

GIBRALTAR: AGREEMENTS BETWEEN THE KINGDOM OF SPAIN AND THE UNITED KINGDOM COOPERATION IN THE USE OF GIBRALTAR AIRPORT; TO RESUME THE FERRY SERVICE BETWEEN GIBRALTAR AND ALGECIRAS AND TO END DELAYS AFFECTING LAND TRANSPORT:

JOINT DECLARATION

The Minister of Foreign Affairs of the Kingdom of Spain, His Excellency Sr Don Francisco Fernandez Ordonez, and the Foreign and Commonwealth Secretary of the United Kingdom, the Right Honourable Sir Geoffrey Howe, meeting in London on 2 December 1987,

taking into account the joint communique agreed at Brussels on 27 November 1984 which established a negotiating process between both countries aimed at overcoming all the differences between them over Gibraltar and at promoting cooperation on a mutually beneficial basis on a number of matters including aviation;

taking into account also the discussions within the Council of the European Community about the European Commission's proposals for liberalising air transport;

understanding, as a result of the conversations which have taken place between the two Ministers, that both Governments consider that greater cooperation over the use of Gibraltar airport will be beneficial for both countries and for the population of Gibraltar and the Campo de Gibraltar;

and in view of the fact that application of the European Community air transport policy to Gibraltar airport will mean an increase in its civil use,

have agreed the following arrangements:

over.....

[Text of these agreements was provided by W J Dixon, Information Officer of the British High Commission, Canberra. As a result of these agreements, the European communities were able to adopt measures liberalising the communities' aviation policy: Official Journal L374, 31 December 1987. As a result of these agreements, the European Communities were able to adopt measures liberalising the Communities' aviation policy: Official Journal L374, 31 December 1987].

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1. The aeronautical authorities of the two sides will hold regular consultations about all questions relating to the development of the civil use of the airport, including those relating to the establishment of new services to third countries.

Permission for Spanish airlines to operate services between airports of the Kingdom of Spain and Gibraltar, under paragraph 1 of Article 6 of the draft EC Decision on capacity and market access, will be given by the Spanish authorities.

2. The Spanish authorities will build a new terminal at La Linea de la Concepcion adjacent to the northern side of the existing frontier-fence. Passengers using this terminal will have direct access to the airport through a gate in the south side of the terminal.

3.1. The Spanish terminal will be used by the following categories of passengers:

- Passengers from any country, flying in aircraft of any company and of any nationality, whose destination on disembarking is any point on the territory situated to the north of the frontier-fence;

- Passengers proceeding from any point of the territory situated to the north of the frontier-fence who embark in aircraft of any company and of any nationality, for any destination.

3.2. The British terminal will be used by all other passengers.

3.3. Where appropriate, passengers will be subject to customs and immigration controls in the respective terminals.

4.1. A committee will be established to coordinate the civil air transport activities of the British and Spanish terminals and their relation with the airport's other services. The committee will consist of an equal number of members appointed by each Government. Its terms of reference are set out in Annex A.

4.2. The arrangements in paragraph 4.1 will be kept under review by the Working Group on Civil Aviation Questions established in 1985 under the auspices of the Anglo/Spanish Coordinators. This Working Group will report regularly to the Coordinators. The reports will contain any recommendations for further cooperation in the use of Gibraltar Airport.

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5. The British and Spanish Governments will ensure that effective measures are taken within the existing and new terminals respectively to screen passengers and their carry-on items, and to carry out appropriate checks on crew, cargo and aircraft stores prior to and during boarding. There will be close cooperation between the authorities responsible for security within the two terminals and between them and the existing authorities responsible for security elsewhere at the airport, so as to ensure that the highest standards of security are maintained.

6. There will be continued discussions between the two sides about further strengthening of air safety and traffic control arrangements in the area.

7. The present arrangements and any activity or measure undertaken in applying them or as a consequence of them are understood to be without prejudice to the respective legal positions of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated.

8. The above arrangements will come into operation when the British authorities have notified the Spanish authorities that the legislation necessary to give effect to paragraph 3.3. above is in force, or on completion of the construction of the Spanish terminal, whichever is the later, but in any event not more than one year after the notification referred to above.

2 December 1987

ANNEX

TERMS OF REFERENCE FOR CO-ORDINATION COMMITTEE

A committee will be established to co-ordinate the civil air transport activities of the British and Spanish terminals and to liaise with the relevant authorities about the demands the two terminals place on other airport services. Its tasks will be to:

- Co-ordinate booking and check-in arrangements at the two terminals.
- Ensure co-ordination between the two terminals of arrangements for movement of passengers to and from aircraft.
- Make appropriate arrangements for dealing with delayed passengers and passengers in transit.
- Ensure co-ordinated arrangements for handling of baggage in the two terminals including delivery to and collection from aircraft.
- Ensure co-ordinated arrangements for handling, despatch and storage of mail and freight.
- Liaise with airlines about facilities and services which may be provided commercially for them, now or at some future time, either within terminals (eg information desks, ticket offices) or for aircraft (eg cleaning, catering).
- Co-ordinate the security arrangements in the two terminals affecting passengers and cargo.
- Ensure that there is no [indecipherable] between the demands placed by the two terminals on other airport services - consider the possibilities for shared services (eg terminal cleaning, first aid, etc.).
- Act as a forum for consideration of any problems in the execution of the civil air transport activities of the two terminals.

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EXTRA PARAGRAPHS IN ARTICLE 1 OF DRAFT EC CAPACITY AND MARKET ACCESS DECISION:

4. The application of this Decision to the airport of Gibraltar is understood to be without prejudice to the respective legal positions of Spain and the United Kingdom with regard to the dispute over sovereignty over the territory in which the airport is situated.

5 Application of the provisions of this Decision to Gibraltar airport shall be suspended until the arrangements in the joint declaration made by the Foreign Ministers of Spain and the United Kingdom on 2 December 1987 have come into operation. The Governments of Spain and the United Kingdom will so inform the Council on that date.

JOINT DECLARATION

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taking into account the joint communique agreed at Brussels on 27 November 1984 which established a negotiating process between both countries aimed at overcoming all the differences between them over Gibraltar and at promoting cooperation on a mutually beneficial basis:

noting that companies in Gibraltar and Spain have expressed an interest in resuming the ferry service between Gibraltar and Algeciras,

have agreed the following arrangements:

The ferry service between Gibraltar and Algeciras will be resumed as soon as possible to the mutual advantage of population of Gibraltar and the Campo de Gibraltar.

Urgent steps will be taken to improve the flow of traffic by land (for example by the introduction of red and green customs channels). Both sides will cooperate in a longer term study of possible further improvements.