

GIBRALTAR: ODYSSEY MARINE EXPLORATION
10 AUGUST 2007 UPDATE

Odyssey Marine Exploration (OME), a US company specialising in deep-ocean shipwreck exploration, have a contract with the Disposal Services Agency to identify and excavate the possible wreck of the 17th Century ship the Sussex, which sank off Gibraltar. OME also has a separate commercial agreement with MOD to use berthing facilities in the military part of Gibraltar harbour.

Separately, OME have been working on a wreck they call Black Swan. On 10 April and 16 May OME airfreighted approximately 500,000 gold and silver coins recovered from the site to the USA via Gibraltar. Spanish government and press interest has been high asserting that Spain has a claim over the wreck. This has been supported by the Spanish legal system and in June the Spanish Ministry of Culture announced that a warrant had been issued by a judge for the arrest of OME's vessels. As is permitted under Spanish law, the judge has declared the proceedings secret. Spain has also demanded the exact location of the wreck but OME have so far refused on commercial and security grounds.

Until 12 July, both OME's vessels were in Gibraltar naval base. Spain made clear that they would be arrested when they left. OME's smaller ship left Gibraltar on 12 July and was duly arrested by the Spanish Guardia Civil and Navy in disputed waters 3.5 miles south of Gibraltar and escorted to the bay of Algeciras. The *Ocean Alert* has subsequently left Algeciras; however, items such as laptop computers have been retained by the Spanish. The FCO protested to the Spanish MFA, asserting our belief that the waters are international and therefore outside Spain's jurisdiction.