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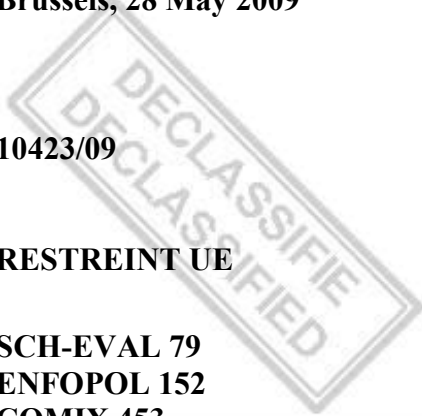
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REPORT

From : Schengen Evaluation Committee
To : Schengen Evaluation Working Party
Subject : Schengen evaluation of ROMANIA
- Draft Report on Police Cooperation (March 2009)

The current report is based on the replies of **Romania** to the questionnaire and includes the results of the visit, following the evaluation and the drafting session of the Evaluation Committee during the visit. The comments of the Romanian authorities are set out in the body of the text.

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REPORT ON POLICE COOPERATION

This report was drafted by the Evaluation Committee and is brought to the attention of the Schengen Evaluation Working Party for discussion and subsequent submission to the Council.

1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Group (*SCH/Com-ex (98) 26 def*) and the programme of evaluations adopted by the Council (*15249/1/08 SCHEVAL 84 COMIX 785*), the Evaluation Committee visited Romania with the aim to verify whether the criteria constituted by the Schengen acquis are satisfied and comply with the standard required, and to pinpoint shortcomings or weaknesses.

Participants:

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The Evaluation Committee visited the following sites:

- Ministry of Administration and Interior in Bucharest
- International Police Cooperation Centre Headquarters in Bucharest
- Police Station no. 1 in Bucharest
- Forensic Institute in Bucharest
- Bihor County Police Inspectorate
- Oradea Contact Point
- Bors - Ártand Contact Bureau
- Police Station in Bihor County

The Evaluation Committee would like to thank the Romanian authorities for their cooperation and assistance during and after the mission as well as for the excellent logistical organization of the mission.

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2. MANAGEMENT SUMMARY

The report is based on replies of the Romanian authorities to the questionnaire and contains the information given by the Romanian representatives during the presentations, on site visits, as well as targeted discussions which took place during the mission and additional information provided by the Romanian authorities on request of the Evaluation Committee.

The evaluation took place in Bucharest, Bihor County, Oradea, and Bors - Ártand in order to show the various types of bilateral and multilateral cooperation. The Evaluation Committee had the opportunity to have direct contacts with police officers and could therefore obtain information about daily routine experience and knowledge of the Schengen matters.

Experts from Romanian MAI and International Police Cooperation Centre were present during the whole evaluation and were able to provide any information requested.

The evaluation committee appreciated the clear and thorough presentations on the organization and structure of the MAI and police forces. All presentations were extremely well prepared and followed the same clear structures which made it easier to comprehend the organization.

3. LAW ENFORCEMENT AND POLICE ORGANISATION

3.1 National law enforcement structures

SUMMARY/INTRODUCTION

The Ministry of Administration and Interior (MAI) is a special body of the central public administration, one of the main law enforcement agencies involved in international police cooperation. MAI is the specialised public central administration authority exercising tasks regarding inter alia protection of public order, fundamental rights and liberties, public and private property, prevention and countering of anti-social deeds, respect of state border regime and legal regime of aliens, asylum seekers and persons that were granted a form of protection in Romania.

The integrated management in the field of public order and security is ensured by the Department for Public Order and Security, which reunites the MAI structures with competences in the field of public order and safety.

The Department for Public Order and Safety is an operational structure without legal status which includes the following public order and safety units, subordinated to the Ministry: the Romanian Police, the Romanian Gendarmerie, the Romanian Border Police, the State Central Office for Special Problems, the Romanian Immigration Office, the General Aviation Inspectorate within the MAI and the National Centre for Administrating the Database regarding the Persons' Records.

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3.1.1. Romanian Police

The Romanian Police, as part of MAI, is the specialized state institution responsible for (inter alia):

- defending one's fundamental rights and liberties, public and private property;
- preventing and combating crimes
- enforcing public order and security.

The main responsibilities of the Romanian Police are:

- defending life, physical integrity and human liberty, private and public property, other rights and legitimate interests of the citizens and the community;
- maintaining public order, citizen's safety, preventing and fighting criminal phenomenon
- collecting data in order to prevent and fight crimes as well as other illegal deeds;
- preventing and fighting corruption, economical & financial criminality, cross-border crime, cyber-crime and organised crime;
- ensuring the protection and functioning of the retention and preventive detention places in the police units;
- ensuring the protection of witnesses, informers and victims;
- finding wanted persons and missing persons;
- controlling the possession, holding and use of weapons and ammunition, explosive materials;
- overseeing the compliance with the regime of radioactive and nuclear materials, toxic and drug substances, as well as other objects and materials subject to authorisation;
- overseeing and controlling traffic on public roads.

The management of the Romanian Police is realized by the General Inspectorate of Romanian Police (GIRP). The General Inspectorate of Romanian Police is the central police unit, with general territorial competences, which manages, guides, supports and controls the activity of the subordinated police units, investigates and analyses serious crimes related to organized crime, economic, financial or banking criminality, or to other crimes which make the object of the criminal cases investigated by the competent prosecutor's office, according to the material and territorial competence, and which has any other attributions assigned by law. GIRP ensures, through its general directorates, the coordination of the activities performed by the 41 County Police Inspectorates and the General Directorate of Bucharest Municipal Police. Each GIRP directorate has territorial correspondent services.

The Romanian Police has 59.326 allotted positions of which approximately 90% are currently occupied. Most of the allotted positions are in regional (territorial) level (64%) and in Bucharest (11%).

The Romanian Police is organized on three main pillars:

- I. Countering organized crime
- II. Criminal investigation
- III. Public safety

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I. General Directorate for Countering Organized Crime - organizes, coordinates and controls activities related to countering trafficking in human beings and migrant smuggling, money counterfeiting, internet and credit card frauds, drug trafficking, money laundering and economic and financial micro-crime. It carries out investigations in cases falling under the competence of the prosecutors within the Directorate for Investigation of Organized Criminality and Terrorism Offences (within Public Ministry) and consists of six specialized directorates (Directorate for Combating Trafficking in Human Beings, Anti-Drug Directorate, Directorate for Countering Terrorism Financing and Money Laundering, Directorate for Countering Cyber Crime, Directorate for Special Operations, Directorate for Operative Surveillance and Investigations). At regional level, the General Directorate has 15 brigades and 27 services under its subordination.

II. Criminal Investigation General Directorate – its general competence is to organize, coordinate, guide and control the police activity in order to counter crimes and to unfold cooperation activities with similar structures from other countries and to counter international crime.

Fraud Investigation Directorate – its competence is in preventing and countering crime in the economic and financial field.

Directorate for Firearms, Explosives and Toxic Substances – is responsible for preventing, discovering and recording crimes regarding the use of weapons, ammunition's and explosives' regime.

III. Public Order Police Directorate - prevents and counters offences and other antisocial deeds.

Traffic Police Directorate – responsibility for traffic surveillance, guiding and controlling, investigating and solving road accidents, preventing and countering infringements to the road legislation.

Transport Police Directorate - ensures and maintains a safety environment for rail, road, aerial and naval transport.

Also, within GIRP exists the **Forensic Institute** which deals with: crime scene search and forensic expertise, judiciary identifications, physical & chemical expertises and bio-forensic expertise.

The Evaluation Committee visited the Forensic Institute during the programme of the evaluation and had the possibility to be informed about different forensic activities done by the Institute in a detailed way.

The Forensic Institute based in Bucharest seems to be well equipped and prepared for the future cooperation related to the Prüm Decisions¹.

¹ Council Decision 2008/615/JHA on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime, and Council Decision 2008/616/JHA on the implementation of Decision 2008/615/JHA

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3.1.2. Romanian Border Police

The Romanian Border Police, as a part of MAI, is the specialized state institution. It is a nationwide body and it bears the responsibility for the control of the state border and has exclusive competence in the field of checks over persons crossing the state border and the surveillance of the green and blue border.

The main responsibilities of the Romanian Border Police are as follows:

- surveillance and control of state border crossing;
- observance of the state border legal regime, of the passports;
- maintenance of public order and security in responsibility area;
- preventing and countering illegal migration.

The Romanian national border security model is based on the “four filters model” - activities in third countries, in countries of origin and transit, bilateral and international border co-operation, measures at the external borders and further activities inside the Romanian territory.

The Romanian Border Police has developed co-ordination structures of the specific activities, at central (General Inspectorate), regional (territorial directorates of the Border Police) and local levels (county inspectorates of the Border Police).

At central level, the border management is exercised through the **General Inspectorate of Border Police**, having territorial competence for the entire area of responsibility of the Romanian Border Police. It coordinates the activity of its subordinated structures and carries out activities of investigation and inquiry of the serious crime in the field of border related offences (i.e. organized crime, illegal migration and cross-border crime).

At regional level, **7 border police directorates** (BPD) operate. The Directorates have attributions in the co-ordination and guidance of the activities specific to the border area, the representation of the institution in the relations with the similar institutions of the neighbouring countries.

21 Border Police County Inspectorates are subordinated to Border Police Directorates and are organized within the counties which have as limit the state border or the internal Danube. They fulfil the attributions of the border police within the area of competence as far as the border control and surveillance is concerned.

The territorial structures within the Border Police have a common organizational scheme with the GIBP (the structures within the GIBP have a counterpart within territorial subordinated structures).

The Romanian Border Police has 19.364 allotted positions, around 90% are occupied. A special attention is paid to the future external borders of the EU (Republic of Moldova, Ukraine, Black Sea and Serbia). The current level of employment of the personnel allotted to the EU external border is close to 100%.

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3.1.3. Romanian Gendarmerie

The **Romanian Gendarmerie**, as part of MAI, is a military status police force exercising, in accordance with the legal provisions tasks in:

- the field of public order and safety (ensuring and re-establishing public order and safety)
- defending one's fundamental rights and liberties, public and private property
- preventing and uncovering offences
- ensuring physical protection to strategic objectives, institutions and administrative buildings
- providing support in preventing and countering terrorism.

The management is realized by the General Inspectorate of Romanian Gendarmerie which is the central unit of the Romanian Gendarmerie and ensures the coordination of the activities performed by the 41 County Inspectorates, Bucharest General Directorate, Special Brigade of Intervention, 8 Mobile Groups, 6 Special Units and 12 Military Training Institutions.

From 33865 allotted positions, 29404 are filled in (ratio 87%).

3.1.4. Romanian Immigration Office

Romanian Immigration Office (Directorate for Aliens and Migration) is the specialised structure exercising attributions regarding the implementation of the Romanian policies in the fields of migration, asylum and aliens' social integration. RIO has territorial units in each of the 41 counties of Romania.

As for the personnel, from a total number of 1.092 allotted positions 880 are occupied (80%).

3.1.5. Other agencies

According to art. 13 par. 2 of GEO no. 30/2007 on organisation and functioning of the Ministry of Administration and Interior, **tasks related to maintaining public order and security, crime prevention and countering are also performed by other authorities within the Department for Public Order and Security**, such as National Anti-drug Agency, National Agency against Trafficking in Persons, and National Centre for Persons Records Administration:

National Anti-drug Agency, based on a national strategy, determines the general approach and the unitary co-ordination at national level of the prevention and fight against illicit drug trafficking and abuse developed by the competent authorities, by other state institutions and non-governmental organizations, consolidates and monitors the results of the co-operation between the Romanian qualified institutions and the foreign organizations involved in the field.

National Agency against Trafficking in Persons, based on a national strategy, coordinates evaluates and monitors, at the national level, the implementation of policies in the field of trafficking in persons by the public institutions, as well as those in the field of protection and assistance provided to its victims.

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National Centre for Persons Records Administration is a MAI structure with attributions in ensuring the interconnection of all databases on persons' records (National system on persons' records, National system on passports and National system on driving licenses and vehicles certificates records).

3.2. Databases for law enforcement purposes

Both the Romanian Police and the Romanian Border Police administrate their own databases and allow other structures direct or indirect access. The databases are mainly accessible through the police/border police intranet websites with respecting the relevant data protection regulations. The access is allowed on the need-to-know basis.

The Romanian Police administrate and have direct access to the following databases:

- WANTED PERSONS - database containing wanted persons at national or international level, avoiding the execution of a warrant or a penal sentence, as well as missing persons.
- AFIS – database for identifying individuals based on their fingerprints.
- DACTYL - dactyl cards of all fingerprinted persons that are input in AFIS database
- IMAGETRAK - database for identifying individuals based on facial images, digital portrait, description, particular signs and the legal status of a person.
- CDN (System for identification of missing persons and unidentified bodies) - database for identifying missing persons, unidentified bodies, based on description and particular signs.
- IBIS (Ballistic identification integrated system) - database for identifying firearms based on traces created by shells and projectiles.
- SNDGJ (National system of judiciary genetic data) - database for identifying individuals based on their genetic profile.
- INTERDIT - database containing information about individuals with legal interdictions: leaving the city, the country or the interdiction of being in a specific city.
- VEHICLE THEFT - database on vehicles reported as stolen (regardless of the country where the crime was committed)
- Car Accidents Register - database on car accidents in Romania
- Stolen objects - database on stolen objects throughout the country
- P30 – database for realizing an unitary judiciary statistic, regarding the criminal proceedings engaged by the Romanian Police
- INCARCERATED – database that offers information and complete data regarding the incarcerated persons
- FOREIGN NATIONALS - IT management of crimes committed by foreign nationals on the territory of Romania
- Firearms National Registry - database on firearms, legal owners of firearms and ammunition and operation involving firearms and ammunition
- EXPLOSIVE - database on explosive material transfers authorisations as well as transit authorisations
- Database regarding licensed security personnel
- Database regarding security companies and licensed alarm systems

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Romanian Police structures can also access databases belonging to other MAI structures or institutions:

- Entry/Exit Aliens Register - Romanian Border Police;
- Persons' Records – National Administration Centre of Persons Register Databases;
- Passports – National Administration Centre of Persons Register Databases;
- Driving Licence and Registration Certificates - National Administration Centre of Persons Register Databases;
- Integrated Information System for the management of migration, asylum and visas – Romanian Immigration Office;
- e-ASF Interpol – access administrated by Interpol National Bureau within the International Police Cooperation Centre;
- PRADO – administrated by the Romanian Border Police
- Border Checks – National Customs Authority.
- Trade Register – National Trade Register Office

Romanian Border Police

The Romanian Border Police administrates and has direct access to the following databases:

- Database on recorded/wanted persons and means of transportation suspect of being involved in criminal activities. The alerts are issued by GIBP, on the basis of its own information or following the request of competent institutions, according to the legal provisions;
- Returnees Register;
- Alerts Travel Documents Evidence;
- PRADO.

The Romanian Border police structures have access on the above-mentioned databases in the first and second line of control. It has access (mainly in the second line of control) to the following databases administrated by other law enforcement agencies:

- Passports - National Administration Centre of Persons Register Databases
- Persons' Records – National Administration Centre of Persons Register Databases
- Entry/Exit Aliens Register – a database managed by Romanian Border Police, which contains flow records of alien citizens (except citizens from EU, Norway, Switzerland and Iceland) at the border.
- Driving Licences –National Administration Centre of Persons Evidence Databases
- e-ASF Interpol – access administrated by Interpol National Bureau within the International Police Cooperation Centre.
- Integrated Information System for the management of migration, asylum and visas – administrated by the Romanian Immigration Office
- Stolen Vehicles – Romanian Police
- Wanted persons (All Points Bulletin) – Romanian Police

Starting with 2008, Romania is connected to iFADO. As of April 2009, Romania through the General Inspectorate of Border Police, is also directly connected to FADO. Romania wants to point out that it lies in the first position as far as iFADO Central Proxy Usage is concerned, according to the statistics for September - November 2008.

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A number of accounts to access iFADO have been disseminated to the personnel of the Romanian Police. Access to the iFADO is considered useful as part of the ongoing training of the experts working in the forensic departments within the Romanian Police. In this respect, the Forensic Institute permanently disseminate CDs with all alerts bulletins describing new ways to counterfeit documents.

IMIS (Integrated Management Information System) – a database on drug supply reduction, is functional and tests are being performed. It is envisaged to be fully operational by the end of May 2009.

Presently, at the Romanian Police level, relevant databases can be interrogated through a single portal (INTERID), for each database, separate account (username and password) being needed.

Steps are being made in order to render the “single sign on” portal operational, starting with July 2009. Logging in in to this portal will allow direct access to all databases.

Comments and recommendations of the Evaluation Committee:

In order to be more successful in investigations it is recommended that the forensic departments of the police stations and inspectorates have access to the iFado system.

The Committee welcomes the fact that the database of the Anti-Drug Agency should in principle be operational at the beginning of April.

Although this may be difficult to realize in practice, the Committee believes that it may be more useful to create one access portal for the different databases that are now (partially) available to the different services.

3.3. Structures for national cooperation

The interagency cooperation on the national level is based on three main pillars:

- cooperation with other structures within the MAI
- cooperation with the Public Ministry
- cooperation with other public institutions and/or the private sector

The cooperation with other structures within the MAI is realized mainly through joint actions and permanent exchange of data information. The cooperation channels are established either by Minister Orders or through protocols and agreements concluded at central or territorial level. More specifically, the cooperation is realized especially by means of operational exchange of data and intelligence, joint actions (patrols, missions or investigative teams), active participation and support in unfolding specific activities related to the fight against cross border criminality and criminal enterprises, joint analysis in order to identify evolutions in crime patterns, establishing operational contacts, conducting joint training sessions or establishing joint goals in the fight against criminality.

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As a good example of the interagency cooperation can serve TRIDENT project, which is an inter-ministerial intelligence working group (task force) fighting against cross border crime, composed of experts from the Ministry of Public Finance - National Custom Authority and Ministry of Administration and Interior - General Inspectorate of Romanian Police, The General Inspectorate of Romanian Border Police and General Directorate for Intelligence and Internal Affairs. TRIDENT main tasks are focused on gathering intelligence and analysis (strategic – risk analysis and operational - tactical analysis), using the benefit of data bases managed by those law enforcement agencies mentioned before. The main responsibilities are collecting intelligence and monitoring transit areas of goods and people, building up risk profiles regarding the movements of goods and people, running intelligence analysis in an integrated environment of law enforcement framework and sustaining the gathering of evidence in cases.

Comments and recommendations of the Evaluation Committee:

There seems to be flexible cooperation between the police forces; they can cooperate quickly and directly and the forces learn from each other and work closely to solve problems they have in their field of competences.

The TRIDENT project is a good example of the effective inter-ministerial cooperation among different agencies.

3.4. Structures for international cooperation

3.4.1. International police cooperation agreements

Romania has concluded **agreements, arrangements and bilateral protocols on police cooperation** – related matters of with EU Schengen states and other states as follows:

In force

a) Schengen Member States: Belgium, the Netherlands, France, Germany (Bavaria Land), Italy, Hungary, Spain, Slovenia, Slovakia, Austria, Poland, Czech Republic, Sweden, Switzerland, Malta

b) Non-Schengen states: Republic of Moldova, Ukraine, USA, Canada, UK, Albania, Bosnia and Herzegovina, Macedonia, Montenegro, Serbia, India, Bulgaria, Turkey, Croatia, Albania, Russian Federation, Argentina, Morocco, Mexico, Brazil, Cyprus, Indonesia, China, Uruguay, Azerbaijan, Armenia, Kazakhstan, Pakistan, Chile, Georgia, Egypt, Israel, Lebanon, Jordan

Not yet in force

a) Schengen states: Norway

Negotiation approved: Venezuela, Bulgaria, Hungary, Saudi Arabia, Syrian Arab Republic, Ecuador, Paraguay, Colombia, Cuba, Portugal, Iran, Philippines, Azerbaijan, Russia, Ireland.

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Standard provisions of the abovementioned agreements specify mostly the general framework shaping the agreements. The first articles of these agreements usually specify the agreed fields of cooperation, covering in particular combating most serious categories of crime, including crimes against life, drug-related offences, trafficking in human beings, illicit trafficking in weapons, ammunition and explosives, terrorism related crimes, crimes against property, unauthorized crossing of borders, money laundering, cross-border criminality and countering corruption deeds.

Further provisions of cooperation agreements specify forms and methods of cooperation in relation to the scope of the agreed cooperation, the exchange of information and personal data and the specific conditions for protecting and using them and taking of joint police actions, experience exchange. Some of these agreements provide for cooperation in research and training.

Steps have been taken in order to conclude Agreements on enhanced police co-operation with Bulgaria and Hungary, containing the relevant articles (39-47) of the Schengen Convention.

The Agreement with Hungary was signed on 21 October 2008 with the occasion of the 4th Joint Session of Government of Romania and Government of Hungary. This agreement goes beyond the Schengen Convention, detailing also provisions on controlled deliveries, covert investigations, collaboration in witness protection programs, joint investigation teams, in accordance with the Convention of 29 May 2000 on Mutual Assistance in Criminal Matters between the Member States of the European Union. The agreement is pending ratification by the Romanian Parliament.

The Agreement with Bulgaria was signed on 19 May.

Romania has concluded **agreements on matters of police co-operation in border zones** with EU Schengen states and other states as follows:

In force

- a) Schengen Member States: Hungary
- b) Non-Schengen States: Ukraine, Bulgaria

Not yet in force

- a) Schengen Member States: Hungary
- b) Non-Schengen states: Bulgaria, Serbia

Negotiation approved – Republic of Moldova

The subject matter of standard agreements on cross-border co-operation between border police authorities contains regulations on countering organized crime and preventing serious crime: terrorism, trafficking in drugs and psychotropic substances, counterfeiting currency, money laundering, trafficking in human beings. Moreover, these agreements establish the national bodies responsible for putting into practice the provisions, the measures to be taken when breaking the border regime, the law applicable, personal data protection rules, the use of border waters and the forms and methods of co-operation: joint control or investigation teams and improvement of information exchange between the parties involved.

These provisions aim at countering in an effective way cross-border crime and illegal migration in the border area through mutual co-ordination of plans and measures taken in the border areas

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Comments and recommendations of the Evaluation Committee:

As concerns access to (international) legislation and bilateral agreements/protocols via the intranet website, the documentation is partly accessible, depending on the structure (e.g. bilateral agreements were only accessible for the Border Police Centre).

The Committee encourages Romania to speed up the ratification of the agreement on police cooperation with Hungary.

The Committee welcomes the fact that controlled deliveries is mentioned as such in the bilateral agreement with Hungary, Bulgaria and other countries and recommends that these Schengen articles will also be mentioned in other bilateral agreements.

Due to the fact that the agreements on police cooperation containing the relevant articles of the Schengen Convention (mainly 39, 40 and 41) have not been concluded yet, the Evaluation Committee could not assess the use of these provisions in practice.

Comments by Romania

In order to assess the implementation, in practice, of articles 40-41 of the Schengen Convention, training exercises on cross-border surveillance and pursuit with the participation of Romanian police and border police officers have already taken place with Bulgaria. Each exercise was followed by analysis and assessment meetings.

Moreover, discussions between IPCC and the Hungarian counterpart took place in order to agree upon organising a TAIEX workshop for enhancing theoretical and practical training on art. 40-41 of representatives of law enforcement authorities from both states in the second week of June 2009.

3.4.2. (Future) Schengen Central Authority

A National Focal Point was set up in 2000, under the Ministry of Administration and Interior, in order to assure the exchange of data and information with the Regional Centre of the European South - East Cooperative Initiative, known as "SECI Centre". In 2005, the National Focal Point together with the Interpol National Bureau formed the International Police Cooperation Centre (hereinafter "IPCC"). Starting with 15 March 2009 IPCC was transferred to the Romanian Police (previously it was a part of MAI). IPCC is subordinated to the General Inspector of the Romanian Police under the coordination of the Secretary of State, head of Public Order and Safety Department.

The activities of the IPCC are based on the following legal framework:

- law on international judicial cooperation in criminal matters
- government emergency ordinance on the provisions to facilitate the international police cooperation
- Interpol Statute
- Europol Convention
- SECI Agreement
- MAI regulation regarding operative exchange of information within National Focal Point

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IPCC is formed by National Focal Point (Operational Unit, EUROPOL National Unit, and SIRENE Bureau) and INTERPOL National Central Bureau (International Search and Extraditions Unit, Operational Documentation Unit and Judicial Identification Unit).

The IPCC represents the central authority (single police cooperation platform) specialized in data and information exchange at international level in the field of combating cross-border crime. The Dispatch is working 24/7 for all structures represented in the Centre. The Dispatch will represent also the single point of contact for future Schengen cross-border operations. IPCC's main task is to exchange information regarding criminal matters, to assist of the Romanian liaison officers and of the foreign liaison officers posted/accredited in Romania and to coordinate and facilitate of information exchange through other channels (joint centres and contact points).

According to the principle "one input - one output", IPCC reunites five cooperation channels:

1. *Interpol* via the National Central Bureau
2. *Europol* via the Europol National Unit
3. *SECI Regional Centre* via the Operational Unit
4. *Romanian Home Affairs Attachés* /foreign liaison officers via the Operational Unit
5. *Schengen Member States* via the future SIRENE Bureau

At the national level IPCC cooperates with national institutions (e.g. Ministry of Justice and Citizens' Liberties, Public Ministry, and National Customs Authority), other MAI structures (e.g. Border Police, Romanian Gendarmerie) and with liaison officers/home affairs attachés. Cooperation is carried out on the basis of the law and of the signed protocols and agreements as well as MAI regulations. Within IPCC four persons are seconded from other institutions - one from the Romanian Border Police and 3 from the National Customs Authority. Necessary steps are taken in order to appoint a representative of the Ministry of Justice to work within SIRENE Bureau once it is operational.

The operative staff of IPCC (including the Dispatch Centre) has direct access to different databases (Person's Records, Passports Register, Driving License and Registration Certificates, Entry/Exit Alien Register, Wanted, Vehicle theft, Incarcerated and also specific INTERPOL databases). An indirect access is available for database of Criminal records. The customs representatives seconded within IPCC have direct/indirect access to specific customs databases as well.

The working procedures within the IPCC are standard ones with respecting the time limits for providing information and intelligence according to the decision of the Director General that stipulates the time limits for answering the assistance requests for all IPCC operational structures.

The time limits for answering assistance requests, stipulated by the decision of the IPCC management are in line with those provided by the EU Council Framework Decision 2006/960/JHA on simplifying the exchange of information and intelligence between law enforcement authorities.

The above mentioned decision is implemented by all Romanian structures with responsibilities in the field.

The normative act for the transposition of the Swedish Initiative is pending approval at MAI level.

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The IPCC does not use any case management system on an electronically basis. However the project “eCooperare” is under way and can serve as a basis for the future case management system within the IPCC. The eCooperare system is available for the police cooperation centres as well and is used for avoiding duplication of requests.

As for the personnel issues, there are 135 allotted positions within the IPCC, 109 of them are occupied – Interpol (27/26), Europol (11/11), Sirene (20/8), Operational Service (20/19).

The IPCC electronic case management system is pending contracting (under the Transition Facility). The deadline for its implementation is March 2010. This system will ensure a unitary and more co-ordinated management of the information flow at the level of the International Police Cooperation Centre.

Under the Schengen Facility funds, police stations were endowed with 5500 more work stations in order to ensure at least one PC/police station. Romania intends to continue this endowment process.

Comments and recommendations of the Evaluation Committee:

The Committee recommends the creation of an electronic case management system within the IPCC. In this regard, the Committee equally took note of the practical use of the eCooperare system and welcomes this system which is currently functional and looks forward to learn more about its development and future working in practice.

The staffing of the IPCC's Dispatch Unit seems to be insufficient (due to financial reasons) in order to neither ensure a reliable level of cooperation nor interpretation/translation outside working hours.

Comments of Romania

The IPCC management has taken the increase of the Dispatch Unit staff into consideration. For the time being, officers dealing with specific issues for each cooperation channel assist the Dispatch activity with extended working hours until 21h00.

3.4.3. Police and Customs Cooperation Centres

Police and customs cooperation centres or joint police stations

The following police cooperation centres are already established and functioning:

Oradea Contact Point with participation of the Romanian Border Police and representatives of the ministries of interior from Austria, Italy, France, Spain and Germany
(legal basis: Agreement of Cooperation between the governments of Romania and the French Republic in the field of internal affairs)

Giurgiu Contact Bureau with participation of Romanian and Bulgarian Border Police
(legal basis: The Memorandum between the GIBP within the MAI and the National Border Police Service within the MAI of the Republic of Bulgaria)

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Bors-Ártand Contact Point with participation of Romanian Border Police, Romanian National Customs Authority, National Hungarian Police and Hungarian Customs Authority
(legal basis: Agreement between the Romanian government and the Hungarian government with respect to the application of the convention related to the control of road and railway traffic)

Galați Trilateral Contact Center with previewed participation of Romanian, Moldavian and Ukrainian authorities (this centre is not fully functional as only Romanian Border Police, Romanian Customs Authority and Moldavian counterparts are participating)
(legal basis: RO99 – IB – JH – 04 The Strategy for Integrated Border Management)

Porubne Contact Point with participation of Romanian Border Police and Ukrainian border guards
(legal basis: Protocol between the GIBP and the Administration of State Border Service from Ukraine, regarding the setting-up of Porubne Contact Point)

The procedure for the establishment of the Contact Bureau Portile de Fier I at the border with Serbia is in progress. Working areas were allocated and endowed with equipments and the Regulation for the functioning of the Bureau was drafted and sent to Serbian counterparts.

All the contact points and centers are subordinated to the General Inspectorate of Border Police.

Presently, only representatives of the Romanian Border Police and their correspondents from the co-operation states are unfolding their activity in the contact structures. There are procedures ongoing to develop the existing Contact Bureau in Giurgiu and Contact Centre in Galati, by involving representatives of the National Police and the Customs Authority.

The main attributions of the above mentioned cooperation centres are as follows:

- taking over, exchange and sending information in two or more states in order to fight against cross-border crime;
- gathering, sending and solving requirements for assistance, as well as answers related to the prevention and fighting against illegal acts; supporting the requests involving other structures;
- evaluation of the exchange of data and information;
- preparing and offering assistance for taking over of strangers on the basis of readmission agreements;
- setting up contacts with authorities involved in fighting cross-border crime.

Relations between joint centres and the central Schengen body

Presently, cooperation between joint centres and the International Police Cooperation Centre is performed through the General Inspectorate of Romanian Border Police, to which the centres are directly subordinated.

IPCC is informed on regular basis on the information exchange activities performed by the centres. The joint centres and IPCC share the IPCC's "eCooperare system" to avoid duplication of requests.

These contact centres have access to the data – voice communication network of MAI and to the intranet sites of all the structures. Monthly reports of activity are transmitted by the contact centres to the General Inspectorate of Border Police.

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The contact structures have access to the main national data basis – passports, public records, records of driving licenses and registrations, stolen motor vehicles, entries/exits records. The contact structures have full on-line access to these applications.

Comments and recommendations of the Evaluation Committee:

The criteria regarding the regular reporting to the IPCC (including statistics) are fulfilled.

If the information required is directly accessible by the Contact Point or Centre, the information can be exchanged according to the Swedish initiative. The same goes for the chain requests.

The Committee welcomes the fact that the request forms for cross-border assistance are bilingual and that most personnel speak at least two languages.

The fact that the central body is able to see the requests received by the Police Cooperation Contact Points or Centres in real time and that statistics are provided on a monthly basis can be understood as best practice.

3.5. Training and promotion

Professional Basic Training

Within MAI educational institutions

a) regular studies for newly recruited studies

For the Officers: Starting with 2007 – 2008 university year, the cadets training lasts 3 years, the training is carried out by the **Bucharest Police Academy - Police Faculty**. The graduates receive a degree in law, public order and safety specialization, and they also get the professional rank of police junior inspector or 2nd lieutenant.

For police agents or NCO's the basic training is delivered by the **Police Agents or NCO's Schools** in 2 years long courses. The graduates receive the professional rank of police agent or sergeant major.

b) intensive studies for the specialist's staff recruited from external source.

The basic training of the external source newly recruited staff is delivered during 4 to 12 months long courses within the **Bucharest Public Order Studies Institute** or in other training institutions of the General Inspectorates.

Outside MAI educational institutions

a) basic training for some specializations can be delivered in the following Ministry of Defense (MD) educational institutions:

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Bucharest Military Technical Academy: 4 years course, after graduation, cadets receive a degree in technical fields (IT, Communications, etc.) and the professional rank of police junior inspector.

Constanta Navy Academy: 4 years course, the graduates receive a degree in navy specializations needed for Border Police and the professional rank of police junior inspector.

Constanta Warrant Navy Military School: 2 years courses for technical specializations such as navy, weapons, communications, radio-electronic and electromechanic. The graduates receive the professional rank of police agent.

b) basic training for most of the specializations (e.g. economists, psychologists, IT, etc.) is delivered in the civil educational institutions.

Training curricula

Training curriculum for officers

Police officers basic training covers a three year - training period in the field of public order and security. The curriculum provides: law knowledge, general law enforcement knowledge/skills, leadership training, specialized training - police, border police, and gendarmerie. The training curriculum is developed to provide the students with the knowledge and skills necessary to meet the professional standards and requirements and includes topics on: law, criminal investigation, organized crime, professional tactics and procedures, shooting, physical training, criminology, forensic, foreign languages and Schengen related subjects (i.e. cross border cooperation, border police management, Schengen legislation and practices etc.).

Professional Continuous Training

The professional continuous training is focused to two main fields – training delivered at the working place (on-job training) and training delivered by specialized training institutions. The training delivered in an on-job way aims at acquiring the necessary knowledge and professional skills for developing professional competences in certain fields of activity.

In autumn 2006, the Romanian Police implemented e-learning module in the training system, using the AeL Platform, which can be used both as an educational tool with trainers, as well as an informative tool (library module). The e-learning module allows individual time management as well as faster development of individual and group abilities.

The AeL (Advanced eLearning) solution ensures a flexible, dynamic and training environment, according to the needs, both for initial as well as for further training. AeL guarantees a standardized training of the Police staff, transition from the formal to informal training methods, promoting interactivity, simulating practical cases (learning by doing), permanent and quick access to information and objective evaluation of the learning process.

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Training on the application of the provisions of the Schengen acquis

Training sessions on articles 40 and 41 of the Schengen Convention were organised in the framework of a twinning project with Germany – *Schengen Acquis Approximation*. After the theoretical sessions, the Romanian police and border police officers participated in practical exercises on cross-border surveillance and pursuit. Each exercise was followed by analysis and assessment meetings.

The surveillance exercise was organised with the support and the participation of the representatives of the Bulgarian authorities – operative police officers and included crossing the Romanian-Bulgarian border.

The Schengen related training for police officers covers 410 hours (80 theory; 330 practical activities) and includes the following topics:

- a) *The European Union and European Institutions* (Setting up the European Communities. Creation of the EU; Member States and Acceding States; Romania's Accession to the EU; European Parliament; Council of the EU; European Commission; Court of Justice; Presidency – role and responsibilities; Legislative and decisional process in EU);
- b) *Police Theory and Tactics. Schengen Issues* (Schengen Accession National Strategy; Police cooperation; Schengen Agreement and Schengen Convention; Schengen Catalogues – recommendations and good practices; Schengen Action Plan; Romanian Police within EU; Schengen Working Procedures);
- c) *International Police Cooperation. Police Cooperation in Schengen context* (International Police Cooperation Centre – Role and Missions; Bi- and multilateral cooperation agreements concluded by Romania in the field of police cooperation, mainly with EU and Schengen Members States; Judicial cooperation; Free access within Schengen Area; Preventing and countering organized crime – police cooperation in Schengen context; General aspects regarding international police cooperation; Police cooperation in Schengen context; SIS; The fight against drugs, fire arms and ammunition; Migration; Asylum; Extradition; Transfer of convicted persons);
- d) *Public Order* (Specific aspects of police cooperation in enforcing public order within the Schengen Area; Police cooperation and mutual assistance in the field of enforcing public order and security; Information exchange, cross-border surveillance and pursuit; Movement of aliens within the Schengen Area; Data protection; SIS; Measures on citizens security within the Schengen Area);
- e) *Traffic Police* (Cooperation regarding traffic policing within Schengen Area; TISPOL);
- f) *Fraud Investigation* (Police cooperation regarding fraud investigation within Schengen and EU Area; Protection of EU financial interests);
- g) *Judicial Police Cooperation*;
- h) *Criminal Investigations* (European Arrest Warrant).

The Schengen related training for border police officers covers 776 hours (194 theory; 582 practical activities) and includes the following topics:

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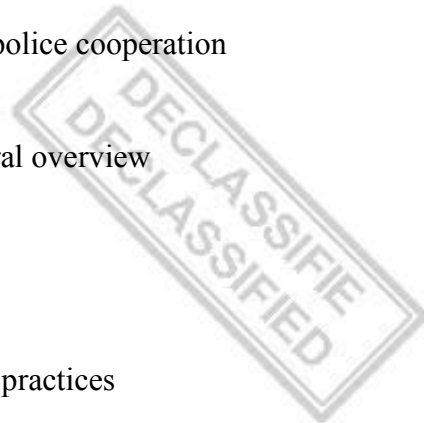
- a) *Border Police Tactics - The EU border surveillance* (Border surveillance; Police measures applied by border police units; Law enforcement specific tactics used in the border area; The types of border police patrols used for border surveillance; The territorial jurisdiction and the responsibilities of the border police units regarding border surveillance; The principles and the specific aspects for carrying out border surveillance; Law enforcement specific tactics – border operative activities).
- b) *EU Border Surveillance and Technical Control Equipment* (Border Security Integrated System; National and European strategies for border security).
- c) *Border Police Tactics - EU Border Control* (Perspectives regarding documents security and international standards; Security elements on travel documents for state border crossing; Travel documents classification and identification techniques; Border passing control; Rules, methods and conditions to perform border control; Land – road and railway traffic - control, harbour - river and maritime - control, airport border control; Free Area border control; Border control cooperation).
- d) *IT notions and customized IT for Border Police* (Introductory notions regarding border police IT programs; National and Schengen Area IT networks security; In use Border Police IT programs; Cooperation IT programs within Schengen Area; NISA; NISA II implementing; Exploiting SIS II, VIS, EURODAC, FADO, VISA ONLINE, AFIS and NISA, according to European best practices).
- e) *Schengen legislation* (The importance of studying European Law for Border Police; Free access within European Community; EU principles, liberties and legislation relevant for the Border Police; Border judicial rules under the Schengen acquis; Individuals and services judicial status that have the right for free access; Community Code regarding individuals border passing conditions – Schengen Border Code; Community judicial regulations regarding drugs and arms stipulated by the Schengen acquis; Cross-border police cooperation; FRONTEX; European Authorities and Systems involved in external border field – SIS II, EUROPOL, EURODAC, EUROJUST; JHA relevant acquis).

The Schengen-related training for police agents covers 32 h, as follows:

- *Establishment of the European Union (4 h):*
 - Setting up the European Communities. Creation of the European Union
 - Member States and Acceding States.
 - Romania's accession to the EU
- *European Union and its institutions (4 h):*
 - European Parliament
 - Council of the European Union
 - European Commission
 - Court of Justice
 - Presidency - role and responsibilities
- *Legislative and decisional process in EU (4 h):*
 - EU law
 - Legislative and decisional process in EU
- *Schengen Agreement and the Convention implementing the Schengen Agreement (4 h):*
 - Scope of the Schengen Agreement and Member States
 - Definitions
 - Transposition of the Schengen acquis in the community acquis through the Amsterdam Treaty

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- Provisions of the National Strategy for Accession to the Schengen Area.
- Provisions of the 2007 – 2010 National Strategy of Integrated State Border Management
- Data that can be accessed in SIS
- *International police cooperation (4 h):*
 - Necessity and significance of international police cooperation
 - International Police Cooperation Centre
- *International judicial cooperation (4 h):*
 - International judicial cooperation – general overview
 - Extradition
 - Judicial assistance
 - Transfer of convicted persons
- *Police cooperation in Schengen context (4 h):*
 - Schengen Convention - main provisions
 - Catalogues - recommendations and good practices
- *Evaluation: 4 h*



An integrated concept on training the staff involved in Schengen accession process of Romania was developed with the purpose of establishing the general common framework for the initial and continuous training of the personnel working in the Schengen – related areas.

The aim of this concept is to establish a compatible training system at national level, to facilitate dissemination of the best practice, to help exchange trainers as well as to facilitate distribution of educational materials and to organize programmes of international cooperation. .

The fields targeted for Schengen training are the following: border control, visa policy, migration, asylum, police cooperation, judicial cooperation, fight against drugs, firearms and ammunitions, Schengen Information System and data protection.

Foreign languages

All MAI tuition institutions organise courses on foreign languages (English, French and German mainly), as part of both initial and further training. The foreign language examination is an eliminatory part of the test for entering the MAI tuition institutions.

Training curriculum and method to brief police officers on the Handbook on Cross-border Police Cooperation

The Police Cooperation Handbook is known by police officers in all police units, as it is part of the compulsory bibliography of the training programme described at point 5.

The Handbook (in Romanian) was disseminated to all Police and Border Police structures, as well as to other institutions and MAI structures with competencies in the field. Moreover, it is available in electronic format (both in Romanian and in English) on the intranet websites of MAI and its agencies.

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The relevant updates of the Handbook for Romania have been prepared and sent to the General Secretariat of the EU Council on several occasions. The latest updates were sent at the beginning of September 2008.

Comments and recommendations of the Evaluation Committee:

It is recommended that the e-learning and the CBT-component are better developed in the future. The Committee welcomes the existence of individual permanent training plans within the MAI agencies.

Finally, the Committee welcomes the availability of the comprehensive Schengen material (such as the Handbook) and the ongoing work on the updates on the intranet structures of the Romanian Police forces.

The fact that the appropriate agreements implementing the relevant provisions of the Schengen Convention are not concluded yet, makes the possibilities of training limited and the training has to be focused mainly in theoretical part of the issue.

The Evaluation Committee welcomes the existence of the integrated concept on training the staff involved in Schengen accession process of Romania and finds it as a good tool for ensuring an interagency approach to the training issue.

Comments of Romania

Training of the Romanian law enforcement agencies with responsibilities in the field is an ongoing process, not depending on the agreements being concluded.

4. OPERATIONAL COOPERATION

4.1. Mutual assistance (Article 39)

Information Exchange

According to the Romanian legislation the central body for international police cooperation is the International Police Cooperation Centre within Romanian Police (IPCC).

The police authorities perform no other actions without the involvement of the judicial authorities, than those listed in the Council Framework Decision 2006/960/JHA.

According to the relevant legislation the Romanian authorities can, without a prior request, transmit to the competent authorities of a foreign state operative information gathered in an investigation, whenever they consider that the information could help the beneficiary state initiate a criminal procedure or that the information could lead to an application for judicial assistance.

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According to the relevant Romanian legislation, the IPCC will forward the request of the foreign authorities to the competent national authorities.

As far as international rogatory letters are concerned, if the judicial authorities' competences do not include solving some requests, these requests are declined to other judicial authorities (e.g. Prosecutor's Offices, Courts) for legal assistance.

In relation to Schengen Member States, according to the provisions of Law 302/2004, in order to execute rogatory letters referring to house searches and/or seizures, the following conditions can be imposed:

- both legislations must stipulate freedom depriving sanctions for a minimum of 6 months, or a legislation incriminates it with an equivalent sanction as long as in the other legislation the action is punishable by an administrative authority and on the condition of the appeal before a criminal court;
- activities requested by the rogatory letter must be permitted by the Romanian legislation.

Romanian judicial authorities accept applications for authorising some activities within the competence of the police. The data and information mentioned in these applications can not be used in the criminal process, unless the petitioner agreed so.

As far as transferring personal data abroad, Law no. 677/2001 on the person's protection regarding the processing of personal data and the free circulation of these data, stipulates the conditions for transferring personal data abroad.

Regarding the obligation to inform the national central body in an urgent case pursuant to Article 39(3), such obligation is foreseen in the legal provisions. In special cases, required by the necessity of providing fast exchange of information or keeping the confidentiality of the undergone activities, the request may be forwarded directly to the competent authority (Romanian or foreign) from case to case. In this particular situation, the Romanian competent authority will inform IPCC within 24 hours, calculated from the time of receiving or sending the request for assistance.

Prevention and detection of offences (pursuant to Article 29 (1-3) of the Schengen Convention/measures listed in Decision (SCH/Com-ex (99) 18; SCH/I (98) 75 rev. 5)

Within the framework of cross-border cooperation pursuant to art 39 (1-3) of the Schengen Convention, the police services are authorized to execute, without the involvement of the judicial authority, the following activities listed in Decision SCH/Com-ex (99) 18; and SCH/I (98) 75 rev. 5 for the prevention and detection of offences:

- identifying vehicle owners and drivers;
- enquiring on driver's license
- identifying whereabouts and residence
- identifying telecommunications subscribers (telephone, fax and Internet), provided that this is public information
- identifying persons
- transferring police intelligence from police databases or files, in compliance with the relevant legal provisions concerning data protection

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- preparing plans and coordinating search measures and initiating emergency searches (independently of SIS searches)
- identifying the origins of goods, particularly weapons and vehicles (tracing goods circuits) examining evidence

Implementation of the Council Framework Decision 2006/960/JHA of 18 December 2006 (the Swedish Initiative) on simplifying the exchange of information and intelligence between law enforcement authorities

The steps taken by the Romanian authorities in order to implement Council Framework Decision 2006/960/JHA of 18 December 2006 (the "Swedish Initiative") are the following:

A working group formed of all institutions involved (Justice, Police and also NSA on personal data protection) was set up, in order to identify problems and best ways to implement the Decision.

A draft GEO implementing Council Framework Decision 2006/960 is pending domestic procedures and will be adopted by the Government until end of 2008.

Statistics

(requests pursuant to Article 39, operations pursuant to Articles 40 and 41, exchanges pursuant to Article 46)

At present, there is no statistical data concerning the exchange of information regarding public order. In the future, the present database of IPCC, containing the registration number, subject of request and the officer responsible, will be able to provide the special functionality to elaborate statistics concerning the spontaneous exchange of information according to article 46.

Comments of Romania

At present, the IPCC keeps statistics on art. 39 and 46 of CISA together. Separate statistics for each of these articles will be available as from March 2010, once the electronic case management system will be operational at IPCC level.

4.2. Exchange of information (Article 46)

The Romanian legal provisions concerning the exchange of information according to article 46 are in line with the provisions of art. 46 (amended by Council Framework Decision 2006/960/JHA²). The relevant legislation stipulates the possibility of spontaneous information in case of imminent risk as well as setting up working procedures allowing for direct contacts in emergency cases, making it mandatory to inform the central authority within 24 hours.

² Council Framework Decision 2006/960/JHA of 18 December 2006 on simplifying the exchange of information and intelligence between law enforcement authorities of the Member States of the European Union

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At present, there is no statistical data concerning the exchange of information regarding public order. In the future, the present database of IPCC, containing the registration number, subject of request and the officer responsible, will be able to provide the special functionality to elaborate statistics concerning the spontaneous exchange of information according to art. 46.

4.3. Cross-border operations (Articles 40 and 41)

For both types of cross-border operations, the International Police Cooperation Centre is the designated national central contact authority. The working procedures are being drafted at the level of IPCC, together with the national competent authorities (Romanian Police and Romanian Border Police). At present, there are still a few technical details left to be clarified.

In order to finalize these working procedures, the IPCC's representatives are organizing periodically working groups with the help of Romanian police and Romanian border police experts. Also, several meetings were held with the representatives of the Romanian General Prosecutor's Office.

The working procedures on art. 40 and 41 of CISA, submitted to the Evaluation Committee during the visit, are finalised and pending domestic legislative proceedings. These methodological norms will be posted on the Romanian Police intranet website and sent to all Romanian law enforcement agencies concerned.

Final discussions with Hungary and Bulgaria will take place as soon as the relevant procedures at the national level are finalized.

4.4. Joint operations

Based on national and regional agreements, the Romanian Border Police and Bulgarian Border Guards are performing joint operations at land and maritime border and also on the river of Danube.

Based on a common monthly plan, the following types of operations are being implemented - common actions for surveillance of the river of Danube with Romanian or Bulgarian surveillance ships, joint teams for checks performed at common border crossing points (according to art. 17 of the Schengen Border Code), joint patrols for the surveillance of the land border. A "chess table" system is implemented as well.

Action plans are concluded by each director of the Border Police Directorates and his Bulgarian counterpart and approved by the General Inspector of Romanian Border Police and his Bulgarian counterpart. These documents establish the details of the common surveillance and checks depending on the operative needs.

The chiefs of the territorial units establish the monthly patrolling chart, according to the operational situation.

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For the participation in joint patrolling teams, the two parties are providing the training and, depending on the possibilities, persons who speak the language of the neighbouring country are deployed to guarantee a good communication between the parties during the common activities. The chief of each territorial structure organizes regular common trainings for the participants in joint teams on laws of the neighbouring countries, related to joint activities.

Also, detailed provisions on joint patrols are included in the draft Agreements with Bulgaria and Hungary on cross-border police cooperation.

Joint patrols took place last year during the summer season on Hungarian territory (mainly linked to public security during the touristic season) and it is foreseen that this type of cooperation will continue in the future and that joint patrols will take place on Romanian territory in the future as well.

4.5. Additional cross-border provisions (Article 44) (current situation; planned communication structures)

In order to ensure cross-border interoperability of radio communication systems, the Agreements on cross-border police cooperation in criminal matters signed with Hungary and Bulgaria include provisions regarding the implementation of article 44. The practical specifications shall be included in technical annexes to these agreements.

A first step was already made in 2004 by concluding an agreement between Romania and Hungary for bandwidth frequency usage of 380-385MHz - 390-395MHz. Moreover, the Romanian authorities started the domestic procedures for concluding a similar agreement with Bulgaria.

Communication is realized through international phone lines and fax, as well as through an Internet connection and intranet. These means offer the opportunity to send messages and images with a high level of accuracy. Security of the data used is provided by the encoding through software accepted by both sides and respecting, in the same time, the legislation on personal data protection.

The MAI will implement TETRA digital mobile communication system – a standard recommended for law enforcement agencies in Europe.

At present, a series of state institutions implemented TETRA at regional level, as follows: Bucharest and Ilfov county, Constanta County, Prahova and Braşov. At the same time, within the state border security programme, MAI is implementing a TETRA system in 21 counties through a mixed financing (external credit – 18 counties and Phare projects – 3 counties). Thus, the TETRA standard is implemented or currently being implemented on more than 60% of the national territory.

All these TETRA implementations are part of a Single National Platform of digital mobile radio communications destined to all institutions involved in public order and safety.

Two main principles were respected when implementing this Platform - ensuring the interoperability and avoiding the overlaps in the purchase of activities at all levels.

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4.6. Liaison Officers

The MAI has developed a Home Affairs Attachés Network which is formed of Romanian police officers/experts in the field of combating organised crime, illegal migration or civil emergencies. The secondment of home affairs attachés and liaison officers is realized on the basis of international agreements concluded by Romania with the countries of appointment. The exchange of liaison officers is stipulated in a series of international agreements, both for the Schengen states (Austria, Belgium, Czech Republic, Poland, Slovakia, Spain, Switzerland, Italy and Malta) or non Schengen states (Lebanon, Egypt, Kazakhstan and Montenegro). The principle of reciprocity – mutual secondment as mentioned under art. 47 of Schengen Convention is used.

A Home Affairs Attaché is the official representative of the MAI in a foreign country, working with the competent national and foreign authorities and acting as the liaison officer stipulated in art. 47 of the Schengen Convention. The home affairs attaché has a double key-role - to officially represent the MAI and to facilitate the flows of the police assistance requests sent or received by the IPCC.

A Liaison Officer is a specialized police officer which can be seconded to a foreign police department, for one or more short periods (1-3 month), with the main task in providing technical/operational assistance for identifications, phone interceptions and translations, interviewing travellers and verifying the authenticity of documents issued by Romanian authorities, evaluating documents about which the liaison officers are knowledgeable, advice and assistance to the host State's officers in border police, making reports and recording statements, all with the tasks carried out by the authorities responsible for combating organized crime, illegal migration or the surveillance of the external borders only if the crimes are related or affecting the Romanian citizens

The main tasks of the home affairs attachés and operative liaison officers are in line with the provisions of article 47 of the Schengen Convention and the Decisions no 170/2003 and 562/2006 (advise, facilitate and assist the international cooperation and the exchange of information).

In the near future, the home affairs attaché network will be extended in the following countries/international organizations: The Netherlands, Azerbaijan, Bosnia and Herzegovina, Canada, China, Cyprus, Denmark, Finland, Georgia, Portugal, Lithuania, Latvia, Estonia and UN (New York).

An updated list of the home affairs attachés is sent periodically to the Police Cooperation Working Party of the EU Council, as part of the Schengen police cooperation handbook. Measures are being undertaken in order to extend the home affairs attaché network in Japan.

Comments and recommendations of the Evaluation Committee:

Due to the fact that the agreements on cross-border police cooperation are not concluded/in force yet, the Evaluation Committee could not assess/verify the use of the implemented provisions of the Schengen Convention in practice.

The system of home affairs attachés/liaison officers and cooperation of IPCC with both Romanian and foreign home affairs attachés/liaison officers have a clear structure following the operational needs and seem to play an important role in the cooperation on international level.

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The Evaluation Committee appreciated the fact that many foreign liaison officers/home affairs attachés posted or accredited for Romania could be present at the presentations given by the Directorate for European Affairs and International Relations and IPCC representatives and to contribute to the discussions held on practical use of this tool of international cooperation. The general feedback from the liaison officers was positive as regards the willingness of the Romanian law enforcement agencies to cooperate with their foreign counterparts.

5. REPORTS ON INDIVIDUAL SITES VISITED

5.1. Bihor County

Over the evaluation mission the Evaluation Committee visited the **Bihor County**, which is a north-west region in the Romanian – Hungarian border, important especially due to the touristic activities as well as due to the strategic transit orientation on one of the main directions from east to west.

The Evaluation Committee visited the Bihor County Police Inspectorate and was presented with information regarding the organization structure, main tasks, system of police work and interagency cooperation at regional level, as well as system of international cooperation with the Hungarian police force in daily practice or system of professional training in Schengen matters.

An unexpected visit was performed at the local police station in Oradea.

During the visit at the Bihor County, the Evaluation Committee had the opportunity to visit Oradea Contact Point and Bors-Ártand Contact Bureau.

Oradea Contact Point is a multilateral contact point operational since 2003, legally based on the bilateral agreements/protocols signed between Romanian and French, Italian, Austrian, German and Spanish authorities and provisions under Art. 39 (4) of the Schengen Convention. The main task of the contact point is the operational exchange of information (gathering and exchange of information, responding to sought information, providing support to prior requests tec.) and common missions of assistance (i.e. assistance in FRONTEX operations).

The Romanian staff of the Oradea Contact Point has direct access (via intranet websites) to different databases such as passports, persons register, stolen vehicles, driving licenses and vehicle register, wanted persons, entry/exit third country nationals, and Integrated information system for the management of migration, asylum and visas.

It was found out that the staff of the contact point received the relevant Schengen training according to the individual programmes and is aware of the use of the e-learning tools available via intranet website.

Bors-Ártand Contact Point is one of the Romanian police cooperation centres. It was established according to the agreement between the Romanian government and the Hungarian government with respect to the application of the convention related to the control of road and railway traffic. The use of this contact point for information exchange is evident from the statistic provided by the Romanian authorities.

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Comments and recommendations of the Evaluation Committee

The Evaluation Committee was very satisfied about the visits to the police station in Oradea; the technical equipment worked well, police officers proved to be bilingual, well prepared and aware of both the Schengen acquis as well as bilateral cooperation.

The video shown in Oradea about bilateral cooperation gave a good insight in police practices – it is encouraged to be used as a best practice in the area of training.

Furthermore, in relation to hot pursuit cases, the Evaluation Committee welcomes the plans to designate the Single Point Coordination Body responsible for the respective Romanian-Hungarian border sections.

It became clear that interpersonal contacts at higher level pave the way for excellent international cooperation in practice.

Also, the intelligence database developed by the Bihor County Police Inspectorate seemed to be quite useful and efficient for the local police.

The Committee welcomes the availability of technical equipment (PDA) during patrols which allows direct access to databases,) and encourages it as a best practice in all Schengen members, including in the associated States.

The Evaluation Committee took note of the fact that the joint patrols took place last year during the summer season on Hungarian territory (mainly linked to public security during the touristic season) and welcomes the fact that it is foreseen that this good practice will continue in the future and that joint patrols will take place on Romanian territory in the future as well.

The Committee welcomes the cooperation at the Bors - Ártand Contact Point and the intention to sign Protocols on cooperation with the Customs Authority and Police.

An increase of staff at the Bors – Ártand Contact Point is recommended to fulfil all tasks in a 24/7 duty.

Comments of Romania

The Romanian Border police management has taken into consideration to increase Bors-Artand Contact Bureau staff and steps are being made in this respect.

5.2. Police station in Bucharest

The Evaluation Committee was presented by a performance of the police duties at the local level while visiting the Police Station no. 1 in Bucharest. During the visit the information regarding the organization structure, main tasks, system of police work and interagency cooperation at local level was provided, as well as system of work in cases with an international aspect or system of professional training in Schengen matters for local staff. An access to police databases is available on need-to-know basis for police staff through the dispatch of the police station (accessible for the patrols by the radio communication tools).

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Unexpected discussions were held by the Evaluation Committee with a police patrols on the streets regarding the awareness of the Schengen matters, training, technical equipment or databases availability.

Comments and recommendations of the Evaluation Committee

The Evaluation Committee recommends the increase of language knowledges of the local police staff mainly because of the fact of Bucharest's increasing importance as tourist destination and therefore increasing number of cases with an international aspect.

The Evaluation Committee felt that there may be a gap with the implementation of the theoretical knowledge in practice by the practitioners. For instance, access to intranet from the local police desk had most of the time to be done by representatives of the central authority instead of the local police officers.

Comments of Romania

Professional as well as language training of police officers is recognised as being of high importance and Romania will continue the efforts in order to ensure an appropriate level of knowledge for all police officers.

6. GENERAL CONCLUSIONS INCLUDING RECOMMENDATIONS AND FOLLOW UP

The Committee is convinced that Romania is well underway in its preparation to implement the Schengen acquis and welcomes its willingness to meet the requirements.

Once the bilateral agreements on police cooperation with neighbouring countries are in place and in force, which the Committee feels should be realized as soon as possible, Romania should inform the Schengen Evaluation Working Party on the latest state of play and practical results and the situation should be reviewed.

The Evaluation Committee considers that it is necessary to work out the clear instructions for performing the cross-border operations once the bilateral agreements on police cooperation are in place and in force, as well as developing respective training exercises according to real provisions given by the agreements.

The technical infrastructure should be further developed; more PCs should be made available so more agents/officers have access to the intranet (and thus information on Schengen, the e-learning system etc).

Although in general presentations were extremely well prepared and given, the Committee felt that there may be a gap with the implementation of this knowledge in practice by the practitioners. Unfortunately the representatives of the responsible central authorities replied most of the questions asked on the spot in the local police stations instead of the local officers.

Special attention should be paid to the language training of the law enforcement personnel.

RESTREINT UE

Comments of Romania

Romania would like to point out that under the terms of its Treaty of Accession to the European Union (art. 4.2 of the Act concerning the conditions of Accession of the Republic of Bulgaria and Romania and the adjustments to the treaties on which the EU is founded), articles 40-43 of the Convention implementing the Schengen Agreement while binding from the date of EU accession, shall only apply in Romania pursuant to a Council Decision to that effect.

Romania acknowledges that the conclusion of police cooperation agreements with neighbouring countries is of great importance in order to improve information exchange and to deepen other aspects of cross-border co-operation.

Romania will permanently inform the Schengen Evaluation Working Party on the latest state of play and practical results taking place in this regard.

RESTREINT UE

ANNEX I

LIST OF CONTACT POINTS

1. **Giurgiu Contact Bureau** (Headquarters: BCP Giurgiu Road – Railroad, Romania) - cooperation between RO and BG
2. **Artand Contact Point** (Headquarters: BCP Artand, Hungary) – cooperation between RO and HU
3. **Porubne Contact Point** (Headquarters: BCP Porubne, Ukraine) – cooperation between RO and UKR
4. **Galați Trilateral Contact Center Romania – Moldova/Ukraine** (Headquarters: BCP Galați, Romania) - cooperation between RO, MD and UKR
5. **Oradea Contact Point** (Headquarters: BPD Oradea, Romania) – there are extensive forms of international co-operation in Oradea, with several MS, as police officers from countries such as Germany, Austria, Italy and France are appointed for limited periods of time in Oradea. The contact point is in a permanent connection with the central dispatch of French Police in Paris, which takes over the requests sent by Oradea CP and delivers them in order to be solved by the Common Centers for Customs and Police Cooperation. In the same way, it also takes over requests from the EU MS, in order to send them to the Romanian contact point.

RESTREINT UE

ANNEX II

LIST OF ROMANIAN LIAISON OFFICERS

The Ministry of Administration and Interior of Romania has liaison officers for police cooperation (called “*home affairs attachés*”) in the Romanian Embassies/Permanent Missions as follows:



Austria	2 in Vienna
Belgium+Luxembourg	2 in Brussels
Bulgaria	1 in Sofia
Czech Republic	1 in Prague
Croatia+Slovenia	1 in Zagreb
France	2 in Paris
Germany	2 in Berlin
Greece	1 in Athens
Hungary	1 in Budapest
Ireland	1 in Dublin
Italy	2 in Rome and 1 in Milan
Macedonia	1 in Skopje
Moldova	1 in Chisinau
Norway	1 in Oslo
Poland	1 in Warsaw
Russia	1 in Moscow
Serbia	1 in Belgrade
Spain	2 in Madrid
Sweden	1 in Stockholm
Switzerland	1 in Bern
Turkey	1 in Ankara and 1 in Istanbul
USA	2 in Washington
Ukraine	1 in Kiev
UK	2 in London

LIST OF AGREEMENTS CONCLUDED/RATIFIED

I. AGREEMENTS CONCLUDED BY ROMANIA ¹

Arrangement between the Government of Romania and the Government of Canada regarding the administration of evidences needed for criminal prosecution and trial of certain offences, signed in Bucharest on 30 January 1992 (GD no. 185/1992)

Arrangement between the Government of Romania and the Government of Hellenic Republic regarding the cooperation between the Romanian Ministry of Interior and the Hellenic Ministry of Public Order in accordance with their competences (GD no. 404/1992)

Cooperation Agreement between the Romanian Ministry of Interior and the Italian Ministry of Interior regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs signed in Rome on 28.05.1993 (GD no. 258/1993)

Cooperation Convention between the Government of Romania and the Government of Argentine Republic of in fighting against illicit trafficking in narcotic drugs and psychotropic substances and related offences, signed in Bucharest on 21.04.1994 (GD no. 568/1994)

Arrangement between the Government of Romania and the Government of Republic of India regarding the cooperation in countering organised crime, international terrorism, illicit trafficking in narcotic drugs și psychotropic substances, and other illegal activities, signed in Bucharest on 02.06.1994 (GD no. 550/1994)

Cooperation Agreement between the Government of Romania and the Government of Oriental Republic of Uruguay in fight against organised criminality and illicit trafficking in narcotic drugs and psychotropic substances, signed in Bucharest on 17.11.1994 (GD no. 134/1995)

Arrangement between the Government of Romania and the Government of Republic of Cyprus regarding the cooperation in fighting international criminality, signed in Bucharest on 07.06.1995 (Law no.13/2000)

Memorandum of Understanding between the Government of Romania and the Government of the United Kingdom of Great Britain and Northern Ireland regarding the collaboration in fighting against organised crime and illicit trafficking in narcotic drugs and psychotropic substances, signed in Bucharest on 14.11.1995 (Law no. 148/1997)

Agreement between the Government of Romania and the Government of the Federal Republic of Germany regarding the cooperation in countering organised crime, terrorism and other serious crimes and the related Protocol, signed in Bucharest on 15.10.1996 ([GD no.80/1997](#))

¹ Due to reorganization measures, the name of the Romanian Ministry of Interior changed in Ministry of Administration and Interior and Ministry of Interior and Administrative Reform (at present).

RESTREINT UE

Cooperation Agreement between the Government of Romania and the Government of Kingdom of Morocco in fight against trafficking in narcotic drugs, clandestine immigration and organised crime, signed in Rabat on 26.08.1997 (GD no. 813/1997)

Cooperation Agreement between the Government of Romania, the Government of Republic of Bulgaria and the Government of Republic of Turkey regarding fight against terrorism, organised crime, illicit trafficking in narcotic drugs and psychotropic substances, money laundering, trafficking in weapons and human beings, and other serious crimes, signed in Antalya on 16.04.1998 (Law no.154/1999)

Agreement between the Government of Romania, the Government of the Republic of Moldova and the Ministers' Board of Ukraine regarding collaboration in countering criminality, signed in Kiev, on 06.06.1999 (Law no. 70/2001)

Agreement between the Government of Romania and the Government of Republic of Peru on preventing, control, investigation and countering illicit abuse and trafficking in narcotic drugs, psychotropic substances and related offences, signed in Bucharest on 09.09.1998 (Law no. 101/1999)

Trilateral Cooperation Protocol between the Government of Romania, the Government of Republic of Bulgaria and the Government of Hellenic Republic for countering criminality, in particular cross-border crime, signed in Sofia on 08.09.1998 (GD no. 280/1999)

Agreement between the Government of Romania and the Government of the Republic of Austria regarding the cooperation in countering organised crime, international illicit trafficking in narcotic drugs, international terrorism, as well as for other criminal justice-related purposes, signed in Bucharest on 18.03.1999 ([GD no. 917/1999](#))

Convention between the Government of Romania and the Government of the Kingdom of Belgium on police cooperation, signed in Bucharest, on 14.04.1999 (Law no. 50/2001)

Agreement between the Government of Romania and the Government of United Mexican States regarding the cooperation in countering illicit trafficking in narcotic drugs and psychotropic substances and related offences, signed in Bucharest on 19.04.1999 (GD no. 970/2000)

Agreement between the Government of Romania, Government of Republic of Moldova and the Ministers Board of Ukraine regarding the collaboration in countering criminality, signed in Kiev on 06.06.1999 (Law no. 70/2001)

Agreement between the Government of Romania and the Government of the Hashemit Kingdom of Jordan regarding the cooperation in countering organised crime, psychotropic substances, terrorism, and other illegal activities, signed in Bucharest on 17.09.1999 (Law no. 67/2001)

Agreement between the Government of Romania and the Government of Federal Republic of Brazil regarding the cooperation in countering illicit manufacturing and trafficking in narcotic drugs and psychotropic substances, inappropriate use of pharmacodependence, signed in Bucharest on 22.10.1999 (Law no. 64/2001)

Agreement between the Government of Romania and the Government of Republic of Croatia regarding the cooperation in countering terrorism, organised crime, illicit trafficking in narcotic drugs, psychotropic substances, and other illegal activities, signed in Zagreb on 30.09.2000 (GD no. 703/2001)

RESTREINT UE

Agreement between the Government of Romania and the Government of Republic of Slovenia regarding the cooperation in fight against organised crime, illicit trafficking in narcotic drugs, psychotropic substances, precursors, terrorism and other serious crimes, signed in Bucharest on 04.10.2000 (GD no. 597/2001)

Letter of Understanding between the Government of Romania and the Government of USA regarding drug control and law enforcement, signed in Bucharest, on 03.07.2001 (GO no. 4/2001), with five Additional Protocols (2002, 2003, 2004, 2005, 2005)

Cooperation Protocol between the Ministers of Interior of Romania and Kingdom of Belgium, signed in Bucharest, on 25.06.2001 (GD no. 1935/2001)

Agreement between the Government of Romania and the Government of Republic of Poland regarding the collaboration in countering organised crime, terrorism and other types of crimes, signed in Warsaw, on 11.07.2001 (Law no. 188/16.04.2002); Implementation Protocol between the General Inspectorate of Romanian Police and the Polish Police signed on 25.03.2004

Agreement between the Government of Romania and the Government of the Republic of Israel regarding the cooperation in countering illicit trafficking and abuse of narcotic drugs and psychotropic substances and other serious crimes, signed in Jerusalem on 17.07.2001 (Law no.123/2002)

Agreement between the Government of Romania and the Government of Republic of Armenia regarding the collaboration in countering organised crime and illicit trafficking in drugs and psychotropic substances, signed in Yerevan on 31.10.2001 (Law no. 455/2002)

Agreement between Romania and the Czech Republic regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism and other serious crimes, signed in Prague on 13.11.2001 (Law no. 465/2002)

Agreement between the Government of Romania and the Government of Republic of Lebanon regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism and other serious crimes, signed in Bucharest on 18.03.2002 (Law no. 367/2003)

Agreement between the Government of Romania and the Government of Republic of Albania regarding the cooperation in countering terrorism, organised crime, illicit trafficking in narcotic drugs and psychotropic substances, and other illegal activities, signed in Bucharest on 07.06.2002 (Law no. 610/2002)

Agreement between the Government of Romania and the Government of Republic of Bulgaria regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism and other serious crimes, signed in Sofia on 10.07.2002 (Law no. 70/2003)

Arrangement between the General Inspectorate of Border Police within the Romanian Ministry of Interior and the Russian Border Federal Service Federal regarding collaboration in border-related matters, signed in Bucharest on 27.03.2003 (GD no. 826/2003)

Agreement between the Government of Romania and the Government of Republic of Kazakhstan regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs and other serious offences, signed in Alma Ata on 09.09.2003 (Law no. 61/2004)

RESTREINT UE

Cooperation Protocol between the General Inspectorate of Romanian Police within the Romanian Ministry of Administration and Interior and the Department of Public Security within the Italian Ministry of Interior, signed in Rome on 07.10.2003 (GD no. 737/2004)

Agreement between the Government of Romania and the Government of Slovak Republic regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism and other serious crimes, signed in Bucharest on 17.10.2003 (Law no. 202/2004)

Agreement between the Government of Romania and the Government of Republic of Macedonia regarding the cooperation in countering terrorism, organised crime, illicit trafficking in narcotic drugs and psychotropic substances, and other illegal activities, signed in Bucharest on 12.11.2003 (Law no. 258/2004)

Agreement between the Government of Romania and the Government of Arab Republic of Egypt regarding the cooperation in countering criminality, signed in Bucharest on 03.12.2003 (Law no. 262/2004)

Joint Declaration of the Romanian Ministry of Administration and Interior and the Bavarian Ministry of Interior regarding general collaboration and fight against crime, signed in Munich on 11.02.2004 ([GD no.682/2004](#))

Agreement between the Government of Romania and the Government of the Islamic Republic of Pakistan regarding the cooperation fighting against illegal manufacturing, trafficking and abuse of narcotic drugs, psychotropic substances and precursors, signed in Bucharest on 14.04.2004 (Law no. 173/2005)

Agreement between the Government of Romania and the Government of Kingdom of Sweden regarding the cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, trafficking in human beings, terrorism and other serious crimes, signed in Bucharest on 10.05.2004 (Law no. 168/2005)

Agreement between the Government of Romania and the Government of the Republic of Georgia regarding the cooperation in countering terrorism, organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, and other serious crimes, signed in Bucharest on 14.05.2004 (Law no. 586/2004)

Agreement between the Government of Romania and the Government of Republic of Azerbaijan regarding the cooperation in countering illicit trafficking in narcotic drugs, psychotropic substances and precursors, signed in Bucharest on 11.10.2004 (Law no. 86/2005)

Agreement between the Government of Romania and the Government of Republic of Chile regarding the cooperation in preventing and countering illicit abuse and trafficking in narcotic drugs and psychotropic substances, signed in Bucharest on 11.10.2004 (Law no. 87/2005)

Agreement between the Government of Romania and the Government of the Republic of Bulgaria regarding the cooperation of border authorities, signed in Sofia on 22.12.2004 (Law no. 172/2005)

Agreement between Romania and the Swiss Confederation regarding the cooperation in countering terrorism, organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, and other cross-border crimes, signed in Bucharest on 19.09.2005 (Law no. 60/2006)

RESTREINT UE

Treaty between Romania and the Republic of Hungary regarding the judicial organization of the romanian-hungarian border, cooperation and mutual assistance signed in Bucharest on 20.10.2005 (Law no. 235/2006)

Agreement between the Government of Romania (represented by the Ministry of Administration and Interior) and the Government of the Swiss Confederation (represented by the Swiss Agency for Development and Cooperation) regarding the implementation of “*Introducing the Proximity Police Concept*” Programme in Romania, stage 01.01.2005-31.03.2007, signed in Bucharest, on 09.11.2005 (GD no. 180/2006)

Cooperation Agreement between the Romanian Ministry of Administration and Interior and the Chinese Ministry of Public Security on preventing and countering trafficking and illicit abuse of narcotic drugs, psychotropic substances and precursors, signed in Beijing on 14.11.2005 (GD no. 80/2006)

Convention between Romania and the Kingdom of Spain regarding the cooperation in countering criminality, signed in Madrid on 30.03.2006 (Law no. 495/2006)

Protocol between the Ministry of Administration and Interior of Romania and the Ministry of Internal Affairs of the Republic of Montenegro on police cooperation, signed in Bucharest on 25.08.2006 (GD no. 1537/2006)

Agreement between the Government of Romania and the Government of Republic of Bulgaria on the Romanian-Bulgarian state border regime, collaboration and mutual assistance in border-related matters, signed in Bucharest on 28.08.2006 (Law no. 39/2007)

Protocol between the General Inspectorate of Border Police within the Romanian Ministry of Administration and Interior and the Moldovan Border Guards Service regarding information exchange for carrying out specific missions, signed in Kishinev on 22.11.2006 (GD no. 352/2006)

Agreement between the Romanian Ministry of Administration and Interior and the Russian Federal Service for Drug and Psychotropic Substance Control regarding the cooperation in preventing and countering illicit trafficking in narcotic drugs, psychotropic substances and precursors, signed in Bucharest on 14.03.2007 (GD no. 664/2007)

Agreement between the Government of Romania and the Council of Ministers from Bosnia and Hertegovina on countering terrorism and organised crime, signed in Bucharest on 04.06.2007 (Law no. 138/2008)

Agreement between the Government of Romania and the Government of the Republic of Malta regarding cooperation in fight against illicit trafficking in narcotic drugs and psychotropic substances and in countering organised crime, signed in Luxembourg (JHA Council) on 12.06.2007 (Law no. 318/2007)

Agreement between Romania and the Republic of Indonesia regarding cooperation in countering organised crime, illicit trafficking in narcotic drugs, psychotropic substances and precursors, terrorism and other serious crimes, signed in Bucharest on 10.07.2006 (Law no. 68/2007)

Agreement between the Government of Romania and the Government of the Republic of Hungary in the field of preventing and countering cross-border criminality, signed in Szeged on 21.10.2008 (pending ratification)

RESTREINT UE

Agreement between the Government of Romania and the Government of the Republic of Bulgaria on cross-border police cooperation in criminal matters.

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Arrangement of collaboration and mutual assistance between the Romanian Ministry of Interior and the Moldovan Ministry of Interior, signed in Bucharest, on 20.09.1990

Protocol for cooperation between the Romanian Ministry of Interior and the Chinese Ministry of Public Security, signed in Beijing on 02.05.1991 (GD no. 440/1993)

Agreement between the Government of Romania and the Government of the Republic of Turkey on countering in illicit traffic and abuse of narcotic drugs and psychotropic substances, signed in Ankara on 26.02.1992

Collaboration Arrangement between the Romanian Ministry of Interior and the Turkish Ministry of Interior, signed in Ankara on 28.04.1992

Collaboration Arrangement between the Romanian Ministry of Interior and the Albanian Ministry of Public Order, signed in Tirana on 16.05.1992

Collaboration Arrangement between the Romanian Ministry of Interior and the Ukrainian Ministry of Interior, signed in Bucharest on 18.05.1992

Arrangement of collaboration between the Romanian Ministry of Interior and the Russian Ministry of Interior, signed in Bucharest on 27.05.1992 (GD no. 441/1993)

Collaboration Arrangement between the Romanian Ministry of Interior and the Polish Ministry of Home Affairs, signed in Warsaw on 13.08.1992

Arrangement between Ministry of Interior of Romania and the Ministry of Interior of the Arab Republic of Egypt regarding the cooperation in countering organised crime and consumption of narcotic drugs and psychotropic substances signed in Cairo on 24.01.1993 (GD no. 378/1993)

Arrangement of collaboration between the Romanian Ministry of Interior and the Slovak Ministry of Interior, signed in Bratislava on 20.09.1993 (GD no. 773/1993)

Arrangement of collaboration between the Romanian Ministry of Interior and Administrative Reform and the Czech Ministry of Interior, signed in Prague on 25.01.1994 (GD no. 154/1994)

Collaboration Arrangement between the Romanian Ministry of Interior and the Macedonian Ministry of Interior, signed in Skopje on 23.06.1995

Collaboration Arrangement of between the Romanian Ministry of Interior and the Lithuanian Ministry of Interior, signed in Bucharest on 19.09.1995

Collaboration Arrangement between the Romanian Ministry of Interior and the Bulgarian Ministry of Interior and its Additional Protocol signed in Sofia on 21.12.1995 (GD no. 202/1996)

Arrangement between the Ministry of Interior of Romania and the Ministry of Interior of the Republic of Belarus regarding the collaboration in fighting against criminality, signed in Bucharest on 22.05.1996 (GD no. 270/1997)

RESTREINT UE

Cooperation Agreement between the Romanian Ministry of Interior and the Tunisian Ministry of Interior, signed in Bucharest on 06.09.1996 (GD no. 1193/1996)

Agreement between the Government of Romania and the Government of the Republic of France regarding the cooperation in the home affairs field, signed in Bucharest, on 21.02.1997 (Law no. 147/1997); Additional Protocol to the Agreement between the Government of Romania and the Government of the Republic of France regarding the cooperation in the home affairs field signed in Bucharest on 21.02.1997, signed in Bucharest on 30.08.2002 (Law 587/2003)

Protocol between the Government of Romania and the Government of the Republic of Hungary regarding the establishment of the Joint Intergovernmental Commission of collaboration and active partnership between Romania and the Republic of Hungary, signed in Budapest on 12.03.1997 (GD no. 206/1997).

Protocol regarding the cooperation between the Romanian Ministry of Interior and the Ministry of Interior and Sport of Renania - Palatinat Land, signed in Enkenbach – Alsenborn on 09.12.1999 ([GD no.268/2000](#))

Protocol between the Romanian Ministry of Interior and the Hungarian Ministry of Interior regarding the collaboration in the field of professional training, signed in Bucharest on 10.12.2001 (GD no. 416/25.04.2002)

Protocol between the Ministers of Interior of Romania and the Republic of France regarding the bilateral cooperation in countering organised crime, trafficking in human beings and domestic security of the both States, signed in Bucharest, on 30.08.2002

Cooperation Protocol between the Ministers of Interior of Romania and the Republic of France, signed in Bucharest on 10.01.2005

Cooperation Protocol between the Romanian Ministry of Administration and Interior and the Hungarian Ministry of Interior in field of administration and home affairs, signed in Bucharest on 20.10.2005 (GD no. 1663/2005)

Cooperation Protocol between the Romanian Ministry of Administration and Interior and the Hungarian Ministry of Youth, Family, Social Issues and Equal Opportunities in the field of preventing and countering drugs, signed in Budapest on 28.10.2005 (GD no. 6/2006)

Technical Agreement between the Romanian Ministry of Administration and interior and the Italian Ministry of Defence regarding exchanges in field of personnel training, signed in Rome on 05.12.2005 and in Bucharest, on 06.12.2005 (GD no. 179/2006)

Memorandum of Understanding between the Romanian Ministry of Administration and Interior and the Italian Ministry of Economy and Finances in field of informative collaboration for countering economical and financial criminality, signed in Bucharest on 14.12.2005 (GD no. 178/2006)

Arrangement between the Ministry of Administration and Interior, the Ministry of Public Finances, the Public Ministry and the National Office for Preventing and Countering Money laundering from Romania and the Ministry of Foreign Affairs from the United Kingdom of Great Britain and Northern Ireland regarding professional training on European Criminal Intelligence Model, signed in Bucharest on 10.05.2006

RESTREINT UE

Arrangement between the Ministry of Administration and Interior of Romania and the Ministry of Foreign Affairs from the United Kingdom of Great Britain and Northern Ireland regarding an advanced professional training programme in the field of confidential management of informers, signed in Bucharest on 10.05.2006

Common Declaration on police cooperation between the Ministry of Administration and Interior and Administrative Reform of Romania and the Ministry of Interior of the Baden-Württemberg Land, signed in Bucharest on 30.10.2006 (GD 202/2007)

Romanian – Spanish Common Action Plan between the Romanian Ministry of Administration and Interior and the Spanish Ministry of Interior on the coordination and collaboration in the fight against terrorism and organized crime, signed in Bucharest on 15.12.2006

Protocol between the Romanian Ministry of Administrative and Interior and the Italian Ministry of Interior regarding the cooperation in the Border Police related issues, signed in Bucharest on 19.12.2006 (GD no.327/2007)

Partnership Framework Agreement between the Romanian Ministry of Administration and Interior and the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX), signed in Bucharest on 13.06.2007 (OMIRA no. 280/2007)

Romanian-Croatian Common Action Plan in field of coordination and collaboration in countering cross-border criminality, illegal migration and other connected activities, signed in 2007

II. INTERNATIONAL CONVENTIONS, TREATIES AND AGREEMENTS

International Convention for the Suppression of the Traffic in Women and Children, 1921 (Law no. 23/1925)

International Convention for the Repression of Obscenes Publications, 1923 (Law no. 147/1926)

International Opium Convention, 1925 (Law no. 93/1928)

International Convention for the Suppression of Counterfeiting Currency, 1929 (Law no. 89/1930)

Convention for Limiting the Manufacture and Regulating the Distribution of Narcotic Drugs, 1931 (Law no. 59/1933)

International Convention for the Suppression of the Traffic in Women of Full Age, 1933 (Law no. 121/1935)

Convention for the Suppression of the Illicit Traffic of the Dangerous Drugs, 1936 (Law Decree no. 169/1938)

UN Convention for the Suppression of thr Traffic in Persons and of the Exploitation of the Prostitution of Others, 1949 (Decree no. 482/1954)

European Convention on extradition, 1957 (Law no. 80/1997)

RESTREINT UE

Single **Convention on Narcotic Drugs, 1961** and Protocol amending the Single **Convention on Narcotic Drugs, 1961** (Decree no. 626/1973)

Convention on Offences and Certain Other Acts Committed on Board Aircraft, 1963 (Decree no. 627/1973)

Convention for the suppression of unlawful seizure of aircraft, signed in Hague on 16 December 1970 (Decree no. 143/1972)

Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation, 1971 (Decree no. 66/1975)

Convention on psychotropic substances, 1971 and Convention against illicit traffic in narcotic drugs and psychotropic substances, 1988 (Law no. 118/1992)

Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, 1973 (Decree no. 254/1978)

European Convention for the Repression of Terrorism, 1977 (Law no. 19/1997)

European Convention on the Control of Acquisition and Possession of Firearms by Individual Persons, 1978 (Law no. 116/1997)

International Convention against the Taking of Hostages, 1979 (Decree - Law no. 111/1990)

European Convention on the Transfer of Sentenced Persons, 1983 (Law no. 76/1996)

European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches, 1985 (Law no. 53/1998)

European Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime, 1990 (Law no. 263/2002)

Agreement on illicit traffic by sea, implementing Article 17 of the United Nations Convention against illicit traffic in narcotic drugs and psychotropic substances, 1995 (Law no. 394/2002)

International Convention for Repression of the Terrorist Bombings, 1997 (Law no. 257/2004)

Agreement on Cooperation to Prevent and Combat Trans-Border Crime (SECI Agreement), 1999 (Law no. 208/1999)

International Convention for the Repression of Financing Terrorism, 1999 (Law no. 623/2002)

UN Convention against Transnational Organized Crime, and Protocols on Trafficking in Persons and Smuggling of Migrants by land, air and sea, additional to the UN Convention against organised transnational organised crime, 2000 (Law no. 565/2002)

The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition supplementing UN Convention Against Transnational Organized Crime, 2000 (Law no. 9/2004)

Council of Europe Convention on cybercrime for prosecuting computer-related crimes, 2001 (Law no. 64/2004)

RESTREINT UE

European Convention on Countering in Traffic of Human Beings, 2005 (Law no. 300/2006)

International Convention for the Suppression of Acts of Nuclear Terrorism, 2005 (Law no. 369/2006)

European Convention on the Prevention of Terrorism, 2005 (Law no. 411/2006)

Convention on Laundering, Search, Seizure and Confiscation of the Proceeds of Crime and on the Financing of Terrorism, 2005 (Law no. 420/2006)

Convention on the establishment of a European Police Office (Europol Convention), 1995, five Protocols amending the Convention (Council Decision of 23.07.2007)

Police Cooperation Convention for South Eastern Europe, 2006 (Law no. 214/2007)

Treaty between the Kingdom of Belgium, the Federal Republic of Germany, the Kingdom of Spain, the French Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands and the Republic of Austria on the stepping up of cross-border cooperation, particularly in combating terrorism, cross-border crime and illegal migration - Prüm Treaty 2005 (Law no. 146/2008)

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Agreement between the Governments the Black Sea Economic Cooperation participating states on cooperation in combating crime, in particular in its organized forms, 1998 (Law no. 6/2000)

Co-operation agreement between the SECI Center for combating transborder crime, the Government of Romania and ICPO-Interpol on communication connectivity for the exchange of information 2002 (GD no. 499/2002)

Agreement on cooperation between Romania and European Police Office (EUROPOL), 2003 (Law 197/2004)

Convention on the establishment of a European Police Office (Europol Convention), 1995, five Protocols amending the Convention (Council Decision of 23.07.2007)

Additional Protocol to the Agreement between the Governments the Black Sea Economic Cooperation participating states on cooperation in combating crime, in particular in its organized forms, 2002 (Law no. 164/2003)

Additional Protocol on Combating Terrorism to the Agreement between the Governments the Black Sea Economic Cooperation participating states on cooperation in combating crime, in particular in its organized forms, 2004 (GEO no. 96/2005)

Law no. 64/2005 on Romania's participation as a full member of the Cooperation Group to Combat Drug Abuse and Illicit Trafficking in Drugs (Pompidou Group)

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RESTREINT UE

Joint Declaration of the Ministers of Interior / Public Order of the Member States of the Organization of the Black Sea Economic Cooperation (BSEC) on Strengthening Cooperation in the Fight against Organized Crime, Corruption and Terrorism, 1996

Declaration on Organised Crime of the Central European Initiative Ministers of the Interior - Trieste 1998

Joint Declaration of the Ministers of Interior/Public Order of the Member States of the Organisation of the Black Sea Economic Cooperation (BSEC) on combating trafficking in human beings, 2004

Warsaw Declaration, Council of Europe's Third Summit, 2005

Joint Declaration of the Ministers of Interior/Public Order of the Member States of the Organisation of the Black Sea Economic Cooperation (BSEC) on strengthening cooperation in the fight against organised crime, corruption and terrorism, 2006
