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Please find attached the general contribution by Mr. Anton Pashov, Ministry of Transport, Bulgaria delivered to the First Preparatory Conference to the 16th OSCE Economic and Environmental Forum “Maritime and inland waterways co-operation in the OSCE area: Increasing Security and protecting the environment” held in Helsinki, 10 - 11 September 2007.



Republic of Bulgaria
MINISTRY OF TRANSPORT
Executive Agency
MARITIME ADMINISTRATION

First Preparatory Conference to The 16th OSCE Economic and Environmental Forum, Helsinki, 10-11 September 2007

Bulgarian Maritime Administration's Safety and Security and
Environment Protection Projects

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Republic of Bulgaria
MINISTRY OF TRANSPORT
Executive Agency
MARITIME ADMINISTRATION

BMA Safety & Security and Environment Protection Projects – Presentation Outline

1. Institutional Framework
2. Strategic Framework
3. Major BMA S&S and EP Projects
4. Inferences and Suggestions

Bulgarian Maritime Administration's Safety and Security and Environment Protection Projects

1. Institutional Framework

- 1.1. BMA Legal Status
- 1.2. BMA Major Responsibilities
- 1.3. BMA Organisational Structure
- 1.4. Specific S&S and EP Responsibilities of the BMA

1.1. BMA Legal Status (1)

A public administration body - Executive Agency - under the Minister of Transport

Regulated by Chapter XVII of the Merchant Shipping Code and Statutory Regulation adopted through Decree of the Council of Ministers No. 74/2000

1.1. BMA Legal Status (2)

Merchant Shipping Code, Art. 360 (1)

BMA is:

- under the Minister of Transport;
- a separate legal person;
- activities are financed through the state budget and own revenues;
- a second-level spender of budgetary appropriations.

Merchant Shipping Code, Art. 360 (2):

BMA's activities, structure, work organisation and staff are specified in a Council of Ministers' Decree

1.2. BMA Major Responsibilities (1)

- Safety and security of shipping[#] in the sea spaces and inland waterways of the Republic of Bulgaria;
- Genuine link between the government and the ships under Bulgarian flag;
- Control on the observation of shipping safety and security requirements by Bulgarian and foreign ships;
- Approval of training programmes and issuance of certificates of competency to seafarers;
- Registration of ships and issuance of certificates to ships;
- Control over living and working conditions on board;
- Traffic control in Bulgarian canals, ports and other areas defined by law;

[#] Ship and shipping here and below refers to merchant and passenger ships only

1.2. BMA Major Responsibilities (2)

- Search and rescue of people, vessels and aircraft# in distress;
- Control on protection of the marine environment and the Danube River from pollution from ships;
- Regulation of vessel movement and maneuvering in harbors;
- Control and supervision of navigational conditions to ensure shipping safety;
- Coordination of activities in control of the implementation of fleet capacity regulation;
- Implementation of the obligations of the Republic of Bulgaria regarding shipping under international agreements concluded by Bulgaria

In the sea and internal water spaces only, for which Bulgaria carries responsibility.

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1.3. BMA Organisational Structure (1)

Sofia Central Office:

Executive Director (currently: Capt. N. Apostolov)

Secretary-in-Chief (currently: Capt. S. Tzarnakliyski)

Financial Comptroller

Administrative, Legal, Financial and Accounting Directorate

Quality Control Directorate

European Integration and International Activities Directorate

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1.3. BMA Organisational Structure (2)

Regional Divisions in Russe and Lom (on the Danube River) and Burgas and Varna (on the Black Sea coast):

Maritime Administration – Varna Directorate (in Varna);
Shipping Information Services and Search & Rescue Directorate (in Varna);

Maritime Administration – Burgas Directorate (in Burgas);

Maritime Administration – Russe Directorate (in Russe);

Maritime Administration – Lom Directorate (in Lom).

1.4. Specific Shipping Security Responsibilities of the BMA (1)

- Control over shipping regarding security is to be regulated jointly by the Minister of Transport, Minister of Interior and Minister of Finance (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 60a, items 1 and 2, in conj. with Ordinance 53/2004); also can be inferred from Merchant Shipping Code, Art. 361a (2) in conj. with the more general BMA responsibilities and rights re:

*State control over ships under the Bulgarian flag with regard to their compliance with administrative, technical and social regulations (Merchant Shipping Code, Art. 363 (2), item 2) – arguably, as this stipulation is under a “Shipping Safety” heading;

** Compliance of a departing ship's on-board documentation with international agreements concluded by the Republic of Bulgaria (Merchant Shipping Code, Art. 363 (2), item 2)

1.4. Specific Shipping Security Responsibilities of the BMA (2)

*** Restriction on ship departure in the case of violation of a law or an international agreement concluded by the Republic of Bulgaria (Merchant Shipping Code, Art. 363 (2), item 12; (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 57);

**** Implementation of obligations regarding shipping that follow from international agreements concluded by the Republic of Bulgaria (Ordinance of the Council of Ministers No. 74/2000, Art. 9 (1), item 9 a));

- Issuance of Security Certificates by persons authorized by the Minister of Transport (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 60a, item 3) – BMA Senior Staff Members are authorized;

1.4. Specific Shipping Security Responsibilities of the BMA (3)

- Compliance of the number of passengers on board of a departing ship with the Security Certificate (Merchant Shipping Code, Art. 363 (2), item 6)

- Compliance of the equipment of a departing ship with the security requirements (Merchant Shipping Code, Art. 363 (2), item 9)

1.4. Specific Shipping Security Responsibilities of the BMA (4)

- SAR operations related to people, ships and airplanes in distress, incl. organisation and management of SAR activities on the sea in conjunction with the Ministry of Defense (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 65 (3); Decree of the Council of Ministers No. 74/2000, Art. 4 (1) and Art. 9 (1), item 7);
- Setting-up and operation of a system for vessel traffic management and information services, and of a national system for safety and distress under Council of Ministers' Decree (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 60 in conj. with Ordinance 74/2000, Art. 4 (2));
- Establishment and maintenance of a database for surveillance and control of fishing vessels within the system for vessel traffic management and information services (Decree of the Council of Ministers No. 74/2000, Art. 4 (3));

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1.4. Specific Shipping Security Responsibilities of the BMA (5)

- Surveillance over shipping on internal waterways (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 87 (1));
- RIS for the shipping (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 87a);
- All ISPS requirements - both mandatory and discretionary - regarding security of ships and shipping (Ordinance No 53 / 2 July 2004 of the Ministry of Transport, Ministry of Interior and Ministry of Finance on the Conditions and Order of Ship and Port Security Attainment)

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1.5. Specific Marine Environment Protection Responsibilities of the BMA (1)

- Actions in the case of violation of marine environment protection requirements by law or international agreement concluded by the Republic of Bulgaria, i.e. request information, inspect, take samples, detain ship (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 54 (1));
- State control over ships under foreign flags while in Bulgarian ports with regard to their compliance with international standards for prevention of pollution (Merchant Shipping Code, Art. 362a, item 2)
- Banning of ships under foreign flags which do not comply with requirements regarding environment protection from pollution by ships (Merchant Shipping Code, Art. 362b)

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1.5. Specific Marine Environment Protection Responsibilities of the BMA (2)

- Detention of ships in Bulgarian ports in the case of non-compliance with requirements regarding transportation of dangerous goods (Merchant Shipping Code, Art. 363 (2), item 11)
- Detention of ships in Bulgarian internal sea space, port or designated place in case the technical condition of the ship, its documentation or the activities of its crew do not comply with the Bulgarian requirements and standards for the prevention or restriction of marine environment pollution (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 57);

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1.5. Specific Marine Environment Protection Responsibilities of the BMA (3)

- Detention of ships in Bulgarian ports or designated places on the Danube River in case the technical condition of the ship does not ensure compliance with the Bulgarian requirements and standards for the prevention or restriction of marine environment pollution or its technical condition and documentation do not comply with the requirements of the Rules of Navigation on the Danube or the Requirements of the Danube Commission and UNECE (Law on Sea Spaces, Internal Waterways and Ports of the Republic of Bulgaria, Art. 89);
- Prohibition of oil-tankers' entry into, or departure from, a Bulgarian port (where the ship's cargo exceeds 2,000 t) in the case of absence of a certificate regarding insurance or bank guarantee to cover pollution (Merchant Shipping Code, Art. 363 (3))

1.5. Specific Marine Environment Protection Responsibilities of the BMA (4)

- Issuance of mandatory regulations on the prevention of marine pollution by ships (Merchant Shipping Code, Art. 363a, item 7)
- Control over marine environment protection and protection of the Danube River from pollution by ships, incl. prevention, diminishment and restriction of the pollution (Decree of the Council of Ministers No. 74/2000, Art. 4 (1) and 9 (1), item 5);
- Organisation and management of activities to eliminate emergency spills in the areas of the Black Sea and the Danube River for which Bulgaria carries responsibility (Decree of the Council of Ministers No. 74/2000, Art. 4 (1) and 9 (1), item 6);

2. Strategic Framework

2.1. Shipping Security Strategic Framework

2.2. Protection from Pollution by Ships Strategic Framework

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2.1. Shipping Security Strategic Framework (1)

- National Security Conception of the Republic of Bulgaria (Decision of the 38th National Assembly of 16 April 1998)

*principles; priorities and factors; national security system

* the real threat is not enemy armies, rather illegal criminal groupings which are specialized in organized violence, smuggling, human traffic, drugs and illegal weapon trade (item 10)

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2.1. Shipping Security Strategic Framework (2)

International Cooperation Perspective

Bilateral Agreements:

- * Bilateral Agreements on Commercial Shipping – mutual recognition of ship documents, certificates of competency and seamen’s books and other ID documents
- * Bilateral Agreements on Counterterrorism, Organized Crime Prevention, etc.
 - exchange of information and protection of the latter, direct cooperation between competent authorities, joint body

2.1. Shipping Security Strategic Framework (3)

International Cooperation Perspective

- Plurilateral Agreements:

- * Agreement for Intergovernmental Cooperation in Antiterrorist Activities, etc., of 16 April 1998 (Bulgaria, Romania, Turkey) – joint activities, information exchange, joint database, technical cooperation, joint initiatives, direct contacts, High Commission, annual reviews on ministerial level
- * Agreement on Cooperation in Transborder Crime Prevention and Counteraction (within the framework of the initiative for Cooperation in Southeast Europe) of 26 May 1999 – multi-faceted cooperation among the competent authorities, information exchange, legal and investigation assistance, joint body and regional center in Bucarest,
- * Intergovernmental Agreement on BSEC Cooperation in Crime Counteraction of 2 October 1998 – multi-faceted cooperation, information exchange, joint activities, training, working group

2.2. Protection from Pollution by Ships Strategic Framework (1)

- 2007-2013 National Development Plan

- * Overcoming of current environmental issues and creation of a foundation for sustainable growth (one of the major directions of state intervention)
- * Development of a sustainable transport sector, better balance between transportation modes, creation of a better milieu for the development of maritime transportation and transportation on the internal waterways, promotion of multimodal transportation;
- * Attainment of EU standards;
- * Improvement of the waste management systems, reduction of air and noise pollution (however, specific goals refer to industrial and urban pollution);
- * Preservation of biological diversity;
- * Development of environment monitoring systems;

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2.2. Protection from Pollution by Ships Strategic Framework (2)

- 2007-2013 National Strategic Reference Framework

- * Sectoral Operational Programme – Transport:
 - + Priority #3 – Improvement of intermodality of transportation;
 - + Priority #4 – Support of sea transportation and transportation on the internal waterways
- * Sectoral Operational Programme – Environment:
 - + Focus #1 – preservation and improvement of the condition of water resources;
 - + Focus #2 – improved waste management;
 - + Focus #3 – preservation of biodiversity and nature protection

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2.2. Protection from Pollution by Ships Strategic Framework (4)

- National Strategy for the Development of the National Transport System of the Republic of Bulgaria till 2015:

* Priority # 6: Safe, secure and environment-friendly transport

** Measure #2: Maintenance of Higher Standards of Transportation Means and Infrastructure

*** Implementing Programme #1: Recruitment and Training of Security Staff

*** Implementing Programme #2: Security assessments and plans

*** Implementing Programme #3: Setting-up of Interagency Security Boards

2.2. Protection from Pollution by Ships Strategic Framework (5)

** Measure #3: Lower Harmful Emission and Pollution Caused by the Transport Sector

*** Implementing Programme #1: Development and Modernization of the regulatory framework and Anti-pollution Technical Means and Control Systems

*** Implementing Programme #2: Creation of an Environmental Monitoring System

*** Implementing Programme #3: Promotion of Environment-friendly and Energy-sparing Transportation Means and Fuels

*** Implementing Programme #4: Accelerated Development of Intermodal Transportation

2.2. Protection from Pollution by Ships Strategic Framework (6)

- National Strategy for Sustainable Development: Part Two. Sustainable Transport

- * Increased use of cleaner fuels;
- * Better controls on technical maintenance, technical reviews and technical condition of transportation means (however, tasks refer to road transport only);
- * Sustainable development of intermodal transport
- * Improved safety of shipping;
- * Modernization of the systems of information services for maritime shipping in the Bulgarian sea space;
- * Setting-up of RIS;
- * Decreased waste through the introduction of “clean” technologies;
- * Preservation of biodiversity;
- * Preservation and restoration of natural ecosystems.

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2.2. Protection from Pollution by Ships Strategic Framework (7)

- Ministry of Transport Priorities for 2006-2009:

- * Priority # 1: Safety and security of the transportation system

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3. Major BMA S&S and EP Projects

3.1. Projects Implemented since 2000

3.2. Projects under Implementation

3.3. Pending Projects

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3.1. Projects Implemented since 2000 (1)

Vessel Traffic Management and Efficiency in Bulgaria

Implementation: December 1999 – May 2000

Funding: Co-financing by Dutch and Bulgarian governments

Scope: assessment of current situation and long-term prospects of vessel traffic, evaluation of existing vessel traffic management system and its EU compatibility, feasibility study for the establishment of a modern VTMS

Outcome: Baseline document and Feasibility Study

Impact: Systematic and EU-compatible development of vessel traffic management and information services in Bulgaria

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3.1. Projects Implemented since 2000 (2)

Vessel Traffic Management and Information System

Implementation: November 2002 – October 2004

Cost: 3.28 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2001)

Scope: installation and commissioning of a modern complex (equipment is distributed among more than 30 coastal sites along the Bulgarian coast) comprising Telecommunication Network, GMDSS A1 network, UAIS network, RDF network, four control centres (two Vessel Traffic Centres, a GMDSS and Search and Rescue centers), two hydrometeorological systems, a DGPS reference station and auxiliary systems.

Outcome: The entire Bulgarian offshore area is monitored and controlled at distances of up to 50 nautical miles.

Impact: Increased maritime safety and security

3.2. Projects Under Implementation (1)

Vessel Traffic Management and Information System – Phase 2

Implementation: October 2005 – November 2007

Budget: 3.36 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2003)

Scope: radars with radar processing systems, radar multitasking and multifusion processing subsystem based on the architecture of the Phase 1 system; RDF systems to complete Phase 1 coverage (incl. detection and homing of small crafts), expansion of the MCL subsystem to ensure radar-TN interaction and integrate new radar sites, an additional DGPS subsystem to extend coverage of Burgas region, database subsystem for traffic data management and exchange with external users (hardware & system operation software platform), auxiliary measurement and power supply equipment

Outcome: Expansion of the monitoring to cover the Bulgarian BS space

Impact: Increased maritime safety and security

3.2. Projects Under Implementation (2)

Strengthening of the Waterborne Tasks of the BMA

Implementation: October 2006 – November 2007

Budget: 3.40 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2005)

Scope: delivery of 8 boats for SAR operations in the Black Sea space for which Bulgaria carries responsibility, training of crew

Outcome: Modernization of existing SAR equipment for faster reaction

Impact: Increased safety capability

3.2. Projects Under Implementation (3)

Strengthening of the Waterborne Tasks of the BMA, Phase 2

Implementation: October 2006 – November 2009

Budget: 7.89 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2006)

Scope: delivery of 4 specialized multipurpose vessels and training of crew

Outcome: Capability for: (1) intensified inspections for securing shipping safety and security, (2) off-shore coastal surveillance and emergency actions for preservation of the marine environment, and (3) preventive surveillance in the port and anchor areas

Impact: Increased safety and security and better protection of the marine environment

3.2. Projects Under Implementation (4)

Provision of Effective SAR Services in Bulgarian SAR Region

Implementation: October 2006 – November 2009

Budget: 1.41 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2006)

Scope: (1) delivery of SAR Information Management System and Maritime Search Planning software, and (2) capacity building on accident statistics preparation, evaluation of current SAR operations, SAR risk assessment, design of a Comprehensive SAR Training Programme, design of a long-term SAR development plan (twinning component)

Outcome: Enhanced current and future SAR capability of the BMA

Impact: Increased shipping safety

3.2. Projects Under Implementation (5)

Further Improvement of the Operational Capacity of BMA for Detecting and Minimizing the Dangerous Cargo Spills on the Danube River

Implementation: October 2006 – November 2009

Budget: 0.95 MEUR

Funding: EU-Bulgarian co-financing (PHARE 2006)

Scope: delivery of 4 specialized vessels for: (1) river environment inspection, (2) oil sampling collection, and (3) emergency oil pollution actions

Outcome: Enhanced capability of the BMA to monitor and protect the environment on the Bulgarian part of the Danube River

Impact: Increased environment protection from pollution by ships

3.2. Projects Under Implementation (6)

Black Sea Vessel Traffic Oil Pollution Information System (VTOPIIS)

Implementation: January – December 2007

Budget: \$ 75,000.

Funding: GEF, UNDP

Scope: assessment of the current status of Black Sea vessel traffic oil pollution data gathering and processing in Bulgaria, design of a VTOPIIS (information collection, updating, processing, storing and exchange, incl. report generation), development of a regional framework

Outcome: Information system on Black Sea oil pollution by vessel-traffic

Impact: Enhanced monitoring of the Black Sea environment

3.3. Pending Projects (1)

Black Sea Regional Automatic Information System

Scope: establishment of a regulatory framework based on bilateral agreements between MAs in the Black Sea region, design and setting-up of an automatic information exchange via Internet using encrypted VPN connections and a data format using AIS specifications (IEC 61993-2 and IEC 61162-1)

Outcome: exchange of real-time information of vessel traffic between competent authorities in the Black Sea region

Impact: Increased safety and security of navigation through enhanced potential for joint SAR operations and traffic monitoring and management

3.3. Pending Projects (2)

Establishment of a River Information Services in the Bulgarian Part of the Danube River

Scope: setting-up of a test RIS Center in Russe, RIS system design, design and setting-up of RIS subsystems (telecommunication infrastructure, information system, an IALA GPS station, RIS centers, updated ECDIS, hydro-meteo, radar and video tracking and tracing, environmental control and pollution response, automatic measurement and forecasting of water level, prevention of ship collision, measurement and control of the navigational situation using onboard equipment

Outcome: Setting up of a RIS in implementation of Directive 2005/44/EC

Impact: Increased safety and security of navigation and environment protection on the Bulgarian part of the Danube River

3.3. Pending Projects (3)

VTMIS – Phase 3

Scope: incorporation of a specialized software platform for database management and data dissemination through Internet-based applications

Outcome: Completion of the VTMIS

Impact: Increased safety and security of navigation in the Black Sea space for which Bulgaria is responsible

3.3. Pending Projects (4)

Prevention of Pollution from Ships in the Black Sea Region

Scope: development of a framework of regional co-operation on monitoring of illegal discharges; action plan on ballast water control and management, training of MAS' staff and private stakeholders, awareness raising and consensus building on the designation of the Black Sea as a SOx emission control area under MARPOL Annex VI

Outcome: regional system of monitoring and prevention of pollution of the Black Sea by vessel traffic with special emphasis on SOx emissions

Impact: Enhanced marine environment protection in the Black Sea region

4. Inferences and Suggestions

* Maritime security and environment protection related to ships and shipping would benefit from adequate integration in the overall security and environment-protection policies

* Maritime security could benefit from international cooperation in the exchange of information about, and training in, best practices, esp. with regard to the interaction between its monitoring and operative arms

* Maritime security could benefit from a specific international effort in support of awareness raising and regional programmes and projects for real-time information exchange



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