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AND NATURAL HABITATS

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**Follow-up of Recommendations 98 (2002) and 212
(2021) on the project to build a motorway through the
Kresna Gorge (Bulgaria)**

- REPORT BY THE GOVERNMENT -

*Document prepared by the
Ministry of Environment and Water, Bulgaria*



**Follow-up of Recommendation No. 98 (2002)
and Recommendation No. 212 (2021)
on the project to build a motorway
through the Kresna Gorge
(Bulgaria)**

- REPORT BY THE GOVERNMENT -

*Document prepared by
Ministry of Environment and Water, Bulgaria*

-November 2024-

Complaint No. 2001/4 and Recommendations No. 98 (2002) and 212 (2021) on the project to build a motorway through the Kresna Gorge (Bulgaria) (Struma Motorway Lot 3.2)

Annual Progress Reports

1 November 2024

We consider the Bureau’s invitation to the Standing Committee to open the file unfounded because it is based on an incomplete and erroneous interpretation of the facts. It unilaterally accepts the position of the complainant and ignores the efforts and all the actions of the Bulgarian authorities to implement the recommendations of the Berne Convention. Namely:

Implementation of Recommendation 98 (2002):

As reported several times to the Standing Committee, the Bulgarian authorities have fully implemented Recommendation 98 (2002).

The development of the project has considered and taken into account the conservation imperatives and the concerns of local communities (which are by no means unanimous in their position on the implementation of the project). This has been assessed together with public health and security issues and international considerations and we believe the option approved for the implementation of the project is the best possible option.

The currently approved project for the implementation of Lot 3.2 of the Struma Motorway (through the Kresna gorge) has undergone in-depth environmental assessment even beyond the legally required procedures. The EIA Decision was appealed and confirmed with a final court judgement and it is legally binding for all stakeholders. Every subsequent step in the project development follows the required legal procedures and every modification to the design is processed according to Bulgarian and EU environmental law, taking into account the latest available data.

The environmental procedures to date have considered options fully outside the gorge and they have been assessed as less feasible and environmentally acceptable. Moreover, the current option does not envisage enlarging the scope of the current road and prescribes a number of mitigation measures to reduce the impact of traffic on wildlife and habitats.

In the choice of the alternative, the main considerations leading to the decision are based on ecological criteria. As reported a number of times, the EIA evaluated the current option as more favorable on eight environmental components compared to the Long tunnel option.

Over the years, in all its actions the Bulgarian authorities – both the Road Infrastructure Agency, as the investor, and the Competent Environmental Authority, the Ministry of Environment and Water have tried to involve all relevant stakeholders in the discussion related to the development of the project. This has gone above-and-beyond administrative and legally required procedures. A couple of examples are worth mentioning: Bulgarian authorities have been instrumental in preparing the first ever in the history of the Convention Joint Report with the complainant;

Bulgarian authorities have put efforts and have successfully managed to elaborate both the joint presentation and the Technical workshop conclusions.

It is worth clarifying again that the existing road through the Kresna gorge has never been only a local road. Since Roman times, it has been a strategically and economically important route providing one of the main North – South connections in the Balkans. It is therefore urgently needed to proceed with the implementation of non-regret part of the project (the Eastern carriageway outside the gorge) since any significant measures to mitigate the pressure of traffic on species living in habitats in the gorge can only be implemented by fully closing the existing road and this is impossible since it has no alternative. Any further delay of the construction of the Struma Motorway through the Kresna gorge will have an irreversible detrimental effect on species, habitats and environment in the gorge as a whole due to the increasing transport needs in the region and internationally.

Monitoring of the status of priority species along the Kresna gorge has been introduced and has been ongoing for the past 5 years.

Finally, with the development and approval of the Site-specific Conservation Objectives for the two Natura 2000 sites in the Kresna gorge, the Bulgarian authorities ensure that the latest and most detailed scientific information on the status of the species populations and habitats, as well as the objectives for their conservation, is taken into account in any future assessments on this or other projects.

Implementation of Recommendation 212 (2021):

Recommendation 212 (2021) complements Recommendation 98 (2002) as the actions of the Bulgarian authorities complement previously taken “*appropriate and necessary legislative and administrative measures to ensure the conservation of the habitats of the wild flora and fauna species*”. The legal and procedural mechanism to that end is set up in the national legal and judicial system.

The Recommendation invites closer cooperation with all stakeholders in the finalization of the project, which the Bulgarian authorities have always worked for: continuous invitations to the complainant for the submission of joint reports, established working groups to ensure the maximum degree of transparency, awareness, and expediency in the subsequent development of the project, etc. We have tried to introduce a consensual decision-making process in these discussion formats, but it is important to keep in mind that it is the obligation of the authorities to apply the legislation and take care of the protection of public interest and security. Lack of consensus with some civil society actors does not provide an excuse for the authorities of not taking action; however, the opinions presented in these working formats were always considered in taking the administrative decisions.

All available data about the area, the project, and the species and habitats was structured and published to be publicly available. Unfortunately, despite the continuous invitations, no new data about the biodiversity in the region was provided by the NGOs.

Ongoing environmental monitoring activities were amended to improve the knowledge of the species in the area, as well as to ensure continuous functioning of the facilities. Having conducted a public procurement procedure, the Bulgarian authorities signed a new contract with the selected consultant for implementation of the monitoring of the

species in the Kresna gorge. The contract covers monitoring of the status and population changes in the four priority reptile species, as well as their isolation (or lack of such thereof), and assessment the effectiveness of immediate (interim) defragmentation and fencing measures to be implemented. The duration of the contract is five years (until 2028), will allow for accumulation of relevant data for the assessment of impacts as agreed with the EC, and will contribute to making informed decisions.

The approved option (G10.50) for the implementation of the Motorway includes appropriate mitigation measures to secure permeability of the infrastructure for local fauna. With the improving body of monitoring data, in the subsequent design phases these measures can be further improved and adapted.

Regarding the Kresna Gorge Conservation and Restoration Plan, the Bulgarian authorities are taking the necessary steps and will develop such a document, the implementation of which is a long-term goal and should not be considered part of the implementation of the Recommendation.

We would like to recall that Bulgaria performed a review of the conclusions of the Appropriate Assessment report from 2017 in the light of the adopted SSCOs (AA review). It took into account all relevant alternatives and the results confirm the conclusions of the 2017 EIA/AA Decision that G10.50 for Lot 3.2 is the most environmentally preferable also in the light of the SSCOs. As a follow-up, the discussions of Bulgaria with the European Commission on the project were able to advance and in February this year, we **agreed on a way forward**, which recognizes the need to observe the stability of legal acts and stresses the need to observe all necessary procedural and legal safeguards for the environment. It instructs the Bulgarian authorities to move ahead as soon as possible with the construction of **the new carriageway outside the Kresna Gorge** from the east, as envisaged in the Eastern alternative G10.50. To that end, the modifications in the investment proposal necessitated **in that carriageway** since the EIA Decision in 2017 were subjected to the relevant procedure under the environmental legislation, finalized with a screening Decision. The Road Infrastructure Agency is currently doing detailed geological survey of the area, which will provide the necessary data and specify the structural characteristics of all project element in the next design phase (detailed design).

The “*agreed way forward*” also stipulates that the remaining carriageway is to be started only after an assessment of the impacts has ascertained that the chosen alternative will not adversely affect the integrity of the site concerned. The Commission will continue to monitor the compliance of Bulgaria *with authorisation of developments under the Habitats Directive*.

In the SSCOs development, AA review and all subsequent steps, the cumulative impacts and all other habitat conservation considerations have been taken into account. As regards the concerns of local communities, these are considered at every step of the way, and the necessary balance between conflicting positions is always sought in the taken administrative and legal decisions.

Finally, as per the recommendation of the Standing Committee, a technical workshop entitled “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” was organized in Sandanski, Bulgaria, on 22–24 April 2024. It took place in a hybrid format, in English and Bulgarian, with simultaneous interpretation. More than 90 people registered to participate. As per the Secretariat’s suggestion, the workshop brought “*together a range of technically relevant*

stakeholders from Bulgaria but also across Europe” to consider “general transport and biodiversity challenges and best practices to resolve them and not to focus on the case-file”.

Therefore, the workshop provided a forum for technical exchange of ideas and experiences in resolving the conflict between the linear transport infrastructure and environmental conservation. The approaches presented by the participants provide the Bulgarian authorities with relevant suggestions and references to take forward in the future development of the project **within the legal and procedural boundaries**. It is completely unreasonable to view this exchange of practices applicable to other situation as yet another recommendation on the implementation of the project. The participants in the workshop recognized, as stipulated in the Joint conclusions, that this is a “*technically difficult terrain with complex features*” and that the gorge is located “*on a major Trans-European Transport Network*” with “*increasing strategic importance*”, and drew attention to the fact that a “*zero solution is the worst solution especially when there is a known pressure exerted on wildlife by existing infrastructure and a clear need to construct new infrastructure*”.

In view of the continuous efforts of the Bulgarian authorities to implement the Recommendations of the Standing Committee and the agreed way forward with the European Commission, the decision of the Bureau on the case (meeting report T-PVS(2024)11) is troubling and poses a risk in interpreting and implementing the Berne Convention in the long run. It goes beyond the *ratione materiae* of the Berne Convention and prompts action in an area that is not regulated by the Berne Convention. Moreover, it questions the principle of loyal cooperation between the EC and Bulgaria, as well as the effective implementation and enforcement of the EU environmental *acquis*.

The Bureau requests Bulgaria to deliver on 4 points as follows:

1. It questions the legal procedure applied to assess modification to the project in the latest design phase.

The Bureau requests information from the authorities on the bases they used to conclude that these modifications were unlikely to have a significant negative impact. **Therefore, it directly puts in question the competence and capacity of the Bulgarian state to apply administrative and legal procedure.** It is unclear on what legal and technical grounds the Bureau is going to assess the substantive and procedural arguments of the Bulgarian competent authority (especially having in mind that these are part of the Decision and have already been provided in our previous report).

2. The Bureau calls on Bulgaria to carry out a new EIA procedure, where the investment proposal has undergone an environmental assessment in a legal procedure resulting in an EIA Decision confirmed by the Supreme Administrative Court.

This EIA Decision is stable and valid and modifications to the project can be legitimately assessed as per European and Bulgarian law, in a screening procedure, as done in this case. The request of the Bureau goes beyond the subject matter jurisdiction of the Berne Convention according to which the objectives of wildlife conservation are attained through promoting national policies, integration of the conservation into national planning, development and environmental strategies and programs. It does not mandate assessment on the application of EU environmental legislation.

3. The Bureau also requests to be informed on “the arguments put forward before the courts” on several pending cases.

It is unacceptable to breach basic principles of the rule of law and to demand information about legal proceedings that have not been completed and are entirely within the competence of national courts and administration of justice.

4. Finally, the Bureau calls on the Standing Committee to consider opening the file.

We believe this is based on an incomplete and biased presentation of facts. It is against the spirit of the Berne Convention, which calls for cooperation with the Parties to ensure the conservation of wild flora and fauna. It is also counterproductive, given that regularly, in detail and in a spirit of cooperation, Bulgaria has provided and continues to provide information on the progress of the project and the implementation of the recommendations of the Standing Committee. With this action, the Bureau unequivocally and subjectively takes the position of the complainant, without taking into account the huge amount of data and information provided over the years.

As a Contracting Party to the Convention, Bulgaria is fully committed to its aim “*to conserve wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the co-operation of several States, and to promote such co-operation.*” It has joined the convention as a sovereign state governed by the rule of law.

As a Member State of the EU, Bulgaria applies the European *acquis*.

It therefore comes to mind to ask the question whether with its latest decision the Bureau puts in question the authority, competence, and capacity of the Bulgarian state. While the case-file system is useful to provide participation of civil society in the conservation efforts and improving the situation of species and habitats is it not, in this case, applied arbitrarily and without consideration for all aspects of the project? Is such a decision based on comprehensive understanding of the vast body of technical and environmental documents and information produced in the past 20 years of the development of the project, or is it rather the easy way – to agree with the complainant? In addition, isn't the latter soliciting the abuse of the right of civil society to participate in decision making related to the protection of environment, therefore devaluing and undermining this basic human rights principle? Is it not counterproductive to the Convention's objective to antagonize a Contracting Party by continuously disregarding the efforts it is making?

In view of the above, as well as the fact that European Commission and the Bulgarian authorities recognize that it is vital to “*make progress on the project in order to improve this vital transport connection*” and have **agreed on a way forward** the government invites the Standing Committee of the Berne Convention **to at least keep the status of the file**. It is even **justified to call for closing the file** since the Recommendations of the Standing Committee are implemented and the European Commission will continue to monitor the compliance with the *acquis*.

July 2024



REPUBLIC OF BULGARIA

MINISTRY OF ENVIRONMENT AND WATER

**Follow-up of Recommendation No. 98 (2002)
and Recommendation No. 212 (2021)
on the project to build a motorway
through the Kresna Gorge
(Bulgaria)**

Complaint No. 2001/4 and Recommendations No. 98 (2002) and 212 (2021) on the project to build a motorway through the Kresna Gorge (Bulgaria) (Struma Motorway Lot 3.2)

Progress after the February 2024 Progress Report

31 July 2024

Progress towards the implementation of Recommendation 212 (2021):

The Bulgarian authorities remain determined to finalize this top priority infrastructure project part of the TEN-T network, while respecting the relevant environmental protection legislation and the recommendations of the Bern Convention.

Technical workshop

Following Recommendation 212 (2021) of the Standing Committee of the Bern Convention a Technical workshop entitled “**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**” was organized in Sandanski, Bulgaria, between 22nd and 24th of April 2024. It took place in a hybrid format in English and Bulgarian with simultaneous interpretation. More than 90 people registered to participate.

The workshop was organised in collaboration between the Secretariat and the Infrastructure & Ecology Network Europe (IENE), the Ministry of Environment and Water of the Republic of Bulgaria and the Bulgarian NGO BALKANI Wildlife Society and with the support of JASPERS and CEDR (Conference of European Directors for Roads).

The workshop concept was agreed by the parties and the final agenda was elaborated based on the abstract proposals received from interested participants following a general, widely disseminated call for expression of interest. The list of topics and presenters can be seen in Annex 1: Agenda of the workshop. An invitation to participate was also extended to the Standing Committee members and observers as already mentioned at the meeting in December 2023. The participants in person had also the opportunity to visit the Kresna Gorge and observe first-hand the situation on the ground.

The event followed the IENE guidelines for workshops and dealt with key species groups (reptiles and large carnivores), connectivity/fragmentation, best approaches and technical solutions, strategic planning, and engineering and safety matters. As per the Secretariat's suggestion the workshop brought "*together a range of technically relevant stakeholders from Bulgaria but also across Europe*" to consider "*general transport and biodiversity challenges and best practices to resolve them and not to focus on the case-file*". Therefore, the workshop provided a forum for technical exchange of ideas and experiences in resolving conflict between the linear transport infrastructure and environmental conservation. The approaches presented by the participants provide the Bulgarian authorities with relevant suggestions and references to take forward in the future development of the project within the legal and procedural boundaries.

The workshop provided an opportunity for productive and practical cooperation between the government representatives and the civil society stakeholders in particular in organizing the event, presenting the general situation on the ground as well as drafting the joint conclusions which were finally adopted by the workshop participants (Annex 2: Joint conclusions).

The Bulgarian authorities express their appreciation to the Secretariat and the IENE experts (in particular Lazaros Georgiadis and Radu Mot). Their efforts put in the conceptualizing, preparing and organizing the workshop were instrumental for the success of the event, providing atmosphere for a productive discussion and demonstrate that there is a way to work together constructively.

In the light of the constructive cooperation with the complainant NGOs achieved during the preparation and implementation of the workshop, the Bulgarian authorities invited them to prepare and submit a joint progress report. An agreement to that end was not reached.

Agreed way forward

As already reported, the technical meeting between DG Environment, DG Regio and the Bulgarian authorities was held on 08 February 2024. Taking into account the need to make progress on the project in

order to improve this vital transport connection, the agreed way forward between the EC services and the Bulgarian authorities includes the construction of the eastern lane, direction from Kulata to Sofia outside of the gorge (as stipulated in the approved G10.50 alternative) as soon as possible.

In 2023 Road infrastructure agency (RIA) has notified Ministry of Environment and Water (MoEW) of the investment proposal (IP) „Modification of investment proposal "Improvement of the route of Lot 3.2 of Struma Motorway“ under the Eastern Alternative G 10.50“.

The implementation of the IP "Improvement of the Struma Motorway" under Eastern Option G 10.50" has been already approved and the EIA Decision No. 3-3/2017 of the Minister of Environment and Water, as a result of a full EIA/AA procedure, is in force.

The modifications are as a result of:

- the more detailed design phase, which took into account the specifics of the terrain, the existing engineering networks, the constructed facilities, sensitive areas with restrictive regimes and optimization of technical solutions in order to apply the best available technologies,
- the conditions and measures from the EIA Decision No. 3-3/2017 related to the project design phase, and
- the conclusions of the *Review of the conclusions of the Appropriate Assessment report (2017) for Lot 3.2. of Struma Motorway in the light of the adopted SSCOs (AA review, 2023)*.

The present IP provides for alignment shifts in several sections, identifies in detail all existing engineering infrastructure facilities to be reconstructed, refines the location of slow-moving vehicle lanes, road junctions and crossings, road connections, major and minor facilities, length of tunnels, location of emergency sites, long-term recreation sites, etc. The refined extent and location of some elements of the project are a result of the implementation of conditions and measures in EIA Decision No. 3-3/2017 and the more detailed design phase.

The amendments of the IP concerns the main following project components:

- the eastern lane, going from Kulata to Sofia outside of the gorge,
- Bypass road of the town of Kresna - Right lane (two-way),
- and a road junction in the town of Simitli.

The modifications of the project does not consider the right (western) lane through the Kresna Gorge (traffic from Sofia to Kulata) and the rehabilitation of the existing road E-79. This is fully in line with the agreed approach with the EC services.

Following a robust analysis of the submitted information, on 11 June 2024 the Minister of environment and water issued an EIA/AA screening Decision No 5-PR/2024. With this administrative act it is concluded that there is no need a new Environmental Impact Assessment (EIA) to be carried out for the modifications of the project, which are unlikely to have a significant negative impact on the environment and on natural habitats, populations and habitats of species subject to conservation in the protected sites and do not change the overall conclusions of the 2017 EIA/AA. The decision is publicly available and can be downloaded - <https://www.moew.government.bg/bg/reshenie-5-pr-2024-g-za-investicionno-predlojenie-izmenenie-na-investicionno-predlojenie-podobryavane-na-traseto-na-lot-3-2-na-avtomagistrala-am-struma-po-iztochen-variant-g-10-50-s-vuzlojitel-agenciya-putna-infrastruktu-17269/>.

Following the agreed way forward to start the *construction of the eastern lane as soon as possible* and the decision of 29.02.2024, the Council of Ministers thereof, instructing the Minister of Regional Development and Public Works to undertake the necessary actions for the design and construction of the eastern lane (for the traffic from Kulata to Sofia), the construction contracts were amended to enable the preparation of the technical design within the scope agreed with the EU Commission.

At the moment, only activities related to the preparation of the technical designs are being implemented for Lot 3.2.1 and Lot 3.2.2 of Struma Motorway.

Monitoring

After conducting a public procurement procedure, the Bulgarian authorities are in the process of signing a contract with the selected consultant for implementation of the monitoring activities in the Kresna gorge. The contract will monitor the status and population changes in the four priority reptile species, as well as their isolation (or lack of such thereof) and assess the effectiveness of immediate defragmentation and fencing measures to be implemented. The duration of the contract is until 2028 and will allow for accumulation of relevant data for the assessment of impacts as agreed with the EC and will contribute to making informed decisions. The need for continuous monitoring is also one of the main conclusions from the technical workshop.

Conclusion

The efforts of the Bulgarian authorities will be focused on the implementation of the agreed with EC way forward, while observing all necessary procedural and legal safeguards for the environment.

Annexes:

1. [Agenda: Kresna Technical Workshop](#)
2. [Joint conclusions of the participants in the Kresna Technical Workshop](#)

15 February 2024



REPUBLIC OF BULGARIA

MINISTRY OF ENVIRONMENT AND WATER

Complaint No. 2001/4 and Recommendations No. 98 (2002) and 212 (2021) on the project to build a motorway through the Kresna Gorge (Bulgaria) (Struma Motorway Lot 3.2)

Progress after the 43rd Standing Committee meeting

15 February 2024

Progress towards the implementation of Recommendation 212 (2021):

Struma Motorway is a road of international importance, strategic part of the core TEN-T network (the former Trans European Corridor IV, presently Orient/East-Mediterranean Corridor) and a top priority infrastructure project for the EU.

Struma Motorway Lot 3.2 is a complex project facing technical and environmental challenges. It is of great economic and strategic importance but more importantly, further delay of the implementation of this last section of the Motorway will have irreversible detrimental effect on the species and habitats.

The Bulgarian authorities are determined to finalize this strategic part of the TEN-T network, thus ensuring connectivity of Europe in the South-North transport corridor. In this respect, the implementation of Lot 3.2 is being and will remain a priority.

Having in mind the environmental sensitivity and the unique biodiversity in the area, the Bulgarian authorities have taken the necessary steps to ensure the elaboration of the Site-Specific Conservation Objectives (SSCOs). A review of the conclusions of the Appropriate Assessment report for Lot 3.2. of Struma Motorway in the light of the adopted SSCOs (AA review) has also been developed. These tasks were implemented especially to ensure that the adopted alternative does not have significant impact on the species and habitats in the two protected sites, especially in view of the SSCOs elaborated for them.

As already reported, the AA review is done, based on a methodology consulted and approved by Jaspers and taking into account the comments of both JASPERS and the EC on the initial drafts. During the consultation process on the

methodology of the review key aspects as prioritization of habitats and species, assessment of cumulative impacts, effectiveness of the mitigation measures, etc. were thoroughly analyzed taking into account the relevant good examples from other projects.

The results of the review reconfirm the conclusions of the 2017 EIA/AA Decision that G10.50 for Lot 3.2 is the most environmentally preferable also in the light of the SSCOs. It also provides detailed analyses that this option has no significant impacts on the habitats and species and with the mitigation measures envisaged in the EIA Decision, the conservation status of species will not be affected and might even improve.

Following a review of the analysis by the competent services of the European Commission, a technical meeting between DG Environment and DG Regio and the Bulgarian authorities was held on 08 February 2024.

The conclusions of the meeting are as follows:

“Taking into account the need to ensure compliance with EU law and that it is important to make progress on the project in order to improve this vital transport connection, the agreed way forward is as follows:

A. The Bulgarian authorities will carry out the following actions:

- 1. The maintenance of the existing defragmentation facilities (cleaning up and adaptation of existing culverts) on the E79 road and the construction of 3 new culverts and appropriate fencing, in order to minimise mortality of protected species and maximise connectivity in the gorge (timing: immediate and urgent action);*
- 2. The necessary measures for ensuring the safe operation of the E79 road, such as the enforcement of the existing speed limitations (poles, speed cameras) plus the renovation of 6 emergency resting areas should be enacted immediately;*
- 3. The construction of the eastern lane, going from Kulata to Sofia outside of the gorge (as included in the G.10.50 alternative) (timing: as soon as possible for the Bulgarian Authorities);*
- 4. The assessment of the impact of the lane of the Struma Motorway Lot 3.2 going from Sofia to Kulata:*
 - The Bulgarian Authorities to include in the ToR for the feasibility study for the new road complementing Struma Motorway an obligation for the Consultant to study an option of the new route outside the gorge to act as the lane from Sofia to Kulata of the Struma Motorway. The study should cover reasonable alternatives, which will be subject to an EIA/AA procedure;*
 - If the Authorities decided that the Sofia to Kulata lane of the Struma Motorway Lot 3.2 should be implemented on the existing E79 road, the implementation will be preceded by an impact assessment in view of the SSCOs, fully considering the “improvement” SSCOs and fully addressing the concerns expressed since October 2019 by the Commission (i.e. ensuring all project components are assessed; the cumulative impacts are properly assessed, including with the railway; the criteria for assessing the impacts are scientifically based and comprehensive; the effectiveness of mitigation measures is ensured). The result of this assessment should be endorsed within an EIA/AA procedure.*
- B. The construction of the eastern lane going from Kulata to Sofia (point 3 above) should be done in a way that does not prevent the realisation of alternatives for the construction of the remaining lane going from Sofia to Kulata;*
- C. The construction of the remaining lane going from Sofia to Kulata, should only start after the assessment of the impacts is performed (as expressed in point 4 above) and having ascertained that the chosen alternative will not adversely affect the integrity of the site concerned.*

Given that Bulgaria is fully responsible for ensuring conformity of all EU funded projects with EU law under shared management, a legally binding decision to seal the agreement and enact the above conditions should be taken.

The Commission will continue to monitor the general compliance of Bulgaria with authorisation of developments under the Habitats Directive through its case 2008(4461)."

In the light of the agreements reached, the efforts of the Bulgarian authorities will be focused on the implementation of the agreed way forward, while observing all necessary procedural and legal safeguards for the environment.

In addition, we would like to thank the Secretariat for their efforts on the preparation of the Technical Workshop on "Challenges & Opportunities for the conservation of reptiles and large carnivores during linear infrastructure development in south-east Europe" in line with Recommendation 212 (2021), which will be held in the period 22-24 April 2024.

In conclusion, the Bulgarian authorities welcome the progress achieved in the implementation of Recommendation 212 (2021) and will continue to support the constructive partnership and good cooperation with all stakeholders.
