

CONFIDENTIAL

Prime Minister



Foreign and Commonwealth Office

ibmty/ank  
13/12

London SW1A 2AH

13 December, 1982

John T. Jones

ms

Gibraltar: Partial Opening of the Frontier

You asked for a note about the Spanish decision to open the Gibraltar border to certain categories of pedestrians from 15 December.

The Spanish decision was published on 11 December in an official bulletin from the Ministry of the Interior. It will allow for one passage a day in each direction by Spanish nationals and the holders of British passports 'with legal and effective residence in Gibraltar'. The Spanish Foreign Minister has informed us that the gates on the Spanish side will be open 24 hours a day. In effect this means that, while all Gibraltarians and British residents in Gibraltar will be allowed into Spain, tourists and third nationals, including Moroccans, will not. Nor apparently will the Spaniards allow British residents in Southern Spain, or third country nationals, to cross into Gibraltar. They have indicated, however, that there may be room for some flexibility in practice. It is not yet clear what customs procedures will apply on the Spanish side from 15 December and hence what opportunities will exist for cross-border trade. But these opportunities are likely to be strictly limited.

Although the new Spanish move means that the border will be opened 24 hours a day for the first time in 16 years, the restrictions on the categories of person who will be allowed to cross have given rise to considerable disappointment and frustration in Gibraltar. The Gibraltarians are annoyed that the new Spanish regime will discriminate against British residents in Spain. In the absence of tourist traffic, Gibraltar will be unable to obtain economic benefits; and there may even be adverse economic consequences (as a result of Gibraltarians buying goods in Spain). Sir Joshua Hassan and Gibraltar Government Ministers issued a public statement on 12 December which voices this disappointment and says they take the view that the border gates should remain closed overnight on the Gibraltar side despite the fact that the Spanish gates would be open.

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While partial opening of the border is no substitute for full removal of restrictions as envisaged in the Lisbon agreement, it is nonetheless a step in the right direction. We must clearly look ahead to getting all the restrictions on Gibraltar removed so that normal relations can be re-established with Spain and the Gibraltar economy allowed to develop unhindered. We must also ensure that it is clear in the eyes of the world, as it has been for sixteen years, that restrictions on the frontier have always come from the side of Spain and not from that of Britain and Gibraltar. For these reasons it is right that, if the Spaniards open their gates they should be open on our side also. It would make us look absurd if, after sixteen years, the Spaniards open their gates and we close ours. Customs regulations are a separate matter. If the Spaniards impose restrictions, there is no reason why Gibraltar should not reciprocate to protect its own economy.

It is unfortunate that Sir Joshua Hassan and his colleagues have come out in public with a strongly expressed view on what is essentially a foreign policy issue. We have asked the Governor for an assessment by tomorrow of the local consequences of ordering that border opening times should match those on the Spanish side. We shall then be in a position to decide how best to proceed.

*Very much,*

*R B Bone*

(R B Bone)  
Private Secretary

A J Coles Esq  
Private Secretary  
10 Downing Street



DESKBY 150800Z DEC 82  
UNCLASSIFIED ENCLAIR  
FROM GIBRALTAR 142230Z DEC 82  
TO IMMEDIATE FCO TEL NO 114 OF 14 DEC 82  
AND INFO IMMEDIATE MADRID  
MY TEL NO 113 GIBRALTAR FRONTIER

FOLLOWING IS TEXT OF TELEVISED STATEMENT BY HASSAN MADE TONIGHT  
FOLLOWING MEETING OF GIBRALTAR GOVERNMENT MINISTERS.

THE VIEWS OF MINISTERS ON THE QUESTION OF THE HOURS OF OPENING  
OF THE FRONTIER WERE CLEARLY SET OUT IN THE PRESS RELEASE ISSUED  
BY THEM ON 12 DECEMBER. THE POSITION ADOPTED BY MINISTERS WAS THE  
RESULT, SOLEY AND EXCLUSIVELY, OF THE DISCRIMINATORY ATTITUDE OF  
THE SPANISH GOVERNMENT IN REGARD TO THE CATEGORIES OF PERSONS  
WHO WOULD BE ALLOWED TO CROSS THE FRONTIER. MINISTERS WERE PART-  
ICUALLY DISTURBED ABOUT THE DISCRIMINATION AGAINST BRITISH SUBJECTS  
IN SPAIN WHO WOULD NOT BE ALLOWED ACCESS TO BRITISH TERRITORY  
WHILE SPANISH NATIONALS WOULD. THEIR RECOMMENDATION THAT THE HOURS  
OF OPENING SHOULD BE THE SAME AS PREVIOUSLY WAS INTENDED AS A  
GESTURE OF PROTEST WHICH WOULD NOT, IN PRACTICAL TERMS, MAKE ANY  
SIGNIFICANT DIFFERENCE TO THE NEW ARRANGEMENTS.

2. WE ARE NATURALLY VERY DISAPPOINTED THAT THE BRITISH GOVERNMENT  
HAVE TAKEN A DIFFERENT VIEW AND WE BELIEVE THAT OUR DISAPPOINTMENT  
WILL BE FELT GENERALLY BY THE PEOPLE OF GIBRALTAR WHO EXPRESSED  
GREAT SUPPORT FOR THE STAND WE TOOK.

3. AS STATED IN THE CONVENT PRESS RELEASE THE CONCERN OF MINISTERS  
ON THIS MATTER HAS BEEN FULLY NOTED IN LONDON AND IN A PERSONAL  
MESSAGE TO ME THE SECRETARY OF STATE HAS INFORMED ME THAT HE  
PROPOSES TO DRAW THE SPANISH GOVERNMENT'S ATTENTION TO THE  
ANOMALIES OF THE SITUATION AND OF THE NEED TO CORRECT THEM IF  
THE CHANGE IS TO BE SEEN AS A STEP FORWARD RATHER THAN AS YET  
ANOTHER SETBACK. THE MATTER HAD PREVIOUSLY BEEN TAKEN UP THROUGH  
THE EMBASSY AND THERE IS SOME INDICATION THAT THE SPANISH  
GOVERNMENT MIGHT BE PREPARED TO SHOW SOME FLEXIBILITY OVER THE  
PRACTICAL ARRANGEMENTS.

4. AS WE ALL KNOW, THE CONSTITUTIONAL RESPONSIBILITY FOR THE  
CONDUCT OF GIBRALTAR'S EXTERNAL RELATIONS LIES WITH THE BRITISH  
GOVERNMENT. SINCE THE RESPONSIBILITY IS THEIRS, SO TOO IS THE  
DECISION.

5. BRITAIN HAS STOOD BY US OVER VERY DIFFICULT YEARS AND OUR  
DIFFERENCE OF VIEW OVER THIS PARTICULAR MATTER SHOULD NOT BE  
ALLOWED TO CLOUD OUR RELATIONSHIP TO OUR DETRIMENT. I ACCORDINGLY  
HOPE THAT THE PUBLIC WILL TAKE THIS NEWS IN THE CALM MANNER WHICH  
HAS CHARACTERISED OUR REACTIONS TO SERIOUS EVENTS OVER THE YEARS  
THEREBY ENSURING THE PRESERVATION OF OUR WAY OF LIFE. YOU CAN  
REST ASSURED THAT MY COLLEAGUES AND I WILL CONTINUE TO PRESS THE  
BRITISH GOVERNMENT FOR AN IMPROVEMENT IN THE SITUATION. OUR STRONG  
DISAGREEMENT OVER THIS MATTER DOES NOT ALTER THE FACT THAT BRITAIN  
IS FUNDAMENTALLY ON OUR SIDE

WILLIAMS

LIMITED

SED

DEF D

NEWS D

PUSD

MAED

ECD (E)

PLANNING STAFF

PS

PS/MR HURD  
PS/LORD BELSTEAD  
PS/FUS  
SIR J BULLARD  
MR WRIGHT  
MR GOODISON  
MR HANNAY  
MR GILLMORE

ADDITIONAL DISTRIBUTION  
GIBRALTAR



CONFIDENTIAL

DESKBY 150800Z

CONFIDENTIAL UK COMMS ONLY CYPHER CAT ALFA  
FROM GIBRALTAR 141900Z DEC 82  
TO IMMEDIATE FCO TEL NO PERSONAL 165 OF 14 DEC 82  
AND INFO IMMEDIATE MADRID

YOUR TELNO PERSONAL 100: GIBRALTAR FRONTIER

1. I TOOK ACTION THIS EVENING WITH HASSAN AND LEFT WITH HIM A COPY OF THE ADMIRABLY CONSTRUCTED SPEAKING NOTES PROVIDED IN YOUR TUR.

2. HIS REACTION WAS ONE OF VISIBLE COLD ANGER. HE CHARACTERISED THE DECISION AS "ANOTHER PIECE OF APPEASEMENT TOWARDS SPAIN". HE WOULD NEED TO CONSIDER HIS OWN POSITION IN CONSULTATION WITH HIS COLLEAGUES AND WOULD BE OBLIGED TO ISSUE A STATEMENT OF COMMENT TONIGHT.

3. I ADDED MY VOICE TO YOURS IN URGING HIM TO USE HIS BEST OFFICES TO AVOID NEGATIVE REACTION IN GIBRALTAR. HE SAID THAT THIS HAD SO FAR BEEN HIS INTENTION AND HE WOULD NOT "FAN THE FLAMES" BECAUSE OF HIS REGARD FOR GOOD ORDER IN GIBRALTAR. BUT HE COULD NOT BE RESPONSIBLE FOR THE SPONTANEOUS DEMONSTRATIONS OF ANGER WHICH WOULD BE LIKELY TO OCCUR TONIGHT OR TOMORROW. THIS FELL WITHIN MY AREA OF RESPONSIBILITY.

4. TEXT OF PRESS RELEASE ISSUED LOCALLY FOLLOWS.

WILLIAMS

LIMITED  
SED  
NEWS D  
ECD (E)  
DEF D  
PUSD

LEGAL ADVISERS  
PLANNING STAFF  
PS  
PS/MR HURD  
PS/LORD BELSTEAD


PS/PUS  
SIR J BULLARD  
MR WRIGHT  
MR GILLMORE  
MR GOODISON

ADDITIONAL DISTRIBUTION  
GIBRALTAR

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OUT TELEGRAM

	Classification and Caveats	Precedence/Deskby
	CONFIDENTIAL	IMMEDIATE 141500 <sup>1600</sup>

ZCZC  
GRS  
CLASS  
CAVEATS  
DESKBY  
FM FCO  
PRE/ADD  
TEL NO

1 ZCZC *Prime Minister*

2 GRS *I understand that Sir Joshua Hassan reacted*

3 CONFIDENTIAL *rather coldly to this message. but on past forms*

4

5 141500 Z *he will probably acquiesce.*

6 FROM FCO *A.F.C. 14/12*

7 TO IMMEDIATE PERSONAL GOVERNOR GIBRALTAR

8 TELEGRAM NUMBER

9 repeated for info IMMEDIATE MADRID DESKBY 141500Z *mf*

10

11 Your telno 164: GIBRALTAR FRONTIER

12 1. I have carefully considered the view of Gibraltar Ministers

13 that, although the Spanish intention is to open their gates 24

14 hours a day starting at midnight tonight, those on the Gibraltar

15 side should continue to be closed for a period of several hours

16 every night as hitherto. I have concluded that I cannot allow

17 the Gibraltar gates to be closed while those on the Spanish side

18 are open. This would be inconsistent with our position that

19 restrictions on traffic through the Gibraltar frontier have all

20 along been the fault of Spain, not of Britain or of Gibraltar.

21 With the international press gathering for the opening of the

22 gates, press accounts and photographs of closed gates on the

23 Gibraltar side would present the colony in the worst possible


24 light.

25 2. I realise that this is a testing time for Gibraltar and for

NNNN ends telegram	BLANK	Catchword	your
File number	Dept	Distribution	
Drafted by (Block capitals)		Limited	Mr Wright
Telephone number		SED	Mr Goodison
Authorised for despatch <i>14/12</i>		News Dept	Mr Gillmore
Comcen reference		ECD(E)	Addl Dist
Time of despatch		Defence Dept	Gibraltar
		PUSD	
		Legal Advisers	
		Planning Staff	
		PS	
		PS!Mr Hurd	
		PS/Lord Belstead	
		PS/PUS	
		Sir J Bullard	



# OUT TELEGRAM

	↓ ▼	Classification and Caveats <b>CONFIDENTIAL</b>	Precedence/Deskby <b>IMMEDIATE</b> 1600 141500Z
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ZCZC GRS CLASS CAVEATS DESKBY FM FCO PRE/ADD TEL NO	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<p>1 &lt;&lt;&lt;&lt;</p> <p>2 your relations with Hassan and that this decision may place you in</p> <p>3 a <u>difficult position personally</u>. But, despite the unreasonable</p> <p>4 and unbalanced nature of the <u>limitation on pedestrian traffic</u></p> <p>5 <u>across the border</u>, it is essential that the position of HMG and</p> <p>6 Gibraltar should look right in the eyes of the world at a time</p> <p>7 when considerable public attention will be focussed upon it.</p> <p>8 3. Please therefore speak to Hassan on my behalf in the</p> <p>9 following terms. Begins. It is most disappointing that the</p> <p>10 Spanish Government have decided to <u>limit</u> the categories of those</p> <p>11 who will be allowed to cross the border on foot from tonight.</p> <p>12 I realise that the Spanish announcement of these limitations has</p> <p>13 <u>been badly received in Gibraltar</u> and has placed you in a difficult</p> <p>14 <u>position</u>. I am nonetheless convinced that it would be a grave</p> <p>15 <u>mistake</u>, at a time when international attention will be focused</p> <p>16 upon Gibraltar, if the <u>gates on the Gibraltar side of the frontier</u></p> <p>17 <u>were to be shut</u> while those on the <u>Spanish side are open</u>. I have</p> <p>18 therefore instructed the Governor to ensure that Gibraltar matches</p> <p>19 <u>whatever Spain does in the matter of opening hours</u>.</p> <p>20 4. I should like to make it clear that I have taken this</p> <p>21 decision not for <del>any</del> reasons connected with Britain's relations</p> <p>22 with Spain, but in the interests of <u>Gibraltar itself</u>. To do</p> <p>23 otherwise would, I am convinced, invite ridicule and throw away</p> <p>24 at a stroke what has always been one of the strongest elements in</p> <p>25 our position, that it is not the UK or Gibraltar which is</p>
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OUT TELEGRAM

Classification and Caveats  
CONFIDENTIAL

Precedence/Deskby  
IMMEDIATE 141500Z

ZCZC  
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TEL NO



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2 responsible for any restrictions on traffic across the border.  
3 5. The Governor has told you of my conversation with the new  
4 Spanish Foreign Minister on 10 December, and of the possibility  
5 that the Lisbon Agreement may be implemented in the spring of  
6 next year. I have had a message from Moran today urging me to  
7 do what I can to make a success of tonight's pedestrian opening  
8 and indicating that Spain may be prepared to show some flexibility  
9 over the practical arrangements. I propose to go back to him in  
10 a day or two, when we have seen how the new arrangements are  
11 working, drawing attention to the anomalies and to the need to  
12 correct them if the change is to be seen as a step forwards rather  
13 than as yet another setback. If there are any particular points  
14 which you would like me to press, please let the Governor know.  
15 Meanwhile I hope you will do all you can in Gibraltar, as I shall  
16 be doing here, to present the Spanish move <sup>as a step towards</sup> ~~in as positive a light~~  
17 ~~as possible, in the interests of~~ the real prize which the <sup>full</sup>  
18 implementation of Lisbon would constitute. Ends  
19 6. On the points raised by Moran today with Sr R Parsons (Madrid  
20 telno 672):-  
21 (a) Domicile: You should make whatever documentary arrange-  
22 ments are most convenient to enable Gibraltar residents  
23 to identify themselves at the border.  
24 (b) Customs: You have discretion to impose restrictions  
25 similar to any that Spain applies, but you will no doubt

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Comcen reference	Time of despatch	



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2 wish to see first what these are in practice.  
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