



**EUROPEAN COMMISSION**

Competition DG

Markets and cases III: Financial services  
**State aids II – Task Force Financial Crisis**

Brussels, 12/07/2010\*D/8152  
COMP D3-D5/KK/mj D(2010) 545

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**Subject: CP 80/2010 - Complaint against the UK export credit scheme**

Dear Sir and Madam,

In above mentioned matter, you have sent a complaint to the Commission concerning the granting of alleged State aid to the GEFCO.

We would like to inform you that we have sent a letter to the British authorities on 12 July 2010 in order to ask them for their own summary of the facts and their position as for the alleged State aid character of the scheme. This information will allow the Commission to assess the measures in the light of Articles 107 and 108 of the TFEU.

In point 5 of your complaint form you addressed the compliance of the British ECA with the Council Directive 98/29/EC of 7 May 1998 on harmonisation of the main provisions concerning export credit insurance for transactions with medium and long-term cover<sup>1</sup> and in the World Trade Organisation (WTO)'s Agreement on Subsidies and Countervailing Measures (ASCM). We concluded that this issue does not fall into the area of competence of DG Competition, but could be in the competence of DG Trade.

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<sup>1</sup> OJ L 148, 19.5.1998.

**Please specify the name of the case and the case number in all correspondence.**

Therefore, we transmitted your complaint to the appropriate unit in DG Trade, which will further analyse whether this aspect of your complaint falls within their area of competence and, should it be the case, how should it be treated. For further information you may want to contact Mr Denis Redonnet (Head of Unit F1, phone: +32 2 29 55 424) or his colleagues, Mr Werner Scholz (phone: +32 2 29 58 055) or Ms Eva Cassel (phone: +32 2 29 93 923).

The Commission will keep you informed of the developments of the case.

In this context I wish to inform you that, in the light of Article 17(1) of the TFEU, the Commission, acting in the overall European public interest, is entitled to give differing degrees of priority to complaints submitted to it<sup>2</sup>. On the basis of the information provided by you, the Commission is of the opinion that the alleged infringement would only have limited impact on the functioning of the internal market, certainly when compared with other alleged infringements brought to its attention. In these circumstances, the Commission cannot therefore grant priority treatment to your complaint.

Yours faithfully,

Karl SOUKUP  
Head of Unit

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<sup>2</sup> Case T-475/04, *Bouygues SA v Commission* [2007] ECR II-02097, paragraph 158 and case C-119/97 P *Ufex and Others v Commission* [1999] ECR I-1341, paragraph 88.