

EN
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Answer given by Ms Ferreira
on behalf of the European Commission
(21.7.2020)

The Portuguese Authorities informed the Commission that the project “Melhoria dos Acessos Marítimos ao Porto de Setúbal” was approved by the COMPETE 2020 Operational Programme Managing Authority and that it is being implemented. They have pointed out that several interlocutory injunctions by different parties have all been resolved by the judicial authorities in favour of the continuation of the project.

The COMPETE 2020 Operational Programme is co-financed by the European Structural and Investment Funds (ESI Funds) and implemented in shared management mode, where the Commission approves the framework within which the ESI Funds are implemented in each Member State and plays a supervisory role by ensuring that the arrangements governing the management and control systems of the programmes are compliant. It does so by verifying the effective functioning of these systems and taking any necessary measures such as financial corrections. It is for the managing authorities in the Member States to select, implement and follow up concrete projects. Member States have to ensure that effective arrangements for the examination of complaints concerning the ESI Funds are in place.

It is therefore in the first place up to the national authorities to ensure the legality of the project at stake and to take any necessary measures. The Commission has not received any information that would suggest that EU law has been breached¹.

Therefore, for further information concerning this project, the Commission suggests to contact the Managing Authority² of the COMPETE 2020 Operational Programme.

¹ Declaração de Impacto Ambiental - Melhoria da Acessibilidade Marítima ao Porto de Setúbal, attached to the Single Environmental Permit (TUA20170720000132) issued by the Portuguese Environmental Agency (APA) on 27 July 2017. http://siaia.apambiente.pt/AIADOC/AIA2942/tua-dia_aia29422018817143640.pdf

² <https://www.compete2020.gov.pt/contactos>