

Civil Society Support for Democratic, Environmental, Human Rights and the Rule of Law in Bulgaria and the EU

**Statement signed by the Working Group “Environment” of the EU-Russia Civil Society
Forum at the 8th Forum General Assembly (15-18 May 2018, Sofia, Bulgaria)
in support of Bulgarian civil society organisations engaged in the struggle for the rule of
law and defending the environmental, democratic, social justice and human rights
norms of the European Union**

We share the increasing concerns of civil society organisations standing up for environmental, human and social rights, and defending democracy and the rule of law in Bulgaria. We are concerned with the existing democratic deficits, revealed by the ongoing pressure by connected political and business interests with increasingly consolidating hold of mass media and democratic institutions, against critical civil society voices in Bulgaria. We demand the urgent attention and decisive actions of Bulgaria’s authorities, and the institutions of the European Union, whose Council of the Ministers Bulgaria currently presides upon.

One particular reason of concern is the decisions and actions of Bulgarian authorities in allowing future development within the Pirin National Park, including Council of Ministry’s decision from 28 December 2017 for amendment of the Management Plan of the Pirin National Park. Pirin is an emblematic protected area, as it falls under the protection of EU’s Natura 2000 protected areas’ network, EU’s nature conservation directives, and is also a UNESCO world heritage site. This decision extends the total area of possible constructions of up to 48% of the park and within this territory designates a four times larger area for development of ski lifts and ski runs at the cost of primeval endemic forests of European Natura 2000 habitats of global significance. More worryingly, it was taken without carrying out a strategic environmental assessment required under EU directives.

For over five months, thousands of citizens from over 30 cities across Bulgaria and Europe have been protesting against this governmental decision. We support their protests and their demands:

- the decision No. 821 of the Bulgarian Government to be withdrawn; and
- the real owner(s) of the company Yulen AD, which owns the concession of the National Park Pirin, to be announced as a first step to an international audit of the concession.

We consider the wording and style of this European government’s decision an unacceptable act of violation of the Bulgarian and European legislation. In light of the above mentioned, we are very concerned that the European Commission still shows a little recognition or support to the efforts of Bulgarian society and even the Environment Commissioner Karmenu Vella concludes that there have been no violations on the Pirin case to date.

The Pirin case is not isolated. It is similar to many other cases across Europe where short-term financial gains of structures close to the political decision-making receive indiscriminate support by democratic institutions over environmental, social and human rights principles of the EU.

The hostile response unleashed against critical civil society voices and the orchestrated media pressure against them by mass media and political communicators with apparent connections to consolidating business and political interests is a source of grave concern. The same tactics of pressure and ostracism, applied against civil society voices in fields like defence of human, gender and women rights over the past months, which led to the withdrawal of Bulgaria's government's support from ratification of the Council of Europe's Convention on preventing and combating violence against women and domestic violence. Other progressive policies and achievements of Bulgaria's EU membership have been challenged, such as the rights of citizens to appeal on environmental investment decisions that affect their livelihoods.

All this happens under the conditions of undermined freedom of speech and independent journalism, which has been demonstrated to the unprecedented surge of Bulgaria to the 111th place in the yearly ranking of Reporters without Borders. At the same time, controlled media outlets, spreading hate speech and intolerance against civil society, receive EU funding through Bulgaria's national institutions. Inherent corruption and paralysis of institutions' efforts in combating corruption, particularly in high government and political circles, have led civil society experts to observing a worrying trend of state capture in Bulgaria.

This situation demands changes in the European policy. In a time, when the economy is doing well, it is crucial to ensure that economic progress can go hand in hand with the highest standards in nature conservation, protection of human and social rights of European citizens, public participation in decision-making and transparent governance, responsible to citizens' interests.

We demand that Bulgarian and European institutions and political decision-makers take proactive steps to follow our demands in order to support the results of the Fitness Check of the Council Directive 92/43/EEC. They concluded that the Directive is fit for purpose and the main focus for the future has to be its better implementation. It is time to put these words in action!

More specifically, we call upon the institutions of the European Union and the governments of EU member states to:

- engage much more actively in promoting and safeguarding its own norms related to democratic, environmental, social justice and rule of law

- ensure through its policies and institutional mechanisms that these norms receive equal – and greater – consideration by its institutions to the purely economic priorities that currently dominate decision-making
- use the resources and leverage of EU institutions to enforce transparency and access to information, public participation and access to justice principles and strengthen the provisions of the UNECE Convention on Access to Information, Justice and Public Participation and other policy instruments for that purpose that apply within the EU
- impose stricter controls of the behind the scene influence of various industrial and economic interests on the decisions and actions of European institutions
- introduce checks and balances in the use of EU funds to prevent undermining the Union's own environmental, democratic, social and human rights norms
- create independent funding mechanisms that secure the operations of independent and critical civil society, journalism that support the EU's inherent democratic, human rights, environmental and social equality principles.

We greatly support the initiative of the European Commission to link further EU funding for member states to respect of rule of law and other fundamental values of the EU.