

IMPLEMENTING ARRANGEMENT
REGARDING
CUSTOMS PROCEDURES
IN IMPLEMENTATION OF THE AGREEMENT BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF BULGARIA
AND
THE GOVERNMENT OF THE UNITED STATES OF AMERICA
ON DEFENSE COOPERATION

Pursuant to Articles XI, XII, and XIII of the Agreement between the Parties to the North Atlantic treaty regarding the status of their forces, signed in London on June 19, 1951 (hereinafter "NATO SOFA"), and Articles XVIII, XIX, XXII and XXIII of the "Agreement between the Government of the Republic of Bulgaria and the Government of the United States of America on Defense Cooperation", signed on 28 April 2006 (hereinafter "the Agreement"), it is agreed as follows:

GENERAL PROVISIONS

1. This Implementing Arrangement shall apply to the United State forces, members of the force and their dependents, the civilian component and their dependents, and United States contractors and their employees who are present in the territory of the Republic of Bulgaria, as defined in Article I of the NATO SOFA and Article II of the Agreement.
2. Bulgarian customs authorities and United States forces will establish points of contact who shall act as liaisons for all matters under this Implementing Arrangement. The initial point of contact for United States forces is the United States European Command Customs Office (USEUCOM ECJ4, EDDOC-ICTB). Points of contact for United States forces and Bulgarian customs authorities will be exchanged and updated through the Joint Commission. These points of contact shall be responsible for providing each other information on customs law and regulations and updates when changes to customs law and regulations occur.
3. Customs clearance for goods imported or exported by United States forces shall take place at the entry or exit point's customs office, if any or at the nearest customs office to the agreed facilities or areas. When necessary and requested by United States authorities, a Bulgarian customs official will clear the goods at the agreed facilities or areas.
4. Whenever possible, United States forces shall provide notification to Bulgarian Customs Authorities five days prior to planned importation and exportation of goods.
5. The designation of the customs clearance officer authorized to sign Form 302 (NATO Form 302) shall be sent by the designated USEUCOM representative to the Bulgarian Customs Administration. The information will include name, stamp number, and copy of signature.
6. The following documentation shall be presented by United States forces personnel, and United States nationals or persons ordinarily resident in the United States who are employed by United States contractors exclusively serving the United States forces in the Republic of Bulgaria, upon request by Bulgarian customs officials:

- a) An official United States passport or personal identity card issued by the United States forces showing name, date of birth, rank and number (if any), service and photograph.
 - b) For members of the force, individual or collective movement order, in the English language, issued by an appropriate agency of the United States certifying the status of the individual or group as a member or members of a force and to the movement ordered.
 - c) A passport for authorized dependents traveling on orders.
7. Definitions:
- a. Importation is the entry of goods into the territory of the Republic of Bulgaria;
 - b. Exportation is the exit of goods from the territory of the Republic of Bulgaria.
8. The United States forces and Bulgarian authorities shall fully cooperate, to include the exchange of information, in the investigation of suspicious activities with regard to customs violations.

IMPORTATION AND EXPORTATION OF GOODS FOR OFFICIAL USE

9. The importation/exportation of goods into the Republic of Bulgaria by or for the United States forces shall be accomplished using Form 302 (NATO Form 302). The United States forces are responsible for providing all other documents required for specific types of goods (e.g. food products, animals).
10. Goods intended for official use of the United States forces shall normally be released immediately. In the remaining cases (frustrated cargo) cargo shall be released within 24 hours unless Bulgarian customs authorities have not received advanced notice of the entry or exit of goods in accordance with paragraph 4 above. If requested, the Bulgarian Executive Agent shall assist United States forces with the release of goods.
11. Importation and exportation of articles acquired by contractors acting for or on behalf of the United States forces shall follow the same procedures as in paragraph 9, with the exception that commercial customs and shipping documents may be utilized. Customs and shipping documents shall state that the articles are being imported/exported for or on behalf of the United States forces. They shall reference the contract number under which the articles are being imported/exported (subcontractors shall reference the prime contract with the United States), shall be consigned to the United States Contracting Officer or Contracting Officer's Representative, and shall be delivered to various sites agreed by the appropriate authorities. If the shipment enters on commercial customs and shipping documents, the Officer referred to in paragraph 5 shall close those documents out and issue a Form 302 (NATO Form 302) covering the shipment.
12. United States forces and Bulgarian customs authorities shall coordinate efforts at Bulgarian airfields, airports, seaports and land border crossings to ensure goods are processed in accordance with the customs regulations of the United States and the Republic of Bulgaria. However, should Bulgarian customs authorities suspect that the importation or exportation of specific goods is not being done in accordance with the NATO SOFA, or the present Implementing Arrangement, they shall perform a customs inspection in the presence of a United States forces Customs Officer authorized for processing of goods by the USEUCOM. Also, should Bulgarian customs authorities suspect that specific goods are not being imported or have not been imported in accordance with the NATO SOFA, the Agreement or this Implementing Arrangement, these goods shall be sealed, transported if required, and inspected upon arrival at the agreed facilities or areas.
13. Official documents under official seal shall not be subject to customs inspection. Couriers carrying these documents shall be in possession of an individual movement order. This movement order shall show the number of dispatches carried and that they contain official documents.

IMPORTATION AND EXPORTATION OF GOODS FOR PERSONAL USE

14. Importation and exportation of personal property for personnel described in paragraph 1 shall be performed using the same procedures as described above in paragraph 9. Inspection will be done at the residence of the United States forces personnel with a United States forces Customs Officer present.
15. Items shipped through military postal service shall conform to the customs provisions of the NATO SOFA, the Agreement, and applicable United States and Bulgarian laws.
16. Bulgarian customs authorities shall have the right, under the general conditions laid down by the laws and customs regulations of the Republic of Bulgaria, to search members of the force or civilian component, and their dependents, to examine their luggage and vehicles, and to seize articles pursuant to Bulgarian laws and regulations.
17. The United States forces shall adopt appropriate measures to prevent the sale of goods and services to persons not authorized to use or purchase at military facilities. United States forces shall also adopt appropriate measures to ensure that personal purchases are made in reasonable amounts. When the limitations upon rationed items are established, the United States forces shall inform Bulgarian Custom authorities of the limitations.
18. The Joint Commission shall oversee implementation of this Implementing Arrangement.
19. This Implementing Arrangement may be amended in writing at any time, by mutual consent. Amendments will be authenticated in writing.
20. This Implementing Arrangement shall enter into force upon signature and remain in force unless terminated upon one year's written notice. In any event, this Implementing Arrangement shall terminate on the date the Agreement terminates, should that occur.

IN WITNESS THEREOF, the undersigned, being duly authorized, have signed this Implementing Arrangement.

DONE in Sofia this 28th day of February 2008, in duplicate, in the Bulgarian and the English language, both texts being equally authentic.

**FOR THE GOVERNMENT
OF THE REPUBLIC OF BULGARIA**

FOR THE UNITED STATES