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CASE STUDY

“The Management Plans of Vitosha and Pirin: EU money is used for destruction of valuable biodiversity within protected areas.”

Summary: The Association of Parks in Bulgaria (APB) identifies data evidencing misuse of EU funds (projects DIR-5113325-3-91 „Sustainable management of Pirin National Park and Tisata Reserve” and DIR-5113326-4-98 „Activities for Sustainable Management of Vitosha Nature Park “, financed under OP Environment 2007-2013) and loss of biodiversity expected as an outcome of EU-funded projects’ activities.

Within APB’s work on analyzing the proposed updates to the Management plans of Pirin National Parks and Vitosha Nature Park, we have identified **potential great loss of biodiversity in two Bulgarian protected areas that will probably be caused by usage of EU money from OP Environment 2007 – 2013**. The Ministry of Environment and Waters (MOEW) has provided the Directorates of both the parks Pirin and Vitosha with significant amount of funds from OP Environment to boost their work:

- The approved budget for the project DIR-5113325-3-91 „Sustainable management of Pirin National Park and Tisata Reserve” is 19 791 600,00 BGN (10 119 284,40 EUR)
- The approved budget for the project DIR-5113326-4-98 „Activities for Sustainable Management of Vitosha Nature Park” is 5 240 300,00 BGN (2 679 322,85 EUR)

Among different activities envisaged, both projects include preparation of updated Management plans of the parks. The problem is that although the plans are not finished and officially adopted, the beneficiaries (Parks’ Directorates) already paid almost 100% of the money to the company hired to develop the plans. Both projects for updated Management Plans – for Pirin National Park and Vitosha Nature Park - envisage changing the now active restrictions on construction and logging in the parks and thus their adoption will result in loss of valuable EU biodiversity. Both projects for updated Management Plans developed within the OP Environment-funded projects DIR-5113325-3-91 and DIR-5113326-4-98, have not undergone neither the procedure of Strategic Environmental Assessment nor the one of Appropriate Assessment. At present, it is time for MOEW to approve or dismiss these payments as part of the EU funding. If the Ministry approves them with all the documented insufficiencies, problematic proposals in the projects, misused information, manipulation of facts and dubious predictions for the impacts inside, it will mean that **EU money is used for destruction of valuable biodiversity within protected areas**.

Data on spendings for the two parks’ projects for updated Management Plans in spite of documented breach of the requirements of the public procurements:



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1. Within the frame of the project DIR-5113325-3-91 a public procurement contract has been paid in full (see Annex No 1 – highlights on pages 1 and 5) though significant discrepancies between the TOR of the contract and the product delivered have been repeatedly documented (Annexes No 2, 3, 4). The public procurement contract is about “Elaboration of a Management Plan for Pirin National Park for 2014-2023” (contract ID Number within the Bulgarian Public Procurement Agency (PPA): No 01135-2012-0003, cost of the contract: 1 399 000 BGN/715 297,34 EUR without VAT);
2. If the MOEW does not stop the proposed Management Plan – the product of this project – the following activities will be legalized in Pirin National Park:
 - 14-fold increasing of the areas for new construction in the heart of Pirin mountain;
 - Commercial logging areas would cover 60% of the territory of Pirin National Park (currently it is 0%).
3. Within the frame of the project DIR-5113326-4-98 another public procurement contract has been paid in full (see Annex No 5 and Annex No 5a) though significant discrepancies between the TOR of the contract and the product delivered have been repeatedly documented (see Annex No 6). The public procurement contract is for “Updating the Management Plan of Vitosha Nature Park for 2015 – 2024. including elaboration of geo-based data and maps, and development of the GIS of Vitosha Nature Park” (contract ID Number within the Bulgarian Public Procurement Agency (PPA): No 01946-2014-0001, cost of the contract: 468 000 BGN/239 284,60 EUR without VAT).
4. If the MOEW does not stop the proposed Management Plan – the product of this project – the following activities will be legalized in Vitosha Nature Park:
 - construction of new ski runs and lifts as well as new building will be allowed on 40% of the park’s territory (currently only replacement of the existing ones is allowed);
 - construction of new hotels and villas and buildings for manufacturing, warehouse and infrastructure purposes is forbidden. All other types of buildings are allowed, e.g. restaurants, ski facilities, shops or even MALLs, as long as they are not located close to a hut.
5. There were 5 different public procurements for elaboration of new or updated Management plans of National or Nature parks, paid by OP Environment. Each of those calculated and get paid a different price per ha of the territory of respective parks though the nature of the contracted work is one and same by definition (Annex No 7). For example the prices of Proles Engineering Ltd. (the company that is the contractor under the two named projects above) vary considerably – from 5 (Vitosha) to 8 (Pirin) times higher than the price for Central Balkan National Park. This is also a sign that the payments do not correspond to rationalized price calculations and maybe the two projects’ activities are overpaid in order to get “specific” results, not necessarily the ones that meet the requirements of the public procurement aims.

Data on the two parks’ biodiversity, threatened by the projects for updated Management Plans:



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1. Both Vitosha Nature Park (http://park-vitosha.org/wp-content/uploads/2016/02/spisanie-ENG_July-2012.pdf) and Pirin National Park (<http://www.moew.government.bg/?show=top&cid=549&lang=en>) are protected areas under the Bulgarian Protected Areas Act due to the rich biodiversity within these mountains
2. Pirin National Park is listed as a Unesco World Heritage Site, with only the territories which have been gradually constructed and logged for ski tourism have been excluded from the World Heritage Site - <http://whc.unesco.org/en/list/225>. Further construction and ski resort development has been repeatedly forbidden by the World Heritage Committee but are allowed in the project for an updated Management Plan, developed within the OP Environment-funded project DIR-5113325-3-91.
3. Both Vitosha Nature Park (<http://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=BG0000113>) and Pirin National Park (<http://natura2000.eea.europa.eu/Natura2000/SDF.aspx?site=BG0000209&release=1>) encompass protected zones of the European environmental network Natura 2000 - . The protected zones objects' conservation status will undoubtedly be negatively affected if MOEW validates and adopts the updated Management Plans, developed within the OP Environment-funded projects DIR-5113325-3-91 and DIR-5113326-4-98
4. The regimes for nature conservation within the current Management Plans of both parks are much stronger compared to the provisions in the projects for updated Management plans:
 - current MP for Pirin National Park - http://pirin.bg/eng/p_upr/pl_upr_en.pdf . Project for updated MP, funded within the OP Environment-funded project DIR-5113325-3-91, in Bulgarian only – http://www.pu-pirin.com/images/dokumenti_do_DNP-Pirin/PUNPP_16.05.2016/00-PUNPP_16.05.2016-dnpp.pdf
 - current MP for Vitosha Nature Park, in Bulgarian only - <http://park-vitosha.org/wp-content/uploads/2014/12/%D0%9F%D0%BB%D0%B0%D0%BD-%D0%B7%D0%B0-%D1%83%D0%BF%D1%80%D0%B0%D0%B2%D0%BB%D0%B5%D0%BD%D0%B8%D0%B5-%D0%BD%D0%B0-%D0%9F%D0%9F-%D0%92%D0%B8%D1%82%D0%BE%D1%88%D0%B0.pdf> . Project for updated MP, funded within the OP Environment-funded project DIR-5113326-4-98, in Bulgarian only - <http://pu-vitosha.com/wp-content/uploads/2016/08/APUPPV-13.06.2016.pdf>

Background data regarding EU funds spending in Bulgaria:

- When the current government of GERB took office the general rate of absorption of EU money was much less than 10% and the forecasts for the 2007 – 2013 show that the final absorption rate will probably reach some 25 – 30%. Therefore, to speed up the use of money in the middle of the financial crisis the government decided to switch the procedures from more open bids for different beneficiaries (public, private, NGOs) to more money distributed to the administrative units



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(branches, affiliations, structures) of the different government Ministries. Afterwards, these units would organise public procurement procedures to select the contractors for the specific works.

- Pirin National Park is a 100% state-owned entity that belongs to the MOEW. The head of its managing body – the Director of the Pirin National park directorate, is selected in a competition by the Minister of the Environment and Waters.
- Vitosha Nature Park is a 100% state-owned entity that belongs to the Ministry of Agriculture and Foods. The head of its managing body – the Director of the Vitosha Natural park directorate, is selected in a competition by the Minister of the Agriculture and Foods.