MINISTRY OF ENVIRONMENT AND WATER

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NATIONAL ACTION PLAN TO COMBAT THE ILLEGAL USE OF POISONS IN THE WILD

2021 – 2030

Sofia, 2021
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Compiled by Dobromir Dobrev & Stoyan Nikolov

Contributing Authors: Anton Stamenov, Vladimir Dobrev, Volen Arkumarev, Dimitar Gradinarov, Dobromir Dobrev, Irina Mateeva, Nikolay Terziev, Stoyan Nikolov, Yana Velina,

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Participants in the workshop for the development of the plan: Atanas Delchev (BSPB), Boris Borisov (Bulgarian Food Safety Agency (BFSA)), Borislav Beldev (National Association of Hunters and Anglers "Union of Hunters and Anglers in Bulgaria" (UHAB), Vladimir Dobrev (BSPB), Volen Arkumarev (BSPB), Georgi Stoyanov (Birds of Prey Protection Society (BPPS)), Donyo Ganchev (Agricultural University - Plovdiv), Juliana Tasheva (National Diagnostic and Science-and-Research Veterinary Medical Institute (NDSRVM)), Elena Tsingarska (Balkani Wildlife Society), Emilian Stoynov (Fund for Wild Flora and Fauna (FWFF)), Ivanka Lazarova (Thracian University - Stara Zagora), Irina Mateeva (BSPB), Jovan Andevski (VCF), Kamen Nikolov (General Directorate National Police - Ministry of Interior (GDNP-MoI)), Krasimir Zhivkov (Ministry of Environment and Water (MOEW)), Lyudmila Kenova (Four Paws Foundation), Magdalena Peneva (Four Paws Foundation), Maria Kachamakova (Institute of Biodiversity and Ecosystem Research, Bulgarian Academy of Sciences (IBER-BAS)), Miroslav Petrov (GDNP-MoI), Nikolay Terziev (BSPB), Peter Yanakiev (Professional Hunting Association in Bulgaria (PHAB)), Russko Petrov (Green Balkans), Simeon Arangelov (Association of Parks in Bulgaria (APB)), Simeon Marin (Green Balkans), Stefka Dimitrova (Green Balkans), Stilian Geraskov (National Association of Hunters and Anglers UHAB), Tanya Stoyanova (SPP Sakar), Hristina Klisurova (Green Balkans), Hristo Peshev (Fund for Wild Flora and Fauna (FWFF)), Hristo Hristov (Rewilding Rhodopes Foundation), Yana Andonova (Green Balkans), Yana Velina (MOEW);

Facilitators: Dobromir Dobrev, Dimitar Gradinarov, Stoyan Nikolov (BSPB);

Minutes taken by: Vanya Georgieva, Elitsa Ivanova, Yordanka Goranova-Lukanova (BSPB)

Constructive comments and recommendations during the public consultation were provided by: Four Paws Foundation, Yana Velina (MOEW).

Constructive comments and recommendations during the National Biodiversity Council meeting held on 6.7.2021 were provided by: General Directorate National Police, Ministry of Agriculture, Food and Forestry, Executive Environment Agency (ExEA) and the National Nature Protection Service
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SUMMARY

The use of poison baits in the wild poses a threat to a large number of animal species, including those that are protected and endangered, and is prohibited under international, European and national legislation, including conventions, directives, regulations, laws and by-laws.

This Plan aims to analyze and identify the problem in the country, as well as methods for its prevention, and effective cooperation for the detection of cases of illegal use of poisons and poison baits. This will be from the stage of evidence collection to the judicial phase by the state institutions responsible, with the participation of all competent and interested parties such as toxicological laboratories, NGOs, etc.

The Plan consists of the following main parts:

**Legal and institutional framework**

The country has relatively complete and strict legislation on the use of poisonous substances, but often cases of poisoning of wild animals are treated as minor and the measures necessary to investigate them are not taken. The lack of good coordination (clear identification of responsibilities) between the various institutional bodies involved in the fight against poisoning, and insufficient experience and capacity in the practical application of current legislation among officials, and prioritisation of these cases are also a problem.

**Causes and consequences of the use of poisons and poison baits**

The historical use of poisons and poison baits in Bulgaria is well documented. As a result of their intensive use from the 1960s to the 1980s, many of the country's birds of prey and vulture populations were driven to the brink of extinction. The main reason for their use is socio-economic, principally human-predator or human-human conflicts that arise as a result of economic losses suffered.

Although these activities are recognized by the population as illegal, the lack of sufficient case law and a state enforcement unit leave the problem unaddressed.

In recent years the issue has gained renewed urgency following serious cases of vulture poisoning in the Kresna Gorge, Bov Station and the Eastern Rhodopes.

The first successes in the direction of the fight against poisoning are visible such as: a significant improvement in the understanding of the problem; the establishment of a database; the improvement of cooperation and capacity; the taking and analysis of samples; and the creation of the first canine anti-poisoning team in Bulgaria.

**Methods, development process and scope of the Plan**

The first attempt at an organized and coordinated approach between institutions and stakeholders in the fight against poisoning in the wild was made by the Green Balkans NGO
at a workshop in 2017.

To continue the work on this urgent issue in Bulgaria, BSPB renewed dialogue on the topic and made efforts to create a more effective system for proceeding with cases of poisoning by the authorities of the Ministry of Interior and the Prosecutor's Office (with the participation of the Regional Inspectorates of Environment and Water (RIEW) and toxicological laboratories) with the active involvement of nature conservation NGOs and the methodological assistance and participation of the Ministry of Environment and Water (MOEW).

Thus, the present document was launched in November 2019, at a national workshop involving the appropriate state institutions and environmental NGOs.

The National Action Plan covers a ten-year period (2021-2030), with a five-year revision period. It focuses on endangered birds of prey and has a country-wide territorial coverage. On this basis, the priorities, and the coherence of the document in terms of stakeholders are defined.

The Plan sets out five main objectives, which are achieved through the implementation of 28 actions, specified with clear priorities, timescales and budgets. Key indicators for the monitoring and evaluation of the achievement of the Plan's objectives are defined.

1. **RATIONALE FOR DEVELOPING THE PLAN**

1.1 **LEGAL AND INSTITUTIONAL FRAMEWORK**

1.1.1 International Legislation

The use of poison baits poses a threat to a large number of animal species and is prohibited under several international conventions and European directives ratified by Bulgaria:

- **The Convention on the Conservation of European Wild Flora and Fauna (Bern Convention)** was among the first international treaties to focus on this threat. The Convention obliges those countries that have ratified it to prohibit the use of all non-selective methods of capturing or killing animals, as well as the use of methods that may cause local extinction or species disturbance (Article 8). The methods listed in Appendix IV include the use of poisons and poison baits.

- The use of poison baits, and other non-selective methods, to control predatory mammals is prohibited in the Member States of the European Union under **Directive 2009/147/EC on the conservation of wild birds** and **Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora**. Directive 2009/147/EC obliges Member States to prohibit the use of all methods of mass culling and the indiscriminate capture and killing of birds, as well as methods that may cause local extinction of species (Article 8). The use of poison baits is among the prohibited methods listed in Annex IV of the Directive. Directive 92/43/EEC imposes the same prohibitions through the text of Article 15 and point (a) of Appendix VI.
In addition to these regulations, according to Article 3(f) of Directive 2008/99/EC of the European Parliament and of the Council of 19 November 2008 on the protection of the environment through criminal law, Member States are obliged to criminalise the killing, destruction or possession of specimens of protected plants and animals. The same Directive requires (Article 5) that the national laws of Member States provide for effective and proportionate penalties in cases of offence.

• **The Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention)** calls on countries to take all necessary measures to prevent the risk of poisoning migratory bird species. Resolution 11.15 Preventing Poisoning of Migratory Birds (www.cms.int) was adopted in November 2014 in Quito, Ecuador, at the 11th Meeting of Member States, and revised in February 2020 at the 13th Meeting of Member States in Gandhinagar, India.

The resolution provides specific recommendations and requirements for CMS member states, and more. Some of these are aimed at: developing national strategies to combat poisons; monitoring the effect on migratory birds; ensuring the safe testing of existing veterinary, non-steroidal, anti-inflammatory drugs; withdrawing permits for the use of drugs toxic to vultures and other scavenging birds (incl. Diclofenac); ensuring that the testing of new veterinary NSAIDs on listed groups becomes part of the drug development protocol; contributing to the identification and promotion of safe alternative medicines; instructing the Secretariat to establish and maintain an intergovernmental working group to phase out the use of lead ammunition and lead fishing weights and to move forward the application of this guidance in relevant sectors.

• **Rotterdam Convention on the ‘Prior Informed Consent’ Procedure for International Trade in Certain Hazardous Chemicals and Pesticides.** The scope of the Convention covers banned or severely restricted chemicals, especially hazardous pesticide formulations.

**1.1.2 National Legislation**

The production, distribution, possession and use of poisonous substances is regulated by seven pieces of national legislation:

• **Biological Diversity Act (BDA):** according to Art. 38, Para. 1 of the BDA for the protected animal species of Appendix 3 (including vultures) "all forms of deliberate capture or killing of specimens by any means or methods are prohibited". The use of poison baits and poisons is prohibited in the BDA, Appendix 5 to Art. 44, Para. 1. For violations of Art. 38, the BDA (Art. 125) provides for financial and pecuniary penalties, and violations are established by an act of an official of the Regional Inspectorate of Environment and Water (RIEW).

• **Hunting and Game Conservation Act (HGCA).** Article 65, Para. 3 of the Hunting and Game Conservation Act explicitly prohibits the use of poisonous or narcotic substances,
as well as baiting with such substances, as methods and means of hunting. Article 109, Para. 3 of the Regulations for the implementation of this Act prohibits the use of highly toxic preparations harmful to game or illegally dosed weakly toxic preparations. Control of these provisions is carried out by the Executive Forests Agency with the Ministry of Agriculture, Food and Forestry.

- **Veterinary Medicine Act (VMA) prohibits** the causing of the death of animals except in those cases provided for by law (Art. 151, Para. 1).

- **Animal Protection Act (APA)**: Article 7 prohibits cruelty to animals, including in the cases provided for in Art. 151 of the VMA. In cases where the act committed does not constitute a criminal offence, the law provides for administrative penalties such as fines.

- **Criminal Code (CC)**: The production, acquisition, possession, storage and sale of highly active poisonous or non-narcotic substances without proper authorisation are treated as criminal offences under Article 354 of the CC. The penalties provided for under the Criminal Code include fines and imprisonment. More serious penalties are envisaged in cases where a poisonous substance is used to kill animals, as the use of poisons and poison baits is prohibited in the Biological Diversity Act (BDA) and the Hunting and Game Conservation Act. The Criminal Code also criminalizes cruelty to and the killing of vertebrate animals (Art. 325b, Para. 1), with killing by poison defined in the Veterinary Medicine Act (VMA) as "Special Cruelty". Under Articles 278d, Para. 1 and 278e, the destruction of protected species is also a criminal offence.

- **Act on the Protection from the Harmful Impact of Chemical Substances and Mixtures (APHICSM)**: Although there is no definition of a "highly potent poisonous substance" it is legally defined as a substance in all cases causing significant damage to living organisms which, even in small quantities, can cause severe harm or death. Most of the substances found to be used in poison baits fall within the categories of hazardous chemical substances described in Article 2 of the APHICSM. According to Article 27 of the same Act, the control of hazardous substances falls within the competence of the MOEW and the Ministry of Health and, in the case of the import and export of such substances, within the competence of the Customs Agency. Administrative penalties for breach of the law are provided for in the form of fines and the revocation of permits.

- **Plant Protection Act (PPA)**: plant protection products are also classified as hazardous substances. The authorisation regime and control of their use, production, trade, import and export is regulated by the Plant Protection Act and is carried out by BFSA under the Ministry of Agriculture, Food and Forestry. Depending on their use, for the purpose of stricter control and in accordance with Article 105 of the Plant Protection Act, plant protection products are divided into products for professional and non-professional use. In spite of the strict regulatory mechanisms laid down in the PPA, the main administrative penalties and sanctions for breach of the current provisions are fines and the withdrawal of permits. Also, Regulation (EC) No. 1107/2009 contains exceptions to the procedures regulated at EU level, allowing the production, storage and export of plant protection products not authorised for marketing and use in the country (Article 28, Para. 2 of the Regulation).
Conclusion:
(1) There is relatively complete and strict legislation regarding the use of poisonous substances in the country;
(2) The legislation provides for various administrative penalties for established offences, to a maximum BGN 20,000 and imprisonment of 3 to 5 years for poisoning protecting species;
(3) The regulatory structure governing the production, trade and use of plant protection products includes exemptions for prohibited products which requires the application of strict controls;
(4) Often cases of poisoning are treated as minor by the police and prosecution and appropriate measures are not taken;
(5) To date, there has been no case of a registered offence of poisoning of protected species of animals (which also constitutes a general offence under the Criminal Code) in which the perpetrator has been identified. This is largely due to lack of understanding of the seriousness of the crime, low prioritization during the investigation, poor specificity of the crimes, lack of methodological guidelines and protocol for the work, serious procedural shortcomings, and failure to seek competent assistance from the MOEW;
(6) So far, those crimes registered have involved administrative and pre-trial proceedings, but none has gone from pre-trial to trial phase due to non-detection of a perpetrator.

1.1.3 Roles and Responsibilities of Institutions

The control and counteraction of the use of poisons and poison baits is carried out by several institutions and their structures. This requires a clear definition of their responsibilities, cooperation and coordinated actions.

The institutions involved are:

• **The Ministry of the Interior (MoI)** - responsible for the process of detection, investigation (pre-trial proceedings) and detention of offenders (at the scene or afterwards) following identification and analysis of evidence. Criminal investigation activities are carried out by investigating police officers and other police authorities under the terms and conditions of the Criminal Procedure Code. In cases under Articles 278d, 278e and 325b of the Criminal Code, the main role is played by the Ministry of the Interior. Since 2015, investigating police officers and officers with operational functions have been appointed in the Regional Directorate of the Ministry of Interior to work, in accordance with their functional competence, on pre-trial proceedings for these offences under those articles of the Criminal Code that criminalize cruelty to animals.

• **Prosecutor’s Office** - monitors compliance with the law by leading the investigation and supervising its lawful conduct. It may investigate, prosecute persons who have committed offences, and uphold the prosecution in criminal cases of a general nature. Reports of offences may also be made to the Prosecutor’s Office. In this case, the Public Prosecutor decides whether to entrust the police authorities, either personally or through the investigating authority, with carrying out checks and other actions to gather additional information giving grounds for seeking criminal liability and initiating pre-trial proceedings. If the police authorities collect sufficient evidence implicating a person in the
commission of a criminal offence, they shall forward the material to the investigating police officer and shall immediately inform the Public Prosecutor who shall bring charges against the person concerned.

• **The Ministry of Environment and Water (MOEW)** - the competent authority for the control of hazardous chemicals (Article 27 of the Act on the Protection from the Harmful Impact of Chemical Substances and Mixtures) and the protection of biological diversity, including the control of compliance with species protection standards. According to the Biological Diversity Act (BDA) (Art. 117, para. 3), control for the protection of protected species is within the competence of the Regional Inspectorate of Environment and Water (RIEW), which can impose fines, financial penalties and compulsory administrative measures (Art. 7, para. 4). In cases of distressed protected species, representatives of the Regional Inspectorate of Environment and Water have the power, after an on-site inspection with a certifying report, to send them to a rescue centre for specific pre-trial proceedings or cases with written or oral advice. When cases of the use of poisons and poison baits are registered, the MOEW provides methodological assistance for each case through the Directorate of the National Nature Protection Service. The MOEW may: exchange information, analyses, assessments, and conclusions; commission inspections; participate in joint inspection and/or investigation teams; and provide methodological and expert assistance, including clarifications and expertise. The MOEW conducts training seminars for the Ministry of the Interior and prosecution authorities on this specific type of crime, identifying, synthesising and disseminating good practical experience from third countries.

• **Bulgarian Food Safety Agency (BFSA)** - is responsible for the authorisation regime for plant protection products and veterinary medicinal products in Bulgaria and undertakes official control of plant protection products and animal health and welfare. It manages and coordinates the activities of the Regional Food Safety Directorates (RFSD) in several areas. However, the collection and processing of evidence in the event of an offence is not within the competence of the representatives of BFSA. In this respect, the legislation requires cooperation between BFSA and the MoI. In the event of an infringement of veterinary requirements being detected by a representative of the Ministry of the Interior, the latter must inform the official veterinarian. This individual carries out an on-the-spot inspection and, depending on the type and extent of the infringement found, issues a prescription, a restraining order, an injunction, or an administrative offence report. In the case of a criminal offence, the authority responsible is the MoI.

• **Executive Forests Agency (EFA)** - performs control functions regarding game and forest conservation. Through its directorates "Forest Protection" and "Hunting" it has a direct role in detecting violations on the territory of various forest and hunting holdings. Accordingly, it assists other institutions, through its staff, in detecting and investigating incidents. Officers are empowered to issue ‘cease and desist’ orders when violations of several laws, including the Hunting and Game Conservation Act and the Biological Diversity Act (BDA), are found. According to the Animal Protection Act (APA), the
structures of the EFA have a duty to monitor the implementation of measures for the protection of wild animals, in this case game, but their specific duties have not yet been clarified. In the case of poisoning, especially in which there is poisoned game, the EFA structures can issue a certifying protocol for an administrative offence report, and in case of evidence of a crime, can report to and assist the Ministry of Interior authorities.

**Conclusion:** The analysis of the legally regulated interactions between the institutions shows: (1) gaps and uncertainties in the legal framework governing the coordinated actions of the institutions; (2) a lack of experience and capacity in the practical application of existing legislation among officials.

### 1.2 Causes and Consequences of the Use of Poisons and Poisonous Baits

#### 1.2.1 History, roots and socio-economic aspects

**History:** In the middle of the last century, the extermination of “nuisance” game (large mammals and birds of prey) in the country was permitted by any means, including the laying of poison baits. This practice, detrimental to biodiversity, was made state policy for nearly 45 years - until it was discontinued in the early 1990s (with the adoption of the Bern Convention) - and led to a drastic decline in the numbers of large terrestrial carnivores, birds of prey and to the almost complete extirpation of vultures in Bulgaria (Stoynov et al. 2018; see Chapter 1.3.2 for more information).

**Roots and socio-economic aspects:** The main reason for the use of poisons and poison baits is the economic losses that farmers and livestock keepers suffer due to wild vertebrates and invertebrates (Skartsi et al. 2014).

The practice of using poison baits also has a socio-psychological aspect due to the inability of owners to obtain compensation, retribution and justice for the loss of domestic animals.

Two main reasons for their use have been identified (Hristov 2017):

- **Human-Predator Conflict** arises as a result of the suffering of losses of domestic animals to predators, such as a desire for retribution and quick resolution of the problem. With regard to damage caused by large terrestrial predators, most often wolves (Skartsi et al. 2014; Stoynov et al. 2018), despite the legal structure, for a number of reasons the owner is not compensated for his losses. On the other hand, especially in remote and inaccessible mountainous areas with gated communities, resorting to the use of illegal means such as poisons is often to achieve quick retribution for losses and prevent future ones. This sets the stage for serious environmental problems. One such example is the illegal use of poisons to control birds of prey that harm domestic pigeons. This is particularly characteristic of urban areas such as Pazardzhik, where owners of high-flying racing pigeons put poison (most often Lanate) on the feathers of decoy pigeons.

- **Person-to-person conflicts** arise as a result of interpersonal and neighbourly conflicts. They can have different roots, but the most common cause is the loss of working dogs. Hunting
dogs are killed by herding dogs during hunting. On the other hand, due to straying, herding
dogs cause damage to game. This pits social groups against hunters and breeders, leading
to the illegal use of poisons to retaliate for losses. There are many cases of such retaliation
with experience showing that, in such cases, the carcasses of poisoned dogs are dumped
or left unchecked in the environment.

Another major cause of the poisoning of wild animals in Bulgaria is related to the intensive
use of Plant Protection Products (PPP) in agricultural practices (Skartsi et al. 2014), and there
are also a number of established cases of unregulated use (Kostadinova et al. 2018).

1.2.2. Level of awareness of local communities on the issue

The ways of setting poison bait as well as the substances that can be used for this purpose are
widely known. Instructions on different baiting techniques, and how to find poisonous
substances, can be freely found on the internet. In many localities there are still people who
remember the practices of the past, when setting poison baits to combat predators was a state
policy. Local communities are aware of the effectiveness this practice can have in eradicating
ground predators.

Many people are aware of the environmental (ESTAT 2016) and human health risks.

It is widely known that animals that are not perceived as a threat to livestock can fall victim
to baiting. It is also known that some poisonous substances remain in the environment for a
long time and can harm humans. However, there are people who tend to set such baits as a
reasonable response to predator attacks on livestock. Due to the non-selectivity of this illegal
method, in many cases, social tensions increase locally. A good example in this regard are the
cases of poison use in Krumovgrad municipality in 2016 and 2018 (see Chapter 1.2.5). Due
to the inability of the authorities to detect, and bring to justice, the specific perpetrator of the
act, a desire for self-detection arises in the local population. Different social groups such as
hunters and stock-breeders come into conflict, the consequences of which can manifest
themselves in many ways. At present, no perpetrator has been apprehended and the fear of the
use of poisons and poisonous substances remains in the local population. Intensification of
such conflicts in remote areas could lead to serious negative consequences, both for the people
living there and for biodiversity.

1.2.3 Analysis of problems in legislation, regulation, implementation, and
prevention of these cases

Bulgaria has national and international legal provisions that regulate, relatively strictly, the
use of hazardous chemicals that act as poisons for animals. The main problems related to the
regulatory framework are:

• Significant gaps between the law and its application in practice in the form of
  insufficient investigative and other procedural actions carried out, the collection of
  insufficient evidence of guilt and the identification of a suspect. Complex control
  mechanisms and low transparency in the actions of institutions do not help effective law
  enforcement;
• **Gaps and ambiguities in the legal framework** governing the coordinated action of the various institutions having a role in preventing and countering the use of poisons and poison baits;

• **Low level of knowledge** of their duties when detecting violations and crimes related to poisons and poison baits by officials in the institutions;

1.2.4 Impact on vulture populations and other components of biodiversity

In the 1950s and 1960s, targeted campaigns were conducted in Bulgaria to eradicate terrestrial predators through the use of strychnine baits. During this period, populations of all species of vultures and other diurnal birds of prey, including the Golden Eagle (*Aquila chrysaetos*) and the Imperial Eagle (*Aquila hehaca*), declined rapidly, with some even disappearing from the breeding fauna of Bulgaria. At the beginning of the 20th century the Griffon Vulture (*Gyps fulvus*) and the Black Vulture (*Aegypius monachus*) were widespread and common species throughout the country, but around the middle of the century they were described as relatively rare (Patev 1950). The use of strychnine baits against terrestrial predators has been cited as the main reason for their rapid decline in numbers (Patev 1950; Boev & Michev 1980). There is information that at that time an average of 60 kg. of strychnine was used annually, mainly for the purpose of poisoning wolves (Bijleveld 1974). As a result, the black, bearded (*Gypaetus barbatus*) and Griffon Vultures soon disappeared as breeding species from the country. In the late 1970s a small colony of Griffon Vultures, consisting of 28 birds, recovered in the Eastern Rhodopes. In the late 1960s the use of poisons was banned. Despite the bans, however, the use of poisons continued in the following decades, killing many other protected species too. Although the Griffon Vulture population has gradually started to increase, mainly due to the efforts of conservation NGOs, poisoning incidents are not uncommon. All recorded declines in the population of the species are associated with proven poisoning incidents, which confirms the importance of this threat for the development of vulture populations in Bulgaria. Such population depressions in the Griffon Vulture were observed in 1989-1991 and 1996-1998.

The use of poisons is one of the main reasons for the extinction of the Bearded Vulture from the Balkan Peninsula and, today, only 7-9 breeding pairs are preserved solely on the island of Crete. The Black Vulture is also disappearing from almost all countries in the Balkans, with only a small colony remaining in Dadia National Park in north-eastern Greece. Numbers of Griffon and Egyptian Vultures (*Neophron percnopterus*) are also significantly declining in the Balkans, with these species disappearing in some countries. Over the last 20 years, a total of 227 poisoning incidents have been recorded in the Balkan Peninsula, killing nearly 900 vultures. It should be born in mind that typically only 20% of incidents are recorded (Pantovic & Andevski 2018). This indicates that the illegal use of poison baits has caused the death of possibility thousands of vultures on the peninsula during this period.

The Egyptian Vulture population in Bulgaria has declined by over 80% in the last 40 years (Velevski et al. 2015) and by over 50% in the last 14 of those (Arkumarev et al. 2018). An
analysis of the causes of mortality of the species in Bulgaria and Greece since 1997 shows that about 60% of cases are caused by human activity and over 80% of these are due specifically to the use of poisons (Saravia et al. 2016). Poisons have also been recognized as a major threat, even within the Natura 2000 ecological network and, in 96% of the surveyed areas in Bulgaria and Greece, this factor poses a significant risk to national populations (Kret et al. 2016). In general, poisons are considered a significant threat to the species in Bulgaria according to the Atlas of Breeding Birds in the country (Kurtev et al. 2007), the National Action Plan for the Egyptian Vulture (Kurtev et al. 2008), the European Action Plan for the conservation of the species (Iñigo et al. 2008), the Red Data Book of the Republic of Bulgaria (Kurtev et al. 2015), and the International Action Plan for the conservation of the species along its migration route (Nikolov et al. 2016). Over the last 25 years (1994, 1998, 2001, 2003, 2005, 2006, 2007, 2020; Kurtev et al. 2008) individual, or individual pairs of, Egyptian Vultures have been found dead in or around their nests in the Eastern Rhodopes, with poisoning presumed as the most likely cause of death.

1.2.5 Emblematic recorded cases

In recent years several significant cases of poison use have been recorded in Bulgaria causing the death of large numbers of domestic and wild animals including protected species. These well illustrate the current causes, nature, institutional mechanism and environmental impact of poison use:

- **The case near the village of Strazhetz, municipality Krumovgrad in October - November 2016**: A series of poisoning incidents were recorded, killing more than 20 wild and domestic animals, including hunting and herding dogs, foxes, wolves, a squirrel, a hedgehog and a wild boar. The wild boar died, foaming at the mouth, in full view of hunters during a hunting trip, probably minutes before being shot, and subsequently consumed. Local reports indicate that at least one Griffon Vulture was also a victim of the incident, but the carcass of the bird has not been found. Pre-trial proceedings were initiated in the case, during which evidence was collected and the active substance in the poison, the pesticide Lanat, was identified. However, the perpetrator of the crime has not been identified. In 2018, there was another poisoning case in the same area, in which more domestic dogs and wild animals died, but again the perpetrator remains unknown.

- **The case in Kresna Gorge in March 2017**: As a result of poisoning, the local colony of Griffon Vultures, established thanks to a long-term reintroduction programme with the financial support of the EU (LIFE11 NAT/BG/000363), was almost completely destroyed. A cow carcass was used as bait, in which poison was planted. A cow carcass, in which poison was embedded, was used as bait. The aim was probably to kill ground predators. The bait was discovered, following a tip-off from local residents, three weeks after the first victims were recorded. During the investigation of this incident, it was found that other smaller poison baits (pieces of meat) had been planted at the same time in several other locations in the Kresna Gorge area. As a result, a total of 24 victims were identified (2 domestic dogs, 1 fox, 2 wolves, 18 Griffon Vultures and 1 Raven), but it is assumed that the number of animals killed in this incident is much higher. Monitoring of the Griffon Vulture colony indicates that over 30 birds are missing and probably died because of
poisoning but not all carcasses have been recovered. Pre-trial proceedings were initiated against an unknown perpetrator in the case but were later dropped due to lack of sufficient evidence.

- **The case in the area of the village of Bov, Svoge Municipality, September 2019:** An incident of poisoning was registered thanks to data received from the GPS/GSM transmitters, which were used to tag some of the Griffon Vultures released in ‘Vrachanski Balkan’ Nature Park. During an inspection of the last place where the birds were feeding, a calf carcass was found, in which the poison was probably planted. An adult Golden eagle was found dead near the carcass. Again, the poisoned bait was probably planted to kill ground predators. After a thorough search of the area, the total number of victims found in this incident rose to 8 Griffon Vultures and 1 Golden Eagle. It is assumed that the number of dead animals is considerably higher as, due to the difficult and rugged terrain, as well as the great distances that birds can fly before death occurs, the carcasses of many of them probably remain undiscovered. An investigation has been launched into the case and evidence is being collected.

In all these cases there is a lack of good coordination between the various institutions responsible which hampers the effective collection of physical evidence in the field, the securing of areas around the poisoned baits, the collection of carcasses of poisoned animals to prevent secondary poisoning, analysis of samples collected to identify the poisonous substance and identification of perpetrators.

1.2.6 Mitigation measures taken

Activities aimed at reducing the risk of poison use on biodiversity in Bulgaria started as project initiatives of the nature conservation NGO sector (BSPB, Green Balkans, FWFF, Birds of Prey Protection Society (BPPS)). The first targeted steps were taken in the mid-1990s as part of the Bulgarian-Swiss Biodiversity Conservation Programme. After Bulgaria's accession to the EU, as part of the first LIFE projects aimed at the conservation of large birds of prey such as Imperial Eagle, Egyptian Vulture, Griffon Vulture, Black Vulture, etc., major emphasis was placed on working on this issue. So far various initiatives have been launched and good cooperation with key institutions and their subdivisions established. At the institutional level measures to mitigate predator-human conflict are mainly carried out by the Executive Forests Agency, hunters and the MOEW.

Currently, the following activities and measures are being undertaken in the country:
measures have been introduced to mitigate predator-human conflict through compensation: 1) Payment of compensation, at average market prices, for damage caused by brown bears (according to the Hunting and Game Conservation Act) to livestock, beehives, fruit trees and damaged agricultural property (e.g. hives, fences, etc.). The procedure is initiated by submitting a report to RIEW, and the process is relatively quick and efficient. 2) Payment, or compensation in kind (by NGOs as project activities) for damage caused by wolves to livestock. This measure is temporary and local.

populations of wolf, jackal, fox and stray dogs are legally controlled: control is carried out by shooting by licensed hunters and individual hunting is allowed all year round and on all days of the week. Predators are identified for annual shooting through a planned quota, but this is usually not met due to lack of material incentive. There should be one for stray dogs (not herd dogs or unleashed pets).

Understanding of the problem has been significantly improved through systematic data collection on all identified cases of poisoning as well as on the extent of this practice at regional, national and international levels.

A database on this type of crime has been established: (https://wildlifepoisoning.lifeneophron.eu/).

Improved cooperation and capacity of all responsible institutions has been achieved through training seminars (over 20 seminars with more than 300 participants), workshops, exchanges of experience with other countries, materials and work on thematic poisoning cases.

An action algorithm with the right order, interactions, logistics and documentation has been established for the efficient running of the whole investigation process.

Improved capacity for sampling and toxicological analysis of poisoned animals at the National Diagnostic and Science-and-Research Veterinary Medical Institute (NDSRVMI) of the BFSA and other specialized laboratories enabling accurate quantitative and qualitative analysis of the main types of poisons.

The first canine poison control team in Bulgaria was established.

Improved direct involvement and participation of institutions in working on specific cases – MOEW/RIEW, Sofia Municipality, MoI, APB, Customs Agency, Ministry of Agriculture and Food, Faculty of Biology at “St. Kl. Ohridski”, The National Museum of Natural History and IBER at BAS.

Capacity development for working with the media and communicating the issue through reports, interviews and short videos on the topic.
2. METHODS AND DEVELOPMENT PROCESS

This Plan is the result of many years of work by state authorities and environmental NGOs on the problem of the use of poisons in Bulgaria and the need to synchronize enforcement of the law, the process of handling this type of crime and coordination in the work of the various stakeholders.

Preparatory Stage (April 2017 - May 2019) - The following events over the past few years have provided significant impetus for the development of the plan:

- **April 2017**, Sofia - the first inter-institutional meeting to outline the main lines of work and presenting of the most striking examples in recent years regarding the use of poisons and the threats they pose (organized under the LIFE14 NAT/BG/000649 and LIFE14 NAT/NL/000901 projects). Following this meeting, the prerequisite for seeking a comprehensive and common solution to the problem was established.

- **March 2018** - a workshop "Cooperation and capacity building for the prevention of vulture mortality from veterinary products and poisons" (organized by the LIFE14 NAT/NL/000901 and LIFE16 NAT/BG/000874 projects) was held in Stara Zagora, with the participation of over 40 representatives of various institutions and conservation NGOs.

- **February 2019** - representatives of conservation NGOs from Bulgaria participated in an international workshop in Dadia, Greece, on the impact of Veterinary Medicinal Products (VMPs) on vultures (organized by the LIFE14 NAT/NL/000901 project).

- **April 2019** - representatives of conservation NGOs from Bulgaria participated in a Balkan workshop on developing strategies to combat the use of poisons and poison baits, held in Uvats, Serbia (organized by the BAPP project).

- **May 2019** – a GDNP representative and a BSPB representative participated in a specialized training course in Spain on dealing with cases of poison and poison bait use.

Writing the first draft of the Plan (June-December 2019): the above-mentioned events became an occasion to discuss concrete, effective, measures taken to combat poisons in Bulgaria’s neighbouring countries (e.g. Bino & Sevo 2018; MES 2018) as well as the possible participation and involvement of relevant state institutions. This led to the realization of the need for (occasioned by current international, European and national legislation), and organization of, a focused workshop for the development of a national Plan to combat poisons in Bulgaria. This was held on 26-27.11.2019 in Sofia, Bulgaria (within the LIFE14 NAT/NL/000901 and LIFE16 NAT/BG/000874 projects), with the participation of nearly 40 experts from various authorities, research institutes, universities and NGOs (Appendix 8.2). As a result of this meeting and the use of a validated methodology, a first draft of the Plan was produced.

Public consultation (May 2020): the first draft of the Plan was subjected to a one-month public consultation which resulted in constructive comments and recommendations.

Second Draft Plan (August 2020): based on the public consultation the Plan was revised
and the second draft was submitted to the MOEW for review.

**Final version of the Plan (July 2021):** the second draft of the Plan was reviewed at a meeting of the National Biodiversity Council, held on 6.7.2021, at which favourable opinions were received from the Ministry of Agriculture and Food, GDNP, ExEA and the National Nature Protection Service Directorate of the MOEW. All comments were reflected in the final version of the Plan, which was submitted to the MOEW on 12.07.2021 for approval by the Minister of Environment and Water.

### 3. SCOPE AND MISSION OF THE PLAN

**GEOGRAPHICAL SCOPE:** The territory of the entire country since the use of poisonous substances is of an unregulated and random nature. The main priority is in areas where vultures exist or where efforts are being made to restore their populations - Eastern Rhodopes, Stara Planina, Southwestern and Northeastern Bulgaria.

**TIME SCOPE:** 10 years, with a 5-year revision period.

**THEMATICAL SCOPE:** This Plan shall be applied in cases of the illegal import, export and storage of poisonous substances; illegal use of poisons and poison baits; detection of mortality caused by the use of poisonous substances in protected wild vertebrates (mainly birds and mammals) or domestic animals, which may lead to secondary poisoning of wild animals under protection; or in any other case where an act of this type or of a related nature is detected.

**PRIORITIES:** Those most frequently and detrimentally affected by the use of poisons and poison baits are the populations of vultures and other birds of prey which are indirect or direct victims of this kind of act. These birds, in addition to being vulnerable in their breeding grounds, are also affected during migration, roaming, wintering and in their temporary residences. For this reason, this group of birds is a priority for implementation of this Plan.

**COHERENCE:** The document responds to the practical need for a Plan to deal with the poison problem and corresponds to the implementation of other operational strategies, Plans and programmes. Specific measures for anti-poisoning activities are set out in the action plans for the Imperial Eagle, Saker Falcon, Griffon, Black and Egyptian Vultures, and Lesser Spotted Eagle (Kurtev et al. 2008; Stoychev et al., 2012; Yankov et al., 2013; Stoynov et al. 2015; Kmetova-Biro et al., 2018; Plachiiiski et al., 2018). Under various international treaties, as well as through implementation of EU law, Bulgaria is obliged to introduce bans related to the use of all methods of mass killing and the non-selective capture and killing of birds (see Chapter 1.1.1).

**MISSION:** To provide a scientifically and legally sound, functionally and financially secure, sustainable system for the organisation, control, interaction and operationalization of the main state institutions, NGOs and other stakeholders on the issue of the unwanted harmful impact of poisons on biodiversity.
4. ANALYSIS OF THE PROBLEMS

Four main problems leading to wildlife poisoning have been identified (Fig. 1):

- a. Poison baiting
- b. Illegal import, storage, access and use of hazardous Plant Protection Products (PPP)
- c. Use of drugs hazardous to vultures in veterinary practice
- d. Lead poisoning

The roots of these problems boil down to:

- ✓ Operational difficulties in proving the crime;
- ✓ Lack of thorough qualitative and quantitative toxicological analyses;
- ✓ Insufficient controls on the illegal import, purchase and use of PPPs;
- ✓ Bad habits from the past;
- ✓ Taking the law into one’s own hands OR self-response to predators in cases of economic loss due to ineffective preventive measures for the protection of farm animals, as well as the uncontrolled and irresponsible breeding and release of dogs and cats in rural areas;
- ✓ Gaps in legislation;
- ✓ Lack of awareness or interest by users of PPP and Veterinary Medicinal Products (VMP) regarding the consequences for biodiversity and health;
- ✓ Lack of an established effective alternative to lead ammunition.
Figure 1. Tree of problems associated with wildlife poisoning.
<table>
<thead>
<tr>
<th>ISSUES</th>
<th>ROOTS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Setting poison baits</td>
<td>Poor detection and difficulty in proving the identity of a perpetrator in poisoning cases</td>
</tr>
<tr>
<td></td>
<td>Poor awareness of consequences</td>
</tr>
<tr>
<td></td>
<td>Past habits</td>
</tr>
<tr>
<td></td>
<td>Decision to take revenge on predators (including dogs and cats) in cases of economic loss</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Illegal importation, storage, access to and use of dangerous PPP</td>
<td>Gaps in legislation</td>
</tr>
<tr>
<td>Use of drugs in veterinary practice which are hazardous to vultures</td>
<td>Lack of poison user awareness or interest in consequences</td>
</tr>
<tr>
<td>Lead poisoning</td>
<td>No established, effective, alternative to lead ammunition</td>
</tr>
</tbody>
</table>

*Figure 1. Tree of problems associated with wildlife poisoning.*

**TARGET GROUPS**

*Table 1. Major social groups associated with the use of poisons and the authorities responsible for controlling this problem.*

<table>
<thead>
<tr>
<th>Sector</th>
<th>Social groups related to the problem</th>
<th>Controlling authorities</th>
</tr>
</thead>
</table>


<table>
<thead>
<tr>
<th>Category</th>
<th>Stakeholders</th>
<th>Authorities</th>
</tr>
</thead>
</table>
| Agriculture      | ✓ Farmers / users of PPP
✓ Agricultural pharmacies                                                   | ✓ Regional Food Safety Directorates (RFSD)/BFSA/MAF
✓ General Directorate Border Police/MoI
✓ Customs Agency
✓ RIEW/MOEW
✓ Municipalities
✓ Toxicologists and laboratories |
| Livestock Breeding | ✓ Breeders
✓ Veterinarians
✓ Persons employed in livestock breeding                                      | ✓ Regional Food Safety Directorates (RFSD)/BFSA/MAF
✓ RIEW/MOEW
✓ Municipalities
✓ Toxicologists and laboratories
✓ General Directorate Border Police/MoI
✓ Public Prosecutor's Office |
| Hunting          | ✓ Hunters                                                                      | ✓ RIEW/MOEW
✓ Executive Forests Agency
✓ Municipalities
✓ Toxicologists and laboratories
✓ General Directorate Border Police/MoI
✓ Public Prosecutor's Office |
## 5. OPERATIONAL OBJECTIVES AND FRAMEWORK OF ACTIONS

*Table 2. Operational objectives and list of activities, with time and budget criteria, and allocation of responsibilities.*

<table>
<thead>
<tr>
<th>Activity</th>
<th>Priority</th>
<th>Scale</th>
<th>Period</th>
<th>Indicative budget</th>
<th>Implementing entity</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Objective 1:</strong> Significantly reduce the likelihood of: use of poison baits; unauthorised import, use and storage of PPPs; VMPs hazardous to biodiversity; lead poisoning</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Action 1.1:</strong> Determine ownership of dogs and enforce existing legislation by improving control</td>
<td>High</td>
<td>National</td>
<td>up to 5 years</td>
<td>BGN 10,000</td>
<td>Municipalities</td>
</tr>
<tr>
<td><strong>Action 1.2:</strong> Improve control of dog registration and neutering</td>
<td>High</td>
<td>National</td>
<td>up to 1-2 years</td>
<td>BGN 10,000;</td>
<td>BFSA; MAF, NGOs</td>
</tr>
<tr>
<td><strong>Action 1.3:</strong> Destroy existing stockpiles and warehousing of PPPs</td>
<td>High</td>
<td>National</td>
<td>up to 1-2 years</td>
<td>BGN 150,000</td>
<td>MOEW (Enterprise for management of environmental protection activities); Municipalities</td>
</tr>
<tr>
<td><strong>Action 1.4:</strong> Increase control of the trade in and use of PPPs</td>
<td>High</td>
<td>National</td>
<td>up to 5 years</td>
<td>BGN 10,000;</td>
<td>Municipalities; BFSA; MOEW</td>
</tr>
<tr>
<td><strong>Action 1.5:</strong> Introduce more anti-poison dog teams and preventive poison bait searching</td>
<td>High</td>
<td>Regional</td>
<td>up to 5 years</td>
<td>BGN 150,000</td>
<td>MoI; National Park/ Nature Park; NGO</td>
</tr>
<tr>
<td><strong>Action 1.6:</strong> Establish a network of supporters in the fight against poisons at the local level</td>
<td>High</td>
<td>Local</td>
<td>up to 5 years</td>
<td>BGN 50,000;</td>
<td>NGOs; RIEW; Hunting Associations; EFA</td>
</tr>
<tr>
<td>Action 1.7: Pilot implementation of domestic animal insurance arrangements and implementation of a system for the payment of damages</td>
<td>Medium</td>
<td>National</td>
<td>up to 5 years</td>
<td>BGN 100,000; MAFF; NGOs</td>
<td></td>
</tr>
<tr>
<td>Action 1.8: Testing of alternative, lead-free, ammunition and implementation of measures for their phased introduction</td>
<td>Low</td>
<td>Local</td>
<td>up to 5 years</td>
<td>BGN 10,000; National Association of Hunters and Anglers - UHAB; EFA</td>
<td></td>
</tr>
<tr>
<td>Action 1.9: Improve controls through inspections (planned and as alerted) of the use of unauthorised medicines in veterinary practice</td>
<td>Medium</td>
<td>National</td>
<td>10 years</td>
<td>BGN 30,000; BFSA; NGOs</td>
<td></td>
</tr>
<tr>
<td>Action 1.10: Carry out planned searches for poisons and poison baits, especially in sensitive areas for protected species (e.g., vultures).</td>
<td>High</td>
<td>Local</td>
<td>10 years</td>
<td>BGN 25,000; MoI, BFSA, RIEW, NGOs</td>
<td></td>
</tr>
<tr>
<td><strong>Objective 2:</strong> Establish a system to quantify and monitor the poison problem</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Action 2.1:</strong> Check existing regulations on the unauthorised storage of PPPs (old stockpiles and warehousing)</td>
<td>High</td>
<td>National</td>
<td>up to 1-2 years</td>
<td>BGN 50,000; MOEW, Enterprise for management of environmental protection activities; Municipalities</td>
<td></td>
</tr>
<tr>
<td><strong>Action 2.2:</strong> Risk assessment of the illegal import of PPPs</td>
<td>High</td>
<td>National</td>
<td>up to 5 years</td>
<td>BGN 5,000; Customs Agency</td>
<td></td>
</tr>
<tr>
<td><strong>Action 2.3:</strong> Analysis and preparation of a list of hazardous PPPs available for non-professional use</td>
<td>Medium</td>
<td>National</td>
<td>up to 1-2 years</td>
<td>BGN 4,000; BFSA; NGOs</td>
<td></td>
</tr>
<tr>
<td><strong>Action 2.4:</strong> Establish an official database on the sale, use and illegal import/export of PPPs</td>
<td>Medium</td>
<td>National</td>
<td>up to 5 years</td>
<td>BGN 50,000</td>
<td>BFSA; Customs Agency; NGOs</td>
</tr>
<tr>
<td><strong>Action 2.5:</strong> Analyse for unregulated substances in the composition of proposed PPPs and impose a ban on their sale and use</td>
<td>Low</td>
<td>National</td>
<td>up to 1-2 years</td>
<td>BGN 10,000</td>
<td>MAF; BFSA; NGO; MOEW</td>
</tr>
</tbody>
</table>

**Objective 3:** Increase the capacity of relevant institutions to combat poisons

<p>| <strong>Action 3.1:</strong> Ensure that response personnel are available during non-business hours from the RIEW/MOEW and the Regional Food Safety Directorates (RFSD) / BFSA | High | National | up to 1-2 years | BGN 50,000 | MOE; BFSA |
| <strong>Action 3.2:</strong> Build capacity to carry out forensic examinations in relation to wildlife crime | High | National | up to 5 years | BGN 100,000 | MoI, NGOs |
| <strong>Action 3.3:</strong> Establish/upgrade a specialized and accredited toxicology laboratory and train staff with necessary expertise | High | National | up to 5 years | BGN 500,000 | BFSA; Veterinary faculties; Institute of Forensic Sciences at the MoI |
| <strong>Action 3.4:</strong> Develop additional specific methodologies, guidance and toolkits for field evidence collection and examination in cases of poisoning | High | National | up to 5 years | BGN 20,000 | foreign experience Prosecutor’s Office/MoI |
| <strong>Action 3.5:</strong> Conduct training and workshops, produce information material for responsible institutions | High | National | 10 years | BGN 100,000 | MoI; Customs Agency; NGOs; BFSA; MOEW |</p>
<table>
<thead>
<tr>
<th>Objective 4: Raise public awareness of and sensitivity to the problem of poisons</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Action 4.1:</strong> Information campaigns to alert the general public to the use of poisons and the resulting risks to biodiversity and human health</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td><strong>Action 4.2:</strong> Enhance the capacity of local populations to respond to poisoning incidents</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td><strong>Action 4.3:</strong> Information and educational activities with local schools on the criminal nature of poison baiting and its consequences</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td><strong>Action 4.4:</strong> Information campaigns targeting the local population on the use of dangerous drugs in veterinary practice</td>
</tr>
<tr>
<td>Medium</td>
</tr>
<tr>
<td><strong>Action 4.5:</strong> Information campaigns to promote the use of lead-free ammunition</td>
</tr>
<tr>
<td>Medium</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Objective 5: Improvement of the legal framework and introduction of effective regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Action 5.1:</strong> Criminalise poison baiting in the Criminal code</td>
</tr>
<tr>
<td>High</td>
</tr>
<tr>
<td><strong>Action 5.2:</strong> Clearly define the term “poisonous substance” in the current legal framework</td>
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<tr>
<td><strong>Action 5.3:</strong> Improve Article 237 of the Criminal Code in relation to the definition of ‘murder’ in terms of the use of poisons.</td>
</tr>
<tr>
<td><strong>Action 5.4:</strong> Introduce a procedure for coordinated action by competent authorities in cases of poisoning</td>
</tr>
<tr>
<td><strong>Action 5.5:</strong> Develop a regulatory framework for the implementation of ‘best practice’ in pastoral livestock farming</td>
</tr>
<tr>
<td><strong>Action 5.6:</strong> Introduction &amp; regulation (by the responsible and control authorities) of procedures for coordinated action to humanely regulate the population of stray dogs causing damage to agriculture and hunting</td>
</tr>
<tr>
<td><strong>Action 5.7:</strong> Establish a procedure for the toxicological analysis and monitoring of a sample of wild and domestic animal carcasses that are frequent poisoning targets (large carnivores)</td>
</tr>
<tr>
<td><strong>Action 5.8:</strong> Introduce a registration system for the purchase of hazardous PPPs for non-professional use</td>
</tr>
<tr>
<td>Action 5.9: Improve legislation on the joint recognition of licenses for VMPs</td>
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<tr>
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<tr>
<td>Action 5.10: Improve legislation on residue admission levels for diclofenac and other VMPs hazardous to birds</td>
</tr>
<tr>
<td>Action 5.11: Lobbying at EU level for a ban on hazardous VMPs</td>
</tr>
<tr>
<td>Action 5.12: Regulatory study on whether it is possible for NGOs to be party to poisoning cases</td>
</tr>
<tr>
<td>Action 5.13: Revocation of the license of identified problematic PPPs where use in poisoning cases is proven</td>
</tr>
<tr>
<td>Action 5.14: Study on the legal possibility of regulations for the protection of the crime scene by citizens until the arrival of competent authorities</td>
</tr>
</tbody>
</table>
6. COORDINATION AND MONITORING OF IMPLEMENTATION

6.1. COORDINATION

Implementation of the National Plan to Combat the use of Poisons and Poison baits shall be adopted and managed by the MOEW.

Coordination of implementation with other competent authorities and responsible institutions shall be by the MOEW. Once the document has been formalised, the MOEW shall send it to the government institutions involved for coordination and review.

An action protocol in the event of detection of the illegal use of poisons has been developed within this plan (Appendix 8.3).

6.2. MONITORING AND EVALUATION OF IMPLEMENTATION

In order to support timely and appropriate decision making on amendments, adaptation and updating of the plan, the MOEW shall implement a Monitoring and Evaluation scheme for its implementation:

- **Monitoring** - the process of continuously tracking the implementation (collection and analysis of information according to certain indicative criteria) of the activities foreseen in this plan.
- **Evaluation** - a quantitative measure of the extent to which the objectives of the Plan have been achieved (performance measurement).

Based on the results of the monitoring, every five years the MOEW shall prepare a report analysing progress by planned action and assessing the extent to which the objectives have been achieved. Based on the results of the report, amendments and updates to the Plan may be proposed in order to achieve greater effectiveness in achieving its objectives.

In the monitoring and evaluation process, it is advisable to follow the scheme set out in Table 3.
Table 3. Recommended scheme for the monitoring and evaluation of Plan implementation.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Standards</th>
<th>Sources of verification</th>
</tr>
</thead>
</table>
| **Objective 1:** Significantly reduce the risk from: use of poison baits; illegal import, use and storage of PPPs; PPs hazardous to biodiversity; lead poisoning  
Indicator 1.1: Number of dogs registered and neutered | >20% increase per year | Annual municipal reports |
| Indicator 1.2: Number of old stockpiled and warehoused PPPs destroyed | All old stocks and stockpiles of PPPs destroyed by 2025. | Report by the Enterprise for management of environmental protection activities |
| Indicator 1.3: Number of inspections for trade and use of hazardous PPPs and VMPs | >20% increase per year | Databases and reports of BFSA |
| Indicator 1.4: Number of newly formed anti-poison teams with dogs | >2 newly formed anti-poison dog teams | Technical reports |
| Indicator 1.5: Number of local anti-poison support networks formed | >4 newly formed networks of anti-poison supporters in regions of concentrations of nesting and regularly breeding vultures | Technical reports |
| Indicator 1.6: Number of reports or alerts of the unauthorised use of poisons | >50% increase | Statistics from dedicated telephone lines and relevant institutions |
| Indicator 1.7: Number of Hunting Associations tested alternative lead-free ammunition | >7 Hunting Associations tested alternative lead-free ammunition | Technical report NGOs, Hunting Associations, Executive Forests Agency |
| **Objective 2:** Establish a system to quantify and monitor the poison problem  
Indicator 2.1: Number of cases of unregulated import, trade, use and storage of PPPs detected | Entry of all identified cases/records into the database. Database created | Database |
| Indicator 2.2: Number of poisoning cases detected, and number of poisoned animals/animal species affected | Entry of all detected cases/records into the database. Database created | Database; Sensitivity map |
| Indicator 2.3: Number of expert analyses and risk assessments conducted | Entry of all detected cases/records in the created Database | Technical reports |
## Objective 3: Increase the capacity of relevant institutions to combat poisons

<table>
<thead>
<tr>
<th>Indicator 3.1: Number of staff from the RIEW and Regional Food Safety Directorates (RFSD) staff available out of hours to respond to poisoning incidents</th>
<th>Provision of at least one duty officer in each RIEW and RFSD</th>
<th>Internal regulations of the MOEW and BFSA</th>
</tr>
</thead>
<tbody>
<tr>
<td>Indicator 3.2: Number of officers trained to carry out forensic examinations in relation to wildlife crime</td>
<td>Increased capacity for expertise of at least 5 officers</td>
<td>Technical reports, and attendance sheets from training. Certificates</td>
</tr>
<tr>
<td>Indicator 3.3: (a) Number of modifications, quantity of new equipment and supplies in specialized and accredited toxicology laboratories; (b) Number of personnel trained in toxicological analysis</td>
<td>At least one specialized and accredited toxicological laboratory equipped with modern equipment, supplies and trained staff with the necessary expertise</td>
<td>Technical report from the laboratory; Annual report, MOEW</td>
</tr>
<tr>
<td>Indicator 3.4: (a) Number of institutions and personnel trained in field evidence collection and testing; (b) Number of sample collection and testing instruments distributed; (c) Methodology/guidance developed and adopted</td>
<td>Each RIEW, RFSD and Regional Directorate of the MoI in areas with an increased risk of poison use instructed to provide an adequate response and equipped with instruments for sample collection and testing in case of poisoning</td>
<td>Published methodology; Attendance lists of participants in the training; Handover reports for distributed equipment</td>
</tr>
</tbody>
</table>
**Indicator 3.5:** (a) Number of training sessions/seminars conducted and number of staff trained; (b) Number of information materials printed for responsible institutions

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<tr>
<th>Objective 4: Increase public awareness and sensitivity to the poison problem</th>
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<tbody>
<tr>
<td><strong>Indicator 4.1:</strong> Number of information campaigns conducted at national and local level and number of people reached</td>
</tr>
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</table>

| **Indicator 4.2:** Number of schools and students involved in awareness raising activities on the risk of poisons | Specialized training and awareness course in 50% of schools in key areas for vultures | Media monitoring and technical reports |

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<tr>
<th>Objective 5: Improvements to the legal framework and introduction of effective regulations</th>
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<tr>
<td><strong>Indicator 5.1:</strong> Number, nature and status of regulatory changes initiated</td>
</tr>
</tbody>
</table>
7. LITERATURE USED (BIBLIOGRAPHY)


NAT/BG/000874. BSPB, Sofia. 74 p.
8. APPENDICES

8.1. ABBREVIATIONS USED

APB - Association of Parks in Bulgaria
AU Plovdiv - Agricultural University – Plovdiv
BFSA - Bulgarian Food Safety Agency
BAS - Bulgarian Academy of Sciences
BSPB - Bulgarian Society for the Protection of Birds
VMP - Veterinary Medical Product
y. - Year
GDBP - General Directorate Border Police - Ministry of the Interior
GDNP - General Directorate National Police - Ministry of Interior
BPPS - Birds of Prey Protection Society
EEC - European Economic Community
EC - European Community
EU - European Union
BDA - Biological Diversity Act
VMA - Veterinary Medicine Act
APHICSM - Act on the Protection from the Harmful Impact of Chemical Substances and Mixtures
APA - Animal Protection Act
PPA - Plant Protection Act
HGCA - Hunting and Game Conservation Act
EFA - Executive Forests Agency
ExEA - Executive Environment Agency
IBER - Institute of Biodiversity and Ecosystem Research, Bulgarian Academy of Sciences
HA - Hunting Associations
MoI - Ministry of the Interior
MAF - Ministry of Agriculture and Food
MOEW - Ministry of Environment and Water
NDSRVMI - National Diagnostic and Science-and-Research Veterinary Medical Institute
CC - Criminal Code
NAHA - UHAB - National Association of Hunters and Anglers - Union of Hunters and Anglers in Bulgaria
NP - National Park
CPC - Criminal Procedure Code
NMNH - National Museum of Natural History
NGO - Non-governmental organization
NBC - National Biodiversity Council
NNPSD - National Nature Protection Service Directorate at the MOEW
Municipality – Municipality
RDMoI - Regional Directorate of the Ministry of Interior
PHAB - Professional Hunting Association in Bulgaria
NP - Nature Park
PPP - Plant Protection Products
RIEW - Regional Inspectorate of Environment and Water  
village – Village  
Balkani WS - Balkani Wildlife Society  
Society Sakar NP – Society Sakar Nature Park  
SU - Sofia University  
TU Stara Zagora - Thracian University - Stara Zagora  
FWFF - Fund for Wild Flora and Fauna  
Art. - Article  
BAPP - Balkan Anti-poison Project (https://www.4vultures.org/our-work/anti-poisoning/balkan-anti-poisoning-project/)  
GPS/GSM - Technology devices using location data transmission system via mobile network  
LIFE14 NAT/NL/000901 - Project "Conservation of Black and Griffon Vultures in the Rhodopes" (https://rewilding-rhodopes.com/life-vultures/)  
LIFE16 NAT/BG/000874 - Project "Egyptian Vulture New LIFE" (www.lifeneophron.eu)  
NSAIDs - non-steroidal anti-inflammatory drugs  
VCF - Vulture Conservation Foundation
8.2. SUMMARY OF A PLANNING MEETING HELD TO DEVELOP THE NATIONAL PLAN FOR COMBATING POISONS IN BULGARIA (26-27.11.2019, SOFIA)

A meeting with stakeholders for the development of the National Plan for Combating Poisons in Bulgaria was organized by the BSPB on 26-27.11.2019 in Sofia, Bulgaria. It was attended by representatives from the MOEW, MoI, ExEA, BFSA, National Diagnostic and Science-and-Research Veterinary Medical Institute - BFSA, NAHA - UHAB, IBER - BAS, BPPS, Green Balkans, FWFF, VCF, APB, BALKANI Wildlife Society, Rewilding Rhodopes Foundation, Four Paws, the Thracian University, and the Agricultural University. A few months before the meeting stakeholders were duly informed about the problem of the illegal use of poisons and poison baits through a set of reports and analyses of the problem in Bulgaria. One month prior to the meeting a draft version of the Plan was shared with invited participants for preliminary familiarization. The meeting was opened by the Deputy Minister of Environment and Water who expressed the recognition of the need by, and support of, the MOEW for this initiative. The first step in the development of the national action plan was to analyse available information on the use of poisons and poison baits and the consequences of these practices on biodiversity in the country. The results of the discussion served to identify five main problems and 41 actions needed to address them. An important outcome of the meeting was the development of a protocol for dealing with poisoning incidents.
8.3. PROTOCOL FOR ACTION IN CASE OF DETECTION OF ILLEGAL USE OF POISONS

This document was developed as a result of workshops and the analysis of legislation in Bulgaria. Representatives of various state institutions, environmental NGOs, lawyers, and experts in the field of legislation and environmental protection were involved in its development.

Objective: To provide a unified, lawful and coordinated method of response by state institutions to cases of use of poisons and poison baits in the territory of the country.

Method of implementation: The Protocol should be applied in accordance with legislation in force and in cases of use of poisons in the natural and urban environment. As the model is uniform, it should be applied uniformly in established cases.

For enforcement by: The Prosecutor's Office of the Republic of Bulgaria, Ministry of Interior (MoI) and its subdivisions, Ministry of Environment and Water (MOEW), its subdivisions and regional structures, Ministry of Agriculture, Food and Forestry (MAFF), its subdivisions and regional structures, Bulgarian Food Safety Agency (BFSA) and its regional subdivisions, NGOs, other stakeholders.

I. Roles and responsibilities of the main institutions involved in this process:

The Ministry of Environment and Water and its regional structures in the form of the Regional Inspectorate of Environment and Water: in every case of illegal encroachment or violation concerning protected species, the MOEW is the main authority involved in the organisation of procedures regarding compliance with the environmental legislation violated and the preparation of relevant expertise that is needed by the other institutions involved in the process: the MoI, the Prosecutor's Office and the BFSA.

Ministry of the Interior: key in terms of the process of detection, investigation (carrying out pre-trial proceedings) and apprehension of offenders at the crime scene itself or subsequently after sufficient evidence has been collected.

Prosecutor's Office: manages the investigation in preliminary proceedings, holds individuals criminally responsible, maintains the prosecution in criminal proceedings and exercises general oversight of legal compliance in the enforcement of legislation in the country, including in relation to environmental protection legislation.

Bulgarian Food Safety Agency: manages and coordinates the activities of the regional food safety directorates in several areas, including the control of establishing cases of poisoning or poor veterinary practices that may be related to the poisoning of wild and domestic animals, as well as the coordination of laboratory diagnostic tests, analyses and expertise related to specific cases of attacks on protected species.

Executive Forests Agency: through its directorates, "Forest Conservation" as well as "Hunting" is directly involved in the detection of violations in the environs of various forest and Hunting
Associations and assists, through its employees, in the detection and investigation of the case by other institutions when an incident occurs.

II. **Procedure for the detection of offences**

In the event of detection of a potential crime against a protected species (finding an animal, a possible object of crime), the following steps shall be taken:

- Reporting;
- Protecting and securing the scene of the crime and leaving a person at the scene (if possible, not allowing the carcass to be moved and animals and people to have access to the carcass) until law enforcement arrives;
- Formation of an investigation team from the responsible institutions for field inspection;
- Transport the evidence for analysis;
- Laboratory analysis. Analysis of evidence;
- Recommendations to NGOs;
- Notes;
- Appendices.

III. **Alerting the authorities**

It is obligatory to report a crime in one of the following ways:

- Telephone 112
- Reporting to a district police station
- Alerting the District Prosecutor's Office

Reports to 112 are recorded and must be forwarded to the appropriate institution.

Often, however, in the case of poisoned protected species, reports are forwarded to the RIEW or municipalities instead of the police. Therefore, when making a report, it is important to stress that it is a crime of ‘cruelty to vertebrates’ and to request that the report be forwarded to the Ministry of the Interior so that the investigation of the crime can begin as soon as possible.

A report of a crime may also be made to the district police headquarters or the district prosecutor's office, which may oblige the authorities of the Ministry of the Interior to initiate an investigation.

In the event of poisoning, the institutions which, under the legislation in force, are relevant to the case should also be informed.

- RIEW - in the event of poisoned species included in the annexes of the Biological Diversity Act (BDA) - by submitting a report to the Green telephone number
- Local structures of the Executive Forests Agency (EFA) - in case of poisoned game
- Regional Food Safety Directorate (FRSD) - in case of poisoned domestic animals

*Important!*
These institutions are not directly involved in the investigation of the crime. Their competence is limited to the registration of administrative offences but they can issue certifying protocols, request the Ministry of the Interior to conduct an investigation and assist the investigating authorities.

It is recommended that this protocol be brought to the attention of the Directorate of the National System 112 of the Ministry of the Interior.

When alerts are submitted, specify the context of jurisdiction of the RIEW (also by means of a Green phone alert), the State Forest Enterprises - State Hunting Enterprises, the BFSA (in the case of poisoned domestic animals) and ensure the readiness of the response of other interested parties.

If it is not a crime, but an administrative offence, the Ministry of Interior is NOT involved!

Protect and secure the scene and keep a person on site (if possible do not allow the carcass to be moved, and animals and people to have access to the carcass).

As it is a criminal offence by law to set (and kill) vertebrate animals with poison baits, where there is sufficient evidence that a poison bait had been deliberately used, the site where dead or distressed animals are found should be treated as a crime scene. Until the investigating authorities arrive, it is extremely important to preserve the scene - i.e., do not touch or move anything, avoid crowding.

The first police officer to arrive on the scene should follow precise, detailed, procedural guidelines to preserve the physical evidence from damage, contamination or loss until the on-duty task force arrives.

Following these procedures will ensure the collection of physical evidence necessary to identify the perpetrator, document the crime, and file charges.

Crowding can also interfere with or slow down the work of the specialist poison control team.

Touching the poisoned bait or poisoned animals can not only hinder the investigation but can also pose a serious risk to the life and health of the people doing so, especially if precautions are not taken and protective clothing is not used. Toxic chemicals can have effects not only through ingestion but also through skin contact and/or inhalation.

IV. Formation of an investigation team from the responsible institutions for field inspection (Initiation of pre-trial proceedings).

This step involves representatives of the MoI, RIEW/MOEW, Official Veterinarians/ BFSA, EFA, NGOs, etc.

Here the following procedures are carried out: inspection of the scene of the crime by an investigative body in accordance with Article 52 of the Criminal Procedure Code (with the
protocol of inspection of the scene of the crime, samples for comparative analysis and material evidence are fixed and seized).

If there is evidence that a criminal offence was committed within the meaning of the Criminal Code, action shall be taken in accordance with the Criminal Procedure Code.

The on-site inspection shall be carried out by representatives of the police, and other institutions involved in the case. In addition, representatives of NGOs, may also participate.

During the investigation and the on-site visit, it is essential to follow the orders of the police.

Once on site, the representative of the RIEW shall draw up a certifying protocol of an administrative offence. If a criminal offence under the Criminal Code has been committed, the MoI shall be informed. The Ministry of the Interior’s investigative team, under the direction of an investigating police officer/forensic expert/ expert witness, starts work on inventorying and collecting evidence. The investigating police officer draws up a report and seizes the evidence. This report is crucial as it is most often the first act of the investigation, and it is used to fix elements of the scene and seize samples for comparative analysis and physical evidence. The scene of crime report is an evidentiary tool and is a very essential part of the investigative action.

Pursuant to the Criminal Procedure Code (Articles 128-129), a record shall be made of each investigative and forensic act at the place where it was carried out. The record shall indicate: the date and place of the investigative and forensic actions; the time at which they began and ended; the weather conditions at the time of the examination.

Pursuant to Article 156 of the Criminal Procedure Code, the inspection shall be carried out in the presence of certifying witnesses, except in cases where it is carried out in a court hearing. Where necessary, the examination shall be made in the presence of an expert witness or a specialist technical assistant. When the examination is made, everything shall be examined as recorded and then the necessary alterations are made. The inspection shall be carried out during the day unless the case cannot be postponed.

The report shall be signed by the authority which carried out the action, as well as by the expert witness or the specialist technical assistant and the certifying witnesses. Records drawn up under the conditions and in the manner provided for in the Criminal Procedure Code shall constitute evidence.

The production of physical evidence shall be recorded in the record (protocol) of the relevant action or in a separate record, which shall be signed by the authority which carried out the action and by the specialist technical assistant. The more evidence collected, the better the objective truth is clarified. At the time of examination, the protocol shall describe what was seen in the so-called ‘external’ examination.

The examination of animal carcasses and the taking of samples must be carried out by an expert witness appointed by the pre-trial proceedings authorities. In accordance with the provisions of the Criminal Procedure Code, the expert witness must be a specialist in the relevant field of science - in this case veterinary medicine, i.e., a veterinarian. Article 148 of the Criminal
Procedure Code lists the hypotheses which prevent a specific person from participating in criminal proceedings as an expert witness. In the case of reasonable suspicion of a poisoned protected species listed in Appendix 3 of the Biodiversity Act, a violation of the prohibitions set out in Article 38 of the Act has been committed.

Where the event is in the dark of day and there is a possibility that physical evidence may be missed, the scene shall be cordoned off and a search made in the morning. Evidence is not to be touched!

However, if it is a poison bait and there is a risk to other animals, we may cover it with plastic sheeting or other suitable material and keep it overnight (including a waking watch!) to prevent an incident of poisoning of other animals or the spreading the poison bait.

Important!

Records drawn up in accordance with the conditions and procedures laid down in the Criminal Procedure Code are evidence of the acts carried out, the procedure followed, and the evidence collected. There must be competent persons on the spot to collect the material evidence. They may be specialists technical assistance appointed by the pre-trial proceedings authorities or specialists approved as expert witnesses by a Commission under Article 401, paragraph 1 of the Judiciary System Act for the judicial district of the respective district court.

In the event that there are no registered expert witnesses in the relevant district, the investigating police officer and the supervising prosecutor may appoint a specialist with proven experience in the relevant field of science to carry out the expert examination. The MoI may, if necessary, seize the corpse pending action by the relevant expert, but there is a logistical problem with the transportation and storage of corpses.

The carcasses of poisoned animals, in addition to constituting physical evidence, also constitute animal by-products (ABP) and when transporting them, for example for autopsy, the legal provisions relating to ABP must be observed and they must be transported in a vehicle specifically designated for the transport of ABP. Investigating authorities may request assistance from organisations that have such means of transport. It is imperative that carcasses are well packaged during transport to prevent not only contamination of the carcasses but also the spread of the poisonous substance.

If the carcasses of poisoned animals are released as physical evidence, they should be disposed of in accordance with the provisions relating to ABP in rendering plants. In such cases, the police or public prosecutor's office may seek assistance from the BFSA, whose responsibilities include the management of ABP. The burial or burning of carcasses of poisoned animals is not only prohibited under veterinary legislation but is also dangerous for the environment and can lead to the contamination of air, soil and water with toxic substances.

V. Transport of evidence for analysis

The procedure laid down in the Criminal Procedure Code follows:

In the examination of samples at the Institute of Forensic Sciences at the MoI, the Rules for the
Preparation and Commissioning of Forensic Examinations of Material Evidence and Evidence in the Laboratories of the Forensic Science Research Centre of the Institute of Forensic Sciences at the MoI shall be followed.

Transportation of the sample to the laboratory is the responsibility of the investigating police officer, who, if necessary, assigns the relevant activity to NGOs, BFSA, RIEW or others. The expert witness / specialist technical assistant carries the sample in a refrigerated bag, accompanied by a police officer, or the police officers themselves deliver the sample to the laboratory. Samples are carried and delivered sealed. If, on receipt of the samples, the seals are broken or disturbed in any way, those receiving the sample must describe this very clearly in the Delivery and Acceptance Report and in the analysis.

With regard to laboratory samples, sample packaging and sample quantity is very important.

The investigating police officer prepares the accompanying letters for the material evidence (samples) to the laboratory: a covering letter with the outgoing number of the contracting authority and the act of appointment of the expert examination (decision or ruling) in triplicate.

**Important!**

*The protocol for the inspection of the scene of crime is very important. There may be many expert reports, but there is only one inspection report! It is very important that the expert who dictates to the police officer at the inspection knows how to dictate and knows what to present and how to present it.*

*It is important to bear in mind the list of local expert witnesses (https://www.justice.government.bg/74/)*

*Payment for the examination for analysis should be arranged through official channels.*

*The sample does not have to be sent to a licensed laboratory abroad if one is available in the country and vice versa. The determining factor in such a case is that it should be recognised by the court.*

**VI. Laboratory analysis. Analyses of evidence material**

This activity is carried out in the laboratory. The expert performs an autopsy and issues an autopsy report detailing the results of the analysis.

The results of the laboratory analysis are issued with a report.

In pre-trial proceedings, the expert who prepares the expert report becomes familiar with all the materials in the case (corpse, autopsy, reports) and prepares an expert examination based on them.

A supplementary expert examination is appointed when the expert's conclusion is not sufficiently complete and clear, and a second examination undertaken when the first is not
conclusive and there is doubt as to its correctness. In court proceedings, the expert may request further analyses and here a reference sample may be necessary.

The person who appoints the expert examination decides where the expert examination should be undertaken. Wherever the examination is made, the samples and evidence in the case are kept.

The BFSA Institute (the National Diagnostic and Science-and-Research Veterinary Medical Institute (NDSRVMI) - Sofia) takes 3-4 samples and after performing the autopsy, since they have no facilities, they return the carcass to the applicant.

VII. **Recommendations to NGOs**

Lists of experts, per district, who can be called upon for such inspections should be prepared and sent to the district directorates of the MoI. Representatives of interested NGOs should register with the district courts as expert witnesses to assist and facilitate the process.

Ideally, the Ministry of Interior should have a list of laboratories that are capable of carrying out such analyses. The official list of local expert witnesses (https://www.justice.government.bg/74) should be used and implemented.

VIII. **Notes**

There are two phases in the procedure - pre-trial and trial. In the court proceedings, the court is obliged to collect and verify all evidence collected in the pre-trial proceedings, with the exception of that which cannot be repeated, for example: inspection of the scene of the crime, search and seizure or a police raid!

**LIST OF ANNEXES TO THE PROTOCOL OF ACTION**

8.3.1. List of laboratories in Bulgaria and abroad and sample analysis facilities
8.3.2. Methodology of the proper collection, storage, transportation and types of samples to be taken
8.3.3. Checklist of important aspects in the investigation process of wildlife poisoning cases
8.3.4. Template letters for reporting to the police and the prosecutor’s office
8.3.1. **LIST OF LABORATORIES IN BULGARIA AND ABROAD AND SAMPLE ANALYSIS OPTIONS**

- **Laboratory:** National Diagnostic and Science-and-Research Veterinary Medical Institute (NDSRVMI)
  
  **Analysis capabilities:** Pathohistology, Transmission Electron Microscopy (TEM), preparation of direct (impression) smears and microscopic examination (aerobic, anaerobic pathogens and conditional pathogens), bio- and sero-typing of microorganism strains (for 1 strain), Bacteriological examination of body fluids, organs and other single samples, Microbial susceptibility testing by antibioticogram, Bacteriological examination with enrichment media, Microbiological examination of fish, Microbiological examination for infectious agents of bee diseases, Serological and virological studies, Isolation and identification of viruses, ELISA testing for animal diseases, Determination of N-methyl carbamates, organochlorine pesticides, polychlorinated biphenyls (PCBs), organophosphorus compounds, chemical elements and many more.
  
  The full list with 36 pages of guidelines and a price list is available at: https://www.ndnivmi.bg/bg/prices-and-paid-services.
  
  **Contact details:** Sofia, 15A "Pencho Slaveykov" Blvd., 1606-Sofia, Tel.: (02) 952 39 03; (02) 952 5306; e-mail: ndrvmi-s@vetinst-bg.com

- **Laboratory:** BalBok Engineering AD
  
  **Analysis capabilities:** performs collection and transportation, treatment with physical and chemical methods on site and on own sites, repackaging, pre-treatment and disposal and recovery, including recycling, as well as temporary and permanent storage of various types of waste. The central chemical laboratory of "BalBok Engineering" AD conducts chemical analyses by classical and modern high-tech methods - chromatographic, optical-emission and spectral, as well as the whole process of sampling and sample preparation. The laboratory works in the following analytical areas: Study of waste from production and consumption - toxic substances, biologically active substances, micro-components; Analysis of soils, sludges and plant protection products - sample preparation, analysis of physical and physico-chemical indicators, composition and quality of soils, sludges, sediments, etc.; analysis of waters - drinking, surface, freshwater and marine, swimming pools, ice; inspection of food of plant origin for pesticide content.
  
  **Contact details:** Sofia, 118 “Vassil Levski” Blvd., 1504 Sofia, Bulgaria, Tel: 02/944 1905; Fax: 02/944 1907

- **Laboratory:** Laboratory for testing of food, feed and biological materials "District Veterinary Station - Ruse" EOOD
  
  **Analysis capabilities:** The laboratory analyses more than 100 different substances, including different types of pesticides and heavy metals and their content in all organs and tissues.
  
  **Contact details:** Ruse, 3 “Maritsa” Str.; Tel.: 082/84 56 83; Mobile: 0899899289; Email: office@rvs-ruse.com

- **Laboratory:** Institute for Game and Wildlife Research (IREC)
  
  **Analysis capabilities:** It has a well-developed structure and scientific, analytical and logistical potential, as well as a reference accredited laboratory for testing a wide range of chemical substances (including pesticides and heavy metals) and microbiological strains, antibiotics and...
viruses in birds and mammals. One of the fields they work in is the examination of poisoned bird and mammal carcasses for the presence of various types of poisonous substances.

**Contact details:** Ronda de Toledo 12, 13005 Ciudad Real, Spain, https://www.irec.es/en/
8.3.2. METHODOLOGY FOR THE COLLECTION, STORAGE AND TRANSPORTATION OF SAMPLES

INTRODUCTION

1. Sampling

Substances used for poison baits are often highly toxic insecticides. Generally, finding an "artificial" piece of food in the environment leads to the suspicion that it is a poison bait. The discovery of dead animals does not always mean that the cause of death was poisoning but, either way, the carcass must be collected, whether it is classified as a target species, common species, or a domestic animal (individuals of all of these species, or parts of them, have been linked to the discovery of a poisoning case). Firstly, it must be recognised that the products used are highly toxic, so caution must be exercised when collecting them. It is very important to collect any baits and/or dead animals found in the field, as they may be important evidence for the investigation of a possible poisoning case. It is advisable to send the whole body to a laboratory because there the best samples are likely to be selected for examination. Failing this, the collection of samples should be carried out by a veterinarian experienced in wildlife necropsy, following the instructions of the relevant section.

1.1. Collecting poison baits, carcasses and other samples from the natural environment.

Handling poison baits or poisoned dead animals can be hazardous to human health. Furthermore, improper sampling may preclude any administrative or legal action at a later stage. To avoid this, the instructions described below must be strictly followed.

- **Always wear rubber gloves and an FP3 mask for sample collection.** The preparations used have strong toxicity and may act through the skin or be inhaled (Picture 1).

- **All baits and carcasses found in the study area should be collected.** Anything can be used as evidence of a crime and be extremely important in a future court case. Removing poisoned baits or carcasses from the field is also important to avoid further cases of poisoning.

- **Bait collection:** wrap each piece in aluminium foil (do not use plastic/nylon foil, especially when the poison is on the outside, on the bait as it may interfere with toxicological analysis) (Picture 2) and place it in a plastic container or plastic bag (one for each bait) (Picture 3). Label/number each container, place in bag (see Item 3) and seal/tie. If multiple samples/baits are collected, they can be in the same bag for transport to the lab (Picture 4).

- **Collection of toxic substances:** often poisonous bags or bottles can be found during the inspection, mainly at indoor sites. These ingredients/substances should be collected, and some sent to a laboratory. Use closed containers (Picture 3). Label and number the container, place in a bag and seal/tie (see item 3).

- **Collection of carcasses:** whether the carcass is fresh or mummified (Pictures 5 and 6), its packaging should be double (see item 3). Each carcass is to be placed in a separate bag (Picture 4) and this bag
placed in a second bag (to prevent accidental release of fluids from the decomposition of the carcass). The outer bag is to be labelled, numbered, and sealed. If there is any food residue (morsels or vomit) in the mouth or beak (Picture 13): it is advisable to take it in aluminium foil and then put it in a closed container (the procedure is the same as for baits) (Picture 7). It is also possible to cover the head with aluminium foil (this avoids touching the debris found in the mouth).

- **Collection of soil samples:** if suspicious substances (such as poison) are scattered on the ground (vomit or toxic residues) (Picture 16), collect them and put them in a plastic container (Picture 7), which should be numbered (see item 3) and closed. It is advisable to take a soil sample from under the carcass, 5 cm deep (Picture 8).

- **Entomological fauna collection:** insects feed on the carcass and are very important for toxicological analysis as they contain the venom ingested by the animal. Insects (Picture 9) are collected in a closed container (Picture 7), which is numbered, packaged (see Section 1.3) and sealed.

- **Vomit sample collection:** like the bait, the sample is to be placed in a container or plastic bag (see Section 1.3) and sealed.

### 1.2 Samples taken at autopsy

It is desirable to submit the entire carcass of the poisoned animal to the laboratory, as this allows samples to be collected purposefully from different parts of the body and organs for the detection of poisons. In certain cases, or circumstances (e.g. very large animals), it is not possible to send the whole body to the laboratory. The post-mortem should then be performed on site by a veterinarian who is experienced in wildlife post-mortems and who should then submit the samples to the laboratory (properly packaged in well-closed containers (Picture 7), labelled and sealed (see item 3) as follows:

- **Oral, oesophageal and stomach contents:** this is the most important component for detecting poisons in samples. If there are remains of bait or vomit in the mouth, these are to be placed in foil, then in a container and sealed. The digestive tract from the mouth to the oesophagus is to be removed and placed in the container (Pictures 10 and 14).

- **Liver and kidney** (whole): to be placed separately in well-sealed containers (Pictures 11 and 12).

- **Claws may also contain traces of bait,** so collection is recommended. These are to be cut, wrapped in foil and sealed in a container (Picture 15).

### 2. Storage of samples

All samples should be properly stored as indicated in Table 1.2. before transport (to the laboratory) to avoid possible degradation of the poisons, thus aiding their detection, identification, and quantification in the laboratory.
<table>
<thead>
<tr>
<th>No</th>
<th>Sample type</th>
<th>Storage medium</th>
<th>Analysis type</th>
<th>Cold storage (4°C)</th>
<th>Freezing storage (20°C; -80°C)</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Swab/smear</td>
<td>—</td>
<td>Microbiological</td>
<td>24-48 hours</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>1</td>
<td>Swab/smear</td>
<td>Viral</td>
<td>Viral testing</td>
<td>24-48 hours</td>
<td>-80°C (recommended)</td>
<td>Freezing temperature may affect some viruses (influenza)</td>
</tr>
<tr>
<td>2</td>
<td>Fecal</td>
<td>None</td>
<td>Parasitology</td>
<td>24-48 hours</td>
<td>No</td>
<td>Freezing is not recommended, but some strains can withstand temperatures from -20°C to -80°C</td>
</tr>
<tr>
<td>3</td>
<td>Blood</td>
<td>EDTA</td>
<td>PCR</td>
<td>Up to 3 days</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Heavy metals (lead, cadmium)</td>
<td>Up to 3 days</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Gender (PCR)</td>
<td>Up to 3 days</td>
<td>Yes</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lead, antibiotics, anti-</td>
<td>24-48 hours</td>
<td>Yes</td>
<td></td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>inflammatory drugs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Heparin</td>
<td>Proteinogram</td>
<td>24 hours</td>
<td>No</td>
<td>Plasma can be frozen after centrifugation</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Biochemistry</td>
<td>24 hours</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Serum</td>
<td>Without Medium</td>
<td>Immunology (antibodies)</td>
<td>up to 3 days</td>
<td>Yes</td>
<td>Freezing recommended if not tested immediately</td>
</tr>
<tr>
<td>5</td>
<td>Feathers</td>
<td>Paper envelope/</td>
<td>Heavy metals and pesticides</td>
<td>24-48 hours</td>
<td>Yes</td>
<td>Avoid humidification, samples must be dry!</td>
</tr>
<tr>
<td></td>
<td></td>
<td>No medium</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Eggshells</td>
<td>Paper envelope</td>
<td>Heavy metals and pesticides</td>
<td>24-48 hours</td>
<td>Yes</td>
<td>Avoid humidification, samples must be dry!</td>
</tr>
<tr>
<td></td>
<td></td>
<td>or box/ No</td>
<td></td>
<td></td>
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</tr>
<tr>
<td></td>
<td></td>
<td>medium</td>
<td></td>
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</tr>
</tbody>
</table>
3. Transportation of samples

All samples must be labelled and packaged for transport as hazardous, toxic biological material in accordance with national legislation. The numbers or codes must match those on the notes (field forms) and documentation.

In order to comply with the requirements for the transport of toxic material presenting a Category B infection risk, in accordance with P650 of existing European legislation, the following steps for packaging samples must be followed:

❖ All samples must be shipped in a **double, well-glued, envelope sealed in a container** (Photo 18).

❖ There should be **absorbent material** on the bottom of the container (in case some of the contents spill). Napkins can also be used for this purpose.

❖ The outside of the container must have a diamond-shaped sticker with the inscription "Exempt Animal Specimen".

❖ **Packaging must meet the requirements of P650:** Packaging/containers must be of good quality, strong enough to withstand shocks and stresses during transport, including transfer between loading units and between transport units (for manual or machine handling). The packages/containers must be made and closed in such a way as to prevent deformation under normal conditions of transport (pressure, vibration or change in temperature or humidity). The package/container must contain three elements: 1) the primary container, 2) secondary packaging and 3) outer packaging. The secondary packaging (well padded) and the outer packaging must be fixed. At least one of the surfaces of the packaging/outer packaging shall have a minimum size of 100 mm by 100 mm.

❖ **Primary containers must be placed in secondary packaging:** under normal transport conditions, the primary container must not break or spill contents into the secondary packaging. The secondary packaging must be secured in the outer packaging with suitable cushioning material.

❖ **For liquid substances:** primary containers and secondary packaging must be waterproof. The primary container or secondary packaging must withstand, without leakage, an external pressure of 95 kPa (0.95 bar). If several frangible primary containers are placed in a single secondary packing, the primary containers must be individually packed or separated to prevent contact between them. Absorbent material between the primary containers and the secondary packaging is also required. The absorbent material must be in sufficient quantity so that the release of liquid substance does not compromise the integrity of the cushioning material of the outer packaging.

❖ **For solids:** Primary containers and secondary packaging must be impermeable. If several frangible primary containers are placed in separate secondary packaging, the primary containers must be individually wrapped or separated to prevent contact between them. If residual liquid is suspected in the primary container during transport, packaging suitable for liquids, and absorbent materials must be used.

❖ **Labelling shall state:**
  ✓ The name, address, and telephone number of the consignee;
  ✓ Storage temperature requirements (optional);
  ✓ The correct name under which it is travelling (‘Biological Substance, Category B’) next to the diamond symbol following it
BIOLOGICAL SUBSTANCE
CATEGORY B

UN373
FIGURES / PICTURES

Picture 1. Basic personal protective clothing (nitrile gloves, mask FP3)

Picture 2. Bait in aluminium foil

Picture 3. Bait in aluminium foil, sealed plastic bag and container
Picture 4. Sealed bag for transporting carcasses or sample containers

Picture 6. Cadaver in an advanced stage of decomposition (skeletonized cadaver)

Picture 7. Sample containers
Picture 8. Entomological fauna and soil under the log

Picture 9. Entomological fauna

Picture 10. Stomach contents

Picture 12. Kidneys
Autopsy of an Egyptian vulture

Liver

Kidneys

Picture 14. Heart chamber
8.3.3. **CHECKLIST OF IMPORTANT ASPECTS IN THE INVESTIGATION PROCESS OF WILDLIFE POISONING CASES**

1. **Reporting**
   - Timely submission of the report to the competent authority (Green Phone of the RIEW; Telephone 112; District Police Inspector; District Prosecutor's Office)
   - Description of the nature of the case
   - Description of the location and circumstances of the case

2. **Formation of a team of responsible institutions for field verification (Initiation of pre-trial proceedings)**
   - Representatives of the RIEW arrive on site and draw up a certifying protocol on the violation/ offence.
   - An investigative police officer from the MoI's Operational Investigation Group starts work on the description and collection of evidence and draws up a report.
   - It is important that an Official Veterinarian is present, but this is not mandatory!
   - The evidence is not to be touched! Where the event is in the dark of day and there is a possibility that physical evidence may be missed, the scene is to be cordonned off and a search made in the morning.
   - Appointment of an expert witness for expert examination during pre-trial or trial proceedings.
   - An inspection report shall be made.
   - Photographic material to accompany the inspection report is to be provided.

To facilitate the formation of teams, the following steps are to be applied as preliminary preparations:

   - Lists of experts by districts who can be called upon for such inspections are provided to the district directorates of the Ministry of Interior.
   - Representatives of interested NGOs to register with district courts as expert witnesses.
   - List of laboratories that can carry out analyses provided to MoI.
   - List of veterinarians to be registered with the courts.

3. **Transporting samples to the laboratory for analysis**
   - The sample to be analysed shall be accompanied by the relevant inspection report.
   - Explanatory letters shall be prepared for the samples.
   - Quality packing of samples to avoid contamination and sealing with adhesive tape.
   - Samples are to be carried in a refrigerated bag accompanied by a police officer or authorised person.

4. **Laboratory analysis:**
   - Autopsy report
   - Laboratory analysis report
   - Expert examination based on all case materials (cadaver, autopsy, reports)
- If necessary, additional analyses and reference samples
- Samples and evidence of the case are to be stored where the expert examination is carried out
- 3-4 samples are to be taken in case further analyses are needed.
8.3.4. **TEMPLATE LETTERS FOR REPORTING TO THE POLICE AND PROSECUTOR'S OFFICE**

**TEMPLATE 1**

**TO THE DISTRICT PROSECUTOR'S OFFICE – BLAGOEVGRAD**

**ALERT**

From the Association "Wild Flora and Fauna Foundation"-Blagoevgrad, represented by …………………………………., their address for messages and communications being at: ………………………………………………………………………………………………

Initiating criminal proceedings for an offence under Article 278E of the Criminal Code
dear Sir/Madam District Prosecutor,

We are writing to you to initiate criminal proceedings for an offence under Article 278E of the Criminal Code.

On the (date) ……………. in the locality of …………… volunteers from ……… found ……… (the circumstances of the death of the wild bird specimens listed in Schedule 3 of the BDA are to be set out). The dead specimens found were of the bird species listed in Schedule 3 of the BDA, marked with an asterisk. This fact warrants the initiation of criminal proceedings to establish an offence under Article 278E of the Criminal Code and to punish the guilty persons.

With a telephone call to 112 made on the date …………. at ……. hours we notified the Internal Affairs Authorities for the territory of the dead birds found with a view to instigating urgent investigative action and the establishment of relevant facts.

On the following day (date) ………., by means of a special written application addressed to the head of the Regional Directorate of the MoI, we confirmed the request made to telephone number 112 and, on the basis of our professional knowledge and experience, we advised those actions which the investigating authority should carry out in order to establish the relevant facts. We pointed out to the investigating authority, in detail, what omissions must necessarily be avoided.

We have also brought to your attention the following circumstances, which are directly relevant to the action to establish the offence committed and the perpetrator thereof:

Example of an application used in the case of the vulture poisoning case investigation in Kresna gorge, Bulgaria

1. **Local people claim that information about cases of the poisoning of wolves and vultures in the area of Kresna Gorge can be obtained from two brothers who live in the town of Kresna: Jordan Svetetsov and his brother Rumen Svetetsov, as well as from the son of Jordan Svetetsov - Bobby Svetetsov (the first name of the son may be different). These three persons allegedly, if not the perpetrators, certainly know something about the poisoned dog found near**
their pen in the area of Halma, above the town of Kresna.

2. At the same time, when the Griffon Vultures were poisoned, a wolf was poisoned in Stara Kresna. It was reported to us that the mayor of the village had information on the case. Rumours are that it is likely the act was committed by the fish-farm keeper at that time (March 2017).

3. Another rumour claims that a former head of the park section "Sinanitsa" of the NP "Pirin" in Kresna, who had cows, had planted poisons.

4. In this same area, in 2015, the shepherd dogs of Sider Sedefchev, from the village of Vlahi, were poisoned. Sider Sedefchev filed a complaint and investigative action was undertaken. We require that the information gathered during the investigative actions in 2015 be included in the investigations of the crimes committed in 2017.

5. In the area of the village of Krupnik in 2017 a poisoned wolf was found. Shortly after this case we received a call from Boncho……. from the village of ………, who raises goats and Karakachan dogs. Boncho ……. is one of the most famous breeders in the area. He complained to us that his herd guard dogs had been poisoned. The poisoning of Boncho's guard dogs happened only a short time after the vultures were poisoned. Furthermore, the location of the poisoning of the guard dogs effectively coincides with the location (essentially the core) of the Griffon Vulture colony. Boncho .... reported to us that he found pieces of meat smeared with a blue preparation. Three of his dogs were poisoned. He suspected Dimitar Bikov from Krupnik, who has cows in the area. In the village of Krupnik itself, someone had also used such poison against dogs. Information about a bait found and a complaint has been submitted to the veterinarian Emil Kirov.

6. In the area of the village of Tserovo (Gorno Tserovo), Blagoevgrad municipality, where three vulture carcasses were found next to a cow carcass, and where carbofuran was detected by the Spanish laboratory, the nickname "Zhachkata’s Driver" was mentioned. "Zhachkata" is a well-known businessman from Blagoevgrad who we do not claim is involved. When he was building a villa in the area, a local man helped him and gave him a lift, hence the latter's nickname, "Zhachkata’s Driver". Rumours in the area are that "Zachkata’s Driver " is a probable poisoner because he kept cows and regularly quarrelled with another who kept cows in that area. In this area, in 2001-2002, there were reports of poisoned wolves, ravens and a wild boar, from the RIEW in Blagoevgrad to the prosecutor's office in Blagoevgrad. According to our information, the investigation from 2001-2002 arrived at stunning conclusions in which guilty persons were found. We require that the 2001-2002 files be added to the 2017 crime investigations.

Based on the above, we request you to institute criminal proceedings and, after investigating the circumstances stated above, charge the guilty persons for the offence under Article 278E of the Criminal Code.

Please find enclosed: the alert to the Director of the Regional Directorate of the MoI for urgent investigative action.

Town of Blagoevgrad
Yours faithfully:
TO THE DIRECTOR OF THE REGIONAL DIRECTORATE OF THE MINISTRY OF INTERIOR – BLAGOEVGRAD

REQUEST

From the Association "Wild Flora and Fauna Foundation" Blagoevgrad, represented by ……………………………., their address for messages and communications being at: ……………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………………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Pursuant to Article 117(3) of the Biodiversity Act (BDA), the Regional Inspectorate for Environment and Water controls the conservation of plant and animal species subject to the BDA.

Pursuant to Article 3(2)(2) of the Bulgarian Food Safety Agency Act, BFSA carries out laboratory diagnostic and research activities.

The involvement of officials from the two state bodies of the executive power system will guarantee proper collection and verification of evidence.

We also bring to your attention the following circumstances, which have a direct bearing on identification of the crime committed and the perpetrator of that crime:

1. **Local people claim that information about cases of the poisoning of wolves and vultures in the area of Kresna Gorge can be obtained from two brothers who live in the town of Kresna: Jordan Svetetsov and his brother Rumen Svetetsov, as well as from the son of Jordan Svetetsov - Bobby Svetetsov (the first name of the son may be different).** These three persons allegedly, if not the perpetrators, certainly know something about the poisoned dog found near their pen in the area of Halma, above the town of Kresna.

2. **At the same time, when the Griffon Vultures were poisoned, a wolf was poisoned in Stara Kresna.** It was reported to us that the mayor of the village had information on the case. Rumours are that it is likely the act was committed by the fish-farm keeper at that time (March 2017).

3. **Another rumour claims that a former head of the park section "Sinanitsa" of the NP "Pirin" in Kresna, who had cows, had planted poisons.**

4. **In this same area, in 2015, the shepherd dogs of Sider Sedefchev, from the village of Vlahi, were poisoned. Sider Sedefchev filed a complaint and investigative action was undertaken.** We require that the information gathered during the investigative actions in 2015 be included in the investigations of the crimes committed in 2017.

5. **In the area of the village of Krupnik in 2017 a poisoned wolf was found.** Shortly after this case we received a call from Boncho...... from the village of .........., who raises goats and Karakachan dogs. **Boncho ...... is one of the most famous breeders in the area. He complained to us that his herd guard dogs had been poisoned.** The poisoning of Boncho’s guard dogs happened only a short time after the vultures were poisoned. Furthermore, the location of the poisoning of the guard dogs effectively coincides with the location (essentially the core) of the Griffon Vulture colony. **Boncho .... reported to us that he found pieces of meat smeared with a blue preparation. Three of his dogs were poisoned.** He suspected Dimitar Bikov from Krupnik, who has cows in the area. **In the village of Krupnik itself, someone had also used such poison against dogs.** Information about a bait found and a complaint has been submitted to the veterinarian Emil Kirov.

6. **In the area of the village of Tserovo (Gorno Tserovo), Blagoevgrad municipality, where three vulture carcasses were found next to a cow carcass, and where carbofuran was detected by the Spanish laboratory, the nickname "Zhachkata’s Driver" was mentioned.**
"Zhachkata" is a well-known businessman from Blagoevgrad who we do not claim is involved. When he was building a villa in the area, a local man helped him and gave him a lift, hence the latter's nickname, "Zhachkata's Driver". Rumours in the area are that "Zhachkata's Driver" is a probable poisoner because he kept cows and regularly quarrelled with another who kept cows in that area. In this area, in 2001-2002, there were reports of poisoned wolves, ravens and a wild boar, from the RIEW in Blagoevgrad to the prosecutor's office in Blagoevgrad. According to our information, the investigation from 2001-2002 arrived at stunning conclusions in which guilty persons were found. We require that the 2001-2002 files be added to the 2017 crime investigations.

On the basis of the above, we ask you to order the authorities (under Article 194, paragraphs 3 and Article 4 of the Criminal Procedure Code) investigating police officer or police authority to the Regional Directorate of the MoI - Blagoevgrad or to the District Offices of the MoI to undertake urgent investigative action under Article 155, paragraph 2 of the CPC, Article 158, paragraph 4 of the CPC and Article 161, paragraph 2 of the CPC.

Town of Blagoevgrad.

Yours faithfully:
REQUEST

From the Association "Wild Flora and Fauna Foundation"-Blagoevgrad, represented by ........................................, their address for messages and communications being at: .................................................................

To take action for more effective investigation of crimes under Article 278E of the Criminal Code

Dear Sir/Madam District Prosecutor,

Dear Sir/Madam Director,

We are writing to you with this request with a view to achieving more effective investigation of offences under Article 278E of the Criminal Code.

1. (Set out the circumstances by virtue of which the Association has experience and observations in the field of wild bird conservation, including from abuses such as poisoning.)

2. From our observations, as well as from our numerous discussions and discussions with our foreign counterparts, we have identified the following, very important, practices and rules which the investigating authorities must necessarily follow in order to establish the commission of an offence under Article 278E of the Criminal Code and to effectively complete proceedings and punish guilty persons:

   - **Check Section 8.3. of the current document**

   3. Under Article 46, Para. 1, Item 2 of the CPC, the prosecutor leads the investigation and shall exercise constant supervision over its lawful and timely conduct as Supervising Prosecutor. The investigating authorities referred to in Article 52, Paras. 2 and 3 of the CPC are officers of the MoI.

We therefore ask you not only to take into account the above practices and rules but also to take measures to bring these practices and rules to the attention of the investigative bodies under Article 52, Para. 1, Items 2 and 3 of the CCP being the investigating police officers and police authorities of the Ministry of the Interior (these are the authorities in charge of investigating offences under Article 278E of the Criminal Code).
We are profoundly convinced that only the coordinated efforts of the various state bodies, accompanied by the participation of biodiversity experts, can lead to an effective investigation of crimes under Article 278 E of the Criminal Code, as well as to the punishment of those responsible.

Town of Blagoevgrad.

Yours faithfully:
TO DISTRICT PROSECUTOR'S OFFICE – BLAGOEVGRAD

ALERT

From the Association "Wild Flora and Fauna Foundation"-Blagoevgrad, represented by ……………………………, their address for messages and communications being at:
…………………………………………………………………………………………………………………………

For initiating criminal proceedings for an offence under Article 354 of the Criminal Code

Dear Sir/Madam District Prosecutor,

We are writing to you to initiate criminal proceedings for an offence under Article 354 of the Criminal Code.

On the (date) …………. in the locality of …………… volunteers from……….. found …………. (the circumstances relating to the death of the wild bird specimens listed in Schedule 3 of the BDA are set out).

Sample statement of the circumstances of an offence under Article 354 of the Criminal Code used in the Kresna gorge case

"We received a phone call from Boncho……….., from the village of ……….., who raises goats and Karakachan dogs. Boncho……….. is one of the best known breeders in the area. He complained to us that his herd guard dogs had been poisoned. Boncho…. reported that he found pieces of meat smeared with blue material. Three of his dogs were poisoned. He suspected Dimitar Bikov from Krupnik, who has cows in the area. In the village of Krupnik itself, someone had also used such poison against dogs. Information about a bait found and a complaint has been submitted to the veterinarian Emil Kirov.

Dimitar Bikov from Krupnik had boasted in the village pub that he would "easily deal with Boncho's dogs ". He made it clear that he had poison.

If Boncho's conjecture and Dimitar Bikov's words are true, it is very likely that Dimitar Bikov has a highly poisonous substance (he is in possession of such a substance)."

Art. 354, paragraph 1 of the Criminal Code states that "Whoever, without due authorization, manufactures, acquires, possesses, sequestrates or transfers to another a highly active or poisonous substance, which is not a narcotic substance, subject to a permit regime, shall be punished by imprisonment for up to two years or by a fine of one hundred to three hundred lev."

In the present case there is considerable evidence giving grounds to conclude that Dimitar Bikov from Krupnik has committed the offence under Article 354, paragraph 1 of the Criminal Code.
On the basis of the above, we request you to initiate criminal proceedings and, after investigating the circumstances set out above, to bring charges against the guilty person(s) for committing the offence under Article 354 of the Criminal Code.

Town of Blagoevgrad.

Yours faithfully:
TO THE DISTRICT PROSECUTOR'S OFFICE - BLAGOEVGRAD

COPY TO: THE DIRECTOR OF THE REGIONAL DIRECTORATE OF THE MINISTRY OF INTERIOR – BLAGOEVGRAD

REQUEST

From the Association "Wild Flora and Fauna Foundation"-Blagoevgrad, represented by ……….., their address for messages and communications being at:
………………………………………
………………………………………
………………………………………
………………………………………

For the appointment of a specialist-technical assistant for the performance of urgent investigative action under Article 126, paragraph 2 of the CPC; for the selection of certifying witnesses under Article 137, paragraph 2 of the CPC and for the appointment of expert witnesses under Article 147 of the CPC

Dear Sir/Madam District Prosecutor,
Dear Sir/Madam Director,

By virtue of Article 52, Para. 1, Items 2 and 3 of the CPC, investigating police officers and police authorities of the Ministry of Interior are the investigating authorities for the offence under Article 278E of the Criminal Code.

“Wild Flora and Fauna Foundation” - Blagoevgrad has been working for the protection of wildlife in the territory of Blagoevgrad region for a long term. In this regard, we have long-standing observations of attempts by the investigative authorities and the prosecutor's office to sanction violations constituting crimes under Article 278E of the Criminal Code.

Our findings indicate that, in some cases, the guilty parties are not punished due to the improper collection and verification of evidence. This is particularly the case where material must be sampled for the presence of a highly poisonous substance in the dead specimen of a protected species. Mistakes are also made in other procedural and investigative actions.

Art. 126, Para.2 of the CPC allows the investigating authority to appoint a specialist - technical assistant when special knowledge and training are required for the preparation of material evidence.

Art. 137, Para. 2 of the CPC enables the authority carrying out the relevant investigative action to select certifying witnesses in whose presence the examination, search, seizure, investigative experiment and identification of persons and objects are undertaken.

Articles 144 et seq. of the CPC provide for the appointment of an expert examination which is carried out by expert witnesses.

We are addressing you with this request, bringing to your attention a list of biodiversity experts with whom the Association is in contact and who could be appointed as specialist technical assistants for the performance of urgent investigative action under Article 126, Para. 2 of the CPC; could be selected as
certifying witnesses under Article 137, Para. 2 of the CPC; and who could be appointed as expert witnesses under Article 147 of the CPC.

These are the persons:

1) Three names, address, speciality;
2) Three names, address, speciality;

Pursuant to Article 39, Para. 2, Item 10 of the Veterinary Medicine Act (VMA), veterinarians who practice veterinary medicine shall perform autopsies on animals and send materials for laboratory tests when it is necessary to clarify a diagnosis. We kindly ask you to bear in mind this requirement of the law and, if it is necessary to carry out autopsies on dead specimens of wild fauna, which are the subject of an offence under Article 278E of the Criminal Code, to refer to experts with legal capacity under Article 39, Para. 2, Item 10 of the VMA.

For your convenience, we attach a list of qualified veterinarians who practice veterinary medicine in the area of the Regional Directorate of the Ministry of Interior-Blagoevgrad:

1) Three names, address, speciality;
2) Three names, address, speciality;

We request you to do what is required by bringing this letter to the notice of the investigating authorities and, where the involvement of the aforementioned specialists is dependent on you, to undertake to engage the aforementioned specialists in carrying out procedural and investigative activities to establish the facts relevant to the conduct of a qualitative and effective investigation of offences under Article 278E of the CPC.

Please find enclosed biographical details of the professional qualifications of the persons mentioned above in this application.

Town of Blagoevgrad,

Respectfully yours,