



PRESS RELEASE

No: 695/2018

Date: 15th November 2018

Gibraltar is part of UK-EU transitional period

The proposed Withdrawal Agreement published yesterday by the United Kingdom and European Union makes it clear that its terms, including the transitional period, will apply to Gibraltar.

This was the number one priority of the Cabinet and of the Government and it has been achieved.

It means that Gibraltar will not crash out of the European Union in March 2019 and that things will largely remain as they are until the end of 2020. This period will allow for the negotiation of the future relationship with the European Union which would be expected to apply after the end of the transition.

The Agreement and the Gibraltar Protocol has been concluded between the United Kingdom, which is departing Member State, and the European Union.

Article 3(b) of the Withdrawal Agreement makes it clear that any reference to the term “United Kingdom” shall be understood as referring to Gibraltar to the extent that Union law was applicable to it before the entry into force of the Agreement.

This means the the use of the term “United Kingdom” means Gibraltar. It is the same formula that has been used for the Channel Islands, the Isle of Man, the Sovereign Base Areas in Cyprus and the other UK Overseas Territories.

Moreover, the Government of Gibraltar has been fully and directly involved in the negotiations as they affected Gibraltar.

It is important to recall that the Withdrawal Agreement, the Gibraltar Protocol and indeed the Memoranda the flow from it, are all time limited. These agreements come to an end on 31 December 2020. The citizens’ rights section, which protect EU nationals in the UK and UK nationals in the EU, is all that is expected to remain.

It is also relevant to point out that the Withdrawal Agreement and its protocols still need to be formally approved and ratified by the United Kingdom and by the European Union. However, the Gibraltar Government is of the view that the deal that has been concluded is far better for Gibraltar than crashing out of the European Union in four months time without an agreement.



The Chief Minister, the Hon Fabian Picardo QC MP, said: "This Protocol contains absolutely no concessions on sovereignty, jurisdiction or control. We would not have accepted it if it had. There are no issues of bilateralism that can cause any concern. Gibraltar, for EU purposes, has always been included in the definition of the Member State United Kingdom. This is an important part of our inclusion in the proposed Implementation Period and the definition of the United Kingdom in the Withdrawal Agreement. There are no matters which in any way challenge our fundamental positions on any keys issues. I expect to make a Ministerial Statement explaining the details of the Protocol and the Memoranda of Understanding next week. I am satisfied that the aspects of the proposed Withdrawal Agreement which relate to Gibraltar work for Gibraltar. There are many more documents to be published so that every part of the Protocol and its effect on Gibraltar can be properly analysed and understood."