

**No. 13916**

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**GREECE  
and  
BULGARIA**

**Consular Convention. Signed at Athens on 31 May 1973**

*Authentic text: French.*

*Registered by Greece on 24 April 1975.*

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*Enregistrée par la Grèce le 24 avril 1975.*

[TRANSLATION — TRADUCTION]

## CONSULAR CONVENTION<sup>1</sup> BETWEEN THE KINGDOM OF GREECE AND THE PEOPLE'S REPUBLIC OF BULGARIA

The Kingdom of Greece and the People's Republic of Bulgaria, desiring to regulate consular relations between the two States in a spirit of friendship and co-operation, have resolved to conclude a consular convention and have for that purpose appointed as their plenipotentiaries:

The Regent acting on behalf of the King of the Hellenes: Mr. Alexandre Hadjipetros, Secretary of State for Foreign Affairs;

The State Council of the People's Republic of Bulgaria: Mr. Nenko Chendov, Deputy Minister for Foreign Affairs;

Who, having exchanged their full powers, found in good and due form, have agreed on the following provisions:

*Article 1. DEFINITIONS.* For the purposes of this Convention, the following expressions shall have the meanings hereunder assigned to them:

1. "Consular post" means any consulate-general, consulate, vice-consulate or consular agency;

2. "Head of consular post" means the person charged with the duty of acting in that capacity;

3. "Consular officer" means any person, including the head of a consular post, entrusted in that capacity with the exercise of consular functions;

4. "Consular employee" means any person employed in the administrative or technical service of a consular post;

5. "Member of the service staff" means any person employed in the domestic service of a consular post;

6. "Members of the consular post" means consular officers, consular employees and members of the service staff;

7. "Consular premises" means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used exclusively for the purposes of the consular post;

8. "Consular archives" includes all the papers, documents, correspondence, books, films, tapes and registers of the consular post, together with the ciphers and codes, the card-indexes and any article of furniture used exclusively for their protection and safe keeping;

9. "Consular district" means the area assigned to a consular post for the exercise of consular functions;

10. "Vessel of the sending State" means any navigable craft other than a warship which is registered in accordance with the law of the sending State and which flies its flag.

<sup>1</sup> Came into force on 23 January 1975, i.e., 30 days after the date of the exchange of the instruments of ratification, which took place at Sofia on 23 December 1974, in accordance with article 46(1).

## CHAPTER I

ESTABLISHMENT OF CONSULAR POSTS AND APPOINTMENT  
OF MEMBERS OF POSTS

*Article 2.* 1. The sending State may establish a consular post in the territory of the receiving State only with that State's consent.

2. The Contracting States shall determine by agreement the seat of the consular post, its classification, its district and the number of consular staff. Subsequent changes may be made by the sending State only with the consent of the receiving State.

3. Prior express consent shall be required in all cases.

*Article 3.* 1. The sending State shall request in advance through the diplomatic channel the agreement of the receiving State to the appointment of the head of a consular post.

2. Such agreement having been given, the diplomatic mission of the sending State shall present to the Ministry of Foreign Affairs of the receiving State a letter of provision or other similar document specifying the full name of the head of the consular post, his nationality, his rank, the seat of the consular post and the consular district in which he is to exercise his functions.

3. Upon receiving the letter of provision of the head of a consular post or another similar document confirming his appointment, the receiving State shall issue as soon as possible and free of charge the exequatur or other similar document confirming authorization by that State. Pending issue of the exequatur or other similar document, the receiving State may issue to the head of the consular post an authorization enabling him to exercise his functions on a provisional basis.

4. The head of a consular post may not enter upon his functions until the receiving State has issued to him the exequatur or a similar authorization, including a temporary authorization.

*Article 4.* The sending State shall notify the Ministry of Foreign Affairs of the receiving State in advance, through the diplomatic channel, of the appointment of the other consular officers and of the consular employees and the members of the service staff. Such notification shall include the full name, nationality, rank and functions of the said persons.

*Article 5.* Only a national of the sending State who is not a permanent resident of the receiving State may be appointed as a consular officer.

*Article 6.* The receiving State may at any time, without being obliged to state the grounds for its decision, notify the sending State through the diplomatic channel that a consular officer is *persona non grata* or that any other member of the consular staff is not acceptable. In that event, the sending State shall, as the case may be, recall the person concerned or terminate his functions at the consular post.

If the sending State refuses or fails within a reasonable time to carry out this obligation, the receiving State may cease to recognize the person concerned as a member of the consular post.

*Article 7.* 1. If the head of the consular post is unable to carry out his functions or if the post is temporarily vacant, the sending State may designate a consular officer belonging to the same or another consular post in the receiving State or a member of the diplomatic staff of its diplomatic mission in that State to take charge

of the consular post on a provisional basis. The full name of the person concerned shall be notified in advance to the Ministry of Foreign Affairs of the receiving State.

2. The acting head of a consular post shall enjoy the rights, privileges and immunities accorded to the head of a consular post under this Convention.

3. When a member of the diplomatic staff is appointed to a consular post in accordance with paragraph 1, he shall continue to enjoy diplomatic privileges and immunities.

*Article 8.* The receiving State shall afford protection to consular officers and shall make the necessary arrangements to enable them to fulfil their functions and to enjoy the rights, privileges and immunities provided under this Convention or, where applicable, by the law of the receiving State.

*Article 9.* 1. The sending State may, in accordance with the law of the receiving State, acquire as property, hold or lease any premises required for the consular post. Where necessary, the receiving State shall assist the sending State in acquiring, erecting or leasing property for such purposes and in obtaining dwellings suitable for members of the staff of the consular post.

2. The provisions of paragraph 1 of this article shall not exempt the sending State from the obligation to comply with any building or town planning laws or regulations of the receiving State.

## CHAPTER II

### PRIVILEGES AND IMMUNITIES

*Article 10.* 1. The coat of arms of the sending State or the consular emblem with an inscription in the languages of the sending and receiving States or in another international language may be displayed on the building and at the entrance door of the consular post.

2. The national flag of the sending State may be flown on the consular building and on the residence of the head of the consular post. In the exercise of this right, regard shall be had to the laws, regulations and usages of the receiving State.

3. The national flag of the sending State may also be flown on the vehicle of the head of the consular post when the vehicle is used by him for official purposes.

*Article 11.* 1. The consular premises and the residence of the head of a consular post shall be inviolable. The authorities of the receiving State may not enter such premises without the consent of the head of the consular post, the head of the diplomatic mission of the sending State or a person designated by one of them.

2. The premises referred to in this article may be used only for purposes relating to consular functions.

3. If there is occasion to enter the consular premises in application of this article, the inviolability of consular archives, recognized in article 12, shall be respected.

4. The receiving State shall take all appropriate measures to ensure the protection of consular premises.

*Article 12.* The consular archives shall be inviolable at all times and wherever they may be. Papers not relating to the consular service shall not be kept in consular archives.

*Article 13.* 1. The consular post may communicate with its Government and with the diplomatic mission and consular posts of the sending State in the

receiving State. For this purpose, the consular post may use all public means of communication, couriers and sealed containers, consular bags, pouches, envelopes or cases as well as codes and ciphers. In the use of public means of communication, the consular post shall enjoy the same rates as the diplomatic mission of the sending State. However, the consular post may install and use a radio transmitter only with the consent of the receiving State.

2. The official correspondence of a consular post irrespective of the means of communication employed, as well as consular bags, pouches, envelopes or cases bearing the official seal and visible external marks of their official character, shall be inviolable and may not be examined or detained by the authorities of the receiving State. However, if the said authorities have serious reason to believe that the consular bags, pouches, envelopes or cases contain articles other than official correspondence, they may request that such articles be returned to their place of origin.

3. Persons who are charged with the conveyance of consular bags, pouches, envelopes or cases and are required to carry an official document certifying their status shall enjoy the rights, privileges and immunities accorded to the couriers of the diplomatic mission of the sending State.

*Article 14.* 1. Members of a consular post who are not nationals of the receiving State shall not be subject to the jurisdiction of the receiving State in respect of their official acts.

2. In respect of other acts, consular officers and members of their families residing with them who are not nationals of the receiving State shall enjoy personal inviolability and may not be arrested, remanded in custody pending trial or subjected to other restrictions of their freedom unless charged by the judicial authority with a serious and deliberate crime which is punishable under the law of the receiving State by a penalty of at least five years' deprivation of freedom. Save in such cases, the above-mentioned persons may not be imprisoned or subjected to any other form of restriction of their personal freedom except in execution of a final judicial decision.

3. The diplomatic mission of the sending State shall be notified of the institution of criminal proceedings or the execution of a sentence pursuant to a final decision against the persons referred to in the preceding paragraph.

4. The sending State may waive the immunity provided for in paragraph 2. Such waivers must in all cases be expressed and be notified to the receiving State through the diplomatic channel.

*Article 15.* 1. Members of a consular post may be called on to attend as witnesses at the request of the judicial or administrative authorities of the receiving State. However, no coercive measure or other penalty may be applied to such persons if they are nationals of the sending State.

2. An authority requiring the testimony of a consular officer shall avoid impeding the officer in the discharge of his functions and may, where possible, take his testimony orally or in writing at his residence or at the consular post.

3. Members of a consular post and members of their families may decline to give evidence with regard to matters relating to the official activity of members of the consular post. Members of a consular post shall also have the right to decline to give evidence in the capacity of expert witnesses concerning the national law of the sending State.

*Article 16.* Members of a consular post and members of their families residing with them who are not nationals of the receiving State shall be exempt in

that State from all military obligations (requisitioning, military contributions, billeting, etc.) and other individual public service.

*Article 17.* Members of a consular post and members of their families residing with them who are not permanent residents of the receiving State shall be exempt from obligations under the laws and regulations of the receiving State relating to registration of aliens, residence permits and similar formalities applying to aliens.

*Article 18.* 1. The receiving State shall not levy taxes or charges on:

- (a) premises of a consular post used exclusively for consular purposes, provided that they belong to the sending State or have been leased on its behalf;
- (b) transactions or instruments relating to the acquisition of immovable property referred to in the preceding subparagraph;
- (c) the ownership, possession or use of movable property employed for the requirements of the consular service.

2. The provisions of paragraph 1 (a) of this article shall not apply to charges levied in respect of specific services rendered.

3. The exemption provided for in paragraph 1 of this article shall not apply to taxes and charges payable by persons who have contracted with the sending State or with a person acting on its behalf.

*Article 19.* 1. Sums recovered in respect of duties and charges provided for under the laws and regulations of the sending State for consular acts, and receipts issued therefor, shall be exempt from all taxes and charges in the receiving State.

2. Members of a consular post who are not nationals of the receiving State shall be exempt in that State from the payment of all taxes and charges relating to emoluments, salaries, wages or fees received from the sending State in respect of their consular functions.

*Article 20.* Consular officers and consular employees and members of their families residing with them, provided that they are not nationals of the receiving State and are not carrying on any gainful occupation in that State, shall also be exempt from all similar taxes and charges of any kind, national, regional or municipal, except:

- (a) indirect taxes of a kind normally incorporated in the price of goods or services;
- (b) taxes and charges on private immovable property (in respect of acquisition, ownership, possession, disposal, etc.) situated in the territory of the receiving State;
- (c) estate, succession or inheritance duties and duties on transfers levied by the receiving State, subject to the provisions of article 21;
- (d) taxes and charges on private income having its source in the receiving State;
- (e) taxes and charges levied in respect of specific services rendered;
- (f) registration, court or record fees, mortgage dues and stamp duties.

*Article 21.* In the event of the death of a member of the consular post or of a member of his family residing with him, the receiving State shall exempt the movable property of the estate from all taxes and charges, provided that the deceased was not a national of the receiving State and that the presence of the property in that State was due solely to the presence there of the deceased as a member of the consular post or as a member of the family of a member of the consular post.

The receiving State shall permit the export of the movable property of the deceased, with the exception of any property acquired in the receiving State the export of which is prohibited.

*Article 22.* 1. The receiving State shall, in accordance with its laws and regulations, permit entry of and grant exemption from all customs duties, taxes and related charges other than charges for storage, cartage and similar services, on:

- (a) articles, including automobiles, for the official use of the consular post;
- (b) articles for the personal use of a consular officer or members of his family residing with him, including articles intended for his establishment.

2. Consular employees and members of the service staff shall enjoy the exemptions specified in paragraph 1 (b) of this article in respect of articles imported at the time of first installation.

3. Nationals and permanent residents of the receiving State shall not enjoy the privileges specified in this article.

4. The above-mentioned exemptions shall not exclude customs control.

5. The receiving State may make the granting of the exemptions provided for in this article conditional upon a notification of import or re-export given in such form as it may require.

*Article 23.* The consular premises, their furnishings, the property of the consular post and its means of transport shall be immune from any form of requisition for purposes of national defence or public utility. If expropriation is necessary for such purposes, all possible steps shall be taken to avoid impeding the performance of consular functions, and prompt, adequate and effective compensation shall be paid to the sending State.

*Article 24.* 1. Persons to whom this Convention applies shall be required to comply with the laws and regulations of the receiving State, in particular traffic regulations and those relating to civil liability insurance for the use of any vehicle.

2. Members of a consular post may avail themselves of their rights, privileges and immunities under this Convention solely for purposes consistent with their status.

### CHAPTER III

### CONSULAR FUNCTIONS

*Article 25.* 1. A consular officer may, within his consular district, exercise the functions provided for in this Convention. In addition, he may assume such other consular functions entrusted to him by the sending State as are not contrary to the law of the receiving State.

2. A consular officer may exercise his functions only in his consular district. However, under special circumstances he may exercise his functions outside the said district with the consent of the receiving State.

3. In the exercise of his functions, a consular officer may levy the duties and charges provided for by the law of the sending State.

*Article 26.* 1. A consular officer shall be entitled within his consular district to protect and defend the rights and interests of the sending State and of its nationals, including juridical persons.

2. A consular officer shall contribute to the development of commercial, economic, maritime, tourist, cultural and scientific relations between the sending State and the receiving State in such a way as to promote co-operation between the two States in those fields.

*Article 27.* 1. In the exercise of his functions, a consular officer may, within his consular district, hold written and oral communication with nationals of the sending State, advise them, assist them in their dealings with the authorities of the receiving State and, when necessary, provide them with the services of a lawyer.

2. The receiving State shall not infringe in any way the right of nationals of the sending State to communicate with and visit the consular post of the sending State.

*Article 28.* 1. In the event of the arrest or any other form of detention of a national of the sending State in the receiving State, the competent authorities of the latter State shall be required to notify the consular post of the sending State forthwith, and at the latest within 48 hours.

2. A consular officer shall be entitled to visit and communicate with a national of the sending State who is arrested, detained or imprisoned in execution of a sentence involving deprivation of freedom. The rights specified in this paragraph shall be exercised in accordance with the laws and regulations of the receiving State, provided, however, that the said rights shall not be abrogated by such laws and regulations.

*Article 29.* 1. A consular officer shall be entitled within his consular district:

- (a) to receive any declaration required under the law of the sending State, particularly on matters relating to nationality;
- (b) to keep a register of nationals of the sending State;
- (c) to register reports of births and deaths and all other reports relating to the civil status of nationals of the sending State, and to issue the corresponding certificates;
- (d) to issue, renew, alter or cancel passports or other travel documents for nationals of the sending State as well as any entry or transit visa or other appropriate documents required for a person wishing to travel to the territory of the sending State;
- (e) to legalize or certify signatures and documents and to translate and certify such documents.

2. The provisions of the preceding paragraphs shall not exempt the persons concerned from the obligation to comply with the formalities prescribed by the law of the receiving State.

3. The authorities of the receiving State shall assist the consular officer in cases where a national of the sending State wishes to obtain from the said authorities a document relating to his civil status.

*Article 30.* 1. A consular officer shall be entitled within his consular district:

- (a) To draw up, authenticate and legalize instruments, documents and contracts or copies thereof relating to: nationals of the sending State; other nationals, where such instruments and contracts relate to property situated in the sending State or are intended to produce effects in that State.



The instruments and contracts referred to in the preceding paragraph may produce legal effects in the territory of the receiving State only where this does not conflict with the law of the latter State.

(b) To draw up and certify wills and accept them for safekeeping.

2. The instruments, documents, copies, translations and extracts referred to in paragraph 1 must be legalized before being presented to the authorities of the receiving State if this formality is required under the law of that State.

*Article 31.* A consular officer may issue certificates of the origin or source of goods.

*Article 32.* 1. A consular officer may, where the law of the receiving State permits, propose to the courts or other competent authorities a person eligible for appointment as guardian or curator of a national of the sending State or of his property where it has been left without supervision.

2. Where the courts or competent authorities of the receiving State consider that the person proposed is not capable of exercising such functions, the consular officer may propose another person for their exercise.

*Article 33.* A consular officer shall be entitled to serve on nationals of the sending State instruments and documents sent to them by courts or other authorities of that State; in so doing, he shall proceed in a manner consistent with the law of the receiving State.

*Article 34.* Where the competent authorities of the receiving State have knowledge of the death of a national of the sending State, they shall notify the consular officer without delay. The consular officer shall also notify the competent authorities of the receiving State if he receives such information through another channel.

*Article 35.* The competent authorities of the receiving State shall notify the consular officer of the opening in the receiving State of a succession of a national of the sending State or of another person of whatsoever nationality where a statutory or testamentary heir is a national of the sending State, not resident in the receiving State and not represented there.

*Article 36.* 1. Where a national of the sending State dies in the receiving State and leaves property in that State, the consular officer in whose district the estate is situated may, in order to ensure the protection, care and administration of such property:

- (a) Request the competent authorities of the receiving State to take the measures provided for by the law of that State for the preservation and administration of the estate. The consular officer may be present at the drawing up of the inventory and the affixing of the seals and may observe the proceedings conducted for the above-mentioned purposes;
- (b) Take possession of and administer the estate and take such other action in connexion therewith, directly or through an authorized person, as is permissible under the law of the receiving State.

2. Where, under the law of the receiving State, judicial authorization is necessary to empower the consular officer to discharge the functions provided for in the preceding paragraph of this article, such authorization shall be granted to him at his request, in accordance with the law of the receiving State.

*Article 37.* 1. A consular officer may, on behalf of a national of the sending State not resident in the receiving State, receive from a court, authority or competent person, money, property or other assets to which the said national is entitled as a consequence of the death of any person.

Such money, property or other assets may include, in particular, shares in an estate, life insurance premiums or sums paid under social legislation. The above-mentioned court, authority or person may request the consular officer to comply with the following conditions:

- (a) to present a power of attorney or other authorization from the non-resident national;
- (b) to present satisfactory proof of the entitlement of the national to the said money or assets;
- (c) to return the said money or assets if he is unable to supply such proof.

2. If the consular officer receives the said money or assets, the court, authority or person concerned may request him to provide receipt therefor.

3. The provisions of paragraph 1 of this article shall be applied in accordance with the law of the receiving State.

*Article 38.* Where a national of the sending State not having a permanent residence in the receiving State dies during a journey, a consular officer may, for the purpose of safeguarding the personal effects and sums of money left by the deceased, take immediate custody thereof.

Any measure to preserve or dispose of the said effects or sums of money shall be subject to the law of the receiving State.

*Article 39.* Where a consular officer exercises the functions referred to in articles 34 to 38 of this Convention, he shall comply with the law of the receiving State and, notwithstanding the provisions of articles 14 and 15, shall be subject in so doing to the civil jurisdiction of the receiving State.

*Article 40.* 1. A consular officer shall be entitled to render every aid and assistance to vessels of the sending State which are in the ports and territorial sea of the receiving State.

2. Without infringing the harbour regulations or those relating to entry into the receiving State, a consular officer may go on board vessels of the sending State in person or send a representative as soon as the said vessels have received *pratique*. The master and members of the crew shall be authorized to communicate with the consular officer and to visit the consular post. The consular officer may request the assistance of the authorities of the receiving State concerning any matter relating to the discharge of his functions in connexion with the vessels of the sending State, the master and members of the crew.

*Article 41.* A consular officer shall be entitled:

- (a) without prejudice to the rights of the receiving State, to investigate any incident occurring on board a vessel of the sending State during its voyage or in one of the ports of the receiving State, to question the master and members of the crew, to examine the vessel's papers, to take statements with regard to the vessel's voyage, destination and cargo, and to facilitate the vessel's entry into, stay in or departure from port;
- (b) to take any measure concerning the engagement and discharge of the master or

- members of the crew, provided that it is not contrary to the law of the receiving State;
- (c) without prejudice to the rights of the authorities of the receiving State, to settle any disputes between the master and members of the crew, including those arising from the contract of service, to the extent provided for by the law of the sending State;
  - (d) to take any measure for the maintenance of order and discipline on board the vessel;
  - (e) to take the measures necessary to provide medical care, including hospital treatment, to the master and members of the crew and also their repatriation;
  - (f) to receive, draw up or sign any declaration or other document prescribed by the law of the sending State in connexion with vessels;
  - (g) to take any other measure necessary to apply the law of the sending State relating to merchant shipping.

*Article 42.* A consular officer may, if the law of the receiving State permits, appear with the master or members of the crew before the courts or other authorities of the receiving State, render them assistance (in particular, by obtaining legal aid for them where necessary) and act as their interpreter in any matter to be settled between them and the said authorities.

*Article 43.* Where the courts or other competent authorities of the receiving State intend to take any coercive action or to institute any official inquiry on board a vessel of the sending State, they shall, unless this is impossible by reason of the urgency of the matter, give sufficiently early notice to a consular officer so that he or his representative may be present when such action is carried out. This provision shall also apply where members of the crew of the vessel are to be questioned on shore by the competent authorities of the receiving State. Where the consular officer or his representative was not present, the competent authorities of the receiving State shall, at his request, provide him with full information concerning the matters at issue and the action taken.

2. Save at the request or with the consent of a consular officer, the judicial or administrative authorities of the receiving State shall not interfere in the internal affairs of the vessel for any reason except to ensure order and peace or in the interests of public health or safety.

3. The provisions of paragraph 1 of this article shall not apply to the usual customs, public health or passport inspections or in the case of saving lives at sea or preventing the pollution of sea water. In addition, the said provisions shall not apply to action taken at the request or with the consent of the master of the vessel.

*Article 44.* 1. Where a vessel of the sending State is wrecked, runs aground or otherwise sustains damage within the frontiers of the receiving State, or if any article forming part of the cargo of a wrecked vessel of a third State, being the property of a national of the sending State, is found within the said frontiers, the competent authorities of the receiving State shall immediately notify a consular officer and shall inform him of the measures they have taken to preserve lives, the vessel and the cargo.

2. A consular officer may render every assistance to the vessel, the passengers and members of the crew and may take measures for the preservation of the cargo

and the repair of the vessel. He may request the co-operation of the authorities of the receiving State for that purpose.

3. Where a wrecked vessel or any article belonging to it is found on or near the coast of the receiving State or brought into a port of that State and neither the master, the owner, the agent nor the underwriter of the vessel is in a position to make arrangements for the custody and disposal of the vessel or its cargo, a consular officer shall be deemed to be authorized to make, on behalf of the owner of the vessel, the same arrangements as the owner himself could have made for such purposes. The provisions of this paragraph shall also apply to any article which is part of the cargo of the vessel and belongs to a national of the sending State.

4. The authorities of the receiving State shall not levy in relation to any wrecked vessel, its cargo or any article to which the preceding paragraphs of this article apply any tax, duty or charge except those of the same kind and amount as are levied in the same circumstances in relation to a vessel of the receiving State or a third State, its cargo or an article belonging to it.

5. Where any article forming part of the cargo of a wrecked vessel of a third State is the property of a national of the sending State and is found on or near the coast of the receiving State or brought into a port of that State and neither the master of the vessel, the owner of the article, the agent, the underwriter or any other accredited person is in a position to make arrangements for the custody and disposal of the article, a consular officer shall be deemed to be authorized to make, on behalf of the owner, the same arrangements as the owner himself could have made for such purposes.

*Article 45.* The provisions of articles 40 and 44 of this Convention shall also apply as appropriate to civil aircraft.

#### CHAPTER IV

#### FINAL PROVISIONS

*Article 46.* 1. This Convention shall be ratified and shall enter into force 30 days after the exchange of the instruments of ratification, which shall take place at Sofia as soon as possible.

2. This Convention shall remain in force for a period of five years and shall subsequently be automatically extended unless one of the Contracting Parties terminates it on one year's written notice to the other Contracting Party.

IN WITNESS WHEREOF the plenipotentiaries of the two Contracting Parties have signed this Convention and have thereto affixed their seals.

DONE at Athens on 31 May 1973 in duplicate in the French language.

For the Kingdom  
of Greece:  
[A. HADJIPETROS]

For the People's Republic  
of Bulgaria:  
[N. CHENDOV]