



First Vice-President Frans Timmermans, Commissioner for Better Regulation, Interinstitutional Relations, the Rule of Law and the Charter of Fundamental Rights
Commissioner Karmenu Vella, Commissioner for the Environment, Maritime Affairs and Fisheries
Commissioner Corina Crețu, Commissioner for Regional Policy

CC: Nicola Notaro, Sylvia Barova, DG Environment,
CC: Iva Obretenova, Secretary of the Bern Convention

European Commission
Rue de la Loi
1049 Brussels

7 June 2018

RE: Save Kresna Gorge, Bulgaria

Dear First Vice-President Timmermans,
Dear Commissioner Vella,
Dear Commissioner Crețu,

Kresna Gorge in Southern Bulgaria is an area of outstanding importance to European wildlife and ecology – Bulgaria's single richest biodiversity site. The narrow 17km-long Gorge, a *Natura 2000* site, connects Mediterranean with interior Balkan ecosystems, and is a home and a crucial migratory corridor to many EU protected species such as brown bears, tortoises, rare bats, and butterflies. However, it is presently at great risk and **requires your intervention if it is not to be irrevocably damaged using European taxpayers' money**.

The Bern Convention¹ had already in 2002² recommended that Bulgaria should not build the long-envisaged European Struma motorway through the Gorge, but find another solution instead. Sixteen years later, Bulgaria has now determined a trajectory for this last remaining section of motorway – to direct half of it through the Gorge – despite the clear unavoidable damage this will do, and in the face of less harmful alternatives.

NGOs, MEPs as well as the Bureau of the Berne Convention have serious doubts about the compatibility of these plans with both the Bern Convention and the EU Birds and Habitats directives. Hence a number of Bulgarian and European NGOs have brought the case before the Bern Convention, and filed with your services a complaint, upon which we await a response.³

Up until now, the Commission's point of view was to wait for Bulgaria's final choice of trajectory and the outcome of a court decision before deciding how to proceed. With both decisions now taken (the court case decision is or will presently be transmitted in Bulgaria's application for cohesion funds), **it**

¹ Convention on the Conservation of European Wildlife and Natural Habitats

² Recommendation No. 98 (2002) on the project to build a motorway through the Kresna Gorge (Bulgaria),

³ 12 July 2017: complaint CHAP(2017)02186 – BULGARIA

is now in the Commission's hands to decide whether the completion of the EU Trans-European Corridor 4 project can go ahead as planned and whether it complies with EU directives. We believe that failing to intervene now would allow a breach of EU and international legislation, would allow the destruction of an exceptional EU-protected natural jewel, and would damage local people and a budding local sustainable tourism economy, under the auspices of EU-funded infrastructure – despite sustainable alternatives being available.

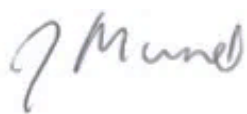
The case has drawn attention across Europe and much concern of local people and international NGOs alike. Initiatives which demonstrate this include a petition supported by over 140,000 EU citizens calling upon you to “ensure that European laws for the protection of nature are respected and the pristine valley of Kresna Gorge in Bulgaria is saved from destruction”; a petition supported by over 800 local residents of Kresna Gorge; and a letter of concern from the World Rafting Federation – all are presented to you in the attached. All plead for **an alternative route with less environmental impacts avoiding the Gorge, which we are certain is possible.**

One year ago, First Vice-President Timmermans promised in a noteworthy speech on the EU's Nature Action Plan: “yes, *the Commission will have to start infringement procedures if some member states do not want to abide by the regulations they themselves jointly adopted. Yes, that will be necessary.*”⁴ Now is one such time.

We kindly ask you to use your influence to protect European nature and the rule of law.⁵ Please ensure that the European Commission releases subsidies for completing the Struma motorway *only* if the construction does not cut through the precious *Natura 2000* site protected under European and Bulgarian law and the motorway is built fully outside of it; **please ensure that unlawful deterioration of the *Natura 2000* site from the existing build-up of transit motorway traffic be taken into account, and that all but local traffic is removed from the Gorge, in full compliance with the Birds and Habitats Directives.**

We remain at your disposal for further information.

Yours faithfully,



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On behalf of the signatory organisations:
BirdLife Europe, CEE Bankwatch Network, CEEweb for Biodiversity, Client-Earth, European Environmental Bureau, WeMove.eu, WWF-European Policy Office

⁴ https://ec.europa.eu/commission/commissioners/2014-2019/timmermans/announcements/closing-speech-nature-action-plan-conference-06-june-2017_en

⁵ http://www.foeeurope.org/sites/default/files/biodiversity/2017/save_kresna_gorge_briefing.pdf