

Initiative Committee of
Gabrovo residential areas
“Chehlevtzi”, “Velchevtzi”,
“Dyado Dyanko”, “Smirnenski”

To:
European Commission
Directorate General – Environment
Directorate A- Legal Affairs and Cohesion
Env. A.2.- Compliance promotion, governance and legal issues

xxxxxx@xx.xx

21st May, 2011-05-21

To the attention of Mr. Brakeland, Head of Unit

Subject: Your letter as of 13th May, 2011 referring to our complaint registered under reference number CHAP (2010) 02268 (EU pilot 1517 /10/ ENVI)

Dear Mr. Brakeland,

Thank you for your letter with regard to our complaint concerning the planning and implementation of Gabrovo by-pass road.

Your letter made us understand how scarce and misleading is the information the European Commission receives from Bulgarian authorities about the problems of Gabrovo west by-pass road project /E-85, international road/. The truth is quite different, as we have always pointed out, and that has been the reason for asking support from the European Commission. The Bulgarian authorities would like to realize a project regardless of the ecological, social and health problems it causes; to implement it despite the price the people of the affected communities have to pay as the territory of the residential areas will be gravely affected.

The truth will become clear when you read the Statement and the Analysis of the Environment Impact Report, which we are sending to you, and, which was presented at the public consultation meeting on 29th September, 2010 in Gabrovo, as well as other additional documents.

Once again we would like to point out that we insist /and always have insisted/ on alteration of the planned by-pass road route in the “third” and “fourth” stage – a new alternative route, which does not affect the residential areas, to be designed. There is a possibility for such route which does not trespass any residential areas. In such case, the route will be just 3 km longer. Working out of an alternative route, is an absolute must according to the Bulgarian legislation and the Environment Impact Directorate. Despite our multiple requests to Agency of Transport Infrastructure /ATI/ such alternative routes, which will not affect residential areas, have not been presented for discussion or, even, designed more than 5 years.

We also would like to state that we do not oppose to the other stages of the route or to the tunnel route itself, though we know about the problems with Natura 2000.

After the public consultation meeting of 29th September, 2010 we have had the following communication with the Bulgarian authorities and institutions:

- we have informed ATI about our desire to collaborate in expecting, on the spot, the alternative by-pass road route of the above-mentioned stages with a letter as of 4th October, 2010;

- we asked for a copy of the public consultation meeting minutes 1.) the Mayor of Gabrovo Municipality with a letter of 27th October, 2010 and 2.) ATI with a letter of 22nd November, 2010 but neither of the above mentioned institutions sent us the Minutes.

We managed to obtain the Minutes of the Public consultation meeting of 29th September unofficially.

According to the Minutes only 15 people stated their opinion at the meeting in Gabrovo. We can see that the opinions against the planned by-pass road, stated by residents of the affected areas are not set down correctly in the Minutes- those opinions are shortened and altered unrecognizably. From the many people present at the meeting in Gabrovo only three supported the project and furthermore their statements did not refer to the Impact Report. They were a praise to the architects and the project, full of populism and political implications. At the same time, some of the most important statements, opinions of 6 affected residents, are not mentioned in the Minutes. We consider that a rough manipulation and an attempt to hide the information about the serious environmental, social and health problems the project will cause.

At the next public consultation meeting we will officially protest against the purposefully hidden and “skipped” statements.

At the public consultation meeting of 29th September in Gabrovo written statements on the Environment Impact Report were presented by the Initiative committee as well as written objections from residents, representing their families – the total number of 32. The list of those statements and objections was signed by the person taking down the Minutes.

With a letter as of 27th October, 2010 to the Minister of the Environment and Waters we inquired about the decision on the Environment Impact Report and that was the only institution which we received an answer from with a letter as of 24th January, 2011. That letter states that the Report was turned back to the team for additional research and working out of alternative routes.

We have the impression that ATI does not have any intentions to consider our legal requirements and does not plan to design any alternative routes /as they have not contacted us in that respect/.

We, the residents of the affected areas, have been living under great pressure provoked by statements of different state men and even ministers on the different media, declaring clearly that the Gabrovo west by-pass project will be implemented regardless of all, thus manipulating the public opinion. /we have made a collection of “curious” statements on different media, photos and a video from the public consultation meeting as a proof of that/. Obviously, those institutions are determined not to comply with anybody or anything. Their aim is to realize the funds and to make a PR campaign. That is why we are getting ready not only for the new public consultation meeting but also for starting a case at the European Court in Strasbourg. We hope that your cooperation will help us avoid that. It would be greatly appreciated by us if there is a European Commission representative at the next public consultation meeting.

Here, we ask your unit, with the help of the required experts, to read and discuss the Statement and the Analysis as of 29th September, 2010 profoundly. Those documents have been prepared based on the Environment Impact Report by Bulgarian lawyers and ecologists.

We hope the provided information will help you with the important decisions.

Yours truly,

Nikolay Tsvetanov

Ivan Denchev
Representatives of the Initiative Committee

Incl.:

1. Statement on the Environment Impact Report of 29th September, 2010;
2. Analysis of the Environment Impact Report of 29th September, 2010;
3. Minutes of the Public Consultation Meeting;
4. List of residents having submitted objections and protest against the project;
5. Letter to ATI of 4th October, 2010;
6. Letter to ATI of 22nd November, 2010;
7. Letter from the Ministry of Environment and Waters of 24th January, 2011.