



**REPUBLIC OF BULGARIA
MINISTRY OF FOREIGN AFFAIRS**

SECURITY POLICY DIRECTORATE

**Mr. Stephen D. Goose
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Sofia, 25 February 2009

Dear Sir,

In response to your letter of 30 January 2009 addressed to Minister Kalfin, which contains a request for information on several aspects of Bulgaria's policy and practice regarding cluster munitions, I would like to present to your attention the following data:

I would like to confirm what has been previously stated in response to the alleged production of cluster munitions in the country, namely that Bulgaria does not and has not produced any type of cluster munitions. Moreover, cluster munitions have never been used by the Bulgarian Armed Forces.

As indicated in the past, limited amounts of cluster munitions are held by the Bulgarian Armed Forces. The majority of these are deemed to be outdated and unreliable. Since none of the cluster munitions currently in stock fall within the range of the exceptions defined by the Oslo Convention, they will be subjected to the procedures and treatment foreseen by the relevant articles of the Convention after its ratification and entry into force.

The size and composition of the Bulgarian stockpile are among the issues currently studied by experts of the Bulgarian Ministry of Defence and the General Staff as an integral part and an important element of the launched ratification procedure. Detailed information on the matter will be available once this procedure has been completed. I would like to stress though that, as indicated above, the number of cluster munitions held by the Armed Forces is limited.

Concerning the interpretative matters raised in your letter I would like to make the following observations:

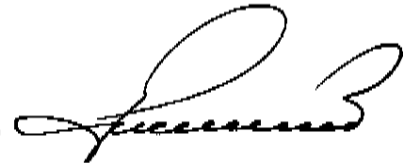
The prohibitions stipulated in Article 1 of the Convention create an obligation for the States Parties not to allow the transit, transfer or stockpiling on their territories of cluster munitions (as defined in Article 2, par. 2), regardless of whether these munitions are foreign or nationally owned. In addition to that, Article 3, par.6 and par.7 provide for an exception to the general rule by allowing, under certain conditions, the retention or acquisition of a limited number of cluster munitions for training purposes (par.6), as well as their transfer for the purposes of destruction (par.7).

The issue of investment in the production, although not expressly referred to in the text of the Convention, has to be considered in light of the general prohibition on the development and production of cluster munitions (as defined in Article 2, par. 2), contained in Article 1, par. 1(b).

With regard to joint military operations, I would like to point out that Bulgaria will fully observe the regulations of Article 21 of the Convention. As you are aware, par. 3 of Article 21 does not prohibit States Parties to "engage in military cooperation and operations with States not party to this Convention that might engage in activities prohibited to a State Party". Par.4 of Article 21 stipulates that participation in such military operations "shall not authorise a State Party" to engage in acts prohibited under the terms of the Convention and contains an exhaustive list of such acts.

I hope that you will find the information presented above useful and helpful and I stand ready to provide, in the future, any additional data you might require.

Sincerely yours,



Petio Petev, PhD
Director