



PRESS RELEASE

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Government responds to Spanish Europe Minister

Her Majesty's Government of Gibraltar notes further statements from Spanish Europe Minister, Marco Aguiriano in respect of the Memoranda of Understanding agreed to implement the Gibraltar Protocol of the UK/EU Withdrawal Agreement.

The Chief Minister of Her Majesty's Government of Gibraltar, the Hon Fabian Picardo QC MP, said: "Our position remains as I told the Gibraltar Parliament at the end of last year. Legally, the MoUs take effect only if the Withdrawal Agreement comes into effect. Without the Withdrawal Agreement, the MoUs are not legally effective. As I said in December, they are, nonetheless, a useful basis to build on to soften the blow of a no-deal Brexit."

The relevant part of the Chief Minister's statement to Parliament on the 20th December 2018 provides as follows:

"And in that context I also want to clearly reflect that our position is that the Memoranda of Understanding that have been agreed by us with Spain are agreed in the context of the existence of the Withdrawal Agreement.

They are agreements designed to implement commitments set out in the Protocol on Gibraltar in the Withdrawal Agreement.

Without a Withdrawal Agreement there is no Protocol on Gibraltar.

Without a Protocol on Gibraltar, there are no effective Memoranda hanging off that

But that is not to say, Mr Speaker, that in a no deal context we would not wish to consider with Spanish colleagues how to adapt arrangements to ensure we work to soften the blow of no deal for our respective citizens and continue to seek cooperation on the terms of the MoUs in those important policy areas.

We will start consideration of such matters in early January in meetings in London with UK and Spanish colleagues.



But we do not consider that it is accurate to say that the MoUs can automatically be considered to be in effect if there is no *Withdrawal Agreement*.

The Opposite is our legal view."