



# **NORMATIVE REQUIREMENTS FOR RECEIPT, ORIGINATION AND TRANSIT OF DISASTER RELIEF THROUGH THE TERRITORY OF THE REPUBLIC OF BULGARIA**

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**PREPARED FOR THE BULGARIAN RED CROSS  
BY INTERLEX LTD**



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## **INTRODUCTION**

This study is prepared pursuant to the task of the project “Legislative research of the normative requirements for receipt, origination and transit of disaster relief through the territory of the Republic of Bulgaria, according to the requirements in the Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance (IDRL Guidelines)”, implemented by the Bulgarian Red Cross.

This study is a review of the Bulgarian legislation in force on March 1<sup>st</sup> 2010, applicable to the IDRL Guidelines. National legislation and policies, as well as international treaties, to which the Republic of Bulgaria is a party, have been subject to research with the view of studying their impact on international humanitarian assistance in case of disasters.

The study also reviews the practical application of normative requirements, as long as there is such experience with the emphasis on identifying existing problems and good practices.

This study is a part of a programme of the International federation of the Red Cross and the Red Crescent Societies. Additional information about the programme, as well as other studies and reports can be found on the following webpage: [www.ifrc.org/what/disasters/idrl](http://www.ifrc.org/what/disasters/idrl).

This study is prepared by Vesselina Petrova, attorney-at-law with the close cooperation of the Bulgarian Red Cross and in particular of the International Cooperation Department.

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# **1. Information on the Republic of Bulgaria**

## **1.1. Social and political context<sup>1</sup>**

Republic of Bulgaria is a country in Europe, situated in the Eastern part of the Balkan Peninsula, of which it occupies 22%. The size of the country is 110 843 km<sup>2</sup>, out of which 110510 km<sup>2</sup> is land and 333 km<sup>2</sup> water. Its population is approximately 7 640 000 persons (data from 2007). The State capital is Sofia.

The borders of Bulgaria are the Black sea to the east, Greece and Turkey to the south, the Republic of Macedonia and Serbia to the west and Romania to the north. The total length of the State borders is 2245 km, out of which 1181 km are land borders, 686 km – river borders (Danube River forms the bigger part) and 378 km are sea borders.

In 1990 in Bulgaria, the Parliamentary democracy has been restored. Bulgaria has become a member of NATO on April 2<sup>nd</sup> 2004 and a member of the European Union on January 1<sup>st</sup> 2007.

## **1.2. Probable disaster scenarios in Bulgaria <sup>2</sup>**

### **1.2.1. Natural disasters**

The complex nature-geographical structure of Bulgaria and its situation in an area with a great seismic activity makes the country vulnerable to natural and technogenic disasters and accidents, which can cause considerable human and material damage.

Natural disasters are a result of dangerous geological, meteorological, hydrological and other processes.

Technogenic risks are a result of the work of existing industrial installations, construction of industrial sites, which affect natural ecosystems, as well as of the negative impact of conserved objects with potentially hazardous capacities.

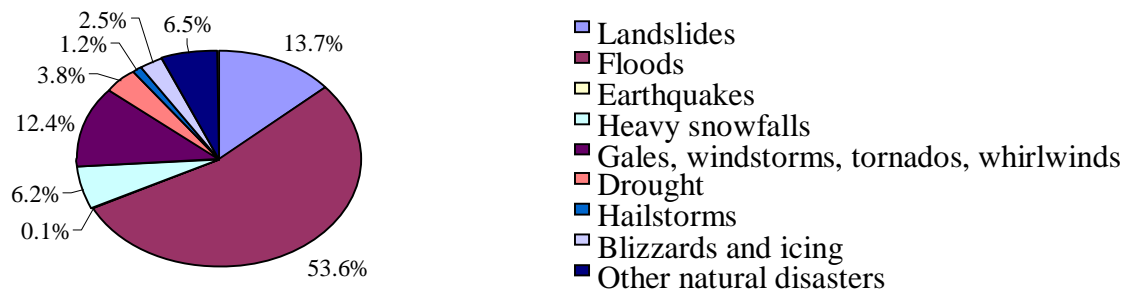
The statistic data has shown great frequency in the different types of disasters, which have affected the country in the last decade and in view of that, Bulgaria is in the category of territories with a particularly high level of risk.

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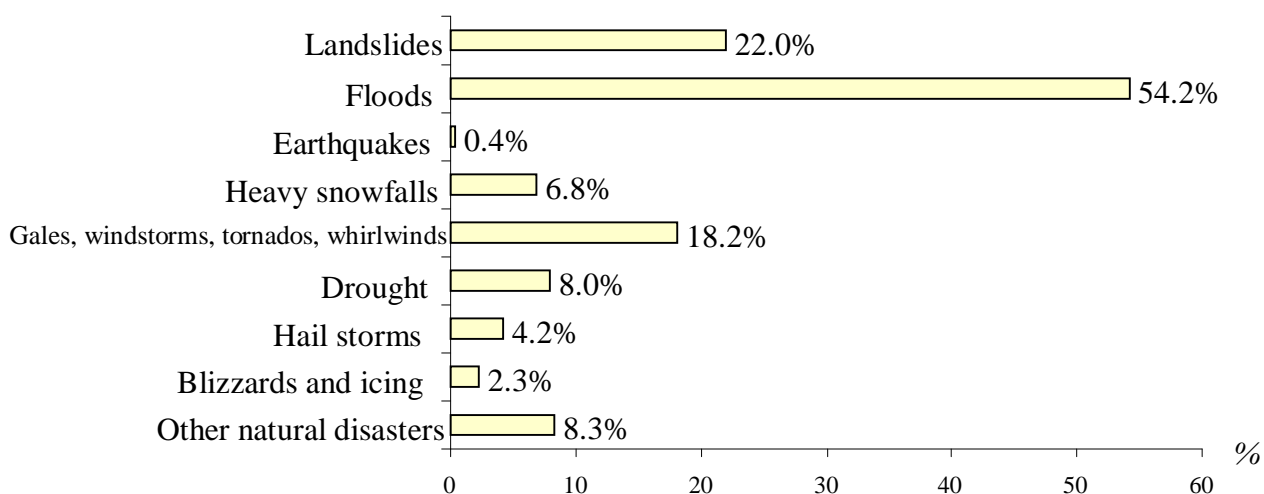
<sup>1</sup> Source: [www.government.bg](http://www.government.bg)

<sup>2</sup> Source: National programme for disaster protection 2009 – 2013, prepared pursuant to Article 6, para. 5 and Article 18 of the Disaster Protection Act

The percent ratio of the various types of natural disasters in the different regions of the country and the relative ratio of natural disasters, which have affected the regions in 2007 are shown in graph 1 and graph. 2.



Graph 1. Types of natural disasters in the regions of Bulgaria in 2007



Graph 2. Relative ratio of the natural disasters, which have affected the regions of Bulgaria in 2007

### 1.2.2. Other risks

Potential hazards, which could lead to disasters on the territory of the country relate to:

- **Forest fires** are the most common reason for disaster situations in the last years on the territory of the country. As a result of the droughts, forest fires develop very fast and they spread over significant territories. Apart from the direct material loss from the

fires, in a long-term period they damage the biological diversity, the flora and fauna of the region is changed, landslides are started. Coping with the consequences of the forest fires require significant material resources and human efforts.

- Accidents connected to **dangerous chemical substances**, resulting from technological accidents, transport accidents, interruption of productlines, oil and gas pipelines, located on the territory of the country, scattering of pesticides and breaking of the walls of tailings pond or wastewater installations in some important industrial sites; oil spills on the Danube river and in the Black sea; terrorist attacks with diffusion of toxic substances.
- **Radioactive contamination**, which require implementation of protective measures for the population. The contamination may be a result of accidents in nuclear installations situated in the territory of the country or at a close distance; of radioactive waste management; in sites using radioactive sources of open and closed types; using nuclear and radioactive materials for terrorist purposes, sabotages and illegal trafficking; deliberate contamination of drinking water sources, food-products, etc; at transportation of nuclear and radioactive materials.
- **Biological contamination** may result from worsening of existing sanitary and hygienic conditions, low immunisation coverage, creating favourable conditions for diffusion of natural and creation of anthropogenic outbreaks during natural and social catastrophes, setting up preconditions for infections (such as shigellosis, poliomyelitis, tularaemia, Q-fever, typhus), when using biological agents with terrorist purposes on people and animals. A review of the biological agents and their distribution in Bulgaria allows to draw the conclusion that there is no region or location, which is clean and safe from biological hazard.

### 1.3. Structure of State governance

Republic of Bulgaria is a united state with local self governance. Its territory consists of 28 administrative regions, headed by Regional Governors, appointed by the Council of Ministers and 263 local municipalities. The Head of State is the President, who represents Republic of Bulgaria in international relations. He is the supreme commander-in-chief of the armed forces and he presides the Advisory Council on National Security. The Prime minister is the head of the executive power and presides the Council of Ministers.

The National Assembly is the main legislative body of the country. It consists of 240 members, 209 of which are elected with proportionate voting, the remaining 31 with major voting. The National Assembly elects its Chairman.

The present Constitution has been adopted on July 12<sup>th</sup> 1991 and entered into force on July 13<sup>th</sup> 1991 after its promulgation in the State Gazette. In it the fundamental citizens' rights and obligations are enumerated, the authorities of the National Assembly, the President, the Council of Ministers, the judicial power and of the organs of local administration and of local self-governance, as well as of the Constitutional court are defined.

The judicial system of Bulgaria consists of local, regional and administrative courts, appellate courts and military courts. The Supreme Court of Cassation is the cessation instance for legally defined court acts and sits for other cases, defined by law. The Supreme Administrative court is conducting supreme judicial monitoring for the exact and equal implementation of legislation in the administrative jurisdiction. There is an active Constitutional court, which has the authorities to interpret the Constitution and to control the correspondence of the laws and other legislative acts with the Constitution.

#### **1.4. Hierarchy of national normative acts**

The Bulgarian legal system is based on the continental legal system. Recognized law sources are only the acts which have been adopted by the competent organs in the frames of their authorities.

Normative acts have the following hierarchy:

- Constitution
- Codes and laws, adopted by the National Assembly
- Decrees of the Council of Ministers (Government)
- Regulations for law implementation, adopted by the Council of Ministers
- Ordinances and Instructions of the Council of Ministers
- Ordinances, Orders and Instructions of the individual ministers

The applicability of the normative acts of the national legislation shall be weighed based on three major principles:

- Normative act, which is higher in rank, has a priority over the act of a lower rank;



- The newer normative act abrogates the older act from the same rank;
- When a new legislative act is adopted, the acts for the implementation of the same subject matter continue to be in force, as long as they are not controversial to the new legislation.

## 1.5. Relationship of applicability of the International, European and National legislation

### 1.5.1. European legislation

Bulgaria as a Member State of the European Union is bound by article 4 of the Protocol concerning the conditions and arrangements for admission of the Republic of Bulgaria and Romania to the European Union and the *acquis communautaire* are mandatory for the country. According to the article 5, paragraph 4 of the Constitution, the international treaties, which have been ratified in accordance with the procedure in the Constitution, promulgated and entered into force for the Republic of Bulgaria are a part of the internal legislation of the country. They have a priority over the norms of the internal legislation, which are contradictory to them. Therefore, the applicability of the European legislation shall be assessed according to their type and characteristics.

As far as the **Directives** are concerned they have a binding force<sup>3</sup>, but they are addressed to the Member States and oblige them to adopt legislative acts for their implementation and in accordance to their requirements, the norms of the Directives are not directly applicable and they do not have priority over the norms of the national legislation<sup>4</sup>.

The **Regulation** “is binding as a whole and is directly applicable in all Member States”<sup>5</sup>. Therefore, the norms of the Regulation may be directly applicable when there is no national legislation or in accordance with the priority they have over controversial national acts. In order to facilitate the application and the implementation of the regulations, it is possible to adopt national legislative acts, which is more an exception than a rule.

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<sup>3</sup> Article 246 of the Treaty Establishing the European Community

<sup>4</sup> According to the practice of the European Court of Justice directives can be applicable to local and regional authorities, national health authorities, police, nationalised industries. See more at p.12 of the *Analysis of Law in the European Union pertaining to Cross-Border Disaster Relief*.

<sup>5</sup> Article 246 of the Treaty Establishing the European Community

However, it shall be taken into consideration that that in certain cases the norms of the Regulations are not directly applicable and that they provide for the member-states to adopt specific legislation.

**Decisions** of the European institutions are binding as a whole to which they are directed. Therefore, these acts also have a priority over the acts of the national legislation, which are controversial to them.

Thus, the described priority in applicability of the European law acts over the national legislation acts outlines the necessity of assessment of this priority in any of the studied issues, relating to the facilitation of the receipt, origination and transit of disaster relief through the territory of the Republic of Bulgaria.

In the European Union there is a functional Civil Protection Mechanism, which is managed by the Directorate General “Humanitarian Aid and Crisis Response” at the European Commission. The normative acts, under which this mechanism is established and functions are: 1) Council Decision 2007/779/EC and 2) Council Decision 2007/162/EC and they are applicable and have priority over the national legislation. Other European legislation norms, applicable for Bulgaria, concern issues such as transport, public health, environmental protection, agriculture, etc. and they may connected to providing disaster relief.

### **1.5.2. International acts**

As it was already mentioned, the Constitution of the country gives priority to the international legal norms, provided that all three conditions are cumulatively fulfilled: 1) the international treaty is ratified in accordance with the procedure in the Constitution; 2) it is promulgated in the State Gazette and 3) it has entered into force for the Republic of Bulgaria. In this case, the international legal norms are accepted as part of the internal legislation

The applicable international law instruments, relating to the subject of this research can be divided in four main types:

- 1) International conventions and treaties;
- 2) Regional (European) agreements;

- 3) Bilateral agreements between the European Union and other countries, which have been studied in detail in the “*Review of European law*”<sup>6</sup>, which are binding for Bulgaria as an EU Member State;
- 4) Bilateral agreements between Bulgaria and other countries.

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<sup>6</sup> Source: British institute of International and Comparative Law, *Analysis of Law in the European Union pertaining to Cross-Border Disaster Relief*, 2010.

## 2. Review of the national legislation and policies

### 2.1. International normative sources

#### 2.1.1. International conventions

Bulgaria has ratified *Convention on Privileges and Immunities of the United Nations*<sup>7</sup> and the *Convention on Privileges and Immunities of the Specialized Agencies*<sup>8</sup>, as well as the *Convention on Special missions*<sup>9</sup>.

The Republic of Bulgaria is a member of the World Customs Organization and is a state-party to many Conventions, which relate to the international disaster relief, such as the *Convention on Temporary Admission*<sup>10</sup>, the *International Convention on the Simplification of Customs Formalities*<sup>11</sup>, *International Convention on the Harmonized System Description and Coding System (including all annexes)*<sup>12</sup>, the *International Convention on the Harmonization of Frontier Controls of Goods*<sup>13</sup>, *Customs Convention on the International Transport of Goods under Cover of TIR Carnets (TIR Convention 1975)*<sup>14</sup> and *Customs Convention on Containers*<sup>15</sup>.

Bulgaria has also ratified *Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations*<sup>16</sup>, *Convention on Assistance in the*

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<sup>7</sup> Convention on Privileges and Immunities of the United Nations (adopted on 13 February 1946, promulgated in State Gazette N36/3 May 1960, entry into force for Bulgaria 30 September 1960)

<sup>8</sup> Convention on Privileges and Immunities of the Specialized Agencies (adopted on 21 November 1947, promulgated in State Gazette N13/15 February 2000, entry into force for Bulgaria 13 June 1968)

<sup>9</sup> Convention on Special missions (adopted on 8 December 1969, promulgated in State Gazette N70/8 September 1987, cor. SG N76/2 October 1987, entry into force for Bulgaria 13 June 1987)

<sup>10</sup> Convention on Temporary admission (adopted on 26 June 1990, promulgated in State Gazette N78/2 September 2003, amended SG N 89/12 October 2004, entry into force for Bulgaria 11 June 2003)

<sup>11</sup> International Convention on the Simplification of Customs Formalities (adopted on 3 November 1923, ratified with Ordinance N5 of the King Boris III on 13 March 1936, promulgated in State Gazette N2/1 January 1926, entry into force for Bulgaria 10 March 1927 )

<sup>12</sup> International Convention on the Harmonized System Description and Coding System (Adopted by Decision № 91 of 28.04.1990, the Bureau of Ministers. Promulgated SG 15/17 February 2006, In force for Bulgaria 1 January 1, 1992)

<sup>13</sup> International Convention on the Harmonization of Frontier Controls of Goods (adopted on 21 October 1982, promulgated in State Gazette N95/21 November 2000)

<sup>14</sup> Customs Convention on the International Transport of Goods under Cover of TIR Carnets (ratified by Decree № 1144 of 1977 DS, SG 61/ 5 August 1977, promulgated SG 7/27 January 2004, in force 20 April 1978).

<sup>15</sup> Customs Convention on Containers (SG 46/13 June 1978, in force for Bulgaria from 22 August 1977).

<sup>16</sup> Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (adopted on 18 July 1998, promulgated in State Gazette N44/17 May 2000, entry into force for Bulgaria 8 January 2005)

*Case of a Nuclear Accident or Radiological Emergency*<sup>17</sup> and *Convention on the Operative Information in Nuclear Accidents*<sup>18</sup>.

### 2.1.2. Regional agreements

The Republic of Bulgaria has signed the Memorandum of Understanding vital to facilitate cross-border civil transport, adopted by the member-states of the Member States of the North Atlantic Treaty and countries that have accepted the Partnership for Peace<sup>19</sup>.

Bulgaria is a party to a number of regional agreements, aiming at cooperation in the area of disasters on the Balkans and the Black Sea region.

Bulgaria is a party to the *Agreement on the establishment of a Council for civil-military emergency planning of South East Europe*, signed on April 3, 2001 in Sofia.<sup>20</sup> The agreement is ratified by Bulgaria, Croatia, Macedonia, Slovenia, Romania, Turkey, and Bosnia and Herzegovina.

Bulgaria, Turkey and Romania have signed the *Protocol for cooperation during humanitarian operations in emergencies* on May 15<sup>th</sup>, 2002 in Turkey.<sup>21</sup>

The Republic of Bulgaria is a party to the *Agreement among the Governments of the Participating States of the Black Sea Economic Cooperation (BSEC) on collaboration in Emergency Assistance and Emergency Response to natural and man- made Disasters*<sup>22</sup>.

Bulgaria is a party to the *Memorandum of Understanding on institutional framework of the Disaster preparedness and Prevention and Initiative in South-Eastern Europe (DPPI SEE)*, signed on 24<sup>th</sup> and 25<sup>th</sup> September in Zagreb, Croatia.

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<sup>17</sup> Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (adopted on 26 September 1986, promulgated in State Gazette N13/16 February 1988, entry into force for Bulgaria 26 March 1988)

<sup>18</sup> Convention on the Operative Information in Nuclear Accidents (signed on 26 September 1986, promulgated in State Gazette N12/12 February 1988)

<sup>19</sup> Council of Ministers Decision N636/27 September 2007.

<sup>20</sup> The Agreement is ratified by law, prom. SG 109/2004 and entered into force on 26 February 2005.

<sup>21</sup> Protocol for cooperation during humanitarian operations in emergencies (Adopted by Council of Ministers Protocol N17/9 May 2002, entry into force for Bulgaria 29 January 2003, (promulgated SG N 21/7 March 2003

<sup>22</sup> Agreement among the Governments of the Participating States of the Black Sea Economic Cooperation (BSEC) on collaboration in Emergency Assistance and Emergency Response to natural and man- made Disasters (Ratified by law, adopted on 31 July 2002, entry into force for Bulgaria 11 March 2003, promulgated SG N 104/28 November 2003);

<http://www.bsec-organization.org/documents/LegalDocuments/agreementmous/agr4/Documents/Emergencyagreement%20071116.pdf>

Bulgaria holds the Chairmanship-in-Office of the *Southeast European Cooperation Process for Disaster Preparedness and Prevention in the SEE region*<sup>23</sup>.

Bulgarian Red Cross is one of the initiators and depositary to a Regional agreement on rules and procedures for mutual assistance between the National Societies of the Red Cross and the Red Crescent in the Balkan Region in case of disasters, together with the other Balkan National Societies<sup>24</sup>. The aim of the agreement is to facilitate the provision of disaster relief. It contains specific requirements on the information exchange, the content of the request for assistance, need for cooperation, recommendations for coordination with the other National Societies and the competent authorities in order to grant the unobstructed passage of relief goods and personnel<sup>25</sup>.

### **2.1.3. Bilateral agreements and treaties**

Bulgaria has signed two agreements, which are specifically related to the cooperation in the prevention of disasters:

- *Agreement between the Government of the Republic of Bulgaria and Romania on cooperation in civil protection in peacetime*<sup>26</sup>
- *Agreement between the Government of the Republic of Bulgaria and the Russian Federation on cooperation in the field of preventive action and mitigation of industrial accidents, catastrophes and natural disasters and liquidation of consequences.*<sup>27</sup>

In the field of transport, Bulgaria has an Agreement with the Government of Germany to facilitate cross-border vital civilian transport during periods of crisis,<sup>28</sup> and an Agreement for its implementation<sup>29</sup>.

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<sup>23</sup> Ministerial meeting for Disaster Preparedness and Prevention in the SEE region of the Southeast European Cooperation Process (SEECPP), 9 April 2008, Sofia, [http://www.mfa.bg/en/index.php?option=com\\_content&task=view&id=8089&Itemid=388](http://www.mfa.bg/en/index.php?option=com_content&task=view&id=8089&Itemid=388).

<sup>24</sup> Agreement on rules and procedures for mutual assistance between the National Societies of the Red Cross and the Red Crescent in the Balkan Region in case of disasters, together with the other Balkan National Societies, entered into force on 26 May 2000. Parties to this agreement are the Bulgarian RC, the Yugoslav RC, Albanian RC, Turkish RC, Romanian RC and Macedonian RC.

<sup>25</sup> *Idem*. Articles 2, 3-6, 14-19, 24-26.

<sup>26</sup> Signed on 18 January 1996 in Bucharest, Romania, in force for Bulgaria on 28 January 1998.

<sup>27</sup> Signed on 2 February 1995 in Sofia, Bulgaria (ratified on 23 March 1995, prom. SG 31/1995, in force 4 July 1995).

<sup>28</sup> Agreement between the Government of Bulgaria with the Government of Germany to facilitate cross-border vital civilian transport during period of crisis, signed in Sofia on 12 June 1996.

<sup>29</sup> Agreement between Ministry of transport of Republic of Bulgaria and the Federal ministry of transportation, construction and urban development of the Federal Republic of Germany on the implementation of the

Bulgaria has signed *Agreements for amicable relations and cooperation* with the following States outside the European Union: Azerbaijan<sup>30</sup>, Armenia<sup>31</sup>, Georgia<sup>32</sup>, Kazakhstan<sup>33</sup>, Kyrgyzstan<sup>34</sup>, Moldova<sup>35</sup>, Mongolia<sup>36</sup>, Turkey<sup>37</sup> and Ukraine<sup>38</sup>. In these agreements the countries agree to create favourable conditions to resolve humanitarian problems.

Bulgaria has *bilateral agreements* with Albania<sup>39</sup>, Macedonia<sup>40</sup>, Russian Federation<sup>41</sup> and Ukraine<sup>42</sup>, which envisage facilitated conditions for obtaining a visa for escorting humanitarian goods.

Bulgaria has *bilateral agreements for international automobile carriage of persons and goods* with the following countries: Albania<sup>43</sup>, Armenia<sup>44</sup>, Kazakhstan<sup>45</sup>, Lebanon<sup>46</sup>,

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Agreement between the Government of Bulgaria with the Government of Germany to facilitate cross-border vital civilian transport during period of crisis, signed in Bonn, Germany on 14 March 2006.

<sup>30</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Azerbaijan (signed on 29 June 1995 in Sofia, promulgated SG N 114/3 December 1997)

<sup>31</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Armenia (signed on 10 April 1995 in Sofia, promulgated SG N 121/17 December 1997)

<sup>32</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Georgia (signed on 19 January 1995 in Sofia, promulgated SG N 121/17 December 1997)

<sup>33</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Kazakhstan (signed on 30 July 1993 in Almaty, promulgated SG N 70/16 August 1996)

<sup>34</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Kyrgyzstan (signed on 13 November 1994 in Sofia, promulgated SG N 76/6 September 1996)

<sup>35</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Moldova (signed on 7 September 1992 in Sofia, promulgated SG N 26/30 March 1993)

<sup>36</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Mongolia (signed on 5 April 1995 in Ulan Bator, promulgated SG N 58/9 July 1996)

<sup>37</sup> Agreement for amicable relations, cooperation and security between the Republic of Bulgaria and Republic of Turkey (signed on 6 May 1992 in Ankara, adopted by law by 36 National Assembly, promulgated SG N 65/21 June 1995, entry into force for Bulgaria on 29 June 1995)

<sup>38</sup> Agreement for amicable relations and cooperation between the Republic of Bulgaria and Ukraine (signed on 5 October 1992 in Sofia, promulgated SG N 25/25 March 1994)

<sup>39</sup> Agreement between the Republic of Bulgaria and the Republic of Albania on facilitation of issuance of visas for nationals of respective countries (signed on 31 May 2002 in Sofia, Council of Ministers decision N563/23 August 2002, promulgated SG N 102/1 November 2002, entry into force for Bulgaria 3 October 2002).

<sup>40</sup> Agreement between the Republic of Bulgaria and the Republic of Macedonia on Mutual Travelling of Citizens of Respective Countries (signed on 3 November 2006 in Sofia, Council of Ministers decision N859/15 December 2006, promulgated SG N 23/16 March 2007, entry into force for Bulgaria 1 January 2007).

<sup>41</sup> Agreement between Republic of Bulgaria and the Russian Federation for the Introduction of Facilitated Visa Regulations for Mutual Traveling of Citizens (signed on 5 March 2002 in Sofia, Council of Ministers decision N208/12 April 2002, promulgated SG N 54/31 May 2002, entry into force for Bulgaria 7 May 2002).

<sup>42</sup> Agreement between the Government of Republic of Bulgaria and the Cabinet of Ministers of Ukraine on Mutual Travelling of Citizens of Respective Countries (signed on 15 November 2001 in Kiev, Council of Ministers decision N36/21 January 2001, promulgated SG N 60/18 June 2002, entry into force for Bulgaria 30 May 2002).

<sup>43</sup> Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Albania on the International Combined Transportation Of Cargo (signed on 12 March 1999 in Tirana, promulgated SG N 95/2 November 1999).

<sup>44</sup> Agreement between the Government of the Republic of Bulgaria and the Republic of Armenia on the International Road Transport (signed on 10 April 1995 in Sofia, promulgated SG N 42/23 May 2000).

Macedonia<sup>47</sup>, Russian Federation<sup>48</sup>, Uzbekistan<sup>49</sup> and Yugoslavia<sup>50</sup>, which provide for permission requirements waivers “when transporting emergency relief goods, especially during disasters and for humanitarian aid”.

## 2.2. European legislation

As it was already noted, Bulgaria, as a Member State of the European Union is obliged to implement the norms of the European law with direct effect, as well as to put its national legislation in conformity with the requirements of the European directives, which are related to disaster management, receipt, origination and transit of relief. The European Communities law regulates also the mechanisms for reaction in case of crises at EU level and the coordination between the Member States. As the norms of the European legislation are a subject of separate research<sup>51</sup>, they will be mentioned only for exhaustiveness, where it is necessary.

The EU has bilateral agreements with other States, such as agreements on visa issuance with the Russian Federation, Ukraine, Macedonia, Serbia, etc., which abolish certain provisions of bilateral agreements, which Bulgaria with the countries concerned. Therefore, in all cases Community rules and regulations are applicable and have priority to the norms of the bilateral agreements with other countries and domestic legislation.

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<sup>45</sup> Agreement between the Government of the Republic of Kazakhstan and the Republic of Bulgaria on International Road Transport of Passengers and Cargo (signed on 13 November 1997 in Almaty, promulgated SG N75/24 August 1999).

<sup>46</sup> Agreement between the Government of the Republic of Bulgaria and the Government of Lebanon on International Road Transport of Passengers and Cargo (signed on 19 June 2003 in Sofia, Council of Ministers decision N637/2 August 2004, promulgated SG N 83/24 September 2004, entry into force for Bulgaria 12 September 2004).

<sup>47</sup> Agreement between the Government of the Republic of Bulgaria and the Republic of Macedonia on the International Road Transport (signed on 22 February 1999 in Sofia, promulgated SG N80/10 September 1999).

<sup>48</sup> Agreement between the Government of the Republic of Bulgaria and the Government of the Russian Federation on the International Road Transport (signed on 19 May 1995 in Sofia, promulgated SG N42/23 May 2000).

<sup>49</sup> Agreement between the Government of the Republic of Bulgaria and the Republic of Uzbekistan on the International Transport of Passengers and Cargo (signed on 19 June 1998 in Sofia, promulgated SG N14/16 February 1999 amended SG N6/21 January 2000).

<sup>50</sup> Agreement between the Government of the Republic of Bulgaria and the Union Government of the Federal Republic of Yugoslavia on International Transport of Passengers and Cargo (signed on 25 July 2002 in Sofia, Council of Ministers decision N11/7 January 2003, promulgated SG N 45/16 May 2003, entry into force for Bulgaria 18 April 2003).

<sup>51</sup> British institute of International and Comparative Law, *Analysis of Law in the European Union pertaining to Cross-Border Disaster Relief*, 2010.



## 2.3. National normative acts and policies, related to disaster management

### 2.3.1. National Disaster Protection Programme

*The National Disaster Protection Programme* is adopted for a period of five years<sup>52</sup> as well as *Annual Plans* for its implementation. The content of the programme is legally defined in Article 18, para. 2 of the *Disaster Protection Act* (DPA). The current national programme is adopted for the period 2009-2013. It has the strategic objective: “Prevention, control and coping with impacts of disasters, protection of life, health and property of population, protection of environment, cultural and material values”. The main priority of the National Disaster Protection Programme is to establish a functioning system of coordination between different actors in the process of planning disaster prevention<sup>53</sup>.

The National Programme and the National Plans for disaster protection and for rescue and emergency actions are adopted by the Council of Ministers.

### 2.3.2. Disaster protection law

The main legislative act in Bulgaria, regulating Disaster Management is the *Disaster Protection Act*<sup>54</sup>, adopted at the end of 2006. This act regulates the provision of protection of the life and health of the population, the conservation of the environment and the property in case of disasters<sup>55</sup>.

#### 2.3.2.1. Definition of “Disaster”

Disaster Protection Act legally defines the term “*disaster*”<sup>56</sup> as “an event or a sequence of events, caused by natural phenomena, incidents, accidents and other extraordinary circumstances, which affect or threaten the life and health of the population, the property or the environment in an extent that requires measures to be taken, or special forces to participate, and special resources to be used”.<sup>57</sup>

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<sup>52</sup> Article 18 Disaster Protection Act (DPA).

<sup>53</sup> Source: National Disaster Protection Programme 2009 – 2013.

<sup>54</sup> Disaster Protection Act (Adopted on 6 December 2006, Promulgated State Gazette N 102/19 Dec 2006, amend. SG. 41/22 May 2007, amend. SG. 113/28 Dec 2007, amend. SG. 69/5 Aug 2008, amend. SG. 102/28 Nov 2008, amend. SG.35/12 May 2009, amend. SG.74/15 September 2009, amend. SG.93/24 November 2009).

<sup>55</sup> Article 1 DPA.

<sup>56</sup> Article 2 DPA.

<sup>57</sup> In addition, para. 1 of the Additional provisions of DPA gives legal definitions of “natural phenomena”, “incidents”, “accidents”, “industrial accident” and “special forces and special resources”.

This definition of disaster in the Bulgarian law is close to the definition in the *IDRL Guidelines*, as the national definition emphasizes on the necessity to undertake measures, the participation of special forces and using of special resources. Though the “*armed conflict*” is not explicitly excluded by the definition of “disaster” in the national legislation, there is a specific rule that the protection of the population in case of a “*situation of emergency*” or “*armed conflict*” is conducted according to the provisions of 1949 Geneva Conventions and their Additional protocols<sup>58</sup>.

#### **2.3.2.2. Responsible authorities and division of responsibilities when a disaster occurs**

The Disaster Protection Act regulates the main responsibilities of institutions, organizations and individuals related to disaster management.

According to the national legislation, the functions when a disaster occurs are divided between the organs of the executive power as follows:

##### Council of Ministers (CM):

- Conducts general management of Disaster Protection;
- Provides the financial resources for Disaster Protection;
- Introduces National system for early warning and information to the organs of executive power and the population in case of disasters.

##### Joint Commission for Restoration and Relief with the Council of Ministers, which is headed by the Minister of Interior and is assisted by the DG “Civil Protection”<sup>59</sup>:

- takes decisions for the allocation of earmarked funds from the republic budget for prevention, control and overcoming of the consequences of disasters;
- controls the expenditure of these funds for the needed purposes;
- Coordinates granting and the distribution of aids and donations.

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<sup>58</sup> Article 19, para. 2 DPA.

<sup>59</sup> Article 54, Article 56 DPA.

#### Ministry of interior (MI)<sup>60</sup>:

- carries out disaster protection, relief and restoration works, resource provision and receipt of assistance;
- coordinates the activities of the components of the unified rescue system pursuant to the Disaster Protection Act;
- receives, processes and registers urgent calls to the single emergency call number 112 and exchanges information with the emergency services;
- Performs fire fighting and emergency-rescue activities during fires, disasters, emergencies and accidents.

These activities are performed by the Directorate General “Civil Protection” (DGCP) <sup>61</sup> and Directorate General “Fire Safety and Rescue”<sup>62</sup>.

#### Other ministries and bodies<sup>63</sup>

In accordance to the type of the disaster, the minister or head of other governmental body by the order of the Prime minister and within the range of their competence establish Headquarters for coordination and control, if this is necessary.

#### The Governor of a Region<sup>64</sup>:

- may put in use the regional plan for protection in case of disaster;
- may announce state of disaster on the territory of the region or a part of it;
- carries out an exchange of information with the operative communication and information centre of the Directorate General “Civil Protection”-Ministry of Interior in the relevant region and may draw in additional forces and means through it;
- organises, coordinates and controls the process of relief and restoration in case of disasters;

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<sup>60</sup> Article 7 Ministry of Interior Act (Promulgated SG17/24 February 2006, entry into force 01 May 2006, last amend. SG 93/24 November 2009).

<sup>61</sup> Article 52e MI Act.

<sup>62</sup> Article 52d MI Act.

<sup>63</sup> Article 63, para. 2 DPA.

<sup>64</sup> Article 64, para. 2 DPA.

- coordinates the rescue and urgent emergency and restoration works, arisen on the territory of the region, when they reach out of one region, as well as when a Mayor of Municipality has requested that and creates coordination Headquarters.

The Mayor of the Municipality<sup>65</sup>:

- coordinates the rescue and urgent emergency and restoration works;
- creates Headquarters for coordination of the rescue and urgent emergency and restoration works;
- may announce a state of disaster on the territory of the municipality;
- carries out an exchange of information with the operative communication and information centre of the Directorate General “Civil Protection”-Ministry of Interior in the region;
- may attract legal persons and individuals for giving personal or material assistance in accordance with their possibilities;
- may include established voluntary associations in the protection activities;
- may request a coordination from the Governor of the Region;
- organises and coordinates temporary evacuation and submits urgent assistance to the victims;
- organises and coordinates provision of restoration relief to the population in case of disasters;
- Organises and controls the implementation of urgent restoration works in case of disasters.

### **2.3.2.3 Announcement of State Disaster Procedure**

State of disaster is announced by the Mayor for the entire or a part of the territory of the municipality or by the Governor of the Region for the entire or a part of the territory of the region. In both cases, a copy of the orders is sent immediately to the Ministry of Interior<sup>66</sup>.

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<sup>65</sup> Article 65, para. 2 DPA.

When the territory of more than one region is affected, the state of disaster is announced by the Council of Ministers, after a proposal by the Minister of Interior for the entire or a part of the territory of the country<sup>67</sup>.

The orders have a period of validity for 30 days, except when the period of validity shall be prolonged when necessary or cancelled earlier when the circumstances being ground for an announcement of state of emergency drop out. The orders enter into force immediately and are announced through the mass media<sup>68</sup>.

An Announcement of state of disaster may invoke certain limitations of certain personal rights and freedoms, such as the right of inviolability of persons and homes, when forceful eviction is necessary, the right of use of property, the freedom of movement and the right to exercise activities, which would impede or hinder the rescue works. On the other hand, the announcement of state of disaster requires undertaking of certain necessary measures which limit the effects of the disaster, to ensure adequate assistance and care of the affected population and to perform the urgent restoration works.<sup>69</sup>

Announcements of the state of disaster are neither a prerequisite to request for foreign assistance, nor to receive such assistance.

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<sup>66</sup> Article 49, article 50 DPA.

<sup>67</sup> Article 50a DPA.

<sup>68</sup> Article 51 DPA.

<sup>69</sup> Article 52 DPA.

### **3. Main conclusions on the normative requirements in force for the Republic of Bulgaria related to the receiving, sending and transit of international disaster relief**

#### **3.1. Responsible State authorities**

As it has been already mentioned, the *Ministry of Interior through the DG “Civil Protection” and DG “Fire Safety and Rescue”* undertakes all necessary actions on behalf of the State administration for disaster protection. In order to receive assistance in the frameworks of the European Union, the Situation Centre of the DG “Civil Protection” as the national contact point sends a request through the *Civil Protection Co-operation Mechanism of the European Commission*. Such requests have been sent for the floods in 2006 and for fighting forest fires in 2007 and 2008.

Requests for providing material and technical assistance to countries outside of the European Union are carried out by the *Ministry of Foreign Affairs*.

DG “Civil Protection” of the Ministry of Interior proposes the participation of foreign or international non-military formations in rescue operations at coping with disasters and accidents and overcoming their consequences on the territory of the country and proposes the participation of Bulgarian non-military personnel in coping with disasters and accidents and overcoming their consequences on the territory of foreign States<sup>70</sup>.

In Ministry of Interior a civil protection team for participation in the European Union disaster response missions, in which 25 staff members of the DG “Fire safety and rescue”.<sup>71</sup>

Bulgarian military forces may be sent and used in humanitarian missions abroad with a Decision of the Council of Ministers following the legal requirements.<sup>72</sup>

*Joint Commission for Restoration and Relief at the Council of Ministers* is responsible for the allocation of received aid and donations, including those received from foreign sources. However, it shall be taken into consideration that a big part of the humanitarian relief is

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<sup>70</sup> Article 127o of the Regulation for implementation of the Ministry of Interior Act.

<sup>71</sup> Order NIh-497/25.03.2008 г. of the Minister of Interior. In the last few years DG “Fire safety and rescue” has accomplished numerous rescue missions abroad: Turkey 1999; Iran – 2003; search for survivals in the bus accident at Lim river in Serbia and Montenegro – 2004; Greece 2007.

<sup>72</sup> Article 63 and Article 64 Republic of Bulgaria Defense and armed forces Act (In force from 12 May 2009, promulgated SG35/12 May 2009, amend. SG74/15 September 2009, amend. SG82/16 October 2009, amend. SG93/24 November 2009, amend. SG99/15 December 2009, amend. SG16/26 February 2010).

received by the Bulgarian Red Cross (BRC) which is responsible for its distribution (see Point 3.3 below).

*The “Crisis Centre” Unit at the Ministry of foreign affairs* is the responsible governmental institution for assisting in crisis situations with Bulgarian citizens abroad. This unit organizes the activities of the ministry in such situations, coordinates the interministerial activities and cooperates with the EU structures during crisis consular situations.<sup>73</sup>

IDRL Guidelines suggest that consideration should be given to establishing a national focal point to liaise between international and government actors at all levels.

In Bulgaria there is not one national focal point and there are several competent governmental and non-governmental institutions, according to their competence and authority.

### 3.2. Coordination of the Relief and Information Exchange

When a disaster occurs on the territory of Republic of Bulgaria the operative communication and informational centres of the DG “Civil Protection” Ministry of Interior carry out the coordination of the rescue and urgent emergency and restoration works in the region of the disaster<sup>74</sup>. The operative communication and informational centres notify the competent components of the *unified rescue system* and coordinate the future activity on the ground of standard operative procedures, developed with the participation of all relevant stakeholders. In Bulgaria, the *National system for emergency calls with the Single European emergency call number* is already operational<sup>75</sup>.

In the Bulgarian legislation there are no specific rules about the type of information, which the international relief providers must provide. Standard forms are used, according to the Standard operational procedures of the NATO Euro-Atlantic Disaster Response Coordination Centre (EADRCC) and of the EU Monitoring and Information Centre (MIC).

<sup>73</sup> Article 22a of the Organizational Rules of the Ministry of Foreign Affairs (promulgated SG4/15 January 2010, amend. SG19/09 March 2010).

<sup>74</sup> Article 29 DPA.

<sup>75</sup> Act on the National emergency call system based on the Single European emergency call number 112 (Promulgated SG N 102/28 November 2008)

### 3.3. Role of the National Red Cross Society in Disaster Management

*The Bulgarian Red Cross* (BRC) plays an important role in assisting the civil protection in case of disasters and in providing assistance for overcoming their consequences. The *Bulgarian Red Cross Act* (BRCA)<sup>76</sup> determines the statute and the activities of the National Red Cross Society. According to the legislation, the Bulgarian Red Cross is registered as non-for-profit legal entity and is “an autonomous organisation, which shall assist the State in the humanitarian sphere, in the preparation for functioning under marshal law, during military conflicts and disasters, towards preserving and promoting of the population health of the population, and towards its education in the spirit of high morals, compassion and charity, as well as in the course of receipt, safekeeping and distribution of aid, provided by foreign states, organizations and citizens for humanitarian, incl. environmental, cultural and educational purposes”<sup>77</sup>. From 2007 BRC takes over the activities of the Foreign Aid Agency<sup>78</sup>, which was the governmental body for receipt, storage, distribution and the control of humanitarian aid, given to the Bulgarian state by other States, organizations and individuals. The State authorised the BRC to undertake its activities, relating to humanitarian aid. The President of the BRC is member of the Joint Commission for Restoration and Relief with the Council of Ministers.

According to the legislation, the National Programme for Protection in Case of Disasters and the annual plans for its implementation shall be developed with the participation of the BRC<sup>79</sup>. Thus, the BRC is a major and active partner to the State in disaster management.

BRC has a four-level structure<sup>80</sup> following the administrative and territorial structure of the country. The national organization consists of 28 Regional organizations, 268 municipal organizations and 2595 chapters<sup>81</sup>. Due to this BRC works in close cooperation with the territorial branches of National Service Civil Protection, regional governments and municipal authorities.

When a disaster occurs, BRC personnel and volunteers follow the annually updated plan of the organization for actions in case of disasters, crises and accidents. Permanent National Operative staff and Regional Operative staff, assisted by voluntary emergency teams are

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<sup>76</sup> Bulgarian Red Cross Act (Promulgated SG N87/29 September 1995, supplemented SG N44/12 May 1999, amended SG N54/31 May 2002, amended SG N41/22 May 2007).

<sup>77</sup> Article 3 BRCA.

<sup>78</sup> Article 2 Act on Closure of the Foreign Aid Agency (Promulgated SG N41/22 May 2007, entry into force 22 May 2007).

<sup>79</sup> Article 18, para. 5 DPA.

<sup>80</sup> Article 2 BRC Statutes.

<sup>81</sup> Source: [www.redcross.bg](http://www.redcross.bg); Article 2 BRC Statutes.



created to organize the rescue works and to assist vulnerable population<sup>82</sup>. National and Regional Operative Headquarters are permanent bodies in the BRC system. They are an integral part of the BRC Contingency Plan. When necessary, additional volunteers are recruited for participation in the relief and assistance activities. The **Refugee and Migrant Service** of the BRC provides assistance in case of massive refugee influx on the territory of the country.

BRC has a Central Warehouse in Lozen and three inter-regional warehouses with equipment for emergency relief. BRC has established radio network, which operates in case of disasters.

For its disaster management activities, the BRC cooperates and coordinates with governmental and non-governmental structures, which participate in rescue and relief works during disasters and crises. BRC has signed cooperation agreements with the Ministry of Interior, Ministry of Defence, Ministry of Health and other authorities.

BRC National Council and 28 Regional Councils work with over 100 partners, including large donor organizations, partner National Red Cross and Red Crescent Societies and other humanitarian agencies, mostly from Europe and North America. BRC works in close cooperation with over 50 local non-governmental organizations distributing humanitarian aid in Bulgaria.<sup>83</sup>

In case of disaster, BRC may benefit from the following alleviations<sup>84</sup>:

- exemption from transportation fees for all kinds of transport vehicles, as well as from post fees;
- individuals, who carry out their official duties have the right to travel free of charge;
- usage of the communication lines free of charge;
- The right to free of charge administrative services that are provided by the state and local authorities

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<sup>82</sup> More information on the BRC voluntary emergency teams can be found at 3.19. Volunteering.

<sup>83</sup> Source: [www.redcross.bg](http://www.redcross.bg).

<sup>84</sup> Article 7 BRCA.

According to the regulations, BRC notifies the International Federation of Red Cross and Red Crescent National Societies when a disaster occurs, which then disseminates the information.

### **3.4. Early warning and notification of the international community**

On the territory of the country, the early warning and notification procedure to the Executive power organs, to the components of the unified rescue system and to the population is regulated in the *Regulation on Early Warning and Notification in Case of Disasters*<sup>85</sup>. The notification to the international community for a case of disaster is done by the Ministry of Interior through the Situation Centre of the DG “Civil Protection”, which maintains contacts with the international civil protection structures. It liaises with the *Common Emergency Communication and Information System of the European Commission (EC CECIS)*. At present the establishment of *the Critical Infrastructure Warning Information Network (CIWIN)* is under way, related to the implementation of *Council Directive 2008/114/EO, concerning the establishment and designation of European critical infrastructure and assessment of the need to improve their protection*

#### **3.4.1. Notification in case of radiological disaster**

Bulgaria is a State-party to the *Convention on Early Notification of a Nuclear Accident*<sup>86</sup>, according to which it is required to notify the International Atomic Energy Agency (IAEA) and those States which are or may be physically affected. It requires States to report the accident’s time, location, radiation releases, and other data essential for assessing the situation and for minimizing the radiological consequences in those States<sup>87</sup>.

As a member of the European Union, the Republic of Bulgaria is a member of the European Atomic Energy Community (EAEC), established by the Treaty of Rome in 1957. Following the obligations under the Treaty establishing the European Atomic Energy Community (the EURATOM treaty) the Republic of Bulgaria has adopted necessary normative acts, which

<sup>85</sup> Regulation on Early Warning and Notification in Case of Disasters (Adopted by Council of Ministers Regulation N70/27 March 2009, Promulgated SG N26/7 April 2009, entry into force 7 April 2009).

<sup>86</sup> Convention on Early Notification of a Nuclear Accident, Vienna, Austria, entry into force: 27 October 1986, Promulgated SG N 12/12 February 1988.

<sup>87</sup> Article 2 Convention on Early Notification of a Nuclear Accident.

harmonize the directives with regard to the safety in the use of nuclear energy and ionizing radiation.

The Nuclear Regulatory Agency (NRA) performs the functions of a competent authority and a contact point for notification of an accident and for provision of assistance according to the *Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency*<sup>88</sup>.

The *Regulation of the Conditions and Procedure for Notification of the Nuclear Regulatory Agency about Events in Nuclear Facilities and Sites with Sources of Ionising Radiation*<sup>89</sup> establishes the terms for compulsory notification in cases of nuclear accidents or nuclear threats. The Emergency centre of the Nuclear Regulatory Agency (NRA) at the receipt of information for nuclear accident notifies the operative official on duty at the Situation Centre in DG “Civil Protection” – Ministry of Interior, Ministry of Health (MH) and when necessary - The Institute for Nuclear Research and Nuclear Energy (INRNE) of the Bulgarian Academy of Sciences in accordance with the external emergency plan<sup>90</sup>. The NRA notifies international organizations, neighbouring and other countries, which may be affected by the accident, using the declared “focal points” in the respective countries<sup>91</sup>.

Within the range of its competencies, the Ministry of Foreign Affairs notifies the diplomatic corps and the representations of Republic of Bulgaria in other countries at the occurrence of nuclear accident or radiological emergency.

The timing of notification is in compliance with the international obligations<sup>92</sup>.

### 3.4.2. Notification in case of other industrial accidents

Republic of Bulgaria is a party to and implements the *Convention on the Transboundary Effects of Industrial Accidents*<sup>93</sup>. The competent authority for its implementation is the

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<sup>88</sup> Article 5, item 13 Act on the Safe Use of Nuclear Energy (Promulgated in the State Gazette No. 63 of June 28, 2002, last amended SG 42/5 June 2009).

<sup>89</sup> Regulation of the Conditions and Procedure for Notification of the Nuclear Regulatory Agency about Events in Nuclear Facilities and Sites with Sources of Ionising Radiation (Adopted with CM Decree № 188/30 July 2004, promulgated in SG N 71/13 August 2004, amended SG N 46/12 June 2007).

<sup>90</sup> Article 11, para. 4 Чл. 11, ал. 4 Regulation of the Conditions and Procedure for Notification of the Nuclear Regulatory Agency about Events in Nuclear Facilities and Sites with Sources of Ionising Radiation.

<sup>91</sup> Article 23, para 1 Regulation of the Conditions and Procedure for Notification of the Nuclear Regulatory Agency about Events in Nuclear Facilities and Sites with Sources of Ionising Radiation.

<sup>92</sup> For events at levels 0-1 of INES scale, when these events may cause public interest or interest in neighbouring countries – the period of notification is determined by the licensee or permit holder; for events at levels 2-3 of INES scale – not later than 24 hours from the occurrence of the event; for events at levels 4-7 of INES scale – immediately, but not later than one hour after the event is registered.

<sup>93</sup> Convention on the Transboundary Effects of Industrial Accidents - adopted 17 March 1992 in Helsinki, (adopted by law, promulgated in SG N 28/1995, entry into force for Bulgaria 12 May 1995).

“Coordination of Regional Environmental Inspectorates” Directorate at the Ministry of Environment and Water. It performs the obligation for exchange of information, notification in case of accident and assistance requests with the view to prevent industrial accidents and limiting their impact. The content of the industrial accident notification is regulated in detail in *Annex IX to Article 10 of the Convention*.

### 3.4.3. Disease outbreaks

There is a regulation in the national legislation which establishes an obligation to the Ministry of Health (MH) “to inform the World Health Organization, neighbouring countries and specialised authorities of the European Union in accordance with the International Health Regulations” in cases of outbreaks and spread of infectious diseases, which create a risk for international dissemination<sup>94</sup>. After the situation is evaluated, the Minister of Health is required to notify the WHO not later than 24 hours after the occurrence on the territory of Bulgaria of any event, which concerns public health and represents an emergency from international importance, as well as of the health measures taken. Communication is carried out via the most effective available means by the national focal point, which is based at the **“Infectious diseases Control” Unit at the “Protection of Public Health” Department in the Ministry of Health**. The content and volume of released information is determined after consultation among MH, National Centre for infectious and parasite diseases and Regional Inspectorates for protection and control of the public health. In addition, there is a **National Inter ministerial Council of Experts** as an expert advisory body at the MH, which develops and proposes measures against public health threats and accidents of international importance.

The Guidelines require that early notification mechanisms for the international community in cases of hazards and disasters shall be established.

Such mechanisms are envisaged in the European, international and national legal norms, applicable for Bulgaria and they ensure the required early notification.

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<sup>94</sup> Article 32 of Regulation N21/18 July 2005 on the Procedure for Registration, Notification and Reporting of the Infectious Diseases (Issued by the Ministry of Health, entry into force from 1 January 2006, promulgated SG N62/29 July 2005).

### 3.5. Requests for international disaster relief

The regulation on the requests for international disaster relief differs depending to whom the request is addressed: European Union member states, other countries or non-governmental institutions. When the request is addressed to the states, members of the EU, it is processed by the Civil Protection Mechanism of the European Union.

The Situation Centre of the DG “Civil Protection” – Ministry of Interior, as the national contact point files requests for international disaster relief to the **NATO Euro-Atlantic Disaster Response Coordination Centre** (EADRCC) and the **Monitoring and Information Centre** (MIC), operated by the “Humanitarian Aid and Civil Protection” Unit of the European Commission. Requests for international disaster relief to other countries, which are not members of the European Union or NATO, with which Republic of Bulgaria has regional or bilateral agreements, as well as to other international organizations (e.g. UN) is done by the Ministry of Foreign Affairs.

The DG “Civil Protection” – Ministry of Interior drafts application proposals for assistance to international organisations and other states and organises their absorption when allocated in case it is mandated by the Joint Commission for Restoration and Relief with the Council of Ministers<sup>95</sup>.

There is no specific prohibition in the Bulgarian legislation regarding the Bulgarian Red Cross and other international relief organizations to request international relief from non-governmental organizations or private individuals.

Bulgarian legislation does not specify any terms or conditions to be included in the request. The request for relief does not require a declared state of disaster. There is no specific normative regulation on the acceptance of relief proposals from other countries.

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<sup>95</sup> Article 127o, para. 2, p.20D from the Regulation for implementation of the Ministry of Interior Act..

The Guidelines suggest that the affected States shall decide in timely manner whether or not to request disaster relief or initial recovery assistance and that this shall be addressed in strategic and legal documents.

The Bulgarian legislation provides the competence of the State authorities to take decisions for the requests to be made to other countries, as well as it does not limit the possibility the requests to be made to international and foreign non-governmental organizations and individuals. There is no regulation about the terms of making decisions and filing requests for relief.

### 3.6. Privileges and immunities

The national legislation grants an equality of the rights and obligations of the foreign nationals, staying in Republic of Bulgaria and the Bulgarian citizens, except these for which Bulgarian citizenship is required. It is provided that “with regards to foreigners accredited as members of diplomatic and consular representations, as well as representations of international organisations in the Republic of Bulgaria, who enjoy immunity and privileges, universally accepted norms of diplomatic and consular law and the international agreements, to which the Republic of Bulgaria is a party”<sup>96</sup> shall be applied.

As it has been mentioned above, Bulgaria is a party to the *Convention on Privileges and Immunities of the United Nations*<sup>97</sup> and the *Convention on Privileges and Immunities of the Specialized Agencies*<sup>98</sup>, as well as the *Convention on Special missions*<sup>99</sup>. Bulgaria is a member of 16 specialised international organizations, to which the international rules apply<sup>100</sup>.

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<sup>96</sup> Article 3 Law for the Foreigners in the Republic of Bulgaria (Promulgated SG N153/23 December 1998, last amended SG N36/15 May 2009).

<sup>97</sup> Convention on Privileges and Immunities of the United Nations (adopted on 13 February 1946, promulgated in State Gazette N36/3 May 1960, entry into force for Bulgaria 30 September 1960)

<sup>98</sup> Convention on Privileges and Immunities of the Specialized Agencies (adopted on 21 November 1947, promulgated in State Gazette N13/15 February 2000, entry into force for Bulgaria 13 June 1968)

<sup>99</sup> Convention on Special missions (adopted on 8 December 1969, promulgated in State Gazette N70/8 September 1987, cor. SG N76/2 October 1987, entry into force for Bulgaria 13 June 1987)

<sup>100</sup> 1. Food and Agriculture Organization of the United Nations; 2. International Bank for Reconstruction and Development; 3. International Civil Aviation Organization; 4. International Finance Corporation; 5. International Fund for Agricultural Development; 6. International Labour Organization; 7. International Maritime Organization; 8. International Monetary Fund; 9. The International Telecommunication Union; 10. United Nations Educational, Scientific, and Cultural Organization; 11. United Nations Industrial Development

Regarding the privileges and immunities for the European communities and their members, the norms of the European law apply.

The IDRL Guidelines do not recommend amendment of the existing regime, regulated by the international legal documents.

Bulgaria is a State-party and implements all international conventions, regulating privileges and immunities.

### **3.7. International humanitarian organizations regime**

Bulgarian legislation does not provide for any limitations or a specific registration regime of international or foreign relief organizations. There is no preference in relation to their activities. Therefore, there are no legal criteria how the disaster relief organizations are selected.

The Guidelines recommend that the affected state shall provide legal facilities for assisting states and humanitarian organizations and accordingly, criteria for the organizations, seeking eligibility.

The Bulgarian legislation does not contain such normative requirements.

### **3.8. Entry, stay and transit of the disaster response teams through the territory of the Republic of Bulgaria**

#### **3.8.1. Requirements for entry/transit visa**

Legal requirements for entry on the territory of Bulgaria of nationals of Member States of the European Union and of the States, parties to the European Economic Area (EEA) Agreement and of the Swiss Confederation are determined in *Entry, Stay and Departure of the Republic*

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Organization; 12. Universal Postal Union; 13. World Health Organization; 14. World Intellectual Property Organization; 15. World Meteorological Organization; 16. World Tourism Organization.

***of Bulgaria of European Union Citizens and Their Family Members Act*<sup>101</sup>. They can enter the territory of the country upon presenting a valid identity document.** Members of the family of a citizen of a Member State of the European Union, who are not nationals of a Member State, but have the right of stay and can enter the territory of Republic of Bulgaria freely; otherwise they can obtain a visa under the general procedure, but they are entitled to a waiver of visa fees<sup>102</sup>. Nationals of the European Union can stay in the Republic of Bulgaria for a period of up to three months without any other conditions, no permission or registration is required<sup>103</sup>.

As for the nationals of other countries, the ***Law for the Foreigners in the Republic of Bulgaria*** provides the legal requirements<sup>104</sup>. For entering the country, a valid document for travelling abroad or other substituting document and a visa is required. Generally, no visa is required in case this is provided in Council Regulation (EC) No539/2001, in an international agreement, to which the Republic of Bulgaria is a party, or in act of the Council of Ministers<sup>105</sup>. Article 4 of the Council Regulation allows a Member State to provide for exceptions from the visa requirement as regards to “helpers in the event of disaster or accident”<sup>106</sup>.

Apart from States nationals in the said regulation, exempt from visa requirements are nationals of States, with which Bulgaria has signed bilateral agreements. In some cases, only holders of diplomatic and service passports are exempt, while the regular passport holders may benefit from simplified procedures for visa issuance<sup>107</sup>. During service travels, holders of a valid *laissez-passer*, issued by the United Nations, are also exempt from the requirement to possess a transit or a short stay visa for the duration of 90 days in the period of 6 months from the date of first entry.

According to the national legislation the types of visas for entry or transit through the territory of Republic of Bulgaria are: 1. airport transit visa (Category A); 2. Transit visa (Category B)

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<sup>101</sup> Entry, Stay and Departure of the Republic of Bulgaria of European Union Citizens and Their Family Members Act (promulgated SG N80/3 October 2006, entry into force 1 January 2007, last amended SG N36/15 May 2009).

<sup>102</sup> *Idem* at Article 4.

<sup>103</sup> *Idem* at Article 6.

<sup>104</sup> Law for the Foreigners in the Republic of Bulgaria (Promulgated SG N153/23 December 1998, last amended SG N36/15 May 2009).

<sup>105</sup> *Idem* at Article 8.

<sup>106</sup> Article 4, para. 1 Council Regulation (EC) N539/2001.

<sup>107</sup> Detailed and updated information about visa requirements for nationals of all countries can be found on the website of the Ministry of Foreign Affairs: [www.mfa.bg](http://www.mfa.bg).



<sup>108</sup>; 3. Short-stay visa (Category C)<sup>109</sup> and 4. Long-stay visa (Category D). Long-stay visa with a validity term of up to one year can be issued to a foreigner who wishes to settle for a continuous period or permanently in the Republic of Bulgaria and certain legal conditions are necessary to be fulfilled such as work permit, exercise of certain activities or a special function. This type of visa can be issued to foreign relief personnel, who exercise disaster relief works.

As a rule, all visas are issued by the consular representations of Republic of Bulgaria abroad under the requirements of the *Regulation on the procedures for issuing visas and identification of visa*.<sup>110</sup> The consular representations may expedite grant of visa under certain conditions – for up to three working days and following a simplified procedure “*in urgent cases, under extraordinary circumstances or when State interests are concerned*”<sup>111</sup>. In particular, in urgent cases such as the disasters and accidents, border control authorities at the border-crossing checkpoints, in coordination with the Ministry of Foreign Affairs, may issue one-time transit visas with a validity term of 36 hours and short-stay visas with a term of a maximum of 15 days.<sup>112</sup> In practice, this means that the emergency teams may obtain a visa upon arrival at the border and no prior application at the consular representations is necessary.

In such cases waiver of visa fees may be granted, depending on the assessment of each case of the Border Control authorities, in coordination with the Ministry of Foreign Affairs<sup>113</sup>. The law does not contain specific criteria how visa waiver shall be granted.

The stay on the territory of Republic of Bulgaria can be extended by the services for administrative control of foreigners due to reasons of humanitarian character<sup>114</sup>. The period of stay for foreigners may be extended under exceptional circumstances or if the State interest

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<sup>108</sup> Transit visas allow for one, two or, as an exception, several transit passages, each up to 36 hours. This visa can have maximum validity for 12 months (Article 13, para. 2 Law for the Foreigners in the Republic of Bulgaria).

<sup>109</sup> Short-stay visa shall be issued to a foreigner who enters the country once, twice or repeatedly in the territory of the Republic of Bulgaria for a period of 90 days within 6 months considered from the date of the first entry (*Idem* at Article 14, para.1).

<sup>110</sup> Regulation on the procedures for issuing visas and identification of visa (CM Decree N82/22 April 2008, promulgated SG N44/9 May 2008, entry into force 10 July 2008).

<sup>111</sup> *Idem* at Article 12.

<sup>112</sup> Article 9e Law for the Foreigners in the Republic of Bulgaria.

<sup>113</sup> Article 10 Tariff N3 for the Consular Service Taxes collected by the Ministry of Foreign Affairs under the State Taxes Act (CM Decree N333/28 December 2007, promulgated SG N3/11 January 2008, entry into force 11 January 2008, amended SG N35/12 May 2009).

<sup>114</sup> Article 23 Law for the Foreigners in the Republic of Bulgaria.

requires this, after coordination with the “Consular relations” Directorate of the Ministry of Foreign Affairs.<sup>115</sup>

The IDRL Guidelines recommend that the affected States should significantly expedite granting and renewal of visas and if possible without cost.

As a EU member-state Bulgaria does not limit the freedom of movement and stay in the country of nationals from EU member-states, of the EEA States and of Swiss Confederation. As for nationals from other countries, the Bulgarian legislation in line with the IDRL Guidelines provides for expedited issuance of visas, including their issuance at the border checkpoints, as well as fee waivers in case of disasters.

### 3.8.2. Issuing of a work permit

Nationals of Member States of the European Union may exercise their freedom of movement for work in Republic of Bulgaria without a work permit. Council of Ministers has approved Position of the Republic of Bulgaria for the implementation of Community law on free movement of workers<sup>116</sup> which allowed access to European Union nationals to the labour market in Bulgaria after January 1<sup>st</sup> 2007.<sup>117</sup>

Foreign nationals, sent by foreign employers (private companies, international and foreign non-governmental organizations) on the basis of a Service Delivery Contract follow the provisions of *Regulation on the arrangements for the secondment of employees from the Member States or employees of third parties in the Republic of Bulgaria within the provision of services*<sup>118</sup>. In these cases, no work permit is necessary and the State Employment Agency has to register the work contract with the foreign employer.

Foreign nationals of States, outside of the European Union or the European Economic Area Agreement may work on the territory of Republic of Bulgaria for a Bulgarian employer after

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<sup>115</sup> Article 12, para. 5 of the Regulation for implementation of the Law for the Foreigners in the Republic of Bulgaria .

<sup>116</sup> Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community.

<sup>117</sup> Decision N43 in Protocol N52/21 December 2006.

<sup>118</sup> Regulation on the arrangements for the secondment of employees from the Member States or employees of third parties in the Republic of Bulgaria within the provision of services (CM Decree N142/8 July 2002, promulgated SG N68/16 July 2002, entry into force 18 September 2002, amended SG N45/2 June 2006).

receiving a work permit by the State Employment Agency<sup>119</sup>. The work permit is an official personal document for the foreign national, which entitles him/her to work in the Republic of Bulgaria for a certain period of time on a specified work place at a specified position with the legal or natural person, registered under Bulgarian legislation, which has made the request for issuing the work permit. The work permit is valid for a maximum of one year with the possibility of extending it up to a maximum of three years in total for executive personnel and over three years for management personnel. The work permit is a ground for receiving a permission to enter and stay for the same specific period of time from the competent authorities<sup>120</sup>.

Foreign nationals do not need a work permit if they are sent to the country on the basis of the execution of international treaties of the Republic of Bulgaria and for implementation of programmes for legal, financial, expert, humanitarian and other assistance to Bulgarian institutions with which they are not employed<sup>121</sup>.

In cases when foreign nationals are employed by foreign humanitarian organizations and are seconded (sent) to the Republic of Bulgaria, a notification to the State Employment Agency is needed; this is not necessary when they work as volunteers.

The IDRL Guidelines recommend that in initial recovery the affected States shall grant work permits in significantly expedited manner and ideally without cost, as well as to speed the procedures for receiving work permits in disaster relief operations.

Work permits for work in Bulgaria are not required for nationals of EU Member-States. With regards to nationals of other States, Bulgarian legislation provides for a possibility for a work permit waiver for disaster relief activities, when in certain cases notification of competent authorities may be required.

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<sup>119</sup> Article 70 Employment Promotion Act (promulgated SG N112/29 December 2001, entry into force 1 January 2002, last amended SG N 41/2 June 2009).

<sup>120</sup> Article 24 Law for the Foreigners in the Republic of Bulgaria.

<sup>121</sup> Article 4, para.1, item 3 Regulation on the procedures for issuance, denial and revocation of work permits to foreigners in Bulgaria (CM Decree N77/9 April 2002, promulgated SG N39/16 April 2002, entry into force 18 June 2002)

### 3.9. Recognition of professional qualifications

*The Recognition of Professional Qualifications Act*<sup>122</sup> regulates the general conditions and procedure for the recognition of professional qualifications in the Republic of Bulgaria, acquired in other EU Member States and in third countries with the aim of access to and the exercising of certain regulated professions (medical professionals, architects, lawyers, etc.). According to this legislation, main criteria for differentiation of recognition procedures are: 1) nationality of the person; 2) nationality of the educational institution; 3) bilateral agreement and/or conditions for mutual recognition. Several groups of cases can be identified:

- Nationals of a Member State, who acquired professional qualification in a Member State, can exercise a regulated profession in Republic of Bulgaria in accordance with the Bulgarian Legislation<sup>123</sup>.
- Nationals of a third country, who acquired professional qualification in a Member State, can benefit from the rights of Member State nationals for the recognition of their professional qualification, in cases, when they are: 1) family members of a Bulgarian national; 2) members of the family of a national of a different Member State, who has moved to Bulgaria or 3) when they have received a permanent stay permit for Republic of Bulgaria.
- Nationals of a third country, who acquired professional qualification in a country, which is a party to an international agreement with Republic of Bulgaria, or which has clauses for mutual recognition of this profession, may be granted recognition of the professional qualification under the agreed conditions.
- Nationals of a third country, who acquired professional qualification in a country, with which Republic of Bulgaria has an international agreement for mutual recognition in each specific case, may exercise their profession if their qualification corresponds to the normative requirements in Republic of Bulgaria for acquiring the same professional qualification<sup>124</sup>.
- In all other cases it is necessary to take qualification exams in Bulgarian educational institution.

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<sup>122</sup> Recognition of professional qualifications Act (promulgated SG N13/8 February 2008, entry into force 8 February 2008).

<sup>123</sup> *Idem* at Article 5, para. 1.

<sup>124</sup> *Idem* at Article 8.

No expedited procedure exists for the recognition of professional qualification in case of disaster for persons, for which there are no prerequisites for automatic recognition.

A necessary precondition for exercising of certain regulated professions in Bulgaria, apart from the recognition of professional qualifications is the registration with the professional representative organization. Professional representative organizations are established on the basis of a specific legislation and exercise their activities based on it.

The legislation does not allow for temporary permission for exercising a regulated profession, neither for expediting the procedures for admittance in the professional organizations.

**Medical doctors** are subject to mandatory registration as members of the Bulgarian Medical Association, **dental practitioners** – in the Bulgarian Dental Association under the terms and procedure of the *Law on professional associations of doctors and dental practitioners*<sup>125</sup>.

*Nurses, midwives and associated medical specialists* (medical laboratory professionals, X-ray laboratory professionals, rehabilitators, paramedics, orthopaedic technicians and masseurs), exercising their professions have to be members of the Bulgarian Association of Health Care Professionals in accordance with the *Law on professional associations of nurses, midwives and associated medical specialists*<sup>126</sup>.

**Veterinarians**, exercising their profession are members of the Bulgarian Veterinary Association in accordance with the *Law on professional associations of veterinarians in Bulgaria*<sup>127</sup>.

**Master Pharmacists**, in order to exercise their profession are obliged to be members of the Bulgarian Pharmaceutical Union in accordance with the *Law on Professional Associations of Master Pharmacists in Bulgaria*<sup>128</sup>.

For the exercise of professions “**Architect**” and “**Engineer**” in the urban planning and investment design in Bulgaria, a mandatory registration is required in the Chamber of Architects or in the Chamber of Engineers in the Investment Design respectively in

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<sup>125</sup> Law on professional associations of doctors and dental practitioners (Promulgated SG N83/21 July 1998, last amended SG N102/28 November 2008).

<sup>126</sup> Law on professional associations of nurses, midwives and associated medical specialists (Promulgated SG N46/3 June 2005, last amended SG N41/2 June 2009).

<sup>127</sup> Law on professional associations of veterinarians in Bulgaria (Promulgated SG N84/19 October 2007).

<sup>128</sup> Law on professional associations of Master Pharmacists in Bulgaria (Promulgated SG N75/12 September 2006, last amended SG N41/2 June 2009).

accordance with the *Law on the Chambers of Architects and Engineers in the Investment Design*<sup>129</sup>.

The provision of medical care in case of disasters, accidents and emergencies is managed by the Minister of Health, Directors of Regional Health Centres, State health control authorities, medical and health institutions in close cooperation with the State and local authorities, the Directorate General “Civil Protection” – Ministry of Interior, non-government organizations and by the Bulgarian Red Cross<sup>130</sup>.

The IDRL Guidelines recommend expedited procedures for temporary recognition of professional qualifications of foreign medical personnel, architects and engineers for the time necessary to carry out disaster relief or initial recovery activities.

The Bulgarian legislation provides for automatic recognition of the professional qualification acquired in the EU from nationals of EU Member-States and of the members of their families. It is possible to acquire automatic recognition of professional qualification on the basis of bilateral agreements with States outside the European Union. However, the legislation does not allow temporary permission for the regulated professions, such as medical doctors, medical personnel, architect, engineer in the urban planning and investment design, to be exercised.

### **3.10. Customs provisions about disaster relief, medications and medical equipment**

When becoming a member of the European Union, Bulgaria has become a part of the EU Customs area and the norms of the European legislation are mandatory, in particular:

- Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty;
- Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code;

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<sup>129</sup> Law on the chambers of architects and engineers in the investment design (Promulgated SG N20/4 March 2003, last amended SG N28/14 April 2009).

<sup>130</sup> Article 114 Health Act (Promulgated SG N70/10 August 2004, entry into force 1 January 2005, last amended SG N41/2 June 2009).

- Council Regulation (EC) No 150/2003 of 21 January 2003 suspending import duties on certain weapons and military equipment.

Norms of the European legislation on the customs regime on relief from customs duties of the disaster relief, the abolition of customs formalities on NATO goods and the suspension of duties on certain weapons and military equipment come in the form of Regulations and therefore have a direct effect in the Member States.<sup>131</sup>

For leaving the country after the delivery of disaster relief, the rules on crossing the State border apply..

Norms of the international customs conventions, to which Bulgaria is a State-party, apply for the customs procedures and customs duties for countries outside the European Union.<sup>132</sup>

The movement of rescue dogs within the Community and from third countries is subject to regulation in *Regulation (EC) № 998/2003 of the European Parliament and the Council of May 26, 2003 on animal health requirements and Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets which is applicable to non-commercial movement of pets*. These norms are mandatory for Bulgaria. According to the national legislation<sup>133</sup>, dog-owners are obliged to carry the veterinary passport with them, as well as to vaccinate dogs annually with rabies vaccine. All dogs shall be registered with a veterinary, which marks them with a tattoo or a micro-chip. The rescue dogs of the Bulgarian Red Cross, as well as the service dogs of the State-budget organizations are exempt from payment of the municipal fee.

The IDRL Guidelines contain a number of detailed recommendations about the exemption and simplification from customs formalities for goods for disaster relief and initial recovery assistance.

With regards to the customs procedures Bulgaria applies the mandatory norms of the European law and of the international norms of customs convention, to which it is a party.

<sup>131</sup> More on the European legislation can be found in: British institute of International and Comparative Law, *Analysis of Law in the European Union pertaining to Cross-Border Disaster Relief*, 2010.

<sup>132</sup> See Section 2.1.1. of this study.

<sup>133</sup> Articles 173-175 of Law on Veterinary Activities (promulgated SGN87/1 November 2005, entry into force 2 May 2006, last amended 12 May 2009).

### **3.11. Legal status of foreign humanitarian organizations according to the national legislation**

As it was already mentioned in 3.7., the status of the foreign relief organizations is determined by their place of registration. Provided that they observe Bulgarian legislation, they can perform their activities, including disaster relief activities without any special or additional registration in Republic of Bulgaria. According to Article 52 Law on Non-Profit Legal Entities, foreign non-profit legal entities may establish branches in this country given that their objectives are not contrary to the public order and the laws of the Republic of Bulgaria<sup>134</sup>. They can establish new non-profit legal entity (an association or a foundation), according to the provisions of the law. The registration of the Non-profit legal entities and of their branches is done with the district court by location of their headquarters and takes around one month. Court and State taxes do not exceed 100 Euro. At registration the entities or their branches present documents in proof of the establishment, structure and representation of the entity, or respectively of the branch. Therefore, observing these legal requirements does not present any difficulty to the entity. The non-profit legal entities pursuing activities for the public benefit is additionally registered in the central register with the Ministry of Justice<sup>135</sup>.

As for the persons, who are not legal entities, the law of the country in which they are registered or established regulates their legal status<sup>136</sup>.

It may be concluded that foreign organizations, which are not registered in Bulgaria have all legal authorities according to the law of the State, in which they are registered or established and may conclude contracts, including for the use of bank services, employment contracts, agreements to acquire and dispose of property, can participate in legal disputes, etc. The national legislation does not envisage limitations in the capacity of the persons. It is necessary that they present the necessary official documents, which certify their status and registration in the country of origin. For performing certain actions – hiring of local personnel, acquiring real estate, a foreign entity has to register in accordance with the Law of Register BULSTAT<sup>137</sup>. The registration is done immediately and the expenses are around 30 (thirty) Euro.

In case of disaster, the foreign non-governmental organizations do not need to make a national registration to conduct their activities. Rather the registration of the entity in Bulgaria is

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<sup>134</sup> Law on Non-Profit Legal Entities (Promulgated SG N81/6 October 2000, last amended SG N42/5 June 2009)

<sup>135</sup> *Idem at* Article 45.

<sup>136</sup> Article 57 International Private Law Code.

<sup>137</sup> Article 3 Law of Register BULSTAT (Promulgated SG N39/10 May 2005, last amended SG N42/29 May 2007).



needed for organizations for non-EU countries in order to be able to arrange the status of stay of their employees on the territory of the country.

The IDRL Guidelines recommend to States to grant assisting foreign humanitarian organizations at least temporary authorization to legally operate on their territory.

Bulgarian legislation does not exclude this possibility, given that the requirements of the Bulgarian legislation are fulfilled.

### **3.12. Private sector assistance from abroad**

The national legislation does not have any special rules about private sector assistance. Any person, who would like to make a donation – financial, or foodstuff, medicament, clothes, etc., can do so directly or with the help of a humanitarian organization. Usually private donations are received and distributed by the Bulgarian Red Cross, but other organizations such as Caritas, Lions and Rotary Clubs, ADRA (ADRA - Adventist Development and Relief Agency) and others are operational in Bulgaria as well.

BRC has organised a “Fund for Supporting Victims of Disasters and Crises” to overcome the impacts from disasters. Assistance, such as foodstuffs, shoes, blankets, medical and hospital equipment, disinfectants, cleaning materials and materials for personal hygiene, medicaments are collected as well. Products shall be within their expiration date and shall have quality certificates, when such certificates are required.

The IDRL Guidelines recommend that the private sector assistance shall be coordinated with the responsible local authorities and main assistance organizations.

In Bulgaria the fundraising from private individuals are mostly done by non-governmental organizations. The main organization which undertakes permanent fundraising for disaster relief is the Bulgarian Red Cross.

### **3.13. Insurance**

#### **3.13.1 Vehicle insurance for relief organizations**

“Civil liability” insurance for all drivers is mandatory on the territory of Bulgaria<sup>138</sup>. Any person, who drives a motor vehicle not registered on the territory of Republic of Bulgaria, is obliged to sign the “Civil liability” insurance when crossing the border, except in cases when he/she has a valid insurance in a Member State of the European Union or of the European Economic Area, valid “Green card” certificate<sup>139</sup> or has a guarantee from a competent authority in a Member State and is included in a list provided to Republic of Bulgaria<sup>140</sup>. The legislation does not envisage any exceptions from the requirement for this type of insurance.

#### **3.13.2. Insurance for assisting personnel**

There are two aspects of this issue – the “Life” and “Accident” insurance of the team members and insurance against “damage to third persons”. The national legislation requires that the volunteers, who participate in the voluntary formations in the country,<sup>141</sup> must have accident insurance. There are no requirements for the volunteers of foreign organizations, who participate in operations on the territory of the country. There is no obligatory insurance for “liability for damages, done to third parties”, which has been acknowledged as a gap in the legislation by volunteers, who have participated in operations abroad.<sup>142</sup>

There are no specific regulations about the health insurance of the members of the rescue teams. The EU nationals can receive emergency medical aid in another Member-State if their insurance is valid for the country of stay. Other individuals however have to pay for the delivered medical assistance on their own account or they can be covered by a valid insurance for medical expenses.

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<sup>138</sup> Article 249 Insurance Code (Promulgates SG N 103/23 December 2005, last amended SG N41/2 June 2009).

<sup>139</sup> Parties to the “Green card ” agreement, apart from the European Economic Area countries are: Albania, Andorra, Bosnia and Herzegovina, Belarus, Croatia, Israel, Iran, Morocco, Moldova, Macedonia, Serbia, Montenegro, Tunisia, Turkey, Ukraine.

<sup>140</sup> Article 259 Insurance Code.

<sup>141</sup> Article 42, para. 1, p.3 DPA .

<sup>142</sup> National IDRL workshop, conducted on 15 December 2009, Sofia.

Though the IDRL Guidelines do not directly cover the issue of insurance, it needs to be settled and regulated in the legislation.

The Bulgarian legislation envisages only obligatory insurance for accidents for the volunteers who participate in the voluntary formations in the country.

There is no exception from the mandatory Civil liability insurance for vehicles.

### 3.14. Currency exchange provisions

The conditions for import and export of currency in cash on the territory of the country are regulated by the *Currency Act*<sup>143</sup>. Pursuant to the law and the *Regulation № 10 of December 16, 2003 for import and export of cash, precious metals, precious stones and articles with and from them and keeping records of the customs of art. 10a of the Currency Law, issued by the Ministry of Finance*<sup>144</sup>, without written declaration to Customs authorities, persons are entitled to import or export currency up to 10000 Euro or their equivalence in Bulgarian leva or other currency freely. Sums above that are to be declared obligatory to the Customs authorities. At a single export sums above 25000 BGN (around 12 782.30 euro) or their equivalence in other currency, local and foreign natural persons have to declare the amount and the origin of the financial resources to the Customs. This includes bearer payment instruments and the presentation of a certificate from the territorial department of the National Revenues Agency that they do not have outstanding obligations. The legal period for issuing this certificate is 7 (seven) days, but normally it is issued within three days, if the individual does not have any obligations.

The national legislation is harmonised with the EU law and changes in the currency regime are only possible after changes in the European legislation.

The exchange rate of the Bulgarian Lev is fixed to the Euro as 1 Euro = 1.95583 BGN. The exchange rate of bank institutions has small deviation from the fixed rate. The bank exchange

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<sup>143</sup> Currency Act (Promulgated SG N 83/21 September 1999, entry into force 1 January 2000, last amended SG N24/31 March 2009).

<sup>144</sup> Regulation № 10 of December 16, 2003 for import and export of cash, precious metals, precious stones and articles with and from them and keeping records of the customs of art. 10a of the Currency Law, issued by the Ministry of Finance (Promulgated SG N1/6 January 2004, amended SG N 48/15 June 2007).

rates for other currency are close to the official rate of the Bulgarian National Bank, necessary for customs reasons.

The IDRL Guidelines recommend that conditions are created for free import of the necessary financial funds in connection with their disaster relief and to obtain legal exchange rates.

The national legislation is in line with these recommendations.

### 3.15. Transport

Transport vehicles (ships and aircrafts) have to possess all necessary transport and shipment documents, which have to comply with the international requirements. The Republic of Bulgaria is a party to the *Convention on International Civil Aviation*<sup>145</sup> and to the *Convention on facilitation of international maritime traffic*<sup>146</sup>. Contrary to the provisions of these conventions, no waivers from port, demurrage or other fees for vehicles or vessels, transporting relief are provided in Bulgarian law.

The Roads Act<sup>147</sup> does not envisage waiver from vignette tax for the usage of the land roads network for foreign vehicles.

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<sup>145</sup> Convention on International Civil Aviation, also known as Chicago Convention, signed in Chicago on 7 December 1944, ratified on 4 August 1966, entry into force 8 July 1967.

<sup>146</sup> Convention on facilitation of international maritime traffic (Adopted in London, 9 April 1965, Promulgated SG N56/22 June 1999).

<sup>147</sup> Roads Act (Promulgated SG N26/29 March 2000)

The IDRL Guidelines recommend that States should grant speedy permission for passage of all types of transportation of the assisting States and organizations and ideally waive applicable fees. This is to the greatest extent valid for taking-off and landing of the aircrafts.

The Bulgarian legislation does not envisage airport, port or vignette taxes waiver in case of disasters, which does not fully comply with the requirements of the international conventions. The entry and transit of foreign transport vehicles is according to the international acts, to which Bulgaria is a party.

### 3.16. Taxation

#### 3.16.1. Value added tax

According to the *Value Added Tax Act*<sup>148</sup> all goods and services in Bulgaria are subject to 20% value added tax, except for these, which are specifically exempt. The national legislation in conformity with the **Council Directive 2006/112/EC of November 28th 2006 on the common system of value added tax** provides for the following exemptions:

*“1. the performance of health (medical) services and of services directly linked thereto, rendered by health-care facilities under the Health Act and by medical-treatment facilities under the Medical-Treatment Facilities Act;*

*2. the supply of human organs, tissues and cells, blood, blood components and milk;*

*3. the supply of prostheses, as well as the services for provision of prostheses to people with disabilities, where the said supplies are part of the health services;*

*4. the supply of actively implantable medical devices where the supply is part of the health services;*

*5. the supply of dental prostheses;*

*6. the performance of transport services for sick or injured persons in vehicles specially designed for the purpose by duly authorized bodies;*

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<sup>148</sup> Value Added Tax Act (Promulgated SG N63/4 August 2006, entry into force 1 January 2007, last amended SG N23/27 March 2009).

7. the supply of goods and services within the framework of humanitarian activity carried out by the Bulgarian Red Cross and other not-for-profit legal entities pursuing public-benefit activities and entered into the Central Register of Not-for-Profit Legal Entities for Public-Benefit Activities”<sup>149</sup>.

This regulation applies to all cases of provision of goods and services and thus it is applicable to cases of disasters, accidents and crises.

The supply of goods and services by foreign non-governmental organizations does not fall under the exempted supplies, since the preference applies only to the Bulgarian Red Cross and the not-for profit legal entities, registered in Bulgaria. This legislative solution is controversial to the practice of the ECJ and needs to be changed.

In addition, Article 174 of the *Value Added Tax Act* provides reimbursement of the paid delivery tax to the: 1. diplomatic representations; 2. consular services; 3. international organizations representation, as well as to their personnel.

### **3.16.2. Income tax for foreign personnel, participating in humanitarian missions and relief activities**

Foreign nationals, provided that they do not reside in the country more than 183 days in any 365 days' period, who receive income for providing services in Bulgaria, are subject to taxation only for this income. According to the *Law on income taxes of individuals in Bulgaria*<sup>150</sup>, non-residents are liable only for their income derived from Bulgarian sources. Exceptions from the general rule apply only to the salaries of foreign personnel of the diplomatic and consular representations and international and intergovernmental organizations when this is included in an international agreement<sup>151</sup>. When the person is seconded by foreign employer the legislation in the country of the employer applies for the income.

The Republic of Bulgaria has Double Taxation Agreements with 40 countries world-wide<sup>152</sup>.

In Bulgaria, a flat 10% tax for incomes of individuals is applied. There are no exceptions from the income taxes for the income, acquired during the provision of paid services for

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<sup>149</sup> *Idem* at Article 39.

<sup>150</sup> Law on income taxes of individuals in Bulgaria (promulgated SG N95/24 November 2006, entry into force 1 January 2007, last amended SG N41/2 June 2009).

<sup>151</sup> *Idem* at Article 13, para. 25

<sup>152</sup> Among these USA, Austria, Finland, Malta, the United Kingdom, France, Germany, Greece, Sweden, Denmark, Norway, China, Belgium, Spain, Japan, Switzerland, Indonesia, Italy, Luxembourg, Poland, Republic of Korea, Netherlands, India, Zimbabwe, Russia, Armenia, Portugal, Turkey, Ukraine, Hungary, Romania, Belarus, Kazakhstan, Croatia, Serbia, Montenegro, Macedonia, Czech Republic, etc.

humanitarian relief or recovery activities for the persons, who are not members of the personnel of international and intergovernmental organizations included in an international agreement.

The IDRL Guidelines recommend that exemptions from value-added and other taxes and duties directly associated with disaster relief and initial recovery assistance shall be provided to the assisting States and organizations.

The Bulgarian legislation limits the persons, who can benefit from exemption from the value-added tax to the Bulgarian Red Cross and the local non-for-profit legal entities registered for public services. Other tax preferences apply to diplomatic and consular representations and the representations of the international organizations, according to the applicable international legal norms.

### **3.17. Accountability of the affected state government**

There are no special regulations in the Bulgarian legislation on the minimum standards or requirements for accountability in disasters relief operations. Therefore, general rules for accountability for expenditure of public funds and regulations for external and internal audit of the activities of responsible State and private organizations apply in particular:

- *Public Financial Inspection Act*<sup>153</sup>
- *National Audit Office Act*<sup>154</sup>
- *Public Sector Internal Audit Act*<sup>155</sup>

Towards the Joint Commission for Restoration and Relief with the Council of Ministers, which allocates earmarked funds for prevention, control and overcoming of the consequences of disasters specific normative requirements for record keeping and accountability apply<sup>156</sup>.

<sup>153</sup> Public Financial Inspection Act (Promulgated SG N33/21 April 2006, last amended SG N42/5 June 2009).

<sup>154</sup> National Audit Office Act (Promulgated SG N109/18 December 2001, last amended SG N42/5 June 2009).

<sup>155</sup> Public Sector Internal Audit Act (Promulgated SG N27/31 March 2006, last amended SG N44/12 June 2009).

The allocated funds can be used only in accordance with their purpose. Therefore, amendments for that purpose can be done only after a decision of the Joint Commission for Restoration and Relief.<sup>157</sup>

As the BRC has taken over the functions and tasks of the Foreign Aid Agency and it is the major institution which receives and distributes foreign humanitarian aid, the BRC has adopted special rules and procedures on the accountability of relief. There are detailed accountability provisions in ***BRC Regulation on receiving humanitarian aid, BRC Regulation on the provision of humanitarian aid and BRC Instruction on book-keeping requirements of humanitarian relief***<sup>158</sup>.

The IDRL Guidelines recommend that states and assisting humanitarian organizations should cooperate to prevent unlawful diversion, misappropriation or fraud concerning disaster relief. Humanitarian aid shall be used in accordance to the donor`s will.

The Bulgarian legislation contains norms for the accountability for expenditure of public funds and distribution of relief according to its purpose. The Bulgarian Red Cross as the responsible body for receiving and distribution of the major part of humanitarian relief has adopted detailed rules for the accountability and transparency of the provision of humanitarian relief.

### **3.18. Accountability of assisting actors**

#### **3.18.1. Complying with the legislation of the affected State**

In accordance with the obligation to any individual on the territory of a country to respect national legislation, the teams providing humanitarian disaster relief must also comply with these rules.

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<sup>156</sup> Rules on the structure and the organization of activities of the Joint Commission for Restoration and Relief with the Council of Ministers (CM Decree N106/8 May 2007, promulgated SG N40/18 May 2007, entry into force 18 May 2007, last amended SG N43/9 June 2009).

<sup>157</sup> Article 57 DPA.

<sup>158</sup> [www.redcross.bg](http://www.redcross.bg)



In case of disaster, the priority measures envisaged in the Bulgarian legislation<sup>159</sup> are providing care to children and disadvantaged people and prior the provision of supplies to children, social, health and hospital institutions and to the rescue teams.

There are no specific regulations in the national legislation on the standards or liability when providing international disaster relief and recovery assistance. For providing relief, existing customary standards in the different sectors are applicable.

The *IDRL Guidelines* recommend that assisting actors and their personnel abide by the laws of the affected State and applicable international law, coordinate with domestic authorities and respect the human dignity of disaster-affected persons at all times.

The compliance to the domestic legislation in accordance with the territorial principle of function for legal norms is obligatory .

### **3.18.2. Quality of assistance**

The national legislation does not provide for specific requirements for the quality of provided assistance or for qualification and skills of the rescue teams.

In the frameworks of the European Union Civil Protection Mechanism, Member States maintain information for the available equipment and trained personnel for disaster assistance. Thus, when requests for assistance are made properly and accurately, it is possible that within the EU it can respond adequately in terms of quantity and quality of aid.

Taking into consideration that the Bulgarian Red Cross is the main auxiliary of the government in disaster protection and is responsible for providing and receiving international humanitarian assistance. It should be noted that standards, rules and principles of the International Federation of Red Cross and Red Crescent National Societies and the International Committee of Red Cross also apply.

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<sup>159</sup> Article 52, para 2, p. 4 and 5 DPA .

The IDRL Guidelines recommendations for the quality of the delivered aid, that it shall respond to the needs of the affected population and the requirements for its delivery are not specifically provided in the national legislation.

There are some regulations within the Civil Protection Mechanism in the EU, which correspond to these recommendations.

### 3.19. Volunteering

*The Disaster Protection Act*<sup>160</sup> regulates the status of persons, who participate in activities for the prevention or control of disaster and elimination of its consequences. It is required that volunteers are capable natural persons over the age of 18, who have concluded a contract for participation in a voluntary association, established at municipal level. Volunteers and their formations are registered in a special register with DG “Civil Protection” – Ministry of Interior. Volunteers are trained and insured at the expenses of the republics budget. For the time of participation in trainings or during performance of their tasks related to disaster relief, volunteers receive remuneration at the expenses of the republic budget and their employer is obliged to release them from execution of labour or service obligations.

One of the Fundamental Principles observed by the Bulgarian Red Cross is Voluntary Service. The BRC develops Volunteering as one of the main driving forces for fulfilling the objectives of the organization and for performing its activities in disaster relief and recovery of the affected areas.

When a disaster situation occurs, the BRC personnel follow the organization’s Plan of action in case of disasters, accidents and crisis. In order to organize the rescue works and to assist the affected population National Operational Headquarters (NOHQ) with national disaster teams, Regional Operational Headquarters with disaster teams and Voluntary Disaster Teams have been created.

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<sup>160</sup> Articles 39-47 DPA.

There are the following voluntary teams in the BRC system:

- **National Disaster Response Team**

The BRC National Disaster Response Team (NDRT) is a volunteer rescue team created to support BRC disaster relief activities. NDRT operates following the legal basis of the Republic of Bulgaria, BRC Act, BRC Statutes, and BRCs Plan for disaster activities and other internal documents. The main NDRT goal is to support the activities of the BRC during disasters and in the humanitarian activities protecting and strengthening the population's health in case of disasters and accidents (crises). The work of the team is organized in accordance with the "Regulation for the activities of the NDRT of the BRC."

- **National Team for water life-saving in case of flooding** – this team is a unit at the "Water-Life saving" Department at the National Council of the BRC, which function during disasters according to their competence to provide assistance to the victims of disasters. There are four regional volunteer teams for work during floods and white-waters on the territory of the country.

- **Volunteer Disaster Response Teams**

Volunteer Disaster Response Teams (VDRT) are formed at the Secretariat of the Regional Council of the Bulgarian Red Cross. VDRT assist the activities of BRC for handling the consequences of disasters. The work of the teams is organized in accordance with the legislative base in case of disasters and the "Regulation for the activities of the VDRT of the BRC." VDRT are functioning before, during and after a disaster. There are 6 VDRTs at the Regional Councils of BRC in Russe, Dorich, Varna, Burgas, Veliko Tarnovo and Sofia regional BRC organization. Other teams in the country are in the process of establishment.

- **Youth Volunteer Disaster Teams** – there are 14 youth emergency teams in the country. They are included in the organizations plan for disaster activities and operate when necessary.
- **Specialised team at the Mountain Rescue Service** for handling the consequences of disasters consists of mountain rescuers and trained rescue dogs for search and rescue. This team is under the command of the "Mountain Rescue Service" Department and is included in the plan of the organization for disaster response.

- **Members of the Regional Disaster Response Team** – the Regional Disaster Response team is established by the Regional Representation of the International Federation in Budapest which aims at assisting the National Societies for field assessment and for specific disaster activities. BRC has 7 trained volunteer members of the RDRT, who regularly have refreshment trainings.
- **Teams for First Psychological Aid** – 56 volunteers, professional psychologists are members of these teams. They have regular trainings; participate in international forums and conferences, exchange experience with their colleagues from other national societies and are members of the ENPS.
- **Spontaneous volunteers.** During disasters or crises, they can take part in activities to help the affected population. These volunteers in times of crisis may be among the affected, as well as from other unaffected regions which are at disposal. They can provide self-help and mutual aid, first aid and help with distribution of food, water, clothes and materials for immediate support and volunteers from other unaffected regions available. If necessary, additional volunteers who participate in provision of assistance and support to affected population are recruited.
- **Refugee and Migrant Service** – it operates in disasters during massive influx of refugees in the country.

The recommendations of the *IDRL Guidelines* that assistance shall be delivered by specialised and well-trained personnel of the rescue teams have been implemented in the national legislation for establishing and maintaining voluntary formations, which have the necessary capacity for adequate assistance in case of disasters.

### 3.20. Limitations to the activities of relief organizations

The Bulgarian legislation does not contain any limitations on the use of offices, warehouses and other facilities for performing activities or the provision of telecommunication, bank and other services from third persons. There are no limitations or positive obligations to State and local administration for providing administrative services.

As already mentioned in 3.3., the BRC may benefit from alleviations such as free transportation, postal and administrative services.

However, it shall be taken into consideration that during an announced state of disaster, DPA<sup>161</sup> provides for restrictions of certain constitutionally granted rights and freedoms such as the right of inviolability of the persons and the places of residence, using of private property and freedom of movement and stay. If necessary, children's, social, medicinal and health institutions and the rescue teams may be supplied with priority.

There are no rules, which entitle the State and municipal institutions to be the sole provider of humanitarian relief. The Region Governor and respectively the Mayor of a Municipality coordinate the urgent and restoration relief of the victims and implement urgent restoration works.

The *IDRL Guidelines* recommend that the affected States provide free access for the rescue teams to the area of disaster.

The Bulgarian legislation does not contain any limitations for the rescue teams, but the relief is coordinated by the relevant local competent authorities.

### **3.21. Extended working hours**

Bulgarian labour legislation allows for extended working hours for the prevention and struggle against natural and social disasters or threats, and for the removal of their immediate consequences as well as for the performance of urgent publicly necessary work to restore water and electrical supply, heating, sewerage, transport and communication networks and for providing medical assistance.<sup>162</sup> This regulation gives the opportunity to extend the working hours of State institutions and other organizations in order to facilitate the receipt and processing of international relief.

The *IDRL Guidelines* recommend that competent authorities essential to the timely delivery of foreign humanitarian aid should function outside of normal working hours.

There is such provision in the Bulgarian legislation.

## **4. Practice and experience**

### **4.1. Floods in Bulgaria in the period 2005-2007<sup>163</sup>**

#### **4.1.1. Floods in May-September 2005**

Floods in spring and summer 2005, caused by torrential rains have caused great material damage to buildings, road infrastructure and agricultural production. 258 houses have been destroyed totally – 170 from floods in August and 68 more from floods in May-July. Over 2100000 people were affected by the disaster – evacuated, with flooded houses, dead animals, human casualties were over 20. Approximately 1300 houses were inhabitable. Hundreds of people had been evacuated, many more are without electric power supply, and in terms of settlements drinking water supply had been cut. Emergency situation had been declared in 15 towns.

Material relief had been received from abroad from Austria, Czech Republic, Sweden, Malta, Slovakia, Japan, USA (through “Care International” – Bulgaria), Belgium, Switzerland, Hungary, Germany, Greece, Russian Federation, UN, “Caritas” – Bulgaria and “ADRA” at total value of 2 971 443 Euro.

#### **4.1.2. Floods in 2006**

On March 12<sup>th</sup> and 13<sup>th</sup> 2006, after the heavy rain and snowfalls on the territory of the country, large water quantities have flown into the rivers. This has caused a raise of the subterranean water and saturation of the soil in the low regions and many river terraces were inundated. As a result of this situation, many habituated areas have been flooded. Residential and public buildings, infrastructural sites have been affected, bridges have been damaged and dykes have been broken. 100 settlements have been left without electric power supply, 2 – without telephone connections and 10 – without water supply.

According to the operational data the caused damage is: 825 flooded residential and public buildings; 1 residential building in Gabrovnica village, Montana region has been completely destroyed; 1 bridge has been destroyed and 9 bridges – partially destroyed; 29 landslides have been activated; 14 support walls have been broken; 3 water installations have been drowned;

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<sup>163</sup> Source: National Institute of Statistics [www.nsi.bg](http://www.nsi.bg)

5 dykes – broken. As a result, “crisis situation” had been declared in 19 municipalities in Sofia, Plovdiv, Pazardjik and Stara Zagora regions.

In the beginning of April the Danube River started to rise dangerously due to the floods in Western and Central Europe and the situation in the country aggravated. Thus on April 12<sup>th</sup> 2006 a “disaster situation” was announced in Bulgarian municipalities of Bregovo, Novo Selo, Vidin, Dimovo, Valchedrum, Kozloduy, Oryahovo, Dolna Mitropolia, Guilianzi, Nikopol, Belene, Svishtov, Tzenovo, Borovo, Ivanovo, Russe, Slivo Pole, Tutrakan, Glaviniza, Sitovo and Silistra.

On April 23. 2006, the “Europe-1” Directorate of the Ministry of Foreign Affairs has sent a request for humanitarian relief to the ambassador of Bulgaria to Germany. The request was for 5 water pumps (3000 litres/minute), 50 sets of draining equipment for flooded dwellings, 5000 l. of disinfectants, 6000 kg of anti-mouldering latex and 500 000 sets of sandbags

On April 25<sup>th</sup> 2006, an official request for international disaster relief has been sent to the **NATO Euro-Atlantic Disaster Response Coordination Centre (EADRCC)** and the **Monitoring and Information Centre (MIC)** operated by the “Civil Protection” Unit of the European Commission and to the Disaster Prevention and Preparedness Initiative (DPPI) at the Stability Pact for South Eastern Europe.

International relief has been received from Austria, Denmark, Poland, Slovenia, Ireland and Belgium, which sent material assistance to handle with the high levels of Danube River. The Monitoring and Information Centre (MIC) of the European Commission has sent 10 persons for technical assistance.

#### **4.1.3. Floods in 2007**

In May 2007 after a long drought and unnaturally high temperatures, torrential rains, along with hail storms begun, which destroyed the agriculture areas in Vratsa and Montana regions. Almost the whole country was flooded by torrential rains. For days in Sofia pouring rains fell, which affect unsecured buildings and turned them into landslides. On May 20<sup>th</sup> Vladayska river rose out of its bed and flooded the Vladaya district in Sofia.

In June 2007, devastating floods struck Trudovetz village in Botevgrad municipality. Within an hour and a half, torrential rain and hail caused 15 meter waves, which flooded streets and yards. A disaster situation was declared in the municipalities of Pazardjik, Saedinenie,

Asenovgrad and Botevgrad. The north roadway of “Trakia” motorway was flooded. The dam lakes “Tochilarzi”, “Pravishte” and “Lenovo” started to overflow.

In the beginning of August 2007 the town of Tzar Kaloyan, Razgrad region, was flooded by two meter high waves, caused by record rainfalls – 291 litres per square meter fell within less than 24 hours. Six persons die and four were declared missing. Tens of streets in the town were entirely wiped out, hundreds of houses were destroyed. The water caused twice that casualties in Nisovo village in Russe region and in the town of Montana. Flooding that covered the country after record heat waves and devastating drought caused heavy damages in Pazardjik, Montana, Pleven, Plovdiv, Burgas, Sofia regions.

Emergency teams of the Bulgarian Red Cross provide timely assistance and humanitarian relief for the affected population.

#### **4.2. Forest fires in 2007-2008**

Because of high summer temperatures, dry weather and the failure of fire-precaution observations, there was a significant raise of the number of forest fires in the last years. The Summer of 2007 marks a new peak of forest fires in Bulgaria – in June, July and August around 1 000 000 ha were affected. The biggest fires where in July in the Stara Zagora region. A state of disaster was announced. Relief was requested from the Russian Federation through its ambassador to Sofia. An aircraft for fire fighting Il-76 was sent to Bulgaria. 4 helicopters within 3 days have been requested through the EU Civil Protection Mechanism.

In 2008, at least 489 forest fires had been registered on the territory of the country. Total 40603 ha of forest were affected. The biggest fire occurred on the territory of “Rila” National park and Samokov area, where assistance with aircrafts and helicopters for fire fighting had been requested from the European Union Member States through the Community mechanism for Civil Protection - MIC and from NATO Member States through EADRCC. France and Spain sent specialized modules from 2 fire-fighting aircrafts each.

#### **4.3. Humanitarian disaster relief provided by Bulgaria to other countries.**

Decisions for providing state humanitarian relief are made by the Council of Ministers with a *Decree for the type and amount of relief*. The table below gives a short overview of the relief provided in 2001-2009.



Year	Event	Type and amount of relief	Normative act
1999	Earthquake followed by a fire in a refinery in <b>Republic of Turkey</b>	Teams (total 35 people) of the National Service “Fire safety”- Ministry of Interior were sent for: - fire-extinguishing in the oil refinery “TUPRAS” - 5 fire-fighting vehicles, 1 lifting automobile, 1 staff automobile; - Search and rescue – 2 rescue vehicles.	Order K-3197/18.08.99 of the Secretary General of the Minister of Interior.
2001	Earthquake in Gujarat, <b>India.</b>	Earmarked financial assistance in the amount of 30000 USD	CM Decree N65/16 March 2001
2002	Earthquake in <b>Afghanistan.</b>	Humanitarian assistance, total amount 426 987,50 BGN	CM Decree N181/9 August 2002
2003	Earthquake in <b>Democratic People's Republic of Algeria</b>	Assistance of materials, medical supplies and medicaments totalling <b>48 804 BGN</b>	CM Decree
2003	Earthquake (26 December 2003) in <b>Islamic Republic of Iran.</b>	<ul style="list-style-type: none"> <li>Team of the National Service “Fire safety” was sent to provide technical assistance</li> <li>Property, medical equipment and medications, 19 685,31 Euro</li> </ul>	CM Decree N327/30 December 2003
2004	Terrorist act in Beslan, North Ossetia, <b>Russian Federation.</b>	Humanitarian assistance to the affected children and their families, 50000 BGN	CM Decree N248/13 September 2004
2007	Drought, summer 2007,	Financial assistance - 50000	CM Decree

	<b>Republic of Moldova.</b>	Euro.	N256/22 October 2007
2007	Forest fires in the Megalopoly area on Peloponnese peninsula, <b>Republic of Greece.</b>	<ul style="list-style-type: none"> <li>Team of the National Service “Fire safety and rescue” was sent to provide technical assistance – 46 staff members of the “Fire safety and rescue”; 2 medical personnel.</li> <li>5 vehicles, one ambulance and 1 bus has been sent.</li> </ul>	Order K-4765/30.08.2007 of the Secretary General of the Minister of Interior.
2008	Earthquake in <b>Democratic Republic of China.</b>	Humanitarian assistance – 100,000 Euro.	CM Decree N131/6 June 2008
2008	Cyclone “Nargis” in <b>Myanmar.</b>	Financial assistance – 50,000 Euro.	CM Decree N131/6 June 2008
2008	Floods in <b>Ukraine.</b>	Humanitarian assistance – 100,000 Euro.	CM Decree N200/11 August 2008
2008	Floods in <b>Republic of Moldova.</b>	Financial assistance – 97,792 BGN.	CM Decree N296/8 December 2008
2008	“Gustav” and “Ike” Hurricanes in the <b>Republic of Cuba.</b>	Financial assistance – 97,792 BGN.	CM Decree N304/11 December 2008
2008	“Gustav” and “Ike” Hurricanes in the <b>Republic of Haiti.</b>	Financial assistance – 39,117 BGN.	CM Decree N304/11 December 2008

*The report of activities of the Ministry of emergency situations for 2005-2009*<sup>164</sup> contains additional information for providing following humanitarian relief:

<sup>164</sup> Source: [www.mes.government.bg](http://www.mes.government.bg)

- Decision of the Council of Ministers of the Republic of Bulgaria in connection with floods in the Czech Republic in 2002 has allocated humanitarian aid of detergents and disinfectants to the total value of BGN 100 000 which was transported by “Civil Protection” State Agency;
- Decision of the Council of Ministers of Bulgaria, in connection with the floods in Sudan, humanitarian assistance was provided with a total value of 109 435.10 Euros by State Agencies “Civil Protection” and “State Reserve and Wartime Stocks”.
- Decision of the Council of Ministers of the Republic of Bulgaria to grant humanitarian assistance to the countries of South and Southeast Asia, hit by the devastating earthquake and tsunami, in January 2005 the State Agency “Civil Protection” has provided humanitarian aid (tents and blankets) totalling 35 904.00 Euros (70 221.04 BGN) to Indonesia and Sri Lanka for the affected population.
- 2005 – 32 tents and 1020 blankets of the total value of 1946060 Euro to the affected population in Pakistan from an earthquake in October 2005.
- 2008 – 2500 sets of parotitis vaccination for Republic of Moldova.

#### **4.4. Humanitarian assistance provided by the Bulgarian Red Cross in cases of disasters abroad and in response to Appeals of the International Federation of Red Cross and Red Crescent Societies and other National Societies in cases of disasters and conflicts**

<b>Year</b>	<b>Event</b>	<b>Type and amount of relief</b>
1999	Earthquake in the <b>Republic of Turkey</b>	Material relief, bed linen, mountain rescue teams with trained rescue dogs, National volunteer rescue team.
1999	<b>Kosovo</b> refugees crisis	Supply of basic necessity goods and food supplies
2000	Floods in <b>Bosnia and Herzegovina</b>	BRC convoy with food and hygiene packets
2001	<b>Macedonia</b> refugee crisis	Basic necessity goods and food and hygiene

		packets were supplied to the Military Medical Academy camp in Radusha.
2002	Floods in <b>Central and Eastern Europe</b>	An expert on needs assessment works in Czech Republic in the International Federation's team.
2002	Heavy snowfall in <b>Albania</b>	Basic necessities supplies (blankets, clothes, hats, scarves, gloves, etc.)
2003	Earthquake in <b>Algeria</b>	Blankets and basic necessities supplies.
2003	Earthquake in <b>Iran</b>	Blankets and basic necessities items for the population. Bed linen and food supplies were provided to the Bulgarian fire safety team.
2004	Hostage crisis in <b>Beslan, North Ossetia, Russian Federation</b>	40000 USD have been raised through a National campaign, school materials and toys were sent. A summer camp in Bulgaria for 30 children from Beslan was organized.
2004	Tsunami in <b>Southeast Asia</b>	150 000 ChF were raised by a public national campaign in response to the Emergency Appeal of the International Federation
2005 and 2006	Floods in <b>Romania</b>	30 000 food packets and blankets.
2008	Earthquake in <b>China</b>	5000 ChF.
2008	Conflict in South Ossetia, Georgia	5000 ChF.
2009	Conflict in <b>Gaza</b> .	7000 USD
2010	Floods in Albania and Montenegro	2000 ChF to each of the National Societies.
2010	Earthquake in Haiti	National public fundraising campaign through a bank account, mobile operators and online donations in response to the Emergency Appeal, total 361 492 BGN (approx. 292 200 CHF).

## 5. Conclusion and recommendations

In Bulgaria, issues related to disaster management are regulated in a special *Disaster Protection Act*. The competence of State and local authorities, responsible for its implementation, are settled thoroughly and in detail. In addition, the *Ministry of Interior Act* and the regulations for its implementation apply to the functions and tasks of the Directorate General “Civil Protection” and the Directorate General “Fire Safety and Rescue”. Concerning the coordination and distribution of foreign relief the main partner of the state is the Bulgarian Red Cross.

Receiving, sending and transit of humanitarian relief and recovery assistance raises a number of issues, which are regulated at international, European and national level. As a member to the EU, Bulgaria applies the mandatory rules of EU law. The national legislation, depending on the area of legal regulation, complies with it.

Findings in Part 3 of this study have indicated that national law reflects some of the *IDRL Guidelines*. Others are not affected by it or the regulation is needed at EU level (e.g. customs preferences). During the discussions of the national IDRL Workshop, held on December 15<sup>th</sup> 2009 in Sofia, which was attended by representatives of a wide range of stakeholders, participants have raised the issues and recommendations on improving the national legal framework and its implementation:

- Introduction of criteria concerning the selection of foreign humanitarian organizations, who can provide disaster assistance while complying with the international legal framework to ensure the preparedness of the teams and the quality of the assistance;
- Harmonization of the use of legal terminology (e.g. humanitarian assistance) with the relevant international and European norms;
- Introduction of a minimum content of requests for assistance;
- When exceptions to rules are made or when specific rules in case of disaster shall apply, safety rules, quality standards and safety of the rescue teams shall not be undermining through this, but in no case should they be prejudice or impose threats to the national security;

- Provision of a simplified procedure for issuance of a temporary work permit, as well as temporary recognition of professional qualifications of foreign nationals in connection with providing disaster relief and recovery assistance;
- Provision of temporary exercise of regulated professions such as doctors, architects, engineers, without the need for registering in the relevant professional body;
- To provide opportunities for exemption from the airport, port and vignette taxes of vehicles, transporting humanitarian aid or rescue teams;
- To introduce insurance of members of rescue teams against claims for damage caused to third parties;
- To provide for the need of psychosocial support for rescuers and to provide for system of programs for psychological rehabilitation and support for the rescuers, who need it.

Given the practical experience from participating in international disaster relief operations, the following recommendations were made for improvement and effective implementation of obligations in providing humanitarian aid, which requires joint normative regulation on European and international level:

- Implementation of harmonized standards on equipment and supplies for it (e.g. technical equipment, special fuel containers, fuel, etc.) in providing disaster relief (e.g. Sphere standards);
- Introduction of uniform insignia of persons and equipment;
- Harmonization of the terminology used to facilitate communication between rescue teams from different nationalities;
- Introduction of simplified EU rules for customs clearance of humanitarian aid to third countries.

## **ANNEXES:**

### **I. ABBREVIATIONS:**

<i>ADRA</i>	Adventist Development and Relief Agency
<i>BRC</i>	Bulgarian Red Cross
<i>BRCA</i>	Bulgarian Red Cross Act
<i>BSEC</i>	Black Sea Economic Cooperation
<i>CIWIN</i>	Critical Infrastructure Warning Information Network
<i>CM</i>	Council of Ministers
<i>DPA</i>	Disaster Protection Act
<i>DPPI</i>	Disaster Prevention and Preparedness Initiative at the Stability Pact for South Eastern Europe
<i>EADRCC</i>	NATO Euro-Atlantic Disaster Response Coordination Centre
<i>EAEC</i>	European Atomic Energy Community
<i>EC</i>	European Commission
<i>EC CECIS</i>	Common Emergency Communication and Information System
<i>EEA</i>	European Economic Area
<i>EU</i>	European Union
<i>IAEA</i>	International Atomic Energy Agency
<i>IDRL</i>	International Disaster Response Laws, Rules and Principles
<i>INRNE</i>	Institute for Nuclear Research and Nuclear Energy
<i>MES</i>	Ministry of Emergency Situations
<i>MFA</i>	Ministry of Foreign Affairs
<i>MH</i>	Ministry of Health
<i>MIC</i>	Monitoring and Information Centre

<i>NRA</i>	Nuclear Regulatory Agency
<i>SEE</i>	Southeast Europe
<i>TESTA</i>	Trans European Services for Telematics between Administrations
<i>UN</i>	United Nations
<i>VAT</i>	Value Added Tax
<i>WHO</i>	World Health Organization



## **II. BIBLIOGRAPHY**

### ***International and Regional Agreements and Conventions***

1. Treaty Establishing the European Community;
2. Treaty establishing the European Atomic Energy Community;
3. Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency (adopted on 26 September 1986, promulgated in State Gazette N13/16 February 1988, entry into force for Bulgaria 26 March 1988);
4. Convention on Early Notification of a Nuclear Accident and the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency;
5. Convention on Early Notification of a Nuclear Accident, Vienna, Austria, entry into force: 27 October 1986, Promulgated SG N 12/12 February 1988;
6. Convention on facilitation of international maritime traffic (Adopted in London, 9 April 1965, Promulgated SG N56/22 June 1999);
7. Convention on International Civil Aviation, signed in Chicago on 7 December 1944, ratified on 4 August 1966, entry into force 8 July 1967;
8. Convention on Privileges and Immunities of the Specialized Agencies (adopted on 21 November 1947, promulgated in State Gazette N13/15 February 2000, entry into force for Bulgaria 13 June 1968);
9. Convention on Privileges and Immunities of the United Nations (adopted on 13 February 1946, promulgated in State Gazette N36/3 May 1960, entry into force for Bulgaria 30 September 1960);
10. Convention on Special missions (adopted on 8 December 1969, promulgated in State Gazette N70/8 September 1987, cor. SG N76/2 October 1987, entry into force for Bulgaria 13 June 1987);
11. Convention on Temporary admission (adopted on 26 June 1990, promulgated in State Gazette N78/2 September 2003, amended SG N 89/12 October 2004, entry into force for Bulgaria 11 June 2003);
12. Convention on the Operative Information in Nuclear Accidents (signed on 26 September 1986, promulgated in State Gazette N12/12 February 1988);

13. Convention on the Transboundary Effects of Industrial Accidents - adopted 17 March 1992 in Helsinki, (adopted by law, promulgated in SG N28/1995, entry into force for Bulgaria 12 May 1995);
14. International Convention on the Harmonization of Frontier Controls of Goods (adopted on 21 October 1982, promulgated in State Gazette N95/21 November 2000);
15. International Convention on the Simplification and Harmonization of Customs Procedures (adopted on 18 May 1973, promulgated in State Gazette N19/2 March 2006);
16. International Convention on the Simplification of Customs Formalities (adopted on 3 November 1923, ratified with Ordinance N5 of the King Boris III on 13 March 1936, promulgated in State Gazette N2/1 January 1926, entry into force for Bulgaria 10 March 1927);
17. Tampere Convention on the Provision of Telecommunication Resources for Disaster Mitigation and Relief Operations (adopted on 18 July 1998, promulgated in State Gazette N44/17 May 2000, entry into force for Bulgaria 8 January 2005);
18. Agreement among the Governments of the Participating States of the Black Sea Economic Cooperation (BSEC) on collaboration in Emergency Assistance and Emergency Response to natural and man-made Disasters;
19. Protocol for cooperation during humanitarian operations in emergencies (Adopted by Council of Ministers Protocol N17/9 May 2002, entry into force for Bulgaria 29 January 2003, (promulgated SG N 21/7 March 2003 ;
20. "Green card" agreement.

### ***European Law***

1. Regulation (EEC) No 1612/68 of the Council of 15 October 1968 on freedom of movement for workers within the Community;
2. Regulation (EC) № 998/2003 of the European Parliament and the Council of May 26, 2003 on animal health requirements;
3. Council Regulation (EEC) No 918/83 of 28 March 1983 setting up a Community system of reliefs from customs duty;
4. Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code;

5. Council Regulation (EC) No 150/2003 of 21 January 2003 suspending import duties on certain weapons and military equipment;
6. Council Regulation (EC) N539/2001;
7. Council Directive 2006/112/EC of November 28, 2006 on the common system of value added tax;
8. Commission Decision 2003/803/EC of 26 November 2003 establishing a model passport for the intra-Community movements of dogs, cats and ferrets.

### ***Bilateral Agreements***

1. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Azerbaijan (signed on 29 June 1995 in Sofia, promulgated SG N 114/3 December 1997);
2. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Armenia (signed on 10 April 1995 in Sofia, promulgated SG N 121/17 December 1997);
3. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Georgia (signed on 19 January 1995 in Sofia, promulgated SG N 121/17 December 1997);
4. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Kazakhstan (signed on 30 July 1993 in Almaty, promulgated SG N 70/16 August 1996);
5. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Kyrgyzstan (signed on 13 November 1994 in Sofia, promulgated SG N 76/6 September 1996);
6. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Moldova (signed on 7 September 1992 in Sofia, promulgated SG N 26/30 March 1993);
7. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Republic of Mongolia (signed on 5 April 1995 in Ulan Bator, promulgated SG N 58/9 July 1996);
8. Agreement for amicable relations, cooperation and security between the Republic of Bulgaria and Republic of Turkey (signed on 6 May 1992 in Ankara, adopted by law

- by 36 National Assembly, promulgated SG N 65/21 June 1995, entry into force for Bulgaria on 29 June 1995);
9. Agreement for amicable relations and cooperation between the Republic of Bulgaria and Ukraine (signed on 5 October 1992 in Sofia, promulgated SG N 25/25 March 1994);
  10. Agreement between the Republic of Bulgaria and the Republic of Albania on facilitation of issuance of visas for nationals of respective countries (signed on 31 May 2002 in Sofia, Council of Ministers decision N563/23 August 2002, promulgated SG N 102/1 November 2002, entry into force for Bulgaria 3 October 2002);
  11. Agreement between the Republic of Bulgaria and the Republic of Macedonia on Mutual Travelling of Citizens of Respective Countries (signed on 3 November 2006 in Sofia, Council of Ministers decision N859/15 December 2006, promulgated SG N 23/16 March 2007, entry into force for Bulgaria 1 January 2007);
  12. Agreement between Republic of Bulgaria and the Russian Federation for the Introduction of Facilitated Visa Regulations for Mutual Travelling of Citizens (signed on 5 March 2002 in Sofia, Council of Ministers decision N208/12 April 2002, promulgated SG N 54/31 May 2002, entry into force for Bulgaria 7 May 2002);
  13. Agreement between the Government of Republic of Bulgaria and the Cabinet of Ministers of Ukraine on Mutual Travelling of Citizens of Respective Countries (signed on 15 November 2001 in Kiev, Council of Ministers decision N36/21 January 2001, promulgated SG N 60/18 June 2002, entry into force for Bulgaria 30 May 2002);
  14. Agreement between the Government of the Republic of Bulgaria and the Government of the Republic of Albania on the International Combined Transportation Of Cargo (signed on 12 March 1999 in Tirana, promulgated SG N 95/2 November 1999);
  15. Agreement between the Government of the Republic of Bulgaria and the Republic of Armenia on the International Road Transport (signed on 10 April 1995 in Sofia, promulgated SG N 42/23 May 2000);
  16. Agreement between the Government of the Republic of Kazakhstan and the Republic of Bulgaria on International Road Transport of Passengers and Cargo (signed on 13 November 1997 in Almaty, promulgated SG N 75/24 August 1999);
  17. Agreement between the Government of the Republic of Bulgaria and the Government of Lebanon on International Road Transport of Passengers and Cargo (signed on 19 June 2003 in Sofia, Council of Ministers decision N637/2 August 2004, promulgated SG N 83/24 September 2004, entry into force for Bulgaria 12 September 2004);

18. Agreement between the Government of the Republic of Bulgaria and the Republic of Macedonia on the International Road Transport (signed on 22 February 1999 in Sofia, promulgated SG N80/10 September 1999);
19. Agreement between the Government of the Republic of Bulgaria and the Government of the Russian Federation on the International Road Transport (signed on 19 May 1995 in Sofia, promulgated SG N42/23 May 2000);
20. Agreement between the Government of the Republic of Bulgaria and the Republic of Uzbekistan on the International Transport of Passengers and Cargo (signed on 19 June 1998 in Sofia, promulgated SG N14/16 February 1999 amended SG N6/21 January 2000);
21. Agreement between the Government of the Republic of Bulgaria and the Union Government of the Federal Republic of Yugoslavia on International Transport of Passengers and Cargo (signed on 25 July 2002 in Sofia, Council of Ministers decision N11/7 January 2003, promulgated SG N 45/16 May 2003, entry into force for Bulgaria 18 April 2003).

### ***National Legislative Acts***

1. Constitution of the Republic of Bulgaria;
2. Code on Private International Law (Promulgated SG N42/17 May 2005, last amended SG N47/23 June 2009);
3. Insurance Code (Promulgated SG N 103/23 December 2005, last amended SG N41/2 June 2009);
4. Labour Code (Promulgated SG N26/1 April 1986, entry into force 1 January 1987, last amended SG N 41/2 June 2009);
5. Act on Closure of the Foreign Aid Agency (Promulgated SG N41/22 May 2007, entry into force 22 May 2007);
6. Act on the National emergency call system based on the Single European emergency call number 112 (Promulgated SG N 102/28 November 2008);
7. Act on the Safe Use of Nuclear Energy (Promulgated in the State Gazette No. 63 of June 28, 2002, last amended SG 42/5 June 2009);
8. Bulgarian Red Cross Act (Promulgated SG N87/29 September 1995, supplemented SG N44/12 May 1999, amended SG N54/31 May 2002, amended SG N41/22 May 2007);

9. Currency Act (Promulgated SG N 83/21 September 1999, entry into force 1 January 2000, last amended SG N24/31 March 2009);
10. Disaster Protection Act (Adopted on 6 December 2006, Promulgated State Gazette N 102/19 Dec 2006, amend. SG. 41/22 May 2007, amend. SG. 113/28 Dec 2007, amend. SG. 69/5 Aug 2008, amend. SG. 102/28 Nov 2008, amend. SG.35/12 May 2009);
11. Employment Promotion Act (promulgated SG N112/29 December 2001, entry into force 1 January 2002, last amended SG N 41/2 June 2009);
12. Entry, Stay and Departure of the Republic of Bulgaria of European Union Citizens and Their Family Members Act (promulgated SG N80/3 October 2006, entry into force 1 January 2007, last amended SG N36/15 May 2009);
13. Health Act (Promulgated SG N70/10 August 2004, entry into force 1 January 2005, last amended SG N41/2 June 2009);
14. Law for the Foreigners in the Republic of Bulgaria (Promulgated SG N153/23 December 1998, last amended SG N36/15 May 2009);
15. Law of Register BULSTAT (Promulgated SG N39/10 May 2005, last amended SG N42/29 May 2007);
16. Law on income taxes of individuals in Bulgaria (promulgated SG N95/24 November 2006, entry into force 1 January 2007, last amended SG N41/2 June 2009);
17. Law on Non-Profit Legal Entities (Promulgated SG N81/6 October 2000, last amended SG N42/5 June 2009);
18. Law on professional associations of doctors and dental practitioners (Promulgated SG N83/21 July 1998, last amended SG N102/28 November 2008);
19. Law on professional associations of Master Pharmacists in Bulgaria (Promulgated SG N75/12 September 2006, last amended SG N41/2 June 2009);
20. Law on professional associations of nurses, midwives and associated medical specialists (Promulgated SG N46/3 June 2005, last amended SG N41/2 June 2009);
21. Law on professional associations of veterinarians in Bulgaria (Promulgated SG N84/19 October 2007);
22. Law on the chambers of architects and engineers in the investment design (Promulgated SG N20/4 March 2003, last amended SG N28/14 April 2009);
23. Law on Veterinary Activities (Promulgated SGN87/1 November 2005, entry into force 2 May 2006, last amended 12 May 2009);
24. National Audit Office Act (Promulgated SG N109/18 December 2001, last amended SG N42/5 June 2009);

25. Public Financial Inspection Act (Promulgated SG N33/21 April 2006, last amended SG N42/5 June 2009);
26. Public Sector Internal Audit Act (Promulgated SG N27/31 March 2006, last amended SG N44/12 June 2009);
27. Recognition of professional qualifications Act (promulgated SG N13/8 February 2008, entry into force 8 February 2008);
28. Value Added Tax Act (Promulgated SG N63/4 August 2006, entry into force 1 January 2007, last amended SG N23/27 March 2009)
29. Organisational Rules of the Ministry of Emergency Situations (CM Regulation N137/6 June 2006, promulgated SG N 48/ 13 June 2006, entry into force 1 July 2006, last amended SG 43/9 June 2009);
30. Regulation N21/18 July 2005 on the Procedure for Registration, Notification and Reporting of the Infectious Diseases (Issued by the Ministry of Health, entry into force from 1 January 2006, promulgated SG N62/29 July 2005);
31. Regulation № 10 of December 16, 2003 for import and export of cash, precious metals, precious stones and articles with and from them and keeping records of the customs of art. 10a of the Currency Law, issued by the Ministry of Finance (Promulgated SG N1/6 January 2004, amended SG N 48/15 June 2007);
32. Regulation of the Conditions and Procedure for Notification of the Nuclear Regulatory Agency about Events in Nuclear Facilities and Sites with Sources of Ionising Radiation (Adopted with CM Decree № 188/30 July 2004, promulgated in SG N 71/13 August 2004, amended SG N46/12 June 2007);
33. Regulation on Early Warning and Notification in Case of Disasters (Adopted by Council of Ministers Regulation N70/27 March 2009, Promulgated SG N26/7 April 2009, entry into force 7 April 2009);
34. Regulation on the arrangements for the secondment of employees from the Member States or employees of third parties in the Republic of Bulgaria within the provision of services (CM Decree N142/8 July 2002, promulgated SG N68/16 July 2002, entry into force 18 September 2002, amended SG N45/2 June 2006);
35. Regulation on the procedures for issuance, denial and revocation of work permits to foreigners in Bulgaria (CM Decree N77/9 April 2002, promulgated SG N39/16 April 2002, entry into force 18 June 2002);
36. Regulation on the procedures for issuing visas and identification of visa (CM Decree N82/22 April 2008, promulgated SG N44/9 May 2008, entry into force 10 July 2008);

37. Rules on the structure and the organization of activities of the Joint Commission for Restoration and Relief with the Council of Ministers (CM Decree N106/8 May 2007, promulgated SG N40/18 May 2007, entry into force 18 May 2007, last amended SG N43/9 June 2009);
38. Tariff N3 for the Consular Service Taxes collected by the Ministry of Foreign Affairs under the State Taxes Act (CM Decree N333/28 December 2007, promulgated SG N3/11 January 2008, entry into force 11 January 2008, amended SG N35/12 May 2009).

### ***Other Sources***

1. British institute of International and Comparative Law, Preliminary Review of European Law, June 2009;
2. Guidelines of the International Disaster Response Laws;
3. Statutes of the Bulgarian Red Cross;
4. National programme for disaster protection 2009 – 2013, prepared pursuant to Article 6, para. 5 and Article 18 of the Disaster Protection Act;
5. Ministerial meeting for Disaster Preparedness and Prevention in the SEE region of the Southeast European Cooperation Process (SEECp), 9 April 2008, Sofia;
6. BRC Regulation on receiving humanitarian aid;
7. BRC Regulation on the provision of humanitarian aid;
8. BRC Instruction on book-keeping requirements of humanitarian relief.