

**From:** [Asociación El sol sale para todos](#)  
**To:** [Complaints](#)  
**Subject:** A complaint related to Las Palmas loan  
**Date:** Monday 08 May 2017 10:08:34  
**Attachments:** [COMUNICADO DE PRENSA08052017.pdf](#)

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European Investment Bank

Claims Department

Dear Mrs.,

This email has been unanimously approved by the Board of Directors of the Civic Association "El sol sale para todos", among whose aims and objectives are to promote transparency, strengthen governance and good governance in the management of services; to promote public participation in everything related to the provision of public services and; in general, to help protect and defend the public interest and public property.

On February 16 of this year, the European Commission's Representation in Spain issued a press release, entitled "*The EIB signs a loan of 50 million euros with the City of Las Palmas de Gran Canaria and with Guaguas under the "Juncker Plan" for the new Bus Rapid Transit infrastructure*" (attached).

The present complaint is based on the lack of transparency and contempt towards the citizens by the City of Las Palmas of Gran Canarias pertaining to the information requested on projects of general interest.

At the same time, it is noteworthy that on April 5, 2017, GEURSA, the municipal urban management company, published a call for projects to build two sections of the BRT, for 1,603,102.06 euros and 6,701,147.59 euros respectively. This is surprising given the Municipal Plenary agreement of February 8, 2017 which reads as follows:

*"... Third: Given that the City does not currently have the necessary resources to carry out the Project, and given that the impact of neither the investment nor the increase of passengers subsidies to the company has been assessed, Guaguas Municipales will not be able to make the first payment of the EIB credit until the City Council has the resources to finance the operation and analyze the future impact, in order to comply with the requirements of the principles of budgetary stability and financial sustainability ...."*

Lastly, we also draw the attention of the EIB to the danger of starting a project without the funding of the project being guaranteed at the present time.

In May 2016, this Association submitted a request for information to the City Council of Las Palmas de Gran Canaria and subsequently, as a result of the silence of the City Council of Las Palmas de Gran Canaria, filed a complaint with the Commissioner of Transparency and Access to Public Information of the Canary Islands. To summarize, the following are the steps we have taken with each institution:

- 1.- On May 20, 2016, we requested from the Mayor of Las Palmas de Gran Canaria, per Law 12/2014, for transparency and access to public information, at the General Registry of the City Council of Las Palmas de Gran Canaria , nº 2016-76938, the basic study and/or records regarding the Bus Rapid Transit Preliminary Project - BRT or the high capacity rapid bus on a reserved platform.
- 2.- After the deadline of one month given by the Law to respond and given that they did

not respond, on July 19, 2016, a complaint is made to the Commissioner of Transparency and Access to Public Information of the Canaries.

3.- On August 1, 2016, the Commissioner requests the City Council to provide the requested information within a 10 day period.

4.- On November 4, 2016, the Commissioner issues Resolution R46/2016 (exit number 806), which states that:

- The claim is considered
- The City Council is required to provide the information within 10 days
- The City Council is urged to comply with the law
- The City Council is reminded that failure to comply with the law and refusal to provide information constitutes an infringement

Likewise, it informs the City Council that it is possible to present an appeal against this Resolution within a period of two months from the receipt of said Resolution, which occurred on November 8, 2016.

5.- On December 13, 2016, more than a month after receiving the Resolution, the Director General of Guaguas Municipales relays to the Association "... that there is no file containing the requested information."

We do not know the meaning of said letter, since no file was requested, only a basic study and/or report of the Preliminary Draft.

6.- On January 10, 2017, a new request for information, addressed to the Mayor, is submitted to the General Registry of the City Council, number 2017-3575, making a reference to all antecedents, especially to the Resolution of the Commissioner.

7.- With the fourth refusal of the City Council to provide the requested information, the Association requested the Commissioner on January 30, 2017 to impose disciplinary measures pursuant to Law 12/2014. To date, there is no news from the Commissioner.

8.- On April 26, 2017, we receive a letter of the Mayor's Office attaching us a copy of the information which is in the web, not the requested.

The present complaint is based on the fact that, despite our efforts and actions, the lack of transparency, obscurantism and, ultimately, the lack of information to the citizens violates the guiding principles of the European Institutions. At the same time, the European Investment Bank's economic financing for invisible projects promotes poor governance and corruption and, worse still, contradicts the principles underlying the construction of a Europe for its citizens.

We inform you that we have sent a similar e-mail to the Information Service of the Bank in order to request a copy of the record on file, given the null cooperation of the City of Las Palmas de Gran Canaria.

We remain at your disposal for any additional information or clarification you may need and, in the meantime, we await your news.

Sincerely,

Civic Association "El sol sale para todos"

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