



Европейска инвестиционна банка
Evropská investiční banka
Den Europæiske Investeringsbank
Europäische Investitionsbank
Euroopa Investeeringispank
Ευρωπαϊκή Τράπεζα Επενδύσεων
European Investment Bank
Banco Europeo de Inversiones
Banque européenne d'investissement
Banca europea per gli investimenti
Eiropas Investīciju banka

Europos investicijų bankas
Európai Beruházási Bank
Bank Ewropew tal-Investment
Europese Investeringsbank
Europejski Bank Inwestycyjny
Banco Europeu de Investimento
Banca Europeană de Investiții
Európska investičná banka
Evropska investicijska banka
Euroopan investointipankki
Europeiska investeringsbanken

Luxembourg, 29 May 2020

IG/CM/_____

Ref: SG/F/2020/02

Dear Sir,

We refer to our email of 20 February 2020 in which we informed you that the EIB Group Complaints Mechanism (EIB-CM) is carrying out a review of your case, submitted on 6 February 2020.

Your case concerns the National Broadband Plan for Ireland (“NBP”). In your complaint, you allege that the NBP is a waste of tax payers money and a contribution by EIB to it a poor use of EIB funds. You believe that SpaceX’s Starlink satellite constellation is a viable option that would not just serve Ireland’s rural internet requirements but all of Europe’s rural internet needs; you also claim that SpaceX’s Starlink will render the NBP obsolete. Also you are concerned that the NBP would divert valuable house building worker's away from the housing crisis.

The EIB-CM Policy and Procedures task the EIB-CM with addressing complaints concerning alleged maladministration by the EIB. Maladministration means poor or failed administration and it occurs when the EIB fails to act in accordance with a rule that is binding upon it.¹ The EIB’s responsibilities concerning compliance of projects with national law are defined in its policies and procedures.²

As part of its inquiry, the EIB-CM reviewed your complaint, analysed the applicable regulatory framework and requested clarifications from the EIB concerned services. Given the content of your complaint, the EIB-CM deemed it appropriate to reply by letter in line with § 4 of the EIB-CM Procedures.³ The EIB-CM made the following findings.

According to information provided on the website of the European Commission, the national broadband targets of Ireland are in line with the Digital Agenda for Europe, both for coverage and take up. The

¹ § 3.1 of the EIB Group Complaints Mechanism Policy

² § 3.3 of the EIB Group Complaints Mechanism Policy

³ § 4 of the EIB Group Complaints Mechanism Procedures - The simplified procedure applies to complaints which, because of their subject, are of easy and prompt resolution. In the case of simplified procedure, the response of the EIB Group will be a letter from the EIB-CM [...].

National Broadband Plan for Ireland - Delivering a Connected Society, adopted in 2012 and updated in 2015, sets targets for 2020. Goals of the National Broadband Plan for Ireland meet the European Commission's Digital Agenda for Europe targets aiming at 77% coverage of high-speed broadband by the end of 2018 and 90% coverage by 2020.⁴

Through the roll-out of the new network in rural areas, the NBP would contribute to reaching the targets of the Digital Agenda for Europe (100% population coverage of 30 Mbps and 50% of subscriptions to 100 Mbps by 2020) and the Gigabit society targets (in particular in reaching 100% population coverage of 100 Mbps by 2025). In addition, the roll-out of the network through rural households will reduce the digital divide between rural and urban areas in Ireland.

It is of importance to meet these targets. As society has experienced during the current pandemic crisis, access to a digital network ensures valuable human interaction and economic relief. The internet is a vital communication tool for people and communities affected by the pandemic. In the event of a global health crisis, access to broadband internet is crucial for maintaining the economy and a vital support for those affected. For example, high-speed connectivity can also improve patient access to care. Teleconsultation is an effective way to decrease the number of patients in hospitals; high-speed broadband is required for teleconsultation to incorporate videoconferencing as part of care delivery.

The potential EIB project relates to the roll-out of a high-speed telecommunications network to cover homes located in areas without network coverage (the so-called white areas) throughout Ireland under the National Broadband Plan (the "Project"). The EIB carries out a thorough due diligence of projects that it considers to finance and this may undergo several stages. This Project is subject to an appraisal in two stages. The first stage of the appraisal was confirmed by a positive decision by EIB's Board of Directors on 12 April 2018. The second stage of the appraisal, which goes into the specific financial, economic and technical details, has to be undertaken and a positive conclusion thereof is necessary prior to any financing decision. As the information on the details of the Project is still incomplete, the necessary due diligence could not be completed and no final decision concerning the financing of the Project has been taken by the EIB to date.

Given the limited information on the technical details of the Project, it is not possible at this stage to perform a valuable comparison between the Project and SpaceX's Starlink as suggested in your complaint.

Finally, in respect of your concern about the housing crisis, we note that the potential financing by EIB of the Project does not exclude availability of EIB financing for other projects and sectors in Ireland. To date, EIB has financed a number of projects in Ireland, including primary care centres, schools, social housing and a number of motorway projects.

Based on the above, the EIB-CM concludes that the allegation is ungrounded with respect to the role of the EIB.

⁴ <https://www.ec.europa.eu/digital-single-market/en/country-information-ireland> accessed on 29 May 2020

Please note that complainants who are not satisfied with the outcome of the procedure before the EIB-CM can file a complaint of maladministration against the EIB Group with the European Ombudsman.⁵

Yours sincerely,

EUROPEAN INVESTMENT BANK

⁵ § 4.5.1 of the EIB Group Complaints Mechanism Policy. Please see the European Ombudsman's Guide to complaints: <https://www.ombudsman.europa.eu/en/make-a-complaint>, accessed on 29 May 2020.

