

GOMES Ana Maria

From: GOMES Ana Maria
Sent: 02 July 2014 18:44
To: ALMUNIA Joaquin (EC)
Subject: Letter from MEP Ana GOMES
Attachments: RELATÓRIO FINAL-ENVC - 30-06-2014.pdf

Vice-President Joaquin Almunia
European Commission

Strasbourg, July 2nd 2014

Dear Vice-President Almunia,

As you may be aware, the Portuguese Parliament conducted an inquiry into the process leading to the sub-concession of the Viana do Castelo shipyards (ENVC).

The draft report of such inquiry, authored by a MP of the main the party of the government coalition and which I am enclosing, has this week been released and its conclusions endorsed by the Minister for the Defence, Mr. Aguiar Branco.

Among the main conclusions, the report states that (64 and 66) "**the position of the European Commission has left the Government with no alternative**", with regard to the illegal state aid procedure, other than the "**discontinuity between the past and the future**", thereby justifying the government's option for the sub-concession of the shipyards. The draft report states namely that (74) the Commission was of the view that "**it would no longer be possible to maintain the economic activity of a company who was the beneficiary of illegal aid**". This, I believe, goes against what has been clarified by the European Commission itself in its Communications of January and April 2013 in that the Portuguese authorities could have justified the state financial transfers within legally acceptable grounds with regard to EU competition laws which they never did, I believe, and I would appreciate if you could confirm it.

Moreover, I would like to point out that the report does not address any of the concerns that have emerged in the public domain in Portugal regarding the way in which the public tender and the competition procedures were managed. Those in charge of such procedures awarded the sub-concession to the newly created company WestSea, which arguably has no experience whatsoever in the field of naval construction and whose plans to maintain and enhance the activity of the ENVC are, at best, unclear and dubious till this day.

The draft report of the inquiry is under discussion at the moment in the Portuguese Parliament and it will be voted on July 10th. Given the parliamentary majority held currently by the governmental coalition, it is unlikely that the report will be changed in a substantial way during the next few days' negotiations. I would therefore appreciate to know your comments on the findings of this draft report, since it so clearly set out to re-write the Commission's views.

I look forward to hearing from you.

Sincerely,

Ana GOMES