1. Basic Information

1.1 CRIS Number: Phare 2004/016-772.01.07

1.2 Title: “Strengthening police co-operation”

1.3 Sector: Justice and Home Affairs

1.4 Location: Romania

1.5 Duration: According to the 2004 Financing Memorandum (Annual)

2. Objectives

2.1 Overall Objective:
Reinforce the strategic, institutional and operational capacity of police co-operation structures in community policing at local and central levels

2.2 Project purpose:
- Strengthen police and gendarmerie intervention and co-ordination capabilities at municipal and rural levels in the context of pre-accession of Romania to the E.U, in order to respond to the new demands of the Romanian population and in order to prevent and to repress the criminal threats and acts, which are likely to occur in a period of social and economical transition. Romania, as future part of the European Area of security, freedom and Justice needs well trained policemen and gendarmes, able to uphold the law, to provide swift response to criminal acts, and to act in the benefice of all citizens, with due observance of human rights and civil freedoms.
- Modernization and improvement of the gendarmerie capacities and competencies in the new legal and social context in order to strengthen and fully implement the institutional cooperation principles within the national public security system.
- Compatibility of the structures and practices of the Romanian Gendarmerie with those of the similar forces from the European Union.

2.3 Accession Partnership (AP) and NPAA priority

AP

Political Criteria
Democracy and the rule of law

Continue the process of police reform and modernization in particular by: completing internal reorganization; continuing efforts for police officers to fully respect basic human rights; broadening the use of community policing approaches; and ensuring that an efficient system for examining complaints of police misconducts is established and functions properly – access by Roma to this system should be
ensured. Strengthen police response and co-ordination capabilities at municipal and rural levels

Increasing the law enforcement capacities and competencies of the Romanian Gendarmerie according to the EU standards.

Consolidating the abilities and strengthening the action capacity of the Romanian Gendarmerie and the Romanian Police in the idea of creating an efficient inter-institutional cooperation between the structures of the public order of the Ministry of the Administration and the Interior level.

The increase of administrative capacity and inter-institutional cooperation concerned with law enforcement.

The intensification of collaboration measures and international co-ordination in the area of police cooperation and fight against the organized crime.

NPAA - chapter 4.24.3. - Police Co-operation

Short-Term Priorities:

- Transforming the Romanian Police into a flexible managing and execution structure, with an high competence level, by:
  - Creating a metropolitan data transmission net at the level of the General Police Directorate of Bucharest in order to assure the connection with all the police sections in Bucharest and with the IT Section within the General Inspectorate of Police;
  - Endowing with telephony systems and radio surveillance the vehicles, tracking devices;
  - Developing the operative and execution activities at the level of the territorial police units;
  - Reorganizing the General Police Directorate of Bucharest and the police county inspectorates accordingly to the principles applied at the level of the General Inspectorate of Police;
  - Restructuring the transport police inspectorates;
  - Reorganizing the educational institutions of the police accordingly to the objectives settled for the human resources management field;
  - Settling within he Ministry of Interior the institution of liaison officer with competencies in the fields of applying the law, the order and the security – Position Paper commitment on Chapter 24 – JHA.

- Elaborating and promoting drafts of normative acts and institutional measures allowing the reorganization of the police structures and the improving of the legal framework in order to increase the efficiency of the activity of preventing and combating the criminality and transforming the Romanian Police into a civil institution in order to align it to the incident EU norms in the field. In 2002, it is intended to be elaborated and promoted in order to be approved and promulgated the following normative acts:
  - The Law on the Road Code;
  - The Law on the Community Police;
  - The Law on the torture and other cruel, inhuman or degrading treatments or punishments;
- The Law for modifying and completing the Law No. 82/1999 on the transformation of the contravention fine into executing activities in the benefit of the community;
- The Law on the legal regime of the guns and ammunitions.

- Continuing the efforts for concluding new protocols and co-operation agreements with similar institutions from EU member states;
- In the field of human resources management field it is considered the necessity of the structural and functional re-organization of the training, continuous preparing and educational system of the Romanian Police personnel by:
  - Attributing increased competencies to the chiefs of the police territorial units in the field of human resources management field (employment, promotion, transfer);
  - Improving the selection system of the candidates for the police-type educational institutions;
  - Continuous improvement of the training system at the work place;
  - Participation to work-shops, conferences, preparation courses organised with the similar institutions abroad, non-governmental organisations, diplomatic representatives;
  - Reshaping the evaluation instruments for individual professional performances in order to improve the police personnel management;
  - Improving the promoting system of the personnel exclusively on the basis of professionalism, competence, managing abilities and efficiency;
  - Developing a coherent policy in the field of remuneration;
  - Realizing an unitary IT system for the human resources management;
  - Reshaping the normative system for stimulating and rewarding the personnel accordingly to the European standards in the field (The European Social Chart);
  - Identifying the necessary of psychological protection of the personnel, establishing the modalities of prevention and increase of the professional stress, as well as the recovering of the affected personnel.
  - The continuation of institutional reconstruction process and enforcing the role and place of the Romanian Gendarmerie within The Public Order National System.

- Improvement of the management capabilities of the territorial units leaders
- Performing the practices and the daily work of the police and the gendarmerie forces, in relationship with the demands of security of the Romanian population.
- Improvement and modernization of the treatment of the victims and vulnerable persons (domestic violence and children abuses) and capability to receive them with professionalism into police and gendarmerie units.
- Improvement of the professional training of the police and gendarmerie personnel, by the means of new methods of judiciary investigation, especially forensic methods.
- Profesionalisation of the gendarmerie forces (recruiting and basic training of new gendarme cadres), because of the end of the military conscription until 2007
- The continuation of the personnel reduction process, for those assigned to guard the objectives and the increase of the personnel assigned for public
order duties, simultaneous with the 100 % professionalizing process of the public order personnel.

- Providing the Romanian Gendarmerie personnel with computer training, and training for the following domains:
  - Criminal and offensive investigations
  - public relations (receiving of citizens, victims and vulnerable individuals treatment)
  - child protection and prevention of the domestic violence
  - countering the juvenile crime, itinerant crime and cyber crime
  - training for the investigation - research and forensic domains
  - training in the preventing of drug consumption domain
  - judiciary and forensic

- Preparing for participation to international peace support operations (E.U, U.N.O, OSCE), both as individual or specialised units, especially through the European Police Force.

- Improvement of the telecommunication system for the territorial units (a better coverage of the territory and a special equipment of the vehicles with computers in order to easily access the personal and cars data)

- The modernization of the short wave radio links sistem within National Headquarter of Gendarmerie and the subordinated units. The modernization of the IT system for data transmissions, taking in consideration that the Romanian Gendarmerie has completed two pledges assumed in Position Document, 24 Cap. JAI, “Establishment of the National Information Center – Football” and “The establishment of a database with the individuals known as having prior records for hooliganism, proved during by sports competitions, as well as with the individuals known as belonging to motorcycle gangs, who are liable to perpetrate criminal acts”, and now this collaboration in necessary, both on internal and external planes.

**Medium-Term Priorities:**

- Improving the reaction capacity of the police forces, developing the specific infrastructure;
- Improving the capacity of the police forces of co-operating with INTERPOL and EUROPOL;
- Increasing the work capacity of the IT systems (for example the AFIS - system for automatic encoding, stocking, comparison and examination of the fingerprints and papilar impressions; X 400 – transmission system which permit access to the data basis of national polices from the 178 member states an to the automatic data basis of OIPC-INTERPOL Secretariat General) and offering the possibility of connecting to the national IT system;
- Increasing the capacity of Romanian Gendarmerie to enforce the law, in conformity with EU procedures and practices.
- Improving the efficiency of the practices and the structures of the police and gendarmerie forces, in order to be compatible with other E.U-forces and to be at the service of the population in enforcing law and public order in Romania.
- Increasing the capacity of the cooperation of all law enforcement agencies through a better linkage and network telecommunication and computer system.
• Developing the capacity of the police and gendarmerie forces into new and modern technical methods as forensics, including territorial units.
• The increasing of the compatibility and development of collaboration with the other organizations within F.I.E.P.;
• The continuation of the training for taking part in the international missions;
• The raise of the interoperability level with police organization with military and / or civilian status in consideration of taking part in the European Police Force;

NPAA - Chapter 2.2.2. - Minority Rights and Protection of Minorities - Short and Medium Term Priorities

• Facilitating the active participation of the Rroma to economic, social, cultural and political Romanian life

Roadmap for Romania, Chapter 24 Justice & Home Affairs

Medium Term:
Continue efforts to establish an accountable and fully co-ordinated professional police organisation able to efficiently combat ordinary as well as various forms of organised crime such as trafficking in drugs, people, etc.

2.4 Contribution to National Development Plan (and/or Structural Funds Development Plan/SDP)
N/A

2.5 Cross Border Impact
N/A

3. Description

3.1 Background and justification:

The 2003 Regular Report on Romania’s Progress Towards Accession recommends that Romania should continue to establish a citizen-oriented police force, improve the operational capacity of the police as well as the flow of information between all law enforcement agencies, strengthen statistical instruments for measuring crime rates and develop new technical crime investigation methods.

“The Ministry of Administration and Interior Reform Strategy for 2005” sets forth several goals to be achieved in the short, medium and long terms. Its ambit is aimed at rendering the police more efficient and its most important objectives are:

- To improve the capacity of the Romanian Police in approaching and solving police issues, and managing crime rates;
- To demilitarise and decentralise the police, and democratise functional relations, as an essential pre-requisite of an independent judiciary system, according to the provisions of Act no. 218/2002 relating to the organisation and operation of the Romanian Police;
- To adopt new concepts on career development and the management of policing staff, according to the provisions of Act no. 360/2002 on the status of police officers and related secondary legislation;
- To modernise the training institutions of the Romanian Police, approximate the processes of basic and further training of policing staff to EU standards;
- To design the relational system for implementing the concept of partnership between the police and the community.

Part of these objectives will be addressed under a Phare 2002 twinning project with Great Britain and Spain, which will focus on demilitarisation and decentralisation issues. The current proposal under component A is meant as an extension of the aforementioned project to cover mostly operational issues such as best performance indicators to help measure efficiency at municipal and rural levels, the development of a best practice manual for the use of police officers ‘on the beat’ at municipal and rural levels, training in intervention practices and conflict resolution based on an increased presence, in the future, of representatives of ethnic minorities among the police forces, as well as training to be provided to middle managers at municipal and rural levels. It is proposed that these results be achieved in the framework of a twinning arrangement to consist of two modules: (1) intervention capabilities at municipal and rural levels - and (2) national minorities and community policing. Module 1 shall take the shape of a pilot approach to cover the city of Bucharest (Sector 3 in particular) and two counties (Dolj and Suceava) where crime rates appear to be the highest. The twinning proposal shall be coupled with a supply contract which is meant to provide IT equipment to the IT&C Centre of the Romanian Police and to the three pilot areas above. It is expected that this equipment will enable the development of comprehensive databases on all categories of crimes and their perpetrators, which shall be managed by the IT&C Centre and used by the police services of the three pilot areas. The extension of the findings of this pilot project at national level shall be the responsibility of Romania based on national resources. Such an approach will be instrumental in achieving the recommendation written in the 2002 Regular Report in relation to the improvement of the operational capacity of the police, as well as the flow of information between all law enforcement institutions.

Closely related to the issue of demilitarisation is the issue of professionalisation. The Romanian Gendarmerie started the process of professionalisation in 1991, financed exclusively from the national budget. Thus far, the conscripts are in process of being replaced by professionals whose main responsibility is that of maintaining and restoring public order. In order to fulfil this task in due observance of professional ethics and human rights and in line with the guidelines in the Governance Programme 2001-2004 and the provisions of the NPAA, the existing Romanian gendarmerie structures and practices should be brought in line with EU best practices in the field. Phare assistance under PHARE 2002 programme has been granted in this respect, in order to develop a training system tailored to the particularities of gendarmerie activities, supported by a minimum of training facilities. This project aims at further building on the progress of the PHARE 2002 twinning no. RO02/IB/JH-06 „Modernisation of the Romanian Gendarmerie structures and practices”, by expanding the training subjects to other modern and actual ones, such as improving the basic and continuous training of investigators in Police and Gendarmerie territorial units, developing forensic functions for both Police and Gendarmerie territorial units, improving the treatment of victims of domestic violence and children abuse.

The support given by the European Union to the Romanian Gendarmerie for the modernization of its structures and the adaptation of its practices to EU standards
reflects the place this is having in the already big family of the police forces that compose the space of justice, security and liberty, of which the more than 500 millions of citizens from the European Union have to beneficiate.

The future of the Romanian Gendarmerie is tightly linked with the future of Romanian Police and of all the country, in its domestic evolution as well as on European level, as a future member of the European Union. Thus, it has been decided that the Police and Gendarmerie will act both in a consensual way, within a dual and complementary system, and the activities of public order maintenance to be lead by the Police, taking into account the fact that it has the control of information resources.

The Gendarmerie is going through a restructuring process, and during this process in the urban environment will be set up Gendarmerie sections with competencies in public order maintenance, complementary to the public order police structures and acting together in an integrated system.

In the rural environment, the Police has set up rural police zonal centers, by means of recruitment of several communal units, and it is foreseen that the Gendarmerie will set up its own units, in accordance with the structure of these zonal centers and jointly act for the maintenance of public order. A methodical splitting of the territory is taking place, in order to have a better response for the protection needs of the citizens and an adjustment of the structures by realizing the special units, that are capable to carry out the tasks that the operational situation, from the different areas and environments imposes, like the mountain posts and sections. Other activities in this field will be lead by the chiefs of Police or Gendarmerie units, within the limits of competencies established by law.

In the same time, the Romanian Gendarmerie contributes to the fulfilment of Romania’s international arrangements, by attending under the United Nations’ aegis, with a mobile detachment in Kosovo.

In this way, the Romanian Gendarmerie is a polyvalent police force with military statute, which missions cover the area of ensuring and maintaining the public order, the area of the judicial police (according to the article 214 from the Criminal Procedure Code), also the guard and security of the special importance objectives and installations.

Because of its nature, as a junction structure between the civilian statute police and the army, the Romanian Gendarmerie allows to the Government to ensure, continuously, the management of the crises, from peace time to siege time. The Romanian Gendarmerie offers in fact this irreplaceable capacity that allows to the State to act in a strictly gradually manner with the responds and with subtleness of its involvement, avoiding the use of exceptional ways of action, managing very efficient the threats regarding its internal and external security.

The Romanian Gendarmerie is in this way, a valuable instrument for the Romania’s necessary engagement in realizing a great determination of the European Union, represented by the European policy of security and defence.

3.2. Linked activities

The 1998 Phare Police Programme, which provided assistance in the development of the Act on the organisation and operation of the Romanian Police, the Police Officer’s Act and the Act on witness protection. The project was also instrumental in
increasing the proficiency of Romanian police officers through the many training sessions which focused on organised crime aspects. The findings of this project have been used in the programming of three Phare 2002 projects on demilitarisation, corruption among the police forces and human resources management.

The 2002 Phare Programme (follow-up on the project above), RO 02/000-586.04.15 - "Modernisation and reform of law enforcement agencies and strengthening of anti-corruption structures" focuses on enhancing the overall conceptual and operational capability of MoI training functions, the capabilities of the Romanian Police supporting the implementation of a demilitarised and decentralised policing system in line with EU models, as well as the institutional capacity of the MoI to prevent and counter internal corruption according to EU standards in the field and the law-enforcement capabilities of the Romanian Gendarmerie in line with EU procedures and practices.

PHARE 2002 twinning no. RO02/IB/JH-06 „Modernisation of the Romanian Gendarmerie structures and practices”, started in September 2003 for a 24 months period, has as planned results the Gendarmerie organisational structure and development plan revised and proposals for changes and development elaborated, primary and secondary legislation drafted, as well as international co-operation instruments, training systems revised and in line with EU standards and an Information - Documentation Centre to support training activities established within the Gendarmerie Application School.

The Phare 2002 Phare Project relating to the strengthening of procedures in the fight against trafficking in human beings and drugs, the main beneficiary of which is the Romanian Border Police. The project is expected to start in January 2004.

The 2003 Phare Programme - "Compliance with EU accession criteria on police co-operation and the fight against organized crime" focuses on creating a Resource Centre for countering Trafficking in Human Beings, developing a national DNA profiling database for use in the forensic identification of Romanian nationals perpetrating offences on the territory of EU Member States, in line with methodologies and quality management standards recommended by the European DNA Profiling Group, further strengthening of the institutional and operational capacity of the Romanian Police and Antidrug National Agency in preventing and fighting against drugs trafficking and abuse and setting up a EUROPOL Unit in line with EU standards.

RIPE Programme (Registered Informants Programme Enhancement) was developed in co-operation with the British Police. The overall objective is the establishment within the General Directorate for Countering Organised Crime and Anti-Drugs of a database to be used by relevant stakeholders. A RIPE unit consisting of 2 project officers has been set up in July 2002.

Bilateral co-operation projects with France, Britain and Spain, comprising training sessions organized by CEPOL (European Police College) and AEPC (Association of the European Police Colleges), as well as with the Swiss Police regarding the implementation of the community police concept. Training seminars were also held in Budapest and Bucharest by The Alcohol, Tobacco and Fire Arms Bureau from the USA. Bilateral co-operation programmes with the French National Gendarmerie have provided technical assistance and mobility support (20 trucks, 24,000 EURO donation in mountain equipment, completion the project concerning Gendarmerie
Application School and its transformation into a learning centre with regional vocation, as well as specialised training in French institutions. Italian bilateral cooperation programmes with the Carabiniers Corps – have provided donations of equipment amounting to about 1,000,000 EURO to the Military School for Non-commissioned officers “Grigore Alexandru Ghica”. Bilateral co-operation with the Royal Marrechaussee of Nederland have provided donations of IT equipment amounting to 15,000 EURO and other 15,000 EURO for equipping a conference room at the Special Brigade for Intervention of the Romanian Gendarmerie.

In 2003 the Romanian Gendarmerie has participated at a training stage of the future Force of the European Police in the AGIS Programme. In the same context, in 2004, the Romanian Gendarmerie is co-organiser of the training stage beside French National Gendarmerie, the Civil Guard of Spain and the Germany Border Police.

3.3. Results

Component A: Police co-operation

Classical twinning (2 modules)

Module 1 – Intervention capabilities (pilot approach to address one sector in the city of Bucharest and two operationally sensitive counties – Dolj and Suceava):

- metropolitan and rural best practice manual – developed and ready for distribution
- metropolitan and rural policing performance indicators for the measurement of efficiency – established both for Police and Gendarmerie structures
- 80 police and 80 Gendarmerie officers at both metropolitan and rural levels trained in the field of intervention best practices
- 50 middle managers of police and 50 of Gendarmerie services at both municipal and rural levels trained in middle management procedures
- 80 police and 80 Gendarmerie officers trained in the field of:
  1. judiciary and forensic training for the police and gendarmerie officers through basic training in the police and gendarmerie schools, as well as regional sessions for the continuous training;
  2. improving the treatment of victims of domestic violence and children abuse
  3. modern investigation techniques and methods
- secondary legislation drafted in order to enhance forensic functions for both Police and Gendarmerie territorial units,
- multiannual investment plan for Police and Gendarmerie – developed

Module 2 – National minorities and community policing:

- procedures for promoting increased participation of national minorities in community policing – developed (to include selection and recruitment of police staff from among members of national minorities)
- curriculum of the Campina Police School – revised to include more training of Romanian police staff in the languages of national minorities

Component B: Consolidation of the structures and the practices of the Romanian Gendarmerie and preparation for full participation in the European Police Force
Classical twinning (2 modules)

Module 1- consolidation of the structures and the practices (territorial units of gendarmerie) in an institutional framework

- Secondary legislation enforced
- Strengthened institutional co-operation with all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.) achieved by co-operation protocols and joint training
- about 100 staff from all the above mentioned institutions trained in the fields of countering smuggling, drugs trafficking, children protection, protection of victims of domestic abuse, environmental protection, crisis management, etc.
- human resources management (including recruiting, training, management) at EU standards

Module 2 - Gendarmerie Mobile and European Police Force

- improving the training for the structures of public order in the areas of maintaining and restoring the public order, according to the new strategies and directives;
- about 150 gendarmerie officers trained in the field of accomplishing international missions, under EU mandate
- about 100 gendarmerie officers trained in the field of prevention and treatment of the new threats (nuclear, chemical and biological)
- Romanian Gendarmerie prepared for participation to international peace support operations (E.U, U..N.O, OSCE), especially through the European Police Force, by setting up a specialised unit for taking part in operational missions abroad and developing the Gendarmerie capacity for analysis and decision making in this field.

3.4 Activities (including Means)

Component A: Police co-operation

Classical twinning (2 modules)

Module 1 – Intervention capabilities (pilot approach to address one sector in the city of Bucharest and two operationally sensitive counties – Dolj and Suceava):

- workshops to assist in the development of a metropolitan and rural best practice manual for Police and Gendarmerie
- workshops to assist in the development of metropolitan and rural policing performance indicators for Police and Gendarmerie
- needs analysis and training sessions in intervention best practices for intervention police officers at both metropolitan and rural levels
- needs analysis and training sessions in middle management procedures for middle managers of police structures at both municipal and rural levels
- workshops to assist in drafting secondary legislation in order to enhance forensic functions for Police territorial units,
• workshops to assist in the development of a multiannual investment plan for Police
• specialised basic and continuous training for Police officers delivered in the field of:
  - improvement of the level of judiciary and forensic training for the police officers through basic training in the police schools, as well as regional sessions for the continuous training;
  - training sessions on improving the treatment of victims of domestic violence and children abuse
  - training sessions on modern investigation techniques and methods
The training sessions will be followed by setting up of local teams in order to ensure the further dissemination of the training courses on the job and to improve the skills of all Police experts.

Module 2 – National minorities and community policing:
• workshops to assist in the development of procedures for promoting increased participation of national minorities in community policing (to include selection and recruitment of police staff from among members of national minorities)
• workshops to assist in the revision of the curriculum of the Campina Police School to include more training of Romanian police staff in the languages of national minorities

Tasks of the PAA:
- to provide technical advice on drafting primary and secondary legislation on Police co-operation issues, as mentioned above;
- to facilitate networking with similar institutions in EU member states in order to stimulate a proper exchange of information and data;
- to co-ordinate the short and medium-term technical assistance from the EU Member States, required to effectively carry out the activities of the project;
- to co-ordinate the transfer of know-how acquired during the workshops and training courses and to monitor the first dissemination seminars held by the newly trained trainers.

Medium-/short-term expertise will be required for the performance of project tasks as may be decided during covenant negotiations.

Profile of the PAA:
- Solid legal and managerial background in law enforcement structures;
- Sound experience in the field of police co-operation;
- Sound knowledge of relevant EU legislative and institutional requirements;
- Sound communication skills and previous experience of working in a multi-disciplinary and multi-national team;
- Previous experience as project coordinator/project manager;
- Good command of English. Knowledge of French is an advantage.

Duration of the assignment of the PAA: The PAA will work within the General Inspectorate of Police for a period of 12 months.
Component B: Consolidation of the structures and the practices of the Romanian Gendarmerie and preparation for full participation in the European Police Force

Classical twinning (2 modules)

Module 1 - consolidation of the structures and the practices (territorial units of gendarmerie) in an institutional framework

- Drafting secondary legislation in judicial, forensic and victims protection fields;
- Workshops on drawing up co-operation protocols with all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.)
- Training courses for about 100 persons from all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.)
- Workshops and training courses on human resources management in the conditions of professionalising the gendarmerie

Module 2 - Gendarmerie Mobile and European Police Force

- Workshops and study visits to assist the establishments of a common E.P.F. practice
- Training sessions and common headquarters exercises within the framework of the E.P.F., according to the E.U. types of international missions
- Training session in the matter of the prevention and treatment of the new threats (nuclear, chemical and biological)
- Workshops and training sessions for the setting up of a specialised unit for taking part in operational missions abroad and developing the Gendarmerie capacity for analysis and decision making in this field

Tasks of the Pre-accession Advisor (PAA):

- to provide technical advice on gendarmerie-related legislation and institutional development in line with EU standards;
- to co-ordinate the short and medium term technical assistance from the EU Member States, required to effectively carry out the activities of the project;
- to co-ordinate the transfer of the know-how acquired during the training courses and related equipment to the specialised training institution.

Medium-/short-term expertise will be required for the performance of project tasks as may be decided during covenant negotiations.

Profile of the PAA:

- solid background in drafting gendarmerie-related legislation and institutional development plans;
- sound experience in the field of home affairs (gendarmerie issues);
- sound knowledge of relevant regulations and policies of the European Union;
- sound communication skills and previous experience of working in a multi-disciplinary and multi-national team;
- previous experience as project co-ordinator/project manager;
- sound knowledge of English. Knowledge of French is an advantage.

Duration of the assignment of the PAA: The PAA is supposed to be seconded to the Romanian Gendarmerie for a period of 12 months.

3.5. Lessons learned

Since the 2002 Regular Report legislative progress has been made in most areas of justice and home affairs and especially in migration, organised crime, money laundering, and judicial co-operation in civil matters. The 2003 Regular Report on Romania’s progress towards accession shows, nevertheless, that overall legal alignment remains variable: transposition has been quite good in many areas but there are still a number of important areas, most significantly the Schengen acquis, where additional efforts are required. Implementation capacity remains weak in almost all cases. In addition to continued legislative alignment, Romania should increase its efforts to develop administrative capacity and inter-agency co-operation. The reliance on legal measures and re-organisation of agencies has often been at the expense of implementation of the law and in many cases there has been little impact on the actual problem that prompted the government’s response. In particular the results achieved in policy areas where effective co-operation between a number of services is required (e.g. policing, anti-corruption) have been limited. Greater contacts with partner agencies in neighbouring states would also allow problems that are often trans-national in nature to be tackled more effectively.

Secondary legislation to implement the reform of the Police was adopted in October and November 2002. The text of a co-operation agreement with Europol was endorsed in May 2003.

There has been significant legal progress in the field of police co-operation. Reform of the Police has started but is far from complete and should be accelerated. The operational capacity of the police as well as the flow of information between law enforcement agencies needs to be improved. Another area where greater efforts are needed is on improving integration between the law enforcement and judicial systems as available data suggest a low conviction rate. In terms of international police co-operation, the network of police liaison officers has been expanded and strengthened but the level of other contacts with police services in neighbouring countries is low. More reliable and meaningful statistical instruments for measuring the crime rate are also needed, while new methods of technical crime investigation, including the development of forensic investigation, should be further developed.

4. Institutional Framework

The main beneficiary of the programme is the Romanian Police Inspectorate General within the Ministry of Administration and Interior. The Romanian Gendarmerie will be the second beneficiary.

According to the provisions of Article 1 under Act No.218/2002 on the organisation and operation of the National Police, the Romanian Police is the state institution which performs its duties within the boundaries of the national territory, the competences of which include the protection of human rights and fundamental freedoms, the protection of public and private wealth, crime prevention and detection, public order and security.
The Romanian Police Inspectorate General is the central police unit which co-ordinates and supervises the activity of all police units at national level, conducts operational activities where complex matters are at stake, as well as other activities pursuant to law. Its organisational chart includes directorates, services and compartments set up pursuant to ministerial orders. Following the implementation of the Reform Strategy covering the period between 2000 and 2004, the Police Inspectorate General has been operating, since 1 March 2000, according to a new structure organised along three components:

- Criminal Police, comprising the Directorate of the Criminal Police, the Directorate for Economic and Financial Crimes, the Directorate for Criminal Investigations, the Directorate General for Combating Organized Crime and Drugs and the Forensic Institute;
- Public Safety Police, which includes the Directorate for Surveillance and Public Order, the Road Traffic Police, the Transportation Directorate and the Institute for Crime Prevention and Research;
- Administrative Police.

The Romanian Gendarmerie is also undertaking a comprehensive reform, aiming at bringing its activity up to EU standards. It started with the professionalization of staff, complemented by changes in its structure, practices and organization, which are being in progress within the twinning project „Modernization of the Romanian Gendarmerie structures and practices”.

It means that is more than 300 territorial units had been created since July 2003 (posts and sections) overall the Romanian territory. These units are now in charge with the protection of citizens, the treatment of vulnerable persons, the crime prevention, the public order and the national security. This new structure is currently evolving and it is supposed that it would be created 1200 units in the next years.

### 5. Detailed Budget

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<th>Phare Support (MEURO)</th>
<th>National co-financing*</th>
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* In cases of co-financing only. Note: expenditure on equipment should be put under Investment

### 6. Implementation Arrangements

#### 6.1 Implementing Agency

The Central Finance and Contracting Unit within the Ministry of Public Finance is the Implementing Agency, having responsibilities for procedural aspects of tendering, contracting and payments.

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** The amount represents parallel cofinancing.
The Implementing Authority for the current project will be the Ministry of the Administration and Interior.

The Programme Implementation Unit (PIU) within the General Inspectorate of Romanian Police will be responsible for the day-to-day management of the Component A, while the PIU within the Romanian Gendarmerie will be mainly responsible for a proper implementation of the component B. The PCU within the MoAI will act as overall co-ordinator of the programme implementation process. The role of the PIUs will be to manage and solve, according to the Decentralised Implementation System (DIS) procedures, all issues concerning the management of the project, including planning and identification of tasks, reporting, preparation of project documentation, participation in tendering, monitoring and evaluation of activities. The PIUs will directly report to the Phare PCU within the Ministry of Administration and Interior, General Directorate for European Integration and International Relations.

A Steering Committee chaired by the Senior Programme Officer and comprising all stakeholders will ensure an efficient project management.

**Contact Points:**

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e-mail: jr@mai.gov.ro

**6.2 Non-standard Aspects**

N/A

**6.3 Contracts**

2 Twinning Covenants are foreseen under this project.

7. **Implementation Schedule**
7.1. Start of tendering/call for proposals - September 2004
7.2. Start of project activity – September 2005
7.3. Project completion – not later than the expiry of the disbursement period pursuant to the Financing Memorandum 2004.

8. Equal Opportunity
The Ministry of Administration and Interior is an equal opportunity employer. Equal participation in the project by women and men will be assured and women's participation will be enforced at the start of the project. All periodical progress review reports and other interim reports will include a specific explanation on measures and policies taken with respect to this equal opportunity for women and men and will provide measurements of achievement of this goal.

9. Environment
N/A

10. Rates of Return
N/A

11. Investment criteria

11.1. Catalytic effect:
Although the MoAI allocates from its own funds resources for implementation of the project (see co-financing at item 5 - Budget), these resources are drastically limited so that only the Phare contribution will make possible an accelerated process.

11.2 Co-financing
Phare must use its grants to attract as much co-financing as possible from all sources. The Romanian co-financing is listed under item 5 - Budget.

11.3 Additionality
This project is complementary to the programmes listed under item 3.2. PHARE grants shall not displace other financiers, especially from the private sector or IFIs.

11.4 Project readiness and size
The conditions for the project implementation are ready. The investment funds required by the project implementation comply with minimum project size requirements.

11.5 Sustainability
The Romanian Ministry of Administration and Interior will take responsibility to include the running costs and related maintenance costs in the Ministry's budget starting from 2005.

12. Conditionality and sequencing
PHARE support for the Police co-operation should be provided subject to progress with the legislative and institutional reforms in this field, including successfully implementation of the PHARE twinning projects RO 02/000-586.04.15/B - „Follow-up to the demilitarisation and decentralisation of police functions“ and RO 02/000-
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
## Logframe Matrix for project “Strengthening police co-operation”

### LOGFRAME PLANNING MATRIX

**PROJECT TITLE:**
“Strengthening police co-operation”

<table>
<thead>
<tr>
<th>Programme name and number:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contracting period expires:</td>
</tr>
<tr>
<td>30 November 2006</td>
</tr>
<tr>
<td>Contract execution period expires:</td>
</tr>
<tr>
<td>30 November 2007</td>
</tr>
<tr>
<td>Total Budget: 1.20 MEuro</td>
</tr>
<tr>
<td>Phare contribution: 1.00 MEuro</td>
</tr>
</tbody>
</table>

### Overall objective
Reinforce the strategic, institutional and operational capacity of police co-operation structures in community policing at local and central levels

- Law enforcement structures within the MoAI modernised and in line with the acquis - Institutions at local level strengthened in such a way that they meet EU requirements and are able to operate and co-operate within fellow institutions in EU member states.

### Objectively Verifiable Indicators

| - Commission’ Regular Reports. |
| - Regular Operational Capacity Reports. |
| - Monitoring and Assessment Reports |

### Sources of Verification

| - Increased number of solved cases; |
| - Increased intervention operational speed; |
| - Increased co-operation between all law enforcement structures |

### Project purpose
- Strengthen police and gendarmerie intervention and co-ordination capabilities at municipal and rural levels in the context of pre-accession of Romania to the E.U, in order to respond to the new demands of the Romanian population and in order to prevent and to repress the criminal threats and acts, which are likely to occur in a period of social and economical

| - Commission’s regular reports |
| - Regular statistics and reports of the relevant beneficiary structures operating under the MoAI. |
| - Regular statistics on operational police/gendarmerie activities |
| - Standard project implementation reports. |

### Assumptions
- Relevant domestic legislation, compliant with EU legislation best practices, enacted.
- Close and comprehensive co-ordination of the principal actors involved.
- Successful implementation of previous and ongoing related projects.
Romania, as future part of the European Area of security, freedom and Justice needs well trained policemen and gendarmes, able to uphold the law, to provide swift response to criminal acts, and to act in the benefit of all citizens, with due observance of human rights and civil freedoms.

- Modernization and improvement of the gendarmerie capacities and competencies in the new legal and social context in order to strengthen and fully implement the institutional cooperation principles within the national public security system.

- Compatibility of the structures and practices of the Romanian Gendarmerie with those of the similar forces from the European Union.

<table>
<thead>
<tr>
<th>Results</th>
<th>Objectively Verifiable Indicators</th>
<th>Sources of Verification</th>
<th>Assumptions</th>
</tr>
</thead>
</table>
| **Component A:** Classical twinning (4 modules) | **Component A:** | • Regular statistics and reports of the National Police and National Gendarmerie.  
• Legal documents.  
• Official MoAI records.  
• Training material  
• Technical assistance reports.  
• Accounting records of the | Full commitment of the parties involved.  
Timely and adequate resources available. |
| Module 1 – Intervention capabilities (pilot approach to address one sector in the city of Bucharest and two operationally sensitive counties – Dolj and Suceava):  
- metropolitan and rural best practice | • Pilot network structure | | |
- metropolitan and rural policing performance indicators for the measurement of efficiency of Police and Gendarmerie – established
  - training in intervention best practices - delivered to intervention police and Gendarmerie officers at both metropolitan and rural levels
- training in middle management procedures – delivered to middle managers of police and Gendarmerie services at both municipal and rural levels
- multi-annual investment plan – developed

**Module 2 – National minorities and community policing:**
- procedures for promoting increased participation of national minorities in community policing – developed (to include selection and recruitment of police staff from among members of national minorities)
- curriculum of the Campina Police School – revised to include more training of Romanian police staff in the languages of national minorities

**Component B: Classical twinning (2 modules)**

<table>
<thead>
<tr>
<th>Component B</th>
</tr>
</thead>
<tbody>
<tr>
<td>Module 1 - consolidation of the operational.</td>
</tr>
<tr>
<td>- Performance indicators operational</td>
</tr>
<tr>
<td>- Training provided to selected number of staff officers</td>
</tr>
<tr>
<td>- multi-annual investment plan approved by the MoAI and used for grounding further financing requests</td>
</tr>
<tr>
<td>- Procedures for selection and recruitment of police staff from among members of national minorities and promoting minority participation in community policing in place;</td>
</tr>
<tr>
<td>- Number of training hours in the languages of national minorities increased in Campina Police School;</td>
</tr>
<tr>
<td>- Number of policemen coming from among members of national minorities increased (at national level and respectively in the counties with higher minority population)</td>
</tr>
</tbody>
</table>

- Secondary legislation and co-beneficiary.
- Training Attendance sheets.
structures and the practices (territorial units of gendarmerie) in an institutional framework

- Secondary legislation enforced
- Strengthened institutional co-operation with all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.) achieved by co-operation protocols and joint training
- About 100 staff from all the above mentioned institutions trained in the fields of countering smuggling, drugs trafficking, children protection, protection of victims of domestic abuse, environmental protection, crisis management, etc.
- Human resources management (including recruiting, training, management) at EU standards

Module 2 - Gendarmerie Mobile and European Police Force

- Improving the training for the structures of public order in the areas of maintaining and restoring the public order, according to the new strategies
- Operation protocols enforced at EU standards;
  - Gendarmerie able to perform new law enforcement missions, in co-operation with other institutions with law enforcement competencies
  - Training provided to selected number of staff officers
  - Gendarmerie recruiting, training and human resources management at EU standards

- Regular statistics and reports of the National Police and National Gendarmerie.
- Legal documents.
- Official MoAI records.
- Training material
- Technical assistance reports.
- Accounting records of the beneficiary.
- Training Attendance sheets.

- Training provided to selected number of staff officers
  - Specialised unit for taking part in operational missions abroad set up and fully staffed
and directives;
- about 150 gendarmerie officers trained in the field of accomplishing international missions, under EU mandate
- about 100 gendarmerie officers trained in the field of prevention and treatment of the new threats (nuclear, chemical and biological)
- Romanian Gendarmerie prepared for participation to international peace support operations (E.U, U..N.O, OSCE), especially through the European Police Force, by setting up a specialised unit for taking part in operational missions abroad and developing the Gendarmerie capacity for analysis and decision making in this field.

<table>
<thead>
<tr>
<th>Activities</th>
<th>Means</th>
<th>Budget</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Component A:</strong> Classical twinning (2 modules)</td>
<td><strong>Component A:</strong> Classical twinning</td>
<td><strong>Component A:</strong> Total budget: 0.60 MEuro (of which 0.50 MEuro through Phare)</td>
<td>Full commitment of the parties involved. Timely and adequate resources available.</td>
</tr>
<tr>
<td>Module 1 – Intervention capabilities (pilot approach to address one sector in the city of Bucharest and two operationally sensitive counties – Dolj and Suceava): - workshops to assist in the development of a metropolitan and rural best practice manual - workshops to assist in the development of metropolitan and rural</td>
<td><strong>Component B:</strong> Classical twinning</td>
<td><strong>Component B:</strong> Total budget: 0.60 MEuro (of which 0.50 MEuro through Phare)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
policing performance indicators
- needs analysis and training sessions in intervention best practices delivered to intervention police officers at both metropolitan and rural levels
- needs analysis and training sessions in middle management procedures delivered to middle managers of police services at both municipal and rural levels
- workshops to assist in the development of a multiannual investment plan

Module 2 – National minorities and community policing:
- workshops to assist in the development of procedures for promoting increased participation of national minorities in community policing (to include selection and recruitment of police staff from among members of national minorities)
- workshops to assist in the revision of the curriculum of the Campina Police School to include more training of Romanian police staff in the languages of national minorities

Supply (minimum 2 contracts):
- drafting technical specifications to be submitted for ex-ante approval
- drafting Tender Dossier (CFCU) and submitting it for ex-ante approval
- publication of contract forecast, procurement notice and tender dossier after ex-ante approval
- organisation of clarification meetings (where deemed necessary as per tender dossier)
- organisation of evaluation session as per the provisions of the tender dossier
- contract award after ex-ante approval of evaluation report

Component B:

*Classical twinning (2 modules)*

Module 1 - consolidation of the structures and the practices (territorial units of gendarmerie) in an institutional framework

- Drafting secondary legislation in judicial, forensic and victims protection fields;
- Workshops on drawing up cooperation protocols with all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.)
- Training courses for about 100 persons from all law enforcement agencies (Police, Gendarmerie, Customer Protection Office, National Anti-Drugs Agency, National Customs Authority, National Authority for Environmental Protection, Children Protection Agency, etc.)
Authority for Environmental Protection, Children Protection Agency, etc.)

- Workshops and training courses on human resources management in the conditions of professionalising the gendarmerie

Module 2 - Gendarmerie Mobile and European Police Force

- Workshops and study visits to assist the establishments of a common E.P.F. practice
- Training sessions and common headquarters exercises within the framework of the E.P.F., according to the E.U. types of international missions
- Training session in the matter of the prevention and treatment of the new threats (nuclear, chemical and biological)
- Workshops and training sessions for the setting up of a specialised unit for taking part in operational missions abroad and developing the Gendarmerie capacity for analysis and decision making in this field
- drafting Tender Dossier (CFCU) and submitting it for ex-ante approval
- publication of contract forecast, procurement notice and tender dossier after ex-ante approval
- organisation of clarification meetings
- organisation of evaluation session as per the provisions of the tender dossier
- contract award after ex-ante approval of evaluation report

Preconditions

Budgets approved and available.
ANNEX 2

DETAILED TIME IMPLEMENTATION CHART

“Strengthening police co-operation”

<table>
<thead>
<tr>
<th>COMPONENT</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
<th>2007</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Police co-operation twinning component</td>
<td>D D D</td>
<td>D D C</td>
<td>C C C</td>
<td>I I I I I I I I I I I I I I</td>
</tr>
<tr>
<td>B. Gendarmerie twinning component</td>
<td>D D D</td>
<td>D D C</td>
<td>C C C</td>
<td>I I I I I I I I I I I I I I</td>
</tr>
</tbody>
</table>

D = Design
C = Contracting
R = Review
I = Implementation
X = Closure
ANNEX 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

“Strengthening police co-operation“

All figures in million EURO

<table>
<thead>
<tr>
<th></th>
<th>30/06/20 05</th>
<th>30/09/2 005</th>
<th>31/12/2 005</th>
<th>31/03/2 006</th>
<th>30/06/2 006</th>
<th>30/09/2 006</th>
<th>31/12/2 006</th>
<th>31/03/2 007</th>
<th>30/06/20 07</th>
<th>30/09/2 007</th>
<th>31/12/20 07</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTED</td>
<td>0.5</td>
<td>1.00</td>
<td>1.00</td>
<td>1.00</td>
<td>1.00</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>DISBURSED</td>
<td>-</td>
<td>-</td>
<td>0.05</td>
<td>0.10</td>
<td>0.30</td>
<td>0.60</td>
<td>0.80</td>
<td>1.00</td>
<td>1.00</td>
<td>1.00</td>
<td>1.00</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.