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Sir William Cash MP
Chair of the European Scrutiny Committee
House of Commons
London
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Dear Sir William,

The UK Government and Government of Gibraltar continue to work side-by-side to conclude a UK-EU treaty in respect of Gibraltar. I will visit Gibraltar in the coming days and I am writing to update the European Scrutiny Committee on the negotiations.

As you will recall, in December 2020, the UK, with Gibraltar, and Spain, agreed a Political Framework to form the basis of Gibraltar's future relationship with the EU. The key objective of that Framework was to ensure that people and goods could move easily between Gibraltar and the surrounding communities which is important for the whole region's economy. By maintaining the balance of the Political Framework a treaty can provide certainty for those living and working in Gibraltar and in neighbouring communities.

While the negotiations have been complex and have taken longer than hoped, we remain confident that a treaty is achievable. The latest round of formal negotiations took place in London in February. We plan to have an intensive set of negotiations throughout March to get us towards an agreed Treaty text. Throughout negotiations the UK, with Gibraltar, has presented proposals that respect the balance agreed in the Political Framework and would secure future prosperity for the whole region.

Ensuring fluid movement of people across the border with Spain has been the key area of discussion. To do this we are seeking to conclude the practical details of a mobility arrangement with the Schengen Area, not membership of it. This arrangement would remove checks from the Gibraltar-Spain border. Instead, those arriving in Gibraltar would pass through Gibraltar immigration, followed by Schengen immigration.

Other areas include movement of goods, law enforcement and criminal justice, transport, social security coordination, citizens' rights, a 'level playing field' for cross border trade, and data protection.

You may have seen that Spanish Foreign Minister Albares wishes to include an agreement on Gibraltar Airport. While an airport agreement was not part of the Political Framework agreed with Spain in December 2020, we have been flexible in exploring practical and technical options to facilitate flights between Gibraltar and the EU. This could further the economic opportunities of the region. The UK will only agree to terms that the Government of Gibraltar are content with and will not agree to anything that compromises sovereignty.

While fully committed to the successful conclusion of a Treaty, it is prudent to continue to work closely with the Government of Gibraltar on No-Negotiated Outcome (NNO) contingency planning. Earlier this month I co-chaired an NNO Board with the Deputy Chief Minister of Gibraltar. We meet regularly so that our two governments can ensure robust plans are in place. Together, we have tested and improved the resilience of Gibraltar's critical national infrastructure. Since 2020 the UK Government has provided both financial support and expertise to support this work. The UK Government provided £803,000 towards container terminal renovations which have quadrupled container storage capacity. Additionally, the Government of Gibraltar has increased fuel storage capacity to mitigate possible disruptions at the border which could impact supply chains. I look forward to continuing my discussions with the Deputy Chief Minister while in Gibraltar.

Given the European Scrutiny Committee's ongoing inquiry into the Gibraltar negotiations I trust this update is of interest. Additionally, the UK's Deputy Chief Negotiator, Robbie Bulloch, would be happy to give you a private briefing. I am copying this letter to Lord Ricketts, Chair of the European Affairs Committee, and Sir Robert Neill, Chair of the APPG on Gibraltar.

Yours ever,



Leo Docherty MP
Minister for Europe