

Bulgarian National Audit Office

***Audit of the activity on the implementation of
the Convention on the Protection of the Black
Sea Against Pollution carried out in the
Ministry of Environment and Water for the
period 01.01.2005 until 31.12.2007***

SOFIA, October 2009

Convention on the Protection of the Black Sea Against Pollution (Bucharest Convention, 1992)

- Signed, Bucharest 1992***
- Enforced 1994***
- Contracting Parties - Bulgaria, Georgia, Romania,
Russian Federation, Turkey , Ukraine***





Auditees

- ***The review covers the activity of the **structural units** of the Ministry of Environment and Water involved in the fulfillment of the commitments undertaken by the Republic of Bulgaria under the Convention:***
 - ***Regional Environment Inspections,***
 - ***Executive Environment Agency and***
 - ***Basin Directorates.***



Scope and goals of the Audit

The scope of the audit covered the prerequisites established and measures taken by MOEW for implementation of the Convention aimed to:

- Submit to the Legislature and the Executive, the management of the Ministry of Environment and Water and other stakeholders an assessment of the activities carried out by the Ministry of Environment and Water on the implementation of the Convention on the Protection of the Black Sea Against Pollution.***
- To assess to what extent have the standards for discharged substances and matters from the land-based sources into the Black Sea, been observed for the period 01.01. 2005 - 01.12.2007.***



Assessment criteria

- ***The audit team analyzed and assessed the implementation of the activities, carried out in the Ministry of Environment and Water, for the implementation of the Convention, based on the following criteria:***

Assessment criteria

- 1. Legal framework***
- 2. Provision of resources by the Ministry of Environment and Water for implementing the activities, related to the implementation of the Convention.***
- 3. Analysis and assessment of the activities for implementation of the Convention***
- 4. Analysis and assessment of control activities***
- 5. Analysis and evaluation of the Black Sea Water Monitoring System***
- 6. Reporting to International Organizations***
- 7. Assessment of coastal sea water for the period 2005-2007.***

Methods and approaches for achieving the audit objectives

- 1. Documentary evidence obtained through review of correspondence, protocols, plans, reports, accounts, contracts and etc.;***
- 2. Witness evidence obtained through conversations, interviews, explanations by officials at different management levels and other forms that are documented in writing;***
- 3. Analytical evidence, obtained as a result of comparative analysis, calculation, allocation of information by components etc.***

The direct substantive testing approach is applied for obtaining the audit evidence.

Samples are used for determining the information that was analyzed.

The background of the slide is a scenic photograph of a coastline. On the left, there are dark, forested mountains that slope down to a sandy beach. The sea is a deep blue, extending to the horizon under a clear sky. The overall lighting is bright, suggesting a sunny day.

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Main findings and assessments

1. Legal Framework

The adopted regulations in the field of water management provide a high degree of harmonization of the Bulgarian legislation with the European one. Legal terms have been elaborated for effective implementation of the activities, aimed to attain the Convention objectives.

2. Administrative capacity

Structural units have been set up in MOEW, the Executive Environmental Agency and the Regional Inspectorates of Environment and Water in line with the tasks assigned to them under the regulations. The fluctuation of manpower and the vacant expert positions pose a risk for non-effective implementation of the tasks assigned to them.

The background of the slide is a scenic photograph of a coastline. On the left, there are dark, forested mountains that slope down to a rocky shore. The water is a deep blue, and the sky is a pale, hazy blue. The overall atmosphere is serene and natural.

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3. Provision of funds

Financial prerequisites have been established in MOEW for implementing the Convention objectives. Funding is provided by different external and internal sources and the funds from internal sources amount to 94% which is a prerequisite for implementation of the projects.

Analysis and assessments of the activities for the Convention implementation

1. License regime

The issuing of licenses for wastewater discharge (object Black Sea) corresponds to the legal requirements.

No regulation was adopted on the form and contents of discharge license Registers, maintained by the Water Directorate , by the time the audit was completed.

An aerial photograph of a coastline. On the left, there are steep, forested mountains that descend to a sandy beach. The sea is a deep blue, extending to the horizon under a clear sky. The text is overlaid on the top and middle parts of the image.

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2. Strategy, Plans and Programmes

Two strategic documents:

- National Environment Strategy and Action Plan for the period 2000 – 2006 and***
- National Strategy for the Water Sector Management and Development till 2015***

The objectives, defined in the National strategy documents are in accordance with the objectives set in the Convention.



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-National Programme for priority in building up of the Waste Water Treatment Plants for settlements over 10 000 equivalent inhabitants;

- Strategic Action plan on the rehabilitation and protection of the Black Sea

The Programmes are in keeping with the requirements and obligations of our country concerning the Convention for the Protection of the Black Sea Pollution.

A serious delay has occurred in the implementation of the objects of priority in the National programme which poses a risk for the achievement of its objectives and observance of the provisional terms agreed .

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3. Participation of Bulgarian experts in the working groups of the Commission

No specific rules have been elaborated for the experts' activity which poses a risk for the implementation of all commitments undertaken, due to the fact that various structural units and administrations have been included in the Working groups.



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4. Control

Regional Environment Inspections control the waste water objects by performing checks according to approved annual plans by the Minister of Environment and Water.

The overlapping of control activities, assigned to both regional structures, the Regional Inspectorate of Environment and Waters and the Basin Directorate, poses a risk of ineffective control.



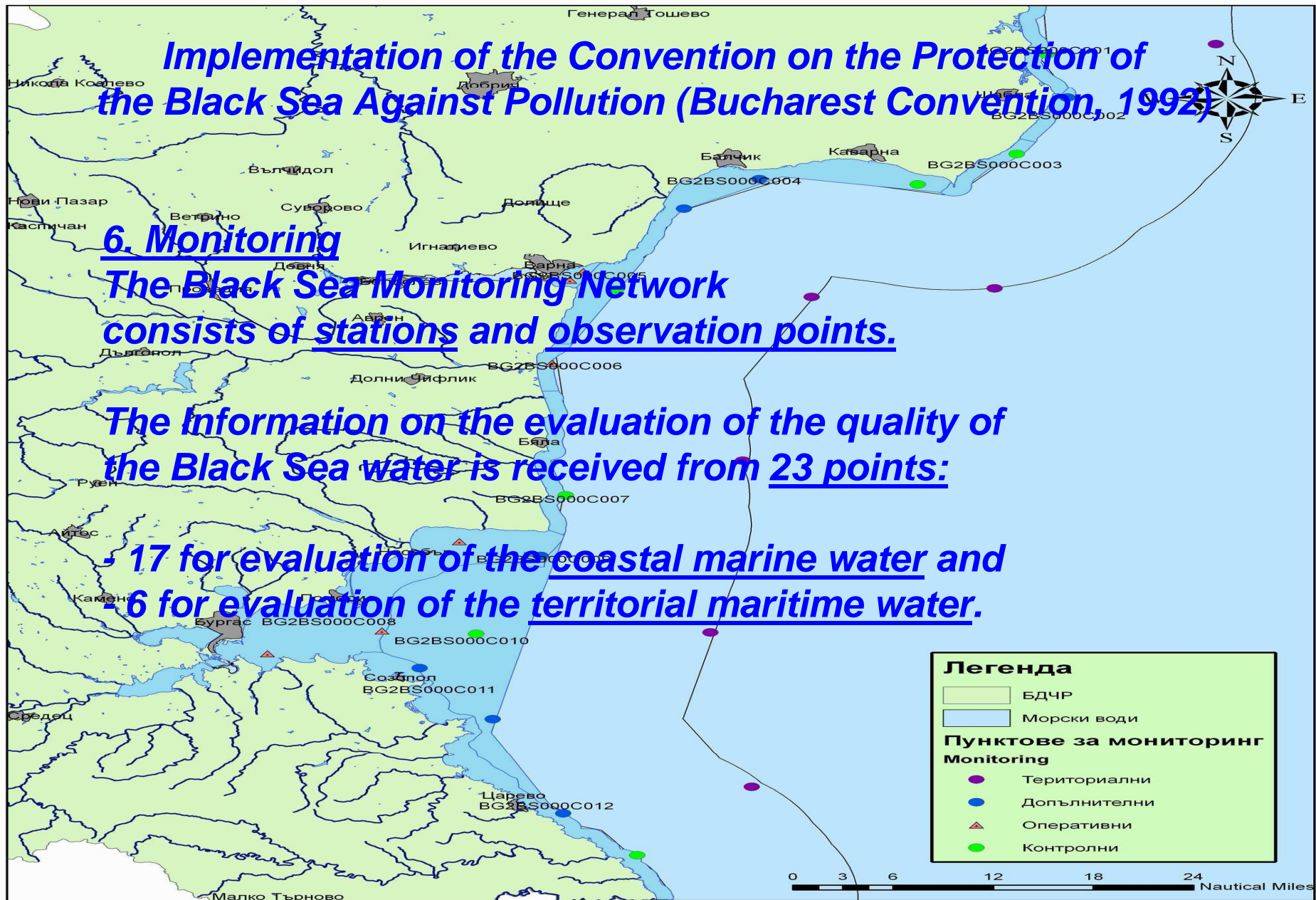
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the Black Sea Against Pollution (Bucharest Convention, 1992)**

**6. Monitoring
The Black Sea Monitoring Network
consists of stations and observation points.**

**The information on the evaluation of the quality of
the Black Sea water is received from 23 points:**

- 17 for evaluation of the coastal marine water and**
- 6 for evaluation of the territorial maritime water.**



The background of the slide is a scenic photograph of a coastline. On the left, there are dark, forested mountains. The sea is a deep blue, and the sky is a pale, hazy blue. The overall tone is serene and natural.

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6. Monitoring

The control of water quality and the change of its characteristics over time is done in accordance with the norms establishing maximum allowed concentrations of indicator substances in coastal sea waters. Those norms were adopted with specialized ordinances.

The number and location of stations and the indicators monitored conform to the requirements of international conventions.

The planned sample collections were not carried out in full due to the lack of an own sea vessel, with a year-round capability for sample collection for physical , chemical and biological monitoring in areas away from the shore.

The Seawater Monitoring System provides information for making analyses, assessments, prognoses and taking purposeful actions by the MEW in order to achieve the objectives of the Convention.

The background of the slide is a scenic photograph of a coastline. On the left, there are dark, forested mountains that slope down to a sandy beach. The water is a deep blue, and in the distance, more mountains are visible under a clear sky. The overall tone is bright and natural.

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7 Reporting

Executive Environment Agency reports:

- to the Commission for the protection of the Black Sea pollution on the state of the marine water in 5 points and 15 sources of pollution.

- to the European Environment Agency in 16 points.

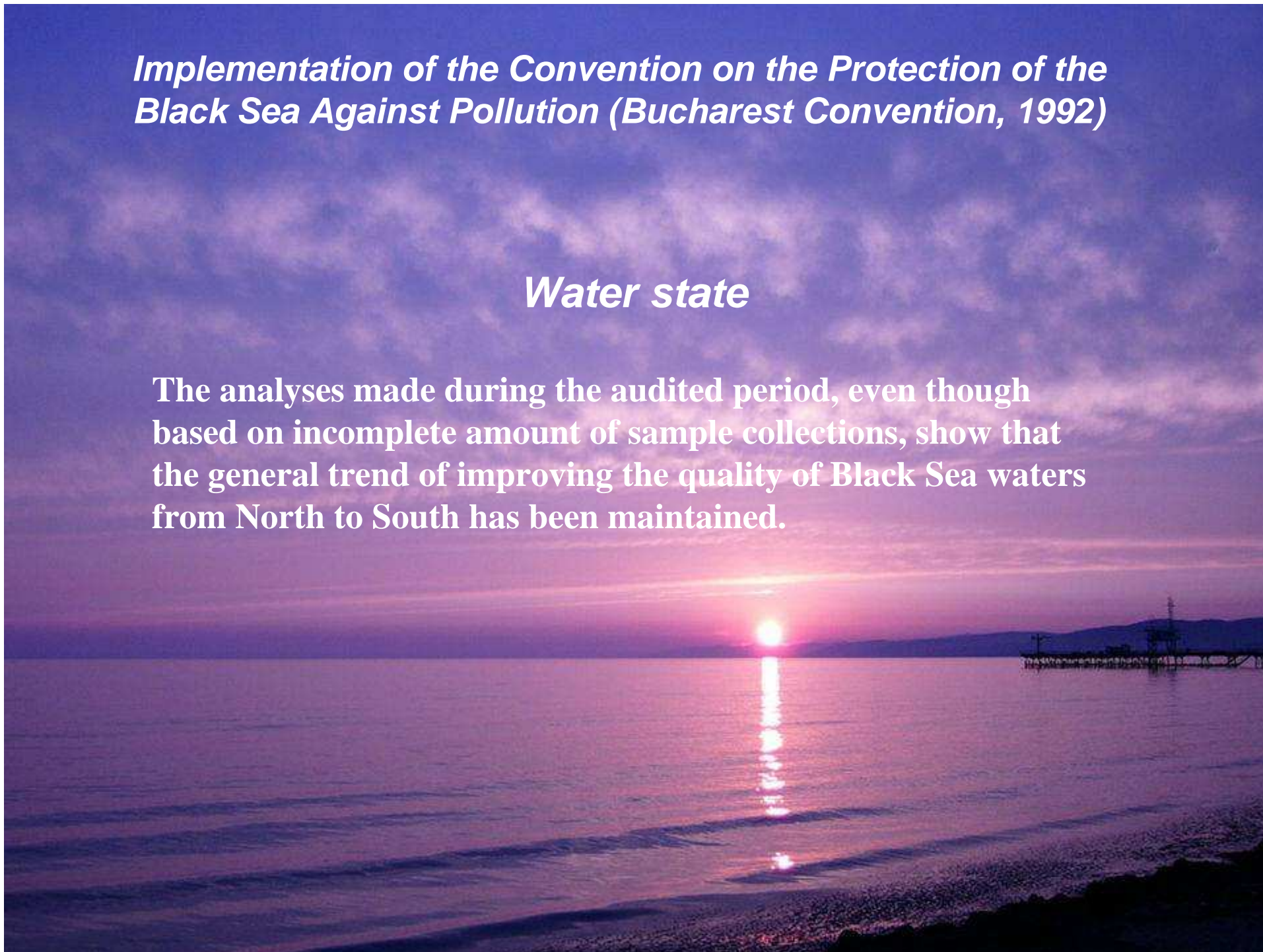
The deadlines for submitting reports to the relevant institutions were observed and so were the respective criteria, established by those institutions

The Executive Environment Agency effectively carries out Bulgaria's commitments to share information with the countries, which have ratified the Convention as well as with other International bodies.

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Water state

The analyses made during the audited period, even though based on incomplete amount of sample collections, show that the general trend of improving the quality of Black Sea waters from North to South has been maintained.



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Recommendations

The following was recommended to the Minister of Environment and Water:

- 1. Actions must be taken to fully staff Directorate “Water management” in the MOEW.*
- 2. Actions must be taken to amend the Water Act in order to stop the overlapping of control functions, delegated to both the Regional Inspectorate of Environment and Water and the Basin Directorate.*
- 3. Actions must be taken to publish the Ordinance for issue of licenses for wastewater discharge in water objects and determining the individual emission limitations of pollution sources.*
- 4. The rights and obligations of participants in the advisory groups of the Commission must be specified.*
- 5. Actions must be taken to overcome the delay in implementing the National Program in order to meet the negotiated postponed deadlines.*
- 6. Actions must be taken to ensure that sample collection for physical, chemical and biological monitoring is carried out throughout the year.*

THANK YOU FOR YOUR ATTENTION!

