

**STATEMENT BY THE GSLP/LIBERAL OPPOSITION 143/2006**  
**14 November 2006**

The Opposition has noted the statement issued by the Gibraltar Government and the Foreign Offices of the UK and Spain in relation to “recent statements” on the Cordoba agreements. We can well understand how grateful Mr Caruana must feel at what is clearly a damage-limitation exercise.

Mr Caruana thinks the rest of us rushed prematurely to react to Mr Moratino’s comments. His own premature rush in doubting that these comments even existed apparently does not count.

The joint statement issued by the three Governments does not change anything. It simply refers the issue back to the text of the Cordoba agreement in relation to the airport.

However, Mr Moratino’s comments were manifestly not an attempt to rewrite the written text. They were a political evaluation on his part, as Foreign Minister of Spain, as to the political benefits his country will obtain from it.

Therefore it is still reasonable to argue that Mr Moratinos is better qualified than Mr Caruana to judge what is good for Spain.

The view expressed by Mr Moratinos, and reflected in the answers given to the AREA group, therefore still stand. This has not been retracted.

Mr Caruana considers that what is due to happen at the airport in 2008 is less beneficial to Spain than what was agreed in 1987. In the exercise of his own value judgement, Mr Moratinos thinks the very opposite. He considers that the role that Spain would get in 2008 would leave it in an immeasurably strengthened position in relation to the sovereignty dispute over the isthmus, as compared to the provisions of the 1987 airport agreement.

Since we have not accused the Government of anything, we have nothing to retract. Mr Moratinos in his statement, made clear that he is convinced Spain's position has been strengthened by those elements in the agreement that are due to come into effect in 2008. It is not the first time that Mr Moratinos has expressed such a view and nothing that has been said indicates that he has changed his mind.

The joint statement issued now answers not what Moratinos said, but what Mr Caruana claimed he had said. For example, Mr Caruana argued it was inconceivable that Mr Moratinos should have said that Spain would control Gibraltar Customs and immigration. Nobody claims that Mr Moratinos had said this.

However, what Mr Moratinos actually did was to interpret the fact that Mr Caruana supports a change in 2008 which would permit Spanish police and guardia civil to exercise control from La Linea

over passengers while they are between the aircraft and the Gibraltar authorities.

Spanish police will not be giving people clearance to enter Gibraltar, but what they will do is give people clearance to exit Spain, even though they are not in Spain, have flown from Spain to Gibraltar and have landed on British soil.

The agreement clearly states that the legal position is that a passenger does not exit Spain when his flight leaves Madrid for Gibraltar, nor does he exit Spain when the aircraft has landed in Gibraltar and the passenger is on the tarmac. A passenger does not exit Spain until they have approached and been processed by the Spanish officials located on the line of the Spanish frontier inside the terminal building.

This means that because the Spanish controls will be exercised in-between the aircraft and the Gibraltar authorities, the practical effect will be that by denying entry to or exit from Spain, they will be able to interfere with entry to or exit from Gibraltar.

This effect of having the Spanish controls in between the aircraft and the Gibraltar authorities only applies as from 2008 and will not exist in the next two years. It is this, which Mr Moratinos highlighted in his statement as signifying that in 2008 the flights concerned would be from one part of the national territory to another Spanish airport.

We evaluated the implications of these arrangements well before Mr Moratino's explanation to AREA, and we are committed in Government not to put them into effect in 2008. Nothing in the latest statement, which has been welcomed by Mr Caruana alters this position, which is acceptable to him but not to us.

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