

Tárgy: RE: Complaint SG/E/2020/03 - Implementation of the EIB-CM recommendations - Request for information and clarification on the Budapest Airport Concession (CAPEX Plan)

Feladó: EIB Civil Society Division <civilsociety@eib.org>

Dátum: 2022. 12. 02. 10:42

Címzett: Dönsz Kovács Teodóra <donsz.kovacs.teodora@mtvsz.hu>

CC: "info@mtvsz.hu" <info@mtvsz.hu>, "egyesulet@kulturaltlegikozlekedesert.hu" <egyesulet@kulturaltlegikozlekedesert.hu>, EIB Civil Society Division <civilsociety@eib.org>, Complaints <Complaints@eib.org>

Dear Sirs,

We refer to your message of 06 October 2022 addressed to the European Investment Bank (EIB), concerning the EIB loan for the Budapest Airport Concession (CAPEX Plan) Project [1]. We also refer to our acknowledgement of receipt of 07 October 2022, as well as to our holding message of 27 October 2022. Your request has been handled in line with the EIB Group Transparency Policy (EIB-TP) [2].

We would first like to inform you that, following the approval by the Bank of a revised capex plan, which does not include the construction of Terminal 3, the contractual arrangements between Budapest Airport and the EIB concerning this operation are in the process of being amended.

As indicated in the project's Environmental and Social Data Sheet (ESDS) publicly available on the Bank's website [3], as part of the conditions associated to the loan, prior to disbursement of the amounts relating to components subject to screening by the Competent Environmental Authority, the Promoter shall submit to the Bank satisfactory evidence of a screening out decision or an EIA Report completed to the satisfaction of the Bank if such is required.

Additionally, the Promoter shall ensure that the current Environmental and Social Management Plan is updated and extended in time and scope to cover the components of the revised CAPEX, and will notify the Bank of any unexpected environmental impacts or incidents during the works [4].

The EIB and the Promoter are currently working together in defining the scope of works of the updated Environmental and Social Management Plan, as well as on the task description of the consultant employed at the airport, which are therefore currently not held by the Bank [5]. Once finalized, the Environmental and Social Management Plan will be made public and should include, where relevant, additional information on the other elements of your list of requests such as stakeholder engagement and the mapping thereof, social mitigation measures, and noise pollution and mitigation matters.

As of today, and in line with the requirements described above, the EIB has not received any screening decision related to any of the new project components. Please also note that none of the components of the new CAPEX plan increases the capacity of the Airport. These components only concern the increase of the operational resilience and energy efficiency of the infrastructure.

As for point 8 of your message, the Bank expects the promoter to act in accordance with EU law and trusts that the local competent authorities will implement the EU law as per the transposed legislation. So far, the EIB is not aware of any infringement cases on transposed law referring specifically to the airport infrastructure.

On the basis of the above, and given the ongoing amendment process of the contractual arrangements between Budapest Airport and EIB, the Bank is unable to provide you at this stage with additional information and/or documents covered by your request [6]. The EIB will nevertheless get back to you on the remaining aspects of your request once this process has been finalized.

Finally, we would also like to inform you that the EIB loan was covered by a guarantee from the European Fund for Strategic Investments (EFSI).

We thank you for your understanding and remain available if you need clarifications [7].

Yours sincerely,

EIB Civil Society Division

[1] <https://www.eib.org/en/projects/pipelines/all/20160605>

[2] <https://www.eib.org/fr/publications/eib-group-transparency-policy-2021>

[3] <https://www.eib.org/en/registers/all/158726442>

[4] Additional information on the contractual clauses on environmental matters contained in the finance contracts signed by the EIB can be found here:

<https://www.eib.org/en/about/documents/eib-standard-contractual-clauses-on-environmental-information.htm>

[5] Art. 5.1 (a), EIB-TP

[6] Arts. 5.5 and 5.7, EIB-TP

[7] In line with Article 5.31, EIB-TP, in case of a total or partial refusal following your initial application, you have the right to make a confirmatory application asking the Bank to reconsider its position, or lodge a complaint with the EIB Group Complaints Mechanism.

-----Original Message-----

From: Dönsz Kovács Teodóra <donsz.kovacs.teodora@mtvsz.hu>

Sent: Thursday 06 October 2022 15:03

To: EIB Civil Society Division <civilsociety@eib.org>; Complaints <Complaints@eib.org>

Cc: info@mtvsz.hu; egyeselet@kulturaltlegikozlekedesert.hu

Subject: Complaint SG/E/2020/03 - Implementation of the EIB-CM recommendations - Request for information and clarification on the Budapest Airport Concession (CAPEX Plan)

Dear Sir / Madam,

The undersigned organisations, former complainants to the EIB Complaints Mechanism on the Budapest Airport Concession (CAPEX Plan), turn to you with a request for information on the implementation of the EIB-CM recommendations dated 21 October 2021, and the development of the Budapest Airport Concession (CAPEX Plan) loan project.

Please find our letter attached.

We look forward to hearing from you at your earliest convenience.

Yours sincerely,

Teodora Donsz-Kovacs

MTVSZ - National Society of Conservationists, Friends of the Earth Hungary on behalf of the Complainants

--

Dönsz-Kovács Teodóra

éghajlatvédelem és EU Alapok programvezető Climate and EU Funds senior campaigner

Magyar Természetvédők Szövetsége (MTVSZ) NSC - Friends of the Earth Hungary

H-1091 Budapest, Üllői út 91/b

Tel (iroda/office): +36-1-216-7297

Fax (iroda/office): +36-1-216-7295

e-mail: donsz.kovacs.teodora@mtvsz.hu

Skype: mtvsz_dori

working from home office

<http://www.mtvsz.hu>

<http://www.facebook.com/mtvsz>

<https://twitter.com/mtvsz>

Les informations contenues dans ce message et/ou ses annexes sont
reservees a l'attention et a l'utilisation de leur destinataire et peuvent etre
confidentielles. Si vous n'etes pas destinataire de ce message, vous etes
informes que vous l'avez recu par erreur et que toute utilisation en est
interdite. Dans ce cas, vous etes pries de le detruire et d'en informer la
Banque Europeenne d'Investissement.

The information in this message and/or attachments is intended solely for
the attention and use of the named addressee and may be confidential. If
you are not the intended recipient, you are hereby notified that you have
received this transmittal in error and that any use of it is prohibited. In
such a case please delete this message and kindly notify the European
Investment Bank accordingly.
