






# **Centralized National Risk Assessment for Bulgaria**

**FSC-CNRA-BG V1-0 EN**

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## Contents

Risk assessments that have been finalized for Bulgaria .....	4
Risk designations in finalized risk assessments for Bulgaria .....	5
Risk assessments .....	7
Controlled wood category 1: Illegally harvested wood .....	7
Overview .....	7
Sources of legal timber in Bulgaria .....	9
Risk assessment .....	14
Recommended control measures .....	53
Controlled wood category 2: Wood harvested in violation of traditional and human rights .....	58
Risk assessment .....	58
Recommended control measures .....	58
Detailed analysis .....	59
Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities .....	82
Overview .....	82
Experts Consulted .....	84
Risk assessment .....	84
Recommended control measures .....	99
Information sources .....	101
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use .....	105
Risk assessment .....	105
Recommended control measures .....	109
Controlled wood category 5: Wood from forests in which genetically modified trees are planted .....	110
Risk assessment .....	110
Recommended control measures .....	112

## Risk assessments that have been finalized for Bulgaria

<b>Controlled Wood categories</b>		<b>Risk assessment completed?</b>
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	YES
3	Wood from forests where high conservation values are threatened by management activities	YES
4	Wood from forests being converted to plantations or non-forest use	YES
5	Wood from forests in which genetically modified trees are planted	YES

## Risk designations in finalized risk assessments for Bulgaria

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Specified risk
1.2	Specified risk
1.3	Specified risk
1.4	Specified risk
1.5	Specified risk
1.6	Specified risk
1.7	Specified risk
1.8	Specified risk
1.9	Specified risk
1.10	Specified risk
1.11	Specified risk
1.12	Specified risk
1.13	Specified risk
1.14	N/A
1.15	N/A
1.16	Specified risk
1.17	Specified risk
1.18	Specified risk
1.19	Specified risk
1.20	Low risk
1.21	Specified risk
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	Low risk
2.2	Specified risk for discrimination of women and Roma people in the labour market and for child labour
2.3	Specified risk
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	Low Risk
3.1	Specified Risk
3.2	Specified Risk
3.3	Specified Risk
3.4	Specified Risk
3.5	Specified Risk
3.6	Specified Risk
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	Low risk

Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
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5.1	Low risk
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## Risk assessments

### Controlled wood category 1: Illegally harvested wood

#### Overview

According to the annual report of the Executive Forestry Agency (2015) for 2015 the total forest area in Bulgaria as of 31 December 2015 was 4,222,874 hectares. Of this, 73.23% is state owned, 13.06% municipal, 10.13% private, and 3.58% others.

State-owned forests had an area of 3,092,386 ha (73.23% of the total forest area):

- 2,906,508 ha (68.83%) – forest areas managed by State Enterprises under Art. 163 of the Forest Act;
- 174,463 ha (4.13%) – forest areas managed by the Ministry of Environment and Waters (including Rila National Park, Pirin National Park, Central Balkan National Park, and all Reserves);
- 431 ha – forest areas along the Maritsa River managed by the state-owned Irrigation Systems JSC (according to the map of restored ownership of Pazardzhik); and
- 11,415 ha (0.27%) – forest areas under the management of the Educational and Experimental Forest units of the Forestry University of Sofia.

Non-State forest covered an area of 1,042,101 ha (24.68% of the total forest area):

- 551,334 ha (13.06%) – municipal;
- 427,573 ha (10.13%) – privately owned;
- 42,849 ha (1.01%) – owned by business entities; and
- 20,345 ha (0.48%) – owned by religious communities.

Agricultural territories which in recent decades have acquired the characteristics of a forest within the meaning of Art. 2 para. 1 of the Forest Act had an area of 88,387 ha (2.09%).

All forests outside natural reserves and national parks are subject to silvicultural activities under the Forestry Act (2011). Forestry in National parks is limited and it is regulated by the Protected Areas Act. According to Article 5 of the Forestry Act, forest areas are divided into three functional categories:

1. Protection forest areas – forest which should be managed in such a way as to protect soil, water, and infrastructure, and to prevent erosion, etc.;
2. Special use forest areas – protected areas and Natura 2000 sites, managed in a such a way as to protect biodiversity; and
3. Timber-extraction forest areas – intensively managed forests for wood production.

Nearly 68% of Bulgarian forest areas have protection and/or special functions. The largest share (>50%) belongs to forests with special functions, mainly as a result of the establishment of the Natura 2000 network.

Water protection forests in Bulgaria occupy an area of 248,943 ha, which is 6.1% of the total forest area. They accumulate, annually, 1-1.5 billion m<sup>3</sup> of water. These forests serve as an equalizer, providing a steady flow of clean water to end users through a water-supplying infrastructure.

Under the Forest Act (2011), forest policy in Bulgaria is developed and carried out by the Ministry of Agriculture and Food (MAF) supported by the Executive Forest Agency (EFA). The EFA is responsible for state control at the national level of forest territories outside reserves and national parks. At the regional level, the EFA is represented by 16 Regional Forest Directorates (RFD). The RFDs have rights to exert control over the forest activities within their territorial range, impose sanctions and provide methodological guidance to forest owners.

Bulgarian forests are managed in compliance with the requirements of the Forest Act (2011), the Ordinance for Felling in Forests (2011), and administrative acts (orders, instructions, etc.) issued by the Executive Director of the EFA and the Minister of Agriculture and Food. Forest harvesting may start only if it has been included in a management plan, if the trees to be felled have been marked in the field, and if a logging license has been issued. Forest management planning and the selection of trees for felling is carried out by the owner of the forest under the strict control of the state authorities (the EFA and its RFD), while harvesting permits are issued, under the oversight of the EFA and RFD, by persons with a forestry education who have been certified to conduct silvicultural activities by the EFA. All harvesting permits are issued through the EFA's web-based system (<http://system.iag.bg>), where all of the documents accompanying the license can be found. Upon completion of logging, the site is inspected and the observations are recorded in a final document called the "Protocol for certification of the logging site".

In Section III "Forest certification" and the subsequent Articles 14, 20, 21, and Article 115 of the Forest Act, special preference is given to companies that have declared a commitment to certification of their forests and forestry activities. In essence, only certified companies may be assigned the development of Forest Management Plans for forest territories (Art. 14) and may be assigned the right to log larger volumes of timber (Art. 115).

In general, Bulgaria's national legislation concerning the management and protection of forests is quite modern and strict. Nevertheless, the high levels of corruption in the country and the political interference in the forest sector suggest a high risk of legal violations at the national level. It is considered that the corruption level in the forest sector is similar to the average national corruption level which, according to the assessment of the Corruption Perception Index (CPI) for Bulgaria, was 41 points in 2016. Further, according to the World Bank World Wide Governance Indicators Bulgaria, on a governance scale of -2.5 to +2.5, scores an estimated 0.09 in Government Effectiveness, -0.08 in Rule of Law, and -0.28 in Control of Corruption. This places Bulgarian governance in the low middle band of scores.

With regard to the above, this risk assessment were performed on the basis of both governmental and non-governmental sources, as well as on the basis of personal field experience and interviews with anonymous forest experts and stakeholders.



The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed for relevance in regards to the national risk assessment for Bulgaria. The following sources have been used:

- a) Chatham House: <http://www.illegal-logging.info/>;
- b) Environmental Investigation Agency: <http://www.eia-international.org/>;
- c) EU FLEGT process: [http://ec.europa.eu/comm/development/body/theme/forest/initiative/index\\_en.htm](http://ec.europa.eu/comm/development/body/theme/forest/initiative/index_en.htm);
- d) Forest Legality Alliance: <http://www.forestlegality.org/>;
- e) Government reports and assessments of compliance with related laws and regulations;
- f) Independent reports and assessments of compliance with related laws and regulations, e.g., the illegal logging analysis by WWF Bulgaria (<http://www.wwf.bg/?229532/Illegal-logging-report>);
- g) Public summaries of FSC forest management certification reports published at [info.fsc.org](http://info.fsc.org) (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations);
- h) Transparency International Corruption Perceptions Index: [http://www.transparency.org/policy\\_research/surveys\\_indices/cpi](http://www.transparency.org/policy_research/surveys_indices/cpi);
- i) In cases where other sources of information were not available, consultations with experts in the relevant subject matter have been conducted;
  - a. Where relevant, they have been specifically referenced under “sources of Information” for each applicable sub-category;
- j) World Bank Worldwide Governance Indicators: <http://data.worldbank.org/datacatalog/worldwide-governance-indicators>.

The remaining sources were found not to be relevant to the risk assessment for Bulgaria.

#### Sources of legal timber in Bulgaria

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
Production forests	Harvesting permit	Harvesting permits may be issued only if the forest activities are included in a Forest Management Plan/forest management Program for a 10-year period or in a plan-extract adopted under the Forest Act.	Harvesting permits are issued under the Forest Act on the basis of the provisions of a Forest Management Plan or a plan-extract. Management plans/plan-extracts are developed by certified forest engineers and approved by the Executive Forest Agency (also requires agreement of the Ministry of Environment and Waters). Selection and marking of trees to be felled in each particular forest stand where logging is planned is performed on the basis of the plan. The selected trees are described in the harvesting permits

			<p>in terms of their volumes and species. Harvesting permits are issued by certified forest experts. Harvesting may start not before 3 days after the issuance of the harvesting licence; this allows control by the Regional Forest Directorates. Logging is carried out according to methods and with technologies approved in a technology plan for each forest stand. Timber transport documents are issued by certified forest experts hired by the forest owner.</p>
Protection forests	Harvesting permit	<p>Harvesting permits may be issued only if the forest activities are included in a Forest Management Plan for a 10-year period or in a plan-extract adopted under the Forest Act – the agreement of the specialised protection authorities (e.g. MoEW, etc.) is required.</p>	<p>Harvesting permits are issued under the Forest Act on the basis of the provisions of a Forest Management Plan or a plan-extract. Management plans/plan-extracts are developed by certified forest engineers and approved by the Executive Forest Agency (the consent of the Ministry of Environment and Waters and other specialised institutions is also required). Planned activities in protection forests should be in compliance with any restrictions prescribed in other laws, plans or administrative acts concerning the protection functions of each particular forest stand. Selection and marking of trees to be felled in each particular forest stand where logging is planned is performed on the basis of the plan. The selected trees in terms of volumes and tree species are described in the logging licence. The licence is issued by certified</p>

			<p>forest experts. The harvesting may start not before 3 days after the issuance of the logging licence; this allows control by the Regional Forest Directorates. Logging is carried out according to methods and with technology approved in a technology plan for each forest stand and in accordance with the protection functions of the forest stand. Timber transport documents are issued by certified experts hired by the forest owner.</p>
Special use forests	Harvesting permit	<p>Harvesting permits may be issued only if the forest activities are included in a Forest Management Plan for a 10-year period or in a plan-extract adopted under the Forest Act – the agreement of the specialised protection authorities (e.g. MoEW, etc.) is required.</p>	<p>Harvesting permits are issued under the Forest Act on the basis of the provisions of a Forest Management Plan or a plan-extract. Management plans/plan-extracts are developed by certified forest engineers and approved by the Executive Forest Agency (the agreement of the Ministry of Environment and Waters and other specialised institutions is also required). Planned activities in special forests should be in compliance with any restrictions prescribed in other laws, plans or administrative acts concerning the special functions of the forest. Selection and marking of the trees to be felled in each particular forest stand where logging is planned are performed on the basis of the plan. The selected trees described in the harvesting licence in terms of their volumes and species. Licences are issued by certified forest experts. Harvesting may start not before 3</p>

			days after the issuance of the logging licence; this allows control by the Regional Forest Directorate. The logging is carried out according to methods and with technology approved in a technology plan for each forest stand and in accordance with the special functions of the forest stand. Timber transport documents are issued by certified forest experts hired by the forest owner.
IUCN I-II cat. (reserves and national parks)	Harvesting permit	Harvesting permits are issued only if the forest use is included in a special logging plan or plan-extract adopted under the Protected Areas Act. The plan should be in compliance with the provisions and restrictions of the Protected Areas Management Plan.	Harvesting permits are issued under the Protected Areas Act on the basis of the provisions of a special logging plan or plan-extract. Special logging plans or plan-extracts are developed by experts of the National Parks or the Ministry of Environment and Waters and are approved by the Ministry. Logging of this kind aims solely to maintain protected forests. Selection and marking of the trees to be felled is performed in preparation of the plan. Selected trees are described in the harvest permit in terms of their volumes and species. Permits are issued by the director of the NP or by the Ministry of Environment and Waters.
forested farm lands	Harvesting permit	Harvesting permits may be issued only if the forest activities are included in a Forest Management Plan or plan-extract ("план извлечения") adopted under the Forest Act.	Harvesting permits are issued under the Forest Act on the basis of the provisions of a plan-extract. Plan-extracts are developed by certified forest engineers and approved by the Executive Forest Agency (the agreement of the Ministry of Environment and Waters is also

			required). Selection and marking of the trees to be felled in each particular forest stand is performed on the basis of the plan-extract. The selected trees are described in the harvesting permit in terms of their volumes and species. Permits are issued by certified forest experts. Harvesting may start not before 3 days after the issuance of the harvesting licence; this allows control by the RFD. Logging is carried out according to methods and with technology approved in a technology plan for each forest stand. Timber transport documents are issued by certified forest experts hired by the forest owner.
single trees in farm lands	Harvesting permit	Logging of one or more trees on farmland is allowed by the Municipality under the Law on the Protection of Agricultural Property only if the owner shows very serious cause.	Logging on farmland is allowed under the Law on the Protection of Agricultural Property. For the logging of individual trees (up to 5), permits are given by the Mayor of the Municipality on request of the land owner when serious cause can be shown. For logging of more than 5 trees, permits are given by the head of the Municipal Agricultural Department on the request of the land owner when very serious cause can be shown. Timber transport documents are issued by municipal experts in compliance with the provisions of the Forest Act.

## Risk assessment

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Legal rights to harvest</b>			
<p>1.1 Land tenure and management rights</p>	<p><b>Applicable laws and regulations</b></p> <p>Constitution of the Republic of Bulgaria /1991/, Chapter I, art. 17 – The right of land ownership:</p> <p><a href="http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?g=&amp;n=4&amp;p=0034&amp;s=001">http://www.government.bg/cgi-bin/e-cms/vis/vis.pl?g=&amp;n=4&amp;p=0034&amp;s=001</a></p> <p>Law for Restitution of Lands and Forests from the Forest Fund /1997/ – art. 2-6 (restitution):</p> <p><a href="http://lex.bg/laws/ldoc/2134171136">http://lex.bg/laws/ldoc/2134171136</a></p> <p>Law for the Ownership and Use of Farm Lands /1991/ – Chapter I, art. 3a; Chapter II, art. 10 (restitution):</p> <p><a href="http://lex.bg/laws/ldoc/2132550145">http://lex.bg/laws/ldoc/2132550145</a></p> <p>Forest Act /2011/, Chapter III, Section 1 (The ownership of forest areas), Section 3 (The management of forest areas):</p> <p><a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Trade Act /1991/ (Business registration):</p> <p><a href="http://www.lex.bg/bg/laws/ldoc/-14917630">http://www.lex.bg/bg/laws/ldoc/-14917630</a></p> <p><b>Legal Authority</b></p>	<p>Government sources</p> <p>EFA (2015): Annual report of the Executive Forestry Agency for 2015. Executive Forestry Agency. Sofia 2015.</p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014:</p> <p><a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013:</p> <p><a href="http://www.iag.bg/data/docs/Otchet_n_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchet_n_doklad_2014_1.pdf</a></p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012:</p> <p><a href="http://www.iag.bg/data/docs/Otchet_n_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchet_n_doklad_2013N.pdf</a></p> <p>EFA (2013): Report of EFA on the implementation of Regulation 995/2011 of EC. Executive Forestry Agency. Sofia 2013:</p> <p><a href="http://www.iag.bg/data/docs/Otchet-2013PRG.doc">http://www.iag.bg/data/docs/Otchet-2013PRG.doc</a></p> <p>MoAF (2016): Annual reports of the Ministry of Agriculture and food on the state of agriculture and forests. Ministry of agriculture and food. Sofia 2016:</p>	<p>Overview of Legal Requirements</p> <p>In 1956 the communist government of Bulgaria nationalized all private and municipal forests and lands. After the collapse of the Soviet system in 1989, restitution of the nationalized lands began, and this led to the adoption, in 1997, of the Law for Restitution of Forests and Lands from the Forest Fund. This law foresaw and allowed forests to be returned to their 1956 owners. The restitution process was completed by 2004. Art. 18 of the Law instructs the State Forestry Units to keep a register of forest owners.</p> <p>The current Forest Act was adopted on 8 March 2011. Under this Act, the management rights of public forests – state-owned and municipal – are given to the Ministry of Agriculture and Food and to the municipal councils respectively.</p> <p>The effective management of state-owned forests, which make up about 75% of all forests, is performed by six State Enterprises (Article 163 of the Forest Act). These State Enterprises are registered under the Trade Act and are companies that manage the state forests and pay all fees and taxes determined by national legislation. They have territorial divisions called Forest Management Units (Article 174 of the Forest Act), which govern, manage and guard the state-owned forest areas within their jurisdiction. They are relatively autonomous. The municipal forests are managed by municipal forest structures as set out in art. 181 of the Forest Act. The Forest Act gives private forest owners and business entities the right to manage their own forests. The management rights for private forests can also be granted to third parties, such as logging companies, by</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Council of Ministers</p> <p>Ministry of Agriculture and Food</p> <p>Ministry of Justice</p> <p>Regional courts</p> <p>Supreme Prosecutor's Office</p> <p>Ministry of Interior</p> <p>District Governor</p> <p>Mayor</p> <p>Municipal Council</p> <p>Municipal Department for Agriculture and Forests</p> <p><b>Legally required documents or records</b></p> <p>Proof of ownership – notarial act (deed), sale contract, court judgment, writ of possession, decision of the Municipal Department for Agriculture and Forests, Map of the restored ownership/cadastral map</p> <p>Certificate of registration for logging companies – art. 230 of the Forest Act</p>	<p><a href="http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx">http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx</a></p> <p>Non-Government sources Botevgrad (2013): A new fraud scheme in the forests: <a href="http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/">http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/</a></p> <p>Sevlievo-online (2016): Illegal logging in private property found in Gabrovo: <a href="http://www.sevlievo-online.com/statii/nezakonna-sech-v-chastni-gori-hvanaha-v-gabrovo-868">http://www.sevlievo-online.com/statii/nezakonna-sech-v-chastni-gori-hvanaha-v-gabrovo-868</a></p> <p>Sevlievo-online (2017): The logging in Kravenik, with a signal in NOVA, was legal: <a href="http://www.sevlievo-online.com/statii/sechta-v-kravenik-za-koyato-ima-signal-v-nova-bilazakonna-1642">http://www.sevlievo-online.com/statii/sechta-v-kravenik-za-koyato-ima-signal-v-nova-bilazakonna-1642</a></p> <p>Viaranews (2014): Mother and son stop scandalous logging in the area of Pea Ridge in Samokov: <a href="http://viaranews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/">http://viaranews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/</a></p> <p>WWF (2016): investigation of violations of the FSC standard in FMU “Dikchan”(personal communication)</p> <p>24chasa (2016): How many families have lost their property during the frauds in Pancharevo and Bistritsa:</p>	<p>means of a notarized power of attorney or contract for management. As a result of the restitution, a single area of forested land is often co-owned by numerous private persons (the heirs of the original owner).</p> <p>The restitution of forest lands includes the following steps: (1) A decision of the court restoring the ownership right of a private party to an area of forest land; (2) A decision of the Municipal Department for Agriculture and Forests for allocation of the restituted forest lands; and (3) A writ of possession issued by the court.</p> <p>The control of the ownership and change of ownership of forest lands is assigned to the municipal departments for agriculture and forests, the Cadastre Agency, and the Executive Forest Agency.</p> <p>In order to prevent illegal practices in forests, the forest management activities in forest areas shall be organized and/or carried out by individuals and trade companies who are registered in the public records at the Executive Forest Agency and possess a certificate of registration (Art. 230, 235 and 241 of the Forest Act).</p> <p>Description of risk There have been systematic violations of ownership rights, including logging or forest road construction by the ex-owner (e.g. in forests which have been the subject of restitution) without the consent of the new owner (WWF, 2016), logging of a forest by one of the co-owners without the consent of the other co-owners (Botevgrad, 2013; Viaranews, 2014) or logging in forest plots of other owners without their consent (Sevlievo-online, 2016, 2017).</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Certificate of application for private forestry practice – art. 235 and art. 241 of the Forest Act</p> <p>Notarized power of attorney or contract for management</p>	<p><a href="https://www.24chasa.bg/novini/article/5810160">https://www.24chasa.bg/novini/article/5810160</a></p>	<p>The restitution procedures for forest lands and the obligations of the state and of the supervisory bodies are clearly defined. However, the main control authorities on regional level, the Regional Forestry Directorates, have no legal obligation to maintain a register of forest owners. This obligation falls only to the Municipal Departments for Agriculture and Forests and to the Cadastre Agency. There is also no obligation under the Forest Act for the State Forestry Units to maintain a register of all other forest owners, as referred to in Article 18 of the Law for Restitution of Forests and Lands from the Forest Fund. The lack of a register of all forest owners results in a lack of information for the control authorities about the ownership of private forests. This often leads to tenure and management rights being unclear and a risk of violating these rights. In addition, there are systematic violations (incl. as result of corruption), in the process of issuing land tenure and management rights in Bulgaria (24chasa, 2016).</p> <p>No instances of forest management by individuals or logging companies having no valid certificates for registration were found.</p> <p>Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
<p>1.2 Concession licenses</p>	<p><b>Applicable laws and regulations</b> Forest Act /2011/</p>	<p>Government sources EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014:</p>	<p>Overview of Legal Requirements The Forest Act does not provide for forest concessions within the meaning of the Concession Act. Logging in state and municipal forests by private logging companies is realized on the basis of logging contracts, which can be</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- Chapter 4, Section II, Article 95 (Ordinance for logging contracts)</p> <p>- Chapter 5, Section I, Article 111-114 (Logging contracts)</p> <p>- Chapter 16, Section II, Articles 235 and 241 (Registration for activities in forest areas):  <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Ordinance for the terms and conditions for assigning the carrying out of activities in forest areas – state and municipal property, and use of wood and forest products /2011/ – Chapter One, Art. 5:  <a href="http://www.iag.bg/data/docs/naredba_deinostiGF.doc">www.iag.bg/data/docs/naredba_deinostiGF.doc</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>State enterprises</p> <p>Municipal Mayor</p> <p>Municipal Council</p>	<p><a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013:  <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012:  <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf</a></p> <p>MoAF (2016): Annual reports of the Ministry of Agriculture and food on the state of agriculture and forests. Ministry of agriculture and food. Sofia 2016:  <a href="http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx">http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx</a></p> <p>Non-Government sources</p> <p>Dnevnik (2016): Boycott of participants failed the first electronic auction for wood:  <a href="http://www.dnevnik.bg/bulgaria/2016/04/07/2738340_boikot_na_uchastnici_provali_purvii_elektronen_turg/">http://www.dnevnik.bg/bulgaria/2016/04/07/2738340_boikot_na_uchastnici_provali_purvii_elektronen_turg/</a></p> <p>Nikolov, M. (2015): Investigation: Are forest units concealing illegal logging?:  <a href="http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-">http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-</a></p>	<p>considered a kind of concession license, because the public forest owner grants management rights to private legal entities to exploit the public forest resources for up to 15 years and the logging contract sets out concrete management requirements of the forest resources. The Forest Act and the Ordinance for Assigning the Carrying Out of Activities in Forest Areas – State and Municipal Property, clearly defines:</p> <ol style="list-style-type: none"> <li>(1) The types of contracts between public forest owners and logging companies regulating rights and obligations for timber harvesting and collection of non-timber forest products in public forests,</li> <li>(2) The type of tender procedures, and</li> <li>(3) The conditions for assigning these activities, as well as</li> <li>(4) The individuals and legal entities which have the right to carry out the activities (Art.111, 235 and 241 of the Forest Act).</li> </ol> <p>The logging contracts are of two types: (1) contract for logging alone, and (2) contract for logging and direct purchase of the harvested timber. Currently, logging contracts have terms of up to five years, however, the Forest Act allows for up to 15-year contracts. The contracting for timber harvesting in private forests (incl. forested farmlands) is not subject to the Forest Act.</p> <p>In IUCN cat. I and II protected areas, the logging of individual trees is contracted by the MoEW or its substructures to private persons or private logging companies in compliance with the Protected Areas Act.</p> <p>Description of risk  According to personal communications with representatives of logging companies, as well as evidence</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <p>Logging contracts</p>	<p><a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016">/?utm_source=news&amp;utm_medium=link&amp;utm_campaign=related</a></p> <p>Transparency.bg (2016): Corruption perception index 2016:  <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016">http://www.transparency.org/news/feature/corruption_perceptions_index_2016</a></p>	<p>from media investigations (Nikolov, 2015; Dnevnik, 2016), tender processes for the assigning of timber harvesting and/or for wood purchase in public forests (state-owned and municipal) are often compromised by illegal activities and corruption. For instance, prior agreement between the participants leads to non-market prices being fixed. Manipulation of tender documents is also given as an example of benefits being illicitly provided to particular logging companies. Distortion of free competition at the cost of the public interest was also observed by the authors of this report, including violations of particular logging companies being covered up in order to prevent termination of their logging contracts and to prevent the participation of the company in question in new tenders being limited.</p> <p>This indicator can be defined as ‘specified risk’ due to the inadequate implementation of the forestry legislation, which is exacerbated by Bulgaria’s low score on the Corruption Perception Index (41 points in 2016).</p> <p>Risk conclusion  ‘Specified risk’  Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.3 Management and harvesting planning	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/, Article 13 (forest management planning):  <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p>	<p>Government sources</p> <p>EFA (2016): Register of acts of the Executive Forest Agency:  <a href="http://www.iag.bg/docs/lang/1/cat/1/index">http://www.iag.bg/docs/lang/1/cat/1/index</a></p> <p>EFA (2016): Register of Forest Management Plans of the Executive Forest Agency:</p>	<p>Overview of Legal Requirements</p> <p>All forest areas in Bulgaria (including forests on farmland), regardless of their ownership, must be subject to inventory and planning (Art. 13 of the Forest Act). In the planning documents (forestry plans and forestry programs) are set the permissible volumes of forest use, the so-called “allowable cut”. Inventories and plans are reviewed every 10 years (Art. 13, para 4. of the Forest Act). Every 5 years,</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Ordinance No. 18 of 10.07.2015 on the Inventory and Planning in Forest Areas:  <a href="http://www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc">http://www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc</a></p> <p>Ordinance No. 8 of 05.08.2011 for Felling in Forests:  <a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>State Enterprises</p> <p>Municipal forest structures</p> <p>Executive Forest Agency</p> <p>Ministry of environment and waters</p> <p><b>Legally required documents or records</b></p> <p>Forest Management Plans</p>	<p><a href="http://www.procurement.iag.bg:8080/cgi-bin/lup.cgi">http://www.procurement.iag.bg:8080/cgi-bin/lup.cgi</a></p> <p>Non-Government sources  Public summaries of FSC forest management certification reports published at <a href="http://info.fsc.org">info.fsc.org</a> (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations):</p> <p>Spasov, S. (2016): Somebody is logging quietly:  <a href="http://www.capital.bg/politika_i_ekonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_seche_li_seche/">http://www.capital.bg/politika_i_ekonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_seche_li_seche/</a>, visited 22 June 2016.</p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria:  <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a>, visited 22 June 2016.</p>	<p>an intermediate check is done on the implementation of the plans. A special ordinance stipulates the inventory and planning procedures. Forestry plans and forestry programs should be assessed for compatibility with the object and purpose of the conservation of Natura 2000 protected sites under the Biodiversity Act, Art.13. para 12. At a higher, strategic level, the Regional Forestry Directorates assign the development of Regional Plans for Development of Forest Areas (valid for a period of 10 years), the National Strategy for Forest Development and the Strategic Plan for Development of the Forestry Sector. The main state control authorities are the Regional Forest Directorates.</p> <p>Any forest use (i.e. logging) should be included in a Forest Management Plan, or should be subject to the so-called "plan-extracts" (e.g. plan modification under para. 3 of the Ordinance for Felling in Forests) (Art. 52 of the Ordinance), Thus, the provisions of management plans can be changed at any time in the 10-year period by means of "plan-extracts".</p> <p>The inventorying of all forest areas, regardless of ownership, is granted and controlled by the Executive Forest Agency. Planning is assigned by the forest owners to certified companies specializing in forest inventorying and planning. Management plans or programs are approved by the Regional Forest Directorates. All plans and programs are reviewed by the Ministry of Environment and Waters or its regional inspectors. Based on the Forest Management Plans or forest management programs, the standing timber to be harvested is marked and detailed planning documents for each specific type of cutting or plantation are developed – technological plans and inventory carnets (Art.52-53 of Ordinance No. 8 for Logging in Forests). Marking the trees for logging shall be</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Forest management programs</p> <p>Plan-extracts</p> <p>Forest inventory</p>		<p>conducted by persons, registered in Public register, according to the Art. 235 of the Forest Act – the activity marking of stands foreseen for felling.</p> <p>The trees, determined for felling, must be marked with a visible sign, on height 130 cm, which does not cause damage on their bark. Also, the trees with diameter 14 cm and bigger than 14 cm, measured at a height 130 cm, shall be marked with control forest mark at the bottom of the tree. The control forest mark must be placed at the base of the stem on the underside of the slope, or on some of the surface roots, so after cutting the tree the mark to be visible.</p> <p>Forests in IUCN Cat. I and II protected areas are subject to inventory and planning during the development of their management plans under the Protected Areas Act.</p> <p>Description of risk</p> <p>The main risks during the inventorying and planning processes are associated with their quality (WWF, 2014). There are huge differences between the data on forest volumes and tree species given in the inventory on the one hand, and in the logging site certification documents on the other. These differences are sometimes as great as 200% and average 10-20%. For the planning process, recent investigations in certified forest management units show that the planned forest activities are often not in compliance with the silvicultural or ecological characteristics of the forests in question – e.g. planned regeneration cutting in premature stands and in old-growth forests (FSC FM Public summary reports). There have also been cases of logging in forests for which there is no Forest Management Plan (Spasov, 2016).</p> <p>Risk conclusion</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>'Specified risk'</p> <p>Threshold (2) is met: Identified laws are not enforced by the competent authorities.</p>
<p>1.4 Harvesting permits</p>	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/</p> <ul style="list-style-type: none"> <li>- Art. 108 (harvesting permits)</li> <li>- Art. 235 and 241 (licensing regime for logging companies): <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></li> </ul> <p>Ordinance No. 8 of 05.08.2011 for Felling in Forest – Articles 45, 51b, 55-57, 62 and para. 3 (conditions for issuing a harvesting permit):</p> <p><a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p>Administrative acts (i.e. orders and instructions) of the Executive Forest Agency issued under the Forest Act on Felling Permits and Compulsory Documents: <a href="http://iag.bg/docs/lang/1/cat/10/index">http://iag.bg/docs/lang/1/cat/10/index</a></p> <p>Ordinance No. 1 of 30.06.2012 for Protection and Control in Forest Areas:</p> <p><a href="http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf">http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf</a></p>	<p>Government sources</p> <p>EFA (2016): Official website of the EFA with records of certificates issued for private forestry practice and felling: <a href="http://www.iag.bg/docs/lang/1/cat/1/index">http://www.iag.bg/docs/lang/1/cat/1/index</a></p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012: <a href="http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf</a></p> <p>Non-Government sources</p> <p>BNT(2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: BNT.bg: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p>	<p>Overview of Legal Requirements</p> <p>Logging in the forests areas shall only occur with the existence of a written permit, called a harvesting permit (Art. 108 of the Forest Act). There is only one type of harvesting permit for forest areas (i.e. protection, special and production forests) and permits are issued under the Forest Act by licensed foresters (Decree No.429/2012, No. 155/2015 and No. 513/2016 of the Executive Forest Agency). Harvesting permits may be issued only if the forest activities are included in a Forest Management Plan covering a 10-year period, or in a plan-extract ("план извлечения"), which may change the Forest Management Plan in case of "force majeure" events requiring rapid and urgent silviculture interventions. Article 108 of the Forest Act also regulates the responsibilities and the persons who may issue harvesting permits.</p> <p>The different conditions which should be met for issuing the harvesting permit are stipulated in Ordinance No. 8 for Felling in Forests, in particular Articles 45, 51b, 55-57, 62 and para. 3.</p> <p>The Forest Act stipulates that the extraction of timber from forest areas shall be carried out by logging companies registered in the public register under art. 241, para. 1, of the Forest Act, except in cases where:</p> <ol style="list-style-type: none"> <li>1. The logging is carried out independently by individuals in their own forests; or</li> <li>2. The logging is carried out by individuals who bought standing timber for personal use from state or municipal forests without right of re-sale.</li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Law on the Protection of Agricultural Property: <a href="http://lex.bg/laws/ldoc/2128112642">http:// lex.bg/laws/ldoc/2128112642</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p> <p><b>Legally required documents or records</b></p> <p>harvesting permits – forms on the information system of the Executive Forest Agency;</p> <p>Technology plans;</p> <p>Decree No. 429/2012, No. 155/2015 and No.513/2016 of the Executive Forest Agency</p> <p>Carnet inventory and assortment data-sheets;</p> <p>Protocols under Article 11 of the Ordinance for protection and control in forest areas;</p> <p>observation protocols for certification of logging sites;</p>	<p>Botevgrad (2013): A new fraud scheme in the forests. Web-page: <a href="http://botevgrad.com">botevgrad.com</a>. 11.12.2013, 13:54: <a href="http://botevgrad.com/news/52634/Nova-shema-za-izmamama-v-gorite/">http://botevgrad.com/news/52634/Nova-shema-za-izmamama-v-gorite/</a></p> <p>BTV (2015): Hundreds of trees disappeared in front of the eyes of the foresters. Web-page: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izchezna-had-pod-nosa-na-gorskite.html">BTV.bg</a>: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izchezna-had-pod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izchezna-had-pod-nosa-na-gorskite.html</a></p> <p>Dnevnik (2015): Inspection found illegal logging of 170-years-old forest. Web-page: <a href="http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/">Dnevnik.bg</a>: <a href="http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/">http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/</a></p> <p>Nikolov, M. (2015): Investigation: Are forest units concealing illegal logging? – <a href="http://novatv.bg">Novatv.bg</a>. 13. december.2015 20:10: <a href="http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-/?utm_source=news&amp;utm_medium=link&amp;utm_campaign=related">http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-/?utm_source=news&amp;utm_medium=link&amp;utm_campaign=related</a></p> <p>NovaTV (2016): Illegal logging near Sofia. Web-page: <a href="http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/">Novatv.bg</a>: <a href="http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/">http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/</a></p>	<p>A web-based information system (<a href="http://system.iag.bg">http://system.iag.bg</a>), which is administered by the control authority (the Executive Forest Agency), allows issuance and control over harvesting permits, and also allows the publication of all necessary documents for issuing harvesting permits (e.g. technological plans, wood assortment data-sheets, carnets).</p> <p>The Forest Act requires that logging in forest stands can be performed only if:</p> <ol style="list-style-type: none"> <li>(1) The owner or user has rights over the forest area through lawful command or has been assigned the rights by the rightful owner,</li> <li>(2) The planning document for the forest property is available, or when the exceptions referred to in Article 52 and paragraph 3 of the Ordinance for Felling in Forests are met,</li> <li>(3) The trees to be felled in the forest stands are marked in accordance with Article 49 and Article 50 of the Ordinance for Felling in Forests, and</li> <li>(4) A harvesting permit is issued with all relevant documents concerning the volumes to be exploited and the relevant requirements for soil protection, protection of the remaining trees and protected species etc., as well as the technology plan for the logging.</li> </ol> <p>Harvesting permits are issued under Art. 108 of the Forest Act by a certified forest expert. Felling shall be carried out subject to a written permit issued in standard form by:</p> <ol style="list-style-type: none"> <li>1. the director of the relevant state forest enterprise or state game reserve, or officials designated by either with university degrees in forest engineering, for wooded areas in state ownership, as well as for those assigned to be managed by other entities on contract;</li> </ol>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>Public summaries of FSC forest management certification reports published at <a href="http://info.fsc.org">info.fsc.org</a> (information on legal areas where non compliances have been identified during the certification process that are likely to be common for non-certified operations);</p> <p>Spasov, S. (2016): Somebody is logging quietly. Web-page: Capital.bg:  <a href="http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_seche_li_seche/">http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_seche_li_seche/</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria:  <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p> <p>WWF (2015): Election rigging funded by-illegal-logging-in-Bulgaria:  <a href="http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria">http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria</a></p>	<p>2. a person with a university degree in forest engineering, listed in the public register as a forester, authorized by the mayor of the relevant municipality or by the manager of the municipal forest structure, - for wooded areas - municipal ownership, as well as for those assigned to be managed on the basis of contract;</p> <p>3. a person with a university degree in forest engineering, listed in the public register as a forester, with whom a forestry association has a valid contract.</p> <p>A logging permit is issued to a person listed in the public register as a forester.  Within 30 days following completion of the felling, the official who issued the logging permit shall draw up a protocol certifying the logging ground, on the basis of a template, approved by the Executive Director of the Executive Forestry Agency.</p> <p>All logging permits are issued through a web-based system of EFA (<a href="http://system.iag.info">http://system.iag.info</a>), where can be found the whole set of documents, warranting the issuance of license for felling.</p> <p>The issued permits for felling and protocols for certification of clearings/cutting areas are publicly available and can be found on the website of Executive Forestry Agency - <a href="http://www.iag.bg">http://www.iag.bg</a></p> <p>Harvesting permits shall enter into force three days after their issuance, which allows the co-owners of the forest to appeal the harvesting permit and/or for the control authority to react in case of identified violations of the legal requirements for issuance of harvesting permits.</p> <p>In IUCN category I and II protected areas, harvesting permits are issued under the Protected Areas Act by the Minister of Environment or his/her delegates.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>Permits for logging of individual trees in farmlands are issued by the municipality under the Law on the Protection of Agricultural Property.</p> <p>Risk Description  Firstly, recent media reports have detailed cases of issuing of harvesting permits before the adoption of the relevant Forest Management Plan (Spasov, 2016). Secondly, illegal logging without a harvesting permit is considered to be a common occurrence in Bulgaria (WWF, 2014, 2015). Most often, harvesting permits for individual forest stands are issued without correct selection of the trees to be harvested (e.g. bad implementation of the planned felling type), or without correct estimation of the volume of the trees selected and marked for logging, which allows misconduct during the logging process (WWF, 2014; Dnevnik, 2015). Further, logging is often not in compliance with harvesting permits, e.g. logging of trees which are not selected, or leaving parts of trees unfelled (NEPCon, 2016; BNT, 2016; BTV, 2015; NovaTV, 2016). Incidentally logging sometimes takes place without a permit in the process of fire-wood collection along roads or near villages, or logging occurs outside the boundaries of permitted sites (Nikolov, 2015; Botevgrad, 2013).</p> <p>When logging companies have political protections and/or when the control authorities are subject to corruption, violations by the logging companies are often covered up so that no sanctions are imposed and no preventive measures taken (Nikolov, 2015). Bulgaria has a score of 41 points in the 2016 Corruption Perception Index.</p> <p>This indicator has been evaluated as specified risk. There are numerous cases in which law/regulations are violated,</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>and these violations are not always efficiently followed up by the authorities taking preventive actions.</p> <p>Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
<b>Taxes and fees</b>			
<p>1.5 Payment of royalties and harvesting fees</p>	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/</p> <ul style="list-style-type: none"> <li>- Chapter V, Section I. art. 111-113 (Use of wood from forest areas)</li> <li>- Art. 178 (fund "Investments" and fund "Reserve"): <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></li> </ul> <p>Ordinance for the terms and conditions for assigning the carrying out of activities in forest areas – state and municipal property, and use of wood and forest products /2011/: <a href="http://www.iag.bg/data/docs/naredba_deinostiGF.doc">www.iag.bg/data/docs/naredba_deinostiGF.doc</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p>	<p>Government sources</p> <p>Trade Register providing access to the Financial annual reports of the state enterprises under Article 163 of the Forest Act, as well as of the municipal forest enterprises under art.181 Forest Act: <a href="https://public.brra.bg/CheckUps/Default.ra?0">https://public.brra.bg/CheckUps/Default.ra?0</a></p> <p>Non-Government sources</p> <p>BTV (2015): Hundreds of trees disappeared in front of the eyes of the foresters Web-page: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznaha-pod-nosa-na-gorskite.html">btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznaha-pod-nosa-na-gorskite.html</a></p> <p>Mladenova, T. (2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">bnt.bg: http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p>	<p>Overview of Legal Requirements</p> <p>Use of wood from forest areas – (state or municipal) is to be paid through royalties (Art. 113 of the Forest Act). Royalties for the use of wood from state-owned forests are collected during the sale of the timber and are submitted in fund "Investments" and fund "Reserves" (established by the State Enterprises pursuant to Art. 178 of the Forest Act). Royalties for use of wood from municipal forests are included in the municipal budget. Royalties shall not be paid for timber harvested in private forests.</p> <p>Payments of royalties/harvesting fees are based on classification of the quantities, qualities and species of trees felled. These classifications are described in protocols for acceptance and issuance of the harvested timber and in the transport tickets.</p> <p>Description of risk</p> <p>Annually, the State Enterprises present the relevant financial reports to the state authorities and these are also checked by internal auditors under the Law for Internal Control, which suggests that the risk of tax- and fee-related violations occurring is low. However, royalties/harvesting fees are determined on the basis of the description of the logged timber (volume, tree species, category and quality</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>State enterprises</p> <p>Municipal council of the municipality</p> <p>National revenue agency</p> <p><b>Legally required documents or records</b></p> <p>Protocols for issuance and acceptance of the harvested timber</p> <p>Transport tickets</p> <p>Invoices</p> <p>Cost orders</p> <p>Cash receipt</p>	<p>Public summaries of FSC forest management certification reports published at info.fsc.org (information on legal areas where non compliances have been identified during the certification process that are likely to be common for non-certified operations);</p> <p>Viaranews (2014): Mother and son stop scandalous logging in the area of Pea Ridge in Samokov. Web-page: viaranews.com. URL: <a href="http://viaranews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/">http://viaranews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p> <p>WWF (2015): Election-rigging-funded-by-illegal-logging-in-Bulgaria: <a href="http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria">http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria</a></p>	<p>of timber). In cases of illegal logging and/or illegal transport of timber, or in cases of manipulated (i.e. incorrect) classification of the logged timber (see 1.16), the royalties/harvesting fees can be reduced in favor of the private party (WWF, 2014). Such cases are reported regularly by EFA (2013, 2014, 2015), NGOs (WWF, 2014, 2015) and the media (Viaranews, 2014; BTV, 2015; Mladenova, 2016).</p> <p>This indicator has been evaluated as specified risk. Illegal logging and transport of timber, as well as the incorrect classification of timber data are difficult to detect, and often royalties and payments for harvested timber are not paid as required.</p> <p>Risk conclusion  'NA' for private forests  'Specified risk' for all other source types.  Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.6 Value added taxes and other sales taxes	<p><b>Applicable laws and regulations</b></p> <p>Law on the Value Added Tax (2007): <a href="http://www.lex.bg/bg/laws/ldoc/2135533201">http://www.lex.bg/bg/laws/ldoc/2135533201</a></p> <p><b>Legal Authority</b></p>	<p>Non-Government sources</p> <p>Botevgrad (2013): A new fraud scheme in the forests. Web-page: <a href="http://botevgrad.com">http://botevgrad.com</a>. 11.12.2013, 13:54 URL: <a href="http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/">http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/</a></p> <p>Dobrichonline (2014): Tax controllers checked five markets for the sale of firewood, drew four acts. Web-page:</p>	<p>Overview of Legal Requirements</p> <p>According to Art. 66 (1) of the Law on VAT, the tax rate is 20 percent. Timber from all forests shall be sold through invoices and with relevant transport documents which are linked to the invoice. Since 2015, the National Revenue Agency is allowed to receive information from the internet-based system of the Executive Forest Agency (system.iag.bg), which would allow the Agency to control the taxes paid with respect to the declared amounts and quality of the harvested wood.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Ministry of Finance</p> <p>National Revenue Agency</p> <p><b>Legally required documents or records</b></p> <p>Invoices;</p> <p>Transport ticket;</p> <p>VAT return;</p>	<p>Dobrichonline.com 20.11.2014, URL: <a href="http://www.dobrichonline.com/?com=news&amp;cid=26265">http://www.dobrichonline.com/?com=news&amp;cid=26265</a></p> <p>Fakti (2013): Conev: we lose 4 billion lev because of VAT frauds and smuggling. Web-page: Fakti.bg, 19.06.2013. URL: <a href="http://fakti.bg/bulgaria/69584-conev-gubim-4-mlrd-leva-ot-dds-izmami-i-kontrabanda">http://fakti.bg/bulgaria/69584-conev-gubim-4-mlrd-leva-ot-dds-izmami-i-kontrabanda</a></p> <p>Reshovski, B. (2016): VAT frauds and tax control. Web-page: ejournal.vfu.bg, URL: <a href="http://ejournal.vfu.bg/bg/pdfs/Boris_Reshovski-Izmami_s_DDS_i_tehnika_na_danachniya_kontrol.pdf">http://ejournal.vfu.bg/bg/pdfs/Boris_Reshovski-Izmami_s_DDS_i_tehnika_na_danachniya_kontrol.pdf</a></p> <p>SlivenSega (2016): An illegal wood storage found with 35 m3 of fire-wood. Web-page: Svlensega.wordpress.com, 25.02.2016, URL: <a href="https://slivensega.wordpress.com/2016/02/25/откриха-незаконен-склад-с-35-кубика-дърв/">https://slivensega.wordpress.com/2016/02/25/откриха-незаконен-склад-с-35-кубика-дърв/</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria. WWF, 2014. URL: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p>	<p>Description of risk</p> <p>VAT fraud is widespread in the Bulgarian economy (Fakti, 2013; Reshovski, 2016). In the forest sector, the main risk relates to the incorrect classification of the volume, quality and species of timber during its sale (see indicator 1.5). This leads to reduction of the real market price and, respectively, to illegal avoidance of taxes. The wood of private forests (mainly firewood) is sometimes sold without invoices or receipts in violation of the national legislation, which in turns prevents the payment of taxes (Botevgrad, 2013; Dobrichonline, 2014). The same applies to subsequent sales to individuals by wood-processing plants.</p> <p>Further, there is no established direct link between the Regional Forest Directorates and the relevant tax authorities at the local or state levels. This, in turn, makes the payment of taxes, both from forest owners and from logging companies rather doubtful, as there is no confirmation of the amount of timber sold compared to the taxes being paid (Expert consultation 2: Pencho Dermendzhiev).</p> <p>This indicator has been evaluated as specified risk because timber sales are often done without correct or adequate financial documents.</p> <p>Risk conclusion ‘Specified risk’ Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		Expert consultation 2: Pencho Dermendzhiev. Forest Protection Station.	
1.7 Income and profit taxes	<p><b>Applicable laws and regulations</b></p> <p>Law on Cooperative Income Tax /2007/</p> <ul style="list-style-type: none"> <li>Section I "Objects of taxation, types of taxes, taxpayers and taxpayers," Article 5</li> <li>Section II "Profit and income from sources in the country," Article 7: <a href="http://www.lex.bg/laws/ldoc/2135540562">http://www.lex.bg/laws/ldoc/2135540562</a></li> </ul> <p><b>Legal Authority</b></p> <p>Ministry of Finance;</p> <p>National Revenue Agency;</p> <p><b>Legally required documents or records</b></p> <p>annual tax declaration;</p>	<p>Non-Government sources</p> <p>NEWS.bg (2015): Logging companies are being intensively controlled. Web-page: news.bg, 14.05.2015. URL: <a href="https://news.bg/economics/usileno-proveryavat-darvodobivnite-firmi.html">https://news.bg/economics/usileno-proveryavat-darvodobivnite-firmi.html</a></p> <p>Plovdivglas (2016): Record: Businessman pays 777,198 lev fine for concealing tax. Web-page: Plovdivglas.bg, 31.03.2016. URL: <a href="http://www.plovdivglas.bg/145975/rekord-biznesmen-plasha-777-198-leva-globa-za-ukrit-dank.html">http://www.plovdivglas.bg/145975/rekord-biznesmen-plasha-777-198-leva-globa-za-ukrit-dank.html</a></p>	<p>Overview of Legal Requirements</p> <p>The Law on Cooperative Tax is covering income and profit taxes related to profit derived from the sale of forest products and harvesting activities. According to the Law on Corporate Income Tax, "taxable persons" are:</p> <ol style="list-style-type: none"> <li>Local legal entities (e.g. the forest management units);</li> <li>Foreign entities doing business in Bulgaria;</li> <li>Private traders and individuals registered as tobacco producers and farmers (e.g. individual private owners);</li> <li>Individuals – traders within the meaning of Art. 1, para. 3 of the Commercial Law; or</li> <li>Employers and clients under contracts for management and control;</li> </ol> <p>Description of risk</p> <p>Tax fraud is a common issue in Bulgaria. Media articles describe various cases of income and profit tax fraud in the forestry sector (news.bg, 2015; Plovdivglas, 2016). Often, individual logging companies do not declare the full amount of their income and activities, or submit false tax declarations in order to reduce the tax due.</p> <p>Risk conclusion</p> <p>'Specified risk'</p> <p>Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Timber harvesting activities</b>			
1.8 Timber harvesting regulations	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/</p> <ul style="list-style-type: none"> <li>- chapter IV "Management of the forest areas",</li> <li>- chapter V "Use of timber and non-timber wood products",</li> <li>- chapter XVI, Section I, art. 230 (Registration for activities in the forest areas): <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></li> </ul> <p>Ordinance No.8 of 05.08.2011 for Felling in the Forests, Chapter III. (Rules for harvesting): <a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p>Ordinance No.1 of 30.06.2012 for Protection and Control in Forest Areas: <a href="http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf">http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf</a></p> <p>Administrative acts of the Executive Forest Agency and the Minister of Agriculture and Food (e.g. orders and instructions) which specify the requirements and the applicability of the Ordinances: <a href="http://www.iag.bg/docs/lang/1/cat/4/index">http://www.iag.bg/docs/lang/1/cat/4/index</a>; <a href="http://iag.bg/docs/lang/1/cat/10/index">http://iag.bg/docs/lang/1/cat/10/index</a></p>	<p>Government sources</p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012: <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf</a></p> <p>Non-Government sources</p> <p>BNT (2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: BNT.bg, URL: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p> <p>Botevgrad (2013): A new fraud scheme in the forests. Web-page: <a href="http://botevgrad.com">botevgrad.com</a>. 11.12.2013, 13:54 URL: <a href="http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/">http://botevgrad.com/news/52634/Nova-shema-za-izmama-v-gorite/</a></p>	<p>Overview of Legal Requirements</p> <p>The Bulgaria's harvesting regulations are quite detailed. Art. 52 of the Ordinance for Felling in Forests requires that any logging should be included in a management plan, that the trees to be logged should be selected and marked in advanced, that the planned logging should be described in terms of species, volumes and assortments. Further, the Ordinance prescribes the conditions for carrying out the different felling types and defines the parameters of timber harvesting with respect to the various parameters of the forest stands, e.g. intensity of the felling with respect to the forest structure, the form of the gaps with respect to the possible degree of regeneration, protection of habitat trees, etc. The Ordinance requires also that felling activities are described in a so-called "technology plan", which is part of the harvesting permit (e.g. location of regeneration gaps, skidding trails, road construction, temporary storage, etc.).</p> <p>Description of risk</p> <p>According to the annual reports of the Executive Forest Agency (EFA, 2013, 2014, 2015), nearly 6-7 million cubic meters of wood are exploited in Bulgaria every year, while up to 30,000 cubic meters of wood, or less than 0.5%, are proven to be logged illegally. All of the facts described above can be considered requirements for compliance with the logging regulations. However, independent research by NGOs (WWF, 2014, 2015), audits of FSC certification bodies (public audit reports on <a href="http://fsc.org">fsc.org</a>, e.g. NEPCon, 2016), and media investigations (BNT, 2016; BTV, 2015; NovaTV, 2016; Spasov, 2016; Nikolov, 2015; Dnevnik, 2015) show that the timber harvesting regulations are often violated. The most widespread violations of harvesting regulations concern:</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Ordinance for the terms and conditions for assigning and carrying out of activities in forest areas (state and municipal property), and use of wood and forest products /2011/ – chapter II (Assigning forestry activities):  <a href="http://www.iag.bg/data/docs/naredba_deinostiGF.doc">http://www.iag.bg/data/docs/naredba_deinostiGF.doc</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Ministry of Interior</p> <p><b>Legally required documents or records</b></p> <p>Proof of ownership or right to possession</p> <p>Planning of timber harvesting – Forestry Plan or Programme, or plan-extract</p> <p>Harvesting permit and related documents</p>	<p>BTV (2015a): Hundreds of trees disappeared in front of the eyes of the foresters. Web-page: BTV.bg, URL:  <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html</a></p> <p>BTV (2015b): Illegal logging in Sinite Kamani. Web-page: BTV.bg, URL: –  <a href="http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html">http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html</a></p> <p>Dnevnik (2015): Inspection found illegal logging of 170-years-old forest. Web-page: Dnevnik.bg, URL:  <a href="http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/">http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/</a></p> <p>Nikolov, M. (2015): Investigation: Are forest units concealing illegal logging? – Novatv.bg. 13. December 2015 20:10. URL:  <a href="http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-/?utm_source=news&amp;utm_medium=link&amp;utm_campaign=related">http://novanews.novatv.bg/news/view/2015/12/13/133308/разследване-прикриват-ли-горските-стопанства-незаконна-сеч-/?utm_source=news&amp;utm_medium=link&amp;utm_campaign=related</a></p> <p>NovaTV (2016): Illegal logging near Sofia. Web-page: Novatv.bg, URL:-  <a href="http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/">http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/</a></p>	<ol style="list-style-type: none"> <li>1. Improper selection of trees to be logged – lack of selection and marking of trees at the time of permit issuance, selection of biotope trees, designing the felling in non-compliance with the prescribed felling type, etc.);</li> <li>2. Illegal logging of unselected trees and subsequent false marking of the illegally logged trees in order to cover up violations;</li> <li>3. Improper application of harvesting techniques aimed at lowering harvesting costs (e.g. damaging regenerating trees, remaining trees, or roads during the extraction and transport of the logged timber, etc.); and</li> <li>4. Manipulation of protocols, data of logged timber and transportation tickets aimed at financial fraud.</li> </ol> <p>Even though the harvesting regulations are explicit and detailed, the inadequate objectivity of the control on harvesting leads to poor implementation of the regulations, particularly in forest areas where there is political pressure on the control authorities and the state foresters. It is considered that the corruption level in the forest sector is similar to the average national corruption level which, according to the assessment of the Corruption Perception Index (CPI) for Bulgaria for 2016, is assessed at 41 points (Transparency.bg, 2016). Further, the findings above are in line with the World Bank’s assessment of the World Wide Governance Indicators for Bulgaria; on a scale of -2.5 to +2.5, Bulgaria scores 0.09 on Government Effectiveness, -0.08 on Rule of Law, and -0.28 on Control of Corruption, indicating inadequate governance (World Bank, 2015).</p> <p>Risk conclusion  ‘Specified risk’  Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

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		<p>Public summaries of FSC forest management certification reports published at info.fsc.org (information on legal areas where non compliances have been identified during the certification process that are likely to be common for non-certified operations).</p> <p>Spasov, S. (2016): Somebody is logging quietly. Web-page: Capital.bg, URL: <a href="http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_se_che_li_seche/">http://www.capital.bg/politika_i_ikonomika/bulgaria/2016/04/28/2751774_a_niakoi_tiho_se_che_li_seche/</a></p> <p>Transparency.bg (2016): Corruption perception index 2016: <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016">http://www.transparency.org/news/feature/corruption_perceptions_index_2016</a></p> <p>World Bank (2015): World Bank Worldwide Governance Indicators: <a href="http://data.worldbank.org/datacatalog/worldwide-governance-indicators">http://data.worldbank.org/datacatalog/worldwide-governance-indicators</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p> <p>WWF (2015): Election rigging funded by illegal logging in Bulgaria: <a href="http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria">http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria</a></p>	

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.9 Protected sites and species	<p><b>Applicable laws and regulations</b></p> <p>Protected Areas Act /1999/: <a href="http://lex.bg/laws/ldoc/2134445060">lex.bg/laws/ldoc/2134445060</a></p> <p>Biodiversity Act /2002/ – Art. 30 (forestry), Art. 31 (appropriate assessments): <a href="http://lex.bg/laws/ldoc/2135456926">lex.bg/laws/ldoc/2135456926</a></p> <p>Forest Act /2011/ – Art. 5. (forest categorization), Art. 101 (harvesting): <a href="http://www.lex.bg/laws/ldoc/213572129">http://www.lex.bg/laws/ldoc/213572129</a></p> <p>Ordinance No.18 of 10.07.2015 on the inventory and planning in forest areas: <a href="http://www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc">www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc</a></p> <p>Ordinance No.8 of 05.08.2011 for fellings in the forests – Chapter IV (forestry measures in Natura 2000), Chapter V (forestry measures in protection and special forests): <a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.docx">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.docx</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Environment and Water</p> <p>Regional Inspections for Environment and Water</p>	<p>Government sources</p> <p>EC (2014): National Summary for the reporting under Article 17 of the Habitats Directive – 2014: <a href="https://circabc.europa.eu/sd/a/c3d5d7f4-fc6f-4f0e-ad96-9522d398d3b6/BG_20140528.pdf">https://circabc.europa.eu/sd/a/c3d5d7f4-fc6f-4f0e-ad96-9522d398d3b6/BG_20140528.pdf</a></p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otchet_n_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchet_n_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012: <a href="http://www.iag.bg/data/docs/Otchet_n_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchet_n_doklad_2013N.pdf</a></p> <p>EFA (2013): Report of EFA on the implementation of Regulation 995/2011 of EC. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otchet-2013PRG.doc">www.iag.bg/data/docs/Otchet-2013PRG.doc</a></p> <p>Non-Government sources</p>	<p>Overview of Legal Requirements</p> <p>According to Art. 101 (2) of the Forest Act and Art. 30 of the Biodiversity Act, management of forests should be in compliance with management plans and the orders for the designation of protected areas under the Protected Areas Act and of protected sites within the Natura 2000 network under the Biodiversity Act.</p> <p>Orders for designation of protected areas/sites and management plans, if available, shall include detailed conservation measures concerning protected habitats and species. In addition, every Forest Management Plan or program is subject to appropriate assessment for Natura 2000 under Art. 31 of the Biodiversity Act (Art. 6 (3) of the Habitats Directive). This assessment should guarantee that the implementation of the Forest Management Plan/program would not lead to significant impact on protected habitats or species within the Natura 2000 network. Apart from this assessment, Chapter IV of the Ordinance for Felling in Forests prescribes a series of measures concerning the protection of the genetic and biological diversity of forests, including protection of habitat trees, deadwood, the forest landscape, water-courses, etc. In addition, Art. 75 (5) of the Ordinance for Inventory and Planning in Forest Areas, and Art. 72 (6) of the Ordinance for Harvesting in Forests requires protection of identified old-growth forests.</p> <p>Description of risk</p> <p>Despite the strict legislation related to protected areas putting various restrictions on forest management, the effective protection of rare, threatened and/or protected forest habitats and species is compromised by inadequate implementation of the environmental legislation. Risks include illegal logging in protected areas, logging during the</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p> <p><b>Legally required documents or records</b></p> <p>Orders for Designation of Protected Areas and Protected Sites under Natura 2000</p> <p>Management plans for Protected Areas and Protected sites under Natura 2000</p> <p>Relevant assessments for Natura 2000</p> <p>Reports on the High Conservation Value Forests</p> <p>Maps of protected areas, protected sites, rare species or HCVF</p>	<p>BNT (2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: BNT.bg: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p> <p>BTV (2015): Hundreds of trees disappeared in front of the eyes of the foresters. Web-page: BTV.bg: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html</a></p> <p>ForTheNature (2008): Illegal logging in protected sites “Besaparski ridove” and “Besaparski vazvishenia”. Web-page: <a href="http://forthenature.org">forthenature.org</a>, 2008. URL: <a href="http://forthenature.org/news/540">http://forthenature.org/news/540</a></p> <p>Dnevnik (2013): Logging of old-growth forests in 'Sinite Kamani' threatens protected bird species. Web-page: Dnevnik.bg, URL: <a href="http://www.dnevnik.bg/zelen/2013/10/02/2152722_sech_na_stari_gori_v_sinite_kamuni_zastrashava/">http://www.dnevnik.bg/zelen/2013/10/02/2152722_sech_na_stari_gori_v_sinite_kamuni_zastrashava/</a></p> <p>Dnevnik (2014): Preannounced logging of an old-growth forest. Web-page: Dnevnik.bg: <a href="http://www.dnevnik.bg/zelen/2014/08/14/2360946_fotogaleriia_edna_predizvestena_sech_na_vekovna_gora_v/?pic=3#picture">http://www.dnevnik.bg/zelen/2014/08/14/2360946_fotogaleriia_edna_predizvestena_sech_na_vekovna_gora_v/?pic=3#picture</a></p> <p>NEPCon (2016): Public reports of audits by FSC-FM certified forest management units</p>	<p>breeding season and within the breeding sites of threatened and rare species, logging of deadwood and habitat trees for "sanitary" reasons, logging of old-growth forests, etc. Such violations are reported by NGOs (WWF, 2014; for the Nature, 2008), the media (BNT, 2016; BTV, 2015; Dnevnik, 2013, 2014), and audits of certified forest management units (e.g., NEPCon, 2016). As a result, the conservation status of most forest habitats and species in Bulgaria is reported under Art. 17 of the Habitats Directive as “unfavourable” for the period 2006-2012 (EC, 2014).</p> <p>Risk conclusion ‘Specified risk’ Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>on the page of fsc.org:<a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000dbza6EAA">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000dbza6EAA</a>, Visited 22 June 2016</p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p>	
1.10 Environmental requirements	<p><b>Applicable laws and regulations</b></p> <p>Law on Environmental Protection /2002/ – Chapter 3 “Protection of the components of the environment”: <a href="http://www3.moew.government.bg/files/file/Soil/Legislation/Zakoni/ZOOS.pdf">http://www3.moew.government.bg/files/file/Soil/Legislation/Zakoni/ZOOS.pdf</a></p> <p>Forest Act /2011/ – art. 4-5: <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Law on Soils /2007/, Chapter II (control over the conservation, sustainable use and restoration of the soil): <a href="http://www.lex.bg/bg/laws/ldoc/2135569762">http://www.lex.bg/bg/laws/ldoc/2135569762</a></p> <p>Law on the protection of the clean air /1996/ – Section V (Management and Control): <a href="http://www.moew.government.bg/files/file/Air/ZChAV_20.02.2015.pdf">http://www.moew.government.bg/files/file/Air/ZChAV_20.02.2015.pdf</a></p> <p>Ordinance No. 8 for Felling in Forests /2011/, apt, 53, art. 72:</p>	<p>Government sources</p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012: <a href="http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf</a></p> <p>MoAF (2016): Annual reports of the Ministry of Agriculture and food on the state of agriculture and forests. Ministry of agriculture and food. Sofia 2016:</p>	<p>Overview of Legal Requirements</p> <p>The requirements of the special environmental laws (Environmental Protection Act, Biodiversity Act, Act on Soils, Act for Protection of the Air, Water Act, etc.) should be included in Forest Management Planning and during the development of harvesting technology plans. In addition, according to the Ordinance for Inventory and Planning in Forest Areas, Forest Management Plans should be in compliance with environmental requirements concerning the protection of water-catchment areas, recreational areas, technical infrastructure, old-growth forests, etc. Any relevant special orders or management plans concerning the protection of other environmental elements (water, air, infrastructure, etc.) should be included in forest management plans.</p> <p>Further, according to the Ordinance for Felling in Forests, harvesting technology plans should be designed in a way that protects the soil, water courses, habitat trees, breeding sites, etc. Thus, these requirements are present either in the Ordinance or in Forest Management Plans. However, there are no specific requirements in the forest legislation concerning the protection of clean air, the use of pesticides, the protection of the soil from chemicals, machinery oils, etc. Such requirements are included only in</p>

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	<p><a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p>Biodiversity Act /2002/: <a href="http://lex.bg/laws/ldoc/2135456926">lex.bg/laws/ldoc/2135456926</a></p> <p>Water Act /2000/: <a href="http://lex.bg/laws/ldoc/2134673412">lex.bg/laws/ldoc/2134673412</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Environment and Water</p> <p>Regional Inspections for Environment and Water</p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p> <p><b>Legally required documents or records</b></p> <p>Forest Management Plans</p> <p>Regional Plans for the Development of the Forest Areas</p> <p>Technological plans for harvesting</p>	<p><a href="http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx">http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx</a></p> <p>MoAF (2016): Order banning the transport of wood by wet weather: <a href="http://www.mzh.government.bg/MZH/Libraries/%D0%9E%D1%84%D0%B8%D1%86%D0%B8%D0%B0%D0%BB%D0%BD%D0%B8%D0%B4%D0%BE%D0%BA%D1%83%D0%BC%D0%B5%D0%BD%D1%82%D0%B8%D0%94%D1%80%D1%83%D0%B3%D0%B8/zapoved_RD_49-90_ot_14_03_2016_patishta_sechi_i_pretovarni_sta.sflb.ashx">http://www.mzh.government.bg/MZH/Libraries/%D0%9E%D1%84%D0%B8%D1%86%D0%B8%D0%B0%D0%BB%D0%BD%D0%B8%D0%B4%D0%BE%D0%BA%D1%83%D0%BC%D0%B5%D0%BD%D1%82%D0%B8%D0%94%D1%80%D1%83%D0%B3%D0%B8/zapoved_RD_49-90_ot_14_03_2016_patishta_sechi_i_pretovarni_sta.sflb.ashx</a></p> <p>MOEW (2014): Report of Environmental Protection of the Ministry of Environment and Waters: <a href="http://eea.government.bg/bg/soer/2014/forest/zdravoslovno-sastoyanie-na-gorite-v-balgariya">http://eea.government.bg/bg/soer/2014/forest/zdravoslovno-sastoyanie-na-gorite-v-balgariya</a>,</p> <p>Non-Government sources BNT (2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: BNT.bg, URL: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p> <p>BTV (2015): Hundreds of trees disappeared in front of the eyes of the foresters. Web-page: BTV.bg, URL: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznah-pod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznah-pod-nosa-na-gorskite.html</a></p>	<p>the specialized legislation (Law for the Protection of the air, Law on Soils). There are also special orders of the Minister of Agriculture and Food (e.g. Order No. RD-49-90/14.03.2016 – MoAF, 2016) banning the transport of wood during wet weather in order to prevent erosion of forest roads and turbidity of waters.</p> <p>According to Articles 4 and 5 of the Forest Act, particular measures for the protection of soils, water, air and biodiversity should be taken in forest areas which are categorized as Protection Forests or Special Use Forests. Verification of forest categorization is done every 10 years as part of the process of the development of the Forest Management Plans and the Regional Plans for the Development of Forest Areas.</p> <p>Description of risk There is a risk of environmental requirements to be violated. Media investigations (Dariknews, 2016; NovaTV, 2016; Dnevnik, 2015; BTV, 2015; BNT, 2016; Nikolov, 2016) and audits in certified forest management units (FSC, 2016) show systematic flaws in the protection of old-growth forests, water courses, habitat trees, and against contamination of the soil with machinery oil, destruction and erosion of forest roads, as well as in water-catchment areas (Forthenature, 2016), In the same time, there is no data regarding identified violations of the specialized environmental legislation in forest areas, what indicates inadequate state control. In this regard, the flaws in the state's control of forests, and the limited public control of forest activities in remote forest areas (See sub-category 1.8; 1.9) allows for violations to take place.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Signal sheets and Technology Plan for forest protection</p> <p>Harvesting permits</p> <p>Orders for categorization of forests</p>	<p>Dariknews (2016): doc. Ivanov: Logging should be immediately stopped in sanitary zones. Web-page: Dariknews 26.04.2016. URL: <a href="http://dariknews.bg/view_article.php?article_id=1570894">http://dariknews.bg/view_article.php?article_id=1570894</a></p> <p>Dnevnik (2015): Inspection found illegal logging of 170-years-old forest. Web-page: Dnevnik.bg: <a href="http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonnna_sech_na_170_godishna_gora/">http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonnna_sech_na_170_godishna_gora/</a></p> <p>Forthenature (2016): Stara planina – Is logging in forests leading to water regime and floods?: <a href="http://forthenature.org/cases/49">http://forthenature.org/cases/49</a></p> <p>FSC (2016): Public reports of audits by FSC-FM certified forest management units in Bulgaria on the page of fsc.org: <a href="http://fsc.force.com/">http://fsc.force.com/</a> Visited 22 June 2016</p> <p>NovaTV (2016): Illegal logging near Sofia. Web-page: Novatv.bg: <a href="http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/">http://novanews.novatv.bg/news/view/2016/04/14/145065/безмилостна-сеч-в-покрайнините-на-софия/</a></p> <p>Nikolov, M. (2016): Investigation: Scandal of public tenders in forest enterprise. Web-page: Nova.bg 17.07.2016: <a href="http://nova.bg/news/view/2016/07/17/153715">http://nova.bg/news/view/2016/07/17/153715</a>, accessed on 17.07.2016</p>	<p>This indicator has been evaluated as specified risk because of the registered flaws in the control over the forest activities leading to lack of implementation of the environmental requirements.</p> <p>Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		WWF (2014): Analysis of WWF on the illegal logging in Bulgaria: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a>	
1.11 Health and safety	<p><b>Applicable laws and regulations</b></p> <p>Law on Safe Working Conditions /latest revision in 2015/ <a href="http://lex.bg/laws/ldoc/2134178305">http://lex.bg/laws/ldoc/2134178305</a></p> <p>Forest Act /2011/ – Chapter 16, Section 1, art.230, para. 3: <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Rules for Healthy and Safe Conditions at Work, 2007: <a href="http://www.iag.bg/data/docs/Pravilnk_bezopasnost.pdf">http://www.iag.bg/data/docs/Pravilnk_bezopasnost.pdf</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Labour and Social Welfare</p> <p>Inspector of Labour Safety</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p>	<p>Government sources</p> <p>National Insurance Institute [NSSI] (2016): Annual statistics of the accidents of the National Statistical Institute: <a href="http://www.nssi.bg/aboutbg/st/statistic/304-tzpb/infotz">http://www.nssi.bg/aboutbg/st/statistic/304-tzpb/infotz</a></p> <p>Non-Government sources</p> <p>Public summaries of FSC forest management certification reports published at <a href="http://info.fsc.org">info.fsc.org</a> (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations)</p>	<p>Overview of Legal Requirements</p> <p>The legal requirements include specific rights and obligations of the employer, appointed employees and workers (e.g., managers of the harvesting process, loggers, wood collectors, tractor drivers, crane operators, etc.). Any organization – private or state – is required to develop, implement and maintain a system for managing health and safety in accordance with applicable requirements of the Law on Safe Working Conditions, the Forest Act and the related regulations. In particular, this should include: risk assessment, qualifications for each position in the process, identification and assignment of specific roles and responsibilities for implementation of logging processes, training in accordance with the functional responsibilities and roles of each worker, work tasks, and use of appropriate safety equipment. These measures also include the creation of official registers of forest companies operating in Bulgaria and the introduction of licenses for forest workers who have to attend specific training sessions.</p> <p>Description of risk</p> <p>Logging activity is categorized as an activity with a high risk of accidents, since non-compliance with the rules for felling and skidding is dangerous to the life and health of workers. In Bulgaria, there are between 20 and 30 work-related accidents reported per year (NSSI, 2016). However, the real number of accidents (often as result of misapplication of legal requirements) is higher; forest workers often have no labour contract (see 1.12), and accidents thus often go</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <p>Risk assessment for each workplace and post</p> <p>Records of training</p> <p>Proof of qualification</p> <p>Annual medical examinations</p> <p>Instructions – introductory and periodic</p> <p>Insurances for logging workers</p>		<p>unreported. This under-reporting can be explained by the fact that the harvesting process is remote and hidden from the direct observation of outsiders, allowing companies to violate regulations concerning personal protective equipment for forest workers, particularly when state control is insufficient or inconsistent. Such violations have been reported mainly during independent audits of FSC-certified forest management units (FSC, 2016). Due to known under-reporting and otherwise low knowledge of how the law is complied with in un-certified forest risk is considered specified due to a precautionary approach.</p> <p>Risk conclusion ‘Specified risk’ Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.12 Legal employment	<p><b>Applicable laws and regulations</b></p> <p>Labour Code (1986). Chapter V "Employment", Section I, art. 61-63 (Labour Contracts), Art. 4-11 (associations of employees), Chapter III, art. 33-60 (Organisations of Employees and Employers), Chapter XV, Special protection of certain categories of employees): <a href="http://lex.bg/laws/ldoc/1594373121">http://lex.bg/laws/ldoc/1594373121</a></p> <p>Forest Act /2011/ – Chapter XVI, Section I, art. 230 (Registration of Activities in Forest Areas): <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p>	<p>Government sources</p> <p>Annual statistics of the accidents of the National Statistical Institute: <a href="http://www.nssi.bg/aboutbg/st/statistic/304-tzpb/infotz">http://www.nssi.bg/aboutbg/st/statistic/304-tzpb/infotz</a></p> <p>Information System of the Executive Forest Agency: <a href="http://system.iag.bg">http://system.iag.bg</a></p> <p>Reports and statements of National Revenue Agency: <a href="http://www.nap.bg/document?id=13027">www.nap.bg/document?id=13027</a></p>	<p>Overview of Legal Requirements</p> <p>According to Art. 241 of the Forest Act, all companies operating in forest areas must be licensed to undertake forestry work. Employers are required to enter into a written contract – employment (Article 61 of the Labour Code) or civil (Art. 258, 280 of the Law on Obligations and Contracts) – with each worker, and must submit information on contracts to the National Revenue Agency. All employed workers must be qualified for logging activities (Art. 230 of the Forest Act), must be adults (Art. 301-305 of the Labour Code), must be insured, and must be equipped with appropriate personal protective equipment in compliance with the requirements of the Law on Safe Working Conditions. Art. 4 of the Labour Code grant rights to workers to associate on a voluntary basis and to negotiate working conditions with employers.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Social Insurance Code (1999) – Article 5-6 (Insurance Income):  <a href="http://www.lex.bg/laws/ldoc/1597824512">http://www.lex.bg/laws/ldoc/1597824512</a></p> <p>Law on Obligations and Contracts (1950, last amendment 2008) – Art. 258-269 (Contract for Manufacturing); Art. 280-292 (Contract for Order): <a href="http://lex.bg/laws/ldoc/2121934337">http://lex.bg/laws/ldoc/2121934337</a></p> <p>Law on Protection against Discrimination (2003) – Chapter II, Section I. (Protection of the Exercise of the Right to Work):  <a href="http://lex.bg/laws/ldoc/2135472223">http://lex.bg/laws/ldoc/2135472223</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Labour Inspectorate</p> <p>National Insurance Institute</p> <p>National Revenue Official Agency</p> <p><b>Legally required documents or records</b></p> <p>Employment contract</p>	<p>Non-Government sources</p> <p>DarikNews (2015): Uneasy foresters being fired in Velingrad. Web-page: DarikNews.bg, 11.12.2015:  <a href="http://dariknews.bg/view_article.php?article_id=1535723">http://dariknews.bg/view_article.php?article_id=1535723</a></p> <p>Gospodari (2015): A forester reveals illegal logging and is fired. Web-page: Gospodari.com 01.07.2015:  <a href="http://gospodari.com/горски-разкрива-незаконна-сеч-и-го-уволняват-video81790.html">http://gospodari.com/горски-разкрива-незаконна-сеч-и-го-уволняват-video81790.html</a></p> <p>Public summaries of FSC forest management certification reports published at <a href="http://info.fsc.org">info.fsc.org</a> (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations)  Expert consultation 1: Alexander Dountchev, WWF  Expert consultation 2: Pencho Dermendzhiev. Forest Protection Station.</p>	<p>National labour legislation includes prohibitions on discrimination on grounds of gender (Art. 8 of the Labour Code), and makes illegal any form of discrimination based on gender in relation to access to employment opportunities, salary levels, career opportunities, etc., while ensuring full protection of maternity and paternity rights. Prohibitions on discrimination based on age, personal beliefs, religious beliefs, disability, and sexual orientation are set out in Chapter II, Section I of the Law on Protection from Discrimination.</p> <p>Description of risk  Despite the presence of a strict regulatory framework which, in theory, should protect workers, violations of the labour law, including lack of contracts (NEPCon, 2016), unjustified dismissals (Gospodari, 2015; DarikNews, 2015), and lack of personal protective equipment are common in Bulgaria (FSC, 2016). Data for the forestry sector is scarce and of low quality, but there is a common understanding that forestry sector workers are unskilled, poorly equipped, irregularly qualified, and unreasonably exposed to the risk of accidents. Forestry activities are often carried out in remote areas that are inaccessible to inspectors from relevant institutions, and this leads to inadequate control and thus to systematic violations of workers' rights (such as illegal labor, a lack of contracts, training, insurance, or personal protective equipment). More evidence can be found in the public audit reports by FSC-FM-certified forest management units on the page of <a href="http://fsc.org">fsc.org</a> (FSC, 2016; NEPCon, 2016). The lack of a public register of all acquired licenses to operate with specialized logging equipment also limits effective control. According to the National Statistical Institute's Operational Information on Accidents for 2014, only 0.8% of all accidents in Bulgaria take place in the forest sector. Based on general field experience by the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Civil contract  Certificate of employment with the relevant technical equipment  Financial documents for paid insurance  Insurance policy  Collective agreement  Declaration No. 1 for registration of persons who have received compensation under civil contracts		authors if was found that this disproportionately low number of accidents is possibly due to under-reporting as a result of the small percentage of workers in the timber industry who are legally employed. A plurality of workers are from minorities who are less literate, and most of these workers have never been trained to work with logging equipment. A large number of these minority workers are enrolled in the lists of long-term unemployed citizens and are receiving social assistance, which leads to them refusing to sign written contracts for work in the forests because this would lead to termination of their social benefits  Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.
<b>Third parties' rights</b>			
1.13 Customary rights	<b>Applicable laws and regulations</b>  Forest Act /2011/  - Chapter V, Section I: Use of wood, Article 111 (Use of timber by individuals for their own needs);  - Chapter V, Section II: Use of non-timber forest products, Art. 117-119 (Use of non-timber products by individuals for their own needs);	Government sources EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a>  EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otchetten_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchetten_doklad_2014_1.pdf</a> ,  EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry	Overview of Legal Requirements The rights and obligations of users of the forests, and the conditions under which such rights are exploited, are clearly defined in the national legislation. The traditional rights of local communities are guaranteed by laws allowing them to take advantage of some physical goods and services granted by the forest, such as wood, mushrooms, herbs, grazing, hunting, fishing, hiking, etc. These rights are set out in the following provisions: <ul style="list-style-type: none"> <li>• Article 111 of the Forestry Act allows individuals who are residents of settlements to purchase wood for their own use;</li> <li>• Article 119 of the Forestry Act allows every citizen of Bulgaria to use, free of charge, non-timber forest products;</li> </ul>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>- Chapter V, Section III, Art.123-125 (Grazing in forest areas);</p> <p>- Chapter VII, Art. 144 (Access to forest areas):  <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Ordinance No. 18 of 10.07.2015 on the Inventory and Planning in Forest Areas:  <a href="http://www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc">http://www.iag.bg/data/docs/Nova_Naredba_ocenki_2016.doc</a></p> <p>Law on Medicinal Plants /2000/ – Chapter III, Section I and II, Art.20-41 (Use of medicinal plants):  <a href="http://www.lex.bg/bg/laws/ldoc/2134916096">http://www.lex.bg/bg/laws/ldoc/2134916096</a></p> <p>Law on Hunting and Game Protection Act /2000/ – Chapter III, Art. 290-30 (The right to hunt):  <a href="http://www.lex.bg/bg/laws/ldoc/2134941184">http://www.lex.bg/bg/laws/ldoc/2134941184</a></p> <p>Law for the restitution of lands and forests from the forest fund</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p>	<p>Agency. Sofia 2012:  <a href="http://www.iag.bg/data/docs/Otchetten_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchetten_doklad_2013N.pdf</a></p> <p>MoAF (2016): Annual reports of the Ministry of Agriculture and food on the state of agriculture and forests. Ministry of agriculture and food. Sofia 2016:  <a href="http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx">http://www.mzh.government.bg/MZH/bg/Documents/AgrarenDoklad.aspx</a></p> <p>Non-governmental sources:</p> <p>Nikolov, M. (2016): Is there a scheme “Firewood for vote”:  <a href="https://nova.bg/news/view/2016/11/07/164136/разследване-на-нова-има-ли-схема-дърва-срещу-вот/">https://nova.bg/news/view/2016/11/07/164136/разследване-на-нова-има-ли-схема-дърва-срещу-вот/</a></p> <p>Forthenature (2016): Stara planina – Is logging in forests leading to water regime and floods?: <a href="http://forthenature.org/cases/49">http://forthenature.org/cases/49</a></p>	<ul style="list-style-type: none"> <li>Article 123 of the Forestry Act allows grazing in forest areas; and</li> <li>Article 144 of the Forestry Act allows free access to all forest areas (excluding logging sites and nursery gardens).</li> </ul> <p>In addition, according to the Ordinance on the Inventory and Planning in Forest areas, the Regional plans for the development of the forest territories as well as the forest management plans for public forests are subject to public discussions before approval. This allows local communities to provide comments concerning their customary rights which may be taken into account during the planning process.</p> <p>Description of risk  The rights of local communities can be infringed as a result of:</p> <ol style="list-style-type: none"> <li>The unresponsiveness of institutions and bureaucracy;</li> <li>The limited qualifications of foresters with respect to the rights of local communities;</li> <li>Illegal practices.</li> </ol> <p>At present, the national legislation fully recognizes the rights of local communities over forest resources. The municipalities should also guarantee that the public enjoys its rights to public forest resources. The national legal system provides a solid framework with which to address disputes concerning the rights of local communities to forest resources.</p> <p>However, there are serious concerns that these rights are misused during elections by political parties. Often individual mayors, as well as forest authorities are alleged</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Ministry of Environment and Water</p> <p>Regional Inspectorates of Environment and Water</p> <p><b>Legally required documents or records</b></p> <p>Harvesting permit</p> <p>Permit for collection of non-timber products</p> <p>Permit for grazing in forest areas</p> <p>Court decision for restitution of a forest land</p>		<p>of providing better conditions for logging of firewood from the public forests to potential voters (e.g. preferential logging rights, preferential rights to more accessible forest stands, etc.) instead of guaranteeing equal rights for logging to all community members (Nikolov, 2016). However, these risks are not directly related to the harvesting of timber and is thus not considered to be a risk related to this indicator.</p> <p>Different cases are registered of violations of the environmental rights of local communities during the planning process, e.g. disrespecting the statement of Sevlievo Municipality against the commercial logging in water-catchment areas (Forthenature, 2016). (This is covered under 1.10 – Environmental requirements). There are also problems with destruction of public forests and village roads during the transportation of wood (see 1.8). Due to disrespecting rights of the local stakeholders the risk for this indicator is considered specified.</p> <p>Risk conclusion ‘Specified risk’ Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.14 Free prior and informed consent	<p><b>Applicable laws and regulations</b></p> <p>Not applicable. There is no legislation covering free prior and informed consent in Bulgaria.</p> <p><b>Legal Authority</b></p> <p>N/A</p>	N/A	<p>Overview of Legal Requirements N/A</p> <p>Description of risk N/A</p> <p>Risk conclusion N/A</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legally required documents or records</b></p> <p>N/A</p>		
<p>1.15 Indigenous peoples rights</p>	<p><b>Applicable laws and regulations</b></p> <p>Not applicable: no Indigenous people are acknowledged within the country – specific language minorities are fully recognized (by national and regional legislation) but these are not relevant to the forestry sector.</p> <p><b>Legal Authority</b></p> <p>N/A</p> <p><b>Legally required documents or records</b></p> <p>N/A</p>	<p>N/A</p>	<p>N/A</p>
<b>Trade and transport</b>			
<p>1.16 Classification of species, quantities, qualities</p>	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/ – Art. 148 /Transport of wood/; Chapter 13, Section II – Control in forest areas; Art. 127 and 273 – Timber Regulation: <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Ordinance No. 1 of 30.06.2012 for Protection and Control in Forest Areas – Art. 14-15</p>	<p>Non-Government sources Public reports of audits by FSC-FM certified forest management units on the page of <a href="http://fsc.org">fsc.org</a>: <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000dbza6EAA">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000dbza6EAA</a></p> <p>Transparency.bg (2016): Corruption perception index 2016:</p>	<p>Overview of Legal Requirements The Ordinance for Protection and Control in Forest Areas, the Ordinance for Logging in Forests, and the Ordinance for the Conditions and Procedures for Assigning Activities in Forest Areas require strict measurement and classification of timber at any stage of the logging process. The calculation of the volumes and categories of marked timber before logging is carried out through a normative-reference base approved by the Executive Director of the Forestry Agency and/or on the basis of the data in the</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>/Transport of timber/, Art. 54 (2) /marking of timber/:  <a href="http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf">http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf</a></p> <p>Ordinance No. 8 of 05.08.2011 for Felling in Forests /2011/ – art. 50 /Marking of trees for logging/:  <a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p>Ordinance for the Terms and Conditions for Assigning the Carrying Out of Activities in Forest Areas – State and Municipal Property, and Use of Wood and Forest Products /2011/:  <a href="http://www.iag.bg/data/docs/naredba_deinostiGF.doc">http://www.iag.bg/data/docs/naredba_deinostiGF.doc</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p> <p><b>Legally required documents or records</b></p> <p>Transport ticket</p>	<p><a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016">http://www.transparency.org/news/feature/corruption_perceptions_index_2016</a></p> <p>Viaranews (2014): Mother and son stop scandalous logging in the area of Pea Ridge in Samokov. Web-page: <a href="http://viaraneews.com">viaraneews.com</a>:  <a href="http://viaraneews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/">http://viaraneews.com/2014/05/30/майка-и-син-блокираха-скандална-сеч-в-м/</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria. Web-page:  <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p>	<p>existing forestry plan or program. The result of the calculation is entered in the Carnet inventory and the assortment data-sheets. When it is stored in temporary storage in the forest, harvested timber is described in protocols in compliance with the State Standard Classification. On the basis of these protocols, the timber is classified and described in the transport ticket, including information about the tree species, the quality, the volumes and the dimensions of the timber. Then the timber is invoiced by the forest owner and paid for according to the category of the wood, the species, the quality and the quantity.</p> <p>Description of risk  The incorrect classification of harvested material with the intention of reducing/avoiding payments of legally prescribed taxes and fees is considered to be one of the most common frauds in the forest sector in Bulgaria (WWF, 2014; Viaraneews, 2014). As a result of limited control over the classification of harvested timber, timber is often described in the transport tickets as being of lower volume and quality. Bulgaria's high levels of corruption, including in the forestry sector, as assessed by means of the Corruption Perception Index (41 points in 2015), are considered to be a major factor in this type of fraud and in the lack of effective control.</p> <p>Risk conclusion  'Specified risk'  Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Protocols for acceptance of the harvested timber</p> <p>Harvesting permits</p> <p>Decree No. 429/2012, No. 155/2015 and No. 513/2016 of the executive forest agency</p> <p>Carnet inventory and assortment data-sheets</p> <p>Observation protocols for certification of logging sites</p>		
1.17 Trade and transport	<p><b>Applicable laws and regulations</b></p> <p>Forest Act /2011/, Art. 148 /Transport of wood/; Chapter 13, Section II – Control in forest areas: <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Ordinance No. 1 of 30.06.2012 for Protection and Control in Forest Areas, Chapter II "Control", Art. 15-16: <a href="http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf">http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_za_kontrola_i_opazvaneto_na_gorskite_teritorii.pdf</a></p> <p>Decree No. 336/22.02.2016 of the Executive Forest Agency for Issuance of Transporting Tickets: <a href="http://www.iag.bg/data/docs/zapoved.pdf">http://www.iag.bg/data/docs/zapoved.pdf</a></p>	<p>Government sources</p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013: <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012: <a href="http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchetan_doklad_2013N.pdf</a></p> <p>Non-Government sources</p>	<p>Overview of Legal Requirements</p> <p>To be considered legally transported, any timber must be accompanied by a transport ticket issued by a person entitled to do so under Art. 211 of the Forest Act, and should be marked with printed and/or plastic signs. Transport tickets are issued from temporary storages in forests, and, in compliance with Decree No. 336/2016 of the Executive Forest Agency, must include information about the origin and destination of the timber, the date and time of issuance of the ticket, the harvesting permit, a description of the timber (species, volumes, etc.), and data for the plastic control signs. These tickets have a 12-hour period of operation for transportation of the timber from the place at which the ticket is issued to the place for which it is intended. According to Article 16 of the Ordinance, in situations of force majeure, such as the transport vehicle breaking down, transportation of the timber can continue after the expiration of the first ticket with the issuance of a second ticket. Transport tickets are also issued for transportation of round wood from warehouses and wood-processing plants. From 1 January 2016, trucks</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Regional Forest Directorates</p> <p>State Enterprises</p> <p><b>Legally required documents or records</b></p> <p>Electronic transport ticket</p> <p>Paper transport ticket</p> <p>Transport ticket for wood originating from objects under Art.206 of the Forest Act where timber is being delivered, processed and/or shipped.</p>	<p>BNT(2016): Illegal logging in Vitosha impacted old-growth forests:  <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p> <p>BTV (2015): Illegal logging in Sinite Kamani:  <a href="http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html">http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html</a></p> <p>SlivenSega (2016): An illegal wood storage found with 35 m3 of fire-wood:  <a href="https://slivensega.wordpress.com/2016/02/25/откриха-незаконен-склад-с-35-кубика-дърв/">https://slivensega.wordpress.com/2016/02/25/откриха-незаконен-склад-с-35-кубика-дърв/</a></p> <p>WWF (2014): Analysis of WWF on the illegal logging in Bulgaria:  <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a></p> <p>WWF (2015): Election rigging funded by illegal logging in Bulgaria:  <a href="http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria">http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria</a></p>	<p>transporting timber must be equipped with a GPS to allow the control authorities to trace them.</p> <p>Description of risk  Control of the transportation of wood is performed by the Executive Forest Agency, its regional directorates, and the traffic police, whose capacity and training is considered to be adequate to perform effective control. However, due to the high levels of corruption in the country, including in the forest sector (see 1.16), the illegal transport of wood is still an issue (WWF, 2014, 2015; BTV, 2015; SvilenSega, 2016; BNT, 2016). Illegal transport of timber usually occurs when no valid transport document is acquired, when valid transport tickets are used more than once, or when transport tickets for different timber origin are used (WWF, 2014). This is confirmed by the annual reports of the Executive Forest Agency and the Regional Directorates, which state that 60% of all administrative violations in forests concern the transportation of timber without a ticket or with an irregular one (EFA, 2013, 2014, 2015). In cases of manipulated (i.e. incorrect) classification of the transported timber, the transport ticket is used to illegally reduce the sale price in favour of the private party (see 1.5). The lack of a requirement for e-tickets for all forest owners and round-wood transportations, as well as the lack of an Executive Forest Agency database for all transport tickets and the logs of the wood-processing plants compromise this control tool.</p> <p>In relation to the above the risk is identified as specified because of the numerous violations of the regulations concerning the transportation of timber.</p> <p>Risk conclusion  'Specified risk'</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.
1.18 Offshore trading and transfer pricing	<p><b>Applicable laws and regulations</b></p> <p>Act on Economic and Financial Relations with Companies Registered in Jurisdictions with a Preferential Tax Regime, Related Persons and their Beneficial Owners /1 January 2014/ – Article 3 (Prohibits the acquisition of land and forests of the state forest fund): <a href="http://www.kik-info.com/novini/novini-i-akcenti/Zakon-za-ofshorkite.65509.php">http://www.kik-info.com/novini/novini-i-akcenti/Zakon-za-ofshorkite.65509.php</a></p> <p>Law on Corporate Income Tax: <a href="http://www.lex.bg/bg/laws/ldoc/2135540562">http://www.lex.bg/bg/laws/ldoc/2135540562</a></p> <p>Tax and Social Security Procedures Code: <a href="http://www.lex.bg/laws/ldoc/2135514513">www.lex.bg/laws/ldoc/2135514513</a></p> <p>Ordinance No. H-9, 29. August 2006 on the Reimbursement of Value Added Tax to Taxable Persons: <a href="http://www.nap.bg/document?id=2387">www.nap.bg/document?id=2387</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p>	<p>Non-Government sources</p> <p>PWC 2015: International Transfer Pricing 2015/16. Bulgaria: <a href="http://www.pwc.com/gx/en/services/tax/transfer-pricing/itp-download.html">http://www.pwc.com/gx/en/services/tax/transfer-pricing/itp-download.html</a></p>	<p>Overview of Legal Requirements</p> <p>Article 3 of the Act on Economic and Financial Relations with Companies Registered in Jurisdictions with a Preferential Tax Regime, Related Persons and their Beneficial Owners (1 January 2014) prohibits the acquisition of land and forests from the state forest fund by offshore companies in order to prevent state property from becoming involved in potential financial frauds. However, there are no prohibitions on offshore companies undertaking logging, opening wood storages or processing plants.</p> <p>Bulgaria is not a member of the OECD, but has, since 2006, implemented rules on transfer pricing that generally follow the OECD guidelines and the arm's-length principle by requiring that the exchange of goods with related parties be consistent with market prices. The Tax and Social Security Procedure Code includes a definition of “related parties” and stipulates the method to be used when determining prices for transactions between related parties.</p> <p>The taxable person must hold evidence that their relations with related persons are in line with the arm's-length principle, but no specific documents are required to prove this relationship.</p> <p>Description of risk</p> <p>The Bulgarian tax authorities do not have a special unit to deal with transfer pricing, so transfer pricing control is conducted with the general tax audit. Currently, there is no public information from the inspection body about cases of</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Regional Forest Directorates</p> <p>State Enterprises</p> <p><b>Legally required documents or records</b></p> <p>Court registration</p>		<p>transfer pricing or forest land transactions with "offshore" companies. However, given the fact that all sub-category 1.5-1.7 (Taxes and fees) are specified, the country's relatively high corruption level (the Corruption Perception Index (CPI) score being 41 points in 2016 (Transparency.bg, 2016)), and the inadequacy of its governance (scoring 0.09 in Government Effectiveness, -0.08 in Rule of law and -0.28 in Control of Corruption on the World Wide Governance Indicators (World bank, 2015)) it is not possible to exclude that timber export procedure does not include transfer pricing. In compliance with the precautionary principle this indicator is assessed as specific.</p> <p>In compliance with the precautionary principle, this indicator is assessed as specified risk.</p> <p>Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
<p>1.19 Custom regulations</p>	<p><b>Applicable laws and regulations</b></p> <p>Regulation (EC) No. 2173 / 2005 establishing a scheme for permits for wood imports into the EC – FLEGT: <a href="http://eur-lex.europa.eu/legal-content/BG/TXT/?uri=CELEX%3A32005R2173">http://eur-lex.europa.eu/legal-content/BG/TXT/?uri=CELEX%3A32005R2173</a></p> <p>Forestry Act /2011/ – Chapter V, Section IV – (Import and export of wood): <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p>	<p>Government sources</p> <p>Bulgarian Agency for Food Safety and Phytosanitary Control [AFSPC] (2011): Reports/program to implement international standards and phytosanitary measures No. 15: <a href="http://babh.government.bg/uploads/File/Dokumenti_naredbi/Fitosanitaren_kontrol/Pril.%204_Programa%20ISPM%2015.pdf">http://babh.government.bg/uploads/File/Dokumenti_naredbi/Fitosanitaren_kontrol/Pril.%204_Programa%20ISPM%2015.pdf</a></p>	<p>Overview of Legal Requirements</p> <p>Export and import of wood from third parties is carried out under the provisions of the Customs Act. The competent authority is the Customs Agency.</p> <p>Exports are preceded by the preparation of documents containing the following data: the name of the exporter; gross and net weight of goods; vehicles (trucks, containers, railway car, flight number of the plane); references to transport documentation and the type of goods, and; the full detailed inventory of wood.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Customs Act:  <a href="http://lex.bg/laws/ldoc/2134384640">http://lex.bg/laws/ldoc/2134384640</a></p> <p>Ordinance No. 8 of 27.02.2015 for Phytosanitary Control:  <a href="http://www.babh.government.bg/userfiles/files/NAREDBA__8_ot_27.02.2015_g._za_fitosani_tarniq_kontrol.pdf">http://www.babh.government.bg/userfiles/files/NAREDBA__8_ot_27.02.2015_g._za_fitosani_tarniq_kontrol.pdf</a></p> <p><b>Legal Authority</b></p> <p>Customs Agency</p> <p>Minister of Agriculture and Food</p> <p>Executive Forest Agency</p> <p><b>Legally required documents or records</b></p> <p>Customs Declaration Form</p> <p>Customs Bill of Entry</p>	<p>Bulgarian Chamber of Commerce and Industry [BCCI] (2005): National Custom Tariff:  <a href="http://www.bcci.bg/bulgarian/cust_tarifa_2005/chapters/44.htm">http://www.bcci.bg/bulgarian/cust_tarifa_2005/chapters/44.htm</a></p> <p>Customs (2009): Rules of organization and procedures of the Customs Agency:  <a href="http://www.customs.bg/documents/1277898986.rtf">http://www.customs.bg/documents/1277898986.rtf</a></p> <p>EC (2016): European Customs Tariff database:  <a href="http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm">http://ec.europa.eu/taxation_customs/customs/customs_duties/tariff_aspects/customs_tariff/index_en.htm</a></p> <p>Non-Government sources</p> <p>EC (2015): Special Report No. 13/2015: EU support for wood producing countries in accordance with the Action Plan of the EU to implement legislation on forest management and Trade (FLEGT):  <a href="http://www.eca.europa.eu/Lists/ECADocuments/SR15_13/SR_FLEGT_BG.pdf">www.eca.europa.eu/Lists/ECADocuments/SR15_13/SR_FLEGT_BG.pdf</a></p> <p>Occrp.org (2016): Bulgaria: Government Closes Border Customs Office over Corruption. Published Friday, 08. January 2016. Available at:  <a href="https://www.occrp.org/en/daily/4770-bulgaria-government-closes-border-customs-office-over-corruption">https://www.occrp.org/en/daily/4770-bulgaria-government-closes-border-customs-office-over-corruption</a>.</p>	<p>Export/import tariffs are provided in the form of the Customs Tariff of the Republic of Bulgaria pursuant to Article 24 (2) of the Customs Act. According to the Ordinance for Phytosanitary Control, export taxes may be paid only on wood material such as should cover the costs of the phytosanitary control.</p> <p>According to Art. 126 (6) of the Forest Act, the Minister of Agriculture and Food can temporarily stop the export of unprocessed wood. This measure was applied for some months in 2015, but is not currently in place.</p> <p>The information included in the import/export documentation shall correspond to the Customs Tariff Code. The Code secures uniform application of customs rules by all EU Member States, and gives all economic operators a clear view of all measures to be undertaken when importing goods into the EU or exporting goods from the EU.</p> <p>Description of risk</p> <p>There are reporting's of government officials involved in corruption and not checking trucks crossing the borders (occrcp.org 2016). Reports published by the National Customs Agency make no specific mention of violations of customs regulations involving timber products. Similarly, no figures, information or data are reported by non-government sources on timber specifically. However, the lack of controlling trucks can allow timber to be transported out of the country without documentation and payment of custom tariffs. Generally, Bulgaria has a relatively high level of corruption (rated at 41 points on the Corruption Perception Index (CPI) in 2016 (Transparency.bg, 2016)), and its governance receives a low score (scoring 0.09 in Government Effectiveness, -0.08 in Rule of law and -0.28</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>in Control of Corruption on the World Wide Governance Indicators (World bank, 2015)). Thus, the risk of violating customs regulations is considered specified.</p> <p>In compliance with the precautionary principle, this indicator has been evaluated as specified risk.</p> <p>Risk conclusion 'Specified risk' Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>
1.20 CITES	<p><b>Applicable laws and regulations</b></p> <p>Washington Convention on International Trade in Endangered Species of Wild Fauna and Flora, operating in Bulgaria since 1991 (ratified by Decision of the Grand National Assembly on 12.12.1990 – SG. 103 1990 In force for Bulgaria from 04.16.1991 Prom. SG. 6 on 01/21/1992): <a href="https://www.cites.org/eng/disc/text.php">https://www.cites.org/eng/disc/text.php</a></p> <p>Law on Biodiversity /2002/: <a href="http://lex.bg/laws/ldoc/2135456926">http://lex.bg/laws/ldoc/2135456926</a></p> <p>Decree No. 233 of November 8, 2000 on the Foreign Trade Regime of the Republic of Bulgaria: <a href="http://bourgas-kirklareli.org/documents/8.doc">http://bourgas-kirklareli.org/documents/8.doc</a></p> <p>Ordinance No. 49 of April 20, 2006 on the health requirements to some animals, semen, ova and embryos exchange between the</p>	<p>Government sources CITES Checklist: <a href="http://checklist.cites.org/#/en/search/country_ids%5B%5D=252&amp;output_layout=alphabetical&amp;level_of_listing=0&amp;show_synonyms=1&amp;show_author=1&amp;show_english=1&amp;show_spanish=1&amp;show_french=1&amp;scientific_name=planta&amp;page=1&amp;per_page=20">http://checklist.cites.org/#/en/search/country_ids%5B%5D=252&amp;output_layout=alphabetical&amp;level_of_listing=0&amp;show_synonyms=1&amp;show_author=1&amp;show_english=1&amp;show_spanish=1&amp;show_french=1&amp;scientific_name=planta&amp;page=1&amp;per_page=20</a></p> <p>Non-Government sources None found.</p>	<p>Overview of Legal Requirements With Bulgaria's acceptance as an EU member in 2008, the country was obliged to implement the various EU regulations (international instruments binding on the Member States). To ensure adequate protection of endangered animal and plant species, the EU has adopted a number of regulations that are in accordance with the provisions of CITES and are focused on EU-specific issues; in particular, Council Regulation (EC) No. 338/97 of 9 December 1996 on Conservation of Species of Wild Fauna and Flora by Regulating Trade Therein, and other similar regulations. Like CITES, the main principle of the Council Regulation (EC) No. 338/97 depends on the categorization of species in Annexes A, B, C and D. The first three Annexes largely correspond to the three appendixes of CITES. Annex D has no equivalent in CITES. Overall, EU regulations on wildlife trade are more stringent than CITES; they include restrictions which apply to some species not covered by CITES.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>republic of Bulgaria and the member – states of the European Union, and when imported from third countries. in force since 30.05.2006: <a href="http://www.lex.bg/laws/ldoc/2135527383">http://www.lex.bg/laws/ldoc/2135527383</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Environment and Water</p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p>Agency for Food Safety</p> <p><b>Legally required documents or records</b></p> <p>CITES permits issued by the exporting country</p>		<p>Description of risk</p> <p>With regard to CITES, the Customs Agency and the Executive Forest Agency actively cooperate by exchanging information and expertise. No evidence of timber-related violations of the Convention have been found, essentially because there are no Bulgarian wood species on the CITES list.</p> <p>Risk conclusion</p> <p>'Low Risk'. Threshold (1) is met: Identified laws are upheld. Cases where law/regulations are violated are efficiently followed up by the authorities and/or relevant entities by the taking of preventive actions.</p>
<b>Diligence/due care procedures</b>			
1.21 Legislation requiring due diligence/due care procedures	<p><b>Applicable laws and regulations</b></p> <p>Timber Regulation (EU) No. 995/2010: <a href="http://ec.europa.eu/environment/forests/timber_regulation.htm">http://ec.europa.eu/environment/forests/timber_regulation.htm</a></p> <p>Forest Act /2011/ – Art. 148 /Transport of wood/; Chapter 13, Section II – Control in forest areas; Art. 127 and 273 – Timber</p>	<p>Government sources</p> <p>EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013:</p>	<p>Overview of Legal Requirements</p> <p>According to the Forest Act, the Executive Forest Agency (EFA) of the Ministry of Agriculture and Food is the supervisory body for the implementation of forest legislation, including the implementation of Regulation (EU) No. 995/2010 (Art. 127, para.3 of the Forests Act).</p> <p>In turn, the EFA instructs its regional units to perform direct control over the fulfilment of obligations associated with tracking wood products and implementation of Due</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Regulation:  <a href="http://www.lex.bg/bg/laws/ldoc/2135721295">http://www.lex.bg/bg/laws/ldoc/2135721295</a></p> <p>Ordinance No. 1 of 30.06.2012 for protection and control in forest areas:  <a href="http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_zakontrola_i_opazvaneto_na_gorskite_teritorii.pdf">http://www.iag.bg/data/docs/NAREDBA_1_ot_30012012_g_zakontrola_i_opazvaneto_na_gorskite_teritorii.pdf</a></p> <p>Ordinance No. 8 of 05.08.2011 for fellings in the forests:  <a href="http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc">http://www.iag.bg/data/docs/Naredba_za_sechite_v_gorite1.doc</a></p> <p>Guidance on the Application of Regulation (EU) No. 995/2010:  <a href="http://ec.europa.eu/environment/eutr2013/index_bg.htm">http://ec.europa.eu/environment/eutr2013/index_bg.htm</a></p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture and Food</p> <p>Executive Forest Agency</p> <p><b>Legally required documents or records</b></p> <p>Ticket for transportation</p> <p>Due Diligence System</p>	<p><a href="http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012:  <a href="http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otcheten_doklad_2013N.pdf</a></p> <p>EFA (2013): Report of EFA on the implementation of Regulation 995/2011 of EC. Executive Forestry Agency. Sofia 2013:  <a href="http://www.iag.bg/data/docs/Otchet-2013PRG.doc">www.iag.bg/data/docs/Otchet-2013PRG.doc</a></p> <p>Non-Government sources</p> <p>BNT (2016): Illegal logging in Vitosha impacted old-growth forests. Web-page: BNT.bg: <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a></p> <p>BTV (2015a): Hundreds of trees disappeared in front of the eyes of the foresters. Web-page: BTV.bg:  <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznahapod-nosa-na-gorskite.html</a></p> <p>BTV (2015b): Illegal logging in Sinite Kamani. Web-page: BTV.bg:  <a href="http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html">http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html</a></p>	<p>Diligence Systems at forest level under the Timber Regulation, by means of a series of administrative acts and guidelines. The Forest Act and administrative acts issued by the Executive Director of the EFA include specific rules for Due Diligence and tracking wood concerning: the issuance of transport tickets (mainly electronically) for harvested timber; the data to be included in transport tickets and logs of processing plants accepting the logged timber; the issuance of transport tickets (mainly on paper) for the processed wood, and; the data to be included in processing plant logs regarding the wood processed. According to Art. 15 (3) of Ordinance No. 1 of 30.06.2012 for Control and Protection of Forest Areas, transport tickets verify the legal origin of the wood they accompany. Art. 273, para 11 of the Forest Act harmonizes Bulgaria's national legislation with the requirements of Regulation (EU) No. 995/2010, whereby the entirety of timber held in violation of the regulation should be utilized only for public purposes. There are also administrative penal provisions to discourage and prevent illegal logging and transportation of wood.</p> <p>Description of risk  Despite the ongoing efforts of the control authority to disseminate the Timber Regulation and the requirements for tracking wood products, three years after its adoption the Timber Regulation is still not known to the majority of employers in the control authority itself. There is no clear methodology for verification, and currently the whole DDS and timber tracking system lacks transparency. This is confirmed by reports of the EFA in which it is apparent that there were only 300 inspections throughout 2015 and a minimal amount of administrative violations found. These controls cover both Due Diligence implementation and timber tracking. The unawareness of the requirements for</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p>WWF (2015): Election rigging funded by-illegal logging in Bulgaria:  <a href="http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria">http://wwf.panda.org/wwf_news/?258811/Election-rigging-funded-by-illegal-logging-in-Bulgaria</a></p>	<p>proving the source of timber among companies processing and selling timber, the small number of checks by the supervisory authority, the inadequate awareness-raising campaigns, and the lack of effective sanctions all work to undermine the implementation of the timber tracking. Even when Due Diligence Systems are available in the forest units, there seem to be lack of actual implementation of the system and illegal logging and transportation of wood can take place. As a result, NGOs and the media regularly reveal cases of illegal wood being transported (including with electronic tickets) in clear violation of the regulation (WWF, 2015; BTV, 2015a, 2015b; BNT, 2016).</p> <p>Risk conclusion  'Specified risk'  Threshold (2) is met: Identified laws are not upheld consistently by all entities and/or are often ignored, and/or are not enforced by relevant authorities.</p>

### Recommended control measures

Indicator	Recommended control measures
1.1 Land tenure and management rights	<p>Generic</p> <ul style="list-style-type: none"> <li>• Land registry shall confirm ownership and validity of property deed.</li> <li>• Tax authorities shall confirm valid tax registration.</li> <li>• The business register shall confirm valid business licenses to operate within the jurisdiction.</li> <li>• In areas with land ownership conflicts, consultation with neighbors, local communities and others shall confirm that land tenure rights are clear.</li> <li>• The management contract or other agreements with the owner shall clearly indicate management rights.</li> <li>• Valid business registration documents shall exist.</li> <li>• The issuance of legal rights and registrations shall be subject to public disclosure prior to commencement of any activities within FMUs.</li> <li>• Inspections of harvesting sites shall confirm that harvesting takes place within property boundaries (including felling, transport and log landings).</li> </ul> <p>Country Specific</p>

Indicator	Recommended control measures
	<ul style="list-style-type: none"> <li>• Stakeholder consultation and document check shall confirm that registration of FMEs has been granted following legally prescribed processes.</li> <li>• Stakeholder consultation and document check shall confirm that the legal status of operations or rights for conducting the established activities are not subject to court orders or other legally established decisions to cease operations.</li> <li>• For non-state forests, it is necessary that contracts for usage of wood (incl. logging) are legalized by a notary.</li> </ul>
1.2 Concession licenses	<p>Country Specific</p> <ul style="list-style-type: none"> <li>• Proper legal procedures for obtaining (concession) logging licenses shall be followed. The auditors shall check if there is evidence for violation of the implementation of the relevant procedure by checking for court decisions, running court cases, running prosecutor's investigations, issued internal for the Organization orders of punishment or other evidence.</li> <li>• Valid logging license agreements shall exist</li> <li>• The process of obtaining logging (concession) license shall follow an open and transparent process based on clear criteria and be confined to eligible organizations.</li> </ul>
1.3 Management and harvesting planning	<p>Generic</p> <ul style="list-style-type: none"> <li>• Maps shall exist which show harvesting areas (in compliance with the harvesting plan).</li> <li>• Approved harvesting and management plan documents shall be subject to public review.</li> <li>• Approved Forest Management Plans shall exist for the FMU in which the harvesting is taking place.</li> <li>• Forest Management Plans shall contain all legally required information and procedures.</li> <li>• Annual operating or harvesting plans shall be in place and approved by the legally competent authorities.</li> <li>• Annual operating or harvesting plans shall contain information and procedures in accordance with all legal requirements.</li> <li>• The contents of operating and harvesting plans shall be consistent with approved Forest Management Plans.</li> <li>• Plans for carrying out harvesting operations shall be subject to public disclosure and objections prior to commencement, if legally required.</li> <li>• Harvesting restrictions shall be identified in management plans and maps, if legally required.</li> <li>• Harvesting inventories shall be conducted according to legal requirements.</li> <li>• Field verifications shall indicate that the contents of the harvesting plans are adhered to in the field.</li> <li>• Stakeholder consultation shall indicate that Forest Management Plans have been approved according to legally prescribed process.</li> </ul>
1.4 Harvesting permits	<p>Generic</p> <ul style="list-style-type: none"> <li>• Field visits shall verify that maps are in compliance with reality.</li> <li>• Harvesting permits (license or similar legal documents governing the harvesting of forest resources) shall exist.</li> <li>• Harvesting limits shall be clearly defined based on maps and quantities.</li> <li>• Authorities shall confirm the validity of harvesting permits.</li> <li>• Stakeholder consultation shall confirm that harvesting permits have been issued in accordance with relevant laws and regulations by the legally designated competent authority.</li> <li>• Field inspections shall confirm that harvesting takes place within limits defined in harvesting permits.</li> <li>• Field inspections shall confirm that information regarding area, species, volumes and other information given in the harvesting permit are correct and within the limits prescribed in the legislation.</li> </ul> <p>Country specific</p> <ul style="list-style-type: none"> <li>• Harvesting permits should be in compliance with the provisions of Forest Management Plans/programs.</li> </ul>
1.5 Payment of royalties and harvesting fees	<p>Generic</p>

Indicator	Recommended control measures
	<ul style="list-style-type: none"> <li>• Sales documents shall include applicable sales taxes.</li> <li>• Receipts for payment of sales taxes shall exist.</li> <li>• Volumes, species and qualities given in sales and transport documents shall match the fees paid.</li> <li>• Sales prices shall be in line with market prices.</li> <li>• Harvested species, volume and qualities shall match the sales documents.</li> <li>• Authorities shall confirm that operations are up to date in payment of applicable sales taxes.</li> <li>• Consultation with financial authority shall verify that all required income and profit taxes have been paid.</li> </ul> <p>Country specific</p> <ul style="list-style-type: none"> <li>• Receipts shall exist for payments of harvesting-related royalties, taxes, harvesting fees and other charges.</li> <li>• Volumes, species and qualities given in sales and transport documents shall match the fees paid.</li> <li>• Classification of species, volumes and qualities shall match the royalties and fees paid.</li> <li>• Inspections for illegal logging.</li> <li>• Inspections shall confirm the correct classification of timber during sale and transport.</li> </ul>
1.6 Value added taxes and other sales taxes	<p>Generic</p> <ul style="list-style-type: none"> <li>• Sales documents shall include applicable sales taxes.</li> <li>• Receipts for payment of sales taxes shall exist.</li> <li>• Volumes, species and qualities given in sales and transport documents shall match the fees paid.</li> <li>• Sales prices shall be in line with market prices.</li> <li>• Harvested species, volume and qualities shall match the sales documents.</li> <li>• Authorities shall confirm that operations are up to date in payment of applicable sales taxes.</li> <li>• Consultation with financial authority shall verify that all required income and profit taxes have been paid.</li> </ul>
1.7 Income and profit taxes	<p>Generic</p> <ul style="list-style-type: none"> <li>• Consultation with financial authority shall verify that all required income and profit taxes have been paid.</li> </ul>
1.8 Timber harvesting regulations	<p>Generic</p> <ul style="list-style-type: none"> <li>• Harvesting shall be conducted within the authorized boundaries of the FMU.</li> <li>• Harvesting shall not take place in areas where harvesting is legally prohibited.</li> <li>• Tree species or selected trees found within the FMU of which felling is prohibited shall be listed in operational plans.</li> <li>• Harvesting restrictions shall be observed in the field.</li> <li>• Tree species or selected trees found within the FMU of which felling is prohibited shall be marked in the field.</li> </ul> <p>Country specific</p> <ul style="list-style-type: none"> <li>• Onsite verification shall confirm the felling type and the logging technology to be in compliance with the condition of the forest stands.</li> </ul>
1.9 Protected sites and species	<p>Generic</p> <ul style="list-style-type: none"> <li>• All legally protected areas (including species and habitats) shall be included in management plans or related documentation, if required by the legislation.</li> <li>• Legally established procedures for surveying, managing and protecting endangered or threatened species within management units shall be followed.</li> <li>• Nature protection regulations, such as protected areas, set-aside areas, protected species and hunting, shall be established and followed.</li> </ul>

Indicator	Recommended control measures
	Country specific <ul style="list-style-type: none"> <li>• The felling type and the logging technology shall comply with the requirements for protection of nature and protected species.</li> </ul>
1.10 Environmental requirements	Generic <ul style="list-style-type: none"> <li>• Environmental and/or Social Impact Assessments shall be in place and approved by the legally competent authority, if legally required.</li> <li>• Environmental monitoring requirements shall be observed.</li> <li>• Environmental restrictions shall be followed in the field, such as requirements related to soil damage, buffer zones, retention trees, seasonal restrictions etc.</li> </ul> Country specific <ul style="list-style-type: none"> <li>• Onsite verification shall confirm the felling type and the logging technology to be in compliance with the condition of the forest stands.</li> </ul>
1.11 Health and safety	Generic <ul style="list-style-type: none"> <li>• All safety and health regulations shall be followed and all required safety equipment shall be used.</li> <li>• Occupational health and safety requirements shall be observed by all personnel involved in harvesting activities.</li> <li>• Interviews with staff and contractors shall confirm that legally required protection equipment provided and its use mandated by organizations.</li> </ul> Country specific <ul style="list-style-type: none"> <li>• Interviews with public authorities in charge of monitoring the health and safety of working conditions shall confirm that applicable legal requirements are met and that there are no major violations.</li> <li>• Request list of all workers, including information about their qualifications, insurances, personal protection equipment;</li> </ul>
1.12 Legal employment	Generic <ul style="list-style-type: none"> <li>• All workers shall be employed in accordance with the regulations, and required contracts shall be in place.</li> <li>• Persons involved in harvesting activities shall be covered by all obligatory forms of insurance.</li> <li>• Persons involved in harvesting activities shall hold required certificates of competence for the function/s they carry out.</li> <li>• At least the legally established minimum salaries shall be paid for personnel involved in harvesting activities.</li> <li>• Salaries shall be paid officially and declared by the employer according to requirements for personnel involved in harvesting activities.</li> <li>• Minimum age shall be observed for all personnel involved in harvesting activities.</li> <li>• Minimum age shall be observed for all personnel involved in hazardous work.</li> </ul> Country Specific <ul style="list-style-type: none"> <li>• Organization shall facilitate a list of (permanent and temporary) workers' as well as their contracts with the organization, salary payment records. These may be verified on-site if required;</li> <li>• Interviews with Organization employees/workers shall provide confidence that there is no illegality in terms of social security, insurance, contract or other statutorily-required working terms and conditions.</li> </ul>
1.13 Customary rights	Generic <ul style="list-style-type: none"> <li>• Stakeholder consultation shall confirm that customary rights are observed during harvesting activities.</li> </ul> Country Specific



Indicator	Recommended control measures
	<ul style="list-style-type: none"> <li>Complaints for infringed customary rights of stakeholders in the forest management units shall be checked by the competent authorities.</li> </ul>
1.14 Free prior and informed consent	N/A
1.15 Indigenous peoples rights	N/A
1.16 Classification of species, quantities, qualities	<ul style="list-style-type: none"> <li>Products shall be correctly classified (species, quantities, qualities etc.) on sales documents, customs declarations and other legally required documents.</li> <li>Evidence shall be provided upon request (i.e. photographs of labelling).</li> <li>Physical controls shall exist to verify that the present material is as invoiced and marked.</li> </ul>
1.17 Trade and transport	<p>Generic</p> <ul style="list-style-type: none"> <li>Requirements related to transport means (e.g. trucks) shall always be followed.</li> <li>Species and product types shall be traded legally.</li> <li>Required trade permits shall exist and be recorded.</li> <li>All required transport documents shall exist and be recorded.</li> <li>Volume, species and quality shall be classified according to legal requirements.</li> <li>Documents related to transportation, trade or export shall be clearly linked to the specific material in question.</li> </ul>
1.18 Offshore trading and transfer pricing	<p>Generic</p> <ul style="list-style-type: none"> <li>If illegal in the country of the supplier or sub-supplier, products shall not be traded through countries known to be “tax havens”.</li> <li>There shall be no illegal manipulation of transfer pricing.</li> </ul>
1.19 Custom regulations	Invoice shall show prices of timber sold to correspond with general sales prices in the country
1.20 CITES	N/A
1.21 Legislation requiring due diligence/due care procedures	<p>Country specific</p> <ul style="list-style-type: none"> <li>Due Diligence System shall be in place.</li> <li>Under the Due Diligence System records of risks identified shall be presented as well as how these has been mitigated within the forest entity.</li> <li>Mitigated actions shall be verified through field inspections.</li> </ul>

## Controlled wood category 2: Wood harvested in violation of traditional and human rights

### Risk assessment

Indicator	Sources of Information	Functional scale	Risk designation and determination
2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.	See detailed analysis below.	Country	Low risk  Justification: All 'low risk thresholds' (1, 2, 3, 4 and 5) are met. None of the 'specified risk thresholds' are met.
2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.	See detailed analysis below.	Country	Specified risk for discrimination of women and Roma people in the labour market and for child labour  Justification: Specified risk threshold 14 and 15 apply.
2.3. The rights of Indigenous and Traditional Peoples are upheld.	See detailed analysis below.	Country	Specified risk  Justification: The specified risk thresholds 24, 25 and 26 apply.

### Recommended control measures

Indicator	Recommended control measures
2.2	CM should be based on clear evidence that the organization has policies in place that guarantee core labour rights.
2.3	Clear evidence that a forest operation is not taking place in traditional territories of indigenous peoples. Or, Clear evidence that the FMU is managed by the governance structures of indigenous peoples, Or, Clear evidence that the involved indigenous peoples have freely ceded their territorial and/or use rights in an agreement or settlement with the government, Or an (FPIC) agreement with the involved indigenous peoples with customary forest rights in the forest management unit, after a fair, transparent, culturally appropriate and inclusive procedure.

## Detailed analysis

Sources of information	Evidence	Scale of risk assessment	Risk indication <sup>1</sup>
<b>Context</b> (the following are indicators that help to contextualize the information from other sources) <ul style="list-style-type: none"> <li>Searching for data on: level of corruption, governance, lawlessness, fragility of the State, freedom of journalism, freedom of speech, peace, human rights, armed or violent conflicts by or in the country, etc.</li> </ul>			
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 215 countries (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/index.aspx#home">http://info.worldbank.org/governance/wgi/index.aspx#home</a>	<a href="http://info.worldbank.org/governance/wgi/index.aspx#reports">http://info.worldbank.org/governance/wgi/index.aspx#reports</a> (click on table view tab and select Country) In 2014 (latest available year) Bulgaria scores between 48.56 (for Control of Corruption) and 71.15 (Regulatory Quality) on the percentile rank among all countries for all six dimensions (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	country	
World Bank Harmonized List of Fragile Situations:	<a href="http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf">http://siteresources.worldbank.org/EXTLICUS/Resources/511777-1269623894864/FY15FragileSituationList.pdf</a> Bulgaria does not feature on this list	country	
Committee to Protect Journalists: Impunity Index CPJ's Impunity Index calculates the number of unsolved journalist murders as a percentage of each country's population. For this index, CPJ examined journalist murders that occurred between January 1, 2004, and December 31, 2013, and that remain unsolved. Only those nations with five or more unsolved cases are included on this index.	<a href="http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php">http://cpj.org/reports/2014/04/impunity-index-getting-away-with-murder.php</a> Bulgaria does not feature on this list	country	
Carleton University: Country Indicators for Foreign Policy: the Failed and Fragile States project of Carleton University examines state fragility using a combination of structural data and current event monitoring <a href="http://www4.carleton.ca/cifp/ffs.htm">http://www4.carleton.ca/cifp/ffs.htm</a> (Select Country Ranking Table)	<a href="http://www4.carleton.ca/cifp/app/serve.php/1419.pdf">http://www4.carleton.ca/cifp/app/serve.php/1419.pdf</a> Bulgaria scores 'medium-low' on State fragility map 2011. Low being the least fragile status. <a href="http://www4.carleton.ca/cifp/app/ffs_ranking.php">http://www4.carleton.ca/cifp/app/ffs_ranking.php</a> Bulgaria ranks nr. 146 In the Country Ranking Table 2012 (preliminary data) in a list of 200 countries, nr 1 being the most fragile country.	country	
Human Rights Watch: <a href="http://www.hrw.org">http://www.hrw.org</a>	<a href="https://www.hrw.org/world-report/2016/">https://www.hrw.org/world-report/2016/</a> HRW World Report 2016	country	

<sup>1</sup> A risk indication is provided for each source analyzed, except in the first part that addresses the general country context as that is not a risk indicator. A cumulative risk assessment for each risk indicator is provided in the row with the conclusion on each risk indicator, based on all the sources analyzed and evidence found.

	<p>There is no separate country report on Bulgaria, but Bulgaria features in the report on the European Union and on Syria:</p> <p>“In September, the <b>UN high commissioner for human rights</b>, Zeid Ra’ad Al Hussein, <b>criticized ongoing forced evictions of Roma and Travellers</b> in several European countries in recent years. He highlighted France’s “systematic national policy to forcibly evict the Roma” <b>and urged Bulgaria to halt forced evictions</b>, “which are devastating to the affected communities.”” (p. 247)</p> <p>[...]”In 2015, <b>more than 440,000 Syrians attempted to reach Europe</b> by sea. While some European Union countries offered them safety, as the year progressed, and particularly in the aftermath of the November 13 Paris attacks, barriers were increasingly erected to prevent entry of all migrants, including Syrians. Hungary erected fences and imposed high penalties for irregular entry, while <b>pushbacks were reported from Bulgaria and Greece, sometimes violently, at their borders or from their territorial waters without allowing people to lodge asylum claims.</b>” (p. 555)</p>		
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a> Search on website for [country] + ‘human rights’	No information found on serious human rights issues in Bulgaria.	country	
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a> Search on website for [country] + ‘human rights’	No information found on serious human rights issues in Bulgaria	country	
<a href="http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/">http://wwf.panda.org/about_our_earth/about_forests/deforestation/forest_illegal_logging/</a>	<p><a href="http://wwf.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/">http://wwf.panda.org/about_our_earth/deforestation/deforestation_causes/illegal_logging/</a> No information on Bulgaria on this page.</p> <p><a href="http://wwf.panda.org/core/general.cfc?method=getOriginalImage&amp;ulmgID=%26%2AR%5C%27%21%3EW5%0A">http://wwf.panda.org/core/general.cfc?method=getOriginalImage&amp;ulmgID=%26%2AR%5C%27%21%3EW5%0A</a> Bulgaria is not shown on the map of countries with higher rates of illegal logging.</p> <p><a href="http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf">http://indicators.chathamhouse.org/sites/files/reports/Tackling%20Illegal%20Logging%20and%20Related%20Trade_0.pdf</a> Bulgaria scores 2 on a scale of 1 to 6 for implementation of EUTR. (1 stands for non-implementation and 6 for full implementation) (p. 44)</p>	country	
Chatham House Illegal Logging Indicators Country Report Card <a href="http://www.illegal-logging.info">http://www.illegal-logging.info</a>	Last information on Bulgaria on this site dates from 2005 – outdated.	country	
Transparency International Corruption Perceptions Index	<a href="https://www.transparency.org/cpi2014/results">https://www.transparency.org/cpi2014/results</a> Bulgaria scores 43 points on the <b>Corruption Perceptions Index 2014</b> on a scale from 0 (highly corrupt) to 100 (very clean). Bulgaria ranks 69 out of 175 with rank nr. 1 being the cleanest country.	country	

<p>Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights</p>	<p><a href="https://www.amnesty.org/en/documents/pol10/2552/2016/en/">https://www.amnesty.org/en/documents/pol10/2552/2016/en/</a>  <i>State of the Human Rights Report 2015/16</i>          "Allegations of <b>push-backs of refugees and migrants by border police</b> persisted, the reception conditions of asylum-seekers remained poor and there was no integration plan for recognized refugees. Local and national authorities continued to <b>forcibly evict Roma</b>. The <b>amendment of hate crime legislation stalled</b>. "</p> <p>[...] "HOUSING RIGHTS – FORCED EVICTIONS OF ROMA          Despite the constitutional right to housing, housing legislation in Bulgaria does not explicitly prohibit forced evictions, nor does it establish safeguards in line with international human rights standards. Authorities continued to forcibly evict Romani communities from informal settlements. Some were relocated to inadequate housing, while others were rendered homeless."</p> <p>DISCRIMINATION – HATE CRIMES          In June, the Council of Europe Commissioner for Human Rights raised concerns over the high levels of racism and intolerance against several groups including refugees, asylum- seekers and migrants, who remained particularly vulnerable to violence and harassment.          Hate crimes against Roma, Muslims, Jews and other ethnic and religious minorities continued to be largely prosecuted as acts motivated by "hooliganism", rather than under the criminal law provisions specifically enacted for "racist and xenophobic hate crimes".</p> <p>TORTURE AND OTHER ILL-TREATMENT          National and international organizations, including the European Committee for the Prevention of Torture and the Council of Europe Commissioner for Human Rights, criticized the juvenile justice system as inadequate and called for a comprehensive reform." (p. 95-97)</p>	<p>country</p>	
<p>Freedom House  <a href="http://www.freedomhouse.org/">http://www.freedomhouse.org/</a></p>	<p><a href="http://www.freedomhouse.org/report-types/freedom-world#_U-3g5fl_sVc">http://www.freedomhouse.org/report-types/freedom-world#_U-3g5fl_sVc</a>          The status of Bulgaria on the <b>Freedom</b> in the World index 2016 is 'free'. With a score of 80 (0 = worst, 100 = best)</p> <p><a href="https://freedomhouse.org/report/freedom-net/freedom-net-2015">https://freedomhouse.org/report/freedom-net/freedom-net-2015</a>          The status of Bulgaria on the <b>Freedom on the Net</b> is not available.</p> <p><a href="https://freedomhouse.org/report/freedom-press/2015/bulgaria">https://freedomhouse.org/report/freedom-press/2015/bulgaria</a>          The status of Bulgaria on the <b>Freedom of the press</b> is 'partly free' with a score of 38 (0 = best, 100 = worst)</p>	<p>country</p>	

	“The constitution protects freedom of speech and of the press, and the government generally respects these rights in practice, but <b>many media outlets are beholden to major advertisers and owners with political agendas.</b> ”		
Reporters without Borders: Press Freedom Index <a href="https://index.rsf.org/#/">https://index.rsf.org/#/</a>	<a href="https://rsf.org/en/world-press-freedom-index-2015">https://rsf.org/en/world-press-freedom-index-2015</a> <i>2015 World Press Freedom Index</i> Bulgaria ranks no. 106 out of 180 with a score of 32.91 on the 2015 World Press Freedom Index, which ranks it among the countries with restricted press freedom in the world. (no. 1 is country with best press freedom).	country	
Fund for Peace - Fragile States Index - the Fund for Peace is a US-based non-profit research and educational organization that works to prevent violent conflict and promote security. The Fragile States Index is an annual ranking, first published in 2005 with the name Failed States Index, of 177 nations based on their levels of stability and capacity <a href="http://fsi.fundforpeace.org/">http://fsi.fundforpeace.org/</a>	<i>Fragile States Index 2015</i> <b>Bulgaria is ranked 130 out of 178 countries</b> on the Fragile States Index 2015. (no 1 being the most failed state). <b>This ranks Bulgaria in the category 'less stable'.</b>	country	
The Global Peace Index. Published by the Institute for Economics & Peace, This index is the world's leading measure of national peacefulness. It ranks 162 nations according to their absence of violence. It's made up of 23 indicators, ranging from a nation's level of military expenditure to its relations with neighbouring countries and the level of respect for human rights. Source: The Guardian: <a href="http://economicsandpeace.org/research/iep-indices-data/global-peace-index">http://economicsandpeace.org/research/iep-indices-data/global-peace-index</a>	<a href="http://economicsandpeace.org/wp-content/uploads/2015/06/Global-Peace-Index-Report-2015_0.pdf">http://economicsandpeace.org/wp-content/uploads/2015/06/Global-Peace-Index-Report-2015_0.pdf</a> <i>2015 Global Peace Index</i> <b>The state of Peace in Bulgaria is labelled 'Medium'</b> with Bulgaria ranking number 32 out of 162 countries (nr. 1 being the most peaceful country) with a score of 1.607 (p. 8).	country	
<b>Additional sources of information</b> (These additional sources were by Googling the terms '[country]', 'timber', 'conflict', 'illegal logging')	<b>Evidence</b>	<b>Scale of risk assessment</b>	<b>Risk indication</b>
	<a href="http://www.novinite.com/articles/167414/Bulgarian+Timber+Companies+to+Block+Border+Crossing+Points+to+Protest+Export+Ban">http://www.novinite.com/articles/167414/Bulgarian+Timber+Companies+to+Block+Border+Crossing+Points+to+Protest+Export+Ban</a> <i>Bulgarian Timber Companies to Block Border Crossing Points to Protest Export Ban – 23 March 2015</i> <b>Timber industry representatives are launching protests on March 24 over a 3-month ban on exports of wood in the rough.</b> The ban has been an obstruction to nearly 800 companies in the sector for two weeks. [...]Dimitar Nikolov, representative of a timber exporter, told the fornews news portal that they were ready to continue protests as long as necessary, adding that they would not stop protecting the interest of their 8000 or so workers.		

Nikolov underscored that these companies did not agree with the allegations that they were to blame for illegal logging in Bulgaria, adding that they also called for strict rules in the sphere.”

[http://hout.fordag.com/fordag/news/Bulgaria\\_log\\_export\\_ban\\_42241.html](http://hout.fordag.com/fordag/news/Bulgaria_log_export_ban_42241.html)

*Bulgaria: Log export ban extended – 10 June 2015*

“Bulgaria’s log export ban which entered into force on March 10 this year remains in place until the adoption of a new Forest Act, Bulgarian media recently reported, quoting government officials.

Bulgaria’s Parliament adopted the 3-month moratorium on log exports, specifying that changes to the Forest Act were to be drafted during the period. The moratorium directly targets the country’s problems with illegal logging. It expired this Tuesday. Some amendments still need to be reviewed by the Parliament and until then, the ban stays in place.

Bulgarian wood industry companies think that the moratorium is pointless, as illegal exports have not stopped, while legal businesses hit by the ban suffer losses and staff cuts. Numerous protests have been held in Bulgaria against the ban, however no action in this respect has been taken.”

[http://www.standartnews.com/english/read/ethnic\\_conflict\\_in\\_bulgaria\\_is\\_a\\_time\\_bomb\\_-8645.html](http://www.standartnews.com/english/read/ethnic_conflict_in_bulgaria_is_a_time_bomb_-8645.html)

*Ethnic conflict in Bulgaria is a time bomb. 10-06-2015*

"I am more careful when it comes to the ethnic problem in Bulgaria than anyone. The ethnic conflict is a time bomb. Unlike others, I am a responsible person and I know that I could become the next Ratko Mladic in less than an hour," said Prime Minister Boyko Borisov in an interview.

In connection with the recent investigative report by a Nova TV journalist, which found that gypsies on welfare were living in palace-like homes in Ignatievo, the Prime minister said that two of these properties with two houses had been frozen.

"I'm sure they'll be confiscated this time," he said.

Asked about the issue of vote buying and a possible political umbrella over the Roma pickpockets, the Prime Minister replied that the law should be obeyed instead of amended again.

"Revenues in the Treasury since the beginning of the year are 2 billion more than during the same period in 2014. We have collected 1.2 billion from excise duties and smuggling of fuel, cigarettes, and alcohol," reported the Prime Minister.”

<http://www.illegal-logging.info/regions/bulgaria>

	<i>Illegal Logging Portal - Bulgaria</i> "As an EU Member State, Bulgaria is required to implement the EU Timber Regulation, which came into force in March 2013."		
From national CW RA: Info on illegal logging	-	country	
<b>Conclusion on country context:</b> Bulgaria scores medium on most indicators reviewed in this context section related to issues such as good governance and freedom, and corruption indicators and is considered a less stable country. Human rights reports mention concerns about treatment of refugees and asylum seekers and forcible evictions of Roma by local and national authorities. Although as an EU Member State, Bulgaria is required to implement the EU Timber Regulation, illegal logging is reported.		Country	
<b>Indicator 2.1. The forest sector is not associated with violent armed conflict, including that which threatens national or regional security and/or linked to military control.</b>			
<b>Guidance</b>			
<ul style="list-style-type: none"> <li>Is the country covered by a UN security ban on exporting timber?</li> <li>Is the country covered by any other international ban on timber export?</li> <li>Are there individuals or entities involved in the forest sector that are facing UN sanctions?</li> </ul>			
Compendium of United Nations Security Council Sanctions Lists: <a href="http://www.un.org">www.un.org</a> Google: "Consolidated United Nations Security Council Sanctions List" for latest version. It is regularly updated.	<a href="https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf">https://www.un.org/sc/suborg/sites/www.un.org.sc.suborg/files/consolidated.pdf</a>  There is no UN Security Council ban on timber exports from Bulgaria	country	Low risk
US AID: <a href="http://www.usaid.gov">www.usaid.gov</a>	Bulgaria is not covered by any other international ban on timber export.		
Global Witness: <a href="http://www.globalwitness.org">www.globalwitness.org</a>	There are no individuals or entities involved in the forest sector in Bulgaria that are facing UN sanctions.		
From national CW RA (2013)	Global Witness <a href="http://www.globalwitness.org/paq/es/en/forests.html">http://www.globalwitness.org/paq/es/en/forests.html</a> There is no UN Security Council export ban in Bulgaria.	country	Low risk
<b>Guidance</b>			
<ul style="list-style-type: none"> <li>Is the country a source of conflict timber? If so, is it at the country level or only an issue in specific regions? If so – which regions?</li> <li>Is the conflict timber related to specific entities? If so, which entities or types of entities?</li> </ul>			
<a href="http://www.usaid.gov">www.usaid.gov</a>  Conflict Timber is defined by US AID as: - conflict financed or sustained through the harvest and sale of timber (Type 1), - conflict emerging as a result of competition over timber or other forest resources (Type 2) Also check overlap with indicator 2.3	<b>This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'</b>	country	Low risk



<a href="http://www.globalwitness.org/campaigns/environment/forests">www.globalwitness.org/campaigns/environment/forests</a>	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
World Resources Institute: Governance of Forests Initiative Indicator Framework (Version 1) <a href="http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf">http://pdf.wri.org/working_papers/gfi_tenure_indicators_sep09.pdf</a> Now: PROFOR <a href="http://www.profor.info/node/1998">http://www.profor.info/node/1998</a>	<a href="http://www.profor.info/node/1998">http://www.profor.info/node/1998</a>  This work resulted in a publication: Assessing and Monitoring Forest Governance: A user's guide to a diagnostic tool (available on this page) published by PROFOR in June 2012. This tool has not yet been applied to Bulgaria.	country	Low risk
Amnesty International Annual Report: The state of the world's human rights -information on key human rights issues, including: freedom of expression; international justice; corporate accountability; the death penalty; and reproductive rights <a href="http://www.amnesty.org">http://www.amnesty.org</a>	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
World Bank: Worldwide Governance Indicators - the WGI report aggregate and individual governance indicators for 213 economies (most recently for 1996–2012), for six dimensions of governance: Voice and Accountability; Political Stability and Absence of Violence; Government Effectiveness; Regulatory Quality; Rule of Law; Control of Corruption <a href="http://info.worldbank.org/governance/wgi/index.aspx#home">http://info.worldbank.org/governance/wgi/index.aspx#home</a> Use indicator 'Political stability and Absence of violence' specific for indicator 2.1	In 2014 (latest available year) Bulgaria scores 50.00 for Political Stability and Absence of Violence on the percentile rank among all countries (the scores range from 0 (lowest rank) to 100 (highest rank) with higher values corresponding to better outcomes).	country	Specified risk
Greenpeace: <a href="http://www.greenpeace.org">www.greenpeace.org</a> Search for 'conflict timber [country]'	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
CIFOR: <a href="http://www.cifor.org/">http://www.cifor.org/</a> <a href="http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm">http://www.cifor.org/publications/Corporate/FactSheet/forests_conflict.htm</a>	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
Google the terms '[country]' and one of following terms or in combination 'conflict timber', 'illegal logging'	This source contains no information that leads to a 'specified risk' indication after searching Bulgaria + 'conflicts' 'timber conflicts'	country	Low risk
From national CW RA (2013)	Conflict Timber: Dimensions of the Problem in Asia and Africa Volume I Synthesis Report (available at <a href="http://www.usaid.gov">www.usaid.gov</a> )  Bulgaria is not associated with or designated as source of conflict timber according to latest available research.	Country	Low risk
<b>Conclusion on indicator 2.1:</b> Although some sources mention illegal logging takes place in Bulgaria (see above under country context), no information was found on Bulgaria as a source of conflict timber, and the forest sector is not associated with any violent armed conflict in Bulgaria.		country	Low risk

**The following low risk thresholds apply:**

- (1) The area under assessment is not a source of conflict timber<sup>2</sup>; AND
- (2) The country is not covered by a UN security ban on exporting timber; AND
- (3) The country is not covered by any other international ban on timber export; AND
- (4) Operators in the area under assessment are not involved in conflict timber supply/trade; AND
- (5) Other available evidence does not challenge 'low risk' designation.

**Indicator 2.2. Labour rights are respected including rights as specified in ILO Fundamental Principles and Rights at work.**

- Guidance**
- Are the social rights covered by the relevant legislation and enforced in the country or area concerned? (refer to category 1)
  - Are rights like freedom of association and collective bargaining upheld?
  - Is there evidence confirming absence of compulsory and/or forced labour?
  - Is there evidence confirming absence of discrimination in respect of employment and/or occupation, and/or gender?
  - Is there evidence confirming absence of child labour?
  - Is the country signatory to the relevant ILO Conventions?
  - Is there evidence that any groups (including women) feel adequately protected related to the rights mentioned above?
  - Are any violations of labour rights limited to specific sectors?

General sources from FSC-PRO-60-002a V1-0 EN	Information found and specific sources	Scale of risk assessment	Risk indication
Status of ratification of fundamental ILO conventions: <a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::">http://www.ilo.org/dyn/normlex/en/f?p=1000:11001:0::NO::</a> or use: ILO Core Conventions Database: <a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a> C29 Forced Labour Convention, 1930 C87 Freedom of Association and Protection of the Right to Organize Convention, 1948 C98 Right to Organize and Collective Bargaining Convention, 1949 C100 Equal Remuneration Convention, 1951 C105 Abolition of Forced Labour Convention, 1957 C111 Discrimination (Employment and Occupation) Convention, 1958	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102576">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102576</a> <b>Bulgaria has ratified all the 8 ILO core conventions.</b> The status on the ILO website for these 8 Conventions is 'in force'.  Minimum age specified for C138 - Minimum Age Convention, 1973 (No. 138) is 16 years.  <a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3244833:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3244833:NO</a> <i>Direct Request (CEACR) - adopted 2015, published 105th ILC session (2016)</i> Forced Labour Convention, 1930 (No. 29) - Bulgaria (Ratification: 1932)	Country	Low risk

<sup>2</sup> "Conflict timber" limited to include "timber that has been traded at some point in the chain of custody by armed groups, be they rebel factions or regular soldiers, or by a civilian administration involved in armed conflict or its representatives, either to perpetuate conflict or take advantage of conflict situations for personal gain - conflict timber is not necessarily illegal.

<p>C138 Minimum Age Convention, 1973 C182 Worst Forms of Child Labour Convention, 1999</p> <p>Ratification as such should be checked under Category 1. In Cat. 2 we take that outcome into consideration. Refer to it.</p>	<p>“While noting the Government’s indication that in practice prisoners cannot be forced to work even if they have incentives to do so, the Committee notes that <b>no provision of the Implementation of Penal Sanctions and Detention in Custody Act, 2009, requires the prior formal and informed consent for the work of prisoners for private companies, both inside and outside prison premises.</b>”</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188501:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188501:NO</a> <i>Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87) - Bulgaria (Ratification: 1959)</i></p> <p>“The Committee recalls that for a number of years it has been raising the <b>need to amend the following provisions: (i) Section 11(2) of the Collective Labour Disputes Settlement Act, which provides that the decision to call a strike shall be taken by a simple majority of the workers</b> in the enterprise or the unit concerned, <b>and 11(3), which requires the strike duration to be declared:</b> The Committee notes the Government’s indication that there have been no legislative amendments to section 11 during the reference period. [...] (iii) <b>Section 47 of the Civil Servant Act, which restricts the right to strike of public servants, including those not exercising authority in the name of the State [...].</b>”</p> <p><a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188516:NO">http://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3188516:NO</a> <i>Observation (CEACR) - adopted 2014, published 104th ILC session (2015) Right to Organize and Collective Bargaining Convention, 1949 (No. 98) - Bulgaria (Ratification: 1959)</i></p> <p>“The Committee considers that the <b>applicable compensation for unlawful dismissal</b> under section 225(1) of the Labour Code (up to six months’ wages) may be <b>a deterrent for a certain number of small and medium-sized enterprises, but that this is unlikely so for large enterprises or high productivity or profitability enterprises;</b> and that, similarly, the fine imposed under section 78(1)(No. 2) of the Protection against Discrimination Act lacks a deterrent effect.”</p> <p>[...]The Committee recalls <b>that national legislation should explicitly prohibit all acts of interference mentioned in the Convention</b> and make express provision for rapid appeal procedures, coupled with dissuasive sanctions, in order to ensure the application in practice of Article 2 of the Convention.</p>	<p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p> <p>Country</p>	<p>Specified risk for forced labour</p> <p>Specified risk for right to strike</p> <p>Specified risk for right to organize and collective bargaining</p> <p>Specified risk for right to organize and collective bargaining</p>
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	of the workers. Many national legislative measures provide that to be able to call a strike, it must be so decided by a certain percentage of workers, members or those present and voting, for instance more than the half (Bulgaria, Burundi [...]) (p. 40)		
ILO Child Labour Country Dashboard: <a href="http://www.ilo.org/ipecc/Regionsandcountries/lang-en/index.htm">http://www.ilo.org/ipecc/Regionsandcountries/lang-en/index.htm</a>	This source contains no information that leads to a 'specified risk' indication	Country	Low risk
Global March Against Child Labour: <a href="http://www.globalmarch.org/">http://www.globalmarch.org/</a>	This source contains no information that leads to a 'specified risk' indication	Country	Low risk
Office of the United Nations High Commissioner for Human Rights (OHCHR), Committee on Rights of the Child: <a href="http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx">http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx</a>	<a href="http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=BGR&amp;Lang=EN">http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Countries.aspx?CountryCode=BGR&amp;Lang=EN</a> Latest concluding observations of the Committee on Rights of the Child on Bulgaria are from 2008 which is <b>outdated</b>	Country	NA
Committee on the Elimination of Discrimination against Women <a href="http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx">http://www.ohchr.org/en/hrbodies/cedaw/pages/cedawindex.aspx</a> (Use the link to 'Key documents' on the left hand side. Go to 'observations' and search for country.) (Refer to CW Cat. 1) Or: Right top select country click on CEDAW treaty, click on latest reporting period and select concluding observations	<a href="http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBGR%2fCO%2f4-7&amp;Lang=en">http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fBGR%2fCO%2f4-7&amp;Lang=en</a> <i>Concluding observations of the Committee on the Elimination of Discrimination against Women - Bulgaria – 7 August 2012</i> "Stereotypes and discriminatory practices 21. While welcoming the efforts of the State party to eliminate entrenched <b>gender stereotypes in the family, the media and society at large</b> , including through legislative measures such as paternity leave, the Committee reiterates its concern about the persistence of stereotypical patterns regarding the roles and responsibilities of women and men in the family and society that <b>overemphasize the traditional roles of women as mothers and spouses and continue to affect their educational and professional choices</b> . It also notes with concern that the media and the advertising sector systematically convey sexualized and commercialized images of women." (p. 6) "Employment 33. The Committee notes with appreciation that <b>the principle of equal pay for work of equal value is embodied in domestic legislation, that sexual harassment is prohibited in the Protection against Discrimination Act</b> and that a national employment strategy (2008-2015) and a national action plan for employment have been adopted. The Committee expresses <b>concern, however, about the continuing vertical and horizontal occupational segregation and the persistent wage gap between women and men, in particular in the public sector, the increased rate of women's unemployment and the exclusion of Roma women from the formal labour market</b> . It is also concerned about the <b>lack of information on complaints related to labour discrimination based on sex, the low number of reported cases of sexual harassment</b> and the low number of men taking paternity leave." (p. 9)	Country  country  country	Specified risk for gender discrimination in labour market Low risk for gender pay gap and sexual harassment  Specified risk for gender wage gap, and discrimination against Roma women in the labour market
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>	This source contains no information that leads to a 'specified risk' indication	country	Low risk

Child Labour Index 2014 produced by Maplecroft. <a href="http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/">http://maplecroft.com/portfolio/new-analysis/2013/10/15/child-labour-risks-increase-china-and-russia-most-progress-shown-south-america-maplecroft-index/</a>	Bulgaria scores 'medium risk' on the Child Labour Index 2014	country	Specified risk on child labour
<a href="http://www.verite.org/Commodities/Timber">http://www.verite.org/Commodities/Timber</a>  (useful, specific on timber)	Bulgaria not mentioned in article	country	Low risk
The ITUC Global Rights Index ranks 139 countries against 97 internationally recognized indicators to assess where workers' rights are best protected, in law and in practice. The Survey provides information on violations of the rights to freedom of association, collective bargaining and strike as defined by ILO Conventions, in particular ILO Convention Nos. 87 and 98 as well as jurisprudence developed by the ILO supervisory mechanisms. There are 5 ratings with 1 being the best rating and 5 being the worst rating a country could get. <a href="http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en">http://www.ituc-csi.org/new-ituc-global-rights-index-the?lang=en</a>	<a href="http://www.ituc-csi.org/ituc-global-rights-index-2015?lang=en">http://www.ituc-csi.org/ituc-global-rights-index-2015?lang=en</a> <i>The 2015 ITUC Global Rights Index</i>  Bulgaria is ranked in Category 2: Repeated violation of rights (p. 15)  "Countries with a rating of 2 have slightly weaker collective labour rights than those with the rating 1. Certain rights have come under repeated attacks by governments and/or companies and have undermined the struggle for better working conditions." (p. 19)  <a href="http://www.ituc-csi.org/countries-at-risk-2013-report-on-countries-at-risk-2013-report-on-violations-of-trade-union-rights">http://www.ituc-csi.org/countries-at-risk-2013-report-on-countries-at-risk-2013-report-on-violations-of-trade-union-rights</a> <i>Countries at risk: 2013 Report on Violations of Trade Union Rights</i> "No adequate legal protection: The law does not provide adequate protection against acts of interference by employers. Strikes are hindered by excessive legal prerequisites requiring the majority of all workers in an enterprise to vote in favour of strike action (sec. 11 (2) Collective Labour Disputes Settlement Act). Civil servants do not have the right to collective bargaining or the right to strike."	country	Specified risk on rights to freedom of association, collective bargaining and strike
Gender wage gap (in OECD countries) <a href="http://www.oecd.org/gender/data/genderwagegap.htm">http://www.oecd.org/gender/data/genderwagegap.htm</a>	Bulgaria is not a member of the OECD and therefore does not feature in this source.	country	-
World Economic Forum: Global Gender Gap Index 2014 <a href="http://reports.weforum.org/global-gender-gap-report-2014/rankings/">http://reports.weforum.org/global-gender-gap-report-2014/rankings/</a> Search for country rankings for the adjusted and the unadjusted pay gap	<a href="http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=BGR">http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=BGR</a> <i>Global Gender Gap Index 2015 - Bulgaria</i>  Bulgaria ranks no. 43 out of 145 countries with a score of 0.722 (The highest possible score is 1 (equality) and the lowest possible score is 0 (inequality)).  On the more specific sub-index on <b>Economic participation and opportunity</b> Bulgaria ranks no. 55 with a score of 0.701  Within that index, the most specific and relevant indicator is the <b>Wage equality for similar work</b> . Here Bulgaria ranks nr. 113 with a score of 0.55.	country	Specified risk for gender discrimination in labour market

<p>use, if applicable:  <a href="http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm">http://www.ilo.org/global/publications/books/WCMS_324678/lang-en/index.htm</a>  <i>Global Wage Report 2014/15</i>          “The Global Wage Report 2014/15 analyses the evolution of real wages around the world, giving a unique picture of wage trends and relative purchasing power globally and by region.”</p>	<p><a href="http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_324678.pdf">http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_324678.pdf</a>  <i>Global Wage Report 2014/15</i>  <b>The actual gender wage gap minus the explained gender wage gap</b> (taking into account i.e. education, experience, economic activity, location, work intensity and occupation) <b>for Bulgaria is 23%</b> (18 % plus 5%). <b>This percentage represents the unexplained gender wage gap</b> which may capture discriminatory practices. <b>The average unexplained gender wage gap for Europe is 20%. Bulgaria is above the European average.</b> (Figure 37, p. 49)</p>	<p>country</p>	<p>Specified risk on gender wage discrimination</p>
<p>Google the terms [country] and one of following terms 'violation of labour rights', 'child labour', 'forced labour', 'slave labour', 'discrimination', 'gender pay/wage gap, 'violation of labour union rights' 'violation of freedom of association and collective bargaining'</p>	<p><a href="http://www.humanium.org/en/europe-caucasus/bulgaria/">http://www.humanium.org/en/europe-caucasus/bulgaria/</a>  <i>Children of Bulgaria - Realizing Children's Rights in Bulgaria - 24 sep. 2012</i>          “Realization of Children's Rights Index: 8,43 / 10 (Yellow level: Satisfactory situation)          Despite efforts to improve children's rights in Bulgaria, <b>the country still has a long way to go with regard to addressing issues concerning child abuse, child labour and discrimination against Romany children.</b>  <b>[...] Romany communities are mostly affected by poverty. Their children are often required to work in order to make ends meet.</b> With unemployment at over 80% for this minority, <b>the adults suffer greatly from discrimination in the workplace.</b> In turn, this affects the children since their unemployed parents cannot provide for them at a basic level.          [...]Despite corporal punishment being illegal, <b>some children continue to suffer abuse</b> in schools, in the family home, in the legal system and <b>in the workplace.</b> In 2011, the national agency for the protection of children recorded more than 2,000 cases of child abuse, and 1,800 of these took place in the family home.          [...] Child Labour. Other children are simply exploited. Young Bulgarians between 8 and 13 years of age are sold in their thousands or are brought up by traffickers in their own country. Thankfully, <b>a new ruling prevents employers from recruiting 15 and 16 year olds to carry out dangerous or degrading jobs.</b> However, <b>a great number of such vulnerable children, mostly Romany children, are still being exploited and forced to carry out unsuitable work. This occurs most commonly in agriculture, industry or domestic work.”</b></p> <p><a href="http://www.coe.int/hu/web/commissioner/-/child-labour-in-europe-a-persisting-challen-1">http://www.coe.int/hu/web/commissioner/-/child-labour-in-europe-a-persisting-challen-1</a>  <i>Child labour in Europe: a persisting challenge - 20/08/2013</i>  <b>“Many of the children working across Europe have extremely hazardous occupations in agriculture, construction, small factories or on the street. This has been reported for example in Albania, Bulgaria, Georgia, Moldova, Montenegro, Romania, Serbia, Turkey and Ukraine. Work in agriculture may involve using dangerous machinery and tools, carrying heavy loads and applying harmful pesticides. Working in the streets leaves children vulnerable to abuse and exploitation.</b></p>	<p>Country</p> <p>Country</p>	<p>Specified risk for child labour</p> <p>Specified risk for child labour</p>





	<p>documented elsewhere, official statistics remain sparse in the rural regions of Europe. [...]"We are aware that <b>there is a significant issue of child labour in south-eastern European countries such as Bulgaria</b> and Romania," Dr Aidan McQuade, director of the international human rights organization Anti-Slavery International, told IBTimes UK.</p> <p>In the <b>Rhodope mountains in south-west Bulgaria</b>, the poorest region of the country, villages are inhabited by <b>the Slavic Muslim minority of the Pomaks</b>. In <b>tobacco industry</b>, one of the only cash crops grown in the area, it has been reported by human rights organizations that <b>children work up to 10 hour days in the fields</b>. It is known that the labour, aside from being exhausting, can heighten the risk of disease from inhaling carcinogenic substances from tobacco dust."</p> <p><a href="http://www.dol.gov/ilab/reports/child-labor/findings/tda2004/bulgaria.pdf">http://www.dol.gov/ilab/reports/child-labor/findings/tda2004/bulgaria.pdf</a> "Official statistics on the number of working children under the age of 15 years in Bulgaria are unavailable. Children engage in paid work outside of the home in the commercial and service sectors. <b>Children also work in agriculture, forestry</b>, transportation, communications, construction, and industry. Children also engage in unpaid work for family businesses or farms, and in their households."</p> <p><a href="http://ec.europa.eu/justice/discrimination/files/roma_country_factsheets_2013/bulgaria_en.pdf">http://ec.europa.eu/justice/discrimination/files/roma_country_factsheets_2013/bulgaria_en.pdf</a> The European Union and Roma – country Factsheet: Bulgaria "Estimate in National Roma Integration Strategy: <b>325 343</b> (January 2011 census), i.e. <b>4.9% of the population</b>."</p>	<p>Country</p> <p>Rhodope mountains</p> <p>Country</p>	<p>Specified risk for child labour</p> <p>Specified risk for child labour</p> <p>Specified risk for child labour</p>
<b>Additional general sources</b>	<b>Additional specific sources</b>		
	No additional sources found		
From national CW RA (2013)	<p>Global Child labor trends 2000 to 2004. ILO (International Labour Office). (available at: <a href="http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=2299">http://www.ilo.org/ipecinfo/product/viewProduct.do?productId=2299</a>) Executive agency "General Labour Inspectorate" at the Ministry of Labor and Social Policy</p> <p>At FSC Controlled Wood stakeholder workshop conducted in Sofia the 1st of <b>June 2011</b> some stakeholders noted that <b>children of Roma minority groups commonly could be observed working in the forest assisting their parents in harvesting activities</b>. The group had <b>no overview of the scale of this issue</b> and decided to consult with official controlling authorities for statistics. In case</p>	Country	Unspecified risk

	<p>statistic does not confirm evidence of children working in the forest the group considers the indicator as met. For that purpose, in the autumn of 2011, official request for data was submitted to the Executive agency “General Labour Inspectorate” at the Ministry of Labor and Social Policy. The data requested was provided by the Executive agency “General Labour Inspectorate” at the Ministry of Labor and Social Policy.</p> <p>From the information and data provided, it has become clear that <b>for the period 2008 – 2010 are reported a total of seven violations of rules protecting the labor of persons under 18. The violations are made by employers whose main activity falls in economic activity "Forestry."</b> Of these, <b>3 of the violations consist of hiring a person under 18 years without prior agreement of the Labour Inspectorate, one is made by an employer with main activity “logging”, and the other two - by employers with operations falling within the sectors of economic activity "forestry".</b></p> <p>Based on this information, it is obvious that this indicator is not met and the risk level for indicator 2.3 should be considered as “unspecified”.</p>		
<p><b>Conclusion on Indicator 2.2:</b></p> <ul style="list-style-type: none"> <li>• Not all social rights are covered by the relevant legislation and enforced in Bulgaria; E.g. no provision of the Implementation of Penal Sanctions and Detention in Custody Act, 2009, requires the prior formal and informed consent for the work of prisoners for private companies; Section 11(2) of the Collective Labour Disputes Settlement Act, which provides that the decision to call a strike shall be taken by a simple majority of the workers in the enterprise or the unit concerned, and 11(3), which requires the strike duration to be declared; Section 47 of the Civil Servant Act, which restricts the right to strike of public servants; the applicable compensation for unlawful dismissal under section 225(1) of the Labour Code (up to six months’ wages) may be a deterrent for a certain number of small and medium-sized enterprises, but that this is unlikely so for large enterprises or high productivity or profitability enterprises.</li> <li>• Right to freedom of association and collective bargaining is not completely upheld, but not considered a specified risk; Bulgaria is ranked in Category 2 of the ITUC Global Rights Index 2015 which stands for repeated violation of rights to freedom of association, collective bargaining and strike, but no instances of violations in the forestry sector were found.</li> <li>• There is no evidence confirming compulsory and/or forced labour.</li> <li>• There is evidence confirming discrimination in respect of employment and/or occupation, and/or gender: Bulgaria ranks nr. 113 out of 145 countries with a score of 0.55 for the most specific and relevant indicator ‘wage equality for similar work’ in the Global Gender Gap Index 2015. The unexplained gender wage gap in the Global Wage Report 2014/15 for Bulgaria is 23%. Roma people suffer from discrimination in the workplace and only 50.2 per cent of persons of Roma origin are employed among the economically active persons.</li> <li>• There is evidence confirming child labour: Although there are no official statistics on child labor in Bulgaria it is reported as a significant issue in Bulgaria, and is also reported in the forestry sector.</li> <li>• The country is signatory to all 8 fundamental ILO Conventions which are all in force.</li> </ul>	country	Specified risk for discrimination of women and Roma people in the labour market and for child labour	

<ul style="list-style-type: none"> <li>• There is evidence that some groups (including women) do not feel adequately protected related to the ILO core labour Convention rights mentioned above: see information on gender and ethnic minorities above;</li> <li>• Violations of labour rights are not limited to specific sectors: Examples of violations were found in relation to agriculture, forestry, construction, domestic services.</li> </ul> <p><b>The following specified risk thresholds apply:</b></p> <p>(14) The applicable legislation for the area under assessment contradicts indicator requirement(s); AND (15) There is substantial evidence of widespread violation of key provisions of the ILO Fundamental Principles and Rights at work.</p>		
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**Indicator 2.3. The rights of Indigenous and Traditional Peoples are upheld.**

**Guidance:**

- Are there Indigenous Peoples (IP), and/or Traditional Peoples (TP) present in the area under assessment?
- Are the regulations included in the ILO Convention 169 and is UNDRIP enforced in the area concerned? (refer to category 1)
- Is there evidence of violations of legal and customary rights of IP/TP?
- Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?
- Are there any recognized laws and/or regulations and/or processes in place to resolve conflicts of substantial magnitude pertaining to TP or IP rights and/or communities with traditional rights?
- What evidence can demonstrate the enforcement of the laws and regulations identified above? (refer to category 1)
- Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?

general sources from FSC-PRO-60-002a V1-0 EN	information found and specific sources	scale of risk assessment	risk indication
ILO Core Conventions Database <a href="http://www.ilo.org/ilolex/english/docs/declworld.htm">http://www.ilo.org/ilolex/english/docs/declworld.htm</a> - ILO Convention 169	<a href="http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTR_ID:102576">http://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTR_ID:102576</a>  Bulgaria did not ratify ILO Convention 169. Therefore this source does not provide information on its implementation by Bulgaria.	country	Specified risk
Survival International: <a href="http://www.survivalinternational.org/">http://www.survivalinternational.org/</a>	<a href="http://www.refworld.org/docid/4954ce1523.html">http://www.refworld.org/docid/4954ce1523.html</a> <i>World Directory of Minorities and Indigenous Peoples – Bulgaria</i> "Minority groups include Turks, Roma, Russians, Armenians, Vlachs, Macedonians, Greeks, Ukrainians, Jews, Romanians, Tatars and Gagauz. [...] According to the 2001 census, the total population was 7,928,901 of whom: 6,655,210 (83.6 per cent) were Bulgarians, 746,664 Turks (9.4 per cent), 370,908 Roma (4.6 per cent), 160,000-240,000 Bulgarian speaking Muslims or Pomaks (2-3 per cent), 15,595 Russians, 10,832 Armenians, 10,566 Vlachs, 5,071 Macedonians, 3,408 Greeks, 2,489 Ukrainians, 1,363 Jews, 1,088 Romanians and 18,792 'others', a category that included Tatars		
Human Rights Watch: <a href="http://www.hrw.org/">http://www.hrw.org/</a>			
Amnesty International <a href="http://amnesty.org">http://amnesty.org</a>			
The Indigenous World <a href="http://www.iwgia.org/regions">http://www.iwgia.org/regions</a>			
United Nations Special Rapporteur on the rights of indigenous peoples <a href="http://www.ohchr.org/en/issues/ipeoples/srindigenouseoples/pages/sripeoplesindex.aspx">http://www.ohchr.org/en/issues/ipeoples/srindigenouseoples/pages/sripeoplesindex.aspx</a>			

UN Human Rights Council Universal Periodic Review <a href="http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx">http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx</a>	and Gagauz. The census also recorded 62,108 whose ethnicity was not stated and 24,807 as unknown.		
UN Human Rights Committee <a href="http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx">http://www.ohchr.org/EN/HRBodies/CCPR/Pages/CCPRIndex.aspx</a> search for country Also check: UN Committee on the Elimination of All Forms of Racial Discrimination <a href="http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx">http://www.ohchr.org/EN/HRBodies/CERD/Pages/CERDIndex.aspx</a>	Non-governmental sources estimate that there are some 700,000 Roma in Bulgaria. According to the authorities, this large discrepancy with the census results is due to many Roma identifying themselves as Bulgarians, Turks and to a lesser extent, as Romanians. [...]Pastoral nomads include Romance-speaking Vlachs and the Greek-speaking Karakachans (also called Sarakatsans). Vlachs and Karakachans were forced to settle in fixed communities during the communist period. The yet smaller communities of Albanians and Muslim Tatars were obliged during the communist period to adopt Bulgarian names as were other Muslim minorities such as the Pomaks and the ethnic Turks. Muslim Cherkez (Circassians), who were settled in Bulgaria in the nineteenth century by the Ottoman authorities, appear to have been entirely assimilated within the Turkish community.		
Intercontinental Cry <a href="http://intercontinentalcry.org/">http://intercontinentalcry.org/</a>			
Forest Peoples Programme: <a href="http://www.forestpeoples.org">www.forestpeoples.org</a> FPP's focus is on Africa, Asia/Pacific and South and Central America.			
Society for Threatened Peoples: <a href="http://www.gfbv.de/index.php?change_lang=english">http://www.gfbv.de/index.php?change_lang=english</a>	<a href="http://www.refworld.org/docid/49749d4737.html">http://www.refworld.org/docid/49749d4737.html</a>		
Regional human rights courts and commissions: - Inter-American Court of Human Rights <a href="http://www.corteidh.or.cr/index.php/en">http://www.corteidh.or.cr/index.php/en</a> - Inter-American Commission on Human Rights <a href="http://www.oas.org/en/iachr/">http://www.oas.org/en/iachr/</a> <a href="http://www.oas.org/en/iachr/indigenous/">http://www.oas.org/en/iachr/indigenous/</a> - African Commission on Human and Peoples' Rights - African Court on Human and Peoples' Rights - European Court of Human Rights	<i>World Directory of Minorities and Indigenous Peoples - Bulgaria : Bulgarian-speaking Muslims (Pomaks)</i> "Bulgarian-speaking Muslims, commonly known as Pomaks, are most probably descendants of Bulgarian Christians who converted to Islam during the period of Ottoman rule, while retaining the Bulgarian language as well as certain Orthodox practices. Although precise figures are not available in census data, the minority is estimated at about 160,000-240,000 people, dwelling mainly in the Rhodope Mountains. The authorities do not consider the Pomaks a distinct minority and in the 2001 there was no figure given for them."		
Data provided by National Indigenous Peoples', Traditional Peoples organizations;	<a href="https://www.culturalsurvival.org/publications/cultural-survival-quarterly/bulgaria/ethnic-identities-making-case-bulgaria">https://www.culturalsurvival.org/publications/cultural-survival-quarterly/bulgaria/ethnic-identities-making-case-bulgaria</a>		
Data provided by Governmental institutions in charge of Indigenous Peoples affairs;	"In Bulgaria there are also Turkish speakers who are Christians: the Gagauzes. They occupy a particularly marginal position in Bulgaria because they do not belong to either of the two major categories of Turkish-speaking Moslems or Bulgarian-speaking Christians. The Gagauzes are few in number, and many, especially the better educated, become well assimilated into mainstream Bulgarian society. In Bulgaria, the Pomaks and the Gagauzes are not considered ethnic groups and have not been counted separately in most censuses."		
Data provided by National NGOs; NGO documentation of cases of IP and TP conflicts (historic or ongoing);			
National land bureau tenure records, maps, titles and registration (Google)			
Relevant census data			
- Evidence of participation in decision making; (See info on implementing ILO 169 and protests against new laws)			

- Evidence of IPs refusing to participate (e.g. on the basis of an unfair process, etc.); (See info on implementing ILO 169 and protests against new laws)	No sources mention IP/TP presence in Bulgaria, neither the sources that give overviews, such as The Indigenous World, nor could any report or website be found mentioning or claiming IP/TP presence or a discussion or debate about such a presence.		
National/regional records of claims on lands, negotiations in progress or concluded etc.			
Cases of IP and TP conflicts (historic or ongoing). ) Data about land use conflicts, and disputes (historical / outstanding grievances and legal disputes)			
Social Responsibility Contracts ( <i>Cahier des Charges</i> ) established according to FPIC (Free Prior Informed Consent) principles where available			
<a href="#">Google the terms '[country]' and one of following terms 'indigenous peoples organizations', 'traditional peoples organizations', 'land registration office', 'land office', 'indigenous peoples', 'traditional peoples', '[name of IPs]', 'indigenous peoples+conflict', 'indigenous peoples+land rights'</a>			
<b>Additional general sources for 2.3</b>	<b>Additional specific sources</b>	<b>scale of risk assessment</b>	<b>risk indication</b>
Comments from FSC CNRA contact in Bulgaria WWF based on public consultation in May 2016.	<p>Our comments are related to Indicator 2.3 and are as follows:</p> <p>Our comments are related to the following three questions from the guidance for implementing of the assessment for Indicator 2.3:</p> <ul style="list-style-type: none"> <li>• Is there evidence of violations of legal and customary rights of IP/TP?</li> <li>• Are there any conflicts of substantial magnitude [footnote 6] pertaining to the rights of Indigenous and/or Traditional Peoples and/or local communities with traditional rights?</li> <li>• Is the conflict resolution broadly accepted by affected stakeholders as being fair and equitable?</li> </ul> <p>Essence of the comments:</p> <p>Since 2014 WWF Bulgaria has implemented 12 assessments on the social impact of forest management activities. These assessments were made for 12 different state forestry/hunting units that were in the process of preparation for FSC certification. In addition WWF Bulgaria has been implementing a number of investigations for violations in the forests based on signals from local people. As a result of the assessments, signals received and investigations made the following conclusions were made that we now present to your attention:</p> <ol style="list-style-type: none"> <li>1. Although in Bulgaria there are no indigenous peoples, there are local communities with traditional and legal rights.</li> <li>2. Although Bulgaria has relevantly good legislation on protection of traditional and human rights in many cases the legislation is being applied only formally. In practice there are cases in which the opinion of local people on the</li> </ol>	country	Specified risk for legal and customary rights of local communities

	<p>forest management plans and forest management activities have not been considered. Unfortunately such cases were identified recently even in FSC certified forestry units in Bulgaria not to mention those that are not certified.</p> <p>3. Most state forestry units have procedures for conflict resolution but local people are not aware of these procedures. In all cases the processes of development of discussion resolution procedures were not consulted with local people. In many cases even if local people are aware of the discussion resolution procedures they consider that their opinion (even if officially stated) will not be respected. Thus many people feel discouraged to even send complaints.</p> <p>4. We have identified the following topics as extremely problematic related to the rights and opinions of local people not being relevantly respected in Bulgaria by forest managers:</p> <ul style="list-style-type: none"> <li>- protection of water sources dependent on forests</li> <li>- protection and maintenance of local roads (roads that are municipal but are being regularly used by logging companies, their trucks and other heavy machinery)</li> <li>- protection and compensation of the property of local people in the cases when the property has been damaged by forestry management activities (houses damaged by trucks that regularly pass through the villages, vineyards damaged by the horses of forest workers, private meadows being used by the forest workers, etc.)</li> </ul> <p>Thus our opinion is that on indicator 2.3 the assessment shall be “specified risk” for the following thresholds:</p> <p>(24) Substantial evidence of widespread violation of indigenous or traditional peoples’ rights exists;</p> <p>(26) There is evidence of conflict(s) of substantial magnitude pertaining to the rights of indigenous and/or traditional peoples. Laws and regulations and/or other legally established processes do not exist that serve to resolve conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable.</p>		
From national CW RA	<p>UN Security Council at: (<a href="http://www.un.org">www.un.org</a>);  Global Witness at: (<a href="http://www.globalwitness.org">www.globalwitness.org</a>); USAID at:(<a href="http://www.usaid.gov">www.usaid.gov</a>); FSC NI in Bulgaria at: (<a href="mailto:fcic@wwfdcp.bg">fcic@wwfdcp.bg</a>);  Federation “Agriculture and Forestry) by Labour Confederation ”PODKREPA” at: (<a href="mailto:anelia_nacheva@abv.bg">anelia_nacheva@abv.bg</a>).</p> <p>“Bulgaria is parliamentary republic with Constitution ensuring respect of human and traditional right of its citizens. The restitution process for returning back to the citizens of ownership and use rights for their agriculture and forest land was completed in 2010. Any citizen can approach the relevant authorities,</p>	Country	Low risk

	<p>Police offices and Courts according to the legislative procedures to protect the ownership, traditional and cultural rights. The Forest Law allows free access to the forests for recreation, passing and collection of non-timber forest products.”</p> <p>The Bulgarian State and parliament have ratified all the ILO Conventions in the national legislation.</p> <p>FSC Controlled Wood stakeholder workshop conducted in Sofia the 1st of June 2011 showed that all stakeholders agreed in conformance with this indicator.</p>		
<p><b>Conclusion on Indicator 2.3:</b></p> <ul style="list-style-type: none"> <li>• There are no indigenous peoples and no traditional peoples in Bulgaria, but there are local communities with legal and customary rights.</li> <li>• Although Bulgaria has relevantly good legislation on protection of traditional and human rights in many cases the legislation is being applied only formally. In practice there are cases in which the opinion of local people on the forest management plans and forest management activities have not been considered. Such cases were identified recently in FSC certified forestry units in Bulgaria.</li> <li>• Most state forestry units have procedures for conflict resolution but local people are not aware of these procedures. In all 12 assessments carried out by WWF Bulgaria the processes of development of discussion resolution procedures were not consulted with local people. In many cases even if local people are aware of the discussion resolution procedures they consider that their opinion (even if officially stated) will not be respected. Thus many people feel discouraged to even send complaints.</li> <li>• The following topics have been identified as extremely problematic related to the rights and opinions of local people not being respected in Bulgaria by forest managers: <ul style="list-style-type: none"> <li>- protection of water sources dependent on forests</li> <li>- protection and maintenance of local roads (roads that are municipal but are being regularly used by logging companies, their trucks and other heavy machinery)</li> <li>- protection and compensation of the property of local people in the cases when the property has been damaged by forestry management activities (houses damaged by trucks that regularly pass through the villages, vineyards damaged by the horses of forest workers, private meadows being used by the forest workers, etc.)</li> </ul> </li> </ul> <p><b>Therefore the following ‘specified risk’ thresholds apply:</b></p> <p>(24) Substantial evidence of widespread violation of IP/TP rights exists; AND/OR</p> <p>(25) IP and/or TP are not aware of their rights;</p> <p>AND/OR</p> <p>(26) There is evidence of conflict(s) of substantial magnitude<sup>3</sup> pertaining to the rights of IP and/or TP. Laws and regulations and/or other legally established processes do not exist that serve to resolve conflicts in the area concerned, or, such processes exist but are not recognized by affected stakeholders as being fair and equitable. Note under threshold No 20 applies.</p>		country	Specified risk

<sup>3</sup> **Dispute of substantial magnitude:** For the purpose of the International Generic Indicators, a *dispute\** of substantial magnitude is a *dispute\** that involves one or more of the following:



- 
- Affects the legal\* or customary rights\* of Indigenous Peoples\* and local communities\*;
  - Where the negative impact of management activities is of such a scale that it cannot be reversed or mitigated;
  - Physical violence;
  - Destruction of property;
  - Presence of military bodies;
  - Acts of intimidation against *forest\* workers\* and stakeholders\**.

This list should be adapted or expanded by Standard Developers. (Source: FSC (2015), International Generic Indicators, FSC-STD-60-004 V1-0 EN)

## Controlled wood category 3: Wood from forests in which high conservation values are threatened by management activities

### Overview

Bulgaria is located in the central part of the Balkan Peninsula and is characterised by a mountainous relief. Forest management in Bulgaria started 140 years ago. Presently, forest areas cover 4,222,874 hectares (ha) or 38% of Bulgaria's land area (11,063,000 ha). Nearly 3,795,000 ha of the total forest area (89%) are covered by forests, the remaining of the forest area (11%) includes forest pastures and rock screes among forest stands. Forest management types fall into three main categories:

- 1) State forest areas, covering 3,092,386 ha (73.23%), of which:
  - 2,906,508 ha (68.83%) are managed by the state forest enterprises,
  - 174,463 ha (4.13%) are managed by the Ministry of Environment and Waters (including the national parks and the natural reserves),
  - 11,415 ha (0.27%) are managed by the training and experimental forest units under the Forestry University, and
  - 431 hectares along the river Maritsa are managed by Irrigation Systems JSC.
- 2) Non-state forest areas, covering 1,042,101 hectares (24.68 %), of which:
  - 551,334 ha (13.06%) are municipal forest areas,
  - 427,573 ha (10.13%) are forest areas owned by private individuals,
  - 42,849 ha (1.01%) are forest areas owned by legal entities, and
  - 20,345 ha (0.48%) are forest areas owned by religious communities.
- 3) Afforested agricultural areas, covering 88,387 ha (2.09%).

All forest areas outside natural reserves and national parks are subject to silviculture activities under the Forestry Act (2011). The management of farmland forests is limited, and is regulated by the Act for Protection of Agricultural Property and by the Forestry Act. Forestry in national parks is limited, and is regulated by the Protected Areas Act.

According to Article 5 of the Forestry Act, the forest areas are divided into three functional categories:

1. Protective forest areas - forest which should be managed in such a way that soil, water and infrastructure are protected and erosion prevented, etc.
2. Special forest areas - protected areas and Natura 2000 sites, managed in such a way that biodiversity is protected, and
3. Timber-extraction forest areas - intensively managed forests for wood production.

Nearly 68% of the Bulgarian forest areas have protective and/or special functions. Natural, undisturbed forests cover an area of no more than 200,000 ha, or about 4.7% of all forests in the country (WWF 2014). They are situated in forest reserves, national parks and inaccessible forest basins, providing exceptional

water protection and erosion control functions. Less than 2% of all forests in Bulgaria are strictly protected. Specifically, logging is fully restricted in natural reserves and the core zones of the national parks, while in forests with special and/or protective functions logging can occur but with restrictions.

Bulgaria has developed a Guideline for identification of High Conservation Value (HCV) Forests (WWF, 2016). However, according to WWF's database, based on HCVF identification and required HCVF reports from forest enterprises (not published), less than 30% of Bulgaria's forest areas are considered to be of high conservation value, including national parks, nature parks and individual certified forest management units (25% certified forest and 5% protected areas with management plans). Nevertheless, basic requirements for the protection of forests falling into some of the HCV categories are covered by the national legislation. For instance, the Biodiversity Act requires that any forest management plan should be in compliance with the protection regimes concerning natural habitats and wild species under the Habitats Directive within Natura 2000. The Protected Areas Act requires that the forest management plans are in compliance with the provisions and restrictions on protected areas management plans or orders for designation. However, inadequate implementation of the environmental and forestry legislation compromises the protection of HCV forests. In addition, the weakness of the State policy with respect to nature protection causes problems linked to land ownership; for example, for reasons of job security, State forest enterprises will often seek State and EU subsidies to log in areas that are uneconomical, whereas private owners will not – precisely because it is uneconomical and they are entitled to compensation for setting aside protected sites.

Governance of forest management for State land in Bulgaria (exclusive natural reserves and national parks), including administration of the land, is the responsibility of the Ministry of Agriculture and Food. The Ministry of Agriculture and Food also supervises forest management carried out by non-State owners. Nature protection is the responsibility of the Ministry of Environment and Water (MoEW), with several options for supporting protected sites under private ownership, i.e., subsidies, compensation, agreements, etc. However, the options for supporting protected sites within State-owned and managed forests are limited and often obstructed or negatively influenced by interference from the Ministry of Agriculture and Food, e.g., seeking exceptions to strict protection so that logging can take place.

Overall, nature conservation beyond what is required by law and/or certification is relatively weak due to the inadequate enforcement of protected site nature management plans (for ecosystems, habitats, species) and the high level of interest of State and non-State owners in profits from forest management linked to timber extraction. Nature protection in farmland forests is under higher risk due to unclear management regulations in the Forestry Act. Less than 25% of the forest areas in Bulgaria are FSC certified. Nevertheless, as a result of different flaws in the certification process, areas of HCV in many certified forest management units are also not properly protected.

Bulgaria has one of the highest levels of biodiversity in Europe. incl. 94 species of mammal, 383 bird species, 36 reptile species, 16 amphibian species, 27,000 insect species, between 35,000 and 37,500 plant species, and more than 500 species of fungus. The number of species endemic to the Balkans and Bulgaria is relatively high – nearly 1,700 species; nearly 5% of the flora, 8.9% of non-insects, and 4.3% of the insect species Bulgaria ratified the Convention on Biological Diversity on 29 February 1996. It encompasses parts of the Alpine, Black Sea and Continental biogeographic regions. Bulgaria's forests are habitat to more than 80% of the country's protected plant species, more than 60% of its endangered animals, and 60% of the priority natural habitats in Bulgaria.

The positive effect on forest biodiversity is interrelated to increasing forest areas and the gradual conversion of artificial forests to semi-natural forests. At the same time, the negative impacts on forest biodiversity are associated with unregulated logging, logging of old-growth forests in inaccessible basins, removal of biotope trees and deadwood, poaching, illegal mining, uncontrolled grazing, afforestation with alien trees, and pollution. In general, the conservation status of most forest habitats and protected species in Bulgaria for the period 2006-2012 is reported as unfavourable under Art. 17 of the Habitats Directive. For better implementation of the CBD, the government is mainly focusing on the development of legal measures for sustainable management of forests in Natura 2000 sites.

Lastly, Bulgaria's score on the 2016 Corruption Perception Index (CPI) was 41 (on a scale from 0 to 100, where 100 is the lowest level of corruption), and ranked 75 out of 176 countries [41]. This means there is a relatively high perception that Bulgaria is a corrupt country.

### Experts Consulted

	Name	Email	Address	Job title	Organisation	Area of expertise (category/sub-category)
1.	Alexandar Dountchev	<a href="mailto:adountchev@wwfdcp.bg">adountchev@wwfdcp.bg</a>	Sofia city	Forest officer	WWF	All
2.	Pencho Dermendzhiev	<a href="mailto:p.t.dermendzhiev@gmail.com">p.t.dermendzhiev@gmail.com</a>	Plovdiv city	Director	Forest Protection Station	All

### Risk assessment

Indicator	Sources of Information	HCV occurrence and threat assessment	Functional scale	Risk designation and determination
3.0	3, 4, 6, 8, 10, 11, 14, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 38	<p><b>HCV Occurrence</b></p> <p>Reports on forests with high conservation value in Bulgaria have been prepared only for forest management units that are in the process of FSC certification or have already been certified. Studies have been performed in areas including 41 state forest units, one municipality, and one private forest. After examining the quality and scope of some of the reports on HCV forests, a number of deficiencies and flaws have been found, such as a lack of identified HCV forests (e.g. HCV sub-categories 1.2-1.3 and category 3 in the Bulgarian HCVF Guideline), a lack of appropriate management measures, etc.</p> <p>Conservation areas have been designated as protected at a national or EU level (i.e. Natura 2000). However, individual complexes of undisturbed forests (incl. old-growth forests) across the country are still inadequately</p>	National	<p>“Low Risk”</p> <p>Thresholds (1) and (2) are met: The data on HCV occurrence is sufficient for the area(s) under assessment;</p> <p>AND</p> <p>The data on the threats to HCVs from management activities is sufficient;</p>

		<p>protected. Currently, the distribution of old-growth forests outside strictly protected areas is being mapped by WWF Bulgaria. In the period 2013-2015, 21,000 ha of old-growth forests have been identified across Bulgaria outside strict protected areas.</p> <p>For the current assessment, HCV areas were defined and aligned with the national HCV guidance (WWF, 2016) as follows:</p> <ul style="list-style-type: none"> <li>• HCV 1 – Protected areas. Concentrations of biological diversity, incl. endemic, rare, protected and threatened species with global, regional or national importance.</li> </ul> <p>Data sources used for identification of HCV 1:  Register of Protected Areas and Natura 2000 Sites  IUCN Red List data, the Red Data Book of Bulgaria  Atlas of Endemic Plants in Bulgaria  Bulgarian National HCV Guidance (WWF)  Specialised field inventories</p> <ul style="list-style-type: none"> <li>• HCV 2 - Ecosystems and mosaics of ecosystems at the landscape level. Undisturbed forest landscapes, large ecosystems at the landscape level, and mosaics of ecosystems of global, regional or national importance, where there are viable populations of most naturally occurring species in their natural distribution patterns and abundance.  Bulgarian National HCV Guidance (WWF), annex III  <a href="http://www.globalforestwatch.org/map">http://www.globalforestwatch.org/map</a></li> <li>• HCV 3 - Ecosystems and habitats (incl. Natura 2000 habitat types). Rare, protected or endangered ecosystems, habitats or refugia (incl. old-growth forests)  Database of MoEW on the mapping of natural habitats in Natura 2000  Forest inventory  Bulgarian National HCVF Guidance (WWF) annex IV</li> <li>• HCV 4 - Ecosystem services of critical importance. Basic ecosystem services of critical (indispensable) importance in concrete situations, incl. protection of water-catchment areas and control of erosion of vulnerable soils and slopes.  Orders issued under Ordinance No.3 of 2002 on the terms and conditions for research, design, approval and operation of sanitary zones around</li> </ul>		
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		<p>water sources and facilities for drinking water supply, and around sources of mineral water used for therapeutic, prophylactic, drinking and hygiene needs Bulgarian National HCVF Guidance (WWF) Forest inventory</p> <ul style="list-style-type: none"> <li>• HCV 5 – Main needs of local communities. Forest sites and resources which are fundamental to satisfying the basic necessities of local communities. Forest inventory Bulgarian National HCVF Guidance (WWF)</li> <li>• HCV 6 - Cultural values. Sites, resources, habitats and landscapes of global or national cultural, archaeological or historical importance, and/or of critical (indispensable) importance to the traditional culture of local communities and indigenous peoples, identified with their participation, incl. cultural, ecological, economic or religious/spiritual importance. Forest inventory Bulgarian National HCVF Guidance (WWF)</li> </ul> <p><b>Identification and Evaluation of Threats and Safeguards</b> The Bulgarian HCVF Guidance provides a good foundation for identifying the HCVs relevant for Bulgaria.</p> <p>The lack of identification of HCV areas in more than 70% of the forest areas in Bulgaria means that their sustainable management, monitoring and protection cannot be guaranteed. At the same time, special measures for protection of forest biodiversity, subject to HCV 1-3, are foreseen only for Natura 2000 sites, which cover 50% of the forest areas in Bulgaria. Further, regardless of the protection status of Bulgaria's forests, NGO reports and media articles reveal regular cases of forest management activities which threaten HCV areas. Thus, there is sufficient data available to assess the risks to the identified HCVs.</p> <p>The data on HCV occurrence is sufficient for the area(s) under assessment; AND</p>		
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		The data on the threats to HCVs from management activities is sufficient.		
3.1 HCV 1	1, 2, 5, 7, 12, 13, 16, 21, 36, 38, 39, 14, 23, 24, 25, 27, 28, 31, 33, 34, 41, 42, 43, 44	<p><b>Occurrence</b></p> <p>In Bulgaria, all forests in protected areas are officially declared to be of HCV 1 value (i.e. HCV category 1.1 in the Bulgarian HCVF Guideline), including:</p> <ol style="list-style-type: none"> <li>1. Forest lands in reserves, managed reserves, national parks, protected sites, natural attractions, designated under the Protected Areas Act;</li> <li>2. Forest lands within the zones of nature parks devoted to biodiversity conservation according to the relevant management plans;</li> <li>3. Forest lands in nature parks that have no constituent documents;</li> <li>4. Forest lands within the Natura 2000 protected sites designated under the Biodiversity Act, which transposes the Habitats and Birds Directive of the EC.</li> </ol> <p>All forests with rare, threatened and endangered (RTE) species listed in Annex I of the WWF HCVF Guidelines also have HCV 1 value, defined as HCV 1.2. Annex I is based on the IUCN Red Data list, the Red Data Book of Bulgaria, and the Atlas of Endemic Plants in Bulgaria. Lastly, sites with critical concentrations of species listed in Annex II of the HCVF Guidelines are also of HCV 1 value – HCV 1.3.</p> <p>Areas covered by the Protected Areas Act account for slightly more than 5% of the territory of Bulgaria, while Natura 2000 sites cover more than 33%. 50% of Bulgarian forests are protected under the Protected Areas Act and the Biodiversity Act (Natura 2000), while the RTE species are also reported to occur outside protected areas [16]. In essence, there is a high likelihood of HCV 1 forests providing habitat to endemic, rare, protected and threatened species outside protected areas. HCV 1 forest areas with a known high concentration of biodiversity only exist in the national parks, in some parts of the certified forest management units, and in some parts of nature parks with developed management plans (e.g. Vitosha, Belasitsa, Vrachanski Balkan).</p> <p>Bulgaria has one of the highest levels of biodiversity in Europe. Half of the Red List flora species in Bulgaria are dependent on forests for their habitat, mainly in Pirin Mountain (93 species), Strandzha Mountain (83</p>	National	<p>“Specified Risk”</p> <p>Threshold (8) is met: HCV 1 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>

		<p>species), the Central Balkan range (75 species), Slavyanka (62 species), Rila Mountain (62 species), Rhodopes (56 species), etc. The old forests in these mountains, parts of which are still not protected, are also the last habitat of 18 mammal species, 18 bird species and 4 reptile species with conservation significance (RTE). Therefore, there is a high likelihood of areas of HCV existing outside the protected areas listed above.</p> <p><b>Identification and Evaluation of Threats and Safeguards</b></p> <p>Bulgaria is a signatory to the CBD, and according to its 5th national report it has, at least on paper, effectively developed its network of protected areas (mainly Natura 2000 sites) and its legal framework. Forest management in protected areas and Natura 2000 sites is subject to the requirements of the Protected Areas Act and, respectively, the Biodiversity Act, enforced by the Ministry of Environment and Waters (MoEW). Specific measures are also imposed by the management plans of the protected areas and Natura 2000 sites, if the management plans exist (currently management plans are developed only for the national parks, most of the nature parks, parts of the natural reserves and protected landscapes, as well as for around 10 Natura 2000 sites). Such measures include, mainly, the protection of old-growth forests, riparian forests, biotope trees and deadwood, a ban on logging during the breeding period, the application of felling methods with lower intensity which manage multi-age, heterogeneous forest structures, the use of natural regeneration, application of harvesting techniques which preserve the forest soils, landscapes and remaining vegetation, etc. Despite the strict legal framework and the control of several relevant state institutions, inadequate implementation of the environmental and forestry legislation leads to systematic violation of the above-listed and other requirements for the management of HCV 1 in protected areas and Natura 2000 sites [14, 23, 24, 25, 28, 33, 34, and 44].</p> <p>This is mainly a result of the low qualifications of forest workers, the strong political and economic pressure on forest managers to increase yields, as well as the high level of corruption in the country – Bulgaria scored 41 points on the Corruption Perception Index in 2016 (on a scale from 0 to 100, where 100 is the lowest level of corruption) and ranked 75<sup>th</sup> out of 176 countries [41]. Also see CW CNRA Category 1, indicator 1.9.</p>		
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		<p>As described in indicator 1.9 of CWRA Category 1, numerous cases are documented (incl. in protected areas) of logging of habitat trees, logging during the breeding period, illegal logging, poaching, etc. [14, 23, 24, 25, 28, 33, 34, 44]. In general, most of the deadwood and habitat trees are regularly removed from forests as part of sanitary logging of individual trees. In practice, however, the aim of sanitary logging is the supply of firewood for local communities, rather than solving silviculture problems. For instance, the volume of sanitary logging in some forest management units reaches 20% of the total logging volume. Logging has also been permitted in HCV 1 forests in the breeding period of threatened birds – designated as 1 January-1 July (Personal observations, Alexander Dountchev).</p> <p>Illegal logging is posing a further threat to HCV 1 areas, particularly in old-growth forests, since the most economically attractive trees, harvested illegally, are the oldest biotope trees. Poaching is reported to be one of the reasons for the unfavourable conservation status of protected species such as the grey wolf (<i>Canis lupus</i>) and the brown bear (<i>Ursus arctos</i>).</p> <p>HCV 1 areas are particularly under threat outside protected areas since forest workers are not qualified or trained to identify HCV 1, and their occurrence is most often not registered during forest inventories. The main potential threats for unidentified HCV 1 areas include habitat removal or fragmentation as a result of logging, or the introduction of alien/invasive species during transport in the forests, afforestation, or other decorative plantings. Therefore, the lack of effective identification and relevant legal conservation measures for HCV 1 areas outside protected areas and certified forest management units leads to an additional threat to areas categorised under this HCV.</p> <p>HCV 1 is identified, and/or its occurrence is likely in the area under assessment, and it is threatened by the poor planning of management activities, or as a result of inadequate control by the relevant authorities which is resulting in habitat removal and fragmentation by forest management or illegal logging activities. The potential threat should be considered also in the light of the precautionary principle.</p>		
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3.2 HCV 2	4, 40, 44, 47	<p><b>Occurrence</b></p> <p>Forests falling under the HCV 2 category are identified by the following criteria according to the Guideline for identification of High Conservation Value (HCV) Forests (WWF, 2016):</p> <ul style="list-style-type: none"> <li>- “naturalness” – &gt;70% in Strandzha, Sredna gora, etc. and &gt;80% in Pirin, Rila, etc.;</li> <li>- “fragmentation” – &lt;7% in Strandzha, Sredna gora, etc. and &lt;5% in Pirin, Rila, etc.;</li> <li>- “minimal size of the habitat area of the populations of naturally occurring species” - &gt;40,000 ha in Strandzha, Sredna gora, etc. and &gt;50,000 ha in Pirin, Rila, etc.</li> </ul> <p>All forest compartments falling within this conservation value are listed in Annex III of the HCV Guidelines.</p> <p>In practice, HCV 2 applies to all forests in Bulgaria which are subject to logging but are not intensively fragmented by villages, farmlands or forest roads, i.e., more than 60 % of the forests in all forest management units meet the criteria for identification as being of HCV 2.</p> <p>There are no forests in Bulgaria that fall under the “intact forest landscapes” definition – according to Global Forest Watch there are no Intact Forest Landscape in Bulgaria.</p> <p><b>Identification and Evaluation of Threats and Safeguards</b></p> <p>Special measures for management of HCV 2 forests – e.g. no fragmentation or reduction of forest cover, no artificial regeneration, protection of 2% of old-growth forests, etc. – are required only in forest management units that are certified for responsible forest management and those that are to be certified. In the rest of the public and private forests there are no restrictions for the prevention of violations of the basic functions of HCV 2 forests as result of forestry, tourism or hunting activities. Nevertheless, in both certified and non-certified forests, planned forestry activities often lead to an increase in the fragmentation of forest landscapes and a reduction of the naturalness of the forests affected. Usually such activities include the construction of a dense network of</p>	National	<p>‘Specified Risk’</p> <p>Threshold (12) is met. HCV 2 is identified and/or its occurrence is likely in the area under assessment, and it is threatened by management activities.</p>
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		<p>forest roads, cable lines for wood extraction, or sanitary logging by means of clear cuts [47].</p> <p>HCV 2 forests are identified as being threatened by forest management activities mainly through the reduction of naturalness and fragmentation.</p>		
3.3 HCV 3	1, 2, 5, 7, 12, 13, 16, 20, 21, 37, 39, 14, 24, 25, 26, 27, 28, 30, 31, 33, 34, 38, 44	<p><b>Occurrence</b></p> <p>According to the national HCV Guidelines, all forests categorised as HCV 3 are listed in Annex 4 of the HCV guidelines, including 47 RTE ecosystem types (e.g. European <i>Salix alba</i> forests (G1.111 under EUNIS), Southern <i>Alnus glutinosa</i> galleries (G1.131), Flood-plain or riverine <i>Alnus</i> woods of slow rivers (G1.213), Residual medio-European fluvial forests (G1.222), South-east European <i>Fraxinus-Quercus-Alnus</i> forests (G1.223), Mediterranean riparian <i>Populus</i> forests (G.1.31), <i>Platanus orientalis</i> woods (G1.38), Medio-European acidophilus <i>Fagus</i> forests (G1.61), Pannonian <i>Quercus pubescens</i> woods (G1.732), Helleno-Balkan <i>Castane Sativa</i> forests (G1.7D1), Moesian <i>Abies alba</i> forests (G3.16), etc.), as well as old-growth forests. In essence, the natural habitats defined under Annex I of the Habitats Directive represent most of the HCV 3 forest types found in Bulgaria.</p> <p>It is considered that a significant part of the unique forest ecosystems of Bulgaria are included in protected areas and Natura 2000 sites, categorised as special forest areas under the Forest Act, and their distribution in the ecological network has already been described. The Natura 2000 sites, in particular, cover 33% of the territory of Bulgaria (compared to the EU average of 18%) and &gt;50 % of the forest areas in the country. In total there are 360 Natura 2000 sites designated in accordance with two major environmental EU Directives – Directive 92/43/EEC conservation of natural habitats and of wild fauna and flora (hereinafter briefly Habitats Directive) and Directive 2009/147/EC on the conservation of wild birds (hereinafter Birds Directive). Both directives are reflected in the Bulgarian legislation through the Biological Diversity Act. As a result thereof, special protection measures shall be included during the development of the forest management plans in Natura 2000.</p> <p>However, there is no comprehensive assessment in Bulgaria of the ecosystem types located outside protected areas and Natura 2000 sites. The area of the protected ecosystems is not enough to guarantee the</p>	National	<p>‘Specified Risk’</p> <p>Thresholds (17) and (18) are met: HCV 3 is identified and/or its occurrence is likely in the area under assessment and it is threatened by forest management activities;</p> <p>AND</p> <p>There is no progress in achieving Aichi biodiversity targets.</p>

		<p>protection of forests with HCV 3 values outside protected areas and Natura 2000 sites, because nearly 50 % of the Bulgarian forests are not protected at all. Presently, some forest types have low natural occurrence, including many forest types that had wider distribution in the past and/or were commonly represented in a larger region, e.g. old-growth forests, oak forests, riverine forests, etc. Given the RTE of these forest types, more stringent forest management measures should be applied to ensure that forests of HCV 3 designation are not threatened, including consideration of placing some of these areas under strict protection. For instance, the old-growth forests cover an area of no more than 200,000 hectares, or about 4.7 percent of all forests in the country. More than half of the old-growth forests are not strictly protected. In the period 2013-2015, more than 21,000 ha of old-growth forests outside protected areas were mapped by WWF, and the process of mapping is ongoing.</p> <p><b>Identification and Evaluation of Threats and Safeguards</b></p> <p>The management of natural forest habitats in protected areas (excl. natural reserves and national parks) and Natura 2000 sites (categorised by the Forests Act as special forest areas) is regulated by the Ordinance for Fellings in Forests under the control of the Executive Forest Agency, and is subject to appropriate assessment by the MoEW under Article 31 of the Biodiversity Act. Accordingly, the natural forest habitats in the special forest areas should be managed in such a way that their HCV is protected, i.e. by not logging old-growth forests, biotope trees, deadwood and trees in river beds, by allowing for natural regeneration, by development of multi-age and multi-species forest stands, by applying nature-friendly harvesting techniques (e.g., selection logging) etc. Despite the strict regulations and the fact that Natura 2000 covers more than 50% of the forest areas in Bulgaria, there are numerous cases of illegal forest management practices, including in Natura 2000 sites, as well as logging in old-growth forests, which is forbidden by the Ordinance for Fellings in Forests [14, 24, 25, 26, 30, 34, 44]. As described in indicator 1.9 of the CWRA Category 1, these examples of ineffective protection of HCV 3 are mainly a result of the low level qualifications of the forest workers, the strong political and economic pressure on forest managers to increase yields, as well as the high level of corruption in the country – Bulgaria</p>		
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		<p>scored 41 points on the Corruption Perception Index in 2016 (on a scale from 0 to 100, where 100 is the lowest level of corruption).</p> <p>It should be noted that the Ordinance for Inventory and Planning in Forest Areas allows the inventory of HCV 3 forests during forest planning, both inside and outside protected areas. However, identification and sustainable management for natural forest habitats under Annex I of the Habitats Directive is obligatory only for Natura 2000 sites. Thus, outside those sites, it is common that HCV 3 forests are not identified, and specific conservation measures are only required under voluntary certification schemes, meaning that forest management is also threatening HCV 3 forests through habitat loss and fragmentation.</p> <p>In its 5th national report, Bulgaria's MoEW states that the country is progressing towards the CBD commitment (Aichi targets) mainly through the recent development of its network of protected areas (e.g. Natura 2000 sites); however, it also states that by the end of 2013, 1,009 protected areas had been declared, with a total area of 584,587.1 ha, accounting for about 5.3% of the country. Given the fact that the Natura 2000 sites are under threat of illegal logging and most of the sites do not have management plans yet (only 6 management plans of all 352 Natura 2000 sites are adopted), the evidence indicates that Bulgaria is still falling short of meeting its CBD commitments.</p>		
3.4 HCV 4	12, 16, 19, 22, 25, 26, 27, 29, 44, 45, 46	<p><b>Occurrence</b></p> <p>According to the national HCV Guidelines, HCV 4 relates to the important ecological functions of forests, particularly those categorised as protective forests under the Forest Act. In Bulgaria, HCV 4 is divided into five sub-categories:</p> <p>4.1 Forests for watershed protection  4.2 Forests critical to water catchment areas  4.3 Forests of crucial importance for erosion control  4.4 Forests with fire restriction features  4.5 Forests critical to agriculture and fisheries</p> <ul style="list-style-type: none"> <li>• 4.1 Forests for watershed protection. This subcategory includes forests, which are the only watershed sources for drinking water in Bulgaria. HCV 4 includes all forest areas classified under sanitary zones 1 and 2 of</li> </ul>	National	<p>“Specified Risk”</p> <p>Threshold (22) is met: HCV 4 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>

		<p>sources of drinking water as defined under Ordinance No.3 of 2002 on the terms and conditions for research, design, approval and operation of sanitary zones around water sources and facilities for drinking water supply and around the sources of mineral water used for therapeutic, prophylactic, drinking and hygiene needs. Forests growing near sources of drinking water outside certain official sanitary zones are also considered to belong to HCV 4. In this case, the HCV 4 forests include the river bed and flood plains within a distance of 3,500 m above the water abstraction and within 50 m below it, with a width of not less than 1,500 m on both sides of the river.</p> <ul style="list-style-type: none"> <li>• 4.2 Forests critical to water catchment areas. Forests in Bulgaria are an important factor in maintaining terrain stability and controlling erosion. They play an important role in flood prevention, control of river flows, and quality of water. When the forest covers a large part of a watershed, it plays a critical role in maintaining water quality and quantity. This subcategory includes: All forests in the water catchments of torrential river beds with a forest cover of less than 40%; <i>Pinus mugo</i> communities; The upper forest line under the Forest Act; All riverine forests within the flooded area of rivers; All forests along the Danube river enclosed by dikes, forests on islands; All forests along the rivers Maritsa, Tundja, Mesta, Struma, Arda, etc., within a 100 m wide buffer area; All forests classified as belonging to sanitary zones 1, and around dams providing mainly drinking water.</li> <li>• 4.3 Forests of crucial importance for erosion control. This subcategory includes the following types of forests: forests on slopes of &gt;30° inclination (or less when situated above arable lands and meadows on a slope of &gt;10° inclination and length &gt;200 m); Forests established on the basis of technical projects for erosion control, as well as correction, coast, or other forest belts; Forests protecting settlements or communication infrastructure located in the path of avalanches (according to data from the Mountain Rescue Service).</li> </ul>		
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		<p>drinking water, on the integrity of watersheds, and on the erosion control functions of forests [22, 25, 26, 27, 29, 44, 45].</p> <p>The most striking evidence of forest management activities significantly affecting water quality is present in the forests of Sevlievo city. These threats are due to felling and transportation of wood in wet weather, which affects the turbidity of the surface water used for drinking water.</p> <p>Transportation of wood in wet weather is causing line erosion along forest roads throughout the country. Illegal harvesting in forest areas (Asparuhovo-Varna, Batulja, etc.), along river beds, and on steep slopes across the country is considered to be a critical factor for the development of floods, and less often, of erosion.</p> <p>The rates of use of pesticides and fertilisers in forestry, mainly when working in tree nurseries and plantations, are much lower compared to the volumes used in agriculture. The average annual application of pesticides (active ingredient) is 2.1 kg/ha in the agricultural sector and 0.001 kg/ha in the forestry sector. However, these numbers do not include the annual amount of pesticides and artificial fertilisers used in nursery production. Observations show that there is well-known, documented evidence that activities in forest nurseries for the production of reproductive materials threaten water quality [46]. Furthermore, the extraction of nitrates from forest areas is usually in the range of 0-5 kg N/year for forests, and 30-120 kg N/year for agricultural land. Again, based on observations, there is no evidence that nitrates from forest areas threatens water quality.</p> <p>Thus, threats by forest management activities are identified in relation to erosion affecting rivers used for drinking water, as well as flooding which in turn is impacting water quality (forest critical for watershed protection and water catchment areas), as well as forests for erosion control.</p> <p>There are no threats identified with respect to fire-prevention and forests critical to agriculture and fisheries.</p>		
3.5 HCV 5	14, 47, based on general observation, corroborated by expert	<p><b>Occurrence</b> According to the national HCV Guidelines, HCV 5 includes all forest areas and forest resources which are vital to meeting the basic needs of the</p>	National	“Specified Risk” Threshold (26) is met. HCV 5 is identified and/or its occurrence



<p>review of this HCV CNRA</p>	<p>local population. Subject to the dependency of the local population, the following forest resources may be characterised as HCV 5:  Firewood and timber for private use;  Pasture and fodder - hay and foliage;  Mushrooms;  Other forest resources, such as herbs, forest fruits, snails, etc.;  Drinking water.</p> <p>Most Bulgarians outside the big cities rely exclusively on firewood taken from forests. Collection of herbs, mushrooms, and forest fruits can also be a leisure activity, as well as a main source of income for many local people. Forests are also the main source of drinking water in Bulgaria.</p> <p><b>Identification and Evaluation of Threats and Safeguards</b></p> <p>With respect to forest resources, the basic needs of local communities are protected under Articles 111 and 117 of the Forest Act, which grant the right to personal use of timber and non-timber forest products (hay, herbs, mushrooms, grazing, etc.). The supply of firewood forms more than 50% of Bulgaria's wood consumption.</p> <p>In general, the personal use of firewood is allowed on the basis of a logging permit provided by the forest owner (usually the state) for a fee, while the collection of non-timber products for personal use is free of charge. Overall, forest managers in Bulgaria respect the rights of people connected to HCV 5 forests, though sometimes, when there is insufficient communication between the state or municipal forest managers and the local communities, it is possible that the rights of local people, as defined in Articles 111 and 117 of the Forest Act, to use timber or non-timber products (e.g. livestock grazing, religious visits to forests, celebration of religious holidays, visiting summer resorts in forests, or hunting game) could be violated. With respect to firewood-supply and water protection some serious violations of HCV 5 have recently been registered. See indicator 1.13 [47]. There are no conflicts between forestry and ensuring the basic need for mushrooms</p> <p>There is threat from management activities to HCV 5 present in the area under assessment.</p>		<p>is likely in the area under assessment and it is threatened by management activities.</p>
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3.6 HCV 6	9, 30, 35	<p><b>Occurrence</b> According to the national HCV Guidelines, HCV 6 includes forest areas which are crucial to preserving cultural values and traditions, religious and ethnic identity.</p> <p>Bulgaria has over 81 Orthodox churches and 11 Muslim monuments which fall within the boundaries of HCV 6 forests. All of the following are categorised as HCV 6 forests in Bulgaria:</p> <ol style="list-style-type: none"> <li>1. Forest areas within a buffer of 500 m around monasteries;</li> <li>2. Forest areas within a buffer of 100 m around chapels, shrines, holy springs, tekkes, listed in annex 7 of the national HCV Guidelines;</li> <li>3. Forest areas within the boundaries of cultural monuments or in their protected areas designated under the Law on Monuments (WSP);</li> <li>4. Forests within a buffer of 100 m around areas traditionally associated with the organisation of fairs, singing competitions and other events contributing to the preservation of cultural heritage and national traditions, listed in annex 7 of the national HCV Guidelines.</li> </ol> <p>Additional special measures for the protection of HCV 6 forests are prescribed only in forest management units which are certified or undergoing certification. Such measures can include reduction of logging intensity, preservation of characteristic forest elements (biotope or unusual trees), and bans on logging during the periods of regular visits to the sites categorised as belonging to HCV 6.</p> <p><b>Identification and Evaluation of Threats and Safeguards</b> Archaeological and historical monuments are protected by Article 5 of the Law on Cultural Heritage, which is monitored by the Ministry of Culture. All cultural sites and features of importance are registered by the Ministry of Culture, which supports publicly available databases, interactive maps and information. With regard to the protection of the buildings of the monuments no information is available about violation of the community rights by forest activities.</p> <p>However, HCV 6 forests can be affected by forest logging, resulting, usually, in the removal of the oldest and most beautiful trees in the forests categorised as HCV 6. Monastery woods are also subject to illegal and semi-legal logging [30, 34]. In fact, there are still no economic incentives</p>	National	<p>“Specified risk” Threshold (30) HCV6 is identified and/or its occurrence is likely in the area under assessment and it is threatened by management activities.</p>
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		<p>that would lead to a greater commitment by forest managers to implement best practices in the case of forestry activities that can cause damage or degradation of land on and around sites of national cultural importance. Therefore the risk is considered specified</p> <p>HCV 6 is identified and/or its occurrence is likely in the area under assessment and there are threats posed by management activities.</p>		
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## Recommended control measures

Indicator	Recommended control measures
3.0	No control measures (indicator serves for risk assessment purpose only).
3.1 HCV 1	<p>Country Specific</p> <p>RTE and critical concentrations of species should be identified in the field by scientific experts and the results made subject to public disclosure and consultation with the MoEW, scientific organisations and NGOs; forest management activities should be adapted to the scientific requirements for the protection of HCV 1.</p> <ul style="list-style-type: none"> <li>• Harvesting does not take place where species concentrations are likely to occur (example as demonstrated by established conservation set-asides, habitat corridors, etc), and/or specific measures that are designed to protect the HCV value is applied as appropriate.</li> <li>• Evidence, where RTE species are known to occur, should be provided that forest management activities have been adapted to incorporate the scientific requirements for the protection of HCV 1 provided in Annex 1 of the HCV Guidelines (as demonstrated by forest management plans and/or independent 3rd party audits).</li> <li>• Inventory data for RTE must be available in the Forest Management Unit or to the environmental authorities, as well as the measures taken for protection of HCV 1 (incl. the management plans of protected areas), and checks must be undertaken that the planned forest activities are in compliance with the protection measures included in the forest management plans and/or independent third party audits.</li> <li>• <a href="http://natura2000.eea.europa.eu/#">http://natura2000.eea.europa.eu/#</a> can be used to identify Natura 2000</li> <li>• <a href="http://gis.wwf.bg">http://gis.wwf.bg</a> can be used to identify old forests in Bulgaria.</li> </ul>
3.2 HCV 2	<ul style="list-style-type: none"> <li>• Evidence shall be provided of restoration activities and plans to reduce HCV 2 fragmentation (e.g. remediation of previous damage to ecosystems, reintroduction of hunted species, creation of wildlife corridors between forest blocks). Among other, evidence could be in the form of management plans, maps and satellite image.</li> <li>• Evidence shall be provided that reduced impact harvesting operations (e.g. reduced impact logging techniques or continuous forestry cover) have been included in forest management plans to minimise forest fragmentation, including through roads and forest cover. Among other, evidence could be in the form of management plans, maps and satellite image.</li> </ul> <p>Country Specific.</p> <ul style="list-style-type: none"> <li>• Evidence should be provided that forest management activities have been adapted to come into line with the Bulgarian HCV Guidelines section on “Requirements of HCV2” (e.g. logging should not reduce the forest cover, 2% of the forest area is set aside for protection of old-growth forests, the anthropogenic fragmentation of forest areas is limited etc.) through demonstration of forest management plans and/or an independent third party audit on the implementation of the HCV protection measures in line with the Bulgarian HCV Guidelines section on “Requirements of HCV2”.</li> </ul>
3.3 HCV 3	<p>Material shall not originate from areas where HCVs are present, unless specific measures that are designed to protect the HCV inherent in the ecosystem (e.g. logging in areas of rare, threatened or endangered ecosystems is designed to protect the extent and values of these ecosystems) are in place.</p> <ul style="list-style-type: none"> <li>• <a href="http://natura2000.eea.europa.eu/#">http://natura2000.eea.europa.eu/#</a> can be used to identify Natura 2000</li> <li>• <a href="http://gis.wwf.bg">http://gis.wwf.bg</a> can be used to identify old forests in Bulgaria.</li> </ul> <p>For any wood supply areas overlapping with RTE ecosystems listed in Annex 4 of the HCVF guidelines, including 47 RTE ecosystem types, and/or the natural habitats defined under Annex I of the Habitats Directive, representing most of the HCV 3 forest types found in Bulgaria, seek:</p>

	<ul style="list-style-type: none"> <li>Evidence that planned forest management activities are in line with the scientific requirements for the protection of HCV 3 as provided in Annex 4A of HCV Guidelines, and evidence of implementation is required.</li> </ul> <p>HCV3, shall be mapped by experts and the results made and made subject to public disclosure and consultation with the MoEW, scientific organisations and NGOs;</p> <ul style="list-style-type: none"> <li>Require the inventory data for HCV 3 forests, and the measures for their protection, to verify that the forest management plans or the planned forest activities are in compliance with the HCV 3 protection measures available in the HCV Guidelines and the national Guideline for Management of Natura 2000 Habitats. This can also be done through independent third party audits on the implementation of the applicable legislation and the HCV 3 protection measures provided in Annex 4A of HCV Guidelines.</li> </ul>
3.4 HCV 4	<p>For 4.1 Forests for watershed protection: Material shall not originate from identified or mapped watersheds that supply local communities with drinking water, unless best practices of forest management are applied, including water course buffers, equipment restrictions, road building, and protection against contamination</p> <ul style="list-style-type: none"> <li>Collect available data about all HCV 4.1 forests for watershed protection. If field surveys are needed due to lack of other evidence on watershed protection, the results shall be subject to public disclosure. If forest is confirmed to be important for watershed protection, seek evidence that the forest management plan is in compliance with Ordinance No. 3 of 16 October 2000 on the sanitary protection zones around water sources and facilities for drinking water supply.</li> </ul> <p>For 4.2 Forests critical to water catchment areas: Collect available data about all HCV 4.2 forests critical to water catchment areas. If field surveys are needed due to lack of evidence on water catchment areas, the results shall be made public and open for opinions. If forest is confirmed to be critical to water catchment areas, seek evidence that the forest management plan is in compliance with the requirements for protection of HCV 4.2 forests in line with the HCV Guidelines, such as conducting no clear cuts, maintenance of permanent forest cover and irregular forest structures, etc.</p> <p>For 4.3 Forests of crucial importance for erosion control: Collect available data about all HCV 4.3 forests of crucial importance for erosion control. This can be in the form of topographic maps and management plans. If field surveys are needed due to lack of information provided on erosion risk, the results shall be made subject to public disclosure. If forest is confirmed to be of crucial importance for erosion control, seek evidence that the planned forest management activities are in compliance with the requirements for protection of HCV 4.3 forests in line with the HCV Guidelines, such as maintenance of permanent forest cover, no logging in extreme conditions, etc.</p> <ul style="list-style-type: none"> <li>Perform independent third party control on the implementation of the applicable legislation and the HCV 4 protection measures provided in the HCVF Guidelines. See the HCVF Guidelines 4.1, 4.2, 4.3, 4.4 and 4.5 on page 27-34.</li> </ul>
3.5 HCV 5	Not applicable
3.6 HCV 6	<p>Material shall not originate from areas where HCVs are present, unless there is evidence that confirms that local communities and Indigenous Peoples are engaged, and their requirements are met.</p> <p>Country Specific</p> <ul style="list-style-type: none"> <li>Confirm that the wood supply area contains no HCV 6 forests. All cultural sites and features of importance shall be available in the registers of the Ministry of Culture, the National Institute of Cultural Monuments and the municipalities, which support publicly available databases, interactive maps and information. If maps are not readily available, consultations with the Ministry of Culture, the National Institute of Cultural Monuments and the municipalities can clarify the cultural importance of a forest area.</li> </ul> <p>If HCV 6 forests are present, seek evidence that the forest management unit is from an area not within HCV 6 forests by consulting the Ministry of Culture or the National Institute of Cultural Monuments.</p> <p>If HCV 6 forests are within the FMU wood supply area, seek evidence from the forest management plan that FM activities are in compliance with the requirements for protection of HCV 6 forests provided in the Law on Monuments and Museums, the Forest Act, and the orders for designation of cultural monuments, and/or conduct an independent third party audit on the implementation of the applicable legislation and the HCV 6 protection measures provided in the HCV Guidelines.</p>

## Information sources

No.	Source of information	Relevant HCV category and indicator
1	Biological Diversity Act: <a href="http://lex.bg/laws/ldoc/2135456926">http://lex.bg/laws/ldoc/2135456926</a>	HCV 1-3
2	Protected Areas Act: <a href="http://www.lex.bg/bg/laws/ldoc/2134445060">http://www.lex.bg/bg/laws/ldoc/2134445060</a>	HCV 1-3
3	Ordinance for Fellings in Forests <a href="http://www.iag.bg/docs/lang/1/cat/3/index">http://www.iag.bg/docs/lang/1/cat/3/index</a>	General
4	WWF (2016): Identification, management and monitoring of high conservation value forests in Bulgaria (revised 2016). WWF, 2016. URL: <a href="http://d2ouvy59p0dg6k.cloudfront.net/downloads/hcv_toolkit_annex11.pdf">http://d2ouvy59p0dg6k.cloudfront.net/downloads/hcv_toolkit_annex11.pdf</a> - accessed on 22 June 2016	General
5	Biodiversity Convention: <a href="http://www3.moew.government.bg/files/file/KVESMS/conventions_full/Convention_biological_diversity_bg.pdf">http://www3.moew.government.bg/files/file/KVESMS/conventions_full/Convention_biological_diversity_bg.pdf</a> - accessed on 22 June 2016	HCV 1,3
6	National Risk Assessment: <a href="http://d2ouvy59p0dg6k.cloudfront.net/downloads/fsc_cwra_010_bg_1.pdf">http://d2ouvy59p0dg6k.cloudfront.net/downloads/fsc_cwra_010_bg_1.pdf</a> - accessed on 22 June 2016	General
7	Information system of the Ministry of environment and waters on Natura 2000: <a href="http://natura2000.moew.government.bg/Home/Natura2000ProtectedSites">http://natura2000.moew.government.bg/Home/Natura2000ProtectedSites</a> - accessed on 22 June 2016	HCV 1,3
8	National strategy for the development of the forest sector 2020: <a href="http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&amp;ld=875">http://www.strategy.bg/StrategicDocuments/View.aspx?lang=bg-BG&amp;ld=875</a> - accessed on 22 June 2016	General
9	Immovable Cultural Heritage: <a href="http://mc.government.bg/page.php?p=58&amp;s=429&amp;sp=430&amp;t=0&amp;z=0">http://mc.government.bg/page.php?p=58&amp;s=429&amp;sp=430&amp;t=0&amp;z=0</a> - accessed on 22 June 2016	HCV 6
10	EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014: <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a> - accessed on 22 June 2016	General
11	Forest Management Plans: <a href="http://www.procurement.iag.bg:8080/cgi-bin/lup.cgi">http://www.procurement.iag.bg:8080/cgi-bin/lup.cgi</a>	General
12	Environmental Protection Strategy: <a href="http://www.moew.government.bg/?show=19">http://www.moew.government.bg/?show=19</a>	HCV 1, 3, 4
13	National Priority Framework for Natura 2000: <a href="http://www.moew.government.bg/files/file/Press/Konsultacii/2013/Oktober/NPRD.pdf">http://www.moew.government.bg/files/file/Press/Konsultacii/2013/Oktober/NPRD.pdf</a>	HCV 1,3
14	Public summaries of FSC forest management certification reports published at <a href="http://info.fsc.org">info.fsc.org</a> (information on legal areas where non-compliances have been identified during the certification process that are likely to be common for non-certified operations);	General

15	Known and available inventory data relevant for HCVs.	General
16	BAS (2015): Red Data book of Bulgaria. Bulgarian Academy of Science 2015: <a href="http://e-ecodb.bas.bg/rdb/bg/">http://e-ecodb.bas.bg/rdb/bg/</a> - accessed on 22 June 2016	HCV 1, 3, 4
17	Strategic Plan for the development of forest management 2013-2014: <a href="http://www.iag.bg/data/docs/strategicheski_plan_za_razvitie_na_gsektor.pdf">http://www.iag.bg/data/docs/strategicheski_plan_za_razvitie_na_gsektor.pdf</a> - accessed on 22 June 2016	General
18	Forest Strategy 2014-2020 of EU: <a href="http://georgikostov-forester.eu/wp-content/uploads/2014/04/EU_forest_strategy.pdf">http://georgikostov-forester.eu/wp-content/uploads/2014/04/EU_forest_strategy.pdf</a>	General
19	Assessment of the water-protection forests: <a href="http://ofi.bvu-bg.eu/uploaded_files/20091125123302_Nevena.doc">ofi.bvu-bg.eu/uploaded files/20091125123302_Nevena.doc</a> - accessed on 22 June 2016	HCV 4
20	The Old-growth forests in Bulgaria: <a href="http://www.wwf.bg/what_we_do/forests/bulgarian_forests/">http://www.wwf.bg/what_we_do/forests/bulgarian_forests/</a> - accessed on 22 June 2016	HCV 3
21	Register of the Protected areas and protected sites in Bulgaria: <a href="http://eea.government.bg/zpo/bg/">http://eea.government.bg/zpo/bg/</a> - accessed on 22 June 2016	HCV 1,3
22	Actualno (2014): Floods did not stop the logging in forests. 17.08.2014: <a href="https://www.actualno.com/society/navodnenijata-ne-sprjaha-masovoto-izsichane-na-gori-news_45474.html">https://www.actualno.com/society/navodnenijata-ne-sprjaha-masovoto-izsichane-na-gori-news_45474.html</a> - accessed on 22 June 2016	HCV 4
23	WWF (2014): Analysis of WWF on the illegal logging in Bulgaria: <a href="http://www.wwf.bg/?229532/Illegal-logging-report">http://www.wwf.bg/?229532/Illegal-logging-report</a> - accessed on 22 June 2016	General
24	BNT.bg (2016): Illegal logging in Vitosha impacted old-growth forests - <a href="http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori">http://news.bnt.bg/bg/a/nezakonna-sech-na-vitosha-zasegna-vekovni-gori</a> - accessed on 22 June 2016	HCV 1,3
25	BTV (2015): Hundreds of trees disappeared in front of the eyes of the foresters: <a href="http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznaha-pod-nosa-na-gorskite.html">http://btvnovinite.bg/article/bulgaria/obshtestvo/stotici-darveta-kraj-chujpetlovo-izcheznaha-pod-nosa-na-gorskite.html</a> - accessed on 22 June 2016	HCV 1,3, 4
26	Provadiadnes.com (2015): Forest police stopped illegal logging in an old-growth forest - <a href="http://provadiadnes.com/news.php?id=3335">http://provadiadnes.com/news.php?id=3335</a> - accessed on 22 June 2016	HCV 3, 4
27	Dnevnik.bg (2015): Inspection found illegal logging of 170-year-old forest - <a href="http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/">http://www.dnevnik.bg/zelen/jiva_planeta/2015/05/12/2531433_proverka_ustanovi_nezakonna_sech_na_170_godishna_gora/</a> - accessed on 22 June 2016	HCV 1,3

28	BTV.bg (2015): Illegal logging in Sinite Kamani - <a href="http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html">http://btvnovinite.bg/article/bulgaria/regionalni-novini/nezakonna-sech-i-v-sinite-kamani.html</a> - accessed on 22 June 2016	HCV 1,3
29	Dariknews (2016): doc. Ivanov: Logging should be immediately stopped in sanitary zones: Dariknews.bg 26.04.2016. URL: <a href="http://dariknews.bg/view_article.php?article_id=1570894">http://dariknews.bg/view_article.php?article_id=1570894</a> - accessed on 22 June 2016	HCV 4
30	Novini (2015): Illegal logging damages the old-growth forest of the Lozen Monastery: Novini.bg 19.07.2014 - <a href="http://m.novini.bg/news.php?id=220798">http://m.novini.bg/news.php?id=220798</a> - accessed on 22 June 2016	HCV 3, 6
31	Nova.bg (2015): Investigation of how healthy forest is reported as ill in order to allow logging - <a href="http://nova.bg/news/view/2015/05/03/110007/разследване-как-се-обявява-здрава-гора-за-болна-за-да-се-изсече/">http://nova.bg/news/view/2015/05/03/110007/разследване-как-се-обявява-здрава-гора-за-болна-за-да-се-изсече/</a> - accessed on 22 June 2016	HCV 1,3
32	Capital.bg (2014): Poachers with a green collar - <a href="http://www.capital.bg/politika_i_ikonomika/bulgaria/2014/10/03/2392791_brakonieri_sus_zeleni_iakichki/">http://www.capital.bg/politika_i_ikonomika/bulgaria/2014/10/03/2392791_brakonieri_sus_zeleni_iakichki/</a>	HCV 4
33	BTVnovinite (2015): Somebody cut 20 decares of forest in Vitosha: BTVnovinite.bg 10.11.2015 - <a href="http://m.btvnovinite.bg/gallery/bulgaria/obshtestvo/njakoj-izseche-20-dekara-gora-na-vitosha.html">http://m.btvnovinite.bg/gallery/bulgaria/obshtestvo/njakoj-izseche-20-dekara-gora-na-vitosha.html</a> - accessed 22.06.2016	HCV 1,3
34	Dnevnik.bg (2014): Pre-announced logging of an old-growth forest: Dnevnik.bg 14.08.2014. URL: - <a href="http://www.dnevnik.bg/zelen/2014/08/14/2360946_fotogaleriia_edna_predizvestena_sech_na_vekovna_gora_v/?pic=3#picture">http://www.dnevnik.bg/zelen/2014/08/14/2360946_fotogaleriia_edna_predizvestena_sech_na_vekovna_gora_v/?pic=3#picture</a> - accessed 22.06.2016	HCV 1,3
35	Chernokova, R. (2016): Investigation of illegal logging of forests of the Bachkovo Monastery: BNR.bg 05.04.2016. URL: <a href="http://bnr.bg/post/100677598/proverka-za-nezakonna-sech-na-gori-na-bachkovskia-manastir">http://bnr.bg/post/100677598/proverka-za-nezakonna-sech-na-gori-na-bachkovskia-manastir</a> - accessed on 22 June 2016	HCV 6
36	EFA (2011): Regimes for management of forests in Natura 2000. EFA, 2011: <a href="http://www.moew.government.bg/files/file/Nature/Natura%202000/Zakoni_naredbi_guidance/Upravlenie_gori_po_natura_2000.pdf">http://www.moew.government.bg/files/file/Nature/Natura%202000/Zakoni_naredbi_guidance/Upravlenie_gori_po_natura_2000.pdf</a> - accessed on 22 June 2016	General
37	WWF (2014): Old-growth forests - the unknown treasures of Bulgaria. WWF, 2014: <a href="https://www.researchgate.net/publication/264397439_Old-growth_forests_the_unknown_treasures_of_Bulgaria">https://www.researchgate.net/publication/264397439_Old-growth_forests_the_unknown_treasures_of_Bulgaria</a> - accessed on 22 June 2016	General
38	MOEW (2013): Fifth National Report 2009-2013, Convention on Biological Diversity - <a href="https://www.cbd.int/doc/world/bg/bg-nr-05-en.pdf">https://www.cbd.int/doc/world/bg/bg-nr-05-en.pdf</a> - accessed on 22 June 2016	General
39	Veen et al. (2006): Virgin forests in Bulgaria. BAS-Forest institute, 2006: <a href="https://www.researchgate.net/publication/259646681_VIRGIN_FORESTS_OF_BULGARIA_VIRGIN_FORESTS_OF_BULGARIA">https://www.researchgate.net/publication/259646681_VIRGIN_FORESTS_OF_BULGARIA_VIRGIN_FORESTS_OF_BULGARIA</a> - accessed on 22 June 2016	HCV 1,3
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41	Transparency.bg (2016): Corruption perception index 2016: <a href="http://www.transparency.org/news/feature/corruption_perceptions_index_2016">http://www.transparency.org/news/feature/corruption_perceptions_index_2016</a> - accessed on 18 April 2017	General
42	EC (2013): Status, management and distribution of large carnivores – bear, lynx, wolf & wolverine – in the EU - part 2. European Commission, 2013: <a href="http://www.carnivorescience.org/files/2013_EUCommission_carnivore-status-2.pdf">www.carnivorescience.org/files/2013_EUCommission_carnivore-status-2.pdf</a> - accessed on 22 June 2016	HCV 1
43	Information about the conservation status of the capercaillie on the web-site of the Bulgarian Biodiversity Foundation: <a href="http://bbf.biodiversity.bg/bg/Gluhar.c213">http://bbf.biodiversity.bg/bg/Gluhar.c213</a> - accessed on 05 July 2016	HCV 1
44	Nikolov, M. (2016): Investigation: Scandal of public tenders in forest enterprise. Web-page: Nova.bg 17.07.2016: <a href="http://nova.bg/news/view/2016/07/17/153715">http://nova.bg/news/view/2016/07/17/153715</a> ,accessed on 17.07.2016	HCV 1, 3, 4
45	Spasov, S. (2015): Landslides threaten the Varna suburb of Asapruhovo. Web-page: Capital.bg 25.02.2015: <a href="http://www.capital.bg/politika_i_ikonomika/bulgaria/2015/02/25/2479456_svlachishta_groziat_varnenskiia_kv_asparuhovo/">http://www.capital.bg/politika_i_ikonomika/bulgaria/2015/02/25/2479456_svlachishta_groziat_varnenskiia_kv_asparuhovo/</a> , accessed on 17.07.2016	HCV 4
46	NEPCon (2016): Public report of audit of the North-Central State Enterprise of 2015: <a href="http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000aRIR3EAK">http://fsc.force.com/servlet/servlet.FileDownload?file=00P3300000aRIR3EAK</a> , Visited 27.07.2016	HCV 4
47	Forthenature (2016): Stara planina – Is logging in forests leading to water regime and floods?: <a href="http://forthenature.org/cases/49">http://forthenature.org/cases/49</a>	HCV 2



## Controlled wood category 4: Wood from forests being converted to plantations or non-forest use

### Risk assessment

Indicator	Source of information	Functional scale	Risk designation and determination
4.1	<p><b>Legislation</b>            Forest Act 2011 (Section II. Ownership – Article 33-34; Section III. Management of land plots in forest areas – Article 41-53; Section V. Change of land-use – Article 70-79)            Law on the Black Sea coast (Article 17a)            Spatial Planning Act (Article 7-8, Article 103a, Article 111)            Environmental Protection Act (Section VI)            Biodiversity Act (Article 31)</p> <p><b>Government sources</b>            EFA (2014): Annual report of the Executive Forestry Agency for 2014. Executive Forestry Agency. Sofia 2014:  <a href="http://www.iag.bg/data/docs/godishen-doklad2014.pdf">http://www.iag.bg/data/docs/godishen-doklad2014.pdf</a></p> <p>EFA (2013): Annual report of the Executive Forestry Agency for 2013. Executive Forestry Agency. Sofia 2013:  <a href="http://www.iag.bg/data/docs/Otchetetn_doklad_2014_1.pdf">http://www.iag.bg/data/docs/Otchetetn_doklad_2014_1.pdf</a>,</p> <p>EFA (2012): Annual report of the Executive Forestry Agency for 2012. Executive Forestry Agency. Sofia 2012:  <a href="http://www.iag.bg/data/docs/Otchetetn_doklad_2013N.pdf">http://www.iag.bg/data/docs/Otchetetn_doklad_2013N.pdf</a></p> <p><b>Non-Government sources</b>            BTA (2014): EC's decision regarding forest swaps between 2007-2009 is yet another negative signal from Europe, GERB says. Web-page: BTA.bg, 06.09.2014: <a href="http://www.bta.bg/en/c/DF/id/905099">http://www.bta.bg/en/c/DF/id/905099</a></p> <p>Dountchev, A. (2015): Fraudging through manipulation of the market price assessments of public forest plots:  <a href="http://forthenature.org/upload/documents/2015/05/Dalavarite_s_pazar_nite_ocenki_na_publichni_imoti_2015.pdf">http://forthenature.org/upload/documents/2015/05/Dalavarite_s_pazar_nite_ocenki_na_publichni_imoti_2015.pdf</a></p>	-	<p><b>Assessment based on legality</b></p> <p>Content of law</p> <p>The Forest Act defines the scope of the conversion of forest areas into non-forest areas without imposing any spatial restrictions. Art. 73 (1) of the Forest Act stipulates that change of land-use of forest areas is allowed for industrial and residential purposes as follows:</p> <ol style="list-style-type: none"> <li>1. Construction of transport facilities, industrial plants, etc.;</li> <li>2. Linear technical infrastructure;</li> <li>3. Development of urbanised plots when this is foreseen in general spatial plans of the municipalities or parts thereof.”</li> <li>4. Creation or expansion of individual urbanised plots when included in:             <ol style="list-style-type: none"> <li>a) A detailed plan – for projects providing social services/residential and social services of specialised institutions;</li> <li>b) A general spatial plan – in other cases;</li> </ol> </li> <li>5. Sites related to national security, national defence, etc.;</li> <li>6. Ski lifts, wind-turbines and photovoltaics;</li> <li>7. Ski runs.</li> </ol> <p>Change of land-use is specifically forbidden:</p> <ul style="list-style-type: none"> <li>- For a period of 20 years after burning of forests, except for investment projects of national importance; and</li> <li>- For urbanisation of dunes along the Black Sea coast, as per Article 17a of the Law on the Black Sea Coast.</li> </ul> <p>The Forest Act does not foresee conversion of natural and semi-natural forests into plantations.</p>

	<p>FAO (2014) Global Forest Resources Assessment 2015 – Country Report, Bulgaria. Rome. Available at: <a href="http://www.fao.org/3/a-az175e.pdf">http://www.fao.org/3/a-az175e.pdf</a> (last accessed on 05 July 2017)</p> <p>Transparency.bg (2015): Corruption perception index 2015: <a href="https://www.transparency.org/cpi2015/#results-table">https://www.transparency.org/cpi2015/#results-table</a></p> <p><a href="#">What is Wrong with Bulgaria's Forest Act - Facts &amp; Figures</a> (2012, June 14), Sofia News Agency. Retrieved from <a href="http://www.novinite.com/articles/140293/">http://www.novinite.com/articles/140293/</a></p>	<p>The conversion of forests into non-forest areas is enacted by a decision for change of land-use made by the competent forest authorities and after adoption of a detailed spatial plan under the Spatial Planning Act (Article 7-8). Any project or plan which includes a change of land-use of forests is subject to an environmental impact assessment under the Environmental Protection Act (Section VI) or appropriate assessment of Natura 2000 sites under Article 31 of the Biodiversity Act. Under Art. 86 of the Forest Act, when state or municipal forests are converted an additional compensation tax must be paid by the private investor to cover costs for potential reforestation activities on behalf of the state, resp. the municipality..</p> <p>Article 33 of the Forest Act allows the sale of state-owned or municipal forest plots (forming round 90% of all forests in Bulgaria), and their subsequent conversion into urban areas, when this is planned in a General Spatial Plan and as long as it is outside the European ecological network Natura 2000. The sale of state-owned or municipal forest plots and their conversion is also allowed by Articles 75-79 in Section V "Change of land-use", which stipulate that state-owned or municipal forests may be sold to anyone who applies to convert the forest.</p> <p>Is the law enforced?</p> <p>In general, the legal requirements of the Forest Act for a change of land-use are enforced by the competent authorities – the Executive Forest Agency and its regional directorates. Applications for changes of land-use are considered by a specialised council of the authority and are subject to multiple requirements, including assessment of the environmental impact. The decisions of the competent authorities are made public. The only evidence that indicates violations of the legislation relate to manipulations of the market price evaluations, which lead to underestimation of the public forest plots subject to land-use change and sale procedures under Articles 73-79 of the Forest Act (Dountchev, 2015). Therefore, the legal requirement of Article 79 of the Forest Act that allows the sale of public forests subject to land-use change to private developers, combined with corruption, may trigger</p>
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			<p>the conversion of public forests. Bulgaria's high level of corruption (scoring 41 points on the Corruption Perception Index for 2015 (Transparency, 2015)) is considered a fair indicator that corruption may also occur in the conversion and sale of state-owned forests. This risk is heightened further by the evidence of widespread financial fraud in the recent past by the forest authorities through the swapping of state-owned forests for private forests (BTA, 2014).</p> <p>Moreover, there are concerns that the regulation on the change of land use under Article 73 (1), 4a of the Forest Act can be circumvented. The Forest Act allows conversion of forests to non-forest area if designated for social residential development projects in case of lack of a general spatial plan. The risk for circumventing the law is due to the lack of regulations in the social laws with respect to the development of social residential projects and the lack of legal prohibition on the change of residential projects into private investment projects. Thus, with a decision of the municipality the spatial development plan of a plot can be changed, aiming the conversion of social residential projects to non-residential projects without notification of the Executive Forest Agency (EFA). This means that the law cannot guarantee that forest lands would not be converted into urban areas if a general spatial plan is not adopted.</p> <p>In particular, even though the Forest Act restricts the conversion of forest areas into farmland, it allows the spatially unrestricted conversion of forests into non-forest lands for the purpose of urban development, industrial, sport or infrastructure projects. The urbanisation of forest areas is also "stimulated" by the provisions of the Forest Act which allow the sale of state-owned or municipal forests to private parties as long as the forests are included in urbanisation zones in general spatial plans or when any investor applies for a change of land-use of public forests for private industrial or infrastructural purposes. In such cases, the only limitations on the conversion process are those which might be imposed on the basis of the environmental impact assessment of the relevant project or plan.</p>
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		<p><b>Assessment based on spatial data</b></p> <p>According to the Executive Forest Agency, the rate of expansion of forests is greater than the rate of their conversion into non-forest areas. The annual reports of the Executive Forest Agency for the period 2003-2015 state that forest areas of Bulgaria have increased by 198,000 ha (or 5%), from 4,004,000 to 4,202,000 ha (EFA, 2013, 2014, 2015). In the same time, the annual conversion rate peaked at 0.02% (i.e. 590 ha of the total area of state forests, which was 2,906,508 ha in 2015).</p> <p>According to the Global Forest Resources Assessment 2015 for Bulgaria prepared by FAO, the forest area increased by 86,299 ha between the years 2005 and 2010 (from 3,651,243 ha to 3,737,542 ha). In the same report, the latest available data about forest expansion is from the year 2012. In 2012, the forest expansion was 1,077 ha (77 ha afforestation and 1000 ha natural forest expansion). There is no data available about deforested area, nor data available about primary forest converted to plantations or other lands.</p> <p>There is an increase in primary forest reported for Bulgaria, but this is because some of the NATURA 2000 sites were reclassified as primary forests after EU accession.</p> <p>Is it possible to conclude that the spatial threshold (0.02% or 5000 ha) is met?</p> <p>Conforming to the spatial data provided above, conversion of natural forests to plantations or non-forest use in the area under assessment is below the threshold of 0.02% or 5000 hectares average net annual loss.</p> <p>According to the assessment based on legality, conversion of forest areas into non-forest areas for several purposes is allowed without imposing any spatial restrictions. However, the present risk assessment shall deal with the current situation and at the time of the assessment the available spatial data leads to a 'low risk' designation.</p> <p>Risk Designation: Low risk</p>
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			Thresholds (1) and (3) are met: Thresholds provided in the indicator are not exceeded; AND Other available evidence do not challenge a 'low risk' designation.
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**Recommended control measures**

N/A

## Controlled wood category 5: Wood from forests in which genetically modified trees are planted

### Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1	<p>Legal acts of EC on GMO on the web-site of the Ministry of Agriculture and Food: <a href="http://www.mzh.government.bg/MZH/bg/ShortLinks/ZJBH/EUZakonodatelstvo/GMO.aspx">http://www.mzh.government.bg/MZH/bg/ShortLinks/ZJBH/EUZakonodatelstvo/GMO.aspx</a></p> <p>Map of the buffer zones around the Natura 2000 protected sites on the web-site of the Ministry of Environment and Water: <a href="http://www.moew.government.bg/files/file/Nature/Biodiversity/Tatiana/GMO_buffer.pdf">http://www.moew.government.bg/files/file/Nature/Biodiversity/Tatiana/GMO_buffer.pdf</a></p> <p>Law on Genetically Modified Organisms /2005/: <a href="http://www.lex.bg/bg/laws/ldoc/2135501153">http://www.lex.bg/bg/laws/ldoc/2135501153</a></p> <p>Law on Environmental Protection /2002/: <a href="http://www3.moew.government.bg/files/file/Soil/Legislation/Zakoni/ZOOS.pdf">http://www3.moew.government.bg/files/file/Soil/Legislation/Zakoni/ZOOS.pdf</a></p> <p>Law on Liability for Prevention and Elimination of Environmental Damage /2009/: <a href="http://www.lex.bg/bg/laws/ldoc/2135587536">http://www.lex.bg/bg/laws/ldoc/2135587536</a></p> <p>Ordinance for the Release of GMOs into the Environment and their being Placed on the Market /2005/: <a href="http://www.moew.government.bg/files/file/Legislation/Naredbi/BR/naredba_za_osvobodjavane_na_genetich_no_modifizirani_organizmi_v_okolnata_sreda_i_puskaneto_im_na_pazara.doc">http://www.moew.government.bg/files/file/Legislation/Naredbi/BR/naredba_za_osvobodjavane_na_genetich_no_modifizirani_organizmi_v_okolnata_sreda_i_puskaneto_im_na_pazara.doc</a></p> <p>Ordinance No. 21 of 12 November 2012 on the Conditions and Procedures for Determining, Approval, Registration and Cancellation of Sources from Forest Seed, and the Collection and Extraction of Forest Reproductive Material, its Grading, Trade and Import: <a href="http://www.lex.bg/bg/mobile/ldoc/2135824846">http://www.lex.bg/bg/mobile/ldoc/2135824846</a></p> <p>National list of all approved forest sources throughout the country: <a href="http://www.iag.bg/data/docs/Nat._list_1.2015.xls">http://www.iag.bg/data/docs/Nat._list_1.2015.xls</a></p>	-	<p>Low risk</p> <p>Thresholds (2) and (3) are met: There is no commercial use of GMO (tree) species in the area under assessment.</p> <p>AND</p> <p>Other available evidence does not challenge a 'low risk' designation</p> <p>1. Use of GMO in forestry can be allowed only with approval. According to official statements of The Ministry of Agriculture and Food Bulgaria is free from GMO forest crops. This is stated in 10 different letters of notification that the Ministry sent to the European Commission to ensure that Bulgaria will not cultivate GMO products, including trees. Under Directive 2001/18/EC of October 3, 2015, each Member State has the opportunity to indicate whether it wishes to ban cultivation of GMO products that have already been subject to applications or authorizations, as did Bulgaria.</p> <p>2. In accordance with the national legislation in the field of</p>

			forestry the registration of basic material for reproductive material containing genetically modified organisms is controlled in order to specify if it complies with the provisions of special laws in the Republic of Bulgaria and by making a risk assessment if it causes adverse effects on human health and the environment. 3. At present, in the country there are no registered GMO trees.
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	GMO Context Question	Answer	Sources of Information (list sources if different types of information, such as reports, laws, regulations, articles, web pages news articles etc.).
1	Is there any legislation covering GMO (trees)?	Yes	Law on Genetically Modified Organisms; Environmental Protection Act; Law of Liability for Prevention and Elimination of Environmental Damage; Ordinance for the Release of GMOs into the Environment and their being Placed on the Market /2005/; Ordinance No. 21 of 12 November 2012 on the Conditions and Procedures for Determining, Approval, Registration and Cancellation of Sources from Forest Seed, and the Collection and Extraction of Forest Reproductive Material, its Grading, Trade and Import; National list of all approved GMO sources throughout the country;
2	Does applicable legislation for the area under assessment include a ban on commercial use of GMO (trees)?	Yes, only for specific situations.	Under Art. 75 of the Law on Genetically Modified Organisms 2010, if risk for the human health or the environment is expected then the Minister of Agriculture and Food, after consultation with the Minister of Environment and Water and the Minister of Health, may propose to the Council of Ministers that the use or sale of GMO as a product or as part of a product, which has been authorised for marketing, including trees, be restricted or prohibited.
3	Is there evidence of unauthorised use of GM trees?	No	Web-site of the Ministry of Agriculture and Food: <a href="http://www.mzh.government.bg">http://www.mzh.government.bg</a> ; Web-site of the Ministry of Environment and Water: <a href="http://www.moew.government.bg">http://www.moew.government.bg</a> ; Web-site of the Executive Forest Agency: <a href="http://www.iag.bg/">http://www.iag.bg/</a> ;

4	Is there any commercial use of GM trees in the country or region?	No	- National Register of Basic Sources ( <a href="http://www.publicregisters.info/r/Registyr_na_izdadenite_razresheniya_zh_osv/102506/">http://www.publicregisters.info/r/Registyr_na_izdadenite_razresheniya_zh_osv/102506/</a> ) under Ordinance No. 21 of 12 November 2012 on the Conditions and Procedures for Determining, Approval, Registration and Cancellation of Sources from Forest Seed, and the Collection and Extraction of Forest Reproductive Material, its Grading, Trade and Import. -Register for issued permits for the release of GMOs into the environment (available at: <a href="http://www.publicregisters.info/r/Registyr_na_izdadenite_razresheniya_zh_osv/102506/">http://www.publicregisters.info/r/Registyr_na_izdadenite_razresheniya_zh_osv/102506/</a> )
5	Are there any trials of GM trees in the country or region?	No	No information was found.
6	Are licences required for commercial use of GM trees?	Yes	National Register of Basic Sources under Ordinance No. 21 of 12 November 2012 on the Conditions and Procedures for Determining, Approval, Registration and Cancellation of Sources from Forest Seed, and the Collection and Extraction of Forest Reproductive Material, its Grading, Trade and Import
7	Are there any licences issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)	No	The decision of the Ministry of Agriculture and Food (responsible for regulations on GMO trees in forestry) concerning release and prohibition of use of GMO products including trees ( <a href="http://www.mzh.government.bg/MZH/bg/News/15-10-01/.aspx">http://www.mzh.government.bg/MZH/bg/News/15-10-01/.aspx</a> )
8	What GM 'species' are used?	N/A	
9	Can it be clearly determined in which MUs the GM trees are used?	N/A	

#### Recommended control measures

N/A