*Annex 3.1*

MARITIME SAFETY & ENVIRONMENTAL POLLUTION STRATEGY

I. Introduction

Maritime transport is a key element of the country's economic growth and prosperity. The major part of the goods on the market are delivered by sea. Further to the positive trends in trade and economic growth observed in recent years, there is an increasing demand for maritime transport and services. The high level of safety and security of shipping and the prevention of the adverse impacts of this mode of transport on the environment are of crucial importance to maritime transport sustainable development.

II. Purpose

The adoption of the strategy seeks to ensure the achievement and maintenance of a high level of safety and security of shipping and the protection of the marine environment from pollution by ships. In order to achieve this objective and to ensure the effectiveness and efficiency of the measures, the strategy has the following priority areas:

• fulfilment of the commitments of the Republic of Bulgaria pursuant to the ratified and enforced mandatory instruments of the International Maritime Organization (IMO);

• implementation of the responsibilities of the Republic of Bulgaria in the respective 3 functions: Flag State (FS), Port State (PS) and Coastal State (CS);

• allocation of responsibilities and obligations arising from the mandatory IMO instruments among the various institutions in the country;

• overall coordination between the various institutions constituting the competent maritime authority;

• periodic reports on the effectiveness of measures and actions;

• assessment of the functioning of the competent authority on the basis of comprehensive methodology.

III. Jurisdiction and control

The Republic of Bulgaria exercises sovereignty, certain sovereign rights, jurisdiction and control in Bulgarian maritime spaces and inland waterways and Bulgarian ports in accordance with the general principles and norms of the international law and international treaties to which the Republic of Bulgaria is a party (Article 1, paragraph 2, Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria).

In accordance with the provisions of the Merchant Shipping Code, the state exercises control over the ships flying the Bulgarian flag regarding the compliance with the legally established administrative, technical and social requirements ; on the foreign ships from the moment of their entry until their departure from the ports of the Republic of Bulgaria for compliance with the international standards for safety, pollution prevention and living and working conditions on board ships, visiting the Bulgarian ports.

IV. Competent maritime authority of the republic of Bulgaria

The Bulgarian institutions with functions and responsibilities for the implementation of the IMO instruments, constitute the so-called ”competent maritime authority of the Republic of Bulgaria” in the field of maritime safety, security and protection of the marine environment from pollution by ships. There is close cooperation and coordination between the institutions, each of them performing specific functions falling within its respective competences.

**Figure 1.** **Competent maritime authority of the Republic of Bulgaria.**

Abbreviations used:

MTITC - Ministry of Transport, Information Technology and Communications;

EAMA - Executive Agency “Maritime Administration”;

MOEW - Ministry of Environment and Water;

MRDPW - Ministry of Regional Development and Public Works;

MFA - Ministry of Foreign Affairs;

MI - Ministry of Interior;

MH - Ministry of Health;

MF - Ministry of Finance;

MD - Ministry of Defence;

MJ - Ministry of Justice;

SA “SRWTS” - State Agency “State Reserve and War-time Stocks”;

NIMH - National Institute of Meteorology and Hydrology;

BPI Co. - Bulgarian Ports Infrastructure Company

**The Minister of Transport, Information Technology and Communications** conducts the state policy in the field of commercial shipping and represents the Republic of Bulgaria in the international organizations in this field, on the grounds of Art. 7 of the Merchant Shipping Code:

• performs the functions of an administration under international treaties, to which the Republic of Bulgaria is a party, and makes proposals for the country's accession to international organizations and treaties;

• determines the standards for preparation and the procedures for certification of seafarers and monitors their compliance;

• sets up safety standards for commercial shipping, controls compliance with safety rules and organizes shipping activities;

• controls the prevention and limitation of pollution by ships of the territorial sea, inland sea and inland waterways;

• establishes an organization for search and rescue operations at sea and in inland waterways and for the identification of sources of environmental pollution;

• establishes an organization for the collection and provision of information, management and control of ship traffic in cooperation with the Minister of Defence;

• coordinates the audit activity in compliance with the requirements of the international agreements in the field of commercial shipping, to which the Republic of Bulgaria is a party, including the publication of the results of the audit carried out by the International Maritime Organization on the website of the Ministry of Transport, Information Technology and Communications.

The Minister of Transport, Information Technology and Communications exercises his powers through the Executive Agency "Maritime Administration", which according to Art. 360 of the Merchant Shipping Code is a legal entity, a secondary administrator of budget credits, based in Sofia with regional offices in Bourgas, Varna, Rousse and Lom.

**Executive Agency "Maritime Administration":**

• organizes and coordinates activities to ensure the safety of navigation in the maritime spaces and inland waterways of the Republic of Bulgaria with respect to:

- ships flying the Bulgarian flag, regardless of their ownership and purpose, with the exception of military and border police vessels;

- ships flying foreign flag in inland sea waters, territorial sea or inland waterways of the Republic of Bulgaria, as well as in a Bulgarian port;

- military and border police vessels, when used commercially or involved in search and rescue operations in the Bulgarian maritime search and rescue area and in the inland waterways of the Republic of Bulgaria;

- shipowners of vessels flying the Bulgarian flag;

- Bulgarian seafarers;

• exercises control over:

- compliance of ships flying the Bulgarian or foreign flag with the requirements of the safety of navigation;

- provision of traffic management and information services for shipping in maritime areas, inland waterways, canals, ports of the Republic of Bulgaria and other designated areas;

- observance of the seafarers’ working and living conditions;

• issues a Notice to skippers informing about changes in the navigation situation and special temporary regulations for safety of navigation on inland waterways of the Republic of Bulgaria;

• exercises port state and environmental control over shipping to prevent environmental pollution by ships, including compliance with the quality requirements of marine fuels;

• organizes and coordinates the search and rescue of people, ships and aircraft in the Bulgarian maritime search and rescue area and the inland waterways of the Republic of Bulgaria by participating in the Joint Maritime and Aviation Search and Rescue Coordination Center;

• participates with forces and means in the Single Rescue System in the event of distress at sea or inland waterways of the Republic of Bulgaria;

• exercises control over the conformity of the training for qualification, special and additional training of seafarers with the requirements of the national legislation, the law of the European Union and the international treaties to which the Republic of Bulgaria is a party;

• organizes and conducts seafarers' certification exams and issues seafarers' certificates of competence;

• keeps records of ships, seafarers, ports and specialized port facilities and port operators in the Republic of Bulgaria and provides related information;

• monitors the implementation of the provisions for ensuring the security of ships flying the Bulgarian flag, ports and port areas in the Republic of Bulgaria;

• EAMA issues certificates of professional competence to carriers for carriage of goods by inland waterways;

• EAMA cooperates closely with the following international organizations: International Maritime Organization (IMO), the Danube Commission, the United Nations Economic Commission for Europe, the International Organization for Mobile Satellite Telecommunications (IMSO), the International Labour Organization (ILO), the Paris and Black Sea Memoranda of Understanding on Port State Control, as well as the specialized bodies of the European Union in the field of maritime safety and security, prevention of marine pollution by ships, mainly by:

- participating in working sessions;

 - preparing opinions on draft documents;

- ensuring implementation of decisions and recommendations concerning shipping and ports.

The Minister of Transport, Information Technology and Communications exercises the state property rights in the State Port Infrastructure Enterprise. **The State Port Infrastructure Enterprise (BPI Co)** manages the infrastructure of public transport ports of national importance in accordance with the provisions of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria. The activities of the BPI Co., as defined in art. 115m of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria include:

• in coordination with the Minister of Environment and Water, construction, reconstruction, rehabilitation and maintenance of ports for public transport of national importance, except in cases a concession is awarded or a sole proprietorship with state participation in the capital;

• coordination of the management and maintenance of public transport ports;

• provision of access to the ports under Art. 93, items 1 - 4 of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria;

• in coordination with the Minister of Environment and Water, maintenance of existing and the building of new access canals, port waters, sea and river landfills for disposal of dredge, breakwaters, protective facilities and other, serving public transport ports of national importance, as well as maintenance of existing and the building of new approaches canals, approach areas and manoeuvring areas serving regional public transport ports and ports under Art. 107 - 109;

• provision of navigational support in the territorial sea, inland sea waters, canals and water areas of ports, except where assigned to the Ministry of Defense;

• collection and expenditure of port charges under Art. 103c, para. 1 of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria;

• keeping a register book of all ports in the Republic of Bulgaria;

• assisting the Minister of Transport, Information Technology and Communications in exercising control over the implementation of concession contracts and contracts with sole proprietors for the provision of port services and activities under Art. 116a, para. 1 of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria;

• collection, keeping up-to-date and provision of specialized data on the sites under Art. 32, para. 1, item 1 of the Cadastre and property register act and the creation of specialized maps, registers and information systems for public transport ports of national importance;

• signing contracts with port operators for the provision of port services for the reception and treatment of waste as result of shipping activities;

• construction and maintenance of facilities servicing the ship traffic and information control system;

• provision of services through the Global Maritime Distress and Safety System (GMDSS);

• provision of ship-to-shore and shore-based telecommunications services;

• provision of traffic management and information services to shipping and provision of river information services to ship traffic;

• provision of hydro meteorological information;

• securing the availability, implementation and maintenance of port security plans that include a public port of national importance;

• carrying out ancillary activities under Art. 116a in public ports of national importance;

• maintaining forces and resources to participate in rescue and emergency operations carried out in the waters of the ports and port areas in accordance with the National Disaster Protection Plan.

**The Minister of Environment and Water** develops and implements the state policy on environmental protection in the public interest, as follows:

• develops a legal and strategic framework addressing current challenges, EU objectives and national environmental priorities;

• develops a strategy for the protection of the marine environment in the Black Sea (Maritime Strategy), which is implemented in coordination with the competent ministries and agencies involved in the protection of the marine environment;

• participates in the Advisory and Coordination Council for the Protection of the Environment in the Marine Waters of the Black Sea, as an organ of the Council of Ministers for the management, coordination and control of the implementation of the Marine Strategy and a program of measures aimed at improving ecological status of the marine environment;

• implements environmental sector policies;

• creates conditions for environmental protection, economic growth and high living standards;

• examines the current state of ecosystems and their impacts;

• provides assistance in the development of ecological infrastructure with the construction of environmentally friendly, high-tech and economically sustainable facilities;

• implements preventive measures and strict control mechanisms for reduction of adverse environmental impacts from sources of different nature;

• provides administrative services, in accordance with the established rules and good practices;

• provides access to up-to-date information on the state of the environment and the current environmental policy;

• implements measures to raise public awareness of environmental policy, environmental education and civic participation.

The main priority of the Ministry of Environment and Water is protection of the environment within the territory of the Republic of Bulgaria. In interaction with other sectors of public authority, the MOEW implements proactive policies that contribute to the protection of water, soil, air quality, waste reduction and utilization, adaptation to climate change and efficient use of resources in the country's economic cycle.

**The Minister of Regional Development and Public Works** implements the state policy related to the development and maintenance of the Maritime Spatial Plan of the Republic of Bulgaria, in accordance with Art. 51b of the Law on Maritime Spaces, Inland Waterways and Ports of the Republic of Bulgaria.

**The Minister of Foreign Affairs** implements the state policy of the Republic of Bulgaria in the field of foreign policy by developing bilateral and multilateral relations of the Republic of Bulgaria. MFA coordinates the discharge of the country’s obligations, arising from its membership in various international organizations and implements the Bulgarian policy for international cooperation and development. The MFA participates in the work of the International Maritime Organization (IMO) through the Ambassador of the Republic of Bulgaria to the United Kingdom of Great Britain and Northern Ireland, who is the Permanent Representative of the State to the IMO.

**The Minister of the Interior** implements the state policy of prevention, counteraction to crime, protection of public order, protection of national security, border control, including migration processes in the maritime spaces of the Republic of Bulgaria.

**The Minister of Health** ensures the implementation of the Government's health policy by developing and proposing to the Council of Ministers a National Health Strategy and National Health Programs. National health programs are prepared and monitored on the basis of assessment of the health status, health needs of the citizens, the health-demographic trends and the resources of the national health care system. In coordination with the Minister of Transport, Information Technology and Communications, the Minister of Health determines the requirements for the fitness and medical certification of seafarers, the conditions and the procedures for medical treatment on board ships flying the Bulgarian flag.

**The Minister of Finance** manages, coordinates and controls the implementation of the state policy in the field of public finances.

**The Minister of Defence** manages, coordinates and controls the implementation of the state defence policy of the country, exercising his/her powers under the Law on Defence and the Armed Forces of the Republic of Bulgaria and under other laws. The MD, through the Naval Forces of the Republic of Bulgaria, continuously monitors and informs about the situation in the maritime spaces, exercises control over navigation, carries out humanitarian and evacuation operations, monitors protection of maritime communications and business activities at sea through the operation of a coastal system for communication and information support, manages maritime operations and hydrographic service.

**The Minister of Justice** manages, coordinates and controls the implementation of the state policy in the field of justice and performs other functions within his/her competence under the provisions of the Constitution of the Republic of Bulgaria, an international treaty or an act of Community law, a law or an act of the Council of Ministers.

**State Agency "State Reserve and War-time Stocks"** is a specialized body of the Council of Ministers for implementation of the state policy in the field of accumulation, storage and use of state reserves and war-time stocks in accordance with the interests of national security. SA “SRWTS” discharges obligations arising from the Law on Obligations to the International Fund for Compensation for Oil Pollution Damage, including: collection and summary of information provided by the Customs Agency, the National Revenue Agency, the payers subject to the obligation to submit annual reports on taxable oil quantities; submission to the Director of the International Oil Pollution Compensation Fund (Fund'92) and to the Secretary-General of the International Maritime Organization of completed reports on the taxable oil received; provision of information on the amount of their contributions due to the Fund'92 to the recipients of taxable oil in the Republic of Bulgaria and implementation of administrative functions with a view to their timely payment.

**The National Institute of Meteorology and Hydrology** is the main centre for research, scientific and operational activities in the Republic of Bulgaria in the field of meteorology, agro-meteorology and hydrology. In its activities, the NIMH follows the standards of the World Meteorological Organization (WMO). (NIMH is the official representative of Bulgaria in WMO). NIMH's activities include:

• monitoring, analysis and forecasting of processes in the atmosphere and hydrosphere;

• study of climate and water resources;

• forecasting the composition of the atmosphere and hydrosphere and its change of natural and anthropogenic character;

• hydro-meteorological services for the territory of the country and the Black Sea for the state authorities, the population and a wide range of users;

• protection of people's lives and property by timely forecasting of dangerous and especially dangerous meteorological phenomena and floods;

• representation in the World Meteorological Organization;

• ensuring national and international exchange of data in Southeastern Europe and the Middle East for the World Weather Service.

V. Accession to the instruments of the international maritime organization and their entry into force

Since1960 the Republic of Bulgaria is member of the International Maritime Organization and currently it is party to most of the conventions and protocols adopted by the IMO.

The Republic of Bulgaria is party to all mandatory IMO instruments setting up international standards for:

• safety of human life at sea;

• prevention of pollution by ships;

• preparation and certification of seafarers and watchkeeping;

• load lines;

• tonnage measurement of ships; and

• prevention of collisions at sea.

The competent authority[[1]](#footnote-1) shall participate in the work of the IMO and shall monitor the adoption of amendments to the IMO instruments, as well as the adoption of new instruments and shall make substantiated proposals to the Council of Ministers for the accession of the State to such acts.

The competent authority shall review the relevant national legislation in force, develop and adopt, and / or make a proposal to the Council of Ministers, if necessary, to adopt national acts transposing the requirements of international instruments.

International treaties ratified by constitutional procedure, promulgated and entered into force for the Republic of Bulgaria, are part of the national law of the country. They have precedence over those norms of domestic legislation that contradict them (Article 5, paragraph 4 of the Constitution of the Republic of Bulgaria).

The competent authority shall inform the IMO in good time of the regulations and measures taken to ensure the effective implementation of the relevant international act and the fulfilment by the State of its responsibilities and obligations.

VI. Implementation and monitoring

Successfully identifying and managing the risks to shipping safety and to the marine environment from pollution by ships is a continuous process based on long-term planning and provision of adequate resources.

The achievement of the Strategy’s objectives of the is based on the existence of efficient organization and management of the maritime transport sector. The implementation of the strategy should ensure effective implementation of new international instruments ratified and accepted by the Republic of Bulgaria and of amendments to existing international ones. The overall coordination between the various institutions constituting the competent authority is organized by the **Commission on Safety of Shipping and the Protection of the Environment from Pollution by Ships, of the Council of Ministers** **(the Commission).**

The competent maritime authority of the Republic of Bulgaria, through the Commission, shall periodically review the measures which are taken to give effect to the international instruments in fulfilment of the State's commitments and responsibilities and, if necessary, update them. When the review of the measures reveals that they are not adequate and lead to non-compliance with the implementation of the act and the fulfilment of the responsibilities arising from it, the Commission shall prescribe corrective actions and monitor their implementation.

The continuous monitoring exercised by the Commission ensures the timely review and assessment of the progress made, the planning of follow-up actions and measures. The enhanced coordination, achieved by distribution of responsibilities and exchange of information between the authorities constituting the Competent Maritime Authority, allows for the full and timely implementation of the measures.

The activity of the Competent Maritime Authority for implementation and monitoring of responsibilities is carried out in the following directions:

**• Flag State (FS);**

**• Coastal State (CS);**

**• Port State (PS).**

VII. Obligations and responsibilities of the country

The primary role of the competent authority as Flag State (FS) is to ensure that ships entitled to fly the Bulgarian flag comply with the requirements of the applicable international instruments, as well as the relevant national legislation embodying these instruments.

It is the primary responsibility of the competent authority to ensure that the rules and standards laid down in these instruments and national legislation are strictly observed by ships entitled to fly the Bulgarian flag and by interested parties.

**Measures for the effective implementation of the international instruments in force and / or amendments thereto:**

• a clear definition and allocation of duties and responsibilities among the departments, ministries, agencies, institutions and other public authorities responsible for the implementation of the relevant international instruments and the related acts of the national legislation.

• assessment and evaluation of the resources available to the competent authority for the effective implementation of the legislation, including the necessary and sufficient number of trained personnel. If necessary, the number of staff required is optimized by recruiting additional staff;

• issuing orders of the competent authority aiming to familiarize all interested parties with the requirements of the international instruments, the responsibilities and obligations arising from these instruments (via information campaign);

• development and publication of guidelines of the competent authority with respect to these requirements of relevant international instruments that are left to the satisfaction of the Administration;

• monitoring the proper implementation of the international instruments in force and / or amendments thereto by carrying out periodic verifications and audits.



**Figure 2. Flag state (FS).**

**Authorisation of ROs**

The observance of the requirements of the international and European rules and standards by ships entitled to fly the Bulgarian flag is of crucial importance for the achievement of the strategic goal, namely: enhancement of the safety of navigation and the protection of the marine environment from pollution by ships. The professional performance of inspections, periodic inspections, audits and certification in accordance with applicable rules and standards ensures full compliance. A key element in this process is the authorization by the competent authority of recognized organizations to carry out on its behalf the surveys, inspections, audits and certification of ships entitled to fly the Bulgarian flag as this is required by the IMO's international instruments.

When authorizing recognized organizations to carry out surveys, inspections, audits and certification, the competent authority shall follow the rules, practices and procedures laid down in the IMO Code for Recognized Organizations (RO Code), Regulation (EU) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organizations (OJ L 131, 2009) and Directive 2009/15 / EU of the European Parliament and of the Council of 23 April 2009 on common rules and standards for the ship inspection and survey organizations and for the relevant activities of the maritime administrations (OB L 131, 2009) as well as national legislation.

**Measures:**

• selection of recognized organizations - the selection of such organizations should determine whether they have the necessary resources to perform the functions for which they are authorized;

• availability of a signed written agreement between the competent authority and the recognized organization;

• issue specific instructions detailing actions to be followed in the event of a ship entitled to fly the Bulgarian flag being found unfit to proceed to high seas, or endangers human life or health, or poses a threat to the environment;

• providing the recognized organizations with all instruments of national law giving effect to the provisions of the relevant international instruments;

• adoption and implementation of an oversight programme for monitoring and control over the activities of recognized organizations, which shall as minimum include:

* carrying out regular audits and inspections of recognized organizations;
* conducting supplementary surveys and inspections by the competent authority to ensure that ships entitled to fly the Bulgarian flag comply with the requirements of the applicable international and European instruments, as well as the related Bulgarian legislation;
* providing sufficient number of qualified inspectors to carry out supplementary surveys and inspections, as well as effective oversight of the activities of recognized organizations.

**Measures and actions related to the entry into force of international instruments and amendments thereto and their enforcement**

The competent authority is responsible for the adoption of specific measures and actions to secure the timely enforcement and adequate implementation of the international instruments to which the Republic of Bulgaria is a party, and the amendments thereto.

The specific measures and actions should ensure that ships entitled to fly the Bulgarian flag and persons covered by international instruments to which the Republic of Bulgaria is a party observe the requirements of these instruments.

**Measures**

• **the competent authority shall:**

* adopt and implement national legislation embodying the provisions of the international and European instruments;
* provide a sufficient number of qualified personnel (inspectors, surveyors, etc.) in accordance with the requirements of the applicable legislation to effectively enforce and implement this legislation;
* apply training programmes for capacity building and enhancement of the professional knowledge and skills of the staff, through courses, seminars and briefings for timely familiarization with all amendments entered into force;
* shall only issue and/or endorse international certificates to ships and persons after the competent authority has determined that they meet all applicable requirements of the international instruments;
* ensure continuous control and monitoring.

**Actions**

• **the competent authority shall:**

* prohibit ships entitled to fly the Bulgarian flag to proceed to sea if she does not meet the requirements of applicable international and European instruments;
* carry out periodic inspections. In the event of detention of a ship entitled to fly the Bulgarian flag in a foreign port under the port State control regime, the competent authority shall carry out an inspection and secure that corrective actions are taken in order to bring the ship in compliance with the requirements of the applicable international and European legislation;
* impose penalties on individuals, who have violated the international and European norms and standards;
* maintain readiness for immediate response, conducting search and rescue operations and combating oil spills, and planning exercises/drills of the rescue crews of the Joint Maritime and Aviation Search and Rescue Coordination Center;
* ensure continuous on-call duty at the Joint Maritime and Aviation Search and Rescue Coordination Center;
* perform analysis of the statistic data received in relation to accidents at sea; identification of preventive measures and trends. According to the statistics compiled by the Joint Maritime and Aviation Search and Rescue Coordination Center that maritime incidents occur mainly near the coast (at a distance of 500 meters and a distance of 500 m up to 5 miles from the coast).



**Figure 2. A total of 115 distress alerts received in 2018.**

**Evaluation of the effectiveness of the measures**

Once a year, in February of the following year, the competent authority shall evaluate the effectiveness of the measures taken to achieve the objectives.

**Indicators**

• percentage of detained ships entitled to fly the Bulgarian flag during port State control inspections;

• results of flag state inspections of the ships entitled to fly the Bulgarian flag;

• results of the Flag state follow-up inspections of detained ships and ships with deficiencies, entitled to fly the Bulgarian flag, inspected under the port State control regimes;

• statistic data` on accidents with ships entitled to fly the Bulgarian flag;

• results of investigations into very serious and serious incidents on ships flying the Bulgarian flag;

• results of investigations of occupational accidents;

• statistic data on violations that occur under the applicable national and international law;

• number of suspensions and withdrawals of certificates, endorsements, approvals, or similar.

VIII. Obligations and responsibilities of the coastal country

In accordance with the requirements of the IMO instruments ratified by law and in force for the Republic of Bulgaria, the competent authority has certain obligations as a Coastal State (CS). These responsibilities include the development and implementation of measures and actions to ensure the performance of:

• radio-communication services;

• meteorological forecasts and warnings;

• search and rescue operations;

• hydrographic services;

• ships routeing;

• ship reporting systems;

• vessel traffic management;

• aids to navigation.

**Measures**

The competent authority shall take adequate measures to put into effect the relevant IMO instruments and European law establishing the rights and obligations of the State in its capacity as a Coastal State. In order to achieve this, the competent authority shall:

* develop, adopt and implement national legislation and procedures for the implementation of the relevant international and European instruments;
* follow closely the adoption and entry into force of amendments to these instruments and timely update respective national legislation in order to achieve full compliance;
* exercise control and monitor the proper implementation of the legislation;
* provide the appropriate number of qualified, professionally trained personnel;
* apply programmes for capacity building and development of the personnel’s potential, enhancement of their professional knowledge and skills; organize and conduct courses, seminars and briefings for timely familiarization with all amendments entered into force;
* develop and implement a mechanism for timely response to environmental pollution caused by marine casualties occurring in the respective responsible area;
* investigate marine casualties in coordination with flag and port State authorities .



**Figure 4. Coastal State (CS).**

**Evaluation of the effectiveness of the measures**

Once a year, in April of the following year, the competent authority shall evaluate the effectiveness of the measures taken to achieve the objectives.

**Indicators**

• statistics on accidents in the maritime spaces of the Republic of Bulgaria, (the internal sea waters, the territorial sea, the contiguous zone, the continental shelf and the exclusive economic zone);

• statistics on environmental pollution caused by marine casualties in the respective SAR region.

IX. Duties and responsibilities of the port state

The powers of the competent authority in its capacity as a Port State (PS) are governed by a number of international instruments, including bilateral and multilateral agreements, IMO instruments, European and national legislation. In order to perform PS functions, the competent authority shall:

* develop, adopt and implement national legislation and procedures for the implementation of relevant international and European instruments;
* closely follow the adoption and entry into force of amendments to these instruments and timely update the respective national legislation in order to achieve full compliance;
* exercise control and monitor the proper implementation of the legislation;
* exercise Port State Control (PSC) over ships calling Bulgarian seaports in accordance with the requirements of the applicable international, European and national legislation;
* secure the necessary number of inspectors and other personnel to carry out port State control of ships visiting Bulgarian seaports, in accordance with the procedures adopted by the IMO, as well as provided for in European and national legislation;
* apply programmes for capacity building and development of the personnel’s potential, enhancement of their professional knowledge and skills; organize and conduct courses, seminars and briefings for timely familiarization with all amendments entered into force;;
* with regard to port State control inspectors, the competent authority shall ensure:
* their complete independence from commercial, financial and other pressures;
* that inspectors have no commercial interest in exercising Port State Control, in relation to inspected vessels, repair facilities and ancillary services;
* that they do not work for or perform activities on behalf of recognized and classification organizations;
* that outsiders and organizations do not influence the results of port State control inspections.
* provide suitable reception facilities in the seaports of the Republic of Bulgaria for receiving ship-generated waste;
* maintain a register of marine fuel suppliers.
* control the prevention of pollution of the marine environment and air by ships by exercising state environmental control over maritime shipping, carrying out inspections of the waters, performing checks on receipt of alerts for pollution of the marine environment, including those from the European satellite-based oil spill and vessel detection service CleanSeaNet;
* the territorial directorates of the Executive Agency Maritime Administration collect and summarize the individual statistic data[[2]](#footnote-2) submitted by the port operators, and the Ports and Port Services Directorate , on the basis of the collected and processed primary data on the activity of the maritime and river ports, provides summary information to the Minister of Transport, Information Technology and Communications, the National Statistic Institute and Eurostat.

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**Figure 5. Port State (PS).**

**Evaluation of the effectiveness of the measures**

Once a year, in April of the following year, the competent authority shall evaluate the effectiveness of the measures taken to achieve the objective.

**Indicators**

• statistic data from port State control inspections;

• statistic data on inspections under the state environmental control of maritime shipping;

• statistic data on the reception of ship waste at port facilities.

1. Competent authorities are the bodies referred to in **Section IV.** **Competent maritime authorities of the Republic of Bulgaria.** [↑](#footnote-ref-1)
2. The program for collecting and processing statistic data on the activities of the ports (PORTSTAT) is entirely web-based, and the port operators of the Republic of Bulgaria submit data in an easy way not restricted from workstation. [↑](#footnote-ref-2)