



PRESS RELEASE

No: 559/2015

Date: 4th August 2015

EU's minor technical issues with UK & Gibraltar likely to be entirely resolved by end of year

Her Majesty's Government of Gibraltar is surprised to note that the Spanish paper 'El Pais' has written an article today on the UK's, and more specifically, Gibraltar's alleged non-compliance with the European Commission's Habitats Directive.

The issue raised concerns a very minor technical issue.

The investigation against the UK is more of a technical matter rather than a practical one. The main criticism made in respect of sites across the UK, including Gibraltar, is that the conservation objectives for EU protected species and habitats are too high level and broad and therefore they do not effectively establish priorities for the maintenance or restoration, at a favourable conservation status, of EU protected habitats and species.

In response, the UK Government recently replied to the Commission setting out why there should be no concerns in this respect AND at the same time, informing the Commission that it will be reviewing current management plans and statutory provisions.

As part of the wider UK response, HMGoG has also committed to carry out this exercise by the end of this year. HMGoG is confident that the proposed approach will be acceptable to the European Commission. Moreover, the Government is also confident that it is carrying out all the practical steps that are necessary to ensure that its EU protected sites, particularly the Southern Waters of Gibraltar, are properly managed in line with the obligations of the Habitats Directive.

Evidently, therefore, the article in El Pais relates to what is a preliminary EU investigation opened against the UK, amongst other EU Member States, including Spain.

Ironically, however, the Spanish Government is actually in a far worse position given that the Commission has ALREADY initiated infringement proceedings for failing to discharge its practical obligation to designate Special Areas of Conservation (SACs) in the first place.

Indeed, this is not the only case in which the Spanish Government is being taken to court for non-compliance with its EU environmental obligations.

In mid-July the Commission announced that it was taking Spain to the EU Court of Justice (CJEU) over poor waste management in the regions of Andalusia, Balearic Islands, Canary Islands, Castile-



La Mancha, Castile and León and Murcia. Despite earlier warnings from the Commission, the Spanish Government has failed to take measures to close, seal and ecologically restore 61 illegal landfills, as laid down by EU waste legislation. In fact, it is noteworthy that in its publication of environmental infringements recorded by the European Commission for the year 2014, Spain had the second worst record of all EU Member States with 30 infringements, at a par with Romania and second only to Greece with 36 infringements.