



„БАЛКАНКА”
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“Balkanka” Association, Sofia, Bulgaria
“Nature has all the time in the world, we do not”.

COMPLAINT

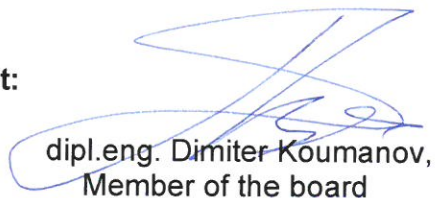
TO

THE COMMISSION OF THE EUROPEAN COMMUNITIES

CONCERNING FAILURE TO COMPLY WITH COMMUNITY LAW



Representative for this complaint:


dipl.eng. Dimitar Koumanov,
Member of the board

Sofia, Bulgaria
26.12.2019

INTRODUCTION

This is a special Complaint to the Commission of the European Communities concerning huge violations of the basic EU principle for the Rule of Law committed in Bulgaria.

It is conveyed to DG ENV, DG MOVE and DG REGIO of the EC for the reason that the infringements and crimes described hereafter fall within the competence and jurisdiction of each of these three directorates.

At the beginning we should underline that a basic Complaint and more than ten consecutive annexes have already been lodged with DG ENV, concerning constant breach of the EU Water Framework Directive, the Habitats Directive, as well as the SEA & EIA Directives, committed by the Bulgarian environmental authorities ever since our country has become an EU Member State. Based on the illegal small hydropower development in Bulgaria, these complaints are currently being dealt with under **EU Pilot application reference EUP(2017)9183** for 4 /four/ and a half years, without any, even the smallest result, whatsoever. Should DG ENV have acted just a bit more promptly, we are positive that the crime that happened in November 2019 with the destruction of the Vit River in Bulgaria could not have happened.

Still, in this document we will show how the riverbeds in Bulgaria are "cleaned". The wild tsunami of illegal excavation of river sediments, gravel and stones, together with the illegal logging of riverside forests as well, has led to the destruction of priority habitat types and species within the meaning of the EU Habitats Directive. In result, the water level in the rivers, together with the ground water level, is sinking, which constitutes a breach of the EU WFD. **To our view these problems should be a matter of concern to DG ENV.**

This time, however, it is not a complaint based solely on violations of the EU environmental directives. We will show here how the BG motorways are being incorrectly built with the financial support of the EU itself.

We will also show how a lot of bridges along the entire transport system of the country are set at risk of breaking down, due to the illegal digging of sediments and gravel in the riverbeds, which has led to excessive sinking of the rivers and consequent weakening of bridge foundations. In the high seismic hazardous region of the Balkans, we are just waiting for the next earthquake in Bulgaria, and the EU transport corridors across the country will be disrupted, as there will be a lot of bridges that will not stand anymore. The excavated river aggregates, together with the mud and sludge, are used improperly for the construction of the new road and motorway embankments. **To our view these problems should be a matter of concern to DG MOVE.**

Furthermore, due to the same digging in the riverbeds and to the illegal logging of riverside forests and vegetation, the groundwater level is also sinking. This affects adversely the drinking groundwater sources and leads to uneven settlement of foundations of the houses in the villages along the rivers. And the flood risk for a lot of villages has been increased, of course. **To our view these problems should be a matter of concern to DG REGIO.**

SO, this is a brand new, full scale Complaint, which has nothing to do with any of our previous complaints concerning the illegal development of small hydropower, lodged with DG ENV so far. This new Complaint is based on the destruction of the riverbeds, the poor quality of road and motorway construction, the risks set on the transport system of the country and the effects on the affected villages along the rivers.

Therefore, we hope that this particular Complaint will be taken into consideration by each of the recipient three competent Directorates of the European Commission, each of them in its particular area of competence.

Finally, since a lot of EU funding has been wasted on the construction of the EU transport corridors in Bulgaria, we hope that DG MOVE will take the necessary steps to notify the EU financial institutions, as well as OLAF and the EU Public Prosecutor's Office about the issues raised hereafter.

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ACRONYMS:

MOEW	- Ministry Of Environment and Waters of Bulgaria
MRD	- Ministry Of Regional Development of Bulgaria
NCCD	- National Construction Control Directorate
RIEW	- Regional Inspectorate/s of Environment and Waters
RBD	- River Basin Directorate/s
BDDR	- Basin Directorate Danube River
EARBD	- East Aegean River Basin Directorate
WARBD	- West Aegean River Basin Directorate
WA	- Water Act
EIA	- Environmental Impact Assessment
AA	- Appropriate Assessment
RBMP	- River Basin Management Plan
NCCR	- National Construction Control Directorate
RIA	- Road infrastructure Agency

I. IDENTITY AND CONTACT DETAILS

1. Name:

"Balkanka" Association, Sofia, Bulgaria

2. Sector / field of activity and location(s) where active:

"Balkanka" Association is a non-profit, non-governmental organization, registered in Bulgaria for action in public benefit, on 07 August 2013, company file 203/2013 of the Sofia City Court, UIC 176566443. The main objectives of "Balkanka" are protection and conservation of river biodiversity, with a focus on conservation and restoration of indigenous Balkan brown trout /*Salmo trutta*/ populations in Bulgarian rivers.

3. ADDRESS AND REGISTERED OFFICE

3.1. Surname and forename of complainant:

Ivan Pandukov, Chairman of the board

3.2. Where appropriate, represented by:

dipl.eng. Dimiter Koumanov, member of the board

3.3. Nationality:

Bulgarian

3.4. Address:

Petko Todorov blvd, bl.8, en.D, app.87

3.5. Town: Sofia

3.6. Post code: 1408

3.7. Country: Bulgaria

3.8. Mobile telephone:

+359 887 931 241

3.8. E-mail: dkoumanov@abv.bg

4. Correspondence from the Commission can be sent to the complainant.

5. Member State or public bodies alleged by the complainant not to have complied with Community law:

First - the Bulgarian Ministry of Environment and Waters (MOEW) with all its inferior RBDs and RIEWs, with special compliments for the Danube River Basin Directorate.

Second - the Ministry of Regional Development /MRD/, with a special focus on the National Construction Control Directorate with MRD.

II. DESCRIPTION OF THE SUSPECTED INFRINGEMENT OF UNION LAW

A. The destruction of the Vit River and the "Hemus" Motorway

A1. The destruction of the Vit River

Now, this is a river that is having the bad chance to cross the track of the new Hemus Motorway near the town of Teteven. In November 2019 the riverbed in the area of crossing was totally destroyed. For around six kilometers all the river sediments, gravel and stones were excavated to be used for the nearby embankment of the motorway, and all the riverside trees were removed. Here is a video for proof:

https://btvnovinite.bg/bulgaria/zastrashena-li-e-reka-vit-zaradi-stroezha-na-am-hemus.html?fbclid=IwAR3v87xM_LKRRklrmRJk3Q9J-A7MS7HVxTuR1wac23czbkCLovBzoQKzvGU

It should be noted that during low water periods the water in this river is sinking into the karst grounds in the affected river section. During normal water there runs water in the river - see the picture, taken before the crime from Google Earth:



This picture corresponds to the picture on the front page of this document, which was taken during the crime, while the river was not running. Here it is again:



Both pictures are taken from the same spot on the bridge.

So here are the crimes committed, as far as the environmental legislation is concerned.

- Crime No1:

The area falls within the boundaries of Natura 2000 Birds Directive Site Vassilyovska Planina BG 0002109 and partially inside the Habitats Directive Site Bulgarski Izvor BG 0001036, hosting priority habitat types such as 91E0*, which was completely destroyed, obviously.

Furthermore, in the announcement of the Birds Directive Site there is a special ban on the *"development of new quarries in the river beds and river terraces"*.

For proof see section 6.3 from the order of the Minister here:

http://natura2000.moew.government.bg/PublicDownloads/Auto/PS_SPA/BG0002109/BG0002109_PS_11.pdf

Obviously, there is a huge violation of both the EU Habitats and Birds directives.

- Crime No2:

In the Danube River RBMP there is a special ban on the logging of riverside forests, because these forests consolidate the riverbanks and prevent erosion. This ban was disregarded which constitutes infringement of the EU WFD.

- Crime No3:

In the Danube River RBMP 2016-2021 there is a special ban under reference GD_1_2 on *"the uncovering and exposure of groundwater on the surface, by excavation of sediments and soils covering the ground water body"*! But this is just what happened:



This picture displays the dry riverbed on the left hand side and the ground waters on the surface of the excavated area. Actually the whole area was turned into a Sea of Mud by the heavy machinery in the riverbed. In the right hand corner of the picture the embankment of the future motorway above the bridge is visible.

But there is another huge problem here - the Vit River in the area concerned is not the cleanest river in the world after several villages and the city of Teteven situated upriver. And the natural riverbed sediments were preventing the pollutants in the surface waters to reach the ground water body, as there are many groundwater drinking water sources in the terraces downriver. Those sediments were playing the role of a natural filtration system and they are not there anymore to do that.

This constitutes another huge infringement of the EU WFD.

- Crime No4:

The natural sediments and stones in the riverbed form important habitats for the aquatic life in the river. The presence of the natural sediments, together with the natural groundwater level, is also crucial for the riparian vegetation and riverside forests, which are extremely important for the river self cleaning ability. The removal of sediments and riverside vegetation leads to increased pollution of the water downriver and this constitutes another huge infringement of the EU WFD.

- Crime No5:

In the BG Water Act, article 118j, there is a special ban for the excavation of river sediments, unless when it is necessary for the prevention of flood risks. And the "cleaning" happened in the widest area of the river for absolutely no reason concerning any flood risk whatsoever. The area concerned is perfect to serve as a retention spot without the digging in the riverbed. Such "cleaning" action must also be included as a measure in the Flood Risk Management Plan 2016-2021 of the Danube River Basin in the first place, but it wasn't. This constitutes a huge infringement of the EU Flood Risk Directive.

- Crime No6:

The natural status of the river, with its meanders, bottom substrate, riverside forests etc. is slowing down the current in a safe area, where the water can easily go out of the riverbed without causing any harm to anyone. Straightening and polishing the shiny bottom of the riverbed inevitably leads to acceleration of the water speed, which in return leads to increased flood risks for the settlements downriver. This constitutes another huge infringement of the EU Flood Risk Directive.

- Crime No7:

For the entire Hemus Motorway an EIA and AA procedure was carried out by the "competent" MOEW, of course. In the decision on the approval of the EIA/AA reports, the following measures are included:

No26: *For the transport of backfill aggregates, rock materials and soil, within the boundaries of the Natura 2000 sites only the existing field roads shall be used, together with the track of the motorway.*

No29: *Within the boundaries of the Natura 2000 sites, construction areas, temporary depots, roads and parking lots for the construction machinery shall not be used outside of the motorway track.*

Here is a link to the entire procedure in the Register of MOEW - see Decision No 2-2/2015 from 11.08.2015 for the measures, please:

<http://registers.moew.government.bg/ovos/lot/3804>

Obviously these measures were brutally disregarded in our case, which constitutes a huge infringement of the EU EIA Directive.

IMPORTANT:

The Hemus Motorway is currently being financed with national funding. This doesn't mean that all EU directives can be breached, of course, but the EIA and AA reports were financed through the EU Operative Programme "Transport", which means that some European taxpayers money were wasted for these reports, only to be thrown in the trash so easily. That is - the reports were obviously thrown, while the money happily jumped into someone's pockets, of course.

This is how the famous European EIA/AA procedures are implemented in our country, together with the Natura 2000 Network protection. Usually the reports are of a very poor quality, and when some measures are really useful, they are implemented "by the book", meaning that they stay on paper only.

And this is an issue DG ENV has been notified of so many times, that we are really getting tired of complaining.

- Crime No8:

And what about the reaction of our state environmental authorities? They did everything possible to cover the crime. Here is their reaction in chronological order:

- **On 08.11.2019** we have sent a signal to the "competent" BDDR with pictures.
- **On 13.11.2019** we received the BDDR answer, stating that they have carried out an inspection and discovered old traces of the action "somewhere in the past", but there was no machinery in the vicinity, therefore the perpetrator stays unknown. Here is the official answer:

https://dams.reki.bg/uploads/Docs/Files/PROKUROR_KD-05-204%20-%20Pismo%20na%20BDDR%201.pdf

- **On 14.11.2019** we carried out an inspection of our own and managed to catch the perpetrators blood handed. Another signal was immediately sent to BDDR "green phone" again, together with an invitation for them to come and catch the criminals. Twenty minutes later the whole bunch of baggers, trucks and bulldozers ran away like hell in panic.

Here is a very interesting video of the action:

<https://www.youtube.com/watch?v=Fg6AQHyv7ic>

At that point, and some ten days later, BDDR pretended that they have no idea of what's happening, regardless of the fact that they have seen the huge embankment for the motorway nearby, and the machinery as well. That is why the criminal activities kept going on during the next days.

- **On 17.11.2019** the national TV network BTV broadcasted a report, showing the full beauty of the criminals in action. Here it is:

https://btvnovinite.bg/bulgaria/zastrashena-li-e-reka-vit-zaradi-stroezha-na-am-hemus.html?fbclid=IwAR3v87xM_LKRRklrmRJk3Q9J-A7MS7HVxTuR1wac23czbkCLovBzoQKzvGU

The next week all the "competent" authorities kept lying to the media that they don't know a thing, until our proud BDDR has finally announced that this is a "cleaning" of the riverbed... It looks like "cleaning", doesn't it?

Should those poor officers from BDDR have taken the necessary measures to stop the crime on time, i.e. after our first signal, the impact would have been ten times smaller at the very least. But they have chosen to warn the perpetrators each time for the signals instead, thinking that the bright scheme will always work and they will always get away, the wise guys that they are.

So, in the end of this section, we will underline the fact, that the entire crime was committed with the explicit cooperation and complicity of our high ranked government officials, because the director of BDDR will never take part in such an action on his own, and his ideas were backed by the minister of environment in several media interviews. And even the prime minister released a video of his own inspection on the field, and didn't see the crime.

In the poorest and most corrupt EU Member State, we have a prime minister you are supporting, famous with *some* background, do you know that, dear friends?

A2. Quality of the "Hemus" Motorway construction.

- Crime No9:

A new section of the embankment for the new "Hemus" Motorway starts some 100 meters away from the river below the existing bridge in the area concerned. The excavated river bottom substrate was transported directly to the area of the new embankment works. Apart from the gravel and the sand, the material consists of big stones, mud and sludge. River bottom substrate cannot be used directly as a material of aggregates for any kind of embankment, let alone for roads and motorways. Here is how it looks *in situ*:

<https://www.youtube.com/watch?v=arz5VvbEd88&feature=youtu.be>

If you see those brownish areas in the video above, these are nothing more than Pure Mud. The embankment contains even clumps of grass, stumps and vegetation roots:

<https://www.youtube.com/watch?v=jnldxw7cfyM>

Finally traces of old shoes and galoshes to "strengthen" the embankment can be discovered here and there:

https://btvnovinite.bg/bulgaria/sled-bagerite-vav-vit-prodalzhavat-samnenijata-che-materiali-ot-rekata-sa-vlozheni-v-am-hemus.html?fbclid=IwAR2KOLLNjNS71WaPvW6f0l7CAgzNjEMvZH9rOjEp2rteg_9bphLhJsnWCA

In this video the minister of environment is also trying to convince the audience that the excavated material wasn't used for the embankment, but he failed to point the place where it could have been deposited, which is no surprise to anyone.

Obviously, This Is Not The Way embankments for piggeries are supposed to be built, let alone for motorways as part of the European transport corridors!

- Crime No10:

Our second signal on November 14th was sent not only to BDDR, but to the National Construction Control Directorate /NCCD/ as well, on the grounds that the embankment is of very poor quality. We received an NCCD answer that they have checked some documents in the municipality of Teteven and discovered that there is no construction site for any motorway in the area at all. We were also informed in the same letter about the "cleaning" of the riverbed and of the actions taken by BDDR, but NCCD did not see the huge embankment for the motorway in the end. This means that NCCD refused to fulfill their duties. The reason finally got clear a few days later. Here it is:

- Crime No11:

On November 18th the Road Infrastructure Agency /RIA/ has come up with the news that they did not commission any activities along the Vit River, related to the construction of a new section of the Hemus Motorway:

<http://www.api.bg/index.php/bg/prescentar/novini/api-ne-e-vzlagala-izplnenieto-na-nikakvi-dejnosti-kraj-r-vit-svrzani-s-izgrazhdaneto-na-uchastk-ot-am-hemus/>

... and the simple reason for that is that RIA does not have a Construction Permit for the motorway along the Vit River at all. So the huge piece of embankment that currently is laying on the track of the future motorway is absolutely illegal! That is the reason why the NCCD missed to see the embankment... But what could be the reason for the lack of any Construction Permit? Here it is:

- Crime No12:

In the last video of the BTV Television network one of the local people, owner of a piece of land under the nonexistent motorway embankment, declared that the land was not expropriated and the owners of the land were not compensated at all. This means that the land was stolen from the owners! Now, how about that? European Transport Corridor on stolen land, in the 21st Century? So much for the EU principle for the Rule of Law...

In the end of this section, if anyone of the recipients is not convinced that this is not the way the European motorways should be built, please read carefully the following statement of the Bulgarian Chamber of Engineers on the matter:

https://dams.reki.bg/uploads/Docs/Files/STATEMENT_KIIP_HEMUS.pdf

Please note that in the above statement there is a second part concerning the "cleaning" of the riverbeds, but we will come to that particular issue again in section B. hereafter.

Now, all of this is happening due to one reason only - the Grand Corruption schemes on which the motorway construction in Bulgaria is based! Together with the Energy sector, this is the most corrupt sector in Bulgaria, developed right in front of the wide open eyes of the European Commission, with the financial support of the EU itself. We are proud to be European citizens, you know!

A3. Similar problems with the other motorways - Tracia, Maritsa and Struma

Currently, due to the same quality of the construction works, a lot of problems have occurred during the operation and maintenance of the other motorways, which were financed with European money. Here is some news on the matter:

For the Tracia Motorway - for a big, 40 kilometer long section around the city of Stara Zagora the speed limit was reduced to 90, because the roadway got already wrinkled, but actually no one can drive there with more than 60 kilometers per hour. The section is very dangerous when it is raining, because of the risk for aquaplaning. Is this a surprise to anyone? Here is the proof:

<https://www.marica.bg/balgariq/api-tarsi-40-mln-lv-za-remont-na-otsechka-ot-am-trakiq>

For the Maritsa Motorway - it is exactly the same case as for the Tracia motorway. Here is some news about it:

<https://haskovo.info/94532/%D0%BF%D0%BE%D1%80%D0%B5%D0%B4%D0%B5%D0%BD-%D1%80%D0%B5%D0%BC%D0%BE%D0%BD%D1%82-%D0%BD%D0%B0-%D0%BC%D0%B0%D0%B3%D0%B8%D1%81%D1%82%D1%80%D0%B0%D0%BB%D0%B0-%D0%BC%D0%B0%D1%80%D0%B8%D1%86%D0%B0/>

https://www.dnevnik.bg/skorost/2019/02/01/3383876_putnata_agenciia_tursi_resheni_e_na_konstruktiven/

https://www.dnevnik.bg/skorost/2016/05/25/2765920_po_novoto_trase_na_magistral_a_marica_shte_bude/

Currently the third reconstruction of "Maritsa" is underway...

And here is some news for reconstruction of the Struma Motorway:

https://inews.bg/%D0%94%D1%8A%D0%B6%D0%B4%D0%BE%D0%B2%D0%B5%D1%82%D0%B5-%D0%B4%D0%BE%D0%B2%D0%B5%D0%B4%D0%BE%D1%85%D0%B0-%D0%B4%D0%BE-%D1%80%D0%B5%D0%BC%D0%BE%D0%BD%D1%82-%D0%BC%D0%B0%D0%B3%D0%B8%D1%81%D1%82%D1%80%D0%B0%D0%BB%D0%B0-%D0%A1%D1%82%D1%80%D1%83%D0%BC%D0%B0-1a_i.371563.html

When the killing of the Vit River has gone public, we received a whole bunch of notifications from local people that the same was happening during the construction of the Struma Motorway Lots. We have no proof for now, but some day we will visit the new Struma Lots with the drone to see what's happening there too.

Important:

Judging from the reactions of the state authorities during the destruction of the Vit River, obviously it is a common practice from their point of view. Then, we are really frightened of what is going to happen during the construction of the Struma Motorway inside the Kresna Gorge, you know! The Gorge will be blocked on both sides for the construction and there will be no access for any kind of control. As they did what they have done to the Vit River without caring about anything at all, in an wide open area were the "cleaning" of the riverbed was visible from everywhere, can anyone imagine what will happen to the Kresna Gorge with no access for normal people? And this is also going to be financed by the EU? Come on, guys, do not finance the Grand Corruption in our country, please, at least until we turn into a normal law abiding EU Member State! Possibly you have come to the idea that the false embankments with stolen river aggregates are actually paid as being made of crushed stones, as they in fact should be prepared, right?

B. "Cleaning" of the riverbeds in Bulgaria

B1. Illegal logging of riverside forests

In the previous section we described how important the riverside forests and vegetation are. According to the BG Water Act, for the prevention of flood risks only the trees and bushes that have grown inside the riverbed, together with the fallen and dangerously inclined trees on the riverbanks, should be removed. But it has become a national sport - the "cleaning" of the riverbeds, by cutting healthy forests on the riverbanks.

The reason is very simple - the "cleaning" is financed by the BG Multi Institutional Commission for Reconstruction and Assistance /MICRA/ on one hand. On the other hand - additional money for the timber is received by the logging companies. Usually, this action is combined with the removal of river bottom substrate, and they are taking money for the gravel and the sand too.

And there is a ban on cutting riverside forests in every RBMP 2016-2021 in Bulgaria, which is totally disregarded.

In most of the cases this is happening in Natura 2000 Habitats Directive Sites, hosting priority habitat types, usually 91E0*. Here are some examples:

Yadenitsa River, Natura 2000 Habitats Directive Site Yadenitsa BG 0001386, habitat type 91E0*:

<http://news.bnt.bg/bg/a/sech-kray-belovo-szdava-opasnost-ot-navodnenie>

Divlyanska River, Natura 2000 Habitats Directive Site Zemen BG 0001012, habitat type 91E0*:

<https://www.youtube.com/watch?v=o5jG3ahWGRQ>

Dragovishtitsa River, Natura 2000 Habitats Directive Site Karshalevo BG 0000294, habitat type 91E0*:

<https://www.youtube.com/watch?v=VaFChbgQze0>



The same has happened to many other rivers, but the Vit River case, described in the previous section, was the most severe of all. Currently there is a wild tsunami of new Permits for riverside forests logging, issued by all RBDs in the country...

In the last case with the Yantra River we managed to file an objection, which was overruled by the famous BDDR. If you see the last picture, during the next flood the river will dig out the riverbanks, take away the sediments and accumulate them back at the most inappropriate curve of the river, and then the river will get out of its bed. And this is masked as "cleaning" for the prevention of flood risks!

B2. Digging of river sediments, gravel and stones

Apart from the Vit River case, the "cleaning" of river bottom substrate has also turned into a national sport. The reason was explained in the previous section - there is too much money to be split in the same corruption scheme. Here is just one example of the most affected river - Maritsa, in the East Aegean River Basin:



This is happening in Natura 2000 Habitats Directive Site Reka Maritsa BG 0000578, some 10 kilometers away from the headquarters of EARBD. More interesting pictures can be found here:

<http://gallery.balkanka.bg/s/users/pitcha/TEMP/MARITSA/>

If you see the pictures in the link, this is not the way to fight flood risks!

We have sent a signal to EARBD of course, but "surprisingly" they didn't find anyone on the spot during their inspection, and the digging is still undergoing currently...

B3. Consequences for the transport system and results

Due to the immense digging in the riverbeds, the rivers are sinking and foundations of bridges soar above the surface, sometimes reaching 2.5 - 3.0 meters over the original level of the river at the time when the bridge was built. Here are some examples:

- **Bridge over the Struma River** - here is the news about the bridge being in a "near collapse" state:

<https://dariknews.bg/regioni/blagoevgrad/eksperti-i-zhiteli-na-petrich-obsydiha-opasniia-most-kraj-ribnik-2146432>

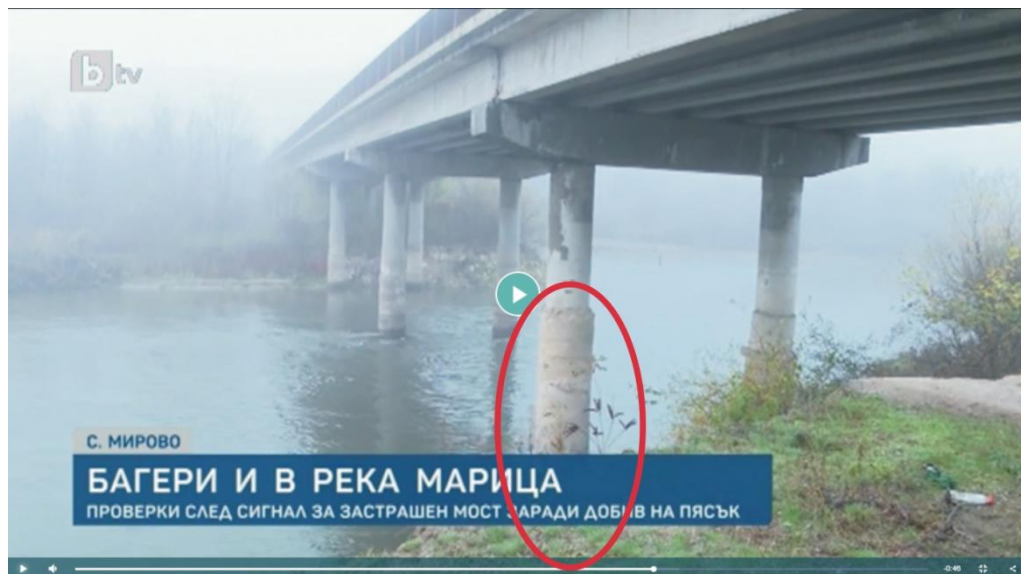
Here is a short citation from the above announcement:

"The reason, according to the Road Infrastructure Agency experts, is the removal of fine material near the pillars of the bridge."

- **Bridge over the troubled Maritsa River**, six kilometers upriver from the town of Plovdiv:



- Another bridge over the Maritsa River, nearby the Mirovo village:



In the ellipse on the photo the original cast in situ pile is visible. The pointer shows the upper end of the pile at the time when it was casted. This was the original level of the bottom of the riverbed back then.

Here is a link to the BTV full report on this particular case:

https://btvnovinite.bg/bulgaria/trevoga-ot-ekologichna-katastrofa-s-r-marica-zaradi-otstranjavane-nanosi.html?fbclid=IwAR1Z4PV59nF7CZglkrY5uQLgBGexMOE2FZTgLeRr_eyZGZGlj8URdVZCDPk

Note how the local people are complaining, pointing out the cracks on their houses, caused by the sinking of the groundwater level too.

The results are inevitably coming:

- The structural safety of these bridges is set at immense risk. Another, even a moderate earthquake and these bridges will break down, disrupting the European transport corridors in Bulgaria.
- Most likely these bridges will fall into the riverbed, blocking the current, and the river will flow out of its bed. This obviously leads to growing of flood risks everywhere as well.
- There is the same risk for the houses in the settlements along the rivers, which are getting cracked even without any earthquake.
- Groundwater level is sinking and that is causing deterioration of the drinking water sources in the terraces along the rivers.
- Due to the illegal logging of riverside forests, erosion of the riverbanks is growing.
- Due to the illegal logging of riverside forests and to the excavation of bottom substrates, the self cleaning abilities of the rivers are compromised and the water is getting more and more polluted. Again that leads to risks for the drinking water sources. Therefore deterioration of the chemical status of the surface and the groundwater bodies is inevitable.
- Deterioration of the ecological status of the rivers is a fact. It is due to the pollution of the rivers and to the huge loss of river habitats, riparian vegetation and riverside forests.

C. Union laws (e.g. Treaties, regulations, directives, decisions) or principles underpinning Union law that we believe to have been breached by the authorities of the country

- **Treaty on the Functioning of the European Union**

- **Article 191**

- (ex Article 174 TEC)

2. Union policy on the environment shall aim at a high level of protection taking into account the diversity of situations in the various regions of the Union. It shall be based on the precautionary principle and on the principles that preventive action should be taken, that environmental damage should as a priority be rectified at source and that the polluter should pay.

- **Directive 2001/42/EC** of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment:
- **Directive 2000/60/EC** of the European Parliament and of the Council establishing a framework for Community action in the field of water policy
- **Council Directive 92/43/EEC of 21 May 1992** on the conservation of natural habitats and of wild fauna and flora
- **DIRECTIVE 2011/92/EU** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the assessment of the effects of certain public and private projects on the environment
- **DIRECTIVE 2014/52/EU** OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment

D. Does the EU country concerned receive EU funding relating to the issue that prompted your complaint, or may it receive such funding in future?

Yes, a lot of it. We are not sure how much, but Bulgaria receives a lot of EU funding for environmental protection which usually gets split in different corruption schemes, but DG Environment is pretty well aware of the fact. The same goes for the development of the Natura 2000 Network, which really means nothing in Bulgaria.

Huge amount of EU funding is also wasted and split in different corruption schemes for the "sustainable development" of the national transport corridors as well.

III. LIST OF DOCUMENTS / EVIDENCE

All the evidence concerning described infringements is included where appropriate in the document above in the form of links to pictures, videos and documents.

IV. APPEALS/LEGAL ACTIONS/ OTHER ACTIONS

Concerning the "cleaning" of the rivers and the poor quality of the motorway construction works, we have not contacted any of the EU institutions insofar.

We do not believe that SOLVIT is better placed to deal with this problem.

V. CONFIDENTIALITY – DATA PROTECTION

We authorize the Commission to disclose the identity of Balkanka Association and/or the identity of our representative in its contacts with the Bulgarian state authorities, against which we are lodging this complaint.

Moreover, we have sent copies of all our previous complaints to our state authorities, so they are pretty well aware of our actions. Having nothing to hide, in due course we will send a copy of this document too.

VI. AIM OF THE COMPLAINT

Ladies and gentlemen,

We can continue almost endlessly with the above list of river "cleaning" adverse effects, but that should be enough for now. As for the reason of the crazy "cleaning" of the riverbeds - it was explained already. It is the Grand Corruption ruling the entire country with the explicit support of the European Commission.

The funny thing, however, is that for the miserable profit of a few companies, connected to the political parties in power, millions will have to be wasted to repair or to rebuild the affected bridges. Possibly we will manage to get some extra money from the EU to do that, wouldn't we, dear friends from the European Commission?

We are fighting with the river "cleaning" for more than three years now, and no state authority is paying any attention whatsoever. So the idea obviously comes from the highest official state levels in the government. Nobody here can stop that growing craziness.

As for the construction of the motorways in our country, there is one more thing for us to add - once an embankment of a motorway is not properly laid and built, which always happens to the miserable profit of some well connected individuals again, it will lead to everlasting problems which could never be repaired. We really hope that the EU is rich enough to give us more and more money for the future reparations, every now and then.

So here is our strong advice to all recipients of this Complaint:

Although it is too late already, the European Commission should quit financing the Corruption in our country, at least until we turn into a normal, law abiding EU Member State! And please, think about the Struma Motorway inside the Kresna Gorge, will you!


Finally and once again, since a lot of EU funding has been wasted on the construction of the EU transport corridors in Bulgaria, we hope that DG MOVE will take the necessary steps to notify the EU financial institutions, as well as OLAF and the EU Public Prosecutor's Office about the issues raised in this Complaint.

Thank you all for your kind understanding and cooperation.

"Nature has all the time in the world, we do not".

Place, date and signature of complainant/representative:

Representative for this complaint:


/dipl.eng. Dimiter Koumanov/
Member of the board

Sofia, Bulgaria
26.12.2019