

Cádiz  
Spain

EIB Chief Compliance Officer

98-100, boulevard Konrad Adenauer  
2950 Luxembourg

Cádiz, 27 December 2011

(...)  
EIB loan for "New Container Terminal in Cádiz" project

Dear

(...)

We would point out that not only does this project clearly contradict the EIB's core criteria but would be blatantly detrimental to the regional development of Cádiz. Furthermore, because of the city's topographical characteristics the decision cements a long-term component that goes beyond the remit of the current decision-makers. Ultimately, the conceptual rationale for the project in question (resulting from the planned organisation of the Western Andalusia's international transport network) is based not on principles of economic and logistical efficiency but on the greed of local politicians.

This assessment is explained in the attached document in English, which may be viewed in colour (...) on our website <http://elcasocadiz.es/> Please also note the relevant pictures under IMAGES. On this website you may also view the document "DER FALL PLANTA DELTA", on page 9 of which we compare the project with the ERDF criteria, which are similar to those of the EIB. We shall be sending this document within the next few days as a petition to the new Spanish Government, the project promoter of the "New Container Terminal in Cádiz".

In a series of e-mails dated 14, 15 and 18 September we drew the EIB's attention to the serious misgivings and gross inconsistencies surrounding the project in Cádiz and received a reply (see attachment) that made it clear to us that an EIB decision cannot simply be set aside on the strength of a few e-mails. What we are at a loss to understand, however, is how to interpret the penultimate paragraph: *"Against this background we have taken note of the misgivings about this project expressed in your communications and on your website and will inform the project promoter accordingly. We would, however, ask you to note that the points raised by you fall outside the remit of the Bank and that you should therefore address the authority concerned directly. We trust that you will understand that the EIB cannot override the authority in question by calling into question or commenting upon its legitimate decisions concerning this project"*.

Does this mean that, although you have been informed that something is seriously amiss here (as explained in the document DER FALL PLANTA DELTA), the EIB is unfortunately not in a position to do anything about it? On a personal note, I am a and is a Are we now therefore supposed to go out and check things, to re-examine scientific studies, etc., to save the EIB from granting a loan that is at odds with its own criteria and objectives? Particularly as it is stated in your own documents that: *"9.2 Weak governance, corruption and lack of transparency are a major issue in some of the regions in which EIB operates and acts as a serious brake on economic and social development"*.

In this connection your Vice-President Magdalena Álvarez Arza stated in an interview in *Diario de Cádiz* on 23.09.2011 that: *"This project was appraised at the EIB by a team of specialists who analyse the feasibility of a project"*. She continued: *"The environmental aspect is carefully scrutinised. When we support a project, it is because all the environmental requirements and provisions have been complied with."* As we understand it, these statements are totally at odds with the reply that we received from the EIB. (...)

In order to put the "New Container Terminal in Cádiz" project in its proper context, namely that of Western Andalusia's International Transport Plan/Seville's new port, and highlight the associated machinations, we have produced the document in English. We would ask the EIB, in view of the obvious contradictions in the project (...), **to re-examine the decision that has been taken and, if necessary, to revise it.**

It is important for the EIB to maintain its commitment to the Region of Cádiz, not only on moral grounds but because of the real economic potential of one of these "gateways to the European transport networks in the South". The current situation in Europe gives greater meaning to the EIB's insistence on a sensible and efficient solution in Cádiz. It is precisely this insistence by Europe on the efficiency of projects that stiffens the resolve of a national government to shape its economic policy accordingly. The newly elected Spanish Government gives the impression that it wants to take that approach. The project in Cádiz therefore provides the perfect opportunity to lend credence to these announcements and demand immediate action.

We ask you, to forward our request for revision of the EIB's decision on the "New Container Terminal in Cádiz" project to the appropriate authority within your institution. Ultimately, this is an inherited burden for Mr Hoyer. Cádiz does, however, have the potential to bring about highly efficient and positive, sustainable development.

We shall be happy to provide your institution at any time with further information.

Yours sincerely,