Spain

1701-1714 The War of the Spanish Succession

1704 Gibraltar was captured by Sir George Rooke for the British

1713 The Treaty of Utrecht was concluded.

1727 the thirteenth siege on Gibraltar

1779 - 1783 The Great Siege

1869 The Suez Canal opened

1921 The first civilian City Council

1960 Spain set up new demands for the decolonisation of Gibraltar

1967 The Gibraltar sovereignty referendum was held

1968 The tunnelling of the Rock of Gibraltar finished

1969 The Gibraltar Constitution Order was commenced

1969 Spain closed its borders to Gibraltar

1985 Spain opens its borders to Gibraltar

2002 The Gibraltar sovereignty referendum of 2002 was held

2004 The Trilateral Forum of Dialogue was created

2009 A trilateral meeting in Gibraltar marked the first time since it was captured by Britain that a Spanish minister visits Gibraltar

2013 The Spanish government increases border controls on Gibraltar

2016 Spain submitted a proposal for a joint sovereignty

Previous attempts to solve the issue

The Brussels Process (1984-1987)

The Brussels Agreement (1984) was an agreement between the governments of Spain and the United Kingdom about the territory of Gibraltar. This agreement was set to agree on how Spain and Britain had to apply the Lisbon Declaration² in all its parts. That includes:

- Provision of equality and mutuality of rights for Spaniards in Gibraltar and Gibraltarians in Spain.
- The establishment of the free movement of persons, vehicles and goods between Gibraltar and Spain.
- The establishment of a negotiating process aimed at overcoming all the disagreements between Spain and the United Kingdom over Gibraltar.

The Brussels Agreement was signed in order for Spain to be able to become part of the European Commission. The agreement was supposed to improve their relation. The Brussels Process resulted into a series of meeting in which Spain made two formal proposals. However, the meetings were stalled, and Gibraltar continued to face problems regarding maritime and border restrictions.

Co-sovereignty proposal (2002)

In 2002, Britain and Spain considered a co-sovereignty proposal in which both countries would share sovereignty over Gibraltar. Nevertheless, Gibraltarians weren't very fond of this proposal. That is mainly because the Gibraltarians were expected to form a part of the UK delegation, instead of being allowed to defend themselves. Eventually, the British and Spanish government agreed that Gibraltar would be allowed to defend itself in future negotiations. At the end of 2002, a referendum took

² The Lisbon Declaration is a declaration on the European Platform that – amongst others - mandates the European Union to combat social exclusion and promote economic, social, and territorial cohesion.

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place, in which the majority of Gibraltarians voted against a shared sovereignty with Spain.

Trilateral forum (2004)

In 2002, a new Forum of Dialogue was developed in order to ease up tensions between Britain, Spain, and Gibraltar. The goal of this forum was to have talks between Britain, Spain, and Gibraltar to find a solution for the issue. Nevertheless, it did not lead to a definitive resolution to the issue of Gibraltar's decolonization.

Córdoba Agreement (2006)

The Córdoba Agreement was an agreement between the Spanish government, the British government, and the Gibraltar government. They agreed to establish a tripartite forum for cooperation on Gibraltar. A meeting resulted in a few agreements, including but not limited to:

- Payments of pensions to Spanish People who had worked in Gibraltar;
- Improvements to border restrictions;
- Lifting the Gibraltar Airport's suspension from EU aviation measures;
- And efforts to establish economic cooperation.

This agreement made some little improvements in the bilateral relations, but it did not solve the issue of Gibraltar's sovereignty.

Possible solutions

Despite various attempts to solve the issue of decolonisation of Gibraltar, it remains unresolved. Beneath, you will find a few possible solutions that might help you come up with resolutions for this issue. Please keep in mind that these are just examples!

Joint sovereignty

This solution has been proposed by Spain various times in the past, yet the British government has refused to entertain a joint sovereignty every time. According to this solution, both the UK and Spain would have governance over Gibraltar. This is the most favourable option by Spain.

Enhanced Autonomy for Gibraltar

An alternative solution to the problem could be to give Gibraltar enhanced autonomy while remaining a British Territory. This would grant them more self-governance and control over regional and economic matters. This option seems to be the most desirable to the Gibraltar population.

Bilateral agreement between the UK and Spain

Another possible solution could be a bilateral agreement between the UK and Spain. This would likely include dual nationality for inhabitants of Gibraltar and a shared sovereignty. However it is not easy to reach to an agreement on these matters.

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Further Readings

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