

Kresna Gorge case update: a case of systematic flaws

44th meeting of the Standing Committee
02-06.12.2024, Strasbourg

On behalf of “Save Kresna Gorge” coalition:

Petko Tzvetkov and Andrey Kovatchev



NGOs welcome the consensus conclusions reached during the Technical Workshop in Kresna in April 2024



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JOINT CONCLUSIONS

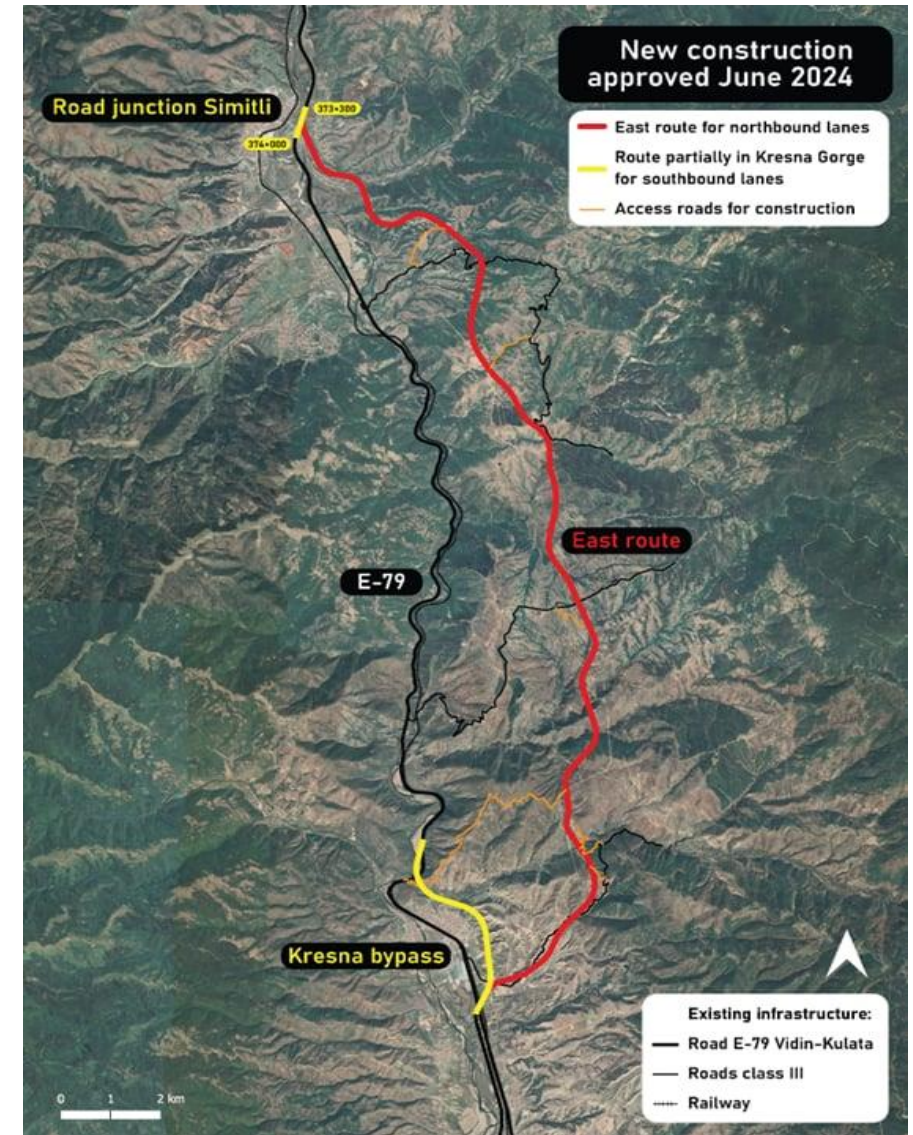
Of the participants in the Kresna Technical Workshop in line with Bern Convention [Recommendation no.212 \(2021\)](#): “Challenges & opportunities for the conservation of reptiles and large carnivores during linear infrastructure development in South-East Europe: a case study for the Kresna Area, Bulgaria”.

“Way Forward” (WF) – BG Government and EC agreement, Feb 2024

- Allows the start of construction of the south-north (Eastern) lane **outside the Kresna Gorge** (Greece to Sofia) ASAP in line with the 2017 EIA.
- The lane north-south (Western) lane to be subject of separate EIA/AA – no deadline for construction, no obligation to be outside the Kresna Gorge, **allows the possibility to be built in the Kresna Gorge**: *“If the Authorities decide that the Sofia to Kulata lane of the Struma Motorway Lot 3.2 should be implemented on the existing E79 road...”*.

The “Way Forward” disregards:

- Recommendation 98/2002 (motorway alternative outside the Kresna Gorge) and the 42nd Committee decision (calls on the need of revised EIA/AA)
- The violations of the Habitats Directive in 2017 EIA/AA.



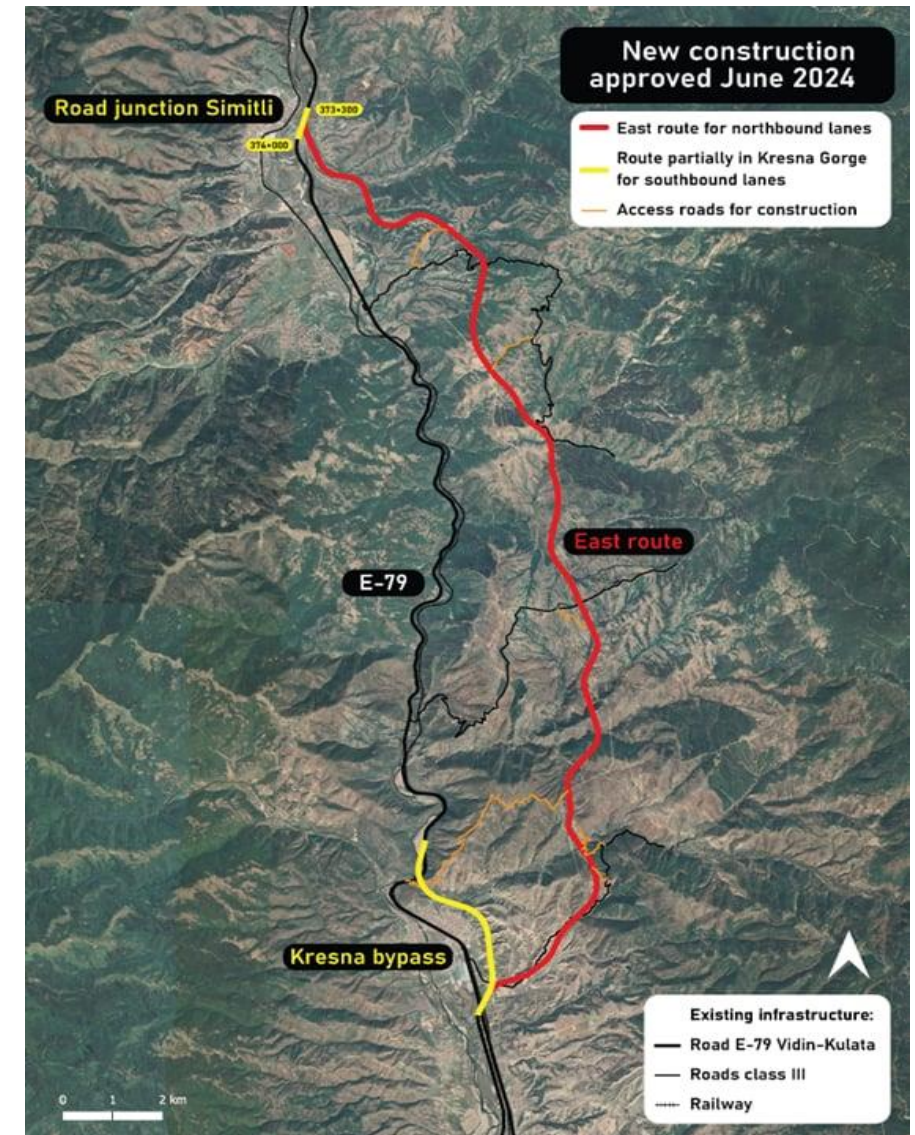
Screening decision by the Ministry of Environment and Waters, June 2024

No revision of the 2017 EIA/AA and immediate start of construction for the:

- South-North (Eastern) lane outside the Kresna Gorge (Greece to Sofia)
- North-South (Western) lane through the Kresna Gorge (Sofia to Greece) - specifically the southernmost 5 km of this lane, so-called "bypass" of the town of Kresna.

The decision disregards:

- the Committee's Recommendation 98/2002 which pointed out the need to search for a motorway route outside the Kresna Gorge;
- the 42nd Committee's 2022 decision which required a revision of the 2017 EIA before any construction begins;
- the agreement of the Bulgarian government with the European Commission from February 2024 (the so-called "Way Forward").
- the Joint conclusions from 2024 Kresna Workshop.



Harassment campaign against NGO activists

- Media campaign against individual NGO activists - accusations, presenting false information
- The government demands excessively high costs in the litigation cases brought by activists and NGOs (18 times the minimum wage).
- State authorities have not taken any preventive or deterrent action against this harassment
- Clear violation of **Art. 3(8) of the Aarhus Convention**
- Bulgarian government to ensure that the complainants and all environmental defenders in Bulgaria are not penalized, persecuted, or harassed in line with Art.3(8) of the Aarhus Convention.



The billboard text says, “thank THEM for the traffic jams” and shows photos of Andrey Kovatchev (Balkani Wildlife Society), Toma Belev (Association of Parks in Bulgaria), Borislav Sandov (former Minister of Environment and Waters 2021-2022). August 2024.

Complainant proposal for Standing Committee Decision

The needs – both transit lanes of the Motorway to be implemented outside of the Gorge. The construction of the Eastern motorway lane and EIA for the Western lane can start as indicated in the "Way Forward"

What should be included in the committee's decision, as a minimum:

- Legal-binding decision and political guarantee from the government. approved by the EC. to **exclude the option in which the current road through the Kresna Gorge remains part of the motorway.**
- ASAP start of new EIA with a clear deadline of the construction of **both motorway lanes outside the Kresna Gorge** (parallel lanes) simultaneously with the technical design and start of construction of the first lane.
- Effective and integrated defragmentation and other mitigation measures for both motorway lanes/directions of traffic.
- Official roadmap: 2030 deadline for construction of the whole motorway (TEN-T requirement).
- Bulgaria to report progress in implementing these measures by the April 2025 Bureau meeting.

To continue regular monitoring and reporting of the Kresna Gorge case!

Save Kresna gorge! Thank you!

