

**From:**

Local people and local citizen initiative from the town of Kresna, Bulgaria

**To:**

Mr. Frans Timmermans, Executive Vice-President of the European Commission  
frans.timmermans@ec.europa.eu

Mr. Virginijus Sinkevičius, Commissioner - Environment, Oceans and Fisheries  
virginijus.sinkevicius@ec.europa.eu

Ms. Elisa Ferreira, Commissioner - Cohesion and Reforms  
cab-ferreira-contact@ec.europa.eu

**10 February 2020**

**Re:** Citizens' Initiative and petition from the town of Kresna supported by the local council of the town of Kresna

Dear Timmermans,

Dear Mr.Sinkevičius, Dear Ms. Ferreira,

We, local people, supported by the local town council, from the town of Kresna, address the European Commission because of the urgency of the Kresna case and the beginning of the construction of the trans-European Struma motorway in the area of the Kresna Gorge, a precious Natura 2000 site<sup>1</sup>. The Motorway, if built in line with the latest government's decision directly through the Kresna Gorge, a biodiversity hotspot and part of a Natura 2000 site, will permanently and adversely damage the area. Despite that a new Commission and Commissioners were elected, the case has a long history of correspondence mainly on the topic of violations of the biodiversity protection legislation.

Herewith, we raise your attention to your petition from December 2019<sup>2</sup>. The petition is signed by 588 citizens of the Kresna municipality (Annex 1), supported by the local town council (Annex 2)<sup>3</sup>. The petition:

---

<sup>1</sup> The Bulgarian government has started the procedures for engaging construction companies. In the coming months, the options for finding solutions to building the Trans-European Motorway which avoid violations which will definitely need starting infringement procedures, may be exhausted.

<sup>2</sup> Submitted to the Bulgarian Government on 23rd December 2019

<sup>3</sup> Decision of the local town council of Kresna from 4<sup>th</sup> February 2020, approved by 11 supporting votes and 2 abstentions

- Insists that the European Commission should actively guarantee the construction the Trans-European Motorway outside the Kresna Gorge thus ensuring a local road (existing 2-line road through the gorge) that guarantees road safety and local road connections within the region. They also insist for the preservation of valuable agricultural lands.
- Appeals to the EC to send a fact-finding mission to the town of Kresna on behalf of the EU Vice-Presidency, so that EC representatives take a personal view of the problems of local people in this trans-European project. Problems who are not reflected by the non-democratic EIA procedure and hearing organized by the Bulgarian authorities.

On January 15, 2020, the Bulgarian government withdrew the application form for Lot 3.2, stating that by the end of 2020 it would be able to take action to respond to the European Commission's comments from August 2019<sup>4</sup>. According to the official statements the Bulgarian Government will<sup>56</sup> not respond seriously EU comments and will not revise the EIA report, chosen alternative and EIA decision 3-3/2017 because, according to the government, they do not violate EU legislation. A finding directly contradicting the European Commission's comments of August 2019.

On the basis of these new documents, the intentions of the Bulgarian government stated after the withdrawal of the application form and the complaint to the EC for non-compliance with Art. 6.2 and 6.3 of Directive 92/43<sup>7</sup> we urge the Commission to

- urgently initiate infringement under Art. 3 and 4 of Directive 2008/96/EC on Road Infrastructure Safety Management, as well as under Article 6.2 and 6.3 of the Directive 92/43/EC.
- urgently undertake a fact-finding mission in the town of Kresna and the region - an extraordinary measure which is necessary due to the anti-democratic way of holding public hearings and consultations with local people in the EIA procedure.
- not approve the funds for Lot 3.2 of the motorway without assurances from the Bulgarian Government that the Trans-European Motorway will be built on alternative routes which do not affect the current E 79 route and it will remain as a local road, and outside the Kresna Gorge. This is the only way which will secure compliance with both Directive 2008/96/EC and Directive 92/43 at the same time.

<sup>4</sup> Ref.Ares(2019)6378788-15/10/2019

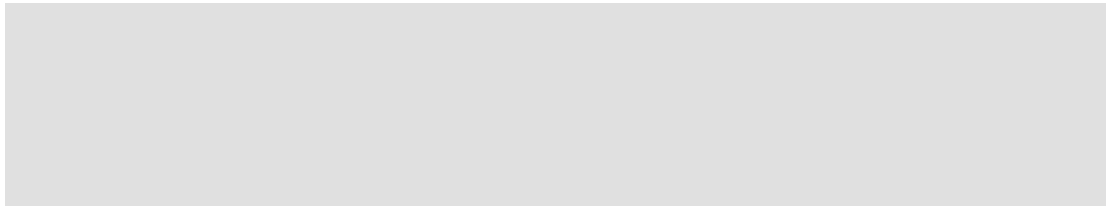
<sup>5</sup> [http://www.api.bg/index.php/bg/presentar/novini/blgariya-otteglya-aplikacionnata-forma-za-am-struma-prez-kresnenskoto-defile-no-ne-se-otkazva-ot-proekta/?fbclid=IwAR0n-b4xGWafa3bKbq2I3QbcXb8ulO\\_ObjtA\\_PjQs6j8PP9h1Ig7driA14k](http://www.api.bg/index.php/bg/presentar/novini/blgariya-otteglya-aplikacionnata-forma-za-am-struma-prez-kresnenskoto-defile-no-ne-se-otkazva-ot-proekta/?fbclid=IwAR0n-b4xGWafa3bKbq2I3QbcXb8ulO_ObjtA_PjQs6j8PP9h1Ig7driA14k)

<sup>6</sup> <https://www.btv.bg/video/shows/lice-v-lice/videos/georgi-terzijski-ne-sme-lagali-evropejskata-komisija.html>

<sup>7</sup> Legal Complaint from July 12 th 2017 on the project to build a Struma motorway through the Kresna Gorge, CHAP(2017)02186 BULGARIA

The EC obligations to us, the European citizens, do not end up with the EU legislation compliance control in such projects of matter. Binding for EC are also the EC approved policies and the public engagements taken<sup>8</sup> : *Green New Deal*, “*Countdown 2020*” - “*Target 1*” of the *EU Biodiversity Strategy to 2020*, the engagements taken by EC before the *PETI Committee of the European Parliament* and also *Standing Committee of the Bern Convention*. The Kresna Gorge is an emblematic case for the European Commission’s work for the protection of the European nature.

Sincerely yours:



**Petition is supported by:**

- South East Europe Network for Energy and Transport (SEENET) - [http://seenet.net/en/about\\_us](http://seenet.net/en/about_us)
- BALKANI Wildlife Society - <http://balkani.org/en>
- Green Policy Institute - [gpibulgaria@gmail.com](mailto:gpibulgaria@gmail.com)
- CEE Bankwatch Network - <https://bankwatch.org/>
- Environmental Association "Za Zemiata" (For the Earth)/FoE Bulgaria - <https://www.zazemiata.org/>

**Enclosures:**

Annex 1: Petition of 588 local citizens of Kresna Municipality from October 20<sup>th</sup>, 2019 to the Mr. Frans Timmermans (Vice-President of the European Commission), Commissioners for the Environment and Regional Policy of the European Commission.

Annex 2: Decision of the local town council of Kresna from 4th February 2020, approved by 11 supporting votes and 2 abstentions. The decision supports local citizen’s petition (in Bulgarian).

Annex 3: Description of the engagements taken by EC under Green New Deal, “Countdown 2020” - “Target 1” of the EU Biodiversity Strategy to 2020 and commitments given to the PETI Committee of the European Parliament and Standing Committee of the Bern Convention in relation to the Kresna Gorge case.

---

<sup>8</sup> see Annex 3 for details on their relationship to the Kresna Gorge case