

WRITTEN QUESTION E-4992/08
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to the Commission

Subject: The access of companies from non-EU Member States to the calls for proposals on infrastructure projects financed or co-financed by the European Union and/ or by the national governments of the Member States

The development of the national infrastructure is a key aspect among several other priorities agreed by the European Union and Romania, prior to Romania's EU accession in 2007. This objective is presumed to be reached by promoting and implementing projects financed out of various sources: from the EU budget through non-reimbursable funds, co-financed by the Romanian Government or entirely state financed.

It was noticed both by the business community and by the beneficiaries of the projects (e.g. local communities) that construction companies coming from non-EU Member States, which expressed their interest to participate in the calls for proposals on infrastructure projects financed or co-financed by the European Union and/ or by the Romanian national Government, were disqualified in the tender procedures. The reason invoked by the Romanian Government was that their offer did not originate from an EU-based firm.

On the same basis, the Romanian Government prevents non-EU companies from participating in public tenders for projects financed only from national budgets, without any European contribution. The argument is that EU policy prohibits the access of non-EU-based firms to publicly financed projects.

The same situation was noticed in the particular case of a public-private partnership project: a company was supposed to lease from the Romanian state a piece of land, with the aim of developing and implementing an infrastructure project. The Romanian authorities prohibited the possible participation of a non-EU-based company in the project, even if it was just a subcontractor dealing with the development of infrastructure.

The abovementioned facts are illustrated by the case of the Chinese companies, which participated in the call for proposals on infrastructure projects (development of bridges, road belts etc.) organised by the Romanian authorities, and presented competitive tenders in terms of the cost-benefit ratio, but were rejected under the argument that they could not be considered in the light of the EU policy.

Against such a background and bearing in mind that simple protectionism could be seen as an unlawful arrangement or connivance between the public authorities and private economic agents at the expense of the customers' quality of life, we would like the Commission to inform the European Parliament on the following aspects.

1. Is the abovementioned reasoning invoked by the Romanian Government the official position of the European Commission?
2. Is the European Union developing a policy of protectionism in favour of EU-based companies, with regard to the financing of infrastructure projects through either European funds or national budgets? If the European Union promotes such a protective policy, what are the bases for its actions?