

## REPORT

OF THE REPUBLIC OF BULGARIA ON THE IMPLEMENTATION OF THE UN PROGRAMME OF ACTION TO PREVENT, COMBAT AND ERADICATE THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS, IN ACCORDANCE WITH OP. P. 8 OF THE UN GENERAL ASSEMBLY RESOLUTION 59/86 ENTITLED " THE ILLICIT TRADE IN SMALL ARMS AND LIGHT WEAPONS IN ALL ITS ASPECTS"

### National Point of Contact

As per decision of the Council of Ministry of 2002, the national point of contact for the implementation of the *UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects* is the director of NATO and International Security Directorate at the Ministry of Foreign Affairs of the Republic of Bulgaria

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### Implementation at the national level

No new legislation was adopted. Information on legislative measures as provided in 2002 and 2003 national reports still applies.

### *Marking and record-keeping*

Marking: Although the practice of marking differs in terms of weapons, the Bulgarian manufacturers of SALW apply marking on each weapon as well as on its major components. The marking contains information about the producer, type of weapon, serial number, date, month and year of production.

Marking is applied on ammunition too.

Records: All Bulgarian producers keep strict records about produced components, complete weapons and ammunition, enabling them to retrieve data on the whole process of production, storage, sale and export.

Records on civilian possession of weapons: In accordance with the European Council Directive 91/477/EEC on control of the acquisition and possession of weapons, the Police Authorities maintain an automated register of all firearms possessed by legal and physical persons.

Strict records of all SALW property of the Ministry of Defense and the Ministry of Interior are kept by the respective authorities within the Ministry of Defense and the Ministry of Interior.

### ***Export Control System***

The Bulgarian legislation regulating arms exports was amended and strengthened in 2002. The amendments are reflected in the 2003 national report on the implementation of the Programme of Action.

The following activities are also regulated by the Law on the Control of Foreign Trade Activity in Arms and Dual-Use Goods and Technologies:

Re-export - as per existing legislation Bulgarian exporters are obliged to provide evidence that no restrictions or bans are imposed on the re-sale or re-transfer of SALW;

Brokering - brokerage activity control has been introduced by introduction of licensing regime for brokerage of foreign trade in arms, which applies both to Bulgarian and foreign physical and legal persons whose activity is connected with the territory of Bulgaria. A definition of "brokering" has also been established;

Transit/transshipment - both activities are subject to control under the Law on the Control of Foreign Trade in Arms and Dual-Use Goods and Technologies the Regulation on its Implementation and all documents necessary to prove final destination and end-use are required;

Transportation of arms by Bulgarian carriers - Bulgaria has gone further in its attempt to prevent illegal transfer and a licensing procedure has been established for Bulgarian transportation companies which participate in transfer of arms (including SALW) between third countries.

### **Bulgarian Contribution at the regional and global levels**

#### **United Nations**

Bulgaria participating in the work of the Open-Ended Working Group mandated to negotiate an international instrument to enable States to identify and trace, in a timely and reliable manner, illicit small arms and light weapons.

At the 59<sup>th</sup> session of the General Assembly **Bulgaria co-sponsored** the following GA resolutions and decisions related to the SALW:

**59/59** "Maintenance of international security — good-neighbourliness, stability and development in South-Eastern Europe"

**59/82** "Consolidation of peace through practical disarmament measures"

**59/86** "The illicit trade in small arms and light weapons in all its aspects"

**59/90** "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems"

**59/108** "Strengthening of security and cooperation in the Mediterranean region"

**59/515** "Problems arising from the accumulation of conventional ammunition stockpiles in surplus"

It also **supported** the following:

**59/66** "National legislation on transfer of arms, military equipment and dual-use goods and technology"

**59/74** "Assistance to States for curbing the illicit traffic in small arms and collecting them"

**59/88** "Conventional arms control at the regional and subregional levels"

## **OSCE**

As a Participating State in the Organization for Security and Cooperation in Europe, Bulgaria takes part in all initiatives undertaken by the OSCE related to SALW.

In 2002 the Council of Ministers adopted a decision for the approval of the **2001 OSCE Document on Small Arms and Light Weapons**. Bulgaria strictly fulfills its political commitments stemming from it.

Other SALW commitments Bulgaria has undertaken originate from the following OSCE documents:

- OSCE Principles for Export Controls of Man-portable Air Defense Systems
- OSCE Principles on the Control of Brokering in SALW
- Standard Elements of End-User Certificates and Verification Procedures for SALW Exports

## **Regional cooperation**

Led by the understanding that regional initiatives are one of the major instruments for effectively addressing the problem of illicit trade in SALW, Bulgaria closely cooperates with its neighboring countries on that issue.

At the end of June 2005 the Bulgarian Ministry of Foreign Affairs, together with the South Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) and the Center for the Study of Democracy, organized a seminar "*Towards NATO and EU Accession: Effective Export Control Legislation - Lessons Learned*". The objective of the seminar was to contribute to the process of bringing the export control legislation in line with the EU and NATO requirements and strengthening the mechanisms for its implementation through sharing the experience Bulgaria has gained in this sphere through the preparation process for NATO and EU membership. It was organized for experts from the countries participating in the Stability Pact for South Eastern Europe (Albania, Bosnia and Herzegovina, Croatia, the Republic of Macedonia, Moldova and Romania).

More information on the seminar can be obtained at:

<http://www.seesac.org>