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P. NIKIFOROS DIAMANDOUROS

Civic Alliance for Protection of Vlora Bay  
Mr Lavdosh Ferruni  
Rr. Sami Frasheri, p 20/10/ Tirane  
Tirana  
ALBANIE

Strasbourg, 19 -06- 2007

**Complaint 1397/2007/SAB**

Dear Mr Ferruni,

I am writing in reply to your complaint of 18 May 2007 in which you complained against the European Investment Bank (EIB) concerning (i) the decision to finance the construction of an oil-based combined cycle power plant at Treport Beach in Vlora Bay, Albania; and (ii) the Loan Guarantee Agreement signed between EIB and the Albanian government on 16 December 2004. You state that the Vlora Bay project violates both the EIB's mission and the relevant EU legislation and policies. You claim that the EIB should recall the loan and immediately cancel the project.

The Treaty establishing the European Community provides for the European Ombudsman to receive complaints from:

*"any citizen of the Union or any natural or legal person residing or having its registered office in a Member State of the Union."*

From a careful examination of your complaint, it appears that neither you, nor the association on behalf of which you submitted the complaint, fall into any of these categories. I regret to have to inform you, therefore, that I have no power to deal with your complaint as such.

In the Annual Report 2006, I announced that, subject to possible future resource constraints, I envisage using own-initiative power whenever the only reason not to inquire into a complaint alleging maladministration by the EIB in its external lending

is that the complainant is not a citizen or resident of the Union. However, there are not sufficient grounds to consider opening an own-initiative inquiry into the subject matter of your complaint since you have not provided any supporting documentation.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. Diamandouros", is written over a horizontal line. The signature is stylized and cursive.

P. Nikiforos DIAMANDOUROS