

GRS 410

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DESKBY 261715Z

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FM MADRID 261608Z DEC 81

TO IMMEDIATE FCO

TELEGRAM NUMBER 498 OF 26 DECEMBER

AND TO IMMEDIATE GOVERNOR GIBRALTAR (PERSONAL)

MY TELNO 497: GIBRALTAR.

FOR EASE OF REFERENCE FOLLOWING IS TEXT IN MY TELNO 495, AS AMENDED IN ACCORDANCE WITH PARAGRAPH 3 OF MY TEL UNDER REFERENCE:

1. I SUMMARISE IN THIS LETTER THE UNDERSTANDING WE HAVE REACHED IN OUR CONVERSATIONS.

2. THE SPANISH AND BRITISH GOVERNMENTS HAVE AGREED TO START NEGOTIATIONS AIMED AT OVERCOMING ALL THE DIFFERENCES BETWEEN THEM ON GIBRALTAR ON (DATE) . SIMULTANEOUSLY, AND IN IMPLEMENTATION OF THE LISBON DECLARATION, DIRECT COMMUNICATIONS WILL BE RE-ESTABLISHED ON THE SAME DAY. BY THE RESTORATION OF COMMUNICATIONS IS MEANT THE OPENING OF THE LAND FRONTIER TO BOTH VEHICLES AND PEDESTRIANS AND THE ABSENCE OF GOVERNMENTAL RESTRICTIONS ON MARITIME AND AIR COMMUNICATIONS.

3. THE TWO GOVERNMENTS, IN ACCORDANCE WITH THE LISBON DECLARATION, HAVE CONFIRMED THEIR OBJECTIVE OF PROMOTING CLOSE UNDERSTANDING BETWEEN THE INHABITANTS OF THE AREA ON THE BASIS OF RECIPROCITY AND FULL EQUALITY OF RIGHTS. TO THIS END THE SPANISH GOVERNMENT NOTE THAT THE NEW REGIME MODIFIES THE SITUATION WHICH EXISTED BEFORE 1969, REMOVING ELEMENTS WHICH IN THE VIEW OF THE SPANISH GOVERNMENT WERE DISCRIMINATORY AND WHICH THEY CONSIDER FUNDAMENTAL. SPECIFICALLY, EQUALITY FOR SPANIARDS WHO WORK IN GIBRALTAR AS REGARDS THE RIGHT TO STAY OVERNIGHT AND IN MATTERS OF EMPLOYMENT, SOCIAL SECURITY AND SALARIES AND THE RIGHT TO JOIN TRADE UNIONS IS ASSURED.

4. THE OTHER ASPECTS OF THE SITUATION OF SPANIARDS IN GIBRALTAR WILL BE DEALT WITH IN PARALLEL TO THE INITIAL PHASE OF THE NEGOTIATIONS, IN ACCORDANCE WITH THE PRINCIPLES OF RECIPROCITY AND FULL EQUALITY OF RIGHTS LAID DOWN IN LISBON. THE FUTURE ROLE AND CHARACTER OF THE FENCE ERECTED BY THE BRITISH IN 1909 WILL EQUALLY BE DEALT WITH.

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5. BOTH SIDES RECOGNISE THAT AGREEMENTS REACHED WILL HAVE TO BE GIVEN EFFECT AS SOON AS POSSIBLE BY THE NECESSARY MEASURES WHICH WILL IF NECESSARY INCLUDE THE INTRODUCTION OF NEW LEGISLATION.

6. THE SPANISH SIDE UNDERTAKES, IN THE SPIRIT OF RECIPROCITY AND FULL EQUALITY OF RIGHTS OF THE LISBON DECLARATION, TO CARRY OUT THE NECESSARY LEGISLATIVE MODIFICATIONS TO ENABLE GIBRLATARIANS TO ENJOY IN SPAIN THE SAME RIGHTS AS SPANISH CITIZENS, WITH THE EXCEPTION OF POLITICAL RIGHTS.

7. IN IMPLEMENTING THE COMMITMENT TO GENERAL CO-OPERATION IN THE AREA WHICH WAS AGREED UPON IN LISBON, BOTH GOVERNMENTS WILL BEAR IN MIND THE PROSPECTS OF SPAIN'S EARLY ENTRY INTO THE EUROPEAN ECONOMIC COMMUNITY.

PLEASE PASS URGENTLY TO RECIPIENTS OF TUR.

PARSONS

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