



Committee on Petitions  
The Chairman

Brussels,  
KLC/ea[02-COM.PETI(2009)D/25415]

Mrs Vera Petkantchin  
20 Elin Pelin Str. fl. 4  
BG - 1164 Sofia  
Bulgaria

308981 08.06.2009

Subject: Petition Nr.0526/2008 (reference to be quoted in all correspondence)

Dear Ms Petkantchin,

Further to my letter of 09.10.2008, I would like to inform you that the Committee on Petitions continued its examination of your petition at its meeting of 30.04.2009, taking due account of the written and oral information provided by the European Commission. I am enclosing, for your information, a copy of the Commission's written reply.

Following its discussion, the committee decided to ask the Commission for further information. The committee will continue its examination of your petition as soon as it is in receipt of the required information.

I also want to take the opportunity to thank you for your and Ms. Neli Arabadzhieva's presence at the Committee meeting. With your contributions you gave Members a more thorough understanding of the problem raised in your petition.

I shall, naturally, keep you informed of any further action taken on your petition.

Yours sincerely,

Marcin Libicki  
Chairman of the Committee on Petitions

Annex: Commission reply (PE 420.004)

# EUROPEAN PARLIAMENT

2004



2009

*Committee on Petitions*

30.01.2009

## NOTICE TO MEMBERS

**Subject: Petition 0526/2008 by Vera Pentkantchin (Bulgarian), on non implementation by the Bulgarian Government of Community legislation regarding the Natura 2000 network**

### 1. Summary of petition

The petitioner maintains that the Bulgarian Government is failing to provide any real protection for Natura 2000 conservation areas, and that urgent measures are necessary to prevent the destruction thereof. The petitioner outlines the basic problems and recommends solutions, identifying specific areas where Community law regarding the Natura 2000 network is not being implemented.

### 2. Admissibility

Declared admissible on 30 September 2008. Information requested from Commission under Rule 192(4).

### 3. Commission reply, received on 30 January 2009.

#### The petition

The petitioner maintains that the Bulgarian Government is failing to provide any real protection for Natura 2000 conservation areas and that urgent measures are necessary to prevent their destruction. The petitioner outlines the basic problems and recommends solutions, identifying specific areas where Community law regarding the Natura 2000 network is not being implemented.

The petitioner raised two main issues. The first deficiency is the insufficient designation of three

Sites of Community Interest (SCIs), namely "Rila Buffer" BG0001188, "Tvardishka Planina" BG0000211 and "Zapadna Stara Planina i Predbalkan" BG0001040.

The second issue is related to the development of projects in a number of sites designated under Directive 92/43/EEC on the conservation of natural habitats and wild flora and fauna<sup>1</sup> (Habitats Directive) and Directive 79/409/EEC on the conservation of wild birds<sup>2</sup> (Birds Directive).

#### The Commission's comments on the petition

##### *Insufficient designation of Natura 2000 sites*

The analysis of the current situation shows that Bulgaria has so far designated approximately 34% of its territory which to a large extent allows for coverage of the habitats and the species protected by both Birds and Habitats Directives. However, some additional work is needed in order to ensure full compliance with the Habitats Directive. Bulgaria might need to either enlarge some already existing sites, or to propose new sites at the latest by 1 September 2009. Therefore, the issue of insufficient designation is still open and is being addressed.

The main concerns of the Commission remain in relation to the insufficient designation of SPAs. Although Bulgaria has designated all its 114 important bird areas (IBAs), the territories of six of the sites were significantly reduced without clear scientific justifications. The Commission addressed a letter of formal notice to the Bulgarian authorities in June 2008. The reply was received in August 2008 and is currently being analysed by the services of the Commission.

##### *Development activities in areas eligible for conservation under EC nature protection legislation*

The Commission has been informed about the intensive construction of the Black Sea and mountain areas in Bulgaria, and in particular in the areas of Kaliakra, Emine-Irakli, Rila Mountain, Pirin Mountain, etc. For these cases the Commission has started investigations, which are still on-going. For the construction developments in the important bird area of Kaliakra the Commission sent a letter of formal notice to Bulgaria in November 2008.

#### Conclusions

The Commission will continue investigating the situation in Bulgaria, both in relation to the designation of Natura 2000 sites and regarding the adequate implementation protection regimes under the Nature Directives. If necessary, action as foreseen by Article 226 of the EC Treaty will be undertaken.

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<sup>1</sup> OJ L 206, 22.7.1992, p. 7-50

<sup>2</sup> OJ L 103, 25.4.1979, p. 1-18