Standard Summary Project Fiche

1. Basic Information

1.1 Desiree Number: RO-2002/000-586.04.14

1.2 Title: Further strengthening of border control and improved management of migration
*(Further strengthening of the Border Management Control)*

1.3 Sector: Justice and Home Affairs (JHA)

1.4 Location: Romania

1.5 Twinning Components:

- **RO/2002/IB-JH-02** - Upgrading the Romanian Border Police (RBP) capacity to fight transborder drugs and human beings trafficking; budget 0.80 MEURO, duration: 18 months

- **RO/2002/IB-JH-11-TL** - Training of RBP relevant staff in dedicated database operation at European Union (EU) standards in the field of border management; budget 0.15 MEURO, duration: 4 months

- **RO/2002/IB-JH-03** - Further development of the legislative practice and institutional framework in the field of asylum and refugees; budget 1.00 MEURO, duration: 24 months

- **RO/2002/IB-JH-04** - Technical and legal assistance for the setting up of a national information system compatible with Schengen SIS; budget: 1.00 MEURO; duration: 18 months

2. Objectives

2.1 Overall Objective

Harmonisation of Romanian with EU legislation and Schengen Acquis in order to largely prepare Romanian bodies involved in border and migration management, as well as in related areas of activity, for EU accession.

2.2 Project Purposes

- **A.** Enhanced capability of the RBP to further strengthen the Romanian borders, as future EU Eastern border zone, in accordance with the standards, procedures, equipment and best practices on-border management control, currently practised within EU Member States.

- **B.** Enhanced alignment of Romania to the EU Acquis regarding Dublin Convention cases and unaccompanied minors as vulnerable persons according to the EU standards and practices in the field.

- **C.** Alignment of Romania at the Schengen regulations and practices prepared, including the preparation for future connection to the Schengen Information System (SIS).

- **D.** Romania's visa processing system further enhanced.

2.3 Accession Partnership and NPAA priority
This project proposal addresses the areas defined in the Accession Partnership (AP) and the National Programme for Adoption of the Acquis (NPAA) as short/medium-term for Romania’s accession to the EU, as follows:

**Accession Partnership (AP)**

**Short-term priorities**
- Implement the law on Romanian state frontiers; speed up the demilitarisation of the bodies subordinated to the Ministry of the Interior (MoI); strengthen border controls to prevent illegal immigration and to enable full participation in SIS;
- Upgrade law enforcement bodies and the judiciary to continue fight against organised crime, drug trafficking and corruption; ensure better co-ordination between law enforcement bodies;
- Enforce law on refugees; increase the transparency and accelerate the application of asylum procedures.

**Medium-term priorities**
- Continue progressive alignment of visa legislation and practice with that of the EU;
- Adopt and apply the international instruments related to the fight against drug trafficking, in particular the Agreement on the Illicit Traffic by Sea, implementing Article 17 of the UN Convention against Illicit Trafficking in Narcotic Drugs and Psychotropic substances;
- Continue the fight against trafficking of women and children.

**National Plan for Adoption of the Acquis (NPAA)**
- Strengthening of border controls;
- Modernisation of border management and training of personnel with competence in border management;
- Participation in the inter-institutional co-operation in order to fight against and eliminate the law infringements phenomena at the borders;
- Harmonisation of the legislation and developing of inter-agency co-operation regarding migration issues and strengthening the institutional capacity to control the migration phenomenon;
- Introduction of a range of laws, rules and regulations governing various aspects of border management related issues, including the EU/Schengen Acquis;
- Continuation of the restructuring of the institutions with abilities in the migration field and alignment of migration and visa policy to EU standards and practices through close inter-institutional co-operation.
- Strengthening the administrative co-operation.

### 3. **Description**

#### 3.1 Background and Justification

At its meeting on 28 May 2001, the European Council set as an objective for further work by the Working Party on Schengen Evaluation the identification of “best practices, particularly as regards border controls, so that they can serve as examples for States acceding to Schengen...”, taking into account the fact that the Schengen Acquis and other measures within the scope of the Acquis are, under Article 8 of the Schengen Protocol, regarded as an Acquis which must be accepted in full by all Candidate Countries (CC) upon accession.

As part of its Position Paper on Chapter 24 - JHA, Romania elaborated a Schengen Action Plan (SAP) (attached hereto as Annex 4), involving all its related aspects: border surveillance and control, including asylum issues, visa policy, police co-operation, fight against drugs,
judiciary co-operation in criminal matters, including extradition, arms and ammunition, SIS and personal data protection. The SAP will be monitored and updated on an annual basis, so as Romania upon EU accession, to meet the minimum criteria for implementing the Schengen Convention. Related institutions, involved in border and migration management, as well as in the other above mentioned Schengen related areas of activity, will have to be established as a short term priority with EU assistance.

Strengthening border- and migration management in Romania, including the prevention of illegal migration, is a key element of Romania’s AP with the EU. This can be achieved through the creation of a national information system compatible with SIS. In view of Romania’s ambition to become the future external border of the EU, the control of migration flows coming from migrant-producing countries and using Romania’s territory as a transit route to the EU has become an issue of utmost importance.

In order to develop a comprehensive nation-wide integrated Border Management Strategy (BMS), at the RBP, the Romanian Government has issued a decision for establishing a Romanian Inter-ministerial Committee for Border Management, which comprises of representatives of relevant ministries having responsibilities in the field of border management and control. In close connection and preceding this governmental programme, Phare funded twinning support projects between the RBP and the German Border Police (RO-9907.01.02, RO-0107.16.02). The support focuses on on the elaboration of an operational and integrated BMS for the Moldavian/Ukraine borders, the border with Hungary, the Black Sea area and the international airports of Romania together with corresponding agencies of neighbouring countries. The strategy has to be approved by the Romanian Inter-ministerial Committee for Border Management.

The top priorities for the RBP are:
- Harmonisation of the relevant legislation with the EU Acquis Communautaire;
- Gradual replacement of conscripts with professional staff;
- Supply of equipment and improvement of methods used;
- Modernisation of specialised training centres together with the improvement of the training function and systems, and re-training of operational staff, in accordance with the EU standards and best practices.

In this context, the capacity of the RBP to implement the Schengen Acquis is currently one of the main priorities. This project will form the basis for operational actions in the field and together with the purchased equipment improve the border control.

Previous Phare projects focused on improving the operational capacity of the officers, increasing the mobility capacity and the tactical support equipment and starting the realisation of the RBP’s IT and Communication System. The most important outputs of this project will be the improvement of skills and knowledge of officers attached to the RBP, the intervention capability improvement of operational officers and the improvement of a data exchange between RBP operational levels with similar institutions in neighbouring countries. The outputs are closely related to those produced through previous Phare Projects having the RBP as main beneficiary.

Taking into account that in general, illegal migration from East to West and the fight against terrorist organisations increased, the RBP must be trained to stop illegal migration and smuggling activities, human being and drugs trafficking to Western Europe.

Migration management comprises also asylum issues. Since 1998 Romania has continued to develop Phare projects that lead to a harmonised asylum legislation. Through the 1999 and 2000 Twinning projects, the national authorities succeeded to promote a new refugee law (Governmental Ordinance no.102/31.08.2000 on the status and regime of refugees in Romania that was approved by the Law 323 from 27 June 2001). At the time the legal harmonisation process was approved, the new Methodological Norms for the implementation of Ordinance no.102/200 on Status and Regime of Refugees in Romania was endorsed as well. This new act introduces the concepts of the "safe country of origin", "safe third country" and "manifestly unfounded application".
The Romanian Government made significant efforts to create the infrastructure needed to improve the conditions of asylum seekers and refugees and to facilitate the access of asylum seekers to the asylum procedures and their accommodation until a final decision is taken. Also, the refugee status determination procedure will be applied more efficiently, according to the deadlines for solving these applications provided in Ordinance no. 102/2000 on the status and regime of refugees, and the flow of asylum seekers can be better managed.

Romanian asylum authorities must also make efforts to ensure the special conditions and care needed by unaccompanied minors, as vulnerable group seeking for protection, meanwhile taking preparatory steps in order to implement the provisions, concerning the criteria and mechanisms for determining the MS responsible for examining an asylum application lodged in one of the MS’s by a third-country national, stipulated by the Dublin Convention.

It is to be mentioned that the article 15 of the Dublin Convention provides for the creation of a common compatible system on the detection by the State responsible for examining asylum applications. The Eurodac system will permit speeding up the examination of asylum applications through the identification of asylum seekers by means of their fingerprints, thus ensuring that an asylum seeker will have his asylum application examined by a MS and that it will not be possible for it to be sent from one MS to another without any MS accepting competence. Secondly, this procedure prevents any person from seeking recognition as refugee in two or more MS’s at the same time.

The project will help Romania to adapt to the new realities resulting from the progress made as regards to the establishment of an area without internal borders, in particular by the consequences of the entry into force of Council Regulation (EC) No 539/2001 of 15 March 2001 listing third countries whose nationals must be in possession of visas when crossing external borders and those whose nationals are exempted from that requirement.

Besides, given the European Council's decision in force on lifting visa requirements for Romanians travelling to the EU area, it might be expected that the number of persons trying to enter illegally the EU travelling from, to or through Romania, will increase. It is therefore in the interest of both Romania and the Member States to facilitate the identification and apprehension or return of these persons to their country of origin.

In terms of infrastructure, an information system has been created within the Ministry of Interior, but due to shortages of IT equipment it could not be extended to ensure interconnections at territorial level. A pilot project for an online system for processing visa applications has been funded through the PHARE 2000 Programme, connecting 10 embassies to a central point located at the Ministry of Foreign Affairs and directly linked to the Ministry of Interior. Its technical specifications have been drafted and endorsed by EU technical experts. With its implementation, the basis of a national information system to be further expanded and integrated into SIS will be created.

Migration flows could be better controlled and future participation in the SIS will be facilitated with this information infrastructure. However, it is useless if no proper primary and secondary related legislation is in force. That is why drawing up primary and secondary legislation in line with the Schengen Acquis, as well as developing necessary structures, organisation and procedures for implementing the Schengen acquis into a compatible national system are necessary.

3.2 Linked activities

The present project proposal is complementary to the following programmes/projects:

**EU Phare National Programmes**

The 1998 Phare Border Management Programme (January 2000 – January 2001), focused on Institution Building (primary legislation, structural and organisational development, and modernisation of training), was implemented through a twinning with the
German Border Police. The twinning project also focused on structural changes regarding the National Refugee Office. As result of this programme the draft Law on the Romanian State Frontier and the draft Law on the Organisation and Operation of the Border Police were prepared, approved by the General Inspector of GIBP and promoted to the Government. Another result of the project was the assessment of current border inter-agency co-operation. In August 2000 a new Refugee Law was passed by Ordinance 102/2000 on the status and regime of refugees in Romania, which replaced the Law 15/1996 that was abrogated. The new law has special provisions stipulating that unaccompanied minors under the age of 18, enjoy the same protection that is offered to the Romanian minors in difficulty as provided in the Government Emergency Ordinance no.26/1997 on the protection of the minors in difficulty. The project ended in March 2001, all the objectives were fulfilled, the total amount of the project was absorbed and implemented.

The 1999 Phare Border Management Programme (second semester of 2000 – to date) focuses on training and education, supply of mobility and tactical support equipment and small-scale strategic advice. The programme includes also the development of an Integrated Border Management Strategy, with the view to create a clear framework for all border-related issues, to increase the effectiveness of the activities at the border, and to continue the previous initiatives concerning the implementation of the Schengen Acquis. The programme is implemented through twinning, technical assistance and supply of procurement. At the deadline of the commitment period (30 November 2001) all projects were contracted. Out of the total amount of 10.5 MEuro, 98.5% was contracted and disbursed (representing 10.34 M Euro).

The 2000 Phare Border Management Programme (second semester 2000 – to date) focuses on training development, visa application and supply of mobility, communications, tactical support, and surveillance equipment. The component on the implementation of an on-line visa application system will fund the equipment necessary for the involved agencies and will support the co-operation inter-agency. The programme is implemented through twinning for the asylum component, as well as through technical assistance and the supply of procurement for the RBP. The first projects started in the second half of 2000. At this moment, 2.5 M Euro from the total amount of 15.2 MEuro has been contracted (representing 16%). For all other component, Terms of References and Technical Specifications have been approved by the EC Delegation. Contract forecasts for these projects have been forwarded for publication in the Official Journal. It is expected that by mid-2002 all contracts will have been signed officially.

The programme provides for a Twinning on the development of the Asylum System, as well as improvement of infrastructure for refugee accommodation. In the Twinning Project PHARE 2000, which was carried out between March 2001-March 2002, assistance was provided to the NRO, notably on the implementation of the new Refugee Law, accommodation and case processing centres, as well as on the establishment of a central research and documentation centre dealing with country of origin-information.

The ongoing projects for the improvement of infrastructure for refugee accommodation in Galati and Timisoara aim to set up reception, accommodation and procedure centres in order to accommodate asylum seekers and to create the conditions for a more effective refugee determination procedure near the eastern and western Romanian border.

The 2000 Phare Anti-drugs Programme focuses on development of legislation and procedures related with the fight against drugs.

The 2001 Phare Border Management Programme focuses on further legislative development in the field of Border Management and Control (second legislation, RBP Schengen Manual and Schengen Guide), further development of the Integrated Border Management Strategy, improvement of free movement of Romanian citizens (improved checking procedures, modern equipment purchased). In the second part of November 2000, a presentation of the two received offers for the Twinning on Legal approximation and Further Development of the Integrated Border Strategy was made at the EC delegation in Bucharest. Offers were received from Germany (Federal Border Police) and the Netherlands.
(Police, Customs Administration). The Offer presented by the German Federal Border Police was declared as winner. In the first days of 2002 the German partner in close co-operation with the specialists of the Romanian Border Police drafted and finalised the two Covenants.

The **2001 Phare Migration Management Programme** focuses on further legislative development in the field of migration and asylum management. A presentation of the two received offers for the Twinning on Migration Management was made at the EC delegation in Bucharest. The Offer presented by the Danish Immigration Service and Swedish Migration Board was declared as winner. The twinning negotiations started in January 2002, the draft Covenant being sent for informal consultations to the EC Delegation in Romania.

**Other EU programmes**

1996 Cross Border Co-operation Programme (**Romania and Hungary**) focused on the control of illegal migration on the East – West route, through modernisation of the border crossing-points at the Western border.

2000 Cross Border Co–operation Programme (**Romania and Bulgaria**) addresses the harmonisation of border procedures and the exchange of information between the Romanian border control agencies and with their Bulgarian counterparts. This will facilitate the border crossing of the Danube and will increase the efficiency of border controls.

**Joint PHARE/UNDCP Drugs Fight Programme (Phase 1)**, which focuses on countering the drugs demand and supply. The beneficiary countries are: Romania, Bulgaria and FYROM. The programme implementation period is 1999-2001.

**PHP Project on Visa, Migration and Border Management** includes the Border Management Module, broken down into sub-modules Schengen Acquis and Combating Illegal Immigration Networks. The project started in January 2001 and will end in May 2002 under the overall co-ordination of France.

The **Conference on Customs co-operation at the borders between the EU and Phare countries and the New Independent States** (1999 – 2001) introduced working groups at geographic level in order to consolidate regional contacts between Customs, Border Police and other services, and to develop reference documents on cross border co-operation.

**High Impact Operation (HIO)** at the future borders of the European Union. During the operation, the Member States have placed resources (experts and equipment) at the disposal of the participating Applicant Countries, and have collaborated and exchanged experience with them in the field. The project has the political support of the European Commission, which co-finances the HIO through the Odysseus Programme. The general objective is to support the fight against illegal immigration, smuggling and trafficking of human beings via the European Union's future external borders.

**Other donors**

German bilateral co–operation programmes provided training and equipment to strengthen the operational capacity of the RBP.

French bilateral co–operation programmes provided specialised training to strengthen the operational capacity of the RBP.

**Programme with OIM**, aimed at social and professional reintegration of the women victims of the human being trafficking and the social reintegration of Romanians returned from Belgium, Holland and Finland;

**Odysseus Programme**.

**3.3 Results**

**3.3.A. Enhanced capability of the Romanian Border Police in order to further strengthen the Romanian borders**

Taking into account the length of the northern and eastern Romanian borders, around 1700 km, and the necessity of strengthening these borders, as future eastern borders of the
European Union, the contribution of this project is to achieve the minimum necessary conditions to fulfil EU standards in this field, in connection with the RBP’s projects, financed from the national budget.

Therefore, this project proposal aims at supporting the MOI/RBP to implement an Action Plan, through the provision of training and supply of equipment.

The present project component includes the following four sub-projects:

**3.3.A.1. Enhanced capability of RBP in order to further strengthen the Romanian borders**

**3.3.A.1.1. Enhanced control and checking operations at the Border Crossing Points**

The prime objective of this project is to provide a wide range of different types of control, detection and drugs identification devices at the Border Crossing Points, to properly equip the RBP operational staff, as necessary to fulfil their operational tasks. In this view, the required specialised equipment to be financed under Phare 2002 has been identified as:

- Universal criminal investigation kits – 13
- Photo cameras – 20
- Electronic Flash Lamps – 34
- Drug Test Kits – 17
- Endoscopes – 28
- Equipments for forgery detection – 38
- UV Lamps – 129
- Equipments for quick registration of the fingerprints – 48
- Mirror sets for vehicles control - 43

This equipment will be distributed at the border checking points listed in Annex 5.

Through the 1999, 2000 and 2001 Phare Programmes and through the National Budget, support was provided to purchase the minimum necessary equipment in order to have a better border control, including green border, and at Crossing Points over the river Danube and the Black Sea. This project is basically intended to improve the operational performances at Border Crossing Points.

Through the 1999 National Phare Programme a contract for the supply of 26 UV lamps and 36 CO\textsubscript{2} detection devices was concluded for the main Border Crossing Points at the border with the Republic of Moldavia. In the current Project Fiche a number of special devices (listed in Annex 5) is considered to be necessary for strengthening the capacity of border policemen to detect drugs, hidden persons and false documents, and to prove illegal activities. These devices are necessary mainly at the Border Crossing Points with Moldavia, Ukraine and Yugoslavia, where most illegal activities occur (see Annex 6).

**3.3.A.1.2. Enhanced automotive and naval mobility at the borders with Ukraine and Moldavia, on the Danube and the Prut River.**

The main objective of this sub-project is to provide Romanian Authorities with a range of transport means, including the ones listed below, in order to complete and to replace the existing mostly obsolete rolling stock and fleet:

- 165 Off-road Intervention vehicles
- 152 Motor-cycles
- 12 Port-control and surveillance boats
- 10 Ship boarding and control boats
- 6 Special boats for lakes and Danube shallow waters
- 20 Outboard engine boats

Furthermore, this range of equipment will assist in the patrolling and intervention on the green and blue borders and under all weather conditions. The introduction of these vehicles and river crafts will immediately address the existing problems faced by border management
agencies and enhance mobility, both in terms of more regular patrolling and an increase in reaction time in key border areas.

These items will be distributed at the borders with the Ukraine, Moldavia, Black Sea, Yugoslavia according to Annex 5.

With the 1999, 2000 Phare Programmes (RO9907.01.02.01 and RO0006.16.01.03) and through the National Budget support, part of the necessary mobility equipment was provided. Through the concluded contracts, 169 patrolling vehicles and 64 boats will be delivered to the Border Police until June 2002. Under the 2000 Phare Programme 46 intervention vehicles and 6 fluvial boats will be contracted until the end of November 2002. The tender dossiers are at the EC Delegation in Romania for approval. The status of the currently used vehicle and boats are in a poor condition. The newest vehicles date from 1995 (will become un-operational next year, because of intensive use) and the latest boats are 20 years old, out of which 25% is still operational.

The equipment is meant to replace mobility equipment that is already written off and in principle will increase the strength of the future EU external border.

RBP specialists consider the threat of illegal border crossings a serious danger. Keeping the patrol mobility capability of the RBP units up to date could decrease this risk.

Part of the naval mobility equipment is meant to be distributed also in the lake region of the Danube Delta. The opinion of RBP specialists is that the threat of penetration of maritime borders will decrease when the borders with Moldavia and Ukraine will have a level of strength that will prevent any penetration of it. Existing maritime mobility equipment is at the end of its life-cycle. In the future, without having any modern equipment available at operational level, the threat of illegal migration will become substantial.

The 2000 Phare Project Fiche was drafted in 1999. Between 1999 and today, the number of illegal activities at the borders with Moldavia, Ukraine and Yugoslavia has increased dramatically (see also; Annex 6).

Running costs (fuel and maintenance) for this equipment will be covered from the national budget allocation.

**3.3.A.2. Twinning RO02/IB/JH- 02: Upgraded capability of the RBP to fight against transborder drugs- and human beings trafficking**

The present, Romanian legislation contains some basic provisions in the field of fight against drugs and human beings trafficking. The phenomena related to illegal activities of drugs and human beings trafficking are materialised at the level of trans-national organisations.

The current sub-project will provide and draft necessary national legislation (both primary and secondary) required to combat drugs- and human beings trafficking, will establish a proper and effective operating national and international network system, will propose an adequate organisational structure and will improve the information exchange, activities and training for RBP managers and departments involved in the fight against illegal activities related to drugs and human being trafficking in accordance with EU legislation and best practices. The total amount needed for this project is 875,000 Euro, the Phare financial component is estimated at Euro 800,000.

The expected results of this sub-project have been identified as:

1. an adequate national and international co-operation framework between RBP and national and international agencies in the subject area;
2. clearly described internal procedures and regulations for Romanian institutions to facilitate the fight against drugs and human being trafficking in accordance with EU legislation;
3. Improved internal organisational framework within the RBP to optimise the information exchange and activities in the field;
4. Necessary training for the RBP officers provided in accordance with MS best practice (approximately 200 persons).

3.3.A.3. Further management skills enhancement of the Border Police managerial staff

This particular project aims to improve the managerial skills of the top and medium managers of the RBP taking into account that the future structure of the Ministry of Interior will be civilian oriented (demilitarised). Interventions of the 1999 and 2000 Phare programmes will be executed in a period when the RBP structure is still a military one. The expected results of this sub-project are as follows:

1. Needs assessment report elaborated
2. Management systems reviewed and improved
3. Relevant managerial staff trained
4. Proposal for future development elaborated

3.3.B. Twinning RO/2002/IB-JH-03: Further development of the legislative practice and institutional framework in the field of asylum and refugees

The Romanian asylum legislation covers, at present, the basic principle of the Dublin Convention - "safe third countries" - ensuring thus a future development of the Dublin Convention provisions. At the time of EU accession, Romania must access the Dublin Convention and observe and implement the provisions of EU legislation. This involves the elaboration of complementary legislation provisions, amending the present asylum legislation in order to enforce the Dublin Convention provisions, to achieve the alignment to the EU Acquis in the asylum field and a national asylum strategy for Romania, by an appropriate legal and institutional framework as well as improved operational capacities.

The project aims to improve the NRO institutional capacity on handling with unaccompanied minors as asylum seekers, during the RSD procedure and to perform in an efficient way the EURODAC database to establish the MS responsible for examining an asylum application and to insure the conditions in order to ensure that asylum seekers have effective access to the procedures for determining refugee status.

At the same time the project will help to prevent the abuse of asylum procedures in the form of multiple applications for asylum submitted simultaneously or successively by the same person in another MS with the sole aim of extending his stay in the respective host country.

Access to the EURODAC system, according to EU Council Regulation no. 2725/11.12.2000 concerning the establishment of EURODAC for the comparison of fingerprints for the effective application of the Dublin Convention, will contribute to a better and efficient refugee status determination procedure and will create the conditions for the Romanian authorities to have a direct responsibility on reducing the financial implications for the MS’s.

The project will be executed through a twinning arrangement.

The expected results of this component are as follows:

1. existing national legislation in the field reviewed and necessary additional legislation or amendments drafted in line with the provisions of the Dublin Convention or other EU regulations in force at the starting date of the present project;
2. Department for the Dublin Convention implementation established within the NRO;
3. Department for unaccompanied minors handling established within the NRO;
4. Master Plan for EURODAC system implementation elaborated for the NRO.

3.3.C. Twinning RO/2002/IB-JH-04: Technical and legal assistance for the setting up of a national information system compatible with Schengen SIS
The Schengen Action Plan (see: Annex 4) addresses a special section to the Schengen Information System. The Plan indicates that Romania has established specific databases that are under the operational control of special bodies operating under the Ministry of Interior.

The General Inspectorate of Police (GIP) is responsible for managing and monitoring a database registering wanted persons, stolen cars, stolen goods (including identity papers, documents and fire arms) and stolen banknotes. The GIP is directly linked to county inspectorates. The database information is updated on a daily basis.

The General Director for Personal Data Processing (GDPDP) operating under the National Permanent Population Registry (present at local, county and national level) is responsible for monitoring and updating a database on passport owners, the registration of permanent residents and data on aliens and (in)migration registration.

The General Inspectorate of Border Police (GIBP) maintains a database on blacklisted persons and transportation means pursued by border police units, persons crossing the border, border incidents including illegal activities (smuggling and abandoned goods). The current communication and information system of the RBP was designed in the period 1990-1992 with the purpose to process and transmit data through a computer network system. In 1999, after establishment of the RBP, the information system was extended with the integration of the border crossing points including their information technology and relevant applications.

The National Centre for Visas (NCV) maintains a database on visa applications including the granted or rejected visas.

Ideally, these existing databases should become compatible one another in order to make an easy exchange of information possible.

Until its accession to the EU, Romania cannot use a "uniform" visa system, but a special one which has to be very strict from the point of view of security elements. The transposition into the national legislation of the Common Principles for Cancellation, Abrogation or Shorting the validity period of the "uniform" visa is accomplished partly by the Law No.123/2001 on the regime of aliens in Romania and the Government Decision No.476/2001 regarding the methodological application norms of this law. The provisions regarding the introduction and application of the Schengen Agreements in airports and aerodromes are comprised in the Emergency Government Ordinance No.105/2001 regarding the Romanian State Border.

Regarding the implementation of a computerised procedure for consulting the central authorities, provided for in art. 17 (2) of the Implementation Covenant, in Romania the harmonisation was ensured, by issuing the Emergency Government Ordinance No.105/2001 regarding the Romanian State Border, which provides for the settling a National Information System regarding the traffic of persons and goods through the border (S.I.F.), which keeps the record, processes and uses the information regarding the traffic of persons and goods on Romanian territory. The same law stipulates the possibility that, based on a bilateral document, a regime of elimination of the border control will be set up at the frontier with that state, for the application procedure of the art.2 (2) of the Implementation Covenant. At present, no such document is concluded, and no other Romanian legal provision is dealing with Schengen Acquis.

The main results of this project component will be:

- Romanian legislation (primary and secondary) to be prepared and focused on Romania future accession and operation as Schengen country.
- Assessment of the Romanian general concept on the national part of SIS carried out
- Databases explicit structures and work procedures in line with SIS requirements
- Trained staff (around 60 persons), able to use modern SIS technology and equipment and to take part in the Schengen Working Groups in order to be able to design the national components of the system
- Co-operation protocols and/or agreements concluded with the relevant authorities within Schengen States
3.3.D. Romania’s online visa application processing system further enhanced

Improving internal co-operation in the management of migration related issues is a top priority on the list of EU accession components. Given the need to fulfil this priority and the prospects of Romania to become one of the external borders of the EU, it is of the utmost importance for all relevant agencies to develop appropriate legislative tools and infrastructure in line with EU standards, procedures and best practice.

One of the most critical issues in the proper management of migration related issues, based on the above mentioned legislative framework, is the processing of Romanian visa applications. The main institutions involved in this process are the Romanian Ministry of Foreign Affairs (through its Directorate for Consular Relations and Consular Offices abroad) and the Ministry of Interior (through its Aliens and Migration Issues Directorate -AMID - and the General Inspectorate of the Border Police).

The main task of this sub-project proposal is to continue assistance to Romanian structures involved in the management of migration related issues with appropriate equipment and training required to fulfil their operational duties and thus to increase their capabilities of preventing illegal migration to and from Romania, in a developing environment which will become a future external border of the EU.

The main results of this project will be:
- IT infrastructure for AMID within MoI further developed
- IT infrastructure for 50 Romanian embassies and consulates within MFA further developed

3.4 Activities

3.4.A.1. Enhanced capability of RBP in order to further strengthen the Romanian borders

3.4.A.1.1. Enhancement control and checking operations at Border Crossing Points

The acquisition of the equipment comprised in this sub-project will be subject of an open international tender in accordance with the Practical Guide for Phare, ISPA and SAPARD. The equipment will be divided into 9 (nine) lots meaning that it is expected to have about 9 (nine) supply contracts. The total amount needed for this sub-project is 2.5 MEuro, of which 2 MEuro will be financed through Phare.

The main activities are:
- Preparation of the tender documentation
- Carrying out of the tendering process
- Implementing the supply contract
- Reception and distribution of goods
- Putting in the operation of the equipment

3.4.A.1.2. Enhancement of the automotive and naval mobility at the borders with Ukraine and Moldavia, on the Danube and the Prut River.

The acquisition of the mobility means comprised in this sub-project will be subject of an open international tender in accordance with the Practical Guide for Phare, ISPA and SAPARD. The goods will be divided into 6 lots meaning that it is expected to have about 6 supply contracts. The total amount needed for this sub-project is 11.7 MEuro, from which 7.88 MEuro financed by Phare support.

The main activities are same as for the previous sub-project:
- Preparation of the tender documentation
- Carrying out of the tendering process
- Implementing the supply contract
• Reception and distribution of goods
• Putting in the operation of the equipment


It is envisaged that the activities of this component will be implemented through a Twinning arrangement together with long and medium term technical assistance, seminars, study visits, workshops and exchange of experience.

The following activities will be implemented through common work of the Romanian and Member State experts:

1. Elaboration of an adequate international and national co-operation framework between the RBP and national and international relevant agencies in the subject area.
   - identification of the relevant agencies
   - preliminary contact proceeding
   - designing and negotiating the institutional framework for co-operation on a case by case basis
   - conclusion of co-operation agreements
2. Drafting of the necessary internal norms to facilitate the fight against drugs and human beings trafficking in accordance with EU legislation
   - reviewing of the existing internal norms in the field
   - elaboration of new internal regulations and/or amendments to the existing ones
3. Improvement of the organisational framework as to optimise the information exchange and activities in the subject area
   - organisational structure/framework reviewed in line with the new designed internal norms
   - elaboration of a proposal for structure, mechanisms, and procedures improvement
4. Provision of necessary training for the RBP officers in accordance with MS best practices
   - training needs analysis
   - training preparation
   - training delivery (fight against traffic of drugs and human beings and risk analysis)

Profile of the PAA:
- Solid background in inter-agency co-operation in EU Member States in law enforcement area, particularly concerning the Border Police area;
- Sound background in drafting and implementing strategies, policies and regulations;
- Sound knowledge of relevant EU/Schengen legislative and institutional requirements;
- Experience in strengthening the Schengen Acquis and implementing its specific requirements in EU Member States/Candidate Countries;
- Communication skills and previous experience of working in a multi-disciplinary and multi-national team;
- Previous experience as project co-ordinator/project manager;
- Understanding of the Romanian environment;
- Good command of English.

Duration of the assignment of the PAA: The PAA will work within the GIBP for a period of 18 months, starting latest on 1 September 2003.

Medium-term and short-term expertise: specific activities of the Border Police in the fight against drugs and human beings trafficking, elaboration of the necessary legislation at national and international level (drafting of the necessary agreements needed for close cooperation between the RBP, Europol and other international agencies involved in the field) in line with EU standards, development/enhancement of Border Police strategies, procedures in accordance with MS best practices.
Expected results/outputs:
- Concept and associated procedures focused on the limitation of drugs and human beings trafficking, in line with the EU standards and best practice developed;
- Necessary internal legislation drafted;
- Organisational framework and information exchange improved;
- Risk-analysis tools and techniques in the specific activities introduced;
- Relevant RBP staff trained.

3.4.A.3. Further management skills enhancement of the Border Police managerial staff

The project aims to develop the knowledge and necessary skills of top and medium RBP managers in order to better meet the requirements of the organisational operation within a civilian framework. This project will be developed through a service framework contract. The total amount needed for this project is 200,000 Euro financed through Phare.

The main activities in this sub-project are:

1. Needs assessment
2. Reviewing and improving the Management systems
   - Reviewing the management systems
   - Gaps identification
   - Elaboration of a proposal for improving the management systems and procedures
3. Training of the relevant managerial staff
   - Training needs analysis
   - Training preparation
   - Training delivery
4. Elaboration of the proposal for future development
   - Elaboration of an action plan
   - Identification of technical means for Action Plan implementation
   - Estimation of the necessary budget for the Action Plan implementation

3.4.B. Twinning RO/2002/IB-JH-03: Further development of the legislative practice and institutional framework in the field of asylum and refugees

The following activities will be implemented through common work of Romanian and Member State experts:

1. Reviewing the existing national legislation in the subject area and drafting necessary additional legislation or amendments
   - Assessment of the existing legislation
   - Drafting of new necessary legislation and/or amendments to the existing one
2. Establishment of the Department for Dublin Convention implementation within the NRO
   - Needs assessment and legal considerations
   - Elaboration of the department structure, functions, systems, and work procedures
   - Estimation of necessary endowment
   - Training of the staff of the department
   - Designing the co-operation framework between the newly established department and relevant national and international bodies
3. Establishment of the Department for unaccompanied minors handling within the NRO
   - Needs assessment and legal considerations
   - Elaboration of the department structure, functions, systems, and work procedures
   - Estimation of necessary endowment
   - Training of the staff of the department
   - Designing the co-operation framework between the newly established department and relevant national and international bodies (EU, U.N.H.C.R., I.O.M. Department for the Protection of Child, Psychological/psychiatric Institutions and NGOs);
4. Elaboration of a Master Plan for EURODAC system implementation for NRO
- Estimation of the technical necessary development
- Estimation of the structural, organisational, procedural, and managerial necessary development
- Financial estimation for the Master Plan implementation

Profile of PAA
- S/he should be an IT specialist having at least 5 years experience in asylum and migration management, including Dublin convention - related issues;
- S/he should be able to quickly adapt to local environment and understand its constraints and opportunities;
- Sound knowledge of relevant EU legislative and institutional requirements related to asylum and migration management;
- Sound communication skills and previous experience of working in a multi-disciplinary and multi-national team;
- Previous experience as project co-ordinator/project manager;
- Good command of English; knowledge of French would be an asset.

Duration of the assignment of the PAA: The PAA is supposed to be seconded to the MoI for a period of 24 months.

Profile of Medium-term experts:
- Solid background in relation to their specific tasks;
- Consultancy experience in an international context;
- Sound knowledge of EU regulations and policies in relation to the specific sector;
- Sound communication skills;
- Good command of English; knowledge of French would be an asset.

3.4.C. Twinning RO/2002/IB-JH-04: Technical and legal assistance for the setting up of a national information system compatible with Schengen SIS

The following activities will be implemented through common work of Romanian and Member State experts:

1. Alignment of the Romanian legislation (primary and secondary) and practices with Schengen Acquis
   - Assessment of the existing legislation and practices
   - Drafting primary and secondary legislation and/or amendments to the existing one
   - Elaboration of a legal harmonisation programme
   - Elaboration of an implementation plan for EU practices in the field
   - Estimation of the necessary budget for legal harmonisation plan implementation

2. Assessment of the Romanian general concept on the national part of SIS
   - Assessment of the existing situation
   - Design of the necessary intervention on national concept to better match the EU requirements

3. Alignment of databases explicit structures and work procedures with SIS requirements
   - Assessment of the current data bases explicit structures and work procedures
   - Elaboration of recommendations for harmonisation of existing data bases explicit structures and procedures with SIS requirements

4. Staff training
   - Training needs analysis
   - Training programme design
   - Class training delivery
   - Study visits (on-the-job training) within EU relevant bodies

5. Conclusion of co-operation protocols/agreements with relevant authorities within the Schengen States
   - Identification of the relevant EU agencies
   - Preliminary contact proceeding
- designing and negotiating the institutional framework for co-operation on a case by case basis
- conclusion of co-operation agreements

All the above will be approached from several points of view: legal and regulatory, structural, organisational, procedural and from the SIS point of view.

Profile of PAA
- S/he should have at least 10 years experience in SIS and its national component in a EU Member State
- S/he should be able to quickly adapt to the local environment and understand its constraints and opportunities
- sound knowledge of relevant EU legislative and institutional requirements related to SIS issues;
- sound communication skills and previous experience of working in a multi-disciplinary and multi-national team;
- previous experience as project co-ordinator/project manager;
- good command of English; knowledge of French would be an asset.

Duration of the assignment of the PAA: The PAA is supposed to be seconded to the MoI for a period of 18 months.

Profile of Medium-term experts:
- solid background in relation to their specific tasks;
- consultancy experience in an international context;
- sound knowledge of EU regulations and policies in relation to the specific sector;
- sound communication skills;
- good command of English; knowledge of French would be an asset.

3.4.D. Further enhancement of Romania’s visa processing system

Due to its geographical location, Romania is facing the consequences of increasing illegal migration flows to the EU.

The Romanian personnel from the diplomatic missions and consular offices abroad are in charge to verify the travel documents presented for visa issuing. This checking corresponds to the one stipulated by the Common Consular Handbook. By its accession to the EU, Romania will take over all the provisions included in the Common Consular Handbook and shall perform the statistical data exchange concerning the issue of visas.

The diplomatic and consular offices are in the process of being endowed with performance technical equipment for detecting false and counterfeit travel documents. In case of any suspicious document, the offices request the support of local authorities and foreign consulates accredited in the respective state. There is an ad-hoc co-operation or within a formal framework between Romanian consuls and their counterparts from diplomatic and consular offices of EU Member States.

The processing of visa applications by the Romanian diplomatic missions and consular offices is done according to a procedure, which will be progressively harmonised with the procedures existing within the Schengen space. Romania benefits from a PHARE project for the creation of an on-line IT network. This system will comprise the National Visa Centre, within the Ministry of Foreign Affairs, a body set up in April 2001, as well as structures within the Ministry of Interior. The on-line communication system is in a pilot stage, with ten consular offices to be connected in 2002. The network will comprise, by 2004, all Romanian diplomatic missions and consular offices. It is also anticipated that regional visa issuing centres and other agencies such as the Romanian Police could get access to this system.

The information itself will be carried by internet through discrete encrypted firewalls. The Technical Specifications for this project were endorsed by EC technical experts, the preparation of the complete Tender Dossier and launching of the tender being expected soon.
As first results of this project, the MoI and MFA developed their own information system, supported through Romanian co-finance to this project, as well as the technical endowment with equipment needed for testing the application software at central level. Microsoft company provided training and technical assistance for the elaboration of MoI above mentioned application software. The two networks interconnection and interoperability were achieved, as a preparation for the proper implementation of the pilot project.

The implementation of the on-line visa-application processing system will lead to a better capacity to combat illegal migration through real-time visa related communication and identification of visa applicants who may be a menace towards national security (according to the EU Acquis „black list”), as well as of Romanian citizens abroad who do not bear identity papers. Shortening the duration of visa issuance period and therefore improving the cooperation among all relevant agencies involved in the management of migration related issues, in line with EU procedures and best practices, will be other results of extending the system implementation. At the same time, the system is within the general scope of the Schengen Acquis, providing the primary database from which the activity of ensuring the compatibility with SIS is going to start.

This subproject, which is an extension of the pilot project financed through the PHARE 2000 Programme, will include:

1. Further development of the IT infrastructure of MoI through procurement of hardware for the Aliens and Migration Issues Directorate and its territorial units to be integrated into such a system;
   - Preparation of the tender documentation
   - Carrying out of the tendering process
   - Implementing the supply contract
   - Reception and distribution of goods
   - Putting in the operation of the equipment

2. Further development of the IT infrastructure of the MFA through the procurement of hardware (dedicated workstations, modems, printers and scanners) in 50 consulates and embassies (listed in Annex 5 – Budget details), which currently do not have the technical means to link to such a system;
   - Preparation of the tender documentation
   - Carrying out of the tendering process
   - Implementing the supply contract
   - Reception and distribution of goods
   - Putting in the operation of the equipment

4. **Institutional Framework**

The main beneficiaries of the programme are the Romanian Ministry of Interior (MoI), through the General Inspectorate of Border Police (GIBP), the National Refugee Office (NRO), Aliens and Migration Issues Directorate (AMID), and the Ministry of Foreign Affairs (MFA) through its Consular Relations Directorate, co-ordinating the consulates and embassies. All institutions will be in charge of enforcing, in an unitary manner, the Schengen Acquis upon Romania’s accession to EU.

The Romanian Border Police (RBP) has been created in 1999, through the merger of the Border Guards with the Border Police. In line with the priority areas underlined in the AP and the NPAA, the RBP produced its own Strategy for 2000-2004 and the corresponding Action Plan, within the framework of the Overall Strategy of the Ministry of Interior (MoI). They comprise short-term and medium-term measures in the field of legislation, organisation, human resources and endowment. The RBP Strategy and Action Plan were approved by the MoI in February 2000, and are currently under implementation. The Action Plan is revised periodically, in line with the results of different Phare assistance programmes, with the view to introduce the EU standards and best practices in the operational field.
The main structure having competence in the field of managing the aliens’ legal stays and combating illegal migration is the Aliens and Migration Issues Directorate (AMID), which was established in 1995. The Directorate is an institution within the General Directorate of Personal Data Records (GDPDR).

Closely linked to the proper management of migration related issues is the Romanian Refugee Office, which was established in 1997. In 2000, this institution achieved the status of a general directorate - the National Refugee Office. According to Government Ordinance No. 102/2000, the National Office for Refugees (NOR) with the MoI is the central authority responsible for the implementation of Romania’s policies in the field of refugees, and of the provisions of the new regulations concerning the status and the regime of the refugees on the territory of Romania. The Government of Romania adopted in July 2001 the Government Decision No. 737/2001 for the approval of Organising and Functioning Regulation of the National Office for Refugees.

The Ministry of Foreign Affairs, through its Consular Relations Directorate, is in charge with the visa policy. Since January 2001, entry visas can be obtained only from Romanian diplomatic missions and consular offices abroad.

The number of the Romanian consular personnel abroad is 145 persons. At each diplomatic mission there is at least one consul. The diplomatic personnel with consular attributions are trained both in theory and in practice by the Consular Relations Directorate within the Ministry of Foreign Affairs, at least six months before leaving the country. Also, the diplomatic personnel will be trained to use the future on-line IT network for processing the visa applications.

The MoI and MFA, through its involved bodies, will support the implementation of the proposed project by assuring the necessary organisational environment, making available the necessary personnel and by covering the cost of the national experts, the required infrastructure and equipment, and the related running and administrative costs.
### 5. Detailed Budget

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>Phare support</th>
<th>Institution</th>
<th>Total Phare</th>
<th>National co-financing</th>
<th>IFI</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Investment Support*</td>
<td>Building**</td>
<td>(=I+IB)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A. Enhancing the capability of the Romanian Border Police in order to further strengthen the Romanian borders, as the future EU Eastern border</td>
<td>9,882,500</td>
<td>1,000,000</td>
<td>10,882,500</td>
<td>4,392,500</td>
<td></td>
<td>15,275,000</td>
</tr>
<tr>
<td>A.1. Improvement of the intervention capabilities of the operative officers</td>
<td>9,882,500</td>
<td>9,882,500</td>
<td>4,317,500</td>
<td></td>
<td></td>
<td>14,200,000</td>
</tr>
<tr>
<td>A.1.1. Enhancement of the control and checking operations at the Border Crossing Points</td>
<td>2,000,000</td>
<td>2,000,000</td>
<td>500,000</td>
<td></td>
<td></td>
<td>2,500,000</td>
</tr>
<tr>
<td>A.1.2. Enhancement of the automotive and naval mobility at the borders with Ukraine and Moldavia, on the Danube and the Prut River</td>
<td>7,882,500</td>
<td>7,882,500</td>
<td>3,817,500</td>
<td></td>
<td></td>
<td>11,700,000</td>
</tr>
<tr>
<td>A.2. Upgrading the Romanian Border Police capability to fight against transborder drugs and human beings trafficking - twinning</td>
<td>800,000</td>
<td>800,000</td>
<td>75,000</td>
<td></td>
<td></td>
<td>875,000</td>
</tr>
<tr>
<td>A.3. Further management skills enhancement of the Border Police managerial staff</td>
<td>200,000</td>
<td>200,000</td>
<td></td>
<td></td>
<td></td>
<td>200,000</td>
</tr>
<tr>
<td>B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees - twinning</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>200,000</td>
<td></td>
<td></td>
<td>1,200,000</td>
</tr>
<tr>
<td>C. Technical and legal assistance for setting up of a national inform. system compatible with Schengen SIS - twinning</td>
<td>1,000,000</td>
<td>1,000,000</td>
<td>100,000</td>
<td></td>
<td></td>
<td>1,100,000</td>
</tr>
<tr>
<td>D. Further enhancement of Romania's visa processing system</td>
<td>1,617,500</td>
<td>-</td>
<td>1,617,500</td>
<td>485,250</td>
<td></td>
<td>2,102,750</td>
</tr>
<tr>
<td>TOTAL</td>
<td>11,500,000</td>
<td>3,000,000</td>
<td>14,500,000</td>
<td>5,177,750</td>
<td></td>
<td>19,677,750</td>
</tr>
</tbody>
</table>

(*) In relation to infrastructure, equipment, software, related developments, installation, testing and documentation

(**) In relation to changes in management, procedures, legislation, enforcement, training and general activities and services as result of investments.
5.1. Detailed twinning budget

### Component: Institutional Building

<table>
<thead>
<tr>
<th>Component</th>
<th>PHARE Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.2. Upgrading the Romanian Border Police capability to fight against...</td>
<td></td>
</tr>
<tr>
<td>- Long-term assistance and overall twinning project management (PAA)</td>
<td>0.18</td>
</tr>
<tr>
<td>- Medium-term technical assistance</td>
<td>0.40</td>
</tr>
<tr>
<td>- Short-term technical assistance</td>
<td>0.12</td>
</tr>
<tr>
<td>- Seminars, workshops and study visits</td>
<td>0.10</td>
</tr>
<tr>
<td>A.3. Training for IT Romanian Border Police staff regarding the EU norms</td>
<td></td>
</tr>
<tr>
<td>- Short-term technical assistance</td>
<td>0.10</td>
</tr>
<tr>
<td>- Seminars, workshops and study visits</td>
<td>0.05</td>
</tr>
<tr>
<td>B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees</td>
<td></td>
</tr>
<tr>
<td>- Long-term assistance and overall twinning project management (PAA)</td>
<td>0.40</td>
</tr>
<tr>
<td>- Medium-term technical assistance</td>
<td>0.30</td>
</tr>
<tr>
<td>- Short-term technical assistance</td>
<td>0.15</td>
</tr>
<tr>
<td>- Seminars, workshops and study visits</td>
<td>0.15</td>
</tr>
<tr>
<td>C. Technical and legal assistance for implementing the Schengen acquis</td>
<td></td>
</tr>
<tr>
<td>- Long-term assistance and overall twinning project management (PAA)</td>
<td>0.40</td>
</tr>
<tr>
<td>- Medium-term technical assistance</td>
<td>0.30</td>
</tr>
<tr>
<td>- Short-term technical assistance</td>
<td>0.15</td>
</tr>
<tr>
<td>- Seminars, workshops and study visits</td>
<td>0.15</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>2.95</strong></td>
</tr>
</tbody>
</table>

6. Implementation Arrangements

6.1 Implementing Agency

The Central Finance and Contracting Unit within the Ministry of Public Finances is the Implementing Agency, having responsibilities for procedural aspects of tendering, contracting and payments, in accordance to Practical Guide to PHARE, ISPA & SAPARD contract procedures.

6. Implementing Authority

The Implementing Authority is the Ministry of Interior. For the implementation of this project a Project Steering Committee (PSC), comprising senior representatives of the MoI and its relevant subordinated bodies, as well as from the Ministry of Foreign Affairs, will be set up, in charge with the monitoring, supervision and co-ordination of the overall progress and implementation of the project. The PSC will provide guidance for the different components of the project, will approve the result and will define priorities. The SPO or his representative will chair the PSC. Within this project the PSC will also assist with the next steps of upgrading the Romanian border system.

The General Inspectorate of Border Police (GIBP), the National Refugee Office (NRO), the Aliens and Migration Issues Directorate (AMID) and the Consular Relations Directorate within the Ministry of Foreign Affairs have developed structures and procedure to co-ordinate Phare-financed programmes. Their Phare Programme Implementation Units were
established on March 2000. The Phare PIUs report to the PHARE Programmes Co-
ordination Unit within the Directorate for European Integration and International Relations.

The Programme Implementation Unit within GIBP will carry out the day-to-day management
of the twinning and investment projects within the Border Management component, while the
Programme Implementation Unit within NOR will carry out the day-to-day management of the
twinning project within the asylum component. The MoI PCU will implement the "Technical
and legal assistance for implementing the Schengen Acquis" twinning project, and the
Programme Implementation Units within AMID and the Consular Relations Directorate of the
Ministry of Foreign Affairs will carry out the day-to-day management of the visa on-line
investment project.

The PIUs role is to administer and resolve issues concerning the management of the project,
including planning and identification of tasks, reporting, preparation of Terms of Reference,
participation in tendering, monitoring and evaluation of activities.

**Contact points:**

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**Brigadier General Vasile DRAGOI, Director**
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Phone: 00401-659 66 11; Fax: 00401-312 15 00;

**Mr Petre CATRINCIUC, Director**
Ministry of Foreign Affairs, Directorate for Consular Relations
Aleea Alexandru, Bucharest, Romania
Fax: 0040 1 210 1617; Phone: 0040 1 211 2082.

Commitment:
The Romanian beneficiary institutions will provide:
- Adequate human resources to implement the twinning project together with the twinning
  partner, in accordance with the agreed Twinning Covenants;
- Facilities necessary for the smooth implementation of the twinnings (office, computer,
  printer, telephone, access to Internet);
- Funds to cover the travel costs of the Romanian personnel in the context of training,
  seminars or study visits.

**6.3 Non-standard aspects**
The project will be managed according to the Practical Guide to PHARE, ISPA & SAPARD
contract procedures.
6.4 Contracts

6.4.A.1. Improvement of the intervention capabilities of the operative officers
Under this component will be concluded up to 15 supply contracts in accordance with Practical Guide for Phare, ISPA and SAPARD procedures.

6.4.A.2. Upgrading the Romanian Border Police capability to fight against transborder drugs traffic and human beings traffic
This project will be implemented through a Twinning Covenant.

6.4.A.3. Further management skills enhancement of the Border Police managerial staff
This project will be implemented through a Framework Contract.

6.4.B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees
This project will be implemented through a Twinning Covenant.

6.4.C. Technical and legal assistance for the setting up of a national information system compatible with Schengen SIS
This project will be implemented through a Twinning Covenant.

6.4.D. Follow-up on the information system for the on-line processing of visa applications
Under this component will be concluded 1 - 3 supply contracts in accordance with Practical Guide for Phare, ISPA and SAPARD procedures.

7. IMPLEMENTATION SCHEDULE

7.1 Start of tendering/ call for proposals: January 2003

7.2 Start of project activity: September 2003

7.3 Project completion: not later than the expiry of the disbursement period, according to the relevant Financing Memorandum

8. EQUAL OPPORTUNITY
The Ministry of Interior is an equal opportunity employer.

9. ENVIRONMENT N/A

10. RATES OF RETURN N/A

11. INVESTMENT CRITERIA N/A

12. CONDITIONALITY AND SEQUENCING

12.A.1. Improvement of the intervention capabilities of the operative officers
No conditionality.

12.A.2. Upgrading the Romanian Border Police capability to fight against transborder drugs traffic and human beings traffic
No conditionality.

12.A.3. Further management skills enhancement of the Border Police managerial staff
This project will start after the entering in force of the legislation related to civilian status in the Romanian Ministry of the Interior.

12. B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees

No conditionality.

12. C. Technical and legal assistance for implementing the Schengen acquis

No conditionality.

12. D. Follow-up on the information system for the on-line processing of visa applications

PHARE support for the Romanian Ministry of Interior and Ministry of Foreign Affairs should be provided subject to progress with the legislative and institutional reforms in this field. The equipment foreseen under this programme will be absorbed and used effectively in order to achieve the objectives stated in the Government Strategy, which are in line with the provisions of AP and NPAA, taking also into account the results of the implementation of the pilot project financed under 2000 PHARE Border Management Programme.
**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. Romania’s Schengen Action Plan
5. Budget Details
6. First progress report within project “Feasibility study for RBP communication system”- RO 9907.01.03/02 (EIRCOM Ireland)
### LOGFRAME PLANNING MATRIX

**PROJECT:** Further strengthening of border control and improved management of migration  
*(Further strengthening of the border management control)*

<table>
<thead>
<tr>
<th>Overall objective</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Further harmonisation of the relevant Romanian legislation with the EU legislation and best practice concerning the border management, including the Schengen Acquis, and the improvement of the operational capacity of the Romanian institutions with border-related competencies.</td>
<td>Primary and secondary legislation and institutional capacity in full compliance with the accession requirements in the key areas addressed by this project.</td>
<td>Commission’ Regular Reports. Regular Operational Capacity Reports, as part of the Screening process.</td>
<td>Government maintains consistent policy towards the EU integration. National legislation, compliant with the EU legislation and best practice enacted. Close and comprehensive co-ordination of the principal actors involved. Previous and on-going related projects successful implemented.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Project purposes</th>
<th>Objectively verifiable indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| **A.** Enhanced capability of the Romanian Border Police in order to further strengthen the Romanian borders, as the future EU Eastern border, in accordance with the standards, procedures, equipment and best practice concerning the border management and control, within European Union Member States | • Developed border surveillance and control procedures and infrastructure in place;  
• Development of the necessary skills of the Romanian Border Police (RBP) officers in order to fulfil those requirements in line with EU Member States;  
• Developed Dublin-related procedures and infrastructure in place, as well as the ones; for dealing with vulnerable refugees  
• Development of the related skills of the NoR officers, in line with EU Member States standards; | - Regular reports of the Mol and its subordinated bodies, as well as international organisations reports (EC, EUROPOL, INTERPOL, IOM, UNHCR). Regular statistics regarding the operative status at the border. Standard project implementation reports.  
- Regular reports of the Mol and its subordinated bodies, as well as international organisations reports (EC, IOM, UNHCR). Regular statistics on migration and refugees. Standard project implementation reports. | |
| **B.** Enhanced alignment of Romania to the EU Acquis regarding Dublin Convention cases and unaccompanied minors as vulnerable persons according to the EU standards and practices in the field. | | | |
### Results

<table>
<thead>
<tr>
<th>A.1. Improved intervention capabilities of the operative officers</th>
<th>A.1.1. Enhanced control and checking operations at the Border Crossing Points</th>
<th>A.1.2. Enhanced automotive and naval mobility at the borders with Ukraine and Moldavia, on the Danube and the Prut River.</th>
</tr>
</thead>
</table>

#### Objectively verifiable indicators

- Related primary and secondary legislation and work procedures drafted in line with the Schengen acquis
- Reduced time for visa issuing
- Reduced number of undesirable persons to whom a visa was granted

#### Sources of Verification

- Regular reports of the MoI and its subordinated bodies, as well as EC reports. Standard project implementation reports
- Regular reports of the MoI, MFA and their subordinated bodies, as well as international organisations reports (EC, IOM, UNHCR, INTERPOL, EUROPOL). Regular statistics on migration, refugees, law infringements.

#### Assumptions

- Full commitment of the parties involved.
- Timely and adequate resources available
A.2. Upgrading the Romanian Border Police capability to fight against transborder drugs traffic and human beings traffic

A.2.1. Adequate international and national cooperation framework between RBP and national and international relevant agencies in domain, elaborated.
A.2.2. Necessary internal legislation to facilitate fight against drugs and human beings trafficking in accordance with EU legislation drafted.
A.2.3. Organizational framework as to optimize the information exchange and activities in domain improved
A.2.4. Necessary training for the RBP officers in accordance with MS best practice provided.

A.3. Management skills of the Border Police managerial staff further enhanced
A.3.1. Needs assessment report elaborated
A.3.2. Management systems designed
A.3.3. Relevant managerial staff trained
A.3.4 Proposal for future development elaborated

| A.2.1. Co-operation agreements concluded |
| A.2.2. Necessary internal legislation to facilitate fight against drugs and human beings trafficking in accordance with EU legislation submitted for approval. |
| A.2.3. Proposal for structure, mechanisms, and procedure improvement submitted for approval |
| A.2.4. 200 officers trained |

- 10 Ship boarding and control boats
- 6 Special boats for lakes and Danube shallow waters
- 20 Outboard engine boats
B. Enhanced alignment of Romania to the EU Acquis regarding Dublin Convention cases and unaccompanied minors

B.1. existing national legislation in the field reviewed and necessary additional primary and secondary legislation or related amendments drafted in line with the provisions of Dublin Convention and other EU regulations in force at the starting date of the present project

B.2. Department for Dublin Convention implementation established within NRO, functioning efficiently, with trained staff

B.3. Department for unaccompanied minors handling established within NRO, functioning efficiently, with trained staff

B.4. Master Plan for EURODAC system implementation elaborated for NRO, setting the premises for EURODAC-related investment and institution building activities, according to the requirements set in the Council Regulation (EC) no. 2725/2000

C. Alignment of Romania at the Schengen regulations and practices prepared (including the preparation for future

B.1. Drafted legislation and/or amendments submitted for approval

B.2. The report on needs, structure, functions, systems, work procedures, etc. submitted for approval; The staff trained and performing properly their duties

B.3. The report on needs, structure, functions, systems, work procedures, etc. submitted for approval; The staff trained and performing properly their duties

B.4. The Master Plan submitted to the beneficiary for approval

- Regular reports of the MoI and its subordinated bodies, as well as international organisations reports (EC, IOM, UNHCR). Regular statistics on migration and refugees. Standard project implementation reports.

C.1. Draft of legislation, legal
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>C.1.</td>
<td>Romanian legislation (primary and secondary) and practices in line with Schengen acquis according to the Schengen Action Plan and a legal harmonisation programme on medium term, together with the necessary budget elaborated.</td>
</tr>
<tr>
<td>C.2.</td>
<td>Design of the Romanian national part of SIS carried out, focusing on properly sharing information among the different legally authorised end users, according to their duty competences.</td>
</tr>
<tr>
<td>C.3.</td>
<td>National databases explicit structures and work procedures harmonised with the provisions of art. 93-101 of the Schengen Implementation Convention.</td>
</tr>
<tr>
<td>C.4.</td>
<td>Trained staff, able to use the modern SIS technology and equipment and to take part in Schengen Working Groups in order to be able to design the national components of the system.</td>
</tr>
<tr>
<td>D.</td>
<td>Romania's visa processing system further enhanced.</td>
</tr>
<tr>
<td>D.1.</td>
<td>IT infrastructure for AMID within MoI further developed.</td>
</tr>
<tr>
<td>D.2.</td>
<td>IT infrastructure for the Directorate.</td>
</tr>
</tbody>
</table>

Harmonisation programme, implementation plan for EU practices submitted for approval.

C.2. Proposed intervention on general concept on the national part of SIS submitted for approval.

C.3. Recommendations for harmonisation of existing databases explicit structures and procedures with SIS requirements submitted to the beneficiary.

C.4. 60 officers trained.

D.1. IT infrastructure in accordance with Annex 5 delivered and in operation within territorial units of AMID.

D.2. 50 Consulates and/or Embassies equipped in accordance with Annex 5.

Regular reports of the MoI and its subordinated bodies, as well as EC reports. Standard project implementation reports.

Romanian Official Journal.

- Regular reports of the MoI, MFA and their subordinated bodies, as well as international organisations reports (EC, IOM, UNHCR, INTERPOL, EUROPOL). Regular statistics on migration, refugees, law infringements.

annex 1-5
for Consular Relationship within MFA further developed

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Budget</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td>A1. Improvement of the intervention capabilities of the operative officers</td>
<td>- supply contracts</td>
<td>-2,000,000 EURO</td>
<td>Full commitment of the parties involved.</td>
</tr>
<tr>
<td>A.1.1. Enhancement of the control and checking operations at the Border Crossing Points</td>
<td>- supply contracts</td>
<td>-7,882,500 EURO</td>
<td>Timely and adequate resources available.</td>
</tr>
<tr>
<td>A.1.2. Enhancement of the automotive and naval mobility at the borders with Ukraine and Moldavia, on the Danube and the Prut River</td>
<td>- Twinning Covenant</td>
<td>-800,000 EURO</td>
<td></td>
</tr>
<tr>
<td>A2. Upgrading the Romanian Border Police capability to fight against transborder drugs traffic and human beings traffic</td>
<td>- 1 Framework Contract</td>
<td>-200,000 EURO</td>
<td></td>
</tr>
<tr>
<td>A3. Further management skills enhancement of the Border Police managerial staff</td>
<td>- Twinning Covenant</td>
<td>- 1,000,000 EURO</td>
<td></td>
</tr>
<tr>
<td>B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees</td>
<td>- Twinning Covenant</td>
<td>- 1,000,000 EURO</td>
<td></td>
</tr>
<tr>
<td>C Technical and legal assistance for implementing the Schengen acquis</td>
<td>- up to 3 supply contracts</td>
<td>- 1,617,500 EURO</td>
<td></td>
</tr>
<tr>
<td>D. Follow-up on the information system for the on-line processing of visa application</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preconditions</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>--------------------------------------</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Continued political commitment to EU accession.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Budgets approved and available.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### ANNEX 2

**DETAILED TIME IMPLEMENTATION CHART FOR THE PROJECT**

**Title:** Further strengthening of border control and improved management of migration  
*(Further strengthening of the border management control control)*

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>A.1. Improvement of the intervention capabilities of the operative officers.</td>
<td>D D D</td>
<td>D D C C I I I I I I I I I I R</td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.2. Upgrading the Romanian Border Police capability to fight against transborder drugs traffic and human beings traffic</td>
<td>D D D</td>
<td>D D C C I I I I I I I I I I I I I R</td>
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<tr>
<td>A.3. Further management skills enhancement of the Border Police managerial staff</td>
<td>D D D</td>
<td>D D C C I I I I I I R</td>
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<td></td>
</tr>
<tr>
<td>B. Further development of the legislative, practice and institutional framework in the field of asylum and refugees</td>
<td>D D D</td>
<td>D D D C C C I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I R</td>
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</tr>
<tr>
<td>C. Technical and legal assistance for implementing the Schengen acquis</td>
<td>D D D</td>
<td>D D D D D D D C C C C I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I R</td>
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<tr>
<td>D. Follow-up on the information system for the online processing of visa applications</td>
<td>D D D</td>
<td>D D D D D D D C C C C C C C C C I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I I R</td>
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- **D** = Design  
- **C** = Contracting  
- **R** = Review  
- **I** = Implementation  
- **X** = Closure
ANNEX 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

"Further strengthening of border control and improved management of migration"

(Further strengthening of the border management)

All figures in million EURO

<table>
<thead>
<tr>
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</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTED</td>
<td>9,000,000</td>
<td>11,000,000</td>
<td>14,500,000</td>
<td>14,500,000</td>
<td>14,500,000</td>
<td>14,500,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>DISBURSED</td>
<td>-</td>
<td>300,000</td>
<td>1,000,000</td>
<td>3,000,000</td>
<td>5,000,000</td>
<td>7,000,000</td>
<td>9,000,000</td>
<td>11,000,000</td>
<td>12,000,000</td>
<td>13,500,000</td>
<td>14,500,000</td>
</tr>
</tbody>
</table>

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.
SCHENGEN ACTION PLAN

1. Introduction
2. Surveillance and Control at the External Borders
3. Visa Policy
4. Police Co-operation
5. Drugs
6. Judicial Co-operation in Criminal Matters, Extradition
7. Arms and Ammunition
8. Schengen Information System
9. Personal Data Protection
1. Introduction

In order to complete the negotiations on Chapter 24 – Justice and Home Affairs, the EU Member States have requested the Luxembourg Group candidate countries to present an Action Plan in order to apply the preliminary criteria necessary for the participation in the Schengen area.

In order to accelerate the accession negotiations, Romania has noted the European Commission recommendations and is able to provide the details concerning its current stage and a detailed Action Plan necessary for the adoption of the Schengen acquis.

Romania accepts the Schengen acquis and does not request any transitional periods or derogations as regards the acquis components identified by the European Union as being compulsory by the date of accession.

The establishment of the institutions designed to implement the Schengen Acquis is in progress and Romania allots funds in order to develop the infrastructure necessary to align the operational capacity to the requested standards.

The 2002 budgets allotted for various structures involved in the implementation of the Schengen Acquis have been established as follows:

- 66 Meuro for the border management;
- 161 Meuro for police activities.

In the year 2001 external credits in amount of 7,566,955 USD have been allotted and for the next two years, Government credits in amount of 50 million USD (2002) and 66,448,094 USD (2003) have been provided for the endowment with communication and computing equipment, border surveillance equipment and technical devices necessary for police activities.

This Action Plan shall be monitored and updated on an annual basis so that on the unilaterally assumed date for accession, 1 January 2007, Romania shall have fulfilled the minimal criteria for the implementation of the Schengen Convention.

2. Surveillance and Control at the External Borders

2.1. Acquis in the field

- Schengen Convention – Art. 3-8
- SCH/Com-ex (94)2 – 26.4.94 – Issuing uniform visas at the borders - VISAS
- SCH/Com-ex (94)16 rev. – 21.11.94 – Acquisition of common entry and exit stamps – EXTERNAL BODERS
- SCH/Com-ex (94)17 rev. – 22.12.94. – Introducing and applying the Schengen system in airports and aerodroms / AIRPORTS
- SCH/Com-ex (94)25 – 22.12.94 – Exchanges of statistical information on the issue of visas – VISAS
- SCH/Com-ex (95)21 – 20.12.95 – Swift exchange between the Schengen States of statistical and tangible data on possible malfunctions at the external borders – EXTERNAL BORDERS
- SCH/Com-ex (98)1 rev. 2 – 21.04.98 – Report on the activities of the task force
- SCH/Com-ex (98)26 def. – 16.9.1998 – Setting up of the implementing Convention Standing Committee
- SCH/Com-ex (98)35 rev. 2 – 16.09.1998 – Forwarding the common manual to EU applicant states
- SCH/Com-ex (98)37 def. 2 – Action Plan to combat illegal immigration
2.2. Current situation

According to Annex 1, Art. 3, 5, 6 and 7 of Schengen Agreement have been partially harmonised with the Romanian legislation by the provisions of Emergency Government Ordinance No. 104/2001 on the Organisation and Functioning of the Romanian Border Police and by the provisions of Emergency Government Ordinance No. 105/2001 on the Romanian State Frontier Regime and of the Law No. 123/2001 on the Aliens' Regime in Romania.

The Romanian Border Police still operates with mobile units for the surveillance of borders between border crossing-points.

Together with the National Office for Refugees, the Romanian Border Police undertakes the common control at disembarkment for high risk flights that concerns migration.

According to Emergency Government Ordinance no.104/2001, the Romanian Border Police carries out activities in order to combat cross-border crime within its competence and co-operates within its specific fields of activity with similar bodies of the neighbouring states, of other states or state communities in compliance with the agreements to which Romania is party. Experts in combating crime operate, according to their specific fields of activity, within high traffic border crossing-points.

The Romanian authorities share information on police and customs fields with 11 states within the Central Eastern Europe, through the Bucharest Centre for prevention and combating cross-border crime.

During the year 2001, 3,314 conscripts have been replaced with 1,326 sergeants hired on a contract basis and starting with 1 September 2001, 1,000 professional gendarmes have been transferred to the Border Police in order to survey the State frontier. The latter have attended a three months training course within the Border Police special centres. Today, the borders with Moldavia and Ukraine are controlled only by professional border police officers.

In 2001, a new carrier guide for the border police officer has been drafted and new curricula have been adopted within the educational institutions for officers and non – commissioned officers underscroing the police training (judiciary field).

Within the framework of the Institutional Twinning Convention and having as partners Spain and France, courses and workshops on the improvement of information gathering and analysis have been organized as well as on the risk analysis; these courses addressed all personnel categories including the trainers within the Border Police. This program is
designed to review the entire human resources management within the Romanian Border Police until 31 December 2002.

The naval department of the Border Police has also benefited of the training courses on the operational activity, environment protection and sea rescue operations.

The Border Police benefits of equipment acquired by 1999 and 2000 PHARE programmes amounting to 17.77 Meuro, such as:

- mobility (auto and naval);
- tactical support (special clothes, bullet proof vests and helmets, hand-cuffs, information equipment, CO$_2$ detectors, optical readers for travel documents, portable torches and VV lamps).

In the year 2001, on the basis of Goverment Decision No. 777/2000, the Romanian Border Police has been endowed with field vehicles amounted to 2,000,000 USD.

On the basis of an external credit approved by Governmental Decision No. 819/2000 amounted to 10,000,000 USD, the Romanian Border Police shall acquire, by the end of the year 2001, equipment for the surveillance of the state frontier.

The actual databases contain information on the black lists, the number and the transportation means of persons crossing the border, the events taken place at the ground and sea frontiers. The communication system is based on telex, phone and radio transmission.

The General Police Border Inspectorate has the following duties according to the co-operation agreements concluded by the Romanian Ministry of Interior and the similar institutions from Germany, Austria, French Republic and Italy:

- information and data exchange in order to identify the persons involved in the narcotics manufacture, smuggling and trade and the methods used for their illegal border-crossing;
- experience share on the control of the surveyed narcotics transports through the crossing border points in order to prevent their removal from the legal circuit;
- identification of the international connections which facilitate illegal migration, mutual exchange of information on the technical ways and specific forms of combating crime;
- setting up a work group in order to jointly analyse the problems related to the combating of illegal entering of persons and the elaboration of the appropriate measures.

Within the framework of the Institutional Twinning Convention RO 98/IB/INT/01b Border Management, Asylum and Migration, the Border Management project being led by Germany, the main objectives were identification and taking the measures necessary to eliminate the traffic restrictions at the road crossing points at the future internal borders and the introduction and implementation of Schengen arrangements within airports.

There are undergoing negotiations with Bulgaria, Hungary and Federal Republic of Yugoslavia in order to complete the agreements on the state frontier regime, the collaboration and mutual assistance on the border issues. Such an agreement has already been concluded with Moldavia.

Romania has appointed an internal affairs attaché to the European institutions in Brussels and liaison officers in Germany, Austria and the Czech Republic. If necessary, Romania shall expand its internal affairs attaché and liaison officers network both in the candidate and member states and in countries with migration potential.
2.3. Measures

a). Legal measures (primary and secondary legislation)

1. Modification and completion of the Law No.123/2001 on the regime of aliens in Romania as regards the access on the territory granted to the aliens who do not meet the conditions for entering the country in the cases of humanitarian or national situations.

   Responsible: Ministry of Interior.

2. Modification and completion of the provisions of the Law No.123/2001 on the regime of aliens in Romania as regards the permission of transit granted to the aliens who hold residence permits or re-entering visas issued by the states that will sign conventions with Romania in order to eliminate the border control.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior


   Responsible: Ministry of Interior


   Responsible: Ministry of Interior

5. The conclusion of the agreements with Bulgaria, Hungary and Federal Republic of Yugoslavia, on the state frontier regime, collaboration and mutual assistance on border issues.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior
   Agenda:

6. Drafting of the Border Integrated Management Strategy

   Responsible: Inter-ministerial Group for the Integrated Border Management


   Responsible: Ministry of Interior
   Deadline: 30.06.2002

8. Strengthening co-operation and information exchange with other states by concluding bilateral or multilateral agreements relevant to this field.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior


Responsible: Ministry of Interior

b). Institutional measures

1. Completion of the professionalisation of the Romanian Border Police.
Responsible: Ministry of Interior

2. Setting-up of a single payment desk within the border crossing-points.
Responsible: Inter-ministerial Group for the Integrated Border Management

Responsible: Ministry of Interior

4. Drafting of the manual on combating the trafficking in human beings.
Responsible: Ministry of Interior

c) Administrative/technical measures

1. The setting up of the customs - border police joint control teams at the crossing border points.
Responsible: The Inter-ministerial Group for the Integrated Border Management

2. Introducing the uniform format for the enter-exit seals and the colours of inks marking the enter-exit used by EU Member States, at the Romanian crossing border points.
Responsible: Ministry of Interior

3. The separation of passengers flows within the International airports.
Responsible: Ministry of Public Works, Transports and Housing
Ministry of Interior

4. The creation of an information system concerning the passengers (on the airports), as an integrated part of the Border Information System.
Responsible: Ministry of Interior

3. Visa Policy (art. 9 - 27)

3.1. Acquis in the field
- Convention Implementing the Schengen Agreement - Art. 9-27
- SCH/Com-ex. (93) 21 - 14.12.93 - Extending the uniform visa - VISAS
- SCH/Com-ex. (93) 24 - 14.12.93 - Common procedures for cancelling rescinding or shortening the length of validity of the uniform visa - VISAS
- SCH/Com-ex. (94) 2 - 26.04.94 - Issuing uniform visas at the borders - VISAS
- SCH/Com-ex. (94) 15 rev. - 21.11.94 - Introducing a computerised procedure for consulting the central authorities provided for in article 17 (2) of the implementing Convention - VISAS
- SCH/Com-ex. (94) 25 - 22.12.94 - Exchanges of statistical information on the issue of visas - VISAS
- SCH/Com-ex. (95) PV 1 rev. (point no. 8) - Common visa policy - VISAS
- SCH/Com-ex. (96) 13 rev. - 27.06.96 - Principles for issuing Schengen visas in accordance with art. 30 (1) (a) of the implementing Convention - VISAS
- SCH/Com-ex. (96) 27 - 19.12.96 - Issuing visas at borders to seamen in transit - VISAS
- SCH/Com-ex. (97) 20 - 7.10.97 - Use of the uniform visa sticker by Norway and Iceland - COOPERATION AGREEMENT
- SCH/Com-ex. (97) 32 - 15.12.97 - Harmonisation of visa policy - VISAS
- SCH/Com-ex. (98) 12 - 21.04.98 - Exchange at local level of statistics on visas - VISAS
- SCH/Com-ex. (98) 19 - 23.06.1998 - Monaco - VISAS - EXTERNAL BORDERS - SIS
- SCH/Com-ex. (98) 21 - 23.06.98 - Stamping of passports of visa applicants - VISAS
- SCH/Com-ex. (98) 53 rev. 2 - Harmonisation of visa policy - abolition of the grey list
- SCH/Com-ex. (98) 56 - 16.12.98 - Manual of documents to which a visa may be affixed
- SCH/Com-ex. (98) 57 - 16.12.98 - Introduction of a harmonised form for invitations, proof of accommodation and the acceptance of obligations of maintenance support
- SCH/Com-ex. (99) 14 - 28.04.99 - Manual of documents to which a visa may be affixed
- SCH/Com-ex (95) decl. 4 - 20.12.95 - Exchange of information on visas which have been issued
- SCH/Com-ex (95) decl. 5 - 20.12.95 - Harmonisation of consular fees
- SCH/Com-ex (96) decl. 4 rev. - 18.04.96 - Introduction of uniform fees for issuing visas
- SCH/Com-ex (98) decl. 1 - 23.06.98 - Network of national illegal immigration experts
- SCH/Com-ex (98) decl. 3 - 16.09.98 - Deployment of document advisers
- SCH/Com-ex (98) decl. 9 - 16.12.98 - Results and conclusions of visits to selected representations abroad
- SCH/Com-ex (98) decl. 10 - 16.12.98 - Schengen external border security viewed as a system of integrated security filters
- 2000/645/EC Correction of the Schengen acquis included in the decision of the Executive Committee
- Council Decree (EC) 539/2001 - List of third countries whose nationals are subject to visa requirement for crossing external borders and countries whose nationals are exempted for visa requirements
- 2001/420/EU - Modification of parts of the Common Consular Instructions and the Common manual
- 2001/1091/EU - Free movement with long term stay visa
- 2000/C 269/06 Initiative of the French Republic in order to adopt the Council Directive concerning harmonization of monetary penalties imposed on carriers transporting to the territory of the memebers states third countries’ nationals without documents necessary for admission
- 2001/51/EC Council Decree complementing the provisions of the article 26 implementing the Schengen Agreement

3.2. Current situation
Romanian visa policy is presented in the specific chapter of the Position Paper.
The Methodological Norms on the application of the Law No. 123/2001 on the regime of aliens in Romania, approved through the Government Decision no.476/2001 provide facilities for aliens having a visa issued by EU Member States or those states for which the visa to entry the EU area is not compulsory.

Romania elaborated the Ministry of Foreign Affairs component of the IT application for the online system of automatic processing of visa applications. The Ministry of Interior component is being developed and the BETA version of the application will be completed by February 2002).

From the procedural point of view, Romanian Consular Instructions are aligned to Common Consular Instructions, used by Schengen Member States.

Law No. 123/2001 on the regime of aliens in Romania sets up the responsibilities of carriers regarding the repatriation of aliens illegally brought to Romania.

A detailed timetable presenting the negotiations of the re-admission agreements with the Member States, candidate states and third countries is provided in the Position Paper.

Regarding the issuing of visas for sailors in transit, the legal provisions in force can be found in Law no.56/1992, amended by the Law no.98/2000.

3.3 Measures

a) Legislative measures (primary and secondary legislation)

1. Amending the Law no.123/2001 on the regime of aliens in Romania for establishing the distinction between a visa (which allows staying a maximum of 90 days) and residence permit (which allows staying more than 90 days), as well as standardization of all types of visa used by competent Romanian authorities.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior


2. Amending the Law No. 123/2001 on the regime of aliens in Romania, in order to give the competence of cancelling and limiting the validity of visas to Romanian Border Police.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior


3. Setting up an information exchange system between the authorities with competence at the border in order to check the information on the itineraries of the ships, arrivals and departures of seamen.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior

   Deadline: 31.12.2004

4. Amending and completing the legislation in order to establish models of invitation with security elements to avoid counterfeiting or forging them.

   Responsible: Ministry of Foreign Affairs
   Ministry of Interior

5. Amending the Methodological Norms on the enforcement of the Law no.123/2001, in order to fully harmonize the categories of documents on which a visa can be applied and, implicitly, allow the crossing of the state border.

Responsible: Ministry of Foreign Affairs
             Ministry of Interior
Deadline: 01.03.2003

6. Amending the Law no.123/2001 on the regime of aliens in Romania in order to provide the obligation of the alien who have legally entered Romania, to declare his presence within 3 days.

Responsible: Ministry of Interior

7. Adopting the Law on prevention and combating trafficking in human beings

Responsible: Ministry of Interior

8. Concluding, modifying or completing bilateral agreements in the field of information exchange for preventing and combating illegal migration and trans-border crime with neighbour states, in order to provide the institutions and the control criteria of foreign seamen, especially those coming from the countries with migration potential.

Responsible: Ministry of Foreign Affairs
             Ministry of Interior

b) Institutional measures

1. Introducing a new visa sticker (informatised), compatible, from the point of view of security elements and pattern, with the Schengen type one.

Responsible: Ministry of Interior

c) Administrative / technical measures

1. The completion of the information system for on line processing of the visa applications.

Responsible: Ministry of Foreign Affairs
             Ministry of Interior
             Service of Special Telecommunications
Deadline: 31.12.2004

2. Full endowment of Romanian consulates with the necessary apparatus for identifying forged documents

Responsible: Ministry of Foreign Affairs

3. Developing a system for consultation with the central authorities in Schengen States on the visa application issue.

Responsible: Ministry of Interior
             Ministry of Foreign Affairs
Deadline: Accession date
4. Police Co-operation (Art. 39 - 47)

4.1. Acquis in the field
- CISA - Art. 39 - 47
- SCH/Com-ex (98) 51 rev. 3 - 16.12.98 - Cross-border police co-operation in the area of crime prevention and detection when requested
- SCH/Com-ex (98) 52 - 16.12.92 - Handbook on cross-border police co-operation
- SCH/Com-ex (99) 6 - 28.04.99 - Telecomms situations
- SCH/Com-ex (99) 7 rev. 2 -28.04.1999 - Liaison officers
- SCH/Com-ex (99) 18 -28.04.99 - Improvement of police co-operation in preventing and detecting offences
- SCH/Com-ex (95) decl. 2 - 29.06.95 - Police co-operation
- SCH/Com-ex (95) decl. 3 - 20 12.95 - Cross-border police co-operation
- SCH/Com-ex (97) decl. 8 - 24.06 1997 - Pilot project "Routes used for the trafficking of stolen cars"
- SCH/Com-ex (97) decl. 9 - 24.07.97 - Pilot projects "Drugs trafficking" and "Illegal immigration"
- SCH/Com-ex (98) decl. 2 rev. - 16.09.98 - Strategy for secondment of liaison officers
- SCH/Com-ex (98) decl. 10. - 16.12.1998 - Schengen external border security viewed as a system of integrated security filters
- SCH/Com-ex (98) decl. 11 rev. - 16.12.98 - 1997 annual report on the situation at the Schengen external borders
- 2000/586/JHA Council Decree on establishment of procedures for complementation of articles 40 (4) a (5), 41 (7) and 65 (2) of the Convention implementing the Schengen Agreement

4.2. Current situation
In Romania, international police co-operation is achieved with the help of the following structures:
- INTERPOL and International Relations Division, within the General Inspectorate of Police;
- European Integration and International Relations Division, within General Inspectorate of Border Police;
- National Focal Point, structure within Ministry of Interior, which manage the informational flow sent through the Center for Prevention and Combating the Trans-border Crime in Bucharest.

Romania appointed an internal affairs attaché to European institutions in Bruxelles, and liaison officers in Germany, Austria and Czech Republic. When it will be necessary, Romania will extend the network of internal affairs attaché and liaison officers, both in Member States and candidate countries and in high migration potential countries.

Also, Romania has concluded co-operation agreements in police field, bilaterally with neighbouring states and many EU Member States (France, United Kingdom, Greece, Italy, Germany, Austria, Belgium) and, at the regional level with the member states of Black Sea Economic Co-operation and SECI. Tri-lateral agreements were concluded with states in the region:
- Romania, Bulgaria, Turkey
- Romania, Republic of Moldavia, Ukraine
- Romania, Bulgaria, Greece

A structure responsible with the operative exchange of information through INTERPOL and a liaison office with EUROPOL are functioning within the General Inspectorate of Police
The training process of policemen meet the main trends of crime developments and is carried on within Police Academy "Alexandru Ioan Cuza" for officers (the length of studies is 4 years, the officers being graduates in law) and in training centers for non-commissioned officers at Campina, Slatina and Sibiu.

The staff of Romanian Police is also trained in co-operation with other states, an important part having EU Member States, on the basis of bilateral agreements, as well as in the framework Twining Convention RO98/IB/INT 01a, having as partners United Kingdom, France and Spain. In this framework, training courses and seminars were developed in the following fields: police demilitarisation, responsibility management, operational decision decentralization, institutional audit, cover agent, policeman statute, harmonization of the legislation in the field of Justice and Home Affairs.

The activities of combating illegal migration is being carried out according to the recommendation and commitments of the Common Statement of Ministers of Interior on combating the organised crime, including the illegal migration, adopted at Trieste in 1998.


Regarding the requirements related to article 44 of the Convention Implementing Schengen Agreement, Romania is going to modernize the communication and information technology facilities of all border crossing points, both in the fields of police and custom co-operation. Some of the border crossing points have been modernised by introducing optic cable or wireless communication system. In the modernised border crossing points, the communication facilities (phone or radio) may be shared with the partners in the border area for the local police and custom co-operation, in order to develop surveillance and trans-border pursuing activities. This sharing is possible due to the using of communication and information technology open commercial systems (COTS).

A customs database system can be accessed from all border control points. Currently, the access is made through dial up type connection. By 2003, the connection will be made on line.

For green border, a multi-acces radio system is available for data and voice transmissions, both for Border Police and Custom Administration . This system can be inter-connected at regional level with usual and multi-acces systems belonging to our neighbours on all borders.

Romania has concluded conventions with all neighbouring countries, regarding the harmonization of the frequencies band in border area.

The Law no.123/2001 provide that in case of accommodation at hotel or other accomodation places, the alien will fill in the registration papers at the administration of that place, which has the obligation to report the necessary data to the police unit in that locality, within 24 hours.

4.3 Measures

a) Legislative measures (primary and secondary legislation)

1. Starting the negotiations for concluding the co-operation agreement between Romania and EUROPOL

Responsible: Ministry of Interior

Deadline: 31.03.2002

2. Revision of bi-lateral agreements on combating organised crime in order to create the conditions for police co-operation, including the trans-border pursuing in emergency cases, and transborder surveillance within the limits of the Convention Implementing Schengen Agreement.

Responsible: Ministry of Interior

b) Institutional measures

1. Transferring the responsibilities for the exchange of information with other states, including the INTERPOL Division and EUROPOL Office to National Focal Point, structure within the Ministry of Interior.

Responsible: Ministry of Interior

2. Setting up a structure responsible for the training of internal affairs attaché and liaison officers.

Responsible: Ministry of Interior
Deadline: 01.04.2002

c) Administrative / technical measures

1. Establishing direct connections for bi-lateral co-operation with neighbouring states.

Responsible: Ministry of Interior
Ministry of Foreign Affairs
Ministry of Communications and Information Technology
Service of Special Telecommunications
Deadline: 31.12.2004

5. Drugs

5.1. Acquis in the field
- **Convention Implementing Schengen Agreement (Articles 70 - 76)**
- SCH/Com-ex (93) - 14.12.93 - Confirmation of declarations by the Ministers and Secretaries of State on drugs and psychotropic substances - DRUGS - JUDICIAL CO-OPERATION
- SCH/Com-ex (93)14 - 14.12.93 - Improving practical co-operation between the judicial authorities to combat drug trafficking - DRUGS - JUDICIAL CO-OPERATION
- SCH/Com-ex (94)28 rev - 22.12.94 - Certificate provided for in Article 75 for the transportation of drugs and/or psychotropic substances - DRUGS
- SCH/Com-ex (99)1 rev 2 - 29.4.1999 - Drugs situation
- SCH/Com-ex (99) 8 rev 2 - 28.4.99 - Payments of informers
- SCH/Com-ex (93) decl 13 - 14.12.93 - Guide aimed at facilitating international mutual assistance in combating drug trafficking
- SCH/Com-ex (96) decl 2 rev - 18.4.96 - The approach to the problem of drug tourism and illicit drug flows
- SCH/Com-ex (99) decl 3 - 28.4.1999 - Report on Schengen external border control in the drugs sector
5.2. Current situation
Romania has signed the United Nation Convention against illegal trafficking in narcotic and psychotropic substances of 20.12.1988, together with the two Protocols of 14.12.2000, but have not ratified them. Nonetheless, the provisions of this convention were included in Law no.143/2000 on combating trafficking and illicit consuming of drugs. Also, this law takes over the provisions of articles 71, 72, 73 and 75 and, partly, 76.

Measures of intensifying the border control were taken at national level, on the basis of the Protocol concluded by General Inspectorate of Romanian Police and General Inspectorate of Border Police, in the field of combating organised crime and illegal trafficking in narcotic drugs.

A department of information analysis on narcotics was set up within General Directorate for Combating the Organised Crime and Anti-drugs, according to the common programme PNUCID - PHARE for strengthening the fight against drugs in South -Eastern Europe. Its endowment and the training of its personnel were funded through this programme. By the end of the year 2000, experts from INTERPOL installed 2 special software programmes for this activity.

Currently, the headquarters of the General Directorate for Combating the Organised Crime and Anti-drugs is being rearranged as National Point for Monitoring the trafficking and illicit consuming of narcotic drugs and as Secretariat of the Inter-ministerial Committee for Fighting Narcotic Drugs, and the General Directorate, together with its territorial structures is computerized in order to achieve the operative exchange of data.

Starting with 2001, Romania is beneficiary of PHARE technical assistance for the institutionalisation of the National Focal Point in the field of narcotic drugs, according to the acquis.

5.3 Measures

a) Legislative measures (primary and secondary legislation)

Responsible: Ministry of Interior
Ministry of Justice
Ministry of Health and Family
Ministry of Public Finance / General Customs Directorate

Deadline: 01.06.2002

2. Adopting the Law on juridical regime of essential chemical substances and precursors

Responsible: Ministry of Interior
Ministry of Justice
Ministry of Health and Family
Ministry of Public Finance / General Customs Directorate


b) Institutional measures

1. Setting up the National Focal Point for Monitoring the Drugs

Responsible: Ministry of Interior

2. Adopting the Anti-drugs National Strategy
Responsible: Ministry of Interior
Ministry of Health and Family
Ministry of Public Finance / General Customs Directorate

3. Adopting the sectoral strategies and action plans for prevention of and combating trafficking and consuming of the narcotic drugs
Responsible: Ministry of Interior
Ministry of Health and Family
Ministry of Public Finance / General Customs Directorate
Deadline: 01.04.2003

c) Administrative / technical measures

1. Endowment of legal medicine institutes from Bucharest, Cluj, Iasi, Targu Mures, Craiova and Timisoara with facilities allowing the qualitatively and quantitatively determination of the entire spectre of psycho-active substances and of their metabolites in biological tumors.
Responsible: Ministry of Interior
Ministry of Health and Family

6. Legal Co-operation in the Field of Crime and Extradition

6.1. Acquis in the field
- Convention Implementing Schengen Agreement - Articles 48 - 69
  - SCH/Com-ex (93)14 - 14.12.93 - Improving practical co-operation between the judicial authorities to combating drug trafficking - DRUGS - JUDICIAL CO-OPERATION
  - SCH/Com-ex (96) decl 1 - 21.06.96 - Terrorism
  - SCH/Com-ex (96) decl 6 rev 2 - 26.06.96 - Declaration on extradition
  - SCH/Com-ex (94) decl 13 rev 2 - 22.12.94 - Legal documents that can be transmitted directly by post
  - SCH/Com-ex (96) decl 1 - 21.06.96 - Terrorism
  - SCH/Com-ex (96) decl 6 rev 2 - 26.06.96 - Declaration on extradition
  - 2000/586/JHA Council Decision establishing a procedure for amending Articles 40(4) and (5), 41(7) and 65(2) of the Convention implementing the Schengen Agreement

6.2. Current situation

According to the Law no 296/2001 on extradition, the extraditable person has the right to declare before the court that he/she renounces of entitlement conferred by the law and gives the consent to be extradited and surrendered to the requesting state. The declaration is notified in an official report, signed by the president of the judge’s panel, judicial clerk, person in cause, his lawyer and translator.
In the field of extradition:

The request for extradition, made in writing by the competent authority of requesting state shall be communicated to the Ministry of Justice from Romania. If the request is made by diplomatic channel, it will be transmitted to the Ministry of Justice. Other means of communication may be arranged by direct agreement between requesting state and the Romanian state.

In the field of judicial assistance in criminal matters:

a) The requests for judicial assistance at the stage of criminal prosecution shall be addressed to the Prosecutor's Office attached to the Supreme Court of Justice of Romania.

b) The request for judicial assistance at the stage of the trial shall be addressed to the Ministry of Justice.

c) The requests for judicial assistance referred to in article 15 paragraph 3 shall be addressed to the Ministry of Interior.

d) In case of emergency, the requests for letters rogatory can be addressed directly to the courts or Prosecutor's Offices attached to the former, a copy of these shall be transmitted to the Ministry of Justice or the Prosecutor's Office attached to the Supreme Court of Justice, as the case may be.

7. Arms and Ammunition

7.1. Acquis in the field

7.2. Current situation
Through the Law No. 116/1997, the European Convention on the control of acquisition and possession of fire arms by private persons was ratified.

Currently, the legislation in the field is composed by the Law No.17/1996 on the regime of fire arms and ammunition and the Government Decision No.679/1997 on the approval of the Regulations of the fire arms and ammunition.

According to the above-mentioned norms, the Ministry of Interior - General Inspectorate of Police is the authority responsible for the notification of the operations regarding the selling, transferring or changing ownership of fire arms between the Romanian citizens or juridical persons and the citizens of Council of Europe Member States, signatories of the European Convention on the Control, Acquisition and Possession of Fire Arms by Private Persons .

7.3. Measures
   a) Legislative measures (primary and secondary legislation)

1. Amending the Law no.17/1996 on the regime of fire arms and ammunition in order to fully implement the provisions of the Directive 91/477/CEE on the control of acquisition and possession of fire arms.

   Responsible : Ministry of Interior

   Deadline: 01.01.2003.
b) Institutional measures

1. Setting up the National Register of Fire Arms

Responsible: Ministry of Interior

Deadline: 01.04.2003

8. Schengen Information System

8.1. Acquis in the field
- Convention Implementing the Schengen Agreement - Articles 92 - 125
- SCH/Com-ex (93) 16 - 14.12.93 - Financial Regulations on the installation and operating costs for the Schengen C.SIS - SIS
- SCH/Com-ex (97) 2 rev 2 - 25.04.97 - Awarding the tender for the SIS II preliminary study - SIS
- SCH/Com-ex (97)19 - 7.10.97 - Future of SIS - SIS
- SCH/Com-ex (97)35 - 15.12.97 - Amendment to the C.SIS Financial Regulations - SIS
- SCH/Com-ex (97) 38 rev - 15.12.97 - Financial Regulations for the Management Unit - SIS
- SCH/Com-ex (98)11 - 21.04.98 - C.SIS with 15/18 connections - SIS
- SCH/Com-ex (98) 15 - 23.6.1998 - 1998 budget for setting up SIS BUDGET - SIS
- SCH/Com-ex (98) 17 - 23.06.1998 - Confidential nature of certain documents
- SCH/Com-ex (98) 29 rev - 23.6.1998 - Catch-all clause to cover the whole technical Schengen acquis
- SCH/Com-ex (98) 31 - 16.9.1998 - 1999 budget estimate for the Management unit
- SCH/Com-ex (98)50 - 16.12.1998 - Budget (installation and operations) for the C.SIS for 1997
- SCH/Com-ex (98)4 - 28.4.1999 - C.SIS installation costs
- SCH/Com-ex (96) decl 5 - 18.04.96 - Definition of the concept of an alien
- SCH/Com-ex (97) decl 11 - 7.10.97 - List of authorities entitled to acces the SIS in Italy, Austria and Greece
- SCH/Com-ex (97) decl. 13 rev.2 - 21.04.98 - Abduction of minors
- SCH/Com-ex (98) decl.7 - 16.12.1998 - List of authorities pursuant to article 101 of the implementing Convention
- SCH/Com-ex (95)122 rev 5 - 23.2.1998 - Amendment to the financial rules for phase II of the SIRENE network
- 2000/265/ EC SISNET funding
- 2000/664/EC Supplements 2000/265/EC Institution of financial directive relating to the installation and operation of SISNET
- List of institutions having authorised direct acces to documents SIS 6600/00 SIS 26 COMIX 232, 5002/00 SIS 2 COMIX 2
- 2001/C 183/07 Draft Council Decree on the development of SIS II
- 2001/C 183/08 Draft Council Decree on the development of SIS II

8.2. Current situation

Specialized databases are organized within the structures of the Ministry of Interior, as follows:

annex 4-16
Databases regarding wanted persons under general pursuing, stolen cars, stolen goods (stolen identity papers, documents and fire arms) and stolen banknotes are organized within the General Inspectorate of Police. Offices and services of communication and IT and local area networks (LAN) equipped with workstations and servers are also organized at every County Police Inspectorate level. The connections between the county inspectorates' IT equipment and the servers from the General Inspectorate are done by modems using switched telephone lines. The databases are daily updated by using batch files. The answering time in case of signaling may vary from a few seconds, in case of persons under pursuing, to a few minutes. A daily backup is made for all existing databases at the level of General Inspectorate of Police. Currently, the General Inspectorate of Police maintains copies of the databases regarding "general pursued" at the General Inspectorate of Border Police and copies of the database regarding "stolen cars" from the INTERPOL Office in Lyon - France.

The national (central) database of simple (tourist) passport owners, the central database of the National Permanent Population Registry and the Central database regarding the data on Aliens and Migration Issues Registration are organized within the General Directorate for Personal Data Processing. The central database of simple (tourist) passport owners is updated using the daily collected batch files sent by county (territorial) units. The batch files arrive at the central level in maximum one day. The National Permanent Population Registry is organized on three hierarchical levels - local, county and central. The local databases are updated using official information written in citizens documents. At county level the databases are updated by using batch files transmitted by modems through leased and secure telephone lines. The central database is updated at least every 10 days, by using the same method. The data transmissions between levels are performed by electronic mail. Images are transmitted off-line as electronic files registered on magnetic support. The central database can be accessed on line by all counties, the connection being done through leased and secured lines as already mentioned.

The General Inspectorate of Border Police maintains the databases on blacklisted persons and transportation means pursued by the border police units, the database regarding persons crossing the border, the database regarding border incidents (including violation of the border legal regime), the database regarding persons involved in illegal activities related to the regime of the state border and their means, and the database regarding smuggled and abandoned goods.

From technical point of view, the central communications system of the Romanian Border Police is a heterogeneous type, using the following communication resources:

- Leased lines from the public telephony network and switched telephone lines between General Inspectorate of Border Police and its subordinated structures and between the General Inspectorate of Border Police and the cooperating structures.

- Telephone communication system for providing the voice connections on hierarchical channels between the Border Police units and the other cooperating institutions. These system consists of:
  - Protected dedicated telephone communications network administrated by the Special Telecommunications Service.
  - Public communications services acquired from the telecommunications market.

- The telex communication network provides the connection between the all Border Police units, as well as between them and the upper structure, and other institutions, which have subscribed to national telex network. The network is completely secure (by using own appropriate devices) among the Border Police units, comprising 25 telex units.
Radio communication networks:

- General Inspectorate of the Border Police is endowed with voice mobile radiocommunication services, completely secured through the PHOENIX System in TETRAPOL standard administrated by Special Telecommunications Service. These services allow the interconnection between the conventional mobile radiocommunication networks and the Ministry of the Interior (VHF and/or UHF).

- The analogic short wavelength radio communication network (HF), provides the operative links between the General Inspectorate of the Border Police and the counties inspectorates of the Border Police.

- The analogic VHF radio communication network (VHF) provides the operative links between all units of the Border Police, as well as between them and other structures of the Ministry of Interior.

The network is secured at the level of first two components and partially secured (10%) at the level of portable component.

The current Information System of the Border Police was designed in the period 1990-1992 for the purpose of input, processing and transmitting data through the computer network. In 1999, when the Romanian Border police was established, the information system was extended by taking over the Border Crossing Points together with their information technology and its relevant applications. 33 border-crossing points out of 65 have a computer network while the others have only one or two workstations each.

The data on events occurring along the green border is transmitted via telex from the sectors to the Border Police County Inspectorate, where the database is updated.

The network and the transmission of data are structured on three hierarchical levels, as follows:

- The Border Police General Inspectorate (GiBP);
- The Coast Guard, the Border Police Country Inspectorate (BPCI);
- Border Police Checkpoint (BPCP).

At present, the primary data are entered at BPCP level (for the Blue Border) and at BPCI level (for events occurring along the Green Border).

At least twice a day and whenever needed, the data are transmitted from the BPCP to its corresponding zonal center and then to the GiBP. In the reverse flow, the data follow the same route from the GiBP to the zonal center and afterward to the BPCP. The transmission is made from the authorized local computers using modems and switched telephone lines. This way the central database is updated by using batch files procedures.

The National Center for Visas maintains the database regarding visa applications and the granted or rejected visas.

General Customs Directorate has developed its own integrated information system for tracing the movement of goods through border points.

Special Telecommunications Service administrates and provides both for the structures of the Ministry of Interior and for the General Customs Directorate, a national protected infrastructure for data transmission using ATM technology, at county level. Based on this infrastructure, services as voice communication, data communication and virtual private networks are available for structures of the Ministry of Interior and General Customs Directorate that use sensitive information.

8.3. Measures

a) Legislative measures (primary and secondary legislation)
1. Drafting and adopting the legislation on the setting up and functioning of the national component of SIS and SIRENE office, within the Ministry of Interior.

Responsible: Ministry of Interior

Ministry of Foreign Affairs

Deadline: 30.06.2003

b) Institutional measures

1. Setting up the National SIS Center

Responsible: Ministry of Interior

Deadline: 31.09.2003

2. Setting up the SIRENE Office

Responsible: Ministry of Interior

Special Telecommunications Service

Deadline: 31.09.2003

c) Administrative/technical measures

1. Consultations with representatives of the European Commission and/or the EU Member States for clarifications on minimal technical requirements regarding communications and IT to be fulfilled by Romania by accession, to ensure the cooperation within SIS.

Responsible: Ministry of Interior

Ministry of Foreign Affairs

Special Telecommunications Service

Deadline: 31.05.2002

2. Drafting the documentation on the institutional, administrative and technical conditions for the functioning of N.SIS

Responsible: Ministry of Interior

Special Telecommunications Service


3. Modernization of the communication and information system of the Romanian Border Police

Responsible: Ministry of Interior

Special Telecommunications Service


4. Employment of the system of facial composition and recognition (Image Track)

Responsible: Ministry of Interior


5. Modernization of the communication and information system of the Romanian Police

Responsible: Ministry of Interior

Special Telecommunications Service

Deadline: 31.12.2004
6. Extending the integrated system of voice and data communication of the Ministry of Interior to a national level  
   Responsible: Ministry of Interior  
   Special Telecommunications Service  
   Deadline: 31.12.2005

7. Achieving the Pilot stage of N.SIS system  
   Responsible: Ministry of Interior  
   Special Telecommunications Service  
   Deadline: 31.12.2005

8. Extending the availability of N.SIS system to a national level  
   Responsible: Ministry of Interior  
   Special Telecommunications Service  

9. Protection of personal data
9.1. Acquis in the field  
   - Convention Implementing the Schengen Agreements - Articles 126 - 130  
   - Council of Europe Convention for the Protection of Individuals with regards to Automatic Processing of Personal Data, 27 January 1981  
   - Recommendation NR (87) 15 of 17 September 1987 of the Committee of Ministers of the Council of Europe regulating the use of personal data in the police sector

9.2. Current situation  
   According to article 26 of the Romanian Constitution, the public authorities respect and defend the private and family life, thus guaranteeing the protection of personal data.

9.3. Measures  
   a) Legislative (primary and secondary legislation)  
      2. Promulgation of the Law on the protection the persons regarding the processing of personal data and free movement of such data, which implement the provisions of CEU Directive 95/46  
   Responsible: Ministry of Communications and Information Technology  

   b) Institutional measures  
      1. Setting up the Independent Authority of Supervision  
   Responsible: The Ombudsman  
   Deadline: 2002
## ANNEX 5

**BUDGET DETAILS**

Total investment budget for the Border Police component – 16,50 MEURO

Control, detection and identify drugs apparatus in the Border Crossing Points distribution

<table>
<thead>
<tr>
<th>No</th>
<th>Border Police Points</th>
<th>Universal criminal investigation kit</th>
<th>Photo camera</th>
<th>Electronic flash Lamp</th>
<th>Drug Test Kit</th>
<th>Endoscopes</th>
<th>Equipment for forgery detection</th>
<th>UV Lamp</th>
<th>Equipment for quick registration of the fingerprints</th>
<th>Mirror set for vehicles control</th>
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<tbody>
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<td>BPP Calarasi</td>
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<td>BPP Giurgiu road and railroad</td>
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<td>Galati</td>
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<td>Periprava</td>
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<td>Socol</td>
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Naval mobility equipment distribution for the Romanian Border Police:

<table>
<thead>
<tr>
<th>No.</th>
<th>Location</th>
<th>Port control and surveillance boat</th>
<th>Ship control and boarding boat</th>
<th>Hovercraft</th>
<th>Outboard engine boat</th>
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<tr>
<td>1.</td>
<td>Constanta Ship Group</td>
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<tr>
<td>2.</td>
<td>Sulina Ship Group</td>
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<td>3.</td>
<td>Mangalia Ship Group</td>
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<tr>
<td>4.</td>
<td>Tulcea Ship Group</td>
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<tr>
<td>TOTAL</td>
<td></td>
<td>12</td>
<td>10</td>
<td>6</td>
<td>20</td>
</tr>
</tbody>
</table>

| 6.   | Switch               | SW                                 | 4000                           | 8          | 32 000               |
| 7.   | HDSL external modem  | M                                  | 2000                           | 2          | 4 000                |
| 8.   | Router               | R                                  | 8000                           | 40         | 320 000              |
| TOTAL|                     |                                    |                                |            | 677 500              |

The total investment component for "Further enhancing Romania's visa online processing system" amounts to **1,617,500 EURO**.
The activity of the Romanian Border Police staff took place in accordance with the stipulations of: the Government Program for 2001-2004, Frame Program – concerning the routing of the modernization and restructuring process, according to the Conception approved by Ministry of Interior leadership and also to the European Union Pre-accession Counsellor recommendations in order to continue the fundamental reforms within the institution.

The reform process started at the beginning of 2001, with the objectives established by Mr. Adrian Nastase – Prime Minister of the Romanian Government, with the occasion of the Balance for 2000, which took place at February, 14, 2001 in Timisoara. Thus, the effort of all staff was guided towards the reconstruction of the institutional system, decisional decentralization, increasing of responsibility and professional level of personnel, and also adopting an efficient management in order to accomplish the border missions, having as principal purpose the securisation of the Romanian borders and realisation of criteria established by the European Union, in order to realise a major objective: Romanian citizens will be able to travel without visas in the Schengen area.

In order to accomplish these objectives, at the Romanian Border Police leadership level the priorities were established and were identified the directions to follow, with a particular emphasis especially on the following axes:

- The alignment of its own structures and of the manner to accomplish the combating the transborder criminality missions, at the standards and level of the Border Police similar structures within the EU Member States;
- Approaching in a pragmatic way of the co-operation relations with the Ministry of Interior structures, national institutions with competency in preventing and combating the transborder criminality, similar institutions of the neighbouring countries, Candidate countries and EU Member States, in order to combat the transborder criminality;
- The Romanian Border Police staff professionalisation on the main transborder criminality domains, having as base the experience of those specialists who are working within the similar institutions of the European Union;
- Adopting an efficient management for the human, logistic, financial resources use, in order to assure favorable conditions for accomplish the border surveillance and control missions;
- Taking the most efficient measures for limitation and elimination of the causes that generates corruption acts at the level of its own staff.

Being aware of its responsibility, the General Inspectorate of the Border Police leadership realised, since June, 01, 2001, a new organisation of the Romanian Border Police, after the model of the Border Polices from EU Member States, having as objective a full compatibility between structure, responsibilities and the particularities of accomplishing the missions according to every border.

In this idea, were created regional directorates for every border and the Black Sea. This organisation, in comparison with 2000, determined a reduction of 36 % of the non-operational
functions within the central units and the transfer of these to the executive structures; 2151
border policemen and border policemen hired on contractual base were transferred to operative
area; from these a number of 740 functions strengthen the Eastern and Northern Romanian
borders (the future external border of the European Union), in order to combat the illegal
migration phenomenon and other border crimes.

Through the reduction process of the non-operatives functions, 70% from the financial
expenses were transferred in the operative area and also a number of 118 transportation
means which assured the increase of the mobility and informatization level in the framework of
the specific measures.

Taking into account the realisation of the reform program, the Romanian Border Police
leadership was very attentive in the matter of co-operation with EU experts, in order to apply
some efficient measures, assure the realisation of the assumed engagements at the Ministry of
the Interior and Romanian Government level. These measures assured the adaptation of the
advanced theory and practice of the European Union and also the realisation of the objectives
settled up in the Twinning Conventions with the Border Police from Germany, the Civil Guard
from Spain and Police aux Frontieres from France.

The efforts of the Border Police leadership, for reform and institutional modernisation,
were also sustained by the National PHARE Program, from which the European Commission
approved funds in total amount of 27.67 millions EURO (Phare 1998 – 06. Meuro; Phare 1999 –
10.5 Meuro; Phare 2000 – 15.47 Meuro; Phare 2001 – 1.1 Meuro).

Also, we have to mention that Phare National Programme for the Border Management
will continue with Phare 2002 - with a budget of 16.76 Meuro. The Project Fiche is on the
European Commissio in Brussels for the final approval.

The measures and actions developed by the Romanian Border Police during these
programs has demonstrated the institution operative capacity in order to realise the proposed
objectives for a new institutional construction, a new legislative framework, adoption of some
new modern structure adapted to the operational demands, as well as the applying of a new
training system of personnel regarding the management and accomplishing the attributions
according to new missions.

With the European Union support, the Border Police registered great progresses in the
legislative area, in accordance with the communitaire acquis, basic legislation regarding at the
state border which are: Government Emergency Ordinance no.105/2001 regarding at the state
border and Government Emergency Ordinance nr. 104/2001 regarding the organization and
function of the Romanian Border Police. For the first time in specific border legislation have
been using communitary terms, like as: internal frontier, external frontier or National Information
System for persons circulation and goods over border.

Also, through Government Decision nr. 943/2001, was created Interministerial Group for
Integrated Management of State Border which has the purpose co-ordination the actions of all
institutions with attributions in this area, for alignment of all specific activities at the international
standard and the control of the situation of the cross-border crimes.

Considering the fact that harmonization of the secondary border legislation represent the
second stage in the plan for alignment to the communitaire acquis and therewith, permit a better
cooperation with corresponding institution from neighboring states, were made projects of
Agreements regard the border with all neighbor states of Romania, followed as a model the
Schengen Agreement and new cooperation and readmission agreements with the candidate
states and members of European Union (inclusive the development of the cooperation relations
with states from basin of the Black Sea).

In order to combat these crimes and all others registered in the competence area, Romanian Border Police takes the following measures:

a) Execution of a 790 control actions (just at the level of General Inspectorate of Border
Police), in total amount of 3.142 mission days, with 80% more than in year 2000;
b) Professionalised a 8.359 border policemen, 7.786 in RBP school institutions and 573 in the training activities guided by experts from European Union, which represent 350% more than in 2000.

c) Perfection the actions forms and methods of elements of p.f., subunits and units through adopt the forms of police by specialization a number of 810 border policemen on the specific area;

d) Peralization a 1.919 joint actions with cooperation agencies, from which 1.236 with institutions from national security and 683 with another institutions with border attributions; For the first time were realised common actions with Romanian Road Authority (RAR) in order to combat the stolen vehicles traffic and to realise a technical verification;

e) Perfection activities of gathering data and information through processing 16.434 border informations, which represent 11,8 % more than in year 2000;

f) Perfection the activities of criminal investigations regarding the finding and starting the investigation process;

g) Organize and deployment of the common actions with Police, Ministry of Agriculture, Alimentation and Forests, Financial Guard and “Danube Delta Biosphere Reservation “Administration, regarding the poaching in the area. In the year 2000 had not these kind of actions;

h) Preparation and deployment of commune actions with corresponding structure from neighbour countries;

i) Realization permanent contacts with attache officers from some country from European Union which are accredited in the Embassies in Bucharest;

j) Cooperation with SECI Center, with non-governmental organizations in order to indentify the commune actions routes against illegal migration;

k) Realisation of periodic analysis of illegal migration phenomenon and conclusions to struggle against efficiently.

The activities on the management of the human resources in year 2001 had a dimension without precedent, which impose a projection of a specialised co-ordination structure.

Consider that the important role in the process of the reorganization and modernization of the Romanian Border Police, professionalised Romanian border policemen through specialisation on the area struggle against cross-border crimes, was realised both internal and external level.

In that way, most of all Twinning Covenant for the Romanian Border Police have the objectives to professionalise of the Romanian border policemen through seminars, workshops, meetings and study visits abroad on different special fields and in principal on the cross-border crimes fields and work profiles.

For the first time for Romanian Border Police, based on the skills accumulated in the courses which had been carry out abroad, a number of 39 trainers prepared in the country another 300 border policemen.

In the same time with this actions was started the modernisation process of the training system of the Border Police and training of the didactic personal from the our training centers and has been elaborated in project "Carrier Guide of the Border Policeman" with support of European experts.

In the Management human resources area activities, another aspect of the General Inspectorate of the Border Police which pointed out in the 2001, it was to set on the personal on functions, according with knowledge and own experience. In this way, the professional training, the skills and quality was base for these activities, fairness and onestity vis a vis of activities performed and vis a vis of institution and country.

At the beginning of this year we have to face with the problem that the staffs has been appointed with people who weren’t abilitated professional, fact which allowed the perpetration of abuses or not fulfilling the job’s duties according to the actual legal provisions. Although, at that time, it was registered a tendency of increasing the number of job abusing, cases of corruption or cases of trying to cover up some negative events.
As a consequence of these facts, we have proceeded to deployment of control actions, assistance and guidance, after which we have ascertained series of deficiencies in the field of management, at the level of some subordinated units. There were identified the people who haven’t respected the specific surveillance and control methodology or they have committed dishonesty acts. In this respect there were taken some organizational, disciplinary and crime investigation measures against the staff who didn’t fulfill their duties, as follows:

- 153 leadership officers were dismissed or demoted for some deficiencies in the field of management (compared to 30 in 2000)
- 11 border policemen were reserved for dishonesty acts;
- 1,021 border policemen were disciplinary punished for not respecting the specific surveillance and control methodology (compared to 620 in 2000);
- 1,064 border policemen were rewarded for remarkable results obtained in fulfilling their duties and 139 were promoted before the term;
- 122 border policemen were sent in front of the Judging Council, of which 55 were officers, 2 military foremen and 65 non-commissioned officers (compared to 62 in 2000);
- 47 staff border policemen sent to the Military Prosecutor’s Office for the legal measures, guilty of having committed crimes.

In order to improve the staff training and fighting corruption, at the Romanian Border Police level, it has been elaborated a specific program regarding to the measures of preventing and fighting staff corruption, program in which there were established concrete actions and targets for each component, destined to fulfill this objective.

Also, a Protocol for co-operation between GIBP and General Directorate of Intelligence Services and Internal Affairs within Ministry of Interior was concluded. This Protocol foresees the same measurement of corruption combatting.

A similarly document was concluded with Hungarian Border Authorities and other will be concluded in the short time with Bulgarian Authorities.

International co-operation has represented, during this period of time, the trump of the Romanian Border Police; the year 2001 can be characterized as the year with the most intensive activity from the founding of our institution.

In 2001 there took place 727 meetings with similar institutions of the neighboring countries, of Candidate and Member States of the European Union, as well as with liaison officers, representatives of the foreigner Embassies and Consulate accredited in Romania. In the context of connecting our institution to the European/international circuit regarding the police co-operation, the exchange of data and information and the exchange of experience, there took place some work meetings with representatives of the Diplomatic Corps (Germany, Spain, Netherlands, Portugal, Finland, Yugoslavia), of International Organizations and Institutions, with liaison officers and international experts.

The international co-operation has decisively contributed to the “transparency” characteristic of the Romanian Border Police, being put in practice by promoting a positive, real image, which had as an effect our institution prestige rising.

During September-October 2001, under the European Union Belgium presidency, it took place the “High Impact Operation” (H.I.O.), which had as the main objective the developing of co-operation at the future external European Union border between the competent law enforcement authorities of the European Union, as well as of the accession Candidate States, mainly in the field of fighting illegal immigration, trafficking in human beings and smuggling.

Due to the fact that even in 2001 the financial resources were below the needs requested by the border securing process, we had all actions in order to frame in the established limits, stressing especially on guiding these resources towards the operational units. There were got available 152 buildings and terrains. Of these, 28 were transferred to other structures of central and local administration. The other 124 are to be capitalized during this year. It was reduced, in the same time, the number of horses and dogs to the actual and the future needs of our institution. The expenditure of transport, accommodation, energy, water, fuels and others were reduced, the funds got available being directed to the operational actions.

All these organizational and managerial measures and many others had as a result the consistent decrease of the border securing process costs.
In spite of the restrictive measures imposed by the austere budget (the available funs represent just 37.6% of the necessary) on the one hand and strengthening the measures of securing the border on the other hand, in the present we have reached the situation, in which we cannot talk anymore about the existence of any reserve or safe supply for special situation.

Moreover, it comes the difficulties generated by the pronounced attrition degree of the available equipments, for example 40% of de communication equipments are unusable due to the pronounced attrition; 75% of the informatics equipments are more than 10 years old, with low performances and frequent defections; over 70% of the motor vehicle are more than 5 years old and the naval mobility is influenced by the fact that only 43% of the equipments are operational. Also, only 20% of the specific intervention, surveillance and border control equipments are ensured. For the most of the equipments listed before, the making of the spare parts was stopped, and these things make frequently impossible to keep them in a permanent operational status. At this can be add the fact that they are big consumers of fuel, energy and specific maintenance materials.

Can be mentioned that the Border Police is part of the institutions who spent integral the funds allocated by Phare programs, and the delivery of the equipments contracted by Phare 1999 and 2000 financing programs will be finalized in the first half of the year 2002.

In the same time, with the support of the Government and of the Ministry of Interior, on the basis of an credit of 10 millions USD was concluded a supply contract for endowment of the border units with control and surveillance equipment.

For the Phare 2002 financing programme, were submitted hierarchically projects with a value around 17 MEURO and it is hopped that this proposal will be considered by the decision factors.

Insufficiency of the logistic and financial resources were compensated by the efforts of the people, were reconsidered the action structures, there were established prolonged shifts, the people were better assigned on the functions, and the efforts of the entire staff were focused on strengthening and on the diversification actions on the border and in the crossing points, in the places where the missions are performed.

Through the actions enfolded by the Border Police were revealed from the transgression circuit and valued, in accordance with the law, goods with a value bigger than 1900 milliards ROL, amount greater than the budget of the Border Police (1796 milliards ROL). In the year 2000, an amount of 1322 miliards ROL was allocated and the goods re-introduced in the circuit had an amount of 45 milliards ROL.

The actions performed at the level of the BP directorates and the involvement grade of the management factors for the founding of the needed means for fight against the delinquency in the responsibility area and eradication of the corruption of the subordinated staff were efficient, fact which is demonstrated by the generally obtained results at the level of the Border Police.

The analysis of the operational Status at the Romanian Borders highlighted that the main aspects of the cross-border crime are: illegal migration traffic, with its main component-persons traffic, illegal drugs traffic, luxury stolen cars traffic, weapons and ammunitions illegal traffic, smuggler phenomenon, etc.

Thus, in the 01.01 – 31.12.2001 period the following results were registered:

**RESULTS OBTAINED BY ROMANIAN BORDER POLICE IN PERIOD 01.01-31.12.2001**

A. IN THE FIELD OF ILLEGAL MIGRATION:

1. IMMIGRATION

   Based on an co-operation with Customs and General Police a number of 62,133 foreigner citizens were stopped to enter Romania, mainly for following reasons:
   - 31 hidden in transportation means:
   - 816 without visas;
   - 3,788 with fake and forged passports a/o visas;
   - 21,278 without subsistence means;
   - 36,220 with customs problems.
Regarding the same period of the year 2000, when 39,408 foreigner citizens were stopped to enter Romania, the increase is 63.4 %.

The citizens described above belongs in principal of the following countries:
- Republic of Moldavia – 28,400; Ukraine – 6,097;
- Bulgaria – 2,530; Turkey – 1,824;
- Russian Federation – 251; China -238;
- Iraq - 201;
- Kazakhstan-79;
- Pakistan – 52;

2. EMIGRATION:

A number of 28,073 persons were stopped to leave Romania (23,293 Romanians and 4,780 foreigner citizens), mainly for following reasons:
- 266 hidden in transportation means;
- 11,415 with fake and forged passports a/o visas (113 Romanians and 113 foreigner citizens);
- 16,432 with suspicious that they will do illegal activities in the Schengen area.

Regarding the same period of the year 2000, when 13,098 persons were stopped to leave Romania, the rise is 114,3 %.

The foreigner citizens described above belong in principal of the following countries:
- Republic of Moldavia – 1,404; Bulgaria - 654;
- Turkey - 447; Ukraine - 321;
- Iraq - 56; Russian Federation- 87;
- China – 23; Iran – 27;
- Afghanistan - 20;
- Pakistan – 12;
- Syria – 16.

Within the total amount of 23,293 Romanian Citizens who had not permission to leave Romania, a number of 9321 were discovered during the prevent activities of the Romanian Border Police made both, in the cross-border points and in deep of the territory. During the
investigations it was established that they had the intention to stay illegally on the Schengen territory (some of them had legal visas, issued by the EU States Embassies and were procured based on fake documents or through intermediary persons from which paid an important amount of money).

3. GREEN BORDER
At the green border 31,992 persons were discovered (28,415 Romanians and 3577 foreigner citizens) trying to pass illegally the State border or they broke the juridical regime of the State frontier and also 217 guides (196 Romanians and 21 foreigners). Regarding the same period of the 2000 year, when 14567 persons and 217 guides were discovered, the rise is 219 %.

Among the citizens retained in the first 9 months of the year 2000, the following nationalities are in top: Afghanistan, Iraq, Somalia, Sudan, Republic of Moldavia, Sierra Leone, Sri Lanka, the guides were mainly from Republic of Moldavia, Bulgaria, Romania and Arabian persons.

4. ASYLUM
In the year 2001, 307 foreign persons from the countries with high illegal migration risk request the Asilum status from border authorities.

5. PERSONS TRAFFIC
In this matter, together with colleagues from Combatting Organised Crime Brigade, 463 persons were discovered as follow: 116 pimps, 269 prostitutes and 78 guides. The women should be illegally taken out from the country in order to practice prostitution in other EU countries. They belong to the following countries: 139 from Moldavia, 97 from Romania and 33 from Ukraine.

B. IN THE FIELD OF ILLEGAL TRAFFIC WITH WEAPONS AND AMMUNITION:
41 weapons and 17,612 different types of cartridges were discovered in the year 2001 vis a vis of the year 2000, when 38 weapons and 4,893 cartridges were discovered.

The citizens involved in this activity were from: Russian Federation, Republic of Moldavia, Germany, Sweden, Ukraine, Italy, France and Romania.

C. IN THE FIELD OF ILLEGAL DRUGS TRAFFIC:

In year 2001 period was discovered a quantity of 8,656.486 Kg narcotics, 95,000 drug pills and 400 morphine cans vis a vis of 21.340 Kg in the entire year 2000.

The citizens involved in this activity were from: Greece, Republic of Moldavia, Turkey, Italy, Ukraine, Czech Republic and Romania.

D. IN THE FIELD OF STOLEN VEHICLES:

In the year 2001, 97 stolen luxury vehicles were discovered vis a vis of 11 in the entire year 2000. The citizens involved in this activity were from: Republic of Moldavia, Ukraine, Turkey, Italy, Slovakia, Germany, Poland, Bulgaria, Czech Republic, Albany, Croatia and Romania.
E. IN THE FIELD OF ILLEGAL TRAFFIC WITH GOODS, PRECIOUS METALS AND THESAURUS OBJECTS:

In the year 2001, were confiscated goods worth 74 billions ROL vis a vis of goods worth 21 billions ROL for entire year 2000. There was not permitted the entry in Romania for foreign citizens which own goods worth higher than admitted ceiling by customs, the amount around 71 billions ROL. Also, were discovered 1,917 thesaurus objects that belong to the National Cultural Patrimony and 92.265 Kg precious metals (gold 20.327 Kg, silver 72.588 kg and mercury 2.350 Kg ), 19,300 USD and 13,350 DM forged currency, 134,468 USD and 123,070 DM not declared currency. Vis a vis of year 2000 when were discovered 888 thesaurus objects that belong to the National Cultural Patrimony, 48.354 kg precious metals, 79,190 forged USD, 22,841 forged DM and 122,825 USD and 346,400 DM not declared currency.

F. IN THE FIELD OF FIGHT AGAINST ILLEGAL FISHING

It was confiscated 6,675 Kg fish worth 191 millions ROL, fishing tools worth 225 millions ROL and 14 boats worth 135 millions ROL. Also, 212 firms which have as main activity the fish trade were inspected. It was discovered some lawless activities regarding the warehouse spaces, working without sanitary – veterinary authorisation, un-protected personnel, a.s.o.

G. IN THE FIELD OF CRIMINAL INVESTIGATIONS

It were discovered and instrumented 3,767 criminal investigations, including 6,780 lawbreakers. The Criminal investigations Final Reports were closed for 1953 causes and continue with proposal for Indictments; 392 criminal records were solved as took out from criminal investigations and 188 were solved as non-beginning of criminal investigator; 71 criminal records were sent back in order to continue the investigations, which reprezent 1,88%; within 625 criminal records the Parchet (Juridical institution) has changed the solution proposed by Border Police criminal investigator, which reprezent 16.59%.

H. IN THE FIELD OF CONTRAVENTION FACTS

At the subordinate structures of the General Inspectorate of Border Police were applied 97,964 fines in total amount 11,803,667,000 ROL, vis-à-vis 44,234 fines in amount 5 milliards ROL, in the year 2000.

In the same time were registered and some deficiencies like:
- In present, the organization and performance of the surveillance of the state border is not at the level of EU standards. This fact is because of the proper endowment and also because of old way of organizing of the surveillance structure which exists in some places.
- There are also some irregularities in the information field, thing that impose the necessity of a better infiltration of our workers in delinquent structures, and also a better exploitation in the area.
- At some levels, especially at the operational level, exist some rigidity of thinking and action, and the lack of initiative for performance of the duties.
- Cooperation with similarly institution from neighbour states had not been totally at foreseen level (at Southern and Eastern borders Romanian Border Police did not succeed to return all the persons who crossed illegally the Romanian state border.

In the year 2002 the Romanian Border Police will take all necessarily measures in order to solve these problems thus the specific activity at the Romanian borders to assure full security and counterfight against cross-border crime.

The Romanian Border Police objectives for the year 2002 are:
1. Strengthening and varying of the surveillance and control activities in the competency area and to find out the persons who are breaking the border laws in order to assure the public order and safety;

2. Strengthening both the internal co-operation with other structures with border competency in order to fight against cross-border, and the external co-operation with similarly structures from the neighbour countries, EU Member States, Interpol, Europol, a.s.o., regarding the specific issues of counterfight against cross-border crime. Externally, the Romanian Border Police will use the Police co-operation as the main activity in the following areas:
   - Representing within the bi/multilateral co-operation mechanisms at the local, regional, European and international levels;
   - Implementing new cross-border co-operation forms (Contact Office, Border Contact Center);
   - Strengthening the co-operation with liaison officers from EU Member States;
   - Initiating the co-operation process with Federal Border Service of Russian Federation.

3. To use efficiently the resources and the supplies procured by Phare funds or governmental credits;

4. To fight against own personnel corruption;

5. To continue the personnel professionalisation process, through a specialised training in different areas of fight against criminality and to improve the management through a specialised training in control systems;

6. To effectuate the necessary intercessions in order to realise the Integrated Border Security System through a connection between the Border Police databases and other Ministry of Interior structures;

I would like to specify that the Romanian Border Police will continue the specific actions in order to fulfill the tasks established by Government Programme Action Plan and the EU requirements regarding the border security and, in the same time, will be deep involved in all actions regarding the fight against cross-border crime, especially the illegal migration, and other law breaking actions.
### EQUIPMENT SUPPLIED IN 2001

<table>
<thead>
<tr>
<th>No.</th>
<th>EQUIPMENT</th>
<th>UNIT</th>
<th>QTY</th>
<th>FINANCING SOURCE</th>
<th>OBS.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Printers</td>
<td>Sets</td>
<td>57</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>CO2 detectors</td>
<td>Sets</td>
<td>36</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>Bulletproof vests</td>
<td>Pieces</td>
<td>60</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>Bulletproof helmets</td>
<td>Pieces</td>
<td>60</td>
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<tr>
<td>7.</td>
<td>UV lamps</td>
<td>Pieces</td>
<td>26</td>
<td></td>
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<tr>
<td>8.</td>
<td>Portable torches</td>
<td>Pieces</td>
<td>500</td>
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<tr>
<td>9.</td>
<td>Ponchos</td>
<td>Pieces</td>
<td>4841</td>
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<td></td>
</tr>
<tr>
<td>10.</td>
<td>Special uniforms</td>
<td>Sets</td>
<td>4800</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11.</td>
<td>Warm socks</td>
<td>Pairs</td>
<td>32000</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td></td>
<td><strong>4,2827 M Euro</strong></td>
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</table>

<table>
<thead>
<tr>
<th>No.</th>
<th>EQUIPMENT</th>
<th>UNIT</th>
<th>QUANT.</th>
<th>FINANCING SOURCE</th>
<th>OBS.</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>Off-road vehicles ARO246</td>
<td>Sets</td>
<td>47</td>
<td>Governmental credit HG 777/2000</td>
<td>293,3 thousands Euro</td>
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<tr>
<td>2.</td>
<td>Off-road vehicles GRAND CHEROKEE</td>
<td>Sets</td>
<td>3</td>
<td>Governmental credit HG 250/2000</td>
<td>280 thousands Euro</td>
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<tr>
<td>3.</td>
<td>Vehicles VOLKSWAGEN</td>
<td>Sets</td>
<td>5</td>
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<td></td>
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<tr>
<td>1.</td>
<td>Radiation detectors</td>
<td>Sets</td>
<td>22</td>
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<tr>
<td>2.</td>
<td>Density measurement apparatus</td>
<td>Sets</td>
<td>2</td>
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<tr>
<td>3.</td>
<td>Optical fiber devices</td>
<td>Sets</td>
<td>1</td>
<td></td>
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<tr>
<td>4.</td>
<td>Antidrug kits</td>
<td>Sets</td>
<td>2</td>
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<tr>
<td>5.</td>
<td>Ultrasound devices for surfaces and volumes measurement</td>
<td>Sets</td>
<td>2</td>
<td>Donation (US Custom Service)</td>
<td>9,4 thousands Euro</td>
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<tr>
<td>6.</td>
<td>Halogen projectors</td>
<td>Pieces</td>
<td>5</td>
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<tr>
<td>1.</td>
<td>Volkswagen minibuses</td>
<td>Sets</td>
<td>6</td>
<td>Donation (German Federal Ministry of Interior)</td>
<td>350 thousands Euro</td>
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<tr>
<td>2.</td>
<td>CO2 detectors</td>
<td>Sets</td>
<td>40</td>
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<tr>
<td>3.</td>
<td>DOKU-BOX devices</td>
<td>Sets</td>
<td>30</td>
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</table>

**ENDOWMENT PERSPECTIVES FOR YEAR 2002**  
(according to the concluded contracts)

<table>
<thead>
<tr>
<th>No.</th>
<th>EQUIPMENT</th>
<th>UNIT</th>
<th>QUANT.</th>
<th>FINANCING SOURCE</th>
<th>OBS.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.</td>
<td>Off-road vehicles</td>
<td>Sets</td>
<td>169</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>Outboard engine boats</td>
<td>Sets</td>
<td>64</td>
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<tr>
<td>4.</td>
<td>River patrol boats</td>
<td>Sets</td>
<td>6</td>
<td></td>
<td></td>
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<tr>
<td>5.</td>
<td>Optical readers</td>
<td>Pieces</td>
<td>74</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6. Night vision binoculars  Pieces 72
7. Night vision goggles  Pieces 200
8. Surveillance vehicles  Sets 8
9. Night vision systems  Sets 43
10. Special boots  Pairs 9341
11. Rubber boots  Pairs 9141

1. Surveillance vehicles  Sets 35
2. Night vision devices  Pieces 142
3. Night vision systems  Sets 30
4. AUDI vehicles  Sets 5
5. Intervention vehicles  Sets 100
6. Mercedes minibuses 8+1  Sets 50
7. Mercedes minibuses 16+1  Sets 20

<table>
<thead>
<tr>
<th>No.</th>
<th>YEAR</th>
<th>BUDGET (MEURO)</th>
<th>CONTENT</th>
<th>STATUS</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>1998</td>
<td>0,6</td>
<td>• Institutional building (structures, laws)</td>
<td>Programme finalized Contracted funds– 100%</td>
</tr>
<tr>
<td>2.</td>
<td>1999</td>
<td>10,5</td>
<td>• Institutional building (training, structures, strategies)</td>
<td>Programme under implementation Contracted funds– 98,82%</td>
</tr>
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<td>3.</td>
<td>2000</td>
<td>15,47</td>
<td>• Institutional building (training)</td>
<td>Programme under implementation Contracted funds – 15,4%</td>
</tr>
<tr>
<td>4.</td>
<td>2001</td>
<td>1,1</td>
<td>• Institutional building (secondary legislation, strategies)</td>
<td>Programme under implementation</td>
</tr>
</tbody>
</table>

TOTAL  27,67 MEURO

Proposals for Programme PHARE 2002: 16,76 (Investment support)
TRAFFICKING IN HUMAN BEINGS. Citizens from Moldavia, Romania and Ukraine
DRUGS TRAFFICKING. ROUTES