

I am writing regarding the recent letter from President of the European Council Donald Tusk, setting out draft negotiating guidelines to the 27 EU member states that will be party to the negotiations with the government of the UK, following their submission of a notification to withdraw from the EU under Article 50 of the Treaty on European Union.

Clause 22 of the draft negotiating guidelines states:

“After the United Kingdom leaves the Union, no agreement between the EU and the United Kingdom may apply to the territory of Gibraltar without the agreement between the Kingdom of Spain and the United Kingdom.”

As a British citizen, and Gibraltarian, living and working in Denmark, I am writing to request Folketingets Europaudvalg consider the rejection of this clause from the final negotiating guidelines document.

This clause is effectively a mechanism whereby the democratic rights of ca. 33,000 citizens of a sovereign territory to determine their own future and continue living as British citizens can be ignored, set aside and, ultimately, undermined. The people of Gibraltar have always been, and are, both firm and clear in their desire to remain British.

The clause is included in the draft negotiating guidelines after lobbying by the government of the Kingdom of Spain. The objective of that government in seeking the inclusion of this clause, is to link the Kingdom of Spain's historic claim to the territory of Gibraltar, irrespective of the wishes of the people of Gibraltar, to the future negotiations regarding the departure from the EU by the government of the UK. I would ask that Folketingets Europaudvalg take into account, when considering the clause, that the historic claim of the Kingdom of Spain to Gibraltar is (a) not relevant to the negotiations regarding the departure of the UK from the EU, and (b) is, in fact, an attempt to subvert the democratic rights of the people of Gibraltar by seeking to place both those people, and the government of the UK, under duress to accept the Spanish claim to sovereignty over Gibraltar as part and parcel of the negotiations.

In receiving the draft guidelines, the government of Denmark is, in effect, being asked to support the Spanish claim to sovereignty over Gibraltar by accepting clause 22. I do not believe either that the government of Denmark would wish to be involved in this sovereignty dispute between the Kingdom of Spain and the United Kingdom, or would wish to ignore the right to self-determination of any people of any country in the world.

I respectfully ask, therefore, that Folketingets Europaudvalg reject clause 22 of the draft negotiating guidelines, and not be party to the territorial claims of the Kingdom of Spain that are, in fact, separate to the future negotiations regarding the departure of the UK from the EU.

Thank you for your consideration, and please do feel free to contact me if I can assist in your deliberations on this matter in any way.

Kind regards,

Duncan Stuart Jones.