

Trilateral Forum

OFFICIAL DOCUMENTS RELEASED AFTER THE MEETING IN CORDOBA
COMMUNIQUÉ OF THE MINISTERIAL MEETING OF THE FORUM OF DIALOGUE
ON GIBRALTAR.

1. The Minister of Foreign Affairs and Co-operation of the Kingdom of Spain, Mr Miguel Angel Moratinos, the Minister for Europe of the United Kingdom of Great Britain and Northern Ireland, Mr Geoff Hoon and the Chief Minister of Gibraltar, Mr Peter Caruana held the first ministerial meeting of the Trilateral Forum of Dialogue on Gibraltar (“the Forum”) in Cordoba today under the terms of the Joint Communiqué of 16 December 2004.

2. Since the establishment of the Forum there have been five rounds of discussions. This has made it possible to address a number of issues in detail, and in a constructive spirit, and to resolve them in a way acceptable to Governments of Spain, the United Kingdom and Gibraltar (“the participants”), so as to benefit both Gibraltar and the Campo de Gibraltar, and thus contribute to the creation of a constructive atmosphere of mutual trust, respect and co-operation.

3. We are therefore happy to announce today a package of agreements which we believe will enhance the economic and social development of both Gibraltar and the surrounding region, in particular the Campo de Gibraltar. These agreements show our commitment to the solution of specific problems but have no implications whatsoever regarding sovereignty and jurisdiction, or regarding any issues thereby affected, and any activity or measure undertaken in applying them, or as a consequence of them, is understood to be adopted without prejudice to the respective positions on sovereignty and jurisdiction. The Government of Gibraltar understands and accepts that references to sovereignty in this Communiqué are bilateral to the UK and Spain.

The Pensions Issue

4. We are glad to announce a settlement of the issue of the pensions of former Spanish workers in Gibraltar, the details of which are set out in the Statement on Pensions attached to this Communiqué as Annex 1.

From our earliest discussions about the establishment of the Forum, we agreed on the need to tackle this issue, given the age and financial vulnerability of the group of people affected. Thanks to the thorough work carried out by our technical experts and to our political determination to resolve this issue, we are able to offer a solution which we believe is fair and balanced to all the former Spanish workers who suffered the consequences of decisions adopted in the 1960s.

Every affected pensioner will be personally informed of this offer shortly, and we hope that those affected will welcome the settlement which the participants regard as final. The Gibraltar Government will make a separate statement shortly in respect of other Gibraltar pensioners.

Gibraltar Airport

5. We have also been able to agree upon arrangements that will facilitate the enhanced use of the Gibraltar Airport for civilian air traffic for the benefit of Gibraltar and the Campo de Gibraltar. Details of the agreement are set out in the Statement on Gibraltar Airport attached to this Communiqué as Annex 2.

The full implementation of that Statement entails the construction of a new single air terminal adjoining the south side of the fence/frontier, and related road and access works. We have therefore agreed to advance, as far as possible, the implementation of many of the provisions of that Statement, so as to enable the citizens of Gibraltar and the surrounding area to enjoy the benefits thereof even before these civil works are completed.

Fence/Frontier

6. More fluid movement of people, vehicles and goods between Gibraltar and the surrounding area will improve the day to day lives of people in Gibraltar and the Campo de Gibraltar. The Spanish Government, through the Agencia Estatal de Administración Tributaria, is already investing close to one and a half million euros in substantial improvement works to its facilities and those of the Guardia Civil. The works will be completed this year, at which time the access will operate on a two lane basis in both directions and the red/green channels system, for both people and for vehicles, will be introduced. The Gibraltar Government has also invested substantial sums of money on the enhancement of its facilities.

7. We also commit ourselves to keep the situation under review and to study additional measures to further improve the fluidity of both commercial and non-commercial traffic in both directions, bearing in mind the challenge posed by an annual traffic of more than seven million persons between territories with different customs regimes since Gibraltar is outside the EU Customs Union, and given also the fact that the UK (and thus Gibraltar) are outside the Schengen area for external borders purposes. As long as these differences remain, certain controls are necessary, and this, coupled with traffic volumes means that some delays are inevitable.

However, we acknowledge that the fluidity of traffic will continue to be an important issue for the Forum given the high numbers of daily movements for reasons of work, commerce and leisure.

Telecommunications

8. In the field of telecommunications, and in order to both address the current limitation on the quantity of telephone numbers in Gibraltar accessible from and through the Spanish network, and also enable roaming agreements between networks in Spain and Gibraltar for mobile telephones, telephone calls from Spain to Gibraltar will be

channelled using the technical procedures for international direct dialling recommended by the International Telecommunications Union for all States and territories, including the territory of Gibraltar.

In addition, the Spanish network operators will be able to accept the codes assigned to Gibraltar by the aforementioned organization, in order to identify the operators in that territory.

These arrangements will become operational within four months from to-day's date, and the 30,000 telephone numbers reserved by Spain in its national numbering plan for access to the Gibraltar network will then be available for reassignment in Spain.

Since the introduction of mobile roaming is a matter for the Network operators, the participants shall request from their respective telephone Network operators that, as soon as possible, they enter into appropriate commercial agreements, in accordance with the rules of the free market and in compliance with the EC Electronic Communications Directives (Directive 2002/21/EC of the European Parliament and of the Council of 7 March 2002 on a common regulatory framework for electronic communications networks and services) and other legal community provisions on electronic communications, all of which have been brought into effect.

Instituto Cervantes

9. We welcome the proposal by the Spanish Government to establish in Gibraltar an Instituto Cervantes. The Instituto Cervantes is dedicated to increasing knowledge of the Spanish language and culture. We welcome also the Gibraltar Government's agreement to make available suitable premises for the Institute, and its willingness to facilitate its early establishment.

Comisión Mixta de Cooperación y Colaboración

10. We encourage the "Comisión Mixta de Cooperación y Colaboración established between the Mancomunidad de Municipios de la Comarca del Campo de Gibraltar and the Gibraltar Government" to continue its work for the development of local co-operation. We would also welcome the participation in the Comisión Mixta of the Junta de Andalucía, as this would enhance the efficacy of this process in areas of its competence.

Ports

11. We welcome and encourage the co-operation between the port authorities of the Bay in relation to issues relating to their operations, and in continuing to explore possibilities for collaboration in fields of common interest.

Commitment to the Forum

12. We reiterate our full commitment to continue the process of dialogue entailed by the Forum, with its open agenda, on any issue relating to or which affects Gibraltar. We have had an exchange of views about the range of issues that could be discussed in future meetings of this Forum.