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**REPUBLIC OF BULGARIA**  
**NATIONAL MEASURES**  
**FOR IMPLEMENTATION OF THE CHEMICAL WEAPONS CONVENTION**

**1. General Obligations**

The Republic of Bulgaria signed the Chemical Weapons Convention (hereinafter “the Convention”) on 13 January 1993, and ratified it on 29 June 1994. The Convention came into force on 29 April 1997. As a State Party to the Convention, Bulgaria has undertaken the obligation never, under any circumstances: (a) to develop, produce, otherwise acquire, stockpile, or retain chemical weapons (CW), or transfer, directly or indirectly, CW to anyone; (b) to use CW; (c) to engage in any military preparations to use CW; (d) to assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention, and (e) to use riot control agents as a method of warfare. Bulgaria has also promptly adopted, in accordance with its constitutional processes, the necessary national measures to implement its obligations under the Convention.

**2. National Implementing Legislation**

2.1 Under Article. 5, paragraph 4, of the Constitution of the Republic of Bulgaria, international treaties which have been ratified by the Parliament and promulgated, become an integral part of domestic law. Such treaties supersede any domestic legislation that might stipulate otherwise. The Convention has thus become part of the Bulgarian national legislation. Furthermore, Bulgaria has taken the necessary legislative and administrative measures to meet the specific requirements of Article VII of the Convention, as indicated below.

2.2 The Parliament of the Republic of Bulgaria has adopted a separate law entitled “Law on the Prohibition of Chemical Weapons and Control of Toxic Chemicals and Their Precursors” (ref.: State Gazette, issue 8/2000, amended in State Gazette, issue 75, dated 2 August 2002). This law not only enacts the prohibitions stipulated in the Convention, but also regulates the activities of natural and legal persons involving the use of chemical substances or their precursors, which are subject to international control. In cases of violations of its provisions, the law envisages administrative-criminal responsibility and punitive measures, which are complemented by specific penal actions introduced through the Penal Code of Bulgaria.



- 2.3 Other important elements of the national implementing legislation are the Law on Control of Foreign Trade Activity in Arms and Dual-Use Goods and Technologies and the Regulation for Implementation of this law, which regulate international transactions and set out procedures for control of activities involving chemical substances, biological agents, toxins and other strategic items, and related technologies. This law provides for issuance of licenses and permits to natural and legal persons involved in foreign trade in arms or dual-use goods and technologies. It also imposes bans and restrictions in respect of countries and organizations under United Nations (UN), European Union (EU) and Organisation for Security and Cooperation in Europe (OSCE) sanctions or embargoes. The law was amended in 2002 to provide for improved control over brokering activities in this area. Any such activities carried out on or from the territory of Bulgaria are treated as trade activities falling under the relevant legislative provisions. This amendment has also introduced a licensing regime for brokering activities and established a “brokers’ register”.
- 2.4 The Penal Code provides, inter alia, for enhanced sanctions against violators of the prohibitions of the Convention, including imprisonment of up to eight years with a fine of up to 500,000 leva (approximately EUR 250,000), for any foreign trade activities involving dual-use goods or technologies (including chemical substances, biological products and toxins and related technologies) carried out without a permit issued by the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction, which is with the Ministry of Economy of Bulgaria.

### **3. National Authority for the Implementation of the Convention**

- 3.1 In accordance with the most recent amendments to the Law on the Prohibition of Chemical Weapons and Control over Toxic Chemicals and their Precursors, the Interdepartmental Commission for Export Control and Non-Proliferation of Weapons of Mass Destruction (Ministry of Economy) has been designated as the National Authority of Bulgaria, and serves as the national focal point for effective liaison with the OPCW and other States Parties to the Convention, as required by its Article VII, paragraph 4. The Members of this Commission, which is chaired by the Deputy Prime-Minister and Minister of Economy, are representatives of the Ministry of Economy, Ministry of Foreign Affairs, Ministry of the Interior, and Ministry of Defense. Secretary of the Commission is the Director of the Department for Internationally Controlled Trade in the Ministry of Economy.

### **4. Export Control of Chemicals**

- 4.1 Bulgaria applies strict export controls in compliance with its long-term commitment to the non-proliferation of weapons of mass destruction, including chemical and biological weapons capabilities. They are based on the Law on Control of Foreign Trade Activity in Arms and Dual-Use Goods and Technologies and the Regulation for its Implementation, reference here above. The non-proliferation objectives are a significant element of Bulgarian foreign policy.

- 4.2 The effective control of the trade in the chemicals scheduled in the Convention is an important part of the national compliance efforts of Bulgaria. The control of export or dual-use goods and technologies, which has been in force since 1992, covers nuclear, chemical, biological, missile-technology and other sensitive industrial items (goods, technologies and equipment) considered to be of strategic importance. Chemical and biological export controls under the national system are compatible with those established by the European Union supplier states. Chemical exports are regulated by an efficient licensing and permit system, which applies, inter alia, the following rules:
- (a) Schedule 1: Exports and imports of Schedule 1 chemicals, as well as mixtures containing any quantity of a Schedule 1 chemical, require individual licensing and permits for all destinations. Schedule 1 chemicals may only be transferred to another State Party and only for research, medical, pharmaceutical or protective purposes in accordance with paragraph 2 of Part VI of the Verification Annex to the Convention (hereinafter “the Verification Annex”). Schedule 1 chemicals, even if contained in mixtures, cannot be re-transferred to a third State-Party;
  - (b) Schedules 2 and 3: Exports and imports of Schedule 2 and 3 chemicals, as well as mixtures containing Schedule 2 and 3 chemicals, are subject to individual licensing and permits for all destinations. Shipments of Schedule 2 and Schedule 3 chemicals, or mixtures containing such chemicals, to or from States not Party to the Convention are not permitted;
  - (c) End-Use/End-user certificates (EUC) or International Import Certificates (IIC) are required for all shipments of scheduled chemicals; and
  - (d) DOC/PSF-chemicals: There are no trade restrictions for DOC/PSF-chemicals, if they are not included in the lists of controlled dual-use goods and technologies under the relevant national legislation and regulations of Bulgaria.

## **5. Chemical Industry Declarations and Inspections**

- 5.1 In accordance with Part II of the Verification Annex, Bulgaria has designated one Point of Entry (Sofia Airport) and informed the OPCW Technical Secretariat (hereinafter “the Secretariat”) of the Bulgarian standing diplomatic clearance number for non-scheduled aircraft for the purpose of inspections.
- 5.2 The following Bulgarian plant sites are presently subject to inspections according to the Bulgarian declaration of anticipated activities for 2003 and the declaration of past activities for 2002:
- (a) two facilities consuming Schedule 2B chemicals;
  - (b) one facility producing a Schedule 3 chemical; and
  - (c) five facilities producing DOC/PSF-chemicals.
- 5.3 Since the entry into force of the Convention, five inspections have been conducted in Bulgarian plant sites. These include two initial inspections of Schedule 2 plant sites,

one inspection of Schedule 3 plant site and two inspections in DOC/PSF plant sites. The inspection teams have been supported by national escort teams and all inspections have been conducted without any substantial remarks.

**6. Measures for Implementation of Article X (Assistance and Protection against CW)**

6.1 Bulgaria has two separate institutional programmes providing for protection against chemical weapons and other toxic chemicals, which are carried out by the Civilian Protection Agency and by the Ministry of Defense, respectively. Annual information on the national activities related to protective purposes in 2001 and 2002 has been submitted by the Bulgarian Government in accordance with Article X, paragraph 4 of the Convention, and the 2002 issue of the Declaration Handbook.

6.2 The Civilian Protection Agency annually updates the Programme for Protection of the Civilian Population, which provides, inter alia, for training involving individual and collective protection. Following the 11 September 2001 terrorist attacks in the United States of America, the Civilian Protection Agency has developed and published an additional training programme for the protection of the civilian population from biological and chemical terrorist acts.

6.3 The Ministry of Defense has developed its own programme for CW protection of the armed forces of Bulgaria. The Military Medical Academy conducts scientific research for the protection of military personnel against attacks with toxic chemicals.

6.4 In implementation of Article X, paragraph 7 (c), the National Authority of Bulgaria has offered to provide, in response to an appeal by the OPCW, individual protective equipment consisting of 1,000 sets of protective gas masks and 1,000 sets of protective clothes.

**7. International Cooperation and Assistance**

7.1 In 1998, the Bulgarian National Authority, in cooperation with the OPCW Technical Secretariat, organised in Sofia a regional symposium on the implementation of Article X of the Convention.

7.2 In June 2000, the Ministry of Defense of Bulgaria, in cooperation with the OPCW Technical Secretariat, organised in its Interoperability Center in Sofia a national course on the implementation of the Convention.

7.3 As a country having an association agreement with the European Union, which has recently been also invited to join the North Atlantic Treaty Organisation (NATO), Bulgaria contributes effectively to the efforts of the international community to ensure the non-proliferation of weapons of mass destruction. Through its national efforts to implement the Convention and its participation in all activities of the OPCW, including as member of the Executive Council in the period May 2001 - May 2003, Bulgaria continues to support the objectives of the Convention relating to the destruction and the non-proliferation of all chemical weapons on a global basis.