



**HM GOVERNMENT OF GIBRALTAR
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Government notes publication of EU letter to Spain

The Government notes the publication in the media of the European Commission's letter to Spain following the second inspection visit to the frontier in July of this year.

It will be recalled that the European Commission carried out a first visit on 25 September 2013 and made a series of recommendations in November of that year to both Gibraltar and to Spain. Those recommendations were to be implemented within six months. The Government of Gibraltar immediately set about carrying out the recommendations made by the Commission. This included the construction of physical infrastructural works at the border as well as taking administrative and legislative steps. Gibraltar met the Commission deadline.

It was obvious at the time of the second inspection visit to the border by the European Commission on 2 July 2014 that Spain had not even started the works that they had been asked to carry out. This is reflected in the text of the letter from the European Commission that has now been made public.

The Government welcomes the fact that the European Commission has told Spain:

- that they have serious concerns at the lack of progress observed by the experts;
- that they are concerned at the number of complaints that continue to reach Brussels;
- that five hour delays to exit Gibraltar and enter Spain on 11 and 15 June 2014 are disproportionate;
- that Spain should implement the further measures annexed to the letter without delay and in a way which avoids a further hindrance to traffic;
- that the Commission expects the works on the Spanish side to be completed by the summer of 2015 at the latest;
- Spain to implement further measures listed in the Annexe within three months;
- Spain to report monthly;
- that the searching of 100% of vehicles should be eliminated;
- that the searching of 20% to 50% of vehicles should remain exceptional and proportionate;
- Customs checks should be carried out on the red lane;

- the intensity of the checks to exit Spain and enter Gibraltar should be reduced or abolished;
- Spain to supply detailed information;
- exchange of information between Gibraltar and Spain;
- concerned about some aspects of the current planned works on the Spanish side;
- Spain to inform the Gibraltar authorities operating the border of the temporary measures proposed, not just the United Kingdom;
- Possible joint checks between Policia Nacional and Guardia Civil to save time;
- Increase proposed green lanes into Spain from one to two plus one red;
- Eliminate proposed roundabout and 180 degree curve on the Spanish side to ensure smoother flow;
- daily cooperation and constructive dialogue between both sides of the border.

The many thousands of EU nationals from different countries who live in Spain and work in Gibraltar and who cross the frontier every day will no doubt welcome the content of the European Commission's letter to Spain. The irony is that this number includes thousands of Spanish workers on whom Spain has inflicted these lengthy and unnecessary delays as well. Cross-border trade between Gibraltar and the Spanish hinterland has been damaged by the actions of the Spanish central Government and the quality of life of thousands of ordinary people has been disrupted.

The Gibraltar Government considers that the border should become a shining example of the European principle of freedom of movement of EU nationals and others through an internal border of the European Union. It is deeply regrettable that Madrid does not operate it in this way.

The Government has requested a permanent EU monitoring mission at the border in order to ensure that ordinary people are not made to suffer through the creation of these unnecessary delays and we will continue to send monthly information reports containing detailed evidence to the European Commission on this matter.