

**NATIONAL REPORT ON BULGARIA'S IMPLEMENTATION OF THE
INTERNATIONAL INSTRUMENT TO ENABLE STATES TO IDENTIFY AND
TRACE, IN A TIMELY AND RELIABLE MANNER, ILLICIT SMALL ARMS AND
LIGHT WEAPONS AND THE 2001 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 UNGA resolution 62/47 "The Illicit Trade in Small Arms
and Light Weapons in All Its Aspects")**

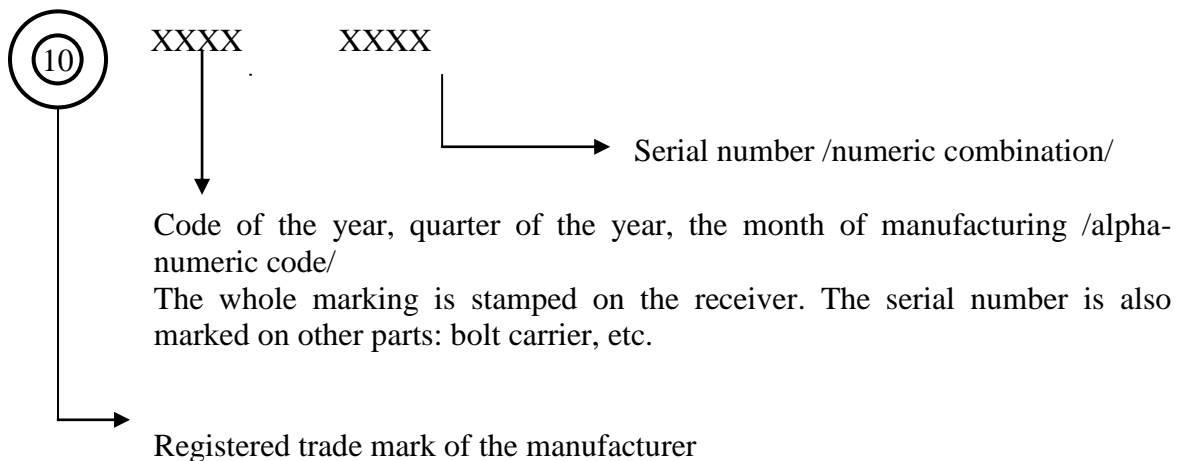
Part I

NATIONAL REPORT ON THE IMPLEMENTATION OF THE INTERNATIONAL INSTRUMENT TO ENABLE STATES TO IDENTIFY AND TRACE, IN A TIMELY AND RELIABLE MANNER, ILLICIT SMALL ARMS AND LIGHT WEAPONS

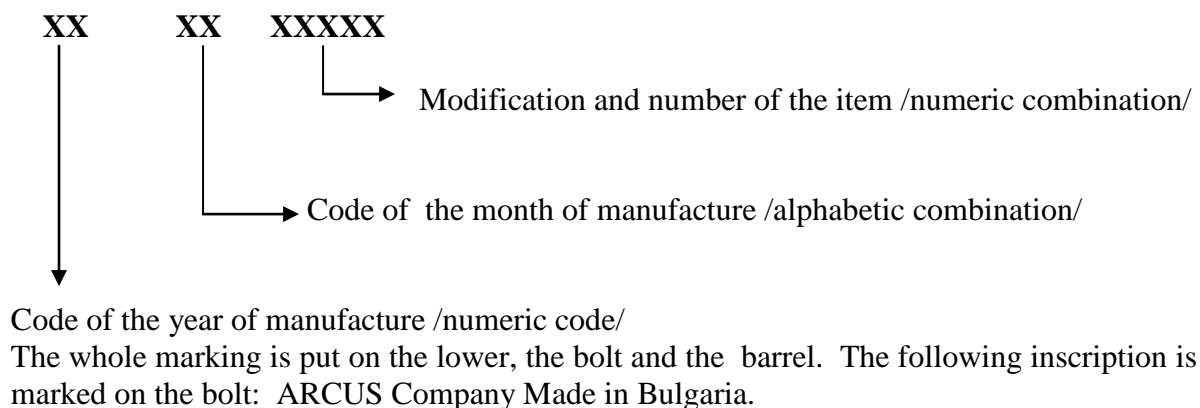
National Marking Practices

Small arms and light weapons (SALW) manufactured in Bulgaria are marked at the point of manufacture with a unique, user-friendly alphanumeric identifier that allows for their easy, reliable and timely identification. The two major manufacturers of SALW in Bulgaria - "ARSENAL" AD-Kazanlak and "ARKUS" AD - Liaskovetz are using the marking system described below. The size, the font and the location of the markings are specified in the technical production documentation of the items.

1. "ARSENAL" AD-Kazanlak:



2. "ARKUS" AD- Liaskovetz:



3. **“ISD –Bulgaria”, Ltd** produces semi-automatic rifles for the needs of the US market and those weapons are marked according to the US requirements, as follows:

- Name of the producer and country of origin are marked on the right side of the receiver;
- Serial number –on the left side of the receiver insert block, e.g. B 08 12 4455 – “B” – meaning Bulgaria; “08” – the year of production; “12” – the month of production; 4455 – number of the weapon;
- caliber and model of the weapon – on the left side of the receiver;

All companies keep records of all manufactured SALW which allow for their identification.

National Control over the Manufacture of SALW

National control over the manufacture of SALW is regulated by the **Law on the control on explosives, firearms and ammunition** (promulgated in the State Gazette No 133/11.11.1998 , as amended in 2007) and the **Regulation for its implementation**, (State Gazette No 78/3.09.1999, as amended in 2007). The authorization for the manufacture of SALW in Bulgaria is conducted through issuing of a license by the Ministry of Interior on the basis of obligations and the requirements specified in these acts.

According to the **Penal Code of the Republic of Bulgaria** Art. 337. (Amend., SG 41/85) (1) (Prev. text of art. 337 - amend, SG 50/95; Suppl., SG 92/02) Who manufactures, processes, repairs, works out, stores, trades, carries, imports or exports explosives, firearms, chemical, biological or nuclear weapons or munitions without having the right according to a law or a permit by the respective body of the authority, or does not carry it out according to the given permit, shall be punished by imprisonment of one to six years.

(2) (New, SG 50/95) The punishment shall be imprisonment of two to eight years if the act has been committed:

1. by an official who has misused his official status;
2. repeatedly in major cases.

(3) (New, SG 50/95) If the subject of the crime is of large size the punishment shall be imprisonment of three to ten years.

(4) (New, SG 50/95) If the subject of the crime is of particularly large size and the case is particularly serious the punishment shall be imprisonment of five to fifteen years.

(5) (new, SG 26/04) For preparation of a crime under para 1 – 4 the punishment shall be imprisonment of up to two years.

Art. 338. (1) (Amend., SG 10/93; amend., SG 92/02) Who, by keeping, carrying, sending or working with explosives, firearms or munitions does not take the necessary safety precautions and especially the measures stipulated by the respective regulations, ordinances or instructions shall be punished by imprisonment of up to two years or by a fine of one hundred to three hundred levs.

(2) (new - SG SG 75/06, in force from 13.10.2006) Who provides a person, who has not accomplished 18 years of age with explosives, firearms or munitions, shall be punished by be imprisonment of up to five years, and by a fine of five thousand levs.

(3) (prev. text of para 2, amend. - SG SG 75/06, in force from 13.10.2006) If as a result of the acts under para 1 and 2, have occurred average or severe bodily injury or death, or a substantial damages of a property, caused to one or more persons, the

punishment shall be imprisonment of two to eight years, and in particularly serious cases the punishment shall be imprisonment of five to fifteen years.

Art. 339. (Amend., SG 28/82; SG 41/85) (1) (Amend., SG 28/82; SG 41/85; SG 50/95; Suppl., SG 92/02) Who acquires, in any way whatsoever, keeps or submits to another explosives, firearms, chemical, biological or nuclear weapons or munitions without having due permit shall be punished by imprisonment of up to six years.

(2) (Amend., SG 28/82; Suppl., SG 92/02) If the case is regarding explosives, firearms chemical, biological or nuclear weapons or munitions in large quantities the punishment shall be imprisonment of three to eight years.

(3) (Amend., SG 28/82; SG 41/88; SG 50/95; Suppl., SG 92/02) Who alienates or submits explosives or firearms chemical, biological or nuclear weapons to a person who has no permit for their acquisition shall be punished by imprisonment of up to six years.

(4) The punishment under the preceding para shall also be imposed to those who alienate or submit to another munitions without permit for the latter to carry the respective weapon.

(5) (New, SG 62/97; Suppl., SG 92/02) The punishment under para 1 shall also be imposed on a person who, without the respective permit, takes a found explosive, firearm chemical, biological or nuclear weapons or munitions.

Part II

REPORT 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

Implementation at the national level

During the 2007 reporting period a new legislation regulating exports, imports and transfers of SALW was adopted. The new **Law on the export control on arms and dual-use items and technologies (SG No. 11/02.02.2007)** and the **Regulation for its implementation (SG No. 32/17.04. 2007)** serve as the basis of the export control system of the Republic of Bulgaria. The new legislation has kept the two-tier structure of the export control system as previously reported and no significant changes have been introduced. It also incorporates all the provisions of the EU Common Position on the control of arms brokering of 2003.

Under the new Bulgarian legislation (arts. 20-22 of the Export Control Law) all brokers are required to have a valid registration certificate issued by the Interministerial Council on the Military-Industrial Complex and Mobilization Preparedness with the Council of Ministers. Provided that they meet the criteria for economic stability and reliability, the registration is valid for a period of three years.

In accordance with the two-tier export control system, an export permit for a specific transfer is issued on a case-by-case basis by the Interministerial Commission for Export Control and Non-Proliferation of WMD at the Ministry of Economy and Energy. Brokers are required to apply for a brokerage permit for each brokering transaction in arms.

National definition of brokering activities;

As per point 2.8 of the Supplementary Provisions of the Export Control Law, ***brokering activity*** shall mean activity performed by natural and legal persons registered under the Commerce Law, which includes negotiating or realising a commercial transaction with arms or with a dual-use item as well as the sale or transfer of arms or a dual-use item which is their property from the territory of one third country to another third country.¹

Description of the licensing process;

The procedure for the issuance of brokerage permits is stipulated in art. 30, para. 4, art. 31, para. 1 of the Export Control Law.

Only brokers with valid registration with the Interministerial Council on the Military-Industrial Complex and Mobilization Preparedness of the Country with the Council of Ministers are eligible to apply for brokerage permits.

All transactions are subject to authorization by the Interministerial Commission for Export Control and Non-Proliferation of WMD at the Ministry of Economy and Energy. Brokers are required to submit applications for each brokerage permit, and based on the presented documentation the Interministerial Commission takes decision on a case-by-case basis.

¹ 'Third country' signifies a non-EU state.

SALW defined as surplus and destroyed SALW

As per information provided by the Ministry of Defense, the following weapons and ammunition have been defined as surplus:

No	Description	Quantity pcs
	SALW	
1	7,62 mm rifle, type 1944	374
2	7,62 mm rifle, type 1891/44	14
3	7,62 mm rifle, type 59. for ASU	17
4	7,62 mm machine gun AK-47	3
5	7,62 mm machine gun AKS-47	104
6	5,45 mm machine gun AK-74	31943
7	5,45 mm machine gun AKN-74	10742
8	5,45 mm gun RPK-74	4
9	7,62 mm sub-machine gun "Spagin"	2303
10	7,62 mm gun "M.Sokolov", type 1910	16
11	7,62 mm gun DTM	187
12	7,62 mm gun PKT	642
13	14,5 mm gun "Vladimirov" KPVT	283
14	14,5 mm antiaircraft complex ZPU-4	4
15	57 mm antiaircraft gun C-60	35
	AMMUNITION	
1	Hand grenades F-1 set	1 160 603
2	Hand grenades RG-42 set	22 500
3	100 mm fragmentation-distance rounds for KC-19	11 700

In the 2007 reporting period 928 SALW and 36 000 rounds of ammunition were destroyed by the Bulgarian Armed Forces.

Bulgarian Contribution at the Regional and Global Levels

United Nations:

In 2007 Bulgaria participated in:

- the second and third sessions of the Secretary General's Group of Governmental Experts to Consider Further Steps to Enhance International Cooperation in Preventing, Combating and Eradicating the Illicit Brokering in Small Arms and Light Weapons

At the 62nd session of the General Assembly Bulgaria co-sponsored the following GA resolutions and decisions related to SALW:

- 62/13 "Objective information on military matters, including transparency of military expenditures"
- 62/22 "Assistance to states for curbing the illicit traffic in small arms and light weapons and collecting them"
- 62/40 "Prevention of the illicit transfer and unauthorized access to and use of man-portable air defence systems"
- 62/47 "The illicit trade in small arms and light weapons in all its aspects"
- 62/58 "Strengthening of security and cooperation in the Mediterranean region"

It also supported UNGA resolution 62/44 Conventional arms control at the regional and subregional levels.

Others:

In December 2007 was elected to assume the chairmanship of the Wassenaar Arrangement Plenary for 2008.

National Point of Contact

As per decision of the Council of Ministers 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:

Petio Petev, PhD
Director
NATO and International Security Directorate
Ministry of Foreign Affairs of the Republic of Bulgaria

Address: Alexander Zhendov Street #2
Sofia 1040
Bulgaria

Telephone: +459 2 948 22 44

Fax: +359 2 948 20 37

Email: int.security@mfa.government.bg