SECTOR PROGRAMME FICHE

PHARE 2006

for

BORDER MANAGEMENT

PHARE 2006/018-147. 03.04
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1. Basic Information

1.1. CRIS Number:
PHARE 2006/018-147. 03.04

1.2. Title:
Strengthening Border Management and Control

1.3. Sector: Justice and Home Affairs

1.4. Location: ROMANIA

1.5. Duration:

2. Objectives

2.1. Overall Objective:
Alignment to the EU Acquis in the field of border management and control in preparation for accession to the EU.

2.2. Project purpose:
Project 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority

Improvement of operational border management and control effectiveness through:

− Enhancement of Romanian Border Police (RBP) capacity to apply the full range of Schengen and Border Management Acquis;
− Further development of RBP capacity to train and develop its new recruits, and existing staff and managers;
− Joint development of RBP and National Customs Authority (NCA) front-line border control and co-operation techniques;
− Joint development of RBP and NCA anti-corruption and internal control measures.
− Consolidating the administrative, operational and technical capacity of the Romanian Customs Authority to enable it to achieve full harmonisation with the EU Acquis evolution and European Union best practice, covering the trade facility and control security requirements.
− Development, implementation and co-ordination of new and improved RBP/NCA operational border control structures, policies, systems and procedures.
− Integration of supporting IT and communication systems in the RBP.
− Development of effective anti-corruption measures in the RBP and NCA.
− Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts.

Project 2: Further Development of the System for Strengthening the Romanian Borders
Further modernization of the sub-systems for securing of the Romanian borders in accordance with EU best practice in relation to the border management, including the Schengen Acquis.

**Project 3:** Further development of the Romanian authorities capabilities to act as a Schengen space Member State, through:

− Setting up a National IT System for Alerts compatible with SIS II;
− Alignment of Romania to Schengen regulations and best practices, including the preparation for future connection to the Schengen Information System (SIS) II, as well as the setting up of a functional SIRENE Bureau;
− Preparation for implementing Visa Information System;
− Improving the security standards for the process of issuing visas.

2.3. Accession Partnership (AP) 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 priorities for Romania’s accession to the EU. Both the AP and the NPAA recognise the enhancement of border control as one of the top priorities to be addressed during the pre-accession stage.

**Accession Partnership Agreement**

Improvement of border management through setting up an Integrated Border Management Strategy, through implementing the State Border law and the Border Police functioning and organisation law, through abandoning the use of conscripts in the Border Police and the improvement of legislation and practices used to counter fight illegal migration and human beings trafficking, especially in women and children.

*Short-term priorities:*

Implement the law on Romanian state frontiers; strengthen border controls to prevent illegal immigration and to enable full participation in SIS II;

Upgrade law enforcement bodies and the judiciary to setting up a national SIRENE Bureau in order to ensure a good cooperation with other Schengen Member State in the field of organised crime, free movement of the person and objects and terrorism; ensure better coordination between law enforcement bodies;

*Medium-term priorities*

Continue progressive alignment of Schengen Acquis and EU practices;

The fully operational of the SIRENE Bureau within the Schengen Acquis framework upon Romania’s accession to Schengen Agreement

**National Plan for Adoption of the Acquis**

− Strengthening border controls;
− Modernisation of border management and training of personnel with competence in border management;
− Participation in inter-institutional co-operation in order to fight against and eliminate law infringements at the borders;
− Harmonisation of legislation and development of inter-agency co-operation regarding migration issues and strengthening the institutional capacity to control migration;
− 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 institutions with abilities in the migration field and alignment of migration and visa policy to the European standards and practices through close inter-institutional co-operation;

- Strengthening administrative co-operation.

2.4. Contribution to National Development Plan
N/A

2.5. Cross Border Impact
SIS II and Sirene Bureau are key instruments in cross-border cooperation between Schengen states. Their implementations at national level are two of the EU and Schengen accession criteria. The high level of control at the external borders of the extended EU is a key issue for Romania’s EU accession. Bearing that in mind, the establishment of a functional SIRENE bureau within the framework of the National IT System on Alerts becomes a must.

3. Description

3.1. Background and justification:
Strengthening border management and control in Romania, including the prevention of illegal migration, is a key element of Romania’s Accession Partnership (AP) with the EU, and of its National Programme for the Adoption of the Acquis (NPAA).

Furthermore, the European Commission’s Regular Report 2002 on Romania’s progress towards accession states, in its observations on border management and control, that “the improvement of the equipment in the border crossing points continued but future investments are necessary. A multi-annual investment plan must be elaborated for the modernisation of the infrastructure at the border”.

In order to more closely reflect these priorities, the 2004 – 2006 National Strategy for the Integrated State Border Management (a revised version of the former Strategy for Border Integrated Management¹), was approved by Government Decision (GD) no. 471/2004. ² The revision was also carried out for the purposes of updating information related to the status of border management acquis implementation, and improving the way that information is structured, taking into account comments by the European Commission.

The Integrated Border Management Strategy (IBMS) acts as the overriding co-ordinating framework for all Romanian institutions with competences at the border, including the two principal law enforcement agencies – the Romanian Border Police (RBP) and the Romanian National Customs Authority (NCA) – which are the main beneficiaries of this programme. Its objectives are aligned with Romania’s accession-related border management priorities, including the measures foreseen in the revised Schengen Action Plan (SAP).

The priorities identified in the IBMS, and in the Border Control chapter of the SAP, are reflected in the corresponding parts of the RBP’s Border Security Strategy 2004-2006, and the NCA’s Development Strategy for 2000-5.

¹ The 2003-2006 Strategy for Integrated State Border Management ¹ was approved by GD no 482/18 April 2003 and published in the OJ no. 309/08 May 2003
² The National Strategy was published in the O.J. no.325/15 April 2004
Each of the projects and tasks identified in this Phare 2006 programme fiche relates to, and directly addresses, priorities identified in the RBP and NCA strategies, and thus in the SAP and the IBMS. Moreover, both the RBP and NCA have participated in the drafting of this document and each administration has allocated, from its own budget, the necessary co-financing funds for accomplishing the objectives. This multi-annual programming document seeks Phare funding for projects in 2004-6 adding up to approx. 132 MEUR.

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), 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.

Following of the project RO 02/IB/JH-03, "Technical and legal assistance for implementing Schengen acquis" and for implementing National Schengen Action Plan, Romania have to create the National Information System of Alerts (NISA), compatible with SIS and respective SIS II.

The overall objective of this Phare 2006 project is to further develop the institutional capacity of the Ministry of Administration and Interior (MoAI) to implement the JHA acquis which will be achieved through completely developing and putting into operation a National Alerts IT System compatible with SIS II. For search activities as well as through further enhancing the criminal analysis system and developing software application for SIRENE office. The fulfilment of this objective will help achieve a higher level of external border control and internal security and will also ensure intensified exchange of information with Schengen member states and CS.SIS which implies more effective combating of cross border organised crime.

In order to reach the goals downward shown it is best to adopt a strategy based on the principle of achieving an efficient management and control within the country and to create a computerized informational system at national level containing a central data base (national resource) at the level of the Ministry of Administration and Interior; specific data bases, easy access ways to the information kept at different hierarchical levels and preparation for the future connection to the E.U. data base.

In regard to the SIRENE component, this represents the follow up of a former Twinning Project RO 02/IB/JH-03, „Legal and Technical Assistance for the implementing the Schengen Acquis in Romania” undergone with France and Spain during 18 months in 2004-2005. The above mentioned was a common project, including legal and technical aspects had as a result a legal framework for an IT&C system compatible with Schengen Information System, Government Ordinance no. 128/26.09.2005 regarding the setting up, organisation and functioning of National Alerts Information System. The measures foreseen by the standard fiche were assumed by the Romanian Government in the Schengen Action Plan, annex of the Complementary Position Paper II, within Chapter 24, Justice and Home Affaires.
The project aims at ensuring legislative harmonization by endorsing the Schengen acquis in the most appropriate manner. So, legal framework for Sirene cooperation is compulsory, inclusively drafting the organizational chart and the future training needs. Foreign expertise is of utmost necessity.

3.2. Sectoral rationale
In relation to the Project 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority, and to the Project 2: Further Development of the System for Strengthening the Romanian Borders:

Both the Romanian Border Police (RBP) and the Romanian National Customs Authority (NCA) have developed organisation-specific business strategies that contain clear strategic objectives to be achieved pre- and post-accession. These strategic objectives establish priorities for the reform and modernisation activities that each administration must undertake, and are in all cases fully aligned to the objectives of both the IBMS and the SAP. Accordingly, the RBP and NCA strategic priorities are the first point of reference in deciding upon the nature of assistance projects to be developed in this sector.

The main priorities identified in the RBP Border Security Strategy 2004-2006 (BSS) are:

- Strengthening RBP operational border management and control capacity;
- Improving RBP inter-operability with other national institutions specialised in border management, and with other similar bodies from the candidate countries, EU Member States and neighbouring countries;
- Combating trans-border crime; and
- Improving the fluidity of cross-border movements of legitimate persons and goods.

The BSS also contains the following provisions:

- Harmonising domestic Border Police-specific legislation, with the EU community acquis in the field of Justice and Home Affairs;
- Improving the RBP institutional system;
- Resuming the implementation of border crossing surveillance and control management at the EU standards;
- Implementing a performing human resources management system;
- Improvement the state border crossing control and surveillance procedures, according to the European standards;
- Ensuring an adequate logistical support meant to efficiently carry out the RBP missions - the achievement of the integrated system for border crossing surveillance and control;
- Rehabilitation and modernisation of infrastructure; and
- Improving the co-operation at national and international level, bi- and multilateral, with national institutions having border responsibilities and the neighbouring border states authorities, EU Member States, candidate countries and other states.

The NCA ‘Development Strategy 2000-2005’ has a number of strategic objectives, and those that are of direct relevance to this programme are as follows:

- Strengthen customs control at the border to combat commercial fraud and organized crime, whilst at the same time facilitating legitimate trade;
- Combat staff corruption and create an ethical-professional profile of the customs staff.
- Modernise the infrastructure and provide high performance equipment to support customs control activity.
A second significant point of reference for the development of this sectoral programme is the principal future risks and threats identified for the border management and control sector.

On the subject of the Project 3: Further development of the Romanian authorities capabilities to act as a Schengen Space Member State:

Regarding the NISA implementation in Romania it should be noted that the MoAI systems currently in use do not fully meet the operational, investigative and co-ordination needs of the MoAI services.

The identified gaps are:

- Inconsistency and duplication of dates;
- Part of needed information are not computerized;
- Limited access to dates;
- The dates are stored on different systems based on different technologies;
- The common dates of different data bases have the different format and this create impossibility of exchange them.

As regard the SIRENE components the identified gaps are: lack of a legal framework which defines the missions of the Sirene Bureau, operational chart of personnel, training of operators. Lack of personnel awareness on the utmost importance and necessity to ensure a high level of control at the borders, SIS II and Sirene bureau being key instruments to it.

Regarding the VIS component:

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: visa policy, border surveillance and control, including asylum issues, police co-operation, fight against drugs, judiciary co-operation in criminal matters, including extradition, arms and ammunition, SIS, VIS and personal data protection. The SAP is monitored and updated on an annual basis, so as Romania upon EU accession, to meet the minimum criteria for implementing the Schengen Convention.

The EU Common Position issued at the closing of negotiations on Chapter 24 – JHA, underlined that the implementation of the SAP should be considerably accelerated and any delay in the relation to the deadlines must be avoided.

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 visa applications. The main institutions involved in this process are the Romanian Ministry of Foreign Affairs (MFA) (through its Directorate for Consular Relations and Consular Offices abroad) and the Ministry of Administration and Interior.

In this context, the capacity of the MFA to implement the Schengen Acquis is currently one of the main priorities. This project will enhance the basis for operational actions in the field and together with the purchased equipment will improve the implementation of the visa policy.

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 area.
Romania benefited from a PHARE project for the creation of an on-line IT network – visa on line system. This system connects currently: 68 Consular offices abroad, the National Visa Centre within the Ministry of Foreign Affairs (a body set up in April 2001) and the Authority for Aliens within the Ministry of Interior. Under the third stage, planned to be finalised at 30 June 2006, the last 45 consular offices are being connected to the visa online system. The connection with 10 consular offices is in the testing stage.

The connection of every new consular office to the system was accompanied by the testing of the equipment in the system and the training of the consular officers. According to the National Visa Center (NVC) statistics, after the completion of the second stage, over 90% of the visa applications are processed on line.

The visa applications that come from consular offices not yet connected to the visa on line system are introduced to the system by NVC operators. The Authority for Aliens checks the visa applications of the citizens from the third countries which are on the negative list. The staff of the Romanian diplomatic missions and consular offices abroad is in charge with the verification of travel and the other documents presented for visa issuing. This checking corresponds, in a large measure, to the ones stipulated by the Common Consular Handbook. From the end of 2004, all the diplomatic and consular offices are endowed with technical equipment for detecting false and counterfeit travel documents, corresponding to low risk areas. In case of any suspicious document, the offices may request the support of local authorities and foreign consulates accredited in the respective state. There is an ad-hoc cooperation between Romanian consuls and their counterparts from diplomatic and consular offices of EU Member States.

According to the Romanian authorities commitment included in the Schengen Action Plan 2005, till the end of 2006 the high-risk consulates will be endowed with proper equipment. The provisions of the Common Consular Instructions, applicable before the Schengen accession will form the Romanian Visa Manual, which will enter into force by 1 July 2006, at the latest.

By its accession to the EU, Romania will take over all the provisions included in the Common Consular Handbook.

The value of the investments for the refurbishment of the consular offices (according the Schengen best practices and recommendations) during 2004 was about 2.4 million Euro. Substantial investments have been made at the offices in Ankara, Kiev, Belgrade, Moscow, Odessa, Izmir, Podgorita, Madrid, Rome, Munich, Bonn and Prague. In order to ensure minimum standards of security, some investments have been made at the offices in Berlin, Budapest, Istanbul, Hong Kong and Shanghai.

In order to continue the refurbishment of consular offices, for 2005, MFA is implementing investments valued at about 3.3 millions Euro.

The investments aim to ensure, as much as possible, that all Romanian consular offices which process and issue visas correspond to best practices and recommendations provided by the “Schengen Manual”, especially as regards the security of the buildings and of the consular staff. Next steps aim to improve the public information conditions and the communication between offices, etc.

Concluding, the project is linked directly to the implementation of the Schengen Action Plan as approved by the Romanian Government. The achievement of the project objectives will

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3. The kit contain Retro viewer, 30 X Microscope pochet / light, Color Spector / 8 X increase precision, UV Lamp, Professional pincers / steel, non magnetic, 125 mm, Measuring frame.
raise Romania’s performance in the field of visa policy, creating operational standards similar or compatible with those of the other Member States.

The project will also enhance cooperation between the Ministry of Foreign Affairs and the Ministry of Interior, facilitating direct communication between the consular offices and the border crossing points. This aspect will be of critical importance as the biometric features will be added to the VIS. The project will help providing the required infrastructure and equipment for the online check of all visa data upon Romania’s VIS implementation.

The project will also help improve security standards at the consular offices as required by the Commission Proposal and EDPA Opinion, in accordance with the Schengen criteria defined in the EU Schengen Catalogue. Romania gives particular attention to the protection of personal data and recognizes the legitimate concerns expressed by the Commission, the Member States, and the EPDA.

3.2.1. Identification of projects

PROJECT 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority

<table>
<thead>
<tr>
<th>Task nr</th>
<th>Title</th>
<th>Explanatory comments</th>
<th>Relates to priority nr</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Year 2006 – RBP Human Resources Development – Phase 3 – Training Managers in Human Resources Development</td>
<td><strong>Aim:</strong> Developing the capability of RBP senior managers and HRD professionals to establish and implement a HRD strategy, structure, systems, policies and procedures within the RBP that will ensure the regular and effective development of staff as a prime managerial activity.</td>
<td>1</td>
</tr>
<tr>
<td>2</td>
<td>Year 2006 – Feasibility Study for Strengthening Mobile Customs Surveillance and Control</td>
<td><strong>Aim:</strong> Assessing the requirement for the NCA to introduce mobile, vehicle-based controls nationwide, outside fixed border offices.</td>
<td>1</td>
</tr>
<tr>
<td>3.</td>
<td>Year 2006 – Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts</td>
<td><strong>Aim:</strong> To set up and operate secure, interoperable and accessible electronic customs systems which are intended to improve and facilitate supply chain logistics and customs processes. These electronic customs systems aim at making customs clearance more efficient, reduce administrative burdens, facilitate trade, increase safety of goods and security of international trade, and enhance environmental and consumer protection.</td>
<td>1</td>
</tr>
</tbody>
</table>
4. **Year 2006 – IT support for antidrogs specific activities**

**Aim:**
- To strengthen the NCA antidrug operational capacity through the development of a antidrug risk assessment IT centralized system.
- To improve the skills of the anti-drug staff in regard of risk assessment based on anti-drug specific information, in order to increase the efficiency of drug smuggling prevention.

<table>
<thead>
<tr>
<th>Task Nr.</th>
<th>Title</th>
<th>Implementation tool</th>
<th>Total costs €</th>
<th>Phare funding €</th>
<th>Start date</th>
<th>End date</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Year 2006 – RBP Human Resources Development – Phase 3 – Training Managers in Human Resources Development</td>
<td>Services</td>
<td>0.51</td>
<td>0.50</td>
<td>Sept 2006</td>
<td>Nov 2007</td>
</tr>
<tr>
<td>2</td>
<td>Year 2006 – Feasibility Study for Strengthening Mobile Customs Surveillance and Control</td>
<td>Services</td>
<td>0.20</td>
<td>0.20</td>
<td>May 2006</td>
<td>Aug 2006</td>
</tr>
<tr>
<td>3</td>
<td>Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts</td>
<td>Services</td>
<td>2.6</td>
<td>2.4</td>
<td>Dec 2007</td>
<td>Dec 2008</td>
</tr>
<tr>
<td>4</td>
<td>IT support for antidrogs specific activities</td>
<td>Services</td>
<td>0.35</td>
<td>0.35</td>
<td>Nov 2006</td>
<td>Nov 2007</td>
</tr>
<tr>
<td>5</td>
<td>Development of the customs laboratories</td>
<td>Twinning Services</td>
<td>1.84</td>
<td>1.7</td>
<td>Nov 2006</td>
<td>June 2008</td>
</tr>
</tbody>
</table>
### PROJECT 2: Further Development of the System for Strengthening the Romanian Borders

<table>
<thead>
<tr>
<th>Task no.</th>
<th>Title</th>
<th>Explanatory comments</th>
<th>Relates to priority nr</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Year 2006 – Implementation of the RBP Integrated Surveillance System of Danube River and Danube Delta</td>
<td>According to the legislation in force, Romanian Border Police has the responsibility of the blue border surveillance, including Danube River and border waters from Danube Delta. The project implemented in the benefit of the Romanian Naval Authority will cover only the ports area. The present component is proposed to purchase the needed equipment for surveillance system to cover the RBP responsibility area between Danube ports and to be integrated with the RNA system in accordance with the Feasibility Study which will be elaborated through a PPF contract. The PPF contract will define the Tactical Assessment of this system and for the implementation will be is proposed to be elaborated the technical specification and the tendering documents through FWC in the IB fiche.</td>
<td>2</td>
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<tr>
<td>7</td>
<td>Year 2006 – Supply of Mobile Patrol Vehicles for the NCA</td>
<td>NCA controls at the Romanian border are currently exercised within the confines of fixed Customs posts, for example at Border Crossing Points (BCPs) and airports. The NCA recognises that this system of control may be too inflexible to deal with increasingly diverse methods of smuggling and other customs fraud, and wishes to develop an effective mobile surveillance and control presence around Romania’s borders, and inland. This new function would be co-ordinated and/or shared with the RBP, which already engages in mobile surveillance patrols. This Task is proposed to create a mobile, vehicle-based, nationwide NCA surveillance and control function, operating outside fixed customs control points, and co-ordinated and/or shared with the RBP.</td>
<td>2</td>
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<tr>
<td>8</td>
<td>Year 2006 – Supply of RBP Vessel for Surveillance</td>
<td>In present, the naval mobility for patrol and surveillance is covered in proportion of 64%. From this operating equipment, most of the units are obsolete and proposed to be out-commissioned. The present Phare component is proposed to supplement this RBP equipment with the provision of one additional surveillance vessel,</td>
<td>2</td>
</tr>
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</table>
maintenance and training, that enable the RBP to operate 24 hours per day, in all types of waters, and in all weather conditions in the responsibility area on Black Sea.

<table>
<thead>
<tr>
<th>Task Nr.</th>
<th>Title</th>
<th>Implementation tool</th>
<th>Total costs €Mio</th>
<th>Phare funding €Mio</th>
<th>Start</th>
<th>End</th>
</tr>
</thead>
<tbody>
<tr>
<td>7</td>
<td>Year 2006 – Supply of Mobile Patrol Vehicles for the NCA</td>
<td>INV – supply</td>
<td>2.96</td>
<td>2.22</td>
<td>Jun 2007</td>
<td>Dec 2008</td>
</tr>
</tbody>
</table>

Implementation tools: TA Technical Assistance, GS grant scheme, TW twinning, TWL twinning light, INV investments

PROJECT 3: Further development of the Romanian authorities capabilities to act as a Schengen space Member State

<table>
<thead>
<tr>
<th>Task no.</th>
<th>Title</th>
<th>Explanatory comments</th>
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<tbody>
<tr>
<td>9</td>
<td>Year 2006 – NISA compatible SIS, respective SIS II investment component</td>
<td>The sequencing of implementation of the component will be: Implementation of the National IT System for Alerts, pilot phase (at central level and General Inspectorate for Border Police, General Inspectorate of Romanian Police, Authority for Aliens and National Focal Point). Expected results are: Tender launching Contract signing Delivering the equipments Ensuring the connexions Elaborating the software for application Testing the application and the system functionality</td>
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<tr>
<td>Task no.</td>
<td>Title</td>
<td>Explanatory comments</td>
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<tr>
<td>1</td>
<td>Year 2006 – Schengen acquis approximation (twinning)</td>
<td>The component aims at ensuring legislative harmonization by endorsing the Schengen acquis in the most appropriate manner. So, legal framework for SIRENE cooperation is compulsory, inclusively drafting the organizational chart and the future training needs. Foreign expertise is of utmost necessity.</td>
</tr>
<tr>
<td>1</td>
<td>Year 2006 - Enhancement of the capability of the Romanian consular offices to apply the Schengen standards and procedures in the process of issuing visas as currently practiced by EU Member States</td>
<td>In order to properly equip the Romanian consular offices to counter fraud attempts, during processing the visa applications, adequate equipment is necessary. According the Schengen Manual a kit corresponding to medium risk level include: ultraviolet light source (portable and fixed ultraviolet lamps), magnification (low power stereo zoom microscope, light source with flexible fiberoptic light), special testing devices (retro viewer to check reflective materials, and test lenses, filter screens, etc. to check for latent security features in standard documents and reference material (EU Handbook of Genuine Identity, Travel and Residence Documents and the Fraud Bulletin. By this project is envisaged the procurement of minimum 12 kits for detecting false and falsified documents</td>
</tr>
<tr>
<td>1</td>
<td>Year 2006 - Technical assistance for the development of the national section of the Visa Information System</td>
<td>The expected results of the TA component consists in three documents : technical project, technical specifications and the tender dossier for the Visa Information System. Practically at the end of the project, MFA will be in position to start the physical implementation of VIS.</td>
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<tr>
<th>Task Nr.</th>
<th>Title</th>
<th>Implementati on tool</th>
<th>Total costs €Mio</th>
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3.2.2. Sequencing

Project 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority

<table>
<thead>
<tr>
<th>Title</th>
<th>Depends on</th>
<th>Phase no.</th>
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</thead>
<tbody>
<tr>
<td>Year 2004 - Further Developing the Capacity of the RBP to Apply the Schengen and Border Management Acquis</td>
<td>NA</td>
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<tr>
<td>Year 2004 - Technical design and documentation for tendering of the RBP Integrated System for Observation, Surveillance and Control of Traffic at the Black Sea</td>
<td>NA</td>
<td>Phase 1 (ref. Subproject 2 2005)</td>
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<tr>
<td>Year 2004 - Anti-corruption Measures for Border Police and Customs</td>
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<tr>
<td>Year 2004 - Improving Border Police and Customs Co-operation at the Ukrainian Border</td>
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<td>Phase 1 (ref. 2005)</td>
</tr>
<tr>
<td>Year 2004 – Technical project and Tendering Documents for Development of the RBP</td>
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<td>Phase 1 (ref. Project 2 2006)</td>
</tr>
<tr>
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</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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<tr>
<td>Integrated Surveillance System of Danube River and Danube Delta</td>
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</tr>
<tr>
<td>Year 2005 - Improving Border Police and Customs Co-operation at the Serbian Border</td>
<td>Phase 1 (ref. 2004)</td>
<td>Phase 2</td>
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<tr>
<td>Year 2005 - Operational Training in Selective, Risk-Based Border Control Techniques</td>
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<tr>
<td>Year 2005 - Development of the RBP and NCA Internal Control Functions</td>
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<td>Year 2005 - Technical Assistance for the Development of the RBP Command and Control system</td>
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<td>Year 2006 - Feasibility Study for Strengthening Mobile Customs Surveillance and Control</td>
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<td>Phase 1 (ref. Project 2 2006)</td>
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<td>Year 2006 - Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts</td>
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<td>Year 2006 - IT support for antidrogs specific activities</td>
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<td>Year 2006 - Development of the customs laboratories</td>
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**PROJECT 2: Further Development of the System for Strengthening the Romanian Borders**

<table>
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<td>Year 2004 - Supply of RBP Vessels for Surveillance and Control of the Blue Border</td>
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<td>Year 2004 - Extension of the RBP Voice and Data Communication System</td>
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<td>Year 2004 - Design and</td>
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<td>Phase no.</td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
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<tr>
<td>Implementation of the RBP Mobile Communication System</td>
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<tr>
<td>Year 2004 - Repair and Refurbishment of RBP Training Premises</td>
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<td>Year 2004 - Construction and Rehabilitation of the Docking Facilities for RBP Marine and River Vessels</td>
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<td><em>Phase 2</em></td>
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<td>Year 2004 - Supply of Furniture and Office Equipment for Border Contact Centres and Points</td>
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<td>Year 2004 - Re-Configuration of the Infrastructure and Traffic Flows at Designated Border Crossing Points</td>
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<td>Year 2004 - Endowment of RBP Training Centres and Schools with Specialised Training Equipment</td>
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<tr>
<td>Year 2004 - Technical design and documentation for tendering the Re-Configuration of the Infrastructure and Traffic Flows at Designated Border Crossing Points, Construction and Rehabilitation of the Docking Facilities for RBP Marine and River Vessels</td>
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<tr>
<td>Year 2005 - Endowment of Designated Border Crossing Points with Specialised Detection Equipment</td>
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</tr>
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<td>Year 2005 - Implementation of the RBP Integrated System for Observation, Surveillance and Control of Traffic at the Black Sea, Final Phase</td>
<td><em>Phase 1</em></td>
<td><em>Phase 2</em></td>
</tr>
<tr>
<td>Year 2005 - Supply of RBP Vessels for Surveillance and Control of the Blue Border</td>
<td>NA</td>
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<tr>
<td>Year 2006 –Implementation of the RBP Integrated Surveillance System of Danube River and Danube Delta</td>
<td><em>Phase 1</em></td>
<td><em>Phase 2</em></td>
</tr>
<tr>
<td>Year 2006 - Supply of Mobile Patrol Vehicles for the NCA</td>
<td><em>Phase 1</em></td>
<td><em>Phase 2</em></td>
</tr>
<tr>
<td>Year 2006 - Supply of RBP Vessels</td>
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### PROJECT 3: Further development of the Romanian authorities capabilities to act as a Schengen space Member State

<table>
<thead>
<tr>
<th>Title</th>
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<th>Phase no.</th>
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<tr>
<td>Year 2006 – investment component for implementing NISA compatible SIS, respective SIS II</td>
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<td>NA</td>
</tr>
<tr>
<td>Year 2006 – Schengen acquis approximation (twinning)</td>
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<td>Year 2006 - Enhancement of the capability of the Romanian consular offices to apply the Schengen standards and procedures in the process of issuing visas as currently practiced by EU Member States</td>
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<td>Year 2006 - Technical assistance for the development of the national section of the Visa Information System</td>
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### 3.3. Results

#### 3.3.1. Project 1

**3.3.1.1. Purpose**

**Project 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority**

Improvement of operational border management and control effectiveness through:

- Enhancement of Romanian Border Police (RBP) capacity to apply the full range of Schengen and Border Management Acquis;
- Further development of RBP capacity to train and develop its new recruits, and existing staff and managers;
- Joint development of RBP and National Customs Authority (NCA) front-line border control and co-operation techniques;
- Joint development of RBP and NCA anti-corruption and internal control measures.
- Consolidating the administrative, operational and technical capacity of the Romanian Customs Authority to enable it to achieve full harmonisation with the EU Acquis evolution and European Union best practice, covering the trade facility and control security requirements.
- Development, implementation and co-ordination of new and improved RBP/NCA operational border control structures, policies, systems and procedures.
Integration of supporting IT and communication systems in the RBP.

− Development of effective anti-corruption measures in the RBP and NCA.
− Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts.

3.3.1.2. Results:

**Task 1 Year 2006 - RBP Human Resources Development – Phase 3 – Training Managers in Human Resources Development**

**Starting position**

The large number of externally-driven changes to which the RBP must adapt, taken together with its own growth and development, impose a heavy burden on its managers for ensuring that RBP personnel are properly trained and developed – not only to enable them to effectively implement the changes, but also to be prepared to absorb further changes in the future. Senior RBP managers, as well as managers and staff in the HRD department, therefore have to be trained in the effective application of Human Resources Development (HRD) principles and practice.

**Target position**

Developing the capability of RBP senior managers and HRD professionals to support RBP HRD strategies, and the HRD structure, systems, policies and procedures, by ensuring the regular and effective development, and equality of opportunity of staff as a prime managerial activity.

**Purpose**

To provide RBP senior managers and HRD professionals with the knowledge, skills and techniques required to effectively introduce a new HRD system whereby individual RBP managers are primarily responsible for the development of their staff.

**Results**

- Overall assessment of the RBP’s organisational and managerial capability, and development needs, in the field of HRD carried out;
- Appropriate solutions to the identified needs proposed in a comprehensive report;
- Training programme designed and delivered to meet the identified needs of senior RBP managers and HRD personnel;
- Training programme appropriate for the RBP environment and capable of delivery within the existing RBP training system;
- New/revised HRD policy, structure, systems, and procedures designed and introduced.

**Task 2 Year 2006 - Feasibility Study for Strengthening Mobile Customs Surveillance and Control**

**Starting position**

NCA controls at the Romanian border are currently exercised within the confines of fixed Customs posts, for example at Border Crossing Points (BCPs) and airports. The NCA recognises that this system of control may be too inflexible to deal with increasingly diverse methods of smuggling and other customs fraud, and wishes to develop an effective mobile
surveillance and control presence around Romania’s borders, and inland. This new function would be co-ordinated and/or shared with the RBP, which already engages in mobile surveillance patrols.

**Target position**

To establish the precise requirements, in terms of vehicles and specialised training, for a mobile, nationwide NCA surveillance and control function, co-ordinated and/or shared with the RBP.

**Purpose**

Providing an in-depth analysis and report of the NCA’s requirements in respect of mobile, vehicle-based surveillance and controls outside fixed border offices, countrywide.

**Results**

- Overall assessment of the NCA’s mobile, vehicle-based surveillance and control requirements carried out;
- Appropriate solutions, in terms of equipment and specialised training, to the identified needs proposed in a feasibility study;
- Needed technical specifications and tendering documentation for the investment component.
- Feasibility study elaborated
- Technical specifications elaborated
- Scope for shared use of the facility with the RBP also fully explored.

**Task 3 year 2006 - Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts**

**Starting position**

Member States have committed themselves to action within the framework of e-Europe and e-government environment. The Council Resolution of December 5, 2003, recommended the Communication by the Commission on a simple and paperless environment for customs and trade, and sets down a eCustoms multi-annual strategic plan, to create an European electronic environment.

The Commission and Member States shall set up and operate secure, interoperable and accessible electronic customs systems which are intended to improve and facilitate supply chain logistics and customs processes. The electronic customs systems aim at making customs clearance more efficient, reduce administrative burdens, facilitate trade, increase safety of goods and security of international trade and enhance environmental and consumer protection.

The Risk Information Form (RIF) for disseminating and exchange of risk information was established at National Customs Authority (NCA) level. Actually there are no exchanges of information using the RIF system.

**Target position**

Enhancement of the NCA capability to support the:

- Exchange of information (pre-arrival and arrival notices as well as initial declarations under a simplified customs declarations or notifications under the local clearance procedure) between customs administrations, in particular in the case in which the office of entry and import are in different Member State, and between economic operators and customs administrations.
- Fight against community border criminality through a secured exchange of information system.
Development of a trusted and efficient Member States co-operation by implementation of community secured IT systems

Register of traders for customs purposes, even if they have customs transactions in other Member States;

Trader’s access to an information portal and single electronic access points for import and export transactions, to lodge their electronic summary, simplified, initial and customs declarations including local clearance notifications via one single interface

e-government initiative

Purpose
To create and implement an adequate environment able to:

- Ensure a seamless flow of data between AIS and other customs systems
- Combat fraud and to better supply chain security
- Set up and operate secure, interoperable and accessible electronic customs systems which are intended to improve and facilitate supply chain logistics and customs processes. These electronic customs systems aim at making customs clearance more efficient, reduce administrative burdens, facilitate trade, increase safety of goods and security of international trade, and enhance environmental and consumer protection.
- Register the economic operators involved in the movement of goods crossing Community borders, including those established outside the EU;
- Facilitate the access to the information related to import/export requirements through customs portal, to simplify the task of traders
- Enforce and stimulate the coherence of implementation of EU customs law and procedures
- Sustain the traders to lodge their electronic summary, simplified, initial and customs declarations including local clearance notifications via one single interface of their choice which connects theirs system with all member States’ customs systems

Results
a) Methodologies and working procedures approved and applied referring risk management framework (RMF), import control system (ICS), registration system for traders, common customs information portal and single electronic access point

b) Agreements related to the interinstitutional information exchange referring the new e-customs IT components

c) Organizational procedures for using electronic signature

d) Technical specifications drafted for the necessary IT equipments to sustain the functionality of the new eCustoms component

e) Import Control System (ICS) implemented to permit the:
   - exchange of electronic data between customs administrations
   - electronically declaration of goods for import by the authorized economic operators, without transit to the place where the trader is established

f) RMF implemented through additional IT activities,

g) Technical specifications for risk analysis systems

h) Community profiles readily incorporated into the risk analysis systems

i) Statistical information related risk analysis systems obtained and processed

j) Required interconnectivity and interoperability possibilities between the national risk systems
k) Improved co-operation between the relevant agencies with responsibilities related to the customs surveillance and fight against cross-border criminality through an operational exchange of information;
l) Developed specific databases for unique electronic registration of economic operators involved;
m) Developed specific interfaces to allow the communication and exchange of information with related databases referring all the inter-operable databases across CCN/CSI
n) Necessary interfaces implemented to sustain interconnectivity and interoperability with EU systems (RMF, ICS, AEO)
o) Customs information portal operational to allow standardizing and bundling all information of the member States and the Community which is needed for import and export transactions and make it accessible to traders at the same website
p) Full tested of the new components to fulfill the compliance with EU requirements
q) Relevant staff selected and trained

Task 4 year 2006- IT support for anti-drugs specific activities

Starting position
The customs anti-drugs intelligence unit evolved since 2003 and all the members are connected to the Integrated Customs Information System (ICIS). The deployment of Regional Phare Project for Fighting against Drugs, managed by Eurocustoms (IB project) provided the following results:

- The setting up of Information Management Compartment within the Division of Anti-Drug and Special Regime Products, starting with 01.07.2004;
- The definition of the main task of this compartment (as it is stipulated in the rules of organization and functioning), namely the use of intelligence function in the anti-drug field at tactical and strategically level;
- Providing the necessary technical assistance by French experts – during the Eurocustoms project implementation – referring to the information management within the new structure.

The National Anti-drug Strategy for 2005-2012, respectively the Action Plan for implementing the National Anti-drug Strategy during 2005-2008, stipulate the following activities which are compulsory:

- The setting up and the implementation of an IT component supporting the anti-drug field (within the National Customs Authority) for data gathering, information processing and dissemination, compatible to the similar one of the agencies from EU Member States – activity 2.a.3;
- Information gathering, processing and analyzing sent from the territorial structures, updating and using anti-drug data bases within the NCA – activity 1.a.4;

The National Anti-drugs Strategy 2005-2012 also stresses inter-agency co-operation between fight against drugs authorities.

The staff of the Division of Anti-Drug and Special Regime Products attended courses on operative analysis or other activities related to the information management together with the specialized staff from the Romanian Police. These training courses were carried out within Phare projects managed by the National Anti-drug Strategy.
The mentioned activities should be concretised into an efficient and operative exchange of information system within the anti-drug inter-agency cooperation.

**Target position**

Development of an anti-drugs risk assessment IT centralized system for gathering, processing and disseminating of information based on a comprehensive and compatible database, in order to maintain at low levels the illicit drug by enhancing prevention measures and developing.

Enhance inter-agency co-operation by establishing new agreements between fight against drugs authorities and eventually by developing an efficient and secured exchange of information using new IT interfaces.

**Purpose**

To strengthen the NCA antidrug operational capacity through the development of an antidrug risk assessment IT centralized system.

To improve the skills of the anti-drug staff in regard of risk assessment based on anti-drug specific information, in order to increase the efficiency of drug smuggling prevention.

**Results**

a) Agreements/protocols related to the inter-institutional electronically exchange of information to ensure an appropriate environment for fight anti-drugs activity;

b) Functional user requirements drafted;

c) The IT application dedicated to the anti-drugs activity for gathering, processing and disseminating of information developed and implemented at the central level;

d) Communication interfaces dedicated to the exchange of information with other anti-drugs agencies/authorities, developed and implemented;

e) End-user guide and Administration guide for IT application approved;

f) Relevant NCA trained staff on the specific data interpretation and for using the new IT application.

**Task 5 year 2006 - Development of the customs laboratories network**

**Starting position**

Under PHARE 2003 and in order to strengthen the administrative, operational and technical capacity of the Romanian Customs Administration to enable it to achieve full harmonization with EU Acquis and best practice, the twinning project RO03/IB/FI-03 on “Organization of a Customs Laboratories network” has been carried out between August 2004 and October 2005

Through the feasibility study carried out in this project, it was decided to create a Customs Laboratory in Bucharest that would be able to undertake chemical controls on goods imported or exported through the Romanian borders.

Romanian Customs officers were formed on essential aspects of the development of Customs Laboratories such as infrastructures required, legislation, operative procedures and information technologies and eight customs chemists were formed on the chemical analysis of different kinds of goods.

Beside this, and with the help of a PHARE 2003 supply project, a list of essential laboratory equipment was purchased in order to achieve a Customs Laboratory operative at a first level of possibilities.

The MAP 2005 (Annex 6 of the 2005 Fiche) contains the supply orientated provisions, referring to the development opportunity of customs laboratories network.
But in the actual context, the on-going Feasibility Studies which are finalised in proportion of 80%, identified other priorities for the border management improvement and the supplies for customs laboratories network have been postponed for 2006.

In relation with this, the proposed Twinning project is scheduled for 2007-2008 because in 2006, the NCA need is to consolidate the central customs laboratory in terms of operation, during a period of 6 months, and after that the future needs will be designed based on the results obtained within the proposed TW project. In this regard, one of the expected results will be the technical specifications for customs laboratories network.

In order to sustain the customs laboratories activities, the proposed IT component will support the management of samples between the customs offices and the laboratories, to allow the exchange of information.

**Target position**

a) Further development of the capacity of the Romanian Customs Laboratory in analyzing goods for improving customs controls achieved.

b) Romanian customs chemists trained in analytical methods and procedures and in the use of analytical laboratory equipment.

c) Management methods between customs offices and the laboratory implemented and procedures for sending samples to the laboratory and for producing the laboratory technical reports established.

d) Groups at the Regional Customs Directorate level trained on management of samples and their sending for analysis to the Customs Laboratory.

e) Groups at the Regional Customs Directorate level trained on the essential aspects of the Common Agricultural Policy related to Customs Laboratories.

f) The analysis capability of the laboratory further increased by purchase of more specialized laboratory equipment.

g) An IT component that supports all the management of samples between the customs offices and the laboratory developed and implemented

h) An IT component that allow to all the chemists in the laboratory an easy access to all the information required and produced by the laboratory, developed and implemented

i) An IT component integrated into the Romanian Integrated Customs Information System and in particular provided the interfaces with the TARIC system and CAP in order to allow the exchange of information

**Purpose**

To provide Romanian National Customs Authority with new technical methods for the improvement of customs controls through the technical support of the Romanian Customs Laboratory.

**Results**
a) A minimum of 10 Romanian Customs Chemists know how to analyze a wide range of samples for customs controls purposes
b) A minimum of 10 Romanian Customs Chemists know how to use analytical instrumentation for the analysis of a wide range of samples for customs controls purposes
c) A minimum of 10 Romanian Customs Chemists trained on Tariff Classification of goods
d) Procedures for the management of the Romanian Customs Laboratory established and put into operation
e) Procedures for the management of samples for analysis between Customs offices and Laboratory established
f) A minimum of 10 Romanian experts are capable of working on management of samples for analysis and relationships between Customs Offices and the Customs Laboratory
g) Groups established in every Regional Customs Directorate (10) for putting into operation the Romanian management procedures for sending samples for analysis to the Customs Laboratory
h) A minimum of 30 Romanian experts, 3 from each Regional Directorate, are able to work in the management of samples for analysis
i) Groups established in every Customs Regional Directorate (10) for putting into operation the Common Agricultural Policy controls related to Customs Laboratories
j) A minimum of 30 Romanian experts, 3 from each Regional Directorate, are aware of CAP controls related to Customs Laboratories
k) A Feasibility study on further laboratory equipment required for the Customs Laboratory carried out with indication of equipment to purchase and its specifications
l) Establishment of equipment and its specifications required in the Customs Laboratory
m) Terms of Reference elaborated for the development and implementation of the IT component dedicated to customs laboratory activities
n) An IT component that supports all the management of samples between the customs offices and the laboratory developed and implemented
o) An IT component that allow to all the chemists in the laboratory an easy access to all the information required and produced by the laboratory, developed and implemented
p) The endusers and IT administrators trained
q) The technical and functional documentation approved and disseminated.

3.3.2. Project 2

3.3.2.1. Purpose

Project 2: Further Development of the System for Strengthening the Romanian Borders

Further modernization of the sub-systems for securing of the Romanian borders in accordance with EU best practice in relation to the border management, including the Schengen Acquis.

3.3.2.2. Results:
Task 6: Implementation of the RBP Integrated Surveillance System of Danube River and Danube Delta

Starting position

The Phare 2003 programme included a component “Integrated Observation and Control System on Maritime Traffic at the Black Sea Coast - Phase 1 (supply)”. This project represents Phase 2, and is to be implemented in accordance with the solution proposed by the Feasibility Study for setting up the Integrated System for Observation, Surveillance and Control of Traffic at the Black Sea (financed through a Project Preparation Facility contract). The Maritime Danube Ports Administration and the Fluvial Danube Ports Administration in Giurgiu assures the minimum conditions for safety navigation and operation of the ships in the Romanian river ports.

A Vessel Traffic Management Information System on Danube is intended to be implemented by the Romanian Naval Authority (RNA), financed through Phare funds, designed to improve the navigation safety on Danube and the efficiency of inland traffic, to disseminate information about the traffic and navigation condition and to collect statistics about the inland transport especially. The system will cover in the first phase the main dangerous zones and the zones located in the neighbourhood of the ports: Drobeta-Turnu Severin, Giurgiu, Galati and Tulcea, corresponding to the zonal centres location. In Phase 2, of the Romanian Naval Authority project - it is foreseen that the rest of zones (which are less dangerous than ones covered in the Phase 1 will be equipped, as local centres.

According to the legislation in force, Romanian Border Police has the responsibility of the blue border surveillance, including Danube River and border waters from Danube Delta. The project implemented in the benefit of the Romanian Naval Authority will cover only the ports area.

The present component is proposed to purchase the needed equipment for surveillance system to cover the RBP responsibility area between Danube ports and to be integrated with the RNA system.

The current situation of the Surveillance Sub-system is illustrated by the following:

− Purchase of 202 goggles, 72 night vision binoculars, 49 thermal image portable systems and 8 special surveillance vehicles, supplied under Phare 2000;

− Implementation of the Pilot Phase of the Integrated Observation and Control System on Maritime Traffic at the Black Sea Coast will be implemented as a function of the results of an earlier Feasibility Study, which is to be validated under a Phare 2003 Twinning Covenant;

In addition, national funds have been used for the procurement of 35 special surveillance cars with thermo vision equipment, 142 night vision devices, and 30 portable thermo vision items of equipment.

In present the needed equipment for the surveillance of the green border covers adequately the missions of surveillance, excepting the needed upgrade of the special surveillance vehicles.

RBP performs the surveillance of the Romanian Borders at Danube with a low efficiency, and with forces and means, which are obsolete and most of them proposed to be out-commissioned.

Target position

Full implementation of the RBP Integrated Surveillance System of Danube River and Danube Delta (ISSDR), in accordance with the recommendations and solutions provided by the
Feasibility Study, which will be elaborated through a FWC in the first quarter of 2006, in the light of developments and lessons learned during the implementation of the ISOSCT. The FWC will define the Tactical Assessment of this system and for the implementation will be proposed to be elaborated the technical specification and the tendering documents through the same FWC in the IB fiche.

The implementation of the system will ensure the achievement of the following border management aims:

- The optimisation of the surveillance and control system on the Danube River, and its integration into the overall surveillance and control system of the RBP;
- The creation of a component that is an essential foundation for the Border Police infrastructure as a whole;
- The creation of databases containing essential information about river activities;
- Continuous river surveillance, 24 hours per day, 7 days per week;
- Enhancement of RBP operational effectiveness through improved ability to target, select and intercept river traffic;
- A reduction in the number of routine patrols at river;
- Reduction of illegal activities in the river RBP responsibility area.

The qualitative indicators, which will be improved in relation with Black Sea border surveillance, are:

- Time for river situation analysis – to be decreased;
- Number of surveillance, patrolling and intervention elements coordinated – to be increased.
- Patrolling time periods – to be decreased.

Purpose

Full implementation of the ISSDR in order to improve the surveillance capabilities of the RBP on the Danube River.

Results and their verification

- The ISSDR fully implemented, according to the Feasibility Study, and tender documents;
- The ISSDR integrated into the overall surveillance and control system of the RBP;
- Equipment in place, fully operational, inventoried and secure and integrated with the system managed by RNA;
- Equipment maintenance routines established;
- Relevant staff trained and able to use the equipment unsupervised;
- Instruction manuals supplied;
- Danube River area covered by the surveillance system increased.

Task 7: Supply of Mobile Patrol Vehicles for the NCA

Starting position

NCA controls at the Romanian border are currently exercised within the confines of fixed Customs posts, for example at Border Crossing Points (BCPs) and airports. The NCA recognises that this system of control may be too inflexible to deal with increasingly diverse methods of smuggling and other customs fraud, and wishes to develop an effective mobile
surveillance and control presence around Romania’s borders, and inland. This new function
would be co-ordinated and/or shared with the RBP, which already engages in mobile
surveillance patrols.

A Feasibility Study is to be conducted by March 2008 in order to establish the precise
requirements, in terms of vehicles, equipment and specialised training, for a mobile,
nationwide NCA surveillance and control function, co-ordinated and/or shared with the RBP.
The Feasibility Study will provide an overall assessment of the NCA’s mobile, vehicle-based
surveillance and control requirements carried out, appropriate solutions and specialised
training, will identified needs and specific technical specifications and also identified the
scope for shared use of the facility with the RBP.

**Target position**

Providing vehicles, equipment and specialised training for a mobile, nationwide NCA
surveillance and control function, co-ordinated and/or shared with the RBP, based upon the
findings of the Feasibility Study.

**Purpose**

To create a mobile, vehicle-based, nationwide NCA surveillance and control function,
operating outside fixed customs control points, and co-ordinated and/or shared with the RBP.

**Results and their verification**

- Vehicles and equipment supplied in accordance with technical specifications;
- Vehicles and equipment delivered to specified locations, fully operational, inventoried
  and secure;
- Vehicle and equipment maintenance routines established;
- Relevant NCA and RBP staff trained and able to use the vehicles and equipment
  unsupervised;
- Instruction/servicing manuals supplied, where appropriate.

**Task 8: Supply of RBP Vessel for Surveillance and Control of the Blue Border**

**Starting position**

RBP waterborne surveillance and control operations on the blue border have so far been
endowed with the following equipment:

Under RO 9907.01.02/01 – Automotive and naval mobility, off road vehicles (122 sets of
Nissan Terrano) and outboard engine boats (47 sets of Harpoon Open) were supplied on the
border with Ukraine and Moldova.

Under RO 0006.16.01.03 - Automotive and naval mobility, more off road vehicles (47 sets of
Nissan Terrano), outboard engine boats (17 sets of Harpoon Open), 36 intervention vehicles,
and 5 river patrol boats were supplied on the border with Ukraine and Moldova.

Under RO 2002/000-586.04.14.01.02 - Automotive and naval mobility, the following
equipment was supplied:

- 165 off-road intervention vehicles;
- 152 motorcycles;
- 12 port control and surveillance boats;
- 10 Ship-boarding and control boats;
- 6 special boats for lakes and Danube shallow waters; and
- 20 outboard engine boats on the border with Moldova, Ukraine and Yugoslavia.

In present, the naval mobility for patrol and surveillance is covered in proportion of 61%. From this operating equipment, most of the units are obsolete and proposed to be out-commissioned.

Based also on Report of the Advisory Visit under chapter 24 in the fields of Justice & Home Affairs in Romania, in period 29 March – 2 April 2004, which provides “There is a need for some offshore vessels that can stay out for longer periods, conduct observations, escort suspect ships etc”, this Phare 2006 component is proposed to supplement this RBP equipment with the provision of one additional surveillance vessel, maintenance and training, that enable the RBP to operate 24 hours per day, in all types of waters, and in all weather conditions in the responsibility area on Black Sea.

**Target position**

Supplementing existing RBP surveillance and control capacity at the blue border with one surveillance vessel, maintenance and training that enable the RBP to operate 24 hours per day, in all types of waters, and in all weather conditions.

The additional vessel will operate, with other RBP waterborne craft, as an integral component of RBP surveillance and control capability, and also form part of the RBP search and rescue capability.

The qualitative indicators, which will be improved, in relation with blue border surveillance, patrolling and intervention capabilities, are:

- Time for blue border surveillance - to be increased;
- Time for intervention at blue border– to be decreased;
- Surface of border area surveyed, day and night - to be increased.

**Purpose**

To strengthen the security of the blue border, through the supply one additional vessel that operate as an integral part of the RBP surveillance, control and search and rescue capability, thus enabling Romania to meet its EU accession and international obligations.

**Results** and their verification

- Equipment supplied in accordance with technical specifications;
- Equipment integrated into the overall surveillance and control system of the RBP;
- Equipment capable of use in search and rescue operations, and for environmental patrols;
- Equipment delivered to specified locations, fully operational, inventoried and secure;
- Equipment maintenance routines established;
- Relevant staff trained and able to use the equipment unsupervised;
- Instruction manuals supplied;
- Improvement in interception times and numbers of successful intercepts;
- Continuous surveillance of the blue border.
3.3.3. Project 3

3.3.3.1. Purpose

Project 3: Further development of the Romanian authorities capabilities to act as a Schengen space Member State, through:

- Setting up a National IT System for Alerts compatible with SIS II;
- Alignment of Romania to Schengen regulations and best practices, including the preparation for future connection to the Schengen Information System (SIS) II, as well as the setting up of a functional SIRENE Bureau;
- Preparation for implementing Visa Information System;
- Improving the security standards for the process of issuing visas.

3.3.3.2. Results:

Task 9: Investment component for implementing NISA compatible SIS, respective SIS II

Results

National IT System for Alerts operational in pilot phase (at central level and General Inspectorate for Border Police, General Inspectorate of Romanian Police, Authority for Aliens and National Focal Point).

Task 10: Schengen acquis approximation (twinning)

Purpose

Alignment of Romania to Schengen regulations and best practices, including the preparation for future connection to the Schengen Information System (SIS) II, as well as the setting up of a functional SIRENE Bureau, in order to ensure the high level of control at external borders of the EU.

Results:

Module I – Legislative approximation

1. National legal framework and working procedures drafted in line with the Schengen acquis, especially in the fields of data protection and data storage periods, discrete surveillance, specific controls of people, vehicles and objects and approved by the MAI leadership
2. Legal framework and procedures concerning data exchange and data protection within the National IT System on Alerts drafted in line with the Schengen acquis and approved by the MAI leadership

Module II - SIRENE

1. Legal provisions harmonized with the Schengen acquis, regulating the organization and operation of the SIRENE Bureau, approved by the MAI leadership.
2. Missions of the national Sirene Bureau and internal regulations on Sirene procedures drafted and approved by the MAI leadership, allowing to legally enforce the missions and activities related to the EU and Schengen acquis.
2.1. Functionalities necessary for accomplishing the above-mentioned missions and their transposition into technical instruments defined.

2.2. The provisions contained in the Sirene Manual and all the complementary norms transposed into Romanian legislation.

3. The Romanian legislation on personal data protection (Law no.677/2001) amended to be in full accordance with the provisions of the CISA and other norms.

4. The Minister order on establishing the Sirene Bureau amended in order to supplement the number of personnel in accordance with the operational needs.

5. SIRENE staff trained and able to perform efficiently its activity.

6. Efficient international communication with similar Sirene bureaux in EU member states and related operational working connections established.

7. Documentation on the IT architecture, information flows and IT procedures for SIRENE application operating, including the national procedures needed for feeding SIS by SIRENE Bureau and the procedures and architecture for the off-line working copy of the application used for training purposes, printed and approved by the MAI leadership

Module III – Trans-border police co-operation

1. National procedures on trans-border police co-operation, in line with the related Schengen acquis, drafted and approved by the MAI leadership

2. Documentation on the IT architecture, information flows and IT procedures between the competent structures ensuring international police co-operation printed and approved by the MAI leadership

Task 11: Enhancement of the capability of the Romanian consular offices to apply the Schengen standards and procedures in the process of issuing visas as currently practiced by EU Member States

Results

Supply contracts: Enhancing the capability of the Romanian consular offices to apply the Schengen security standards and procedures in the process of issuing visas as currently practised by EU Member States.

Module 1. Enhancing the capability of Romanian consular offices to detect false and falsified documents

In order to properly equip the Romanian consular offices to counter fraud attempts, during processing the visa applications, adequate equipment is necessary. According the Schengen Manual a kit corresponding to medium risk level include: ultraviolet light source (portable and fixed ultra-violet lamps), magnification (low power stereo zoom microscope, light source with flexible fibre-optic light), special testing devices (retro viewer to check reflective materials, and test lenses, filter screens, etc. to check for latent security features in standard documents and reference material (EU Handbook of Genuine Identity, Travel and Residence Documents and the Fraud Bulletin.

By this project is envisaged the procurement of minimum 12 kits for detecting false and falsified documents

Ministry of Foreign Affairs will ensure the necessary staff training on how to use the equipment with national financial and human resources.
Starting with 2004, the documents of training (how to detect false and forged documents) are part of the compulsory training program for every consular officer before to be posted abroad. The training is provided mainly by Border Police officers, specialized in false and forged documents.

**Task 12 Technical assistance for the development of the national section of the Visa Information System**

**Results**
The expected results of the TA component consist in three documents: technical project, technical specifications and the tender dossier for the Visa Information System. Practically at the end of the project, MFA will be in position to start the physical implementation of VIS.

**3.4. Activities (including Means)**

**Task 1 - RBP Human Resources Development – Phase 3 – Training Managers in Human Resources Development**

**Activities (including Means and implementing tools)**

This project requires inputs from professionally qualified HRD specialists, with a credible and proven background of working on HRD systems within border management authorities in central Europe. The providers of the assistance must be able to field operational border management experience, as well as specific expertise in the design of HRD systems that (a) place prime responsibility with line managers, (b) support border management operations, and (c) are in line with the latest developments in the EU.

Project activities will include:
- Carrying out an overall assessment of the RBP’s organisational and managerial capability, and development needs, in the field of HRD;
- Proposing detailed solutions for systems and associated training to meet the identified needs;
- Designing and delivering a training programme for senior RBP managers and HRD personnel;
- Designing, introducing and testing new/revised HRD policy, structure, systems, and procedures.

Implementing tools: Procurement of Services

**Task 2 - Feasibility Study for Strengthening Mobile Customs Surveillance and Control**

**Activities (including Means and implementing tools)**

This project requires inputs from professionally qualified development specialists, with operational customs border control experience, and specific expertise in the field of mobile surveillance and control.

Project activities will include:
- Carrying out an overall assessment of the NCA’s requirements in respect of mobile, vehicle-based surveillance and controls outside fixed border offices, countrywide;
- Proposing detailed solutions for equipment and specialised training to meet the identified needs;
- Identifying the scope for shared use of the facility with the RBP;
- Assisting the NCA in the contracting and delivering phases.
Task 3 - Enhancement of the National Customs Authority operational capacity in line with the EU e-customs concepts

Activities

a) Evaluation of the actual configuration of IT architecture related with the development of eCustoms component
b) Assessment of the business impact of the implementation of the eCustoms concept
c) Definition of user requirements and IT architectures, in order to sustain the eCustoms requirements
d) Definition of technical specifications for the necessary IT equipments in order to sustain the development of the eCustoms components
e) Designing, development and implementation of the Automated Import System
f) Development and implementation of the Community Risk Management system based on security standards;
g) Designing, development and implementation of the specific Traders registration system compliant with EC recommendations; the system will permit the recognition of Authorised Economic Operators (AEOs) and the facilitations granted to them requires that every EU customs administration has access to this information on AEOs, even if they are established in another member state
h) Designing, development and implementation of specific interfaces to communicate with related databases (VAT, SEED)
i) Designing, development and implementation of the required interfaces to sustain the interconnectivity and interoperability with EU systems referring all the interoperable databases across CCN/CSI
j) Designing, development and implementation a electronic system to provide a unique “access point” for traders
k) Organisation of the tests for the related components with EU requirements
l) Organisation of training sessions and evaluation of training results
m) Finalisation of user manuals and system administration manuals

Implementing tools:

1. Services contracts, related to the:
   o Risk management framework,
   o Development of the registration system for traders, common customs information portal and single access point,
   o Development of the automated Import Control System
   o The TOR will be elaborated in collaboration with DG TAXUD
2. Supply contract, for acquisitions for the registration system for traders, common customs information portal and single access point (the TS will be drafted under PPF facilities)

Task 4 - IT support for anti-drogs specific activities
Activities

a) Common working sessions organised between the representatives of relevant agencies with responsibilities in anti-drugs domain in order to finalise proposals for inter-agencies agreements/protocols referring the exchange of information;

b) Assessment of the existing situation inline with the National Anti-drugs Strategy;

c) Elaboration of the functional user requirements;

d) Design, development and implementation of the IT anti-drugs application;

e) Design, development and implementation of communication interfaces for exchange of information with other anti-drugs agencies/authorities;

f) Drafting, production and distribution of staff instructions (regulations, guidance),

g) Planning and delivery of training programmes for anti-drugs staff;

h) Drafting, production and distribution of staff instructions (regulations, guidance),
i) Promotion of the project results.

Implementing tools:
Services contract, for development and implementation of computerized application and communications interfaces.

Task 5 - Development of the customs laboratories network

Activities

a) Training of customs chemists on analytical methods for the control of goods with customs controls purposes

b) Training of customs chemists on the use of analytical equipment for analyzing goods with customs controls purposes

c) Training of customs chemists on tariff classification of goods

d) Preparation and putting into operation of management procedures in the Customs Laboratory

e) Preparation and putting into operation of management procedures for sending samples for analysis from the Customs offices to the Customs Laboratory

f) Preparation and training of groups at the Regional Directorates Level in the management procedures for sending samples for analysis in the Customs Laboratory

g) Preparation and training of groups at the Regional Directorates Level on Common Agricultural Policy controls related to the Customs Laboratories

h) Definition of analytical laboratory equipment required in the Customs Laboratory and its specifications

i) Definition of the main characteristics of an IT component that supports all the management of samples between the customs offices and the laboratory

j) Definition of the main characteristics of an IT component, that allow to all the chemists in the laboratory an easy access to all the information required and produced by the laboratory

k) Develop, test and implement the IT component

l) Training related to the IT component for the end-users and administrators

m) Elaboration of the technical and functional documentation.

Implementing tools:

- Twinning project (12 months); The TW fiche will be prepared till October 2006.
• Supply contract, for purchasing laboratory equipment (the TS will be drafted under TW project)
• Services contract, for development and implementation of computerized applications (the TOR will be drafted under TW project).

PROJECT 2: Further Development of the System for Strengthening the Romanian Borders

Task 6: Implementation of the RBP Integrated Surveillance System of Danube River and Danube Delta

Activities (including Means and implementing tools)

This project will be delivered through a Supply Contract, which must meet the following minimum requirements:

• Purchase of identified equipment strictly follows the detailed technical specifications;
• Installation of the purchased equipment at designated sites, in a secure environment;
• Establishment of an equipment inventory;
• Test running of the equipment in order to ensure that each item operates adequately;
• Establishment of equipment maintenance routines;
• Delivery of the training and familiarisation of a selected number of staff officers in the operation, running and maintenance of every component of the ISSDR.

Task 7: Supply of Mobile Patrol Vehicles for the NCA

Activities (including Means and implementing tools)

This project will be delivered through a Supply Contract, which must meet the following minimum requirements:

- Purchase of identified vehicles and equipment strictly follows the detailed technical specifications;
- Supply of the purchased vehicles and equipment to designated sites, in a secure environment;
- Establishment of a vehicle and equipment inventory;
- Test running of the vehicles and equipment in order to ensure that each item operates adequately;
- Establishment of vehicle and equipment maintenance routines;
- Training and familiarisation of a selected number of NCA and RBP personnel in the operation, running and maintenance of every vehicle and item of equipment delivered.

Task 8: Supply of RBP Vessel for Surveillance and Control of the Blue Border

Activities (including Means and implementing tools)

This project will be delivered through a Supply Contract, which must meet the following minimum requirements:

- Purchase of identified equipment strictly follows the detailed technical specifications;
- Installation of the purchased equipment at designated sites, in a secure environment;
- Establishment of an equipment inventory;
- Test running of the equipment in order to ensure that each item operates adequately;
- Establishment of equipment maintenance routines;
- Training and familiarisation of a selected number of crew and shore-based staff in the running and maintenance of every item of equipment delivered.

PROJECT 3: Further development of the Romanian authorities capabilities to act as a Schengen space Member State

Task 9 - Investment component for implementing NISA compatible SIS, respective SIS II

Activities
This project will be delivered through a Supply Contract, which must meet the following minimum requirements:
1. Tender launching. It results in publish the announcement for tender launching, receiving the tenders and accompanying document from the interested companies. Than will be the evaluation of the tenders in according with law and it will establish the winner.
2. Contract signing. It will be signed the contract for acquisition.
3. Delivering the equipment. The necessary equipments will be delivered in according with contract and will be installed in the locations that will be established.
4. Ensuring the connexions. It results in ensuring the communication between central site and the other involved locations.
5. Elaborating the software for application. It results an application dedicated to NISA and the other application dedicated to SIRENE bureau, according with SIS II specifications.
6. Testing the application and the system functionality. It results in evaluation of application and system functionality of the pilot of NISA in order to resolve possible errors.
7. Implementation of the system, fully operational, compatible with SIS II. It results in final acceptance.

Task 10 - Schengen acquis approximation (twinning)

Activities
Module I – Legislative approximation

1. Approximating the national legal framework and working procedures with the Schengen acquis, especially in the fields of data protection and data storage periods, discrete surveillance, specific controls of people, vehicles and objects Means: foreign expertise and financial resources, workshops and working groups meetings
2. Elaboration of the legal framework and procedures concerning data exchange and data protection within the National IT System on Alerts. Means: foreign expertise and financial resources, workshops and working groups meetings (recommendation supported by peer review expert)
Module II - SIRENE
1. Harmonizing the national legislation with the relevant EU and Schengen acquis provisions in borer control area. Means: foreign expertise and financial resources, workshops and working groups meetings.
2. Defining and drafting provisions that will legally enforce the missions and activities related to the EU and Schengen acquis (law, Government’s decision, inter-ministerial protocol, internal regulation, etc.), in order to enhance border control. Means: foreign expertise and financial resources, workshops and working groups meetings.
   2.1. Defining the functionalities necessary for accomplishing the above-mentioned missions and their transposition into technical instruments.
   2.2. Transposing of the provisions contained in the Sirene Manual and all the complementary norms.
3. Drafting data protection provisions, endorsing Title IV, Chapter 3 from the CISA on Personal Data Protection and security of data within the SIS. Means: foreign expertise and financial resources, workshops and working groups meetings
4. Amending the internal provision regulating personnel issues, by enlarging the chart of the Sirene Bureau. Means: foreign expertise and financial resources, workshops and working groups meetings.
5. Ensuring permanent training sessions for the Sirene operators for a better acknowledgement of the European procedures of data exchange within the Schengen framework. Means: foreign expertise and financial resources, training courses and seminars.
7. Drafting the IT architecture, information flows and IT procedures for SIRENE application operating, including the national procedures needed for feeding SIS by SIRENE Bureau and the procedures and architecture for the off-line working copy of the application used for training purposes Means: foreign expertise and financial resources, workshops, training courses and working groups meetings.

Module III – Trans-border police co-operation
1. Harmonising the national procedures on trans-border police co-operation with the related Schengen acquis. Means: foreign expertise and financial resources, workshops and working groups meetings.
2. Drafting the IT architecture and information flows between the competent structures ensuring international police co-operation Means: foreign expertise and financial resources, workshops and working groups meetings.

Means: classical twinning

Task 11 - Enhancement of the capability of the Romanian consular offices to apply the Schengen standards and procedures in the process of issuing visas as currently practiced by EU Member States

Activities
1 (one) supply contract is foreseen. Co-financing shall be made available under the “joint co-financing principle”. This means that Phare and national funds will be put together and tendered according to Phare rules and procedures. Activities will include:
   • Drafting technical specifications to be submitted for ex-ante approval
   • Drafting Tender Dossiers and submitting them for ex-ante approval
• Publication of contract forecasts, procurement notices and tender dossiers after ex-ante approval
• Organisation of clarification meetings (where deemed necessary as per tender dossier)
• Organisation of evaluation sessions as per the provisions of the tender dossiers
• Contract award after ex-ante approval of evaluation reports

Task 12 Technical assistance for the development of the national section of the Visa Information System

Activities

a. Technical Project: Elaboration of a document that must contain the description of the functionalities and technical requirements of the national visa system to correspond to VIS standards

b. Technical Specifications: Elaboration of a document that must contain the technical specifications of:
   i. Software for application
   ii. Hardware and the reference software
   iii. Communication and Security and dedicated software
   iv. Engine database
   v. Network equipments
   vi. Other equipments necessary for performance the system

c. Tender dossier: Elaboration of the tender dossier according with the technical project and the technical specifications

3.5. Linked Activities:


The Phare 1999 Border Management Programme (April 2000 – April 2003) focused on training and education, supply of mobility and tactical support equipment and small-scale strategic advice. The programme included also the development of an Integrated Border Management Strategy, with a view to creating a clear framework for all border-related issues, to increase the effectiveness of border activities and to continue previous initiatives concerning the implementation of the Schengen Acquis. Feasibility studies for the RBP IT and Communication systems were elaborated through the Follow Up component.

The Phare 2000 Border Management Programme (April 2001 – November 2002) focused on training development, visa application and supply of mobility, tactical support and surveillance equipment.

The Phare 2000 Anti-drugs Programme (September 2001 - March 2003) focused on the development of legislation, institutions and procedures relating to the fight against drugs, on the development of a National Strategy in the field, and on the procurement of equipment for drug supply/drug demand-reduction agencies.

The Phare 2001 Programme Strengthening the management of the migration phenomenon in Romania aimed at creating a legal framework for a better management of migration, future approximation to the EU Acquis as regards the regime of aliens and strengthening the operational capacity of DAMI in relation to the management of aliens.

The Phare 2002 Border Management Programme (under way) focuses on further enhancing the capacity of the RBP to guard the Romanian borders effectively. As such, additional equipment to assist the RBP in this task will be purchased and institutional support provided. Preparations to connect Romania in the future to SIS will be continuing and the visa application system further enhanced. Finally, Romania will streamline its legislation with regard to Dublin Convention cases and unaccompanied minors in order to bring it in line with the EU Acquis.

PHARE 2003/005-551.04.12 - Strengthening Border Control has the main purpose: Enhanced capability of the Romanian Border Police (RBP) to further strengthen the Romanian borders, as future EU Eastern border zones, in accordance with EU standards and procedures relating to border management and control.

RO-Phare-2004-016-772.03.04 - STRENGTHENING BORDER MANAGEMENT AND CONTROL has the main objective: Development of the institutional capacity to apply the EU Acquis in the field of border management and control, in preparation for Romania’s accession to the EU.

Customs:
RO 010703 (Further Strengthening of the Operational Capacity of the Romanian Customs Administration) supports Romania in the process of fulfilling the EU pre-accession requirements concerning the Customs Union, in accordance with the EU standards in key areas of the customs business: customs Enforcement Function (post control, intelligence, intellectual and industrial property), preparation for the Adhesion to the Common Transit Convention and Implementation of NCTS and the implementation of the Community Tariff (TARIC).

RO 2002/000-586.04.03 (Connection of the Romanian Customs’ systems with the EU systems) will achieve full compatibility and inter-operability of the Romanian Customs systems with the EU systems, enabling the exchange of computerised data between the Romanian Integrated Customs Information System (ICIS) and the European Commission and the EU Member States system through: the completion of the preparation for adhesion to the Common Transit Convention and implementation of NCTS, completion of the implementation of the Romanian Integrated Customs Tariff, fully compatible with the European Community Integrated Tariff (TARIC), preparation of RGCA systems for the connection with the DG TAXUD databases, and connection of RGCA systems with the CCN/CSI system.

RO 2003/005-551.04.18 (Assistance to the Romanian Customs Administration in settlement of its capacity for the integration into EU Customs Union) will strengthen the administrative, operational and technical capacity of the NCA to enable it to achieve full harmonisation with
the EU Acquis and European Union best practice in key areas of the customs business: trade facilitation efficient and secured in line with the EC/WCO guiding new principles and policies, investment support in Constanta Port for the surveillance and control activities, organisation of the customs laboratories network, enhancement of the customs administration participation into the integrated border management system in relation with combating frauds, corruption and organized crime, preparation for the adhesion to the Convention referring the use of the IT in customs purposes (CIS).

The component related to NISA compatible SIS, respective SIS II, is a follow-up of the PHARE RO2002/ IB/JH-03 project “TECHNICAL AND LEGAL ASSISTANCE FOR IMPLEMENTING THE SCHENGEN ACQUIS” and will build upon the results achieved by it.

RO 2002/IB-JH-03 (2004-2005) Legal and Technical Assistance for setting up a national IT system SIS II compatible, undergone with the French and Spanish partners during 2004-2005. One of the main objectives of the Twinning Covenant was drafting and adopting a law on setting up, organising and functioning of the National IT System of Alerts, which, in its Chapter III, art. 5 nominates the Sirene Bureau among the bodies able to consult and supply information for the National SIS.

Phare 2000 – RO 0006.16.06 – “Informatic system for processing on line visa applications”
Phare 2002 – RO 02/000-586.04.14/D - “Further implementing visa on line system” - stage II, aiming to extend the visa on line system to 58 consular missions.

The real achievement of these two previous projects consists in the creation of an electronic visa processing system with technical and security features that ensure the protection of the personal data and the accuracy and integrity.

After its finalisation, the system will represent an adequate basis for stepping up to the development of the Visa Information System.

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 the modernisation of 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 their Bulgarian counterparts. The main objective is to facilitate the border crossing of the Danube and increase the efficiency of border controls.

Joint PHARE/UNDCP Drugs Fight Programme (Phase 1) focused on countering the drugs demand and supply. Benefiting countries are: Romania, Bulgaria and FYROM. The programme implementation period was foreseen for 1999-2001.

PHP Project on Visa, Migration and Border Management included the Border Management Module, broken down into the sub-modules “Schengen Acquis” and “Combating Illegal Immigration Networks”. The project started in January 2001 and ended 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
geographical level in order to consolidate regional contacts between Customs, Border Police and other relevant 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 is co-financed by the HIO through the Odysseus Programme.

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 the IOM**, aimed at the social and professional reintegration of women being victims of human beings trafficking and the social reintegration of Romanians who returned from Belgium, Holland and Finland;
- **Other**

**External credit** funds guaranteed by the Romanian Government (Government Decision 1157/2004): 650 M€uro designated for the Project regarding the Integrated Border Securing System, funds that will cover the needs of 21 public institutions with responsibilities at the border.

3.6. Lessons learned:

See annex 7

4. **Institutional Framework**

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 the Practical Guide to Phare, ISPA & SAPARD contract procedures.

The Implementing Authority is the Ministry of Administration and Interior, the National Customs Authority and the Ministry of Foreign Affairs.

The General Inspectorate of Border Police (GIBP) established a structure and developed internal procedures to co-ordinate Phare-financed programmes. Within this institution, a Phare Programme Implementation Unit (PIU) was established in March 2000. The Phare PIU within the de-centralised units report directly to the Phare Programme Co-ordination Unit (PCU) within the General Directorate for European Integration and International Relations. The PCU can be considered as an umbrella structure guiding and monitoring all programmes and projects related to border control, migration, the problem of refugees, security services and related information systems.

The PIU within the GIBP will carry out the day-to-day management of the projects under the border control component.
The main role of the respective PIU is to administer and resolve issues concerning the management and progress of the project, including planning and identification of tasks, reporting, preparation of project Terms of Reference, participation in tendering, monitoring and evaluation of the activities executed. The PIU should also keep track of a timely completion of the project activities of present and previous Phare supported programmes. Also in the other involved institutions (Customs Administration, Ministry of Foreign Affairs etc) are established structures and developed internal procedures to co-ordinate Phare-financed programmes. These structures have to administer and resolve issues concerning the management and progress of the project, including planning and identification of tasks, reporting, preparation of project Terms of Reference, participation in tendering, monitoring and evaluation of the activities executed.

**Contact points:**

**Quaestor Corneliu ALEXANDRU, Ph.D., Director**
Ministry of Administration and Interior, General Directorate for European Integration and International Relations
Str. Mihai-Vodă 3-5
Sector 5, 70622 Bucharest, Romania
Tel.: 00-40-21-312 4102
Fax: 00-40-21-312 1333
E-mail: diri@mai.gov.ro

**Police Quaestor Nelu POP, General Inspector**
Ministry of Administration and Interior, General Inspectorate of Border Police
2-4 Razoare St.
Sector 6, Bucharest, Romania
Tel.: 00-40-21-312 11 89
Fax: 00-40-21-312 11 89
E-mail: igpf@mai.gov.ro

**Communication and IT Directorate**

**Mr. Constantin GRIGORE, Head of Directorate**
Bucharest, Mihai Voda Street, no. 6-8, sector 5
Phone: 004021-315 73 83; Fax: 004021-311 20 52
E-mail: dci@mai.gov.ro

Quaestor Mihai Gheorghe STOICA, Director
Ministry of Administration and Interior, Head of the International Police Cooperation Center,
Calea 13 Septembrie 1-5, Sector 5, Bucharest, Romania
Phone: 0040 21 316 07 32; Fax 0040 21 312 36 00, e-mail: ccpi@mai.gov.ro

Chief commissary Marcel Isac,
Ministry of Administration and Interior, International Police Cooperation Center, Head of National Focal Point
Calea 13 Septembrie 1-5, Sector 5, Bucharest, Romania
Phone: 0040 21 316 07 32; Fax 0040 21 312 36 00, e-mail: pnf@mai.gov.ro

**Ministry of Foreign Affairs / General Directorate for Consular Affairs**

**Mr. Cristian GAGINSKY, Head of Directorate**
Gelu Stefan Diaconu, Vice-president of National Authority for Fiscal Administration, SPO
National Customs Authority
Matei Millo street 13
Sector 1, 010144 Bucharest, Romania
Tel: 00-40-21-3156578
Fax:00-40-21-3138316
e-mail: cabinet@customs.ro

Radu Traian Marginean, Director of the Surveillance and Control Directorate
National Customs Authority
Matei Millo street 13
Sector 1, 010144 Bucharest, Romania
Tel: 00-40-21-3102870
Fax:00-40-21-3112491
e-mail: radumarginean@customs.ro

Alexandra Corina Tanase, Head of PIU
National Customs Authority
Matei Millo street 13
Sector 1, 010144 Bucharest, Romania
Tel: 00-40-21-3121338
Fax: 00-40-21-3125261
e-mail : sanda@customs.ro

5. Detailed Budget

<table>
<thead>
<tr>
<th>Phare/Pre-Accession Instrument support</th>
<th>Co-financing</th>
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**Year 2006 - Investment support jointly co-funded**

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% of total public funds

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<tr>
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**Phare/Pre-Accession Instrument support**

<table>
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<tr>
<th>M€</th>
<th>National Public Funds</th>
<th>Other Sources</th>
<th>Total Co-financing of Project</th>
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<table>
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<td>10,57</td>
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</table>

* contributions from National, Regional, Local, Municipal authorities, FIs loans to public entities, funds from public enterprises

(**) – joint co-financing

(***) – parallel co-financing follow the national procurement rules

Note: 10,57 co-financing:

10,41 – joint co-financing

0,16 – parallel co-financing follow the national procurement rules

The co-financing will be in charge to the beneficiary authorities for the respectively components.

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 the Practical Guide to Phare, ISPA & SAPARD contract procedures.

Central Finance and Contracts Unit (CFCU)
PAO Carmen Rosu
Director, CFCU
Ministry of Finance
44, Mircea Voda str.
Sector 3, Bucharest, Romania
Tel: (40-21).326.55.55, 326.02.02
Fax: (40-21).326.87.30
E-mail:carmenrosu@cfcu.ro

6.2. Twinning
1. Development of the customs laboratories network

Overall Objective(s):
Strengthening of the Romanian Customs Authority capacity in analyzing goods for improving customs controls through the development of an operative customs laboratories network.

Project purpose(s):
Developing and putting into operation of operative procedures for the management of samples at central and regional level,
Providing NCA chemists with practical knowledge, skills and techniques required to effectively controlling goods by chemical methods.
Romanian Customs officers were formed on essential aspects of the development of Customs Laboratories such as infrastructures required, legislation, operative procedures and information technologies and eight customs chemists were formed on the chemical analysis of different kinds of goods.
Beside this, and with the help of a PHARE 2003 supply project, a list of essential laboratory equipment was purchased in order to achieve a Customs Laboratory operative at a first level of possibilities.

Results expected from Twinning Project:
- Further development of the capacity of the Romanian Customs Laboratories in analyzing goods for improving customs controls achieved.
- Procedures for the management of the Romanian Customs Laboratories established and put into operation
- Procedures for the management of samples for analysis between Customs offices and Laboratories established
- Management methods between customs offices and the laboratory implemented and procedures for sending samples to the laboratory and for producing the laboratory technical reports established.
Groups established in every Regional Customs Directorate (10) for putting into operation the Romanian management procedures for sending samples for analysis to the Customs Laboratories

Groups established in every Customs Regional Directorate (10) for putting into operation the Common Agricultural Policy controls related to Customs Laboratories

Romanian customs chemists trained in analytical methods and procedures and in the use of analytical laboratory equipment.

A minimum of 10 Romanian Customs Chemists know how to analyze a wide range of samples for customs controls purposes

A minimum of 10 Romanian Customs Chemists know how to use analytical instrumentation for the analysis of a wide range of samples for customs controls purposes

A minimum of 10 Romanian Customs Chemists trained on Tariff Classification of goods

A minimum of 10 Romanian experts are capable of working on management of samples for analysis and relationships between Customs Offices and the Customs Laboratories

A minimum of 30 Romanian experts, 3 from each Regional Directorate, are able to work in the management of samples for analysis

A minimum of 30 Romanian experts, 3 from each Regional Directorate, are aware of CAP controls related to Customs Laboratories

Groups at the Regional Customs Directorate level trained on management of samples and their sending for analysis to the Customs Laboratories.

Groups at the Regional Customs Directorate level trained on the essential aspects of the Common Agricultural Policy (CAP) related to Customs Laboratories.

Feasibility study on further laboratory equipment required for the Customs Laboratories carried out with indication of equipment to purchase and its specifications

Activities:

Preparation and putting into operation of management procedures in the Customs Laboratories

Preparation and putting into operation of management procedures for sending samples for analysis from the Customs offices to the Customs Laboratories

Training of customs chemists on analytical methods for the control of goods with customs controls purposes

Training of customs chemists on the use of analytical equipment for analyzing goods with customs controls purposes

Training of customs chemists on tariff classification of goods

Preparation and training of groups at the Regional Directorates Level in the management procedures for sending samples for analysis in the Customs Laboratories

Preparation and training of groups at the Regional Directorates Level on Common Agricultural Policy controls related to the Customs Laboratories

Definition of analytical laboratory equipment required in the Customs Laboratories and its specifications
Definition of the main characteristics of a IT component that supports all the management of samples between the customs offices and the laboratory

Definition of the main characteristics of a computerized information system, that allow to all the chemists in the laboratory an easy access to all the information required and produced by the laboratory

Profile of the RTA
The RTA will be seconded for 18 months in Romania. He will have:
- Solid background in the legislation, methodologies, procedures and organisation to cover the customs laboratories specific activities;
- Sound knowledge related to the analytical function of a customs laboratory;
- Sound knowledge of internal IT systems related to the customs laboratories and external IT communications needs;
- Sound knowledge of the EU standard for the laboratory certification;
- Sound knowledge of development and delivery of programmes and training activities;
- Sound 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;
- Knowledge of English/French.

Detailed Budget

<table>
<thead>
<tr>
<th>Development of the customs laboratories network</th>
<th>Phare Support</th>
<th>TOTAL</th>
</tr>
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<tbody>
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<td></td>
<td>Investmen</td>
<td>Institute</td>
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<tr>
<td></td>
<td>t Support</td>
<td>Building</td>
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<tr>
<td></td>
<td></td>
<td>Total Phare (=I+IB)</td>
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<tr>
<td><strong>Total</strong></td>
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<td><strong>0.80</strong></td>
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</table>

2. Schengen acquis approximation (twinning)

Overall Objective:
Harmonization of Romanian legislation with the EU and Schengen Acquis in order to prepare Romanian bodies involved in border and migration management, as well as in related areas of activity, for EU accession.

Twinning purpose:
Alignment of Romania to Schengen regulations and best practices, including the preparation for future connection to the Schengen Information System (SIS) II, as well as the setting up of a functional SIRENE Bureau, in order to ensure the high level of control at external borders of the EU.

The measures foreseen by the standard fiche were assumed by the Romanian Government in the Schengen Action Plan, annex of the Complementary Position Paper II, within Chapter 24,
Justice and Home Affaires. The project aims at ensuring legislative harmonization by endorsing the Schengen acquis in the most appropriate manner. So, legal framework for Sirene cooperation is compulsory, inclusively drafting the organizational chart and the future training needs. Foreign expertise is of utmost necessity.

Results:

**Module I – Legislative approximation**

1. National legal framework and working procedures drafted in line with the Schengen acquis, especially in the fields of data protection and data storage periods, discrete surveillance, specific controls of people, vehicles and objects and approved by the MAI leadership
2. Legal framework and procedures concerning data exchange and data protection within the National IT System on Alerts drafted in line with the Schengen acquis and approved by the MAI leadership

**Module II - SIRENE**

1. Legal provisions harmonized with the Schengen acquis, regulating the organization and operation of the SIRENE Bureau, approved by the MAI leadership.
2. Missions of the national Sirene Bureau and internal regulations on Sirene procedures drafted and approved by the MAI leadership, allowing to legally enforce the missions and activities related to the EU and Schengen acquis.
   2.1. Functionalities necessary for accomplishing the above-mentioned missions and their transposition into technical instruments defined.
   2.2. The provisions contained in the Sirene Manual and all the complementary norms transposed into Romanian legislation.
3. The Romanian legislation on personal data protection (Law no.677/2001) amended to be in full accordance with the provisions of the CISA and other norms.
4. The Minister order on establishing the Sirene Bureau amended in order to supplement the number of personnel in accordance with the operational needs.
5. SIRENE staff trained and able to perform efficiently its activity.
6. Efficient international communication with similar Sirene bureaux in EU member states and related operational working connections established.
7. Documentation on the IT architecture, information flows and IT procedures for SIRENE application operating, including the national procedures needed for feeding SIS by SIRENE Bureau and the procedures and architecture for the off-line working copy of the application used for training purposes, printed and approved by the MAI leadership

**Module III – Trans-border police co-operation**

1. National procedures on trans-border police co-operation, in line with the related Schengen acquis, drafted and approved by the MAI leadership
2. Documentation on the IT architecture, information flows and IT procedures between the competent structures ensuring international police co-operation printed and approved by the MAI leadership

Activities:

**Module I – Legislative approximation**
3. Approximating the national legal framework and working procedures with the Schengen acquis, especially in the fields of data protection and data storage periods, discrete surveillance, specific controls of people, vehicles and objects Means: foreign expertise and financial resources, workshops and working groups meetings

4. Elaboration of the legal framework and procedures concerning data exchange and data protection within the National IT System on Alerts. Means: foreign expertise and financial resources, workshops and working groups meetings (recommendation supported by peer review expert)

**Module II - SIRENE**

1. Harmonizing the national legislation with the relevant EU and Schengen acquis provisions in borer control area. Means: foreign expertise and financial resources, workshops and working groups meetings.

2. Defining and drafting provisions that will legally enforce the missions and activities related to the EU and Schengen acquis (law, Government’s decision, inter-ministerial protocol, internal regulation, etc.), in order to enhance border control. Means: foreign expertise and financial resources, workshops and working groups meetings.
   2.1. Defining the functionalities necessary for accomplishing the above-mentioned missions and their transposition into technical instruments.
   2.2. Transposing of the provisions contained in the Sirene Manual and all the complementary norms.

3. Drafting data protection provisions, endorsing Title IV, Chapter 3 from the CISA on Personal Data Protection and security of data within the SIS. Means: foreign expertise and financial resources, workshops and working groups meetings.

4. Amending the internal provision regulating personnel issues, by enlarging the chart of the Sirene Bureau. Means: foreign expertise and financial resources, workshops and working groups meetings.

5. Ensuring permanent training sessions for the Sirene operators for a better acknowledgement of the European procedures of data exchange within the Schengen framework. Means: foreign expertise and financial resources, training courses and seminars.


7. Drafting the IT architecture, information flows and IT procedures for SIRENE application operating, including the national procedures needed for feeding SIS by SIRENE Bureau and the procedures and architecture for the off-line working copy of the application used for training purposes Means: foreign expertise and financial resources, workshops, training courses and working groups meetings.

**Module III – Trans-border police co-operation**

3. Harmonising the national procedures on trans-border police co-operation with the related Schengen acquis. Means: foreign expertise and financial resources, workshops and working groups meetings.

4. Drafting the IT architecture and information flows between the competent structures ensuring international police co-operation Means: foreign expertise and financial resources, workshops and working groups meetings.

**Detailed Budget**

<p>| Phare Support | | | | |</p>
<table>
<thead>
<tr>
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<th>Investment Support</th>
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<th>Total Phare (=I+IB)</th>
<th>National Cofinancing</th>
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### 6.3. Non-standard aspects

The project will be managed in accordance with the Practical Guide (PRAG) to Phare, ISPA & SAPARD contract procedures.

### 6.4. Contracts

**PROJECT 1: Optimisation of the Institutional System and of the System of Human Resources within the Border Police and National Customs Authority**

<table>
<thead>
<tr>
<th>CONTRACT NO.</th>
<th>TASK NO</th>
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<th>CO-FINANCING M€</th>
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**PROJECT 2: Further Development of the System for Strengthening the Romanian Borders**

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**PROJECT 3: Further development of the Romanian authorities capabilities to act as a Schengen space Member State**

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7. Implementation Schedule

7.1. Start of tendering/call for proposals
   According to ANNEX 3

7.2. Start of project activity
   According to ANNEX 3

7.3. Project completion
   According to ANNEX 3

8. Equal Opportunity
The Ministry of Administration and Interior, Customs Authority and Ministry of Foreign Affairs are an equal opportunity employers. 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
   N/A

   11.2. Co-financing
   All investment projects (and investment associated with IB projects) will receive co-financing from national public funds. The Commission will only finance up to 75% of eligible public expenditure. According to the budget table in section 5 above the total co-financing 10,57 M€ will be divided into:
      0,16 M€ – parallel co-financing follow the national procurement rules
      10,41 M€ – joint co-financing
The co-financing will be in charge to the Romanian beneficiary authorities for the respectively components.

11.3. Additionality
N/A

11.4. Project readiness and size
According to ANNEX 3

11.5. Sustainability
N/A

11.6. Compliance with state aids provisions
As provided at 2.3 and 3.1.

12. Conditionality and sequencing
As provided at 3.2.2.
ANNEXES TO PROJECT FICHE

1. Logframe in standard format
2. Detailed implementation chart
3. Contracting and disbursement schedule, by quarter, for full duration of project
4. For all projects: reference list of feasibility/pre-feasibility studies
5. Reference list of relevant laws and regulations
6. Reference list of relevant strategic plans and studies
7. Lessons learnt