SUMMARY PROJECT FICHE

1. Basic Information

1.1 Désirée Number: BG 0012.02

1.2 Title: Strengthening Control of the Bulgarian Black Sea Maritime Border: Phase 2 of a Multi-annual Strategy to Enhance the Future External Borders of the EU.

1.3 Sector: Justice and Home Affairs

1.4 Location: Ministry of the Interior: Border Police Service

2. Objectives

2.1 Wider Objective

The wider objective of this project is to strengthen border management in Bulgaria, through the introduction of operational standards and practices for the Bulgarian Border Police, which is the principal agency for border management, based upon the best practices of border control in the EU and also the modernisation of equipment. This project is part of the Phare multi-annual programme which is supporting the national operational strategy of the Bulgarian Border Police.

2.2 Immediate Objective

The immediate objective of this project is to enhance the maritime border management regime on Bulgaria’s Black Sea coast, which is one of the most critical areas in terms of border violation and the smuggling of illegal immigrants, drugs and weapons.

2.3 Accession Partnership and NPAA priority

Short-term AP priority
Implement effective border management control systems and coordination of services to prevent illegal immigration and to enable full participation in the Schengen Information System.

Medium-term priority
Further intensify international coordination and cooperation in the field of combating trans-border crime, especially in the field of transiting, producing and selling drugs as well as money laundering; implement anti-corruption strategy; continue fight against trafficking in women and children;

NPAA
- Limitation of the illegal immigration to and from Bulgaria
- Limitation of the illegal stay of foreigners in Bulgaria
- Establishment of a border regime corresponding to the regime adopted by EU Member States for external border of the community
• Supply of materials and technical equipment to the departments and units of the Ministry of the Interior that execute border control and the control on residence of foreigners in the country
• To stop the trend for seizure of the illegal migration and the illegal human traffic by structures of organised crime or by international terrorists or extremist organisations
• Not to allow the illegal migration and the illegal traffic of foreigners to become a source of threat to the public order and national security
• To overcome the unfavourable opinion on our country as a transit point for illegal migration
• Execution of effective coordination and interaction between the competent state authorities to combat illegal migration.

3. Description

3.1 Background and justification:

Bulgaria is faced with an ever-growing threat from cross-border crime, in particular illegal immigration, smuggling, drug trafficking and the proliferation of weapons and hazardous materials. It is a major transit route for organised crime syndicates as they seek to penetrate the European Union.

The Bulgarian Black Sea maritime border region, approximately 320 km in length and with a territorial sea of about 7500 sq km, which is the focus of this project, is a particularly crucial area in relation to international criminal activity. This is partly a reflection of the intense maritime traffic in the region and also partly due to the proximity of violent armed conflict and political, economic and social instability in areas geographically located opposite Bulgaria on the Black Sea.

In response, the Bulgarian Authorities, in particular the Border Police are making every effort to counter this threat. Bulgaria has developed a national strategy to combat organised crime and the Border Police play a crucial role. A process of institutional reform is already under way, including new management structures and new methodologies and practices associated with professional law enforcement are replacing the old systems of border control.

However, much of the equipment possessed by the Bulgarian Border Police in the Black Sea Maritime Border Region is obsolete and therefore a barrier to the adoption of new operational strategies and an insufficient counter to the threat. This deficiency was noted in an EU-sponsored Bulgarian Border Police Equipment Feasibility Study completed in the Autumn of 1999 and more recently in a similar study into the Maritime Equipment Requirements of the Border Police which was completed in July 2000 and which recommended in detail the nature of the equipment required to enhance operational effectiveness. Additionally, the process of “demilitarisation” or more accurately, “professionalisation” will lead to a significant decrease in the number of operational staff and therefore it will be necessary and cost-effective to compensate by the introduction of modern equipment.

This project seeks to stimulate this process of border management enhancement in Bulgaria’s Black Sea coastal region through the introduction of a modest number of naval patrol vessels capable of continuous all-weather patrolling. These assets, supported by the introduction of surveillance and communications systems, will facilitate a much more systematic observation of the territorial sea and inner coastal waters and contribute greatly
towards the combating of serious criminal activity. Yet this project does not only reflect investment in equipment; the project acknowledges an investment in people through the provision of quality foul-weather clothing and safety devices and also a significant training component which leads to a general improvement in institutional capacity. Finally, in recognition of the need for equipment maintenance, particularly in relation to sea-going vessels, this programme will support the procurement of a floating pier cum repair and maintenance facility which will have the capacity to service both existing and new vessels.

This project is the second phase of a multi-annual phased reform strategy, which has been produced by the Bulgarian Border Police as a precondition for receiving Phare support on a multi-annual basis. This strategy, which began with improvements on the Bulgarian-Turkish border will eventually embrace all of Bulgaria’s borders and particularly those which will be the future external borders of the EU. Finally, this project fits well into the drive for an integrated approach to border management which generally has three phases: integrated technical solutions at operational level in the border region, greater inter-agency cooperation on the border and finally, co-ordinated approaches at national and international levels.

3.2 Linked activities:

This project is linked to the **Phare 1999 Programme** (3M Euro) and **Phare 2000 Programme** (9M Euro) which represent a balanced programme of institution building and the investment in equipment. Although this represents a not-insignificant investment, it does however reflect only a fraction of the total investment required to enhance all aspects of border management. It should be noted, however, that the maritime element of the Border Police has received no Phare assistance to date.

Meanwhile the **Bulgarian Authorities** themselves have recently invested heavily in procuring and deploying a considerable number of shore-based radar stations to support the continued effort of maritime surveillance along the Black Sea coast.

Additionally, it should be noted that **bilateral support** from Germany has helped in the equipment modernisation programme (DM 2M) including the provision of new patrol vehicles for Bulgaria’s green border. More recently, the UK has provided maritime operational advice and donated some small night surveillance devices.

3.3 Results:

The concrete results of this project will be:

**Sub-project 1**
- The deployment of approximately 1-2 patrol vessels for patrolling the territorial sea
- The deployment of approximately 6 rigid inflatable craft to support maritime inspection
- All new vessels to be equipped with modern radar and night surveillance equipment
- The vessels to be equipped with appropriate ship to shore communications
- The provision of approximately 20 maritime GPS systems for all new and existing naval vessels
- The provision of foul-weather protective clothing for approximately 50 seamen
- The provision of approximately 50 marine life safety vests
Sub-project 2
- The procurement of a small ferro-concrete floating pier with onboard repair and maintenance facilities

Sub-project 3
- Approximately 150-200 officers and men trained in modern maritime surveillance techniques
- Approximately 20-25 officers trained in new methodologies of the acquisition and processing of criminal evidence at sea

The sub-projects relating to equipment will be standard investment activities, whilst the other will be considered traditional TA. The technical specifications of the equipment will be defined and refined prior to the signing of the Financing Memorandum and in any event no later than 30.11.2000.

3.4 Activities:

Sub-project 1
- The procurement of approximately 1-2 maritime patrol vessels
- The procurement of 6 rigid inflatable maritime craft
- The procurement of between 1-2 ship-borne radar systems
- The procurement of approximately 1-2 ship to shore communications systems
- The procurement of GPS systems
- The procurement of maritime foul-weather clothing
- The procurement of maritime life safety equipment

Sub-project 2
- The procurement of a ferro-concrete pier with onboard repair and maintenance facilities

Sub-project 3
- The training of staff in new techniques of maritime surveillance
- The training of staff in procedures of maritime evidence collection and processing

4. Institutional Framework

The project beneficiary will be the Bulgarian Ministry of the Interior and in particular the Bulgarian Border Police. The Border Police comprises approximately 9500 staff and work throughout the country in 13 regional commands. They will assume ownership of the project and provide the required staff to project manage the activities. The Border Police have appointed project officers and are in the process of appointing a Strategic Advisor for the Implementation of Technical Assistance Projects. Additionally, the CFCU Sofia and the EC Delegation Sofia will work closely with the Border Police in order to ensure that all tenders are prepared in accordance to stated requirements and conform with Phare tendering procedure for Sub-project 1.
5. **Detailed Budget (million euro)**

<table>
<thead>
<tr>
<th>Phare</th>
<th>Support</th>
<th>National Cofinancing</th>
<th>IFI</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support</td>
<td>Institution Building</td>
<td>Total Phare (=I+IB)</td>
<td></td>
</tr>
<tr>
<td>1) Maritime Equipment</td>
<td>6</td>
<td>6</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td>2) Ferro-concrete Pier</td>
<td></td>
<td></td>
<td>0.6</td>
<td>0.6</td>
</tr>
<tr>
<td>3) Training</td>
<td></td>
<td></td>
<td>0.4</td>
<td>0.4</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>6</td>
<td>6</td>
<td>2</td>
<td>8</td>
</tr>
</tbody>
</table>

6. **Implementation Arrangements**

6.1 **Implementing Agency**

The CFCU in Sofia will be responsible as Implementing Agency (IA) for the implementation of Sub-project 1 "Maritime Equipment", although it will work in close association with the beneficiary, the Ministry of the Interior and the Border Police, particularly the new Border Police Project Implementation Unit. The Border Police will be Contracting Authority for Sub-project 2 "Ferro-concrete Pier" and 3 "Training". In addition, the Border Police will elaborate the technical specifications and TORs for all the sub-projects as required for tenders, although it is anticipated that TA will be required for the elaboration of the more sophisticated technical specifications. This TA should be provided through traditional channels. Finally, the Border Police will provide the experts for the tender evaluation process, oversee the deployment of equipment and its subsequent installation, field testing and operational evaluation.

6.2 **Twinning (NA)**

6.3 **Non-standard aspects**

Sub-project 1 will be managed under DIS rules. Sub-project 2 and 3 will be tendered according to the applicable regulations to the co-financing.

6.4 **Contracts**

It is envisaged that there will be a number of contracts:

- Maritime Equipment 7M Euro
- Pier/Repair Facility 0.6 M Euro
- Training 0.4 M Euro

It is envisaged that the maritime equipment will be administered under DIS rules. However, given the very limited number of potential bidders, it is anticipated that a Direct Agreement following informal consultations would be the most economical and quickest method of procurement. In Europe, there are only approximately three yards which produce non-military maritime patrol craft and which are likely to have basic model (no additional equipment other than basic functions) ships available in the class required.
Indeed, those yards with existing vessels either constructed or near construction would be in terms of timescale, more appropriate. The purchase of the repair and maintenance pier (Sub-project 2) and the training programme (Sub-project 3) would be implemented with the funds of the co-financing.

7. **Implementation Schedule**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Start of Tendering</td>
<td>2Q/01</td>
</tr>
<tr>
<td>Start of Project Activity</td>
<td>4Q/01</td>
</tr>
<tr>
<td>Completion</td>
<td>4Q/03</td>
</tr>
</tbody>
</table>

8. **Equal Opportunity**

The Bulgarian Border Police is an equal opportunities employer.

9. **Environment**

The training and investment activities relate to IB activities. However, it should be noted that the Border Police are tasked with maritime environmental protection activities and this project will support activities in this field.

10. **Rates of return**

The benefit of the investment and training was supported by the Maritime Equipment Feasibility Study (annex 4)

11. **Investment criteria**

11.1 **Catalytic effect:**

The investment provided by Phare will significantly speed up the operational enhancement of the Border Police and in turn this will lead to a more effective border management regime for Bulgaria. This is a key element of the Accession Partnership. Without this investment, it would take far longer for border management to meet Schengen standards and for the rate of cross-border criminality to decrease.

11.2 **Cofinancing:**

The Bulgarian Authorities will provide 2ME in cash as 25% co-financing from the national budget. A sum of 1 Meuro will be offset against the procurement of maritime equipment for Sub-project 1. 600,000 Euro will be used for the purchase of the repair and maintenance pier and 400,000 Euro will fund the training programme.

11.3 **Additionality:**

The Phare assistance will not replace other bilateral support in this area.

11.4 **Project readiness and Size:**

This project will, once the technical specifications have been elaborated, be ready for contracting through tender.

11.5 **Sustainability:**
The Bulgarian Authorities are fully aware of their responsibilities for the due care and attention for all the equipment provided under the project and indeed is reflected in the project through the creation of appropriate maritime repair facilities.

11.6 Compliance with state aids provisions: not applicable

11.7 Contribution to National Development Plan: not applicable

12. Conditionality and sequencing

It is expected that the Border Police will continue to refine their own operational strategy and this should be completed prior to any subsequent applications for funding under the multi-annual programme. The completed strategy document, including full financial estimates must be completed no later than October 2000. In terms of the immediate project, all equipment will be deployed into the Black Sea coastal region.

The Bulgarian MoI is required to ensure that the BP has sufficient resources for project management.

The delivery of the maritime equipment under Sub-project 1 is conditional to the progress in the other two Sub-projects and that the strategic development work foreseen under this project is well underway.

The Commission will review the progress of this project through its regular Phare Review meetings. The effect on the reduction of illegal activity will be assessed in the Annual Progress Report on Bulgaria. Therefore the Border Police must provide full operational analysis of the statistics for the periods in question. With regard to the institutional building activities foreseen under this project, particularly the training projects, these will also be monitored under traditional Phare procedures.
ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period)
4. Reference to feasibility /pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached
5. List of relevant Laws and Regulations
**LOGFRAME PLANNING MATRIX FOR STRENGTHENING CONTROL OF THE BULGARIAN BLACK SEA BORDER: Phase 2 of a Multi-Annual Strategy to Enhance the Future External Borders of the EU**

<table>
<thead>
<tr>
<th>Wider Objective(s)</th>
<th>Indicators of Achievement*</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Total Budget: 8.0 meuro</th>
<th>Phare contribution: 6 meuro</th>
</tr>
</thead>
</table>
| Strengthen border management through improvements in operational standards and practices and modernisation of equipment | • Compliance with national strategy and NPAA  
• Moving towards Schengen standards  
• Reduction in levels of cross-border crime | • Regular reports, operational analysis  
• Bulgarian Authorities and EC  
• Phare annual reports | | |

<table>
<thead>
<tr>
<th>Immediate Objective (Purpose)</th>
<th>Indicators of Achievement*</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
| To enhance the border management regime on Bulgaria’s Black Sea border | • Reduction in cross-border crime along Black Sea coast  
• Enhancement of operational practice through training and new equipment in Black Sea border control region  
• Improvement in logistic support and infrastructure | • Regular reports, operational analysis  
• 6 month report, annual report  
• Bulgarian BP and nominated EC experts | • BP have developed operational plan for Black Sea border region  
• MOI fulfil obligations of co-financing  
• Levels of criminal activity increase faster than institutional response |

<table>
<thead>
<tr>
<th>Results</th>
<th>Indicators of Achievement*</th>
<th>How, When and By Whom Indicators Will Be Measured</th>
<th>Assumptions and Risks</th>
</tr>
</thead>
</table>
### Sub-project 1
- Deployment of new naval patrol vessels
- New ships equipped with modern surveillance and communications facilities
- All ships equipped with maritime GPS system
- All units equipped with adequate foul-weather clothing and life safety equipment

### Sub-project 2
- Deployment of a modern floating repair and maintenance facility

### Sub-project 3
- 200 officers trained in new techniques of maritime surveillance
- Approximately 25 officers trained in the handling and processing of evidence at sea

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### Activities

<table>
<thead>
<tr>
<th>Sub-project 1</th>
<th>Sub-project 2</th>
<th>Sub-project 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deployment of new patrol vessels</td>
<td>Mission Reports</td>
<td>The BP have developed an operational plan for Black Sea border region</td>
</tr>
<tr>
<td>The procurement and deployment of new maritime patrol vessels</td>
<td>Technical Reports, Statistical Analysis</td>
<td>The BP are sufficiently trained to use the new equipment and the equipment fully meets the requirements of BP operations</td>
</tr>
<tr>
<td>The procurement and installation of surveillance and communications systems onboard new vessels</td>
<td>Inception period, quarterly reviews, end of project</td>
<td>The levels of criminal activity rise faster than institutional response</td>
</tr>
<tr>
<td>The procurement and installation of a maritime GPS system on all new and existing vessels</td>
<td>Bulgarian BP, MOI, EC Delegation Sofia, nominated EC experts</td>
<td></td>
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<tr>
<td>The procurement of specialist naval clothing and life safety equipment</td>
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</table>

### Assumptions and Risks

<table>
<thead>
<tr>
<th>Sub-project 1</th>
<th>Sub-project 2</th>
<th>Sub-project 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>The procurement and deployment of new maritime patrol vessels</td>
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<tr>
<td>The procurement and installation of surveillance and communications systems onboard new vessels</td>
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<tr>
<td>The procurement and installation of a maritime GPS system on all new and existing vessels</td>
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<tr>
<td>The procurement of specialist naval clothing and life safety equipment</td>
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<tr>
<td>Deployment of new patrol vessels</td>
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<td></td>
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<tr>
<td>The operational exploitation of new communication and surveillance systems</td>
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<tr>
<td>The ability to embark/disembark personnel without endangering new vessels</td>
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</tbody>
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- The BP have developed an operational plan for Black Sea border region
- The BP are sufficiently trained to use the new equipment and the equipment fully meets the requirements of BP operations
- The levels of criminal activity rise faster than institutional response
- It is assumed that this project will be implemented under Phare procedures
- Full and neutral technical specifications are vital for this project
Sub-project 2
• The procurement of a ferro-concrete flotation repair and maintenance facility

Sub-project 3
• The training of 200 officers in new techniques of maritime surveillance
• The training of 25 officers in the processing and handling of evidence at sea

• New repair and maintenance facilities to extend the operational life of the new vessels and current vessels
• Completion of operational training modules

* Must be quantified and measurable

ANNEX 2

DETAILED TIME IMPLEMENTATION CHART FOR THE PROJECT

<table>
<thead>
<tr>
<th>COMPONENTS</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Component 1 –</td>
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<td>D</td>
<td>D</td>
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<tr>
<td>Investment</td>
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<tr>
<td>Component 2 –</td>
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<tr>
<td>Training</td>
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<tr>
<td><strong>Investment component</strong></td>
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<tr>
<td>Contracted</td>
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<td></td>
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<tr>
<td>Disbursed</td>
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</table>

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

All figures in million Euro

D = Design,
T = Tendering,
I = Implementation,
X = Closure
NB:
1. All contracting should normally be completed within 6-12 months and must be completed within 24 months of signature of the FM.
2. All disbursements must be completed within 36 months of signature of the FM.

Note 1:  
Investment Component, (sub-project 1 + sub-project 2)  
IB Component (sub-project 3, TA/training)

Note 2: It is essential for effective operational enhancements to be made as soon as possible and therefore all equipment must be delivered and field tested within a three month period. Therefore disbursement can be staggered within the financial quarter as suits the Beneficiary/CFCU.

Note 3: The figures are cumulative and include the Phare financing component AND the Bulgarian co-financing (the co-financing component may be subject to different contracting and disbursement schemes)
The Bulgarian Black Sea coast is a critical future external border of the enlarged European Union. Therefore the effective and professional management of this border zone is a high priority for the Bulgarian Authorities and in particular, the Bulgarian Border Police.

From a detailed examination of the operational policy and practice of the Border Police in the region, the Bulgarian Authorities are facing a range of illegal activities, ranging from the smuggling of humans, drugs and weapons to and through Bulgaria to illegal fishing and illegal pollution of the environment. However, it should be noted that the Border Police, as well as combating the above illegal activities, continue to facilitate and administer the daily cross-border traffic within the coastal zone.

In terms of the ability of the Border Police to adequately manage the Black Sea border zone, then serious operational deficiencies have been noted. These deficiencies, however, are not related to the system of border management nor the professional capabilities of the officers, men and women of the Border Police. On the contrary, the maritime management system is well developed and operated by highly professional and motivated staff. The key deficiency lies in the total inadequacy of much of the equipment currently being used by the Bulgarian Border Police.

Due to inadequate resources and funding, the Border Police continue to use outmoded patrol vessels, surveillance devices and communication systems. Much of this equipment was inherited from the Bulgarian Navy and practically all is of Soviet-design. Not being intended for police purposes, most of the equipment is of limited value and places unrealistic constraints on border management operations and seriously dilutes efficiency. It certainly does not allow the Border Police to maintain constant maritime patrolling and it cannot counter the most modern speed boats used by organised criminal groups in the region.

For the border management of the Bulgarian Black Sea coast to be brought up to Schengen standards, serious investment is required in the procurement of various types of maritime patrol craft, ship and shore based surveillance systems and modern communication systems and their integration into a single operational management system. Additionally, the provision of modern personal equipment and training is also considered important.

Finally, if and when such a modernisation programme does take place, it is important that adequate emphasis is placed on logistic support, not only in terms of repair and maintenance but also the consolidation of all current shore-facilities into one operational and administrative base.
LIST OF LAWS AND REGULATIONS

The legislative basis of the activities performed by the Bulgarian National Border Police is the Ministry of Interior Act /art.94/ and regulations on the Implementation of the Act as well as the Ministerial Order I-37/14.02.1997 on the new functions of the Bulgarian Border Troops Service. In addition and especially to comply with relevant EU and Schengen Acquis, Bulgaria in the past year has made important progress in broadening the legal framework in the field of border management and related areas:

- The new adopted Law on Aliens determines the rules and conditions for an entry stay and leaving of Bulgaria on behalf of foreign citizens.

- The visa policy of Bulgaria on behalf off foreign citizens is regulated in the Ordinances on the order and conditions for issuance of visas by diplomatic and consular services of the Republic of Bulgaria adopted by a Resolution of the Council of Ministers No 35/25.02.1999. New penal measures were adopted for individuals acting as professional smugglers for illegal trafficking of persons, criminalizing the "illegal trafficking” of individuals across the border" /art 280 of the Criminal Code/.

- The Law on the Bulgarian identity documents came into force on the 1st of April initiated measures for replacement of the identity documents of the Bulgarian citizens in order to limit to the maximum the use of false documents.

- A number of changes in the legal procedures on criminal cases were made as well, where the procedures related to the criminal cases for illegal crossing of the border shall be proceeded in the fastest possible manner pursuant to art. 409 and the following of the Criminal Penalty Code.

- AGREEMENT BETWEEN BULGARIA, ROMANIA AND TURKEY FOR COMBATING TERRORISM AND ORGANISED CRIME signed in Antalia, Turkey. The cooperation in the areas covered by this Agreement will be carried out by exchange of information and coordinated joint activities. The development of a computerized information system in the field of the cooperation in the fight against terrorism and organized crime is also foreseen in the future. Particular attention is paid to the cooperation in the field of fight against drug-trafficking and smuggling of weapons, ammunitions, explosives, poisonous chemical, biological and nuclear substances as well as against illegal actions with these materials. There is a special accent on joint activities of the competent border authorities of the three countries in the field of fight against illegal border crossings of persons and groups.


ART. 94 OF THE BULGARIAN MINISTRY OF INTERIOR ACT - the "...protection of the state border and the control over the enforcement of the border regime, which is performing its border zone functions in the border check-points areas, the inland sea waters the territorial sea, the adjoining zones the continental shelf, the Bulgarian section of the Danube River and other waterways and basins" is the whole responsibility of the Border Police National Service.