



Parliamentary questions

11 November 2014


P-009055-14

Question for written answer
to the Commission

Rule 130

Clare Moody (S&D)

► **Subject: Gibraltar/civil aviation**

 Answer(s)

Can the Commission confirm that under the EU Treaties, EC law on civil aviation matters is applicable to Gibraltar?

Last updated: 12 November 2014

[Legal notice](#)



Parliamentary questions

12 December 2014

P-009055/2014

Answer given by Ms Bulc on behalf of the Commission

Some EU regulations on civil aviation matters contain, in relation to the Gibraltar airport, the so-called pre-2006 clause, while others contain the so-called post-2006 or do not contain any clause regarding Gibraltar at all.

According to the pre-2006 clause,

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

2. Application of this regulation to Gibraltar airport shall be suspended until the arrangements included in the Joint Declaration made by the Foreign Ministers of the Kingdom of Spain and the United Kingdom on 2 December 1987 enter into operation. The Governments of Spain and the United Kingdom will inform the Council of such date of entry into operation.

According to the post-2006 clause,

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

As expressed in the answer to the QP **E-007596/2014⁽¹⁾**, the Commission regrets that, since 2012, the Gibraltar issue has caused delay to the consideration of the different legislative files by the Council. The Commission supports any solution that can unblock pending files and is compliant with EC law.

⁽¹⁾ Available at <http://www.europarl.europa.eu/plenary/en/parliamentary-questions.html>

Last updated: 7 January 2015

Legal notice



Parliamentary questions

6 October 2014

E-007596-14

Question for written answer
to the Commission

Rule 130

Iosu Juaristi Abaunz (GUE/NGL)

► Subject: Legal rights of EU nationals at Gibraltar airport

The proposal for updated legislation on air passenger rights adopted by the European Parliament in February 2014 included Gibraltar airport. The rights of EU nationals as passengers travelling through an EU airport cannot be undermined by third-party sovereignty claims to the land on which the airport is built.

Can the Commission confirm that, where the legal rights of EU nationals are involved, the so-called neutrality principle in relation to sovereignty issues is irrelevant because the Commission has a legal duty to uphold the Treaty rights of its citizens?

Last updated: 23 October 2014

[Legal notice](#)