

## OTHER ACTS

## EUROPEAN COMMISSION

**Information about pre-closure of multiple complaint CHAP(2013)02466**

(2019/C 247/12)

In 2013, 2014 and 2015 the European Commission received a large number of complaints about the checks made by the Spanish authorities at the border with Gibraltar on persons and goods, which were excessive and caused long delays.

The European Commission has registered these complaints under the reference CHAP(2013)02466. The acknowledgment of receipt was initially published in the *Official Journal of the European Union* C 246 of 27 August 2013. The latest information on the follow-up of this complaint can be found in the *Official Journal of the European Union* C 223 of 27 June 2018.

Following examination of the complaints as well as exchanges with the relevant authorities from both sides, the Commission decided to organise three technical visits to the crossing point of La Línea de la Concepción at the border between Spain and Gibraltar, respectively on 25 September 2013, 2 July 2014 and 27 October 2015. Each visit was followed by recommendations from the Commission to both Spain and the United Kingdom to improve the situation at the border, in particular by optimising the physical infrastructure, optimising the risk-based profiling in order to better target checks, introducing additional measures to tackle the smuggling of cigarettes from Gibraltar and developing the exchange of information and cooperation. Funding to help implement the recommended measures was also provided under the External Borders Fund/Internal Security Fund.

The Commission has continued to monitor the situation at the border crossing point of La Línea de la Concepción since then. It concluded that both Spain and the United Kingdom have implemented all the recommendations addressed to them. In addition, no further complaints on excessive delays at the border with Gibraltar and Spain have been received since then, which would indicate that the situation has stabilised.

Therefore, on the basis of the observations during the technical visits and the information provided by both authorities following the recommendations made by the Commission after each visit, the Commission has not found evidence to conclude that the checks on persons and goods as operated by the Spanish authorities at the crossing point of La Línea de la Concepción have infringed the relevant provisions of Union law.

In view of the above, the Commission's services have concluded that this case could be closed.

However, if any of the complainants in this case have any new information that might demonstrate the existence of an infringement of European Union law, they are invited to send this new information to the European Commission within four weeks from the publication of this notice. After this period has passed, the Commission intends to close the case.

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