

## **Observations and Comments of the CCM Article 3 Analysis Group on the Extension Request submitted by Bulgaria in accordance with Article 3.3 of the Convention**

The Analysis Group is pleased to note that Bulgaria has complied with the recommendations of the Ninth Meeting of States Parties (9MSP) to provide a detailed project management and work plan in its updated extension request to be considered at the Second Review Conference (2RC). The Group is in agreement that the extension request submitted by Bulgaria is comprehensive and meets all the criteria set out by Article 3.4 of the Convention. The Group also commends Bulgaria for its success in securing the necessary funding to destroy all the cluster munitions held by the Bulgarian Armed Forces within the requested extension period.

While the Analysis Group acknowledges the high quality of the request, additional information or clarification on the following points could more enlighten the States Parties in their consideration of Bulgaria's request:-

### **1. Cluster Munitions in Lot 3**

**The request indicates that these cluster munitions are currently planned for destruction from March 2021 to April 2022 and that a detailed work plan for this Lot 3 will be provided at a later stage. Could Bulgaria advise when the work plan related to the destruction of these cluster munitions would be available? The Group would also appreciate if any additional information on the destruction of Lot 3 could be made available before or at the 2RC.**

Due to the outbreak of COVID-19, the project for the destruction of the cluster munitions stockpiles of the Bulgarian Army has been delayed for about 5 weeks. The transportation process of the cluster munitions in Lot 1 and Lot 2 starts on 18 May 2020 and will be completed by the end of the current year as initially planned.

During the process of transportation and destruction, we would be able to make a more accurate assessment of the implementation of the project. Based on this we would be able to prepare the subsequent plan for the destruction of the cluster munitions in Lot 3, to be presented to the States Parties no later than the Second Review Conference of the Convention on Cluster Munitions.

### **2. Cluster Munitions in Lot 4 and Lot 5**

**Though these are listed in the Statement of Work and Annex A, no comprehensive information is provided in the detailed narrative section of the request document. In the spirit of greater transparency and accountability, the Analysis Group recommends that Bulgaria provides clarification on the current status of cluster munitions contained in Lots 4 and 5.**

A draft of the Statement of Work (SoW) prepared by the NATO Support and Procurement Agency (NSPA) was first presented to the Ministry of Defence (MoD) of the Republic of Bulgaria in February 2018. As the main element of the tender procedure for selection of a project contractor, SoW's negotiation process took several months before the approval of its final version.

Meanwhile, as stated in the 2017 CCM Article 7 Annual Report, the Bulgarian MoD retained **8** cluster munitions **9N123K** listed in **Lot 4** and containing **400** explosive submunitions type **9N24** for training purposes of the Bulgarian Armed Forces in accordance with Article 3, paragraph 6.

Back in June 2019, **50** explosive submunitions, **9N24**, were launched during annual trainings and exercises of the Bulgarian Armed Forces. Another **100** explosive submunitions, **9N24**, have been planned for 2021.

**Lot 5** used to include only elements of cluster munitions (shells) that do not contain explosive submunitions and do not fall under the scope of Art. 2 of the Convention. The shells were transferred to a military museum as exhibits in 2018. Information regarding the relocation of those elements of cluster munitions has been provided to the States Parties in the Article 7 report for 2017.

3. **The Analysis Group recommends that the request should include an acknowledgment that the PTM-3 AV mines that are listed as part of Bulgaria's stockpiles to be destroyed do not actually fall under the CCM as defined in Article 1 paragraph 3 of the Convention. This would clarify Bulgaria's recognition that the CCM does not apply to mines.**

Bulgaria considers the PTM-3 AV mines as integral part of a block BKF PTM-3 cluster munition, and therefore they fall under the explosive submunitions' definition in Article 2, paragraph 3 of the Convention. Cluster munitions Block BKF PTM-3 are a fraction of the Bulgarian Army's cluster munitions stockpiles. As such they will be destroyed as part of the implementation process of the project for destruction of the cluster munitions. Bulgaria will report the results accordingly.

4. **The Analysis Group welcomes Bulgaria's close and continued contact with the coordinators on stockpile destruction and the ISU. In this regard, the Analysis Group strongly encourages Bulgaria to inform States Parties as soon as possible should there be any impediment to the implementation of its work plan and to provide such information in a timely manner.**

The Republic of Bulgarian will duly inform the States Parties to the Convention should any further impediments of the implementation of the work plan occur (see also the answer to question 1).