European Parliament
2024-2029

Committee on Civil Liberties, Justice and Home Affairs

2026/0058(NLE)

4.11.2026

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Foreign Affairs and the Committee on International Trade

on the draft Council decision on the conclusion, on behalf of the Union, of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part

(06435/2026 – C10-0186/2026 – 2026/0058(NLE))

Rapporteur for opinion: Loránt Vincze

PA_Leg_Consent

SHORT JUSTIFICATION

The Committee on Civil Liberties, Justice and Home Affairs gives its consent and supports the Agreement with the United Kingdom of Great Britain and Northern Ireland in respect of Gibraltar. This Agreement is a consequence of the withdrawal of the United Kingdom from the Union and addresses the fact that Gibraltar is not included in the territorial scope of the EU-UK Trade and Cooperation Agreement. It has applied provisionally since 15 July 2026 and completes the legal framework governing the EU–UK relationship with regard to Gibraltar. The Committee considers that the Agreement manages to establish a balanced agreement in view of Gibraltar's particular geographical situation and in view of the specificities of Gibraltar and its special relationship with Spain. The Committee notes that the Agreement addresses practical arrangements concerning Gibraltar, without addressing broader territorial matters. In this context, the Committee takes note of the underlying issue of sovereignty in accordance with the relevant United Nations resolutions. The Committee also notes the legitimate concerns that have been raised regarding the legal nature of the Agreement, in particular in view of the nature and scope of the matters covered and their implications for Member State competences.

The Agreement establishes the basis for the removal of all physical barriers between the Union and Gibraltar. At the same time, it provides for safeguards to protect the integrity of the Schengen area through the application of the Schengen rules at the external borders of Gibraltar, Spain’s right to object to the issuance or renewal of Gibraltar residence permits on certain grounds, including public health or internal security, and the responsibility of Spain for issuing short-stay visas for Gibraltar. The Committee notes the specific nature of these arrangements, which entail the application of important elements of the Schengen acquis to Gibraltar outside the ordinary accession procedure, and stresses the importance of ensuring the integrity and proper functioning of the Schengen area, including effective external border controls and appropriate coordination with relevant EU systems, including the European Entry/Exit System (EES).

The Agreement is welcome as it promotes shared prosperity and close and constructive relations in respect of Gibraltar and the adjacent area in Spain. It protects the EU Single Market and contains robust safeguards to enable the Union to take rapid and effective action against breaches of certain provisions of the Agreement or non-fulfilment of certain conditions, including in the areas of circulation of persons, anti-money laundering and counter-terrorist financing. Moreover, the Agreement regularises the status of frontier workers and provides for their non-discrimination, right to seek employment and equal treatment in employment in Spain and Gibraltar.

The Agreement provides for cooperation in the prevention, investigation and prosecution of crime, including organised crime and illegal trafficking, as well as in the areas of public safety, money laundering and terrorist financing. In addition, the Agreement contains provisions on the treatment of applications for international protection as well as on law enforcement and judicial cooperation, which lay down reciprocal rights and obligations.

The Committee recalls that the European Parliament is to be immediately and fully informed at all stages where the Cooperation Council and Specialised Committees established under the Agreement are called upon to adopt acts having legal effects, as provided for in Article 218(10) TFEU, in order to allow it to exercise fully its prerogatives in accordance with the

Treaties. The Parliament should also be fully informed at all stages, of other decisions to which Article 218(10) TFEU applies, such as the suspension of the Agreement, or of any part of it. The Committee underlines the importance of Parliament's continued scrutiny of the implementation and application of the Agreement, including through information provided by the Commission on the work and decisions of the Cooperation Council and Specialised Committees.

Considering the above, the Committee on Civil Liberties, Justice and Home Affairs supports the Agreement, while taking note of the specific considerations outlined above, serving as the basis for our recommendation to give consent to the Agreement.

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The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Foreign Affairs and the Committee on International Trade, as the committees responsible, to recommend approval of the draft Council decision on the conclusion, on behalf of the Union, of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part.

ANNEX: DECLARATION OF INPUT

The rapporteur for opinion declares under his exclusive responsibility that he did not include in his opinion input from interest representatives falling within the scope of the Interinstitutional Agreement on a mandatory transparency register[1], or from representatives of public authorities of third countries, including their diplomatic missions and embassies, to be listed in this Annex pursuant to Article 8 of Annex I to the Rules of Procedure.

[1] Interinstitutional Agreement of 20 May 2021 between the European Parliament, the Council of the European Union and the European Commission on a mandatory transparency register (OJ L 207, 11.6.2021, p. 1, ELI: http://data.europa.eu/eli/agree_interinstit/2021/611/oj).

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Conclusion, on behalf of the Union, of the Agreement in respect of Gibraltar between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part
References	06435/2026 – C10-0186/2026 – 2026/0058(NLE)
Committee(s) responsible Date announced in plenary	AFET INTA 14.9.2026 14.9.2026
Opinion by Date announced in plenary	LIBE 14.9.2026
Rapporteur for opinion Date appointed	Loránt Vincze 2.7.2026
Discussed in committee	4.11.2026
Date adopted	4.11.2026
Result of final vote	+: 59 –: 4 0: 4

FINAL VOTE BY ROLL CALL
BY THE COMMITTEE ASKED FOR OPINION

59	+
ECR	Nicolas Bay, Alessandro Ciriani, Paolo Inselvini, Mariusz Kamiński, Assita Kanko, Georgiana Teodorescu, Charlie Weimers, Jadwiga Wiśniewska
ESN	Mary Khan, Milan Uhrík, Roberto Vannacci
NI	Erik Kaliňák, Martin Sonneborn
PPE	Magdalena Adamowicz, François-Xavier Bellamy, Ioan-Rareş Bogdan, Krzysztof Brejza, Marie-Sophie Christ, Paulo Cunha, Lena Düpont, Loucas Fourlas, Ondřej Kolář, Jeroen Lenaers, Verena Mertens, Ana Miguel Pedro, Giusi Princi, Tomas Tobé, Michał Wawrykiewicz
Renew	Barry Andrews, Malik Azmani, Raquel García Hermida-Van Der Walle, Anna-Maja Henriksson, Irena Joveva, Fabienne Keller, Brigitte van den Berg, Sophie Wilmès
S&D	Alicia Homs Ginel, Evin Incir, Marina Kaljurand, Murielle Laurent, Ana Catarina Mendes, Matjaž Nemec, Chloé Ridel, Joanna Scheuring-Wielgus, Birgit Sippel, Krzysztof Śmiszek, Kristian Vigenin, Alessandro Zan
The Left	Giuseppe Antoci, Pernando Barrena Arza, Damien Carême, Estrella Galán, Ilaria Salis
Verts/ALE	Jaume Asens Llodrà, Saskia Bricmont, Mélissa Camara, Alice Kuhnke, Erik Marquardt, Leoluca Orlando

4	-
PfE	Marieke Ehlers, Jorge Martín Frías, Tom Vandendriessche, Alexandre Varaut

4	0
PPE	Javier Zarzalejos
PfE	Susanna Ceccardi, Ondřej Knotek, Fabrice Leggeri

Key to symbols:
+ : in favour
- : against
0 : abste