

# Tensions Between Britain and Spain over Gibraltar

Written by Rachael Squire

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RACHAEL SQUIRE, JAN 24 2014

*Does my hon. Friend agree that the behaviour of the Spanish Government has got worse and worse, and that rather than behaving like the democratic European country that it is supposed to be, Spain's intimidation tactics put it more in line with Iran than Europe? Does he agree that if this carries on, we should send the Spanish ambassador packing from this country?* Robert Halfon MP

Robert Halfon's remarks were one of a number levelled at FCO Minister Mark Simmonds in a Parliamentary debate on Gibraltar on 20 November which saw MPs from across the House come together to express their views on Spain's activities in and near disputed Gibraltar territory.

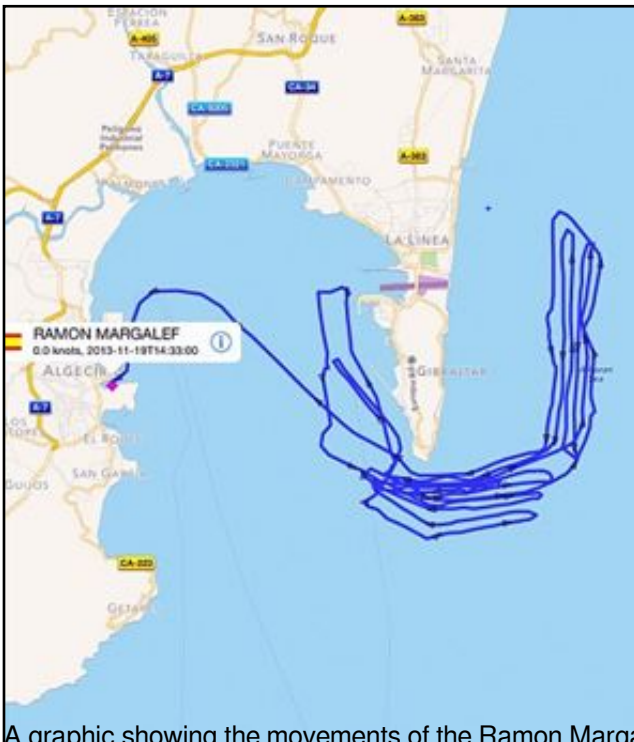
Tensions between British Gibraltar and Spain are well documented and this strategically positioned rocky outcrop has been the subject of scholarly geopolitical intrigue for some time. In the absence of armed conflict, sovereignty performances have become commonplace and have proved an area ripe for academic deconstruction. On land for example, Dodds considers the importance of the 1953-54 British Royal Tour to the territory as an opportunity for the local residents to 'perform their loyalty' to the British Royal Family and indirectly to Britain. Spain also make their claim to the territory apparent through visible performances such as the heightened border controls currently in operation between the two states. Most recently, Britain have made a formal complaint to the Spanish Government after one of their diplomatic bags was believed to have been opened.

These performances also play out in interesting ways beyond terra firma. As well as referring to the border checks, Robert Halfon was alluding to events which took place in the second frontier of this dispute – Gibraltar's territorial waters.

On 19 and 20 November, escorted by three vessels of the Spanish Civil Guardia, the Spanish Institute of Oceanography research vessel, 'RV Ramon Margalef', spent 22 hours undertaking 'significant survey activity' in the shallow waters immediately adjacent to Gibraltar's coastline. It ignored repeated radio calls by the Royal Navy Gibraltar Squadron to cease its activity, leaving the Navy vessels shadowing alongside and attempting to disrupt its research. The FCO summoned the Spanish Ambassador 'to underline the British Government's serious concern' regarding the 'provocative and unlawful incursion by a Spanish state research vessel.' It is the third time the Spanish ambassador has been publicly summoned in relation to Gibraltar since the current Spanish government of Prime Minister Mariano Rajoy took office in December 2011.

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A graphic showing the movements of the Ramon Margalef in Gibraltar's territorial waters. (MARINETRAFFIC.COM)

In August tensions were also ignited when Gibraltar built an artificial reef with 70 concrete blocks in Algeciras Bay. The Gibraltarian Government claim that this was to help regenerate fish stocks and protect marine life whilst the Spanish interpreted the installation as an attempt to prevent Spanish fishing operations in the area, sparking very visible protests from Spanish fishermen. Reporting for the BBC, Tom Burridge described the 'chaotic and tense' scene as approximately 40 of these Spanish fishermen gathered around the site of the reef. His reports from Gibraltar made reference to the mass of craft weaving in and out of each other, a cordon being set up by the Royal Navy, and the fisherman being 'corralled' back into Spanish waters.

There are many other examples of brewing maritime tensions, but these two case studies highlight some interesting themes. Firstly, how the water can come to act as a proxy space and a stage upon which diplomatic disputes are enacted, performed, and made manifest to the both states and publics. More than that, however, in the case of Gibraltar, it is not simply a case of tensions overflowing into the surrounding waters. On the contrary, Spain's oceanographic mapping of the waters surrounding Gibraltar is an act of deliberate denial – that it the scientific and legal denial of the very existence of Gibraltarian "territorial waters" as a geopolitical object. Spain argues that Article 10 of the Treaty of Utrecht (1733)—the treaty that ceded Gibraltar to the Britain—denies Gibraltar any territorial rights to the surrounding seabed or waters. Paragraph 2 of article 10 is frequently cited in support of this claim: "[...]the above-named propriety [Gibraltar] be yielded to Great Britain without any territorial jurisdiction and without any open communication by land with the country round about."

The true implications of this clause are, of course, open to legal and political interpretation, and many believe that the Treaty of Utrecht has, in effect, been modified through Spanish and British subscription to various UN conventions and the EU Treaty. Nonetheless, that Spain has chosen to exercise its perceived sovereignty in these watery conditions is evidence that the surface and the depths below act as strategic spaces upon which and through which this dispute continues to play out and where political inscriptions are made – both of which have significant consequences for diplomatic relations on land.

Concomitantly, actors such as fishermen who may only be concerned for their livelihood, and material objects such as boats and concrete become embroiled in a context much greater than the sum of their parts.

The materiality of the reef is extremely significant here, the sunken concrete acting as a tangible, marked space

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beneath the unmarked and 'blank' surface of the water. As one BBC reporter highlights, the artificial reef became a 'site of controversy' and in itself a source of diplomatic hostility. Far from being a space without geography, the water is in this instance extremely situated. This is exemplified by the extremely provocative image below, taken by a specialist unit of the Guardia Civil. It is understood that they secretly entered British territory using underwater scooters launched from patrol boats moored in Spanish territory, unfurling the Spanish flag upon reaching the reef.

Similarly, the incursion by the RV Ramon was justified by a need to explore the depths beneath the surface. Oceanographic research, not for the first time, was implicated a strategic tool in the pursuit of specific geopolitical objectives. It also sought to plug the disputes into a wider environmental discourse. The Spanish captain insisted that their research was being carried out with full permission from the Spanish Government and was in the interest of the whole European Community. Whilst the captain did not specify exactly how this research would serve Europe, it was a significant linguistic choice. By playing on the supra national nature of their research, Spain are arguably seeking to convey that their claim to the waters has a wider legal, environmental, and geopolitical significance that has implications well beyond the disputed borders – land and sea – with Gibraltar.

As Phil Steinberg highlights, human interactions with ocean space are extremely significant and an object of study in their own right. The water in this instance acts as a stage in which to express and enact certain (geo)political objectives, simultaneously feeding, stoking, and sometimes inflaming a dispute that has, until recently, been primarily focussed on the land. Like the land, the waters are a space that shapes and is shaped by social processes, with political competition on the water impacting and structuring perceptions of territory, borders, and ownership. Every incursion on the water only leads to indignation from the British political elite, a resurgence of loyalty to the people of Gibraltar, and a renewed commitment to securing the territory as demonstrated in the Parliamentary debate mentioned at the beginning of this post.

With Spain and Britain's 'entrenched and immutable negotiating positions', this is not a problem set to disappear. Physical incursions on terra firma are highly unlikely to take place due to the complicated Spanish/British dynamics involving expats and exports, supra-national bodies and symbiotic economic systems. The waters surrounding the rock thus act as both a frontier, a stage, and a physical situated space under which and upon which this drama will continue to unfold.

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