

PRESS BRIEFING

COURT CASE TRANS-ADRIATIC PIPELINE

Counter Challenging
Balance Public
Investment Banks

BACKGROUND TRANS-ADRIATIC PIPELINE



The Trans-Adriatic Pipeline (TAP) is the western section of the [Southern Gas Corridor](#), a mega gas pipeline that connects Caspian gas to the European mainland over Azerbaijan, Georgia, Turkey, Albania, and Greece, with estimated overall costs of \$45 billion.

TAP is a highly controversial project for many reasons ranging from adverse impacts on local communities in transit countries and harmful climate impacts to questionable tactics of TAP AG, the Swiss-based company behind the project, in terms of land acquisition and pipeline routing. It has faced resistance in all its transit countries (Albania, Greece and Italy) and has been criticised by civil society organisations for its dubious contribution to Europe's energy security and for the deal that was struck with Azerbaijan's repressive regime.

The latest chapter in this chronicle is happening these days in Italy, with the two "TAP trials" that started in Lecce on September 11th, 2020.

In one of these trials, local people who have made a peaceful resistance and used civil disobedience techniques to stop the construction of the pipeline, faced fines of up to €240.000 and legal fees of up to €70.000. Shockingly, on March 20 2021, 86 individuals got sentenced to up to three years of imprisonment, for dozens of years. The judge doubled or even tripled the sentencing requests of the Public Prosecutor, and largely ignored his calls for acquittals.

In the other, the company is accused of offenses including environmental crimes committed between November 2016 and July 2019. This trial is continuing at a very slow pace, with a new public hearing planned for 9 April 2021.

WHY IS IT RELEVANT FOR ME?

There is a strong European angle in this court case, as TAP is one of the largest fossil fuel projects supported by the European Union in the last decades, despite the EU climate commitments. TAP is a project that is receiving significant public support and is part of the EU Projects of Common Interest (PCI).

TAP also benefits from massive public funding, in particular a major 1.5 billion Euros loan from the European Investment Bank (EIB) - the financial arm of the European Union, and the largest multilateral lender in the world - despite the dozens of complaints received by the bank about its harmful environmental and social impacts.

As public institutions, the Commission and the EIB have a responsibility to the citizens of Europe and beyond for supporting a project of this magnitude with this level of controversy. Therefore, we consider it crucial for the public to know about it.

THE CASE WHAT'S THE DEAL?



On February 11, 2020 two trials involving TAP AG started in Lecce, Italy. The Managing Director of TAP AG, Luca Schieppati, defended by the lawyer Elisabetta de Michelis, is among the defendants as the person representing the company in Italy. The company is defended by lawyers Paola Severino (former Italian Minister of Justice and vice president of the LUISS Guido Carli University of Rome) and Francesco Paolo Sisto.

Also among the defendants are the Country manager of TAP AG Michele Mario Elia, the project manager for Italy Gabriele Paolo Lanza (also an employee of the Snam group, a publicly owned company that is a 20% shareholder of Tap AG) and Marco Paoluzzi from the company Technip Italy in charge of the works.

The offenses on which the trial will focus on include environmental crimes committed between November 2016 and July 2019. These crimes are related to the construction of the project and the removal of olive trees in the locality of "Le Paesane" where the

prosecutor seized the construction site in April 2018 and then released it once the investigation was closed in 2019. According to the prosecutor, the preparatory work and the construction of the receiving terminal, the micro-tunnel and the placement of the pipes would have taken place in the absence of valid permits. The environmental impact assessment (EIA) was produced in 2014 and the single authorization issued in 2015 would not be valid as it would not have taken into account the cumulative impacts of the project. The public prosecutor also believes that the various authorizations during the progress of the works, granted by the Ministry of Economic Development, in relation to the removal of olive trees in the same area of "Le Paesane" are not valid. This locality in the town of Melendugno hit the top of the news for the violent repression against the popular protest denouncing the uprooting of these trees. Activists taken to court have themselves denounced police violence and are waiting for the cases to be acknowledged by the Lecce prosecutor office.

Other offenses include the absence of waterproofing of various construction sites, as well as the discharge of industrial wastewater which would have led to the contamination of the aquifer with dangerous substances, including hexavalent chromium.

WHAT ARE THE NEXT STEPS?

APRIL 9

APRIL 16

APRIL 23

Hearing with the carabinieri from the environmental department (NOE - Nucleo Operativo Ecologico)

Hearing with the consultant of the prosecutor (prof. Maria Lionella Scazzosi) and the consultant of Melendugno Technical Commission (ing. Alessandro Manuelli)

Names of testimonies to be confirmed

IMPORTANT CHANNELS

- [Re:Common Twitter Account](#) to stay up to date on the trial
- Link where the hearings will be livestreamed [here](#)

ABOUT & CONTACT



[Counter Balance](#) is a European coalition of development and environmental non-governmental organisations with extensive experience working on development finance and the public banks .

The coalition was formed in 2007 to specifically challenge the European Investment Bank (EIB) and push for its reform. Counter Balance's mission is to make European public finance a key driver of the transition towards socially and environmentally sustainable and equitable societies.

DIRECTOR

Xavier Sol

📞 +32 473 22 38 93

✉️ xavier.sol@counter-balance.org

RESEARCHER & CAMPAIGNER

Elena Gerebizza (Re:Common)

📞 +39 340 670 531 9

✉️ egerebizza@recommon.org

POLICY & ADVOCACY OFFICER

Clara Bourgin

📞 +32 474 94 45 85

✉️ clara.bourgin@counter-balance.org

MEDIA & COMMUNICATIONS OFFICER

Jan Callewaert

📞 +32 484 26 35 31

✉️ jan.callewaert@counter-balance.org