



FRANS TIMMERMANS

First Vice-President of the European
Commission

KARMENU VELLA

Commissioner for Environment
and Maritime affairs and
Fisheries

Brussels, **18 JUN 2019**
Ref. Ares(2019)2428421

Dear petitioners,

Thank you for your e-mails to Vice President Timmermans, received via the *WeMove.EU* platform, drawing the Commission's attention to the construction of the Struma Motorway in Bulgaria and providing a link to a video related to alleged illegal works in Kresna Gorge.

The Struma motorway aims at ensuring better connectivity between Bulgaria and its neighbours and between the North and South of Europe, on the Trans-European Transport Network. It is a complex road infrastructure project with a number of environmental implications. Therefore, the European Commission has been working very closely with the Bulgarian authorities in order to ensure that the EU contribution to construct the Struma motorway is justified and the applicable rules at both national and EU level have been respected during its preparation.

As regards the "Kresna Gorge" section, the European Commission will assess the project's compliance with EU rules after receiving the official application for EU contribution, including all necessary documentation from the responsible Bulgarian authorities. In that respect, we would like to reassure you that the EU contribution would only be approved by the European Commission if the respect of all the applicable EU rules is ensured. In the event that the construction of this particular section goes ahead without an application for EU contribution, the Commission will closely monitor that the Bulgarian authorities act in full compliance with EU environmental legislation.

Concerning the reported construction works at the "Kresna Gorge" section, the Commission services requested clarifications from the Bulgarian authorities. As a result, the Commission services were informed that the works in question had been illegally undertaken by a private company, the responsible Bulgarian authorities intervened to discontinue the works and the private company had been sanctioned.

As regards the environmental impact assessment for the project, the European Commission takes note of the judgment by the Supreme Administrative Court of Bulgaria, which concluded in May 2018 that the environmental impact assessment carried out for lot 3.2 of the Struma Motorway was compliant with EU law and overruled all appeals.

Concerning your allegation of changes to the planned route of Lot 3.2 of Struma Motorway, which have not been subject to an environmental impact assessment, please note that, according to the information provided by the Bulgarian authorities upon the Commission's request, there are no changes in the route to date. The Bulgarian authorities also confirmed

that if changes prove necessary after the finalization of the technical design and the road safety audit, all the procedures required by the environmental legislation shall be observed.

In addition, the Commission has already addressed some very important systemic issues in Bulgaria in the field of nature protection, including through infringement procedures. In July 2018, Bulgaria received a warning for not taking into account systematically cumulative impacts of existing and authorised plans and projects and for authorising developments representing major threat to the Natura 2000 sites.

The Commission is also reviewing the finalisation of the designation of Natura 2000 sites as Special Areas of Conservation with appropriate conservation objectives and measures in view of achieving or maintaining favourable conservation status of the protected species and natural habitats types in their natural range in each biogeographical region in Bulgaria.

The Commission will continue pursuing the abovementioned structural failings with priority.

Yours sincerely,

A handwritten signature in blue ink, consisting of a stylized 'F' followed by 'Timmermans'.

Frans Timmermans

A handwritten signature in blue ink, appearing to read 'Karmenu Vella'.

Karmenu Vella