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PRESS RELEASE

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Government regrets European Parliament vote on Single European Sky

The Government regrets the decision of the European Parliament to exclude Gibraltar from the Single European Sky II+ Regulation on its first reading. This has come about as a result of amendments to the Regulation tabled by the European People's Party (EPP) at the behest of Spain's Partido Popular.

The Government is very grateful to Sir Graham Watson MEP and to the other supporters of Gibraltar in different political groups who canvassed and voted for a positive outcome. The reality is that the EPP is by far the largest group in the European Parliament with 274 MEPs out of 766.

The Regulation had been originally proposed by the European Commission with the language agreed at Cordoba in 2006 which meant that Gibraltar was included in the measure. However, given that the Government of Spain has repudiated the Trilateral Forum and the aviation measures that flowed from it, the PP MEPs tabled a series of amendments which sought to suspend Gibraltar until the implementation of the 1987 airport agreement. This reverted the position back to the old Gibraltar suspension clause which used to appear in EU aviation measures between 1987 and 2006.

The amendments tabled by the EPP were adopted by the European Parliament as follows:

- Amendment 22 – 265 against and 379 in favour
- Amendment 23 – 264 against and 356 in favour
- Amendment 26 – 220 against and 388 in favour
- Amendment 27 – 260 against and 355 in favour

The measure will now be handed over to the new European Parliament that will be elected in May.

Given that the EU operates on a process of co-decision between the Parliament and the European Council (the 28 Member States), the Regulation will also move forward to a discussion between the two institutions. It is important to note that the European Commission will introduce this measure into the Council with Gibraltar included in it, in the same way as was done with the Parliament.

It will be recalled that the European Parliament voted in February to include Gibraltar in the Air Passenger Rights legislation precisely by removing the exclusion clause that has today been inserted into the Single Sky. This anomalous position will be considered at some point by the European Council (28 Member States). They will find Gibraltar excluded from the Air Passenger Rights legislation by the Commission, but then included by the Parliament, and a month later Gibraltar included by the Commission in the Single European Sky II+ but excluded by the Parliament. The whole situation that Spain has created for the EU makes no sense whatsoever.

The Governments of the different European Union countries, which includes the United Kingdom, will have to agree the way forward on these measures.

All this shows the complicated and anomalous situation that has been created for everyone by the aggressive position that the Spanish Partido Popular Government has taken on issues which affect Gibraltar and by their determination to turn the clock back to the position that existed before Cordoba. It is wrong and totally unacceptable both in principle and in law for a part of the European Union to be potentially suspended from the application of a measure of EU law in this way.