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## TEMPLATE: FINAL REPORT BY THE EXPERT

**Advice case title:** Limitations to cross the Nymfaia – Makaza Pass

**Full official name of the advised entity:** Chamber of Commerce & Industry of Xanthi

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**Table of contents:**

I. Executive summary .....	2
II. Description of the obstacle with indication of the legal/administrative provisions causing the obstacle.....	3
III. Description of possible solution(s) .....	12
IV. A full list of all legal provisions relevant to the case with the correct citation both in original language and in English .....	16
V. Other relevant aspects to this case if relevant .....	20
VI. References and Appendix/Appendices, if any .....	20

## I. Executive summary

The border between Bulgaria and Greece (around 490 km) is serviced by 7 border crossing points. The one subject to the current case study, “Makaza – Nymfaia” (opened in 2023) is the second busiest one. It is servicing almost half a million passengers per year (2022 – 2023) mostly from Greece, Bulgaria and Romania. It is situated in the Rhodope Mountains, 20 km north of Komotini (Greece) and 50 km south of Kardjali (Bulgaria). Based on a bilateral agreement, the entry and exit controls at the checkpoint are carried out on the Bulgarian side of the border at Makaza.

For over 10 years now, since its opening, only vehicles of class M1 (vehicles with no more than 8 seats in addition to the driver’s seat) and N1 (trucks for the carriage of goods with a maximum mass not exceeding 3.5 tonnes), are permitted to cross the Makaza – Nymfaia check point. This restriction is regarded by the local stakeholders as a significant impediment to cross-border business, commerce and tourism. The main reasons for this restriction are related to the limited infrastructure facilities at the checkpoint:

- Lack of separate “exit” and “entry” lanes for buses
- Lack of lanes and built-in control scales for weighing the mass of heavier trucks

During busy times with heavy cross-border traffic (e.g. in the summer), there are km-long queues on both sides of the border, and the passage through the border crossing may easily take over an hour. Therefore, the state authorities have decided to keep the restriction until additional infrastructure measures are implemented. In fact, such plans are in existence since 2022 but they are far from taking place. Yet, there is no information about the availability of budget, technical designs and procedures for the implementation of construction works for improving the permeability of the checkpoint.

The main solutions for lifting the traffic limitations at the checkpoint are the following:

- Infrastructure upgrade:
  - Construction of additional lanes, at the entrance and at the exit, for buses and for incoming and outgoing freight trucks with the relevant technical equipment, including 2 automatic vehicle axle scales for measuring the total mass and axle load of motor vehicles in motion
  - Extension of the existing canopy above the newly constructed lanes
  - Construction of a disinfection facility, etc.
- Establishment of joint intergovernmental committees, involving representatives of various institutions from both countries – they should work together to harmonize regulations for cross-border transportation, oversee progress of infrastructure improvements and develop streamlined customs and border control processes aimed at easing the traffic
- Use of new technologies to improve the traffic congestions – application of new technologies for traffic and border process management, such as Automatic Number Plate Recognition Systems, biometric checks and secure identification, Intelligent Transportation Systems, and digital traffic management platforms

Alternative solutions include the strengthening of the alternative means of transport, e.g. rail connections, cross-border cooperation for joint transport projects between Greece and Bulgaria, and creating new smaller satellite border stations.

## II. Description of the obstacle with indication of the legal/administrative provisions causing the obstacle

### 2.1. Introduction

The border between Bulgaria and Greece has a length of around 490 km. At present, there are seven operational border crossing points (BCPs) along the border, servicing a population of about 2.6 million people. These are:

- (1) Kulata – Promahonas (opened in the 1940s and reconstructed in 2010)
- (2) Kapitan Petko Voivoda – Ormenion (opened in 1988)
- (3) Gotse Delchev – Drama (opened in 2005)
- (4) Zlatograd – Thermes (opened in 2010)
- (5) Makaza – Nymfaia (opened in 2013)
- (6) Ivaylovgrad – Kyprinos (opened in 2010)
- (7) Rudozem – Xanthi (opened in 2024)

Four of the BG-GR border crossing points, including Makaza – Nymfaia are open only for light vehicles under 3.5 tonnes (e.g. cars) and for minibuses.

In terms of terrestrial traffic, the busiest BCPs are Kulata – Promahonas and Makaza – Nymfaia. The heaviest flows from passengers are Greeks, Bulgarians and Romanians, which are visiting Northern Greece and the resorts along the Aegean Sea, especially during the summer.

The present case study is focused on the regulatory limitations to cross the Makaza (BG) – Nymfaia (GR) border crossing point. It is a significant gateway at the Greece-Bulgaria border and a key infrastructure facility along the route of Pan-European Transport Corridor IX. It is situated in the Rhodope Mountains, connecting the Greek region of Eastern Macedonia and Thrace with the Bulgarian district of Kardjali. The pass is an important transportation route between the two countries, facilitating travel and trade. The border crossing at Makaza – Nymfaia is very significant for the movement of people and goods between Greece and Bulgaria. It plays a crucial role in facilitating cross-border traffic, especially during the summer months when tourists from Bulgaria, Romania and other countries visit Greece for vacation.

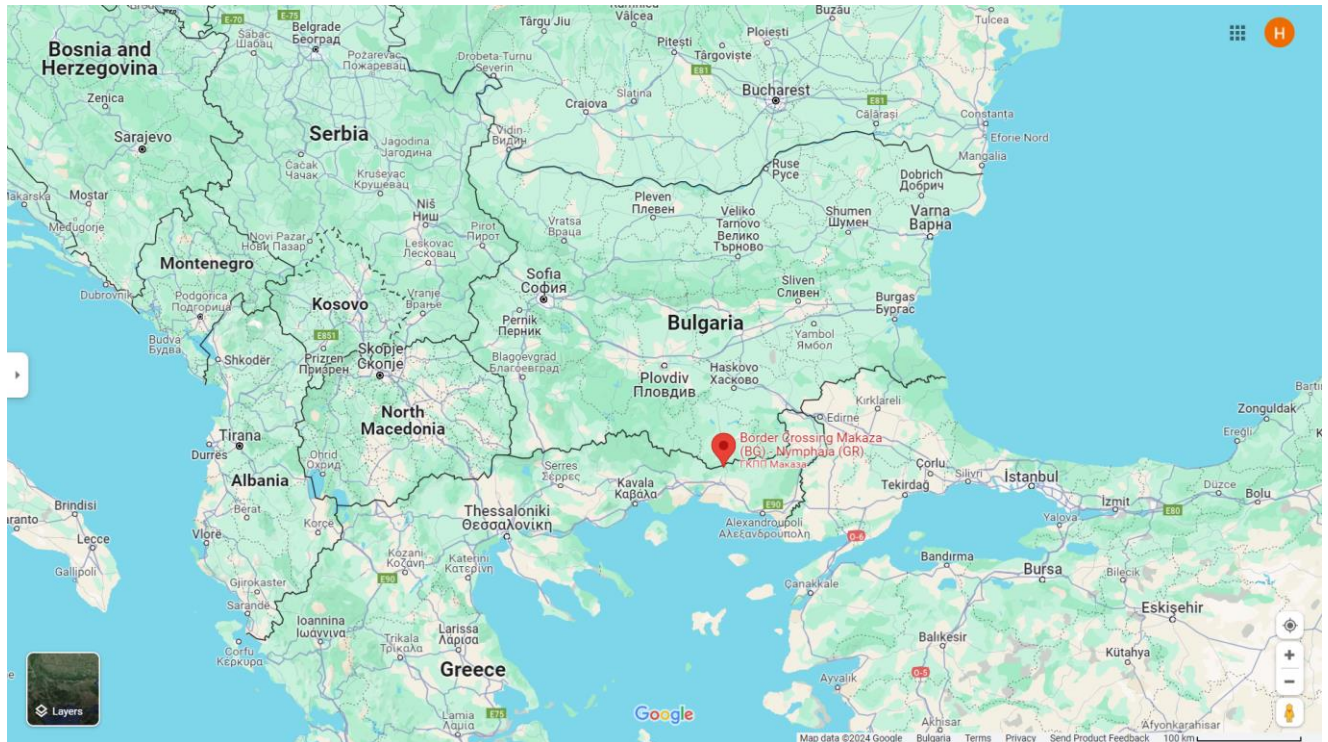
Key information about Makaza – Nymfaia border crossing point:

- **Location:** approximately 20 km north of the town of Komotini in Greece and 50 km south of the town of Kardjali in Bulgaria
- **Operation:** open all year-round, one of the primary terrestrial border stations linking Greece and Bulgaria
- **Infrastructure:** equipped with facilities for passport and customs checks for individuals and vehicles crossing the border
- **Importance:** vital for commercial and tourist traffic between the two countries, aiding in the transport of goods and the movement of individuals. The border crossing has been upgraded in recent years to meet the increased demands of cross-border traffic, making it one of the key entry and exit hubs

The main obstacle for traffic at the border crossing point is that the passage of trucks over 3.5 tons and buses with more than 8 seats in addition to the driver's seat is prohibited. This presents a significant challenge for the development of the two border

areas since the BCP can be only used by light vehicles (e.g. cars and minibuses), which significantly limits bilateral trade, transportation and tourist development.

**Figure 1. Location of Makaza – Nymfaia border crossing point at the GR-BG border**



Source: [Google Maps](https://www.google.com/maps)

## 2.2. Legal grounds for the establishment of the Makaza – Nymfaia border crossing point and its limitations

The Makaza – Nymfaia border crossing was officially opened on 9 September 2013 in implementation of an Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Greece for the opening of three new border crossings and road connections between the two countries<sup>1</sup>.

Based on the agreement on joint border crossing control between Bulgaria and Greece (2008), currently the “one-stop control” principle is applied, which means that both entry and exit controls are carried out at the Makaza border checkpoint on the Bulgarian side of the border.

In a letter of the Bulgarian Ministry of Foreign Affairs to General Directorate “Border Police” with the Bulgarian Ministry of Internal Affairs, dated 2 September 2013, it is regulated which vehicles can pass through the Makaza border crossing. The letter states that after the opening of the check point, only vehicles of class M1<sup>2</sup> and N1<sup>3</sup> (according to Directive 2007/46/EC), can cross the check point.

<sup>1</sup> Ratified by a law adopted by the 37th Bulgarian National Assembly of 28 March 1996, State Gazette no. 31 of 1996, in force from 19 September 1996.

<sup>2</sup> Passenger vehicles, comprising no more than 8 seats in addition to the driver’s seat.

<sup>3</sup> Cargo vehicles with a maximum mass not exceeding 3.5 tonnes.

**Table 1. Definition of vehicle categories and vehicle types (category M and N)**

Category	Description
<b>Category M</b>	<b>Motor vehicles with at least four wheels designed and constructed for the carriage of passengers</b>
Category M1	Vehicles designed and constructed for the carriage of passengers and comprising no more than 8 seats in addition to the driver's seat
Category M2	Vehicles designed and constructed for the carriage of passengers, comprising more than 8 seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes
Category M3	Vehicles designed and constructed for the carriage of passengers, comprising more than 8 seats in addition to the driver's seat, and having a maximum mass exceeding 5 tonnes
<b>Category N</b>	<b>Motor vehicles with at least four wheels designed and constructed for the carriage of goods</b>
Category N1	Vehicles designed and constructed for the carriage of goods and having a maximum mass not exceeding 3.5 tonnes
Category N2	Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 3.5 tonnes but not exceeding 12 tonnes
Category N3	Vehicles designed and constructed for the carriage of goods and having a maximum mass exceeding 12 tonnes

Source: [Directive 2007/46/EC](#) of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles

On the Bulgarian side of the Makaza border crossing, two “exit” lanes and two “entry” lanes are constructed. For each of them, there is a counter with workplaces for carrying out joint border inspection by Bulgarian and Greek police officers. Due to the limited number of lanes, they are not profiled for the passage and handling of different types of vehicles.

According to the Bulgarian regulations<sup>4</sup>, where separate routes for the passage of different types of vehicles are not built, the border check is carried out, if possible, in the following sequence – passenger buses, cars, trucks. With the available infrastructure and with the ongoing heavy traffic, this condition cannot be met. Therefore, due to the limited infrastructure of the Makaza border crossing and the lack of specialized lanes for the passage and inspection of buses and heavy duty vehicles, with the corresponding adjacent facilities, no actions have been taken since 2013 to lift the ban on the passage of trucks over 3.5 tonnes and buses.

Based on an assessment of the situation made by the responsible Bulgarian authorities, the passage of buses through the checkpoint will make it extremely difficult to carry out joint border inspections, and one lane will have to be reserved for buses only, which will increase the waiting time for other vehicles<sup>5</sup>.

The approach to the Makaza checkpoint from the Greek side is only from one lane, which is a prerequisite for the accumulation of cars and will lead to the formation of

<sup>4</sup> Art. 55, item 4 of Instruction 8121z-1492/04.11.2022 on the order and organization of border checks at checkpoints (previous version Instruction No. 8121z-813 of 9 July 2015).

<sup>5</sup> Currently, during the holiday season with heavy cross-border traffic, there are km-long queues on both sides of the border, and the passage through the Makaza – Nymfaia border crossing may easily take over an hour.

queues on Greek territory. It will take technological time to process one bus from the Bulgarian and Greek sides, especially when citizens of third countries are traveling in the bus.

Regarding the passage of motor vehicles over 3.5 tonnes, according to the Ordinance on Border Checkpoints (art. 17, para 10), adopted with a Decree of the Bulgarian Council of Ministers no. 104 of 20 May 2002, the Bulgarian border customs authorities control the total weight, axle load and overall dimensions of road vehicles. In case of exceeding the permissible values, they request the relevant permits and collect the applicable tolls and fines. In order to implement this on the Makaza border crossing, it is necessary to have a separate lane for heavy duty vehicles with a built-in control scale for weighing their mass, as well as the corresponding counters with workplaces for the employees of the Bulgarian Customs Agency performing this activity. These facilities are currently not available. Therefore, motor vehicles over 3.5 tonnes are not permitted to cross the check point.

### **2.3. Traffic information**

Makaza – Nymfaia border crossing point plays a key role in cross-border traffic, with significant fluctuations in road arrivals from 2019 to 2023. The pandemic period has caused a dramatic decrease in arrivals, with a partial recovery observed in 2022 and further improvements in 2023, and during the first months of 2024. The general flow of individuals through the crossing point show that:

- There is a significant rise in traffic during the summer due to the influx of foreign tourists (mainly Bulgarians and Romanians) to the beaches of the Greek Aegean sea
- There is a steady flow of commercial traffic throughout the year, albeit significantly affected by the limitations applied
- Traffic fluctuates seasonally and due to special events, such as holidays and vacation season

The available data shows significant annual variation in the arrivals at the Makaza – Nymfaia border station. For example, in 2019, the station saw 1,643,250 arrivals and it was the second most significant land point of entry between Greece and Bulgaria after Kulata – Promahonas border crossing point.

The impact of the COVID-19 pandemic caused a drastic reduction in 2021, with only 197,937 arrivals, recording an 88% decrease compared to 2019. It should be noted, however, that 29% of international passengers travelling by car to Eastern Macedonia-Thrace, passed through the Makaza – Nymfaia station. A partial recovery was observed in 2022 with 476,000 arrivals, amounting to 22% of the car arrivals to Eastern Macedonia-Thrace. The trend continued positively in 2023, with 537,371 arrivals, indicating a 12.9% increase over the previous year. In the first four months of 2024, the border crossing recorded 45,352 arrivals, reflecting a 22.7% (approximately 8,000 arrivals) increase compared to the same period in the previous year.

Monthly and seasonal data further illustrate these trends. August 2019 was the peak month, with 321,813 arrivals, while April 2019 saw the largest percentage increase of 82.3%. Conversely, September 2019 experienced the largest decrease at 25.1%.



**Table 2. Traffic flows of individuals through the Makaza – Nymfaia border crossing point**

Year	Arrivals at Makaza – Nymfaia BCP	Percentage Change
2019	1,643,250	-
2020	Data not available	n/a
2020	Data not available	n/a
2021	197,937	-88.0%
2022	475,889	Partial recovery
2023	537,371	+12.9%
2024	45,352 (January-April)	+22.7%

Source: Institute of Greek Tourism Confederation

The economic impact of these fluctuations is significant. The Makaza – Nymfaia border station is vital to the local economy, driving demand for accommodations, dining, and other tourist services. The sharp decline in arrivals in 2021 and 2022 resulted in considerable revenue losses for the local businesses and heightened economic uncertainty. Social and environmental consequences were also notable, with reduced tourist arrivals leading to fewer employment opportunities in the tourism sector, albeit with temporarily positive environmental impacts due to reduced pressure on natural resources.

In case measures on both sides of the border are taken to permit the passage of buses and motor vehicles over 3.5 tonnes, the following advantages will materialise:

- Consolidating transportation in larger vehicles can be more cost-effective compared to individual or smaller vehicles (e.g. cars)
- Trucks are ideal for transporting large quantities of goods in bulk, making them suitable for businesses involved in international trade
- Trucks can be used for the efficient transportation of relief supplies and emergency response equipment across borders during natural disasters or crises
- Buses can efficiently transport a large number of passengers, providing an economical mode of cross-border travel
- Buses carrying passengers across borders contribute to cultural exchange by bringing people from different regions and backgrounds together
- Buses and trucks can be more fuel-efficient per capita, reducing the overall environmental impact of cross-border transportation
- The use of buses and trucks maximizes the use of existing road infrastructure, reducing the need for additional transportation infrastructure development
- The cross-border transportation industry creates job opportunities for drivers, mechanics, logistics professionals, and other support staff

There are, of course, some disadvantages:

- Border delays for the processing of a larger number of vehicles and passengers
- Deterioration of road infrastructure due to the heavy traffic

Additional infrastructure measures need to be implemented in order to improve the permeability of the border crossing point.

## **2.4. Administrative structures in Greece and Bulgaria responsible for the border crossing points**

### **2.4.1. In Greece**

The management of cross-border border stations in Greece is subject to a legal framework that defines the agencies and authorities responsible for the smooth operation and security of these stations. The main agencies and authorities are:

**1. Ministry of Citizen Protection:**

- Hellenic Police: responsible for border control and security, conducting passport checks, and preventing and combating illegal immigration
- Border Guard: a special unit of the Hellenic Police that monitors and controls land and sea borders

**2. Ministry of Economy and Finance:**

- Independent Authority for Public Revenue: responsible for conducting customs checks, imposing duties and taxes, and preventing smuggling

**3. Ministry of Migration and Asylum:**

- Asylum service: manages asylum applications and provides assistance to asylum seekers
- Reception and Identification Service: handles the reception and identification of migrants and refugees

**4. Ministry of Health:**

- Health services: conduct health checks to protect public health at the borders

**5. Ministry of Rural Development and Food:**

- Veterinary and phytosanitary services: conduct checks to prevent the introduction of animal and plant diseases

**6. Ministry of Infrastructure and Transport:**

- Border management organizations: manage infrastructure and transportation at border stations

These institutions in Greece cooperate to ensure the effective management and control of cross-border border stations, providing security, ensuring legality, and supporting the country's needs in migration and trade matters.

### **2.4.2. In Bulgaria**

A number of institutions in Bulgaria work in a coordinated manner to ensure the management and operation of border crossing points<sup>6</sup>:

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<sup>6</sup> The opening, demarcation, expansion and closure of border crossings is done by an act of the Bulgarian Council of Ministers.



1. [Interdepartmental Council on Border Control Issues](#)<sup>7</sup>, chaired by the Minister of Internal Affairs<sup>8</sup>. The functions of a Secretariat of the Council are carried out by the General Directorate "Border Police" with the Ministry of Internal Affairs

Functions of the Interdepartmental Council:

- Coordinates the development of the Programme for the Development of the Border Control of the Republic of Bulgaria
- Manages the working group dealing with the development of drafts of normative acts in the field of border control
- develops financial estimates for the necessary funds for the construction of new border checkpoints or for the expansion, reconstruction and modernization of existing ones in the process of drawing up the draft Law on the State Budget of the Republic of Bulgaria
- Controls the spending of funds
- Coordinates at national level the interaction between the border control services
- Resolves any other issues related to border control

## 2. Customs Agency

The Agency manages the land plots on which border crossing points are built, the regulated land plots allocated for border crossing points and the buildings on them, as well as the adjoining technical infrastructure. In the border crossing area, the Agency:

- Ensures the maintenance, reconstruction and management of the buildings and the land plots, which are public state property
- Takes care of the preservation and protection of state property
- Coordinates the activity of the territorial units of the border control authorities for the provision of administrative services
- Builds and maintains the signposts and inscriptions in Bulgarian and in English language indicating the zone and order of passage through the border crossing
- Ensures landscaping, marking of road infrastructure<sup>9</sup> and sanitation of the border crossing area and the public facilities

The director of the Customs Agency gives instructions on the construction, maintenance and reconstruction of the building stock, facilities and land plots in the checkpoint areas for the maintenance of the technological work order.

3. **Ministry of Internal Affairs, General Directorate "Border Police"**: carries out border passport and visa control, protects the national security, counteracts crime and illegal migration, protects public order and the border control area

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<sup>7</sup> Comprising representatives of the Ministry of Foreign Affairs, Ministry of Finance, Ministry of Transport and Communications, Ministry of Agriculture and Food, Ministry of Health, Ministry of Economy and Industry, Ministry of Energy, Ministry of Tourism, Ministry of Regional Development and Public Works, Ministry of Environment and Water, Ministry of Internal Affairs and the Customs Agency.

<sup>8</sup> The Chairman of the Interdepartmental Council on Border Control Issues, determined by an order of the Bulgarian Prime Minister carries out the general management and coordination of the activities of the border control authorities.

<sup>9</sup> Border crossings are special territories that are not part of the republican road network, regardless of the fact that they are located on a republican road.

4. **Ministry of Finance:** carries out the customs supervision and control over the imports, exports and transit of goods to, from and through Bulgaria, responsible for the collection of customs duties and other public state receivables and charges, counteracts customs, excise and currency violations and crimes, and the illegal traffic of narcotic substances and precursors, controls the fulfillment of the obligations to pay road and vignette fees and ensures compliance with the licensing regime for cargo and passenger transport, exercises control over road fees, permits for international transport, as well as over the means of transport
5. **Ministry of Agriculture and Food:** responsible for the veterinary control and quarantine and phytosanitary control and quarantine of plants
6. **Ministry of Health:** responsible for the sanitary control of persons, means of transport and control of products and goods relevant to human health
7. **Ministry of Transport and Communications:** responsible only for the activity of the specialized structures of the Ministry, which are operating at international airports, ports and railway stations

## **2.5. Plans for the development of the Makaza – Nymfaia border crossing point**

### **2.5.1. In Greece**

The Greek government recognizes the importance of the border station of Nymfaia and has taken measures to promote it, emphasizing the strengthening of infrastructure and the promotion of the area as a key transit point between Greece and Bulgaria.

According to statements of the Greek Prime Minister Kyriakos Mitsotakis, the government is committed to improving border infrastructure and strengthening the security and efficiency of border crossings. This includes the upgrading of facilities and the implementation of new technologies for faster and safer management of the flow of people and vehicles. In addition, the government seeks to promote Nymfaia as a gateway for tourists, thereby strengthening the local economy and contributing to the development of the region of Thrace. Through the improvement of infrastructure and promotion of the region, the Greek government aims to maximize the economic and social benefits arising from cross-border mobility.

These actions are part of a wider framework of the government's strategies for the development of the country, highlighting the importance of border posts as critical hubs for trade and tourism.

The Greek prefecture of Eastern Macedonia and Thrace, as the relevant regional authority, has expressed the importance of upgrading the Nymfaia border post, recognizing its catalytic role in facilitating international trade and the supply chain. The region, due to its geopolitical position, is critical for energy and trade, but faces significant development problems and social inequalities. The regional administration promotes the need to strengthen infrastructure and improve road connections, as well as to strengthen security and service at the border station. At the same time, it seeks to reduce economic inequalities and support local businesses, which are struggling

due to the region's remote geographical location and existing infrastructure. To implement these projects, the regional administration is working closely with the central government and other agencies, although there are no specific dates for the completion of the projects, which remains a major concern for residents and professionals in the region.

To that end, the Greek government has taken and announced various measures to promote the border station of Nymfaia, with an emphasis on improving the infrastructure and strengthening the security and efficiency of the crossings. Specifically, there are plans to upgrade station facilities, including building infrastructure and technological systems to facilitate cross-border crossings. Planned works include upgrading infrastructure, improving road connections and strengthening security and customs service. Despite efforts, the timetable for the work has not been clearly published. At the same time, emphasis has been placed on the digitization of processes to reduce bureaucracy and speed up the processing of audits. This is part of the Greek government's broader plan for the digitization of public administration processes.

### **2.5.2. In Bulgaria**

At a meeting of the Bulgarian Interdepartmental Council on Border Control Issues, held on 22 December 2022, a decision has been taken to continue the preparation of the technical specifications for the reconstruction of the Makaza – Nymfaia border crossing point – implementation of infrastructural measures to increase its technical permeability. The Bulgarian Customs Agency has prepared Terms of reference for the opening of a public procurement procedure for the development of a technical design for the reconstruction of the Makaza – Nymfaia checkpoint. It envisages the following:

- Construction of two additional lanes, one at the entrance and one at the exit, for incoming and outgoing freight trucks with the relevant technical equipment, including two automatic vehicle axle scales for measuring the total mass and axle load of motor vehicles in motion
- Extension/renovation of the existing canopy above the newly constructed lanes
- Relocation/construction of a disinfection facility
- Building (container type) for the needs of the Customs Agency
- Building (container type) for the needs of the health control

After securing funding for the reconstruction of the Makaza – Nymfaia border crossing, the following activities are envisaged:

- Opening of a public procurement procedure “New lanes and canopy of the Makaza border crossing” for the selection of a contractor for the preparation of a technical design for reconstruction and modernization of the BCP and for author's supervision
- Opening of a public procurement procedure for the selection of a contractor for independent construction supervision
- Approval of the prepared and agreed technical designs at the Ministry of Regional Development and Public Works and issuance of a construction permit
- Opening of a public procurement procedure for the selection of a construction company to do the works
- Carrying out the construction works provided for in the technical design and putting the new facilities into operation

Currently, there is no official information whether the budget for the construction works has been secured and what is the state of preparation of the procurement documentation.

### **III. Description of possible solution(s)**

The ban on the passage of trucks and buses through the Makaza – Nymfaia border crossing point is primarily due to the fact that the existing infrastructure is not suitable for the passage of large vehicles as it is a mountainous area and the roads are narrow and cannot bear the weight and volume of trucks and buses. Additionally, the station does not have sufficient capacity to handle the traffic of large vehicles, which can cause additional congestion and delays.

Legal and regulatory arrangements also play a role. There are specific regulations and safety standards for the passage of large vehicles that the Makaza – Nymfaia station does not meet.

Solutions to improve the technical permeability of the Makaza – Nymfaia border crossing point under the current regulatory and practical considerations, include:

#### **1) Infrastructure upgrade**

To improve the existing situation at the border station, an upgrade of infrastructure could make it possible for buses and trucks to pass without limitation. The upgrade could include:

- Extensive improvements to road connections and the station's infrastructure, such as buildings, checkpoints and parking areas
- Construction of more lanes to relieve traffic congestion and reduce waiting times

Upgrading the infrastructure at the Makaza – Nymfaia border station is a multifaceted process that requires coordinated efforts and cooperation between the governments of Bulgaria and Greece, local authorities and the communities at both sides of the border.

In theory, if and when infrastructure works at the checkpoint are completed, the ban on vehicles (M1 and N1) is supposed to be lifted since there would be no legal justification for the restrictions any more. This process has to undergo several distinctive steps, presented below.

#### **a) Study and planning**

The process begins with study and planning, where initial surveys and analyses need to be conducted to determine the existing condition of the infrastructure and the necessary improvements. Traffic flows need to be evaluated, and future needs to be forecasted based on statistical data and trends. Then, architectural and technical designs for improvements to road connections, checkpoints, and parking areas, as well as for the construction of new traffic lanes and congestion relief measures to reduce waiting times, should be drawn up.

#### **b) Funding and budgeting**

In the next step, sources of funding need to be secured, e.g. from the national budgets of both countries, programmes funded by the European Regional Development Fund, and other international sources. Another step is to prepare a detailed budget that includes estimation of the total cost of the projects and preparing financial analyses to ensure the sustainability and efficiency of the investment.

### ***c) Permits and legal issues***

For the implementation of the project, all necessary permits and approvals must be secured from the competent authorities, such as spatial planning and environmental permits, and compliance with national and European regulations and standards needs to be ensured. If necessary, an assessment and acquisition of the land required for the expansions and improvements, as well as the resolution of any legal issues concerning the ownership and use of the land, need to be performed.

### ***d) Construction and supervision***

The construction and supervision of the project include conducting public tenders to award construction works to specialized companies, ensuring transparency and competitiveness in the award process. During construction, the progress of the project needs to be regularly monitored and evaluated by specialized engineers and supervisors to ensure that the construction is carried out according to the technical plans and specifications. Also, a regular maintenance programme needs to be developed to ensure the long-term operation and safety of the infrastructure, while feedback and continuous improvement mechanisms need to be integrated to address any problems and face changing needs, incl. as regards climate change adaptation and mitigation.

In any case, upgrading the existing road network infrastructure is not easy given the difficult and mountainous area where the border station is located. Alternatively, there could be a focus on maintaining and small-scale upgrading the existing road networks to ensure safe and efficient movement, as well as targeted interventions at points of the road network that present particular difficulty, such as improving turns, strengthening bridges and tunnels, and installing protective barriers.

By implementing the above steps and when meeting the prerequisites, it is possible to improve flows and enhance the role of Makaza – Nymfaia as an important hub for cross-border traffic and development. Here, it should be taken into consideration, however, that the realisation of these infrastructure measures requires strong commitment in Bulgaria and Greece to secure budget for the construction works and supplies, as well as good coordination between the responsible institutions on both sides of the border. Since these processes involve a number of stakeholders, implementing the solution may take 2-3 years or even more unless there is strong political will to expedite all technical procedures.

## **2) Joint intergovernmental committees or task forces**

The establishment of joint intergovernmental committees or task forces is crucial for addressing the regulatory and infrastructural challenges at the Makaza – Nymfaia

border crossing. These committees should include representatives of various ministries, such as transport, trade, and tourism, from both countries. The primary objectives would be to:

- Harmonize regulations for cross-border transportation
- Oversee infrastructure improvements
- Develop streamlined customs and border control processes

One of the primary tasks of these committees would be to revisit and re-examine the underlying reasons for the existing ban on buses and trucks at the Makaza – Nymfaia border crossing. This comprehensive review should involve an in-depth analysis of the initial motivations behind the restriction, including safety concerns, infrastructure limitations and regulatory discrepancies. By understanding these factors in detail, the committees can assess whether the original justifications still hold validity in the current context or if advancements in technology, infrastructure improvements and regulatory harmonization have mitigated these concerns. This re-examination should also involve consulting with local stakeholders, such as businesses, chambers, transportation companies, and community representatives to gather insights on the ban's economic and social impacts. By reassessing the reasons for the ban, the committees can make informed decisions on whether lifting the restriction is feasible and beneficial, ensuring that any new policies are based on current data and align with contemporary regional development goals.

The intergovernmental committees could also work on the harmonization of the regulatory frameworks governing the movement of buses and trucks, including aligning vehicle safety standards, emissions regulations, and drivers' qualifications, if different from the EU standards.

Joint committees should also focus on identifying and implementing necessary infrastructure upgrades. This could involve expanding the road capacity, improving signage, and enhancing border facilities to accommodate larger vehicles. By coordinating their efforts, Bulgaria and Greece can ensure that the improvements are compatible and efficient, creating a seamless transit route for buses and trucks.

Another key focus area would be the streamlining of customs and border control procedures. The committees can work on developing integrated systems for customs clearance that utilize digital technologies to expedite processing times. This could involve the adoption of pre-clearance systems where documentation is processed before vehicles reach the border, reducing delays and congestion.

### **3) New technologies**

Until Bulgaria's full integration into the Schengen area<sup>10</sup>, passage through the Makaza – Nymfaia border station, including buses and trucks, could be facilitated by applying new technologies in traffic and border process management. This could offer significant advantages by improving the efficiency, safety, and effectiveness of the border station. These new technologies could include:

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<sup>10</sup> From 31 March 2024, checks on persons at EU's internal air and maritime borders between Bulgaria and Romania and the other countries in the Schengen area have been removed. The decision to lift controls at the internal land borders is still pending.



- **Automatic Number Plate Recognition Systems (ANPR)** that can recognize and record the plates of vehicles entering and exiting the border station, facilitating controls and traffic monitoring. Prerequisites include the installation of ANPR cameras at strategic points to cover all traffic lanes and integrating the systems with national and international databases for vehicle identification and verification. The result would be faster control procedures, reducing waiting times, and enhanced security through the rapid detection of vehicles that may be involved in illegal activities.
- **Biometric checks and secure identification**, especially for non-EU and non-Schengen passengers, using biometric data such as fingerprints, facial recognition, and iris scans for safe and fast passenger identification. Prerequisites include the installation of biometric data collection equipment at the checkpoint and the integration of biometric data into secure databases for management and verification. The result would be faster control and identification processes, minimizing errors and cases of fraud.
- **Intelligent Transportation Systems (ITS)** and the use of technologies for real-time traffic monitoring and management, such as traffic sensors, cameras, and driver alert systems. Prerequisites include the installation of ITS devices, the placement of sensors and cameras along the road networks leading to the border station, and the creation of a central management system that collects and analyzes traffic data. The result would be reduced congestion by informing drivers of traffic conditions and predicting vehicle flows, and improved safety and accident prevention through traffic condition management.
- **Digital traffic management platforms** that allow monitoring and management of vehicle flows, infrastructure maintenance, and hazard forecasting. Prerequisites include the creation and installation of software that collects, analyzes, and displays data in real-time, and the training of employees in handling and managing the platform. The result would be effective and continuous traffic monitoring and management, reducing problems and delays, and predicting and managing issues before they become serious problems.

The introduction of new technologies in traffic and border process management at the Makaza – Nymfaia station can offer significant benefits. Improved safety, increased efficiency, and reduced waiting times are some of the key advantages. However, the implementation of these technologies requires well-designed infrastructure, adequate funding, and proper staff training.

Alternative solutions include:

- **Strengthening the alternative means of transport**, mainly through exploring the possibility of developing or improving rail connections in the area for the transportation of goods and passengers.
- **Cross-border cooperation** between Greek and Bulgarian authorities for the development of joint transport projects, such as common rail lines or combined transport options.
- **Exploring new routes** by searching for and evaluating other possibilities that may be more easily accessible and offer better connectivity.

- Creating smaller **satellite border stations** in areas that can support traffic and relieve the main Makaza – Nymfaia border crossing point.

Implementing these measures could enhance entry flows and further highlight the importance of the Makaza – Nymfaia border crossing point as a critical hub for Greece and Bulgaria.

#### IV. A full list of all legal provisions relevant to the case with the correct citation both in original language and in English

##### 4.1. In Greece

In Greek	In English
Νόμος 3386/2005, Είσοδος, διαμονή και κοινωνική ένταξη υπηκόων τρίτων χωρών στην Ελληνική Επικράτεια, ΦΕΚ 212/Α/23-08-2005	Law 3386/2005, Entry, residence and social integration of third country nationals in the Greek Territory, Official Gazette 212/A/23-08-2005
Regulates issues of entry, residence, and social integration of third-country nationals in Greece. It includes provisions for border checks and entry procedures.	
Νόμος 3907/2011, Ίδρυση Υπηρεσίας Ασύλου και Υπηρεσίας Πρώτης Υποδοχής, προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2008/115/ΕΚ "σχετικά με τους κοινούς κανόνες και διαδικασίες στα κράτη - μέλη για την επιστροφή των παρανόμως διαμενόντων υπηκόων τρίτων χωρών" και λοιπές διατάξεις, ΦΕΚ 7/Α/26-01-2011	Law 3907/2011, Establishment of an Asylum Service and a First Reception Service, adaptation of the Greek legislation to the provisions of Directive 2008/115/EC "regarding the common rules and procedures in the member states for the return of illegally staying third-country nationals" and other provisions, Official Gazette 7/A/26-01-2011
Concerns the establishment of the Asylum Service and the First Reception Service, as well as the process for returning illegally residing third-country nationals. It regulates the operation of reception and identification centers at the borders.	
Νόμος 4251/2014, Κώδικας Μετανάστευσης και Κοινωνικής Ενταξης και λοιπές διατάξεις, ΦΕΚ 80/Α/1-04-2014	Law 4251/2014, Immigration and Social Integration Code and other provisions, Official Gazette 80/A/1-04-2014
Includes provisions for the entry, residence, and social integration of third-country nationals, as well as the responsibilities of authorities at border stations.	
Νόμος 4249/2014, Αναδιοργάνωση της Ελληνικής Αστυνομίας, του Πυροσβεστικού Σώματος και της Γενικής Γραμματείας Πολιτικής Προστασίας, αναβάθμιση Υπηρεσιών του Υπουργείου Δημόσιας Τάξης και Προστασίας του Πολίτη και ρύθμιση λοιπών θεμάτων αρμοδιότητας, ΦΕΚ 73/Α/24-03-2014	Law 4249/2014, Reorganization of the Hellenic Police, the Fire Brigade and the General Secretariat of Civil Protection, upgrading of Services of the Ministry of Public Order and Citizen Protection and regulation of other matters of competence, Gazette 73/A/24-03-2014
Concerns the restructuring of the Hellenic Police and other security bodies. It includes provisions for the operation and responsibilities of the Border Guard and other relevant authorities for border surveillance.	
Νόμος 4375/2016, Οργάνωση και λειτουργία Υπηρεσίας Ασύλου, Αρχής Προσφυγών, Υπηρεσίας Υποδοχής και Ταυτοποίησης σύσταση Γενικής Γραμματείας Υποδοχής, προσαρμογή της Ελληνικής Νομοθεσίας προς τις διατάξεις της Οδηγίας 2013/32/ΕΕ	Law 4375/2016, Organization and operation of the Asylum Service, Appeals Authority, Reception and Identification Service establishment of a General Secretariat of Reception, adaptation of the Greek Legislation to the provisions of Directive

In Greek	In English
του Ευρωπαϊκού Κοινοβουλίου και του Συμβουλίου «σχετικά με τις κοινές διαδικασίες για τη χορήγηση και ανάκληση του καθεστώτος διεθνούς προστασίας (αναδιατύπωση)» (L 180/29.6.2013), διατάξεις για την εργασία δικαιούχων διεθνούς προστασίας και άλλες διατάξεις, ΦΕΚ 51/A/03-04-2016	2013/32/EU of the European Parliament and of the Council “regarding the common procedures for the granting and revocation of international protection status (recast)” (L 180/29.6.2013), provisions for the work of beneficiaries of international protection and other provisions, Official Gazette 51/A/03-04-2016
Concerns the establishment and operation of the Asylum Service, the Reception and Identification Service, and the creation of a National Registry of Asylum Seekers.	
Νόμος 4389/2016, Επείγουσες διατάξεις για την εφαρμογή της συμφωνίας δημοσιονομικών στόχων και διαρθρωτικών μεταρρυθμίσεων και άλλες διατάξεις, ΦΕΚ 94/A/27-05-2016	Law 4389/2016, Emergency provisions for the implementation of the agreement on fiscal goals and structural reforms and other provisions, Official Gazette 94/A/27-05-2016
Refers to the establishment and operation of the Independent Authority for Public Revenue, responsible for customs checks at the borders.	
Νόμος 4555/2018, Μεταρρύθμιση του θεσμικού πλαισίου της Τοπικής Αυτοδιοίκησης Εμβάθυνση της Δημοκρατίας Ενίσχυση της Συμμετοχής Βελτίωση της οικονομικής και αναπτυξιακής λειτουργίας των Ο.Τ.Α. [Πρόγραμμα «ΚΛΕΙΣΘΕΝΗΣ Ι»] Ρυθμίσεις για την αποτελεσματικότερη, ταχύτερη και ενιαία άσκηση των αρμοδιοτήτων σχετικά με την απνομή ιθαγένειας και την πολιτογράφηση, ΦΕΚ 133/A/19-07-2018	Law 4555/2018, Reform of the Institutional Framework of Local Self-Government Deepening Democracy Strengthening Participation Improving the economic and development function of OTAs. [“KLEISTHENIS” Programme] Arrangements for the more effective, faster and uniform exercise of the responsibilities regarding the granting of citizenship and naturalization, Official Gazette 133/A/19-07-2018
Refers to "Kallikratis I," the administrative reform of the country, and includes provisions for the organization of regional and local authorities involved in managing border stations.	
Νόμος 4622/2019, Επιτελικό Κράτος: οργάνωση, λειτουργία και διαφάνεια της Κυβέρνησης, των κυβερνητικών οργάνων και της κεντρικής δημόσιας διοίκησης, ΦΕΚ 133/A/07-08-2019	Law 4622/2019, Staff State: organization, operation and transparency of the Government, government bodies and central public administration, Official Gazette 133/A/07-08-2019
Regulates the operation and organization of public administration and includes provisions for the management of border stations by regional and local authorities.	
Νόμος 4662/2020, Εθνικός Μηχανισμός Διαχείρισης Κρίσεων και Αντιμετώπισης Κινδύνων, αναδιάρθρωση της Γενικής Γραμματείας Πολιτικής Προστασίας, αναβάθμιση συστήματος εθελοντισμού πολιτικής προστασίας, αναδιοργάνωση του Πυροσβεστικού και άλλες διατάξεις, ΦΕΚ 27/A/07-02-2020	Law 4662/2020, National Crisis Management and Risk Management Mechanism, restructuring of the General Secretariat of Civil Protection, upgrading of the civil protection volunteer system, reorganization of the Fire Service and other provisions, Official Gazette 27/A/07-02-2020
Concerns the organization and operation of the National Crisis Management and Risk Management Mechanism, including emergency response procedures at the borders.	
Νόμος 4674/2020, Στρατηγική αναπτυξιακή προοπτική των Οργανισμών Τοπικής Αυτοδιοίκησης, ρύθμιση ζητημάτων αρμοδιότητας Υπουργείου Εσωτερικών και άλλες διατάξεις, ΦΕΚ 53/A/11-03-2020	Law 4674/2020, Strategic development perspective of Local Self-Governing Organizations, regulation of Ministry of Interior competence issues and other provisions, Official Gazette 53/A/11-03-2020

In Greek	In English
Regulates local government and includes provisions for the jurisdiction of regional and local authorities in matters of border stations.	
Προεδρικό Διάταγμα 114, Καθιέρωση ενιαίας διαδικασίας αναγνώρισης σε αλλοδαπούς και ανιθαγενείς του καθεστώτος του πρόσφυγα ή δικαιούχου επικουρικής προστασίας σε συμμόρφωση προς την Οδηγία 2005/85/ΕΚ του Συμβουλίου «σχετικά με τις ελάχιστες προδιαγραφές για τις διαδικασίες με τις οποίες τα κράτη μέλη χορηγούν και ανακαλούν το καθεστώς του πρόσφυγα» (L 326/13.12.2005), ΦΕΚ 195/A/22-11-2010	Presidential Decree 114, Establishing a uniform procedure for recognizing aliens and stateless persons with the status of refugee or beneficiary of subsidiary protection in compliance with Council Directive 2005/85/EC "regarding the minimum standards for the procedures by which Member States grant and revoke the status of the refugee" (L 326/13.12.2005), Official Gazette 195/A/22-11-2010
Incorporates Directive 2008/115/EC on common procedures and rules for returning illegally residing third-country nationals, setting procedures at border checkpoints.	
Προεδρικό Διάταγμα 220, Προσαρμογή της ελληνικής νομοθεσίας προς τις διατάξεις της Οδηγίας 2003/9/ΕΚ του Συμβουλίου της 27 <sup>ης</sup> Ιανουαρίου 2003, σχετικά με τις ελάχιστες απαιτήσεις για την υποδοχή των αιτούντων άσυλο στα Κράτη Μέλη, ΦΕΚ 251/A/13-11-2007	Presidential Decree 220, Adaptation of Greek legislation to the provisions of Council Directive 2003/9/EC of January 27, 2003, regarding the minimum requirements for the reception of asylum seekers in the Member States, Official Gazette 251/A/13-11-2007
Regulates the reception procedures for asylum seekers at the borders, in accordance with Directive 2003/9/EC.	
<b>Κανονισμοί της Ευρωπαϊκής Ένωσης</b> Οι κανονισμοί της ΕΕ, όπως ο Κανονισμός (ΕΕ) 2016/399 (Σένγκεν) για τον Κώδικα Συνόρων του Σένγκεν, καθορίζουν τις διαδικασίες για τη διέλευση των εξωτερικών συνόρων της ΕΕ και τα πρότυπα για τους συνοριακούς ελέγχους. Εκτός από τον Κώδικα Συνόρων του Σένγκεν (Κανονισμός (ΕΕ) 2016/399), σημαντικοί είναι και οι κανονισμοί για τη διαχείριση της ασφάλειας και των υγειονομικών ελέγχων, όπως ο Κανονισμός (ΕΕ) 2019/1896 για την Ευρωπαϊκή Συνοριοφυλακή και Ακτοφυλακή.	<b>European Union Regulations:</b> EU regulations, such as Regulation (EU) 2016/399 (Schengen) on the Schengen Borders Code sets out the procedures for crossing the EU's external borders and standards for border checks. Important regulations for security and health checks management include Regulation (EU) 2019/1896 on the European Border and Coast Guard.

#### 4.2. In Bulgaria

In Bulgarian	In English
Споразумение между правителството на Република България и правителството на Република Гърция за съвместен контрол при преминаване на границата, подписано в София на 29 април 2008 г. от министрите на вътрешните работи.	Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Greece on joint border crossing control, signed in Sofia on 29 April 2008 by the Ministers of Internal Affairs.
Двете страни се задължават, в рамките на своите пълномощия, да предприемат необходимите мерки, за да улеснят и ускорят граничния контрол на база на	Both countries undertake, within their powers, to take the necessary measures to facilitate and speed up border control based

In Bulgarian	In English
принципа „контрол на едно спиране“. Тази процедура на практика се прилага от 2010 г.	on the “one-stop control” principle. This procedure has been in practice since 2010.
Споразумение между правителството на Република България и правителството на Република Гърция за съвместен контрол, който да бъде осъществяван на граничния контролно-пропускателен пункт Маказа – Нимфея, ратифицирано със закон, приет от 43-то Народно събрание на 13 март 2015 г., ДВ бр. 22 от 2015 г., в сила от 6 ноември 2020 г.	Agreement between the government of the Republic of Bulgaria and the government of the Republic of Greece on joint control to be carried out at the border check-point Makaza – Nymfaia, ratified by a law adopted by the 43rd National Assembly on 13 March 2015, State Gazette no. 22 of 2015, effective from 6 November 2020 <sup>11</sup>
Закон за митниците, ДВ бр. 15 от 6 февруари 1998 г.	Law on customs, State Gazette no. 15 of 6 February 1998
Закон за регионалното развитие, ДВ бр. 50 от 30 май 2008 г.	Law on regional development, State Gazette no. 50 of 30 May 2008
Закон за устройство на територията, ДВ бр. 1 от 2 януари 2001 г.	Territorial planning law, State Gazette no. 1 of 2 January 2001
Закон за държавната собственост, ДВ бр. 44 от 21 май 1996 г.	Law on state property, State Gazette no. 44 of 21 May 1996
Закон за акцизите и данъчните складове, ДВ бр. 91 от 15 ноември 2005 г.	Law on excise duties and tax warehouses, State Gazette no. 91 of 15 November 2005
Закон за чужденците в Република България, ДВ бр. 153 от 23 декември 1998 г.	Law on foreigners in the Republic of Bulgaria, State Gazette no. 153 of 23 December 1998
Закон за ветеринарномедицинската дейност, ДВ бр. 87 от 1 ноември 2005 г.	Law on veterinary medical activity, State Gazette no. 87 of 1 November 2005
Валутен закон, ДВ бр. 83 от 21 септември 1999 г.	Currency law, State Gazette no. 83 of 21 September 1999
Закон за административните нарушения и наказания, ДВ бр. 92 от 28 ноември 1969 г.	Law on administrative violations and penalties, State Gazette no. 92 of 28 November 1969
Закон за пътищата, ДВ бр. 26 от 29 март 2000 г.	Law for the roads, State Gazette no. 26 of 29 March 2000
Закон за движението по пътищата, ДВ бр. 20 от 5 март 1999 г.	Law on road traffic, State Gazette no. 20 of 5 March 1999
Наредба за граничните контролно-пропускателни пунктове, приета с Постановление на Министерски съвет №104 от 20 май 2002, ДВ бр. 54 от 31 май 2002 г.	Ordinance on Border Checkpoints, adopted by a Decree of the Council of Ministers no. 104 of 20 May 2002, State Gazette no. 54 of 31 May 2002
Инструкция №8121з-1492 от 4 ноември 2022 г. за реда и организацията за извършване на граничните проверки на граничните контролно-пропускателни пунктове	Instruction no. 8121z-1492 of 4 November 2022 on the order and organization of border checks at the border checkpoints

<sup>11</sup> At present, both entry and exit controls are carried out at the Makaza border checkpoint on the Bulgarian side of the border.



## V. Other relevant aspects to this case if relevant

The restriction on buses and trucks at the Makaza – Nymfaia border crossing between Bulgaria and Greece significantly impedes economic development and tourism in the region. To address this, institutional coordination between Bulgaria and Greece, alongside with engagement of the European Commission and other international bodies (e.g. EIB/EIF), is essential.

Within this context, the EU could provide technical assistance and share best practices from other cross-border projects within the Schengen Area. This can help Bulgaria and Greece implement the most effective and efficient solutions.

Engaging the European Commission and the European Investment Bank can provide additional expertise and resources, including securing funding and support from programmes such as Interreg or the Connecting Europe Facility. The two countries should develop comprehensive project proposals highlighting the benefits of the improved border crossing for regional economic development and EU cohesion. By working closely with the EU, Bulgaria and Greece can ensure that their initiatives align with broader EU policies on transport, trade and regional development.

## VI. References and Appendix/Appendices, if any

Photos from Facebook and from different regional media in Greece and Bulgaria often present the huge congestions before and after the Makaza – Nymfaia border crossing point.



Source: [rodopi24.blogspot.com](http://rodopi24.blogspot.com)





Source: [rodopi24.blogspot.com](http://rodopi24.blogspot.com)



Source: [Facebook](https://www.facebook.com)





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