

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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A number of serious issues have been highlighted by Spanish air traffic controllers and its airport organisation AENA which show the extent to which Madrid's sovereignty claim is interfering with air communications in the region. This points to the fact that despite the propaganda about the restoration of normality in air communications between Gibraltar and Spain the present situation is far from normal.

The position of the Spanish Government that Gibraltar has no sovereign airspace has led to claims that air safety and security are being compromised in the skies around Gibraltar. AENA has complained about the absence of standardised procedures and agreements with Gibraltar that in some cases makes the safety and security of air operations difficult to guarantee. The Director of AENA last year floated the possibility of establishing Air Traffic Flow Management (ATM) coordination with Gibraltar but was told that any such contacts must be first coordinated with the Spanish Foreign Ministry. It is clear from the information that has been made public that even matters of a technical nature are being made subject to political considerations because of the Spanish sovereignty claim.

The establishment of a helicopter link between Malaga and Ceuta has added to the problem and AENA has reported an increased number of incidents as a result. The situation is expected to deteriorate even further when the planned helicopter link between Algeciras and Ceuta starts in July. The obvious reason for more incidents is because the helicopter operators will want to fly in a straight line which means the overflight of Gibraltar airspace which Spain does not recognise.

The Opposition is not surprised that the hard-line attitude of Madrid is proving to be an obstacle to normal communications between air traffic controllers in Spain and their counterparts in Gibraltar. There have been a number of reported incidents where Spanish aeroplanes and helicopters have strayed into Gibraltar airspace and refused to leave when requested to do so by Gibraltar air traffic control. Indeed, during the air display by the Red Arrows a solitary Spanish aircraft which was believed to belong to its environment Ministry made its presence felt close to Gibraltar at the same time as the display was going on.

Moreover, when the Gibraltar Parliament enacted the Civil Aviation Act which transferred most powers over civil aviation from the Governor to the Government, it was reported at the time that this did not go down well in Madrid. In view of the position of Spain, Shadow Minister responsible for Civil Aviation Dr Joseph Garcia asked the Government in Parliament last year to confirm that the Civil Aviation Act applied to the territorial airspace of Gibraltar and for a geographical description and the geographical coordinates of Gibraltar's territorial airspace. The Government confirmed that the Act applied "to the territorial airspace of Gibraltar, which consists of the airspace above the land mass of Gibraltar and the territorial waters of Gibraltar", and they supplied the precise coordinates.

Commenting on the matter, Shadow Minister with responsibility for Civil Aviation Dr Joseph Garcia said:

"The Spanish Government are causing all sorts of problems because they refuse to recognise that Gibraltar has any sovereign airspace. The Spanish controllers and AENA are now calling for a formal letter of agreement between Gibraltar and Seville in order to standardise procedures for flights in and out of our airport and for Gibraltar to be assigned airspace. This is something that the Spanish Government have always refused to do for political reasons. The solution to this predicament is very simple. All that they have to do is recognise the legal and practical reality that Gibraltar has its own airspace."