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- Draft report on the revisit of the airports of Bucharest and Timisoara
and the Border Crossing Points of Moravita and Stamora Moravita

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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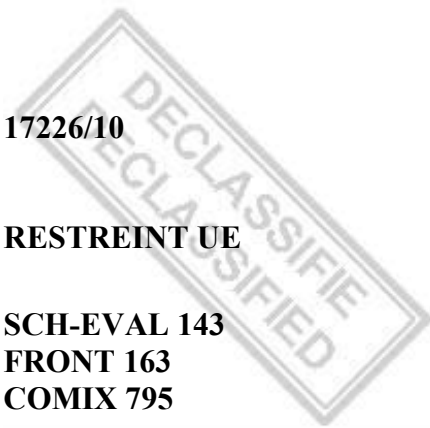
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REPORT

from : the Evaluation Committee
to: the Working Party for Schengen Matters (Schengen evaluation)

Subject : Schengen evaluation of ROMANIA
- Draft report on the revisit of the airports of Bucharest and Timisoara and the
Border Crossing Points of Moravita and Stamora Moravita

Delegations will find attached the draft report on the revisit of the airports of Bucharest and Timisoara and the Border Crossing Points of Moravita and Stamora Moravita, drafted by the Evaluation Committee. It is presented to the Working Party for Schengen Matters (Schengen evaluation) for discussion and adoption.

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1. INTRODUCTION

Following the decision taken in the meeting of the Working Party for Schengen Matters (Schengen Evaluation) on 9 September 2010, a team of experts visited Romania from 15 to 17 November in accordance with the programme mentioned in doc. 5250/6/10 REV 6 SCHEVAL 1 COMIX 34.

The programme for the follow-up visit to the air border and the land border of Romania reflected the contents of the report on the inspection of the Romanian air borders, where a revisit of the airports of Bucharest and Timisoara was required (see doc. 7202/10 SCHEVAL 31 COMIX 179, 7850/10 SCHEVAL 40 COMIX 232 incl. COR1 and 9708/10 SCHEVAL 54 COMIX 356) and the contents of the report on the inspection of the Romanian landborders as well as the decision of the Working Party for Schengen Matters (Schengen Evaluation) in the meeting on 9 September, 2010 (see doc. 10116/10 SCHEVAL 57 COMIX 388, and doc. 13791/10 SCHEVAL 103 COMIX 595) where also a revisit of the BCPs Moravita as well as Stamora Moravita was agreed upon.

As a basis for the revisit, the recommendations and conclusions of the Evaluation Committee, which carried out the inspection of the Romanian airborders (15 – 18 November 2009) and of the Romanian land borders (26 March - 1 April 2010), and the follow-up provided by Romania on 10 November 2010 (doc. 11892/3/10 REV 3 SCHEVAL 92 COMIX 484 RESTREINT), were used.

The report follows the structure of the mentioned reports on air- and land borders and the recommendations addressed by the EvalCom in them. During the inspection, attention was paid mainly to issues relating to the Border Crossing Points Bucharest airport and Timisoara airport and the corresponding General Conclusions and Recommendations, furthermore to the Border Crossing Points Moravita and Stamora Moravita as well as border surveillance and again the corresponding General Conclusions and Recommendations as they reflected the relevant situation and operations at the BCPs.

The EvalCom would like to thank the Romanian Ministry of the Interior and the Romanian Border Police for the excellent organisation of the visit, the presentations and the background material provided and their hospitality and the level of professionalism demonstrated and the willingness to get all open questions answered.

2. MANAGEMENT SUMMARY

The evaluation report on the revisit of the airports of Bucharest and Timisoara and the Border Crossing Points of Moravita and Stamora Moravita is based on the recommendation of the first visits, the follow-up provided by Romania regularly on those conclusions and recommendations, additional information submitted by the Romanian authorities prior to the visit and the findings of the EvalCom from the sites visited during the revisit.

The EvalCom was able to carry out visits to all sites in the agreed programme and came to the conclusion that border checks at the airports of Bucharest and Timisoara and at the BCP Moravita and Stamora Moravita comply with the requirements of the Schengen acquis and that good progress in the field of border surveillance could be observed in the area of the BPS Moravita.

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EvalCom asks Romania to continue with the efforts and to keep up informing the Working Party on Schengen Matters (Schengen Evaluation) about the ongoing works and the progress achieved.

The complete findings and results of the evaluation can be found in the comments on each visited site, the table covering the previous recommendations, the follow-up as reported by the Romanian authorities and the state-of-play as it was seen by EvalCom during the visit and the „General Conclusions " at the end of the report.

3. BUCHAREST AIRPORT

The Bucharest Henri Coandă International Airport is an airport with currently 42 flights into 17 Schengen-countries and 23 cities into 17 Non-Schengen-countries. After a continuous rise in the passenger-statistics the airport suffered from a major setback in 2009 due to the economic crisis (5,064.230 in 2008 to 4,483.661 in 2009) but hopes to regain in 2010 approx. the level of 2007 again.

The same goes also for the movements, where the Romanian authorities expect to reach 2010 a level already above the figures for 2007.

Dividing the passenger-statistics between Schengen- and Non-Schengen-destinations shows that there were already 2009 twice as many passengers to/from Schengen-countries than to/from Non-Schengen-countries (expected to increase to 4:1 according to current estimations).than Non-Schengen-passengers (ratio 4:1) .

As regards future developments in the flight-schedule from/to Bucharest-airport, the airport administration informed EvalCom that they are currently negotiating with air companies for flights towards and from Doha/Qatar, Chicago/USA, Istanbul/Turkey (advanced stage of negotiation) and Zagreb/Croatia (after Croatia's accession to EU). If agreed upon, the airport administration expects the flights towards Istanbul to be operational as of December 2010 or January 2011.

Since during the first visit of EvalCom, there were construction-works still ongoing, EvalCom formerly decided to request a revisit to be able to also assess the existing infrastructure and the preparations as regards inter alia the physical separation of passenger flows.

The Romanian authorities have since then made substantial improvements in infrastructure and equipment which will now be described in the following chapters.

3.1. Infrastructure and equipment

The mentioned construction-works at Bucharest Henri Coandă International Airport (making possible also an increase in passengers up to 6.5 Mio. passengers) have reached already today a very advanced level and are, as EvalCom could also observe in the spot, to be finished in time for lifting the air border controls in March 2011. The finishing-works at the finger extension up to 14 air-bridges are ongoing. The Contingency Plan is finalized, but will not, according to current planning, be needed at all.

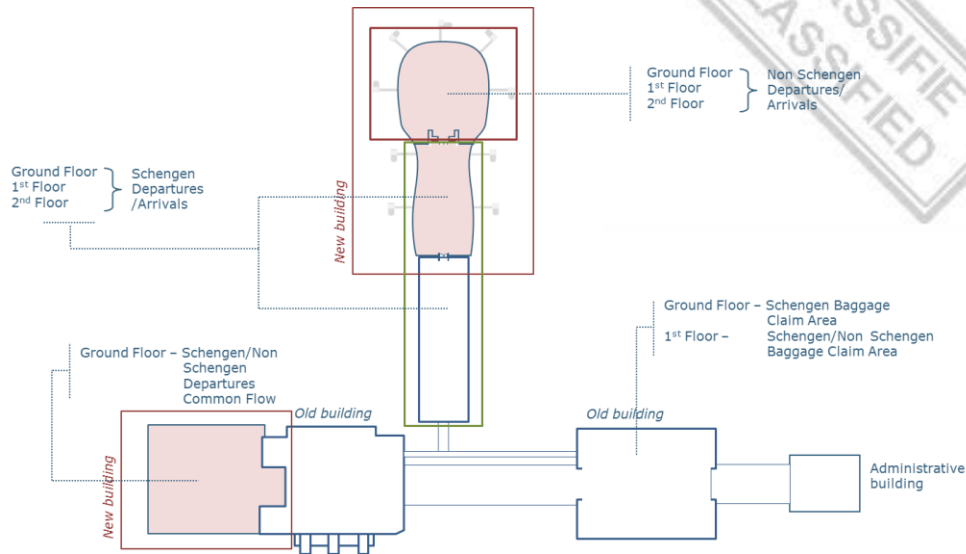
More specific, the relevant parts of the infrastructure, namely the separation of flows, indoor delimitations, the border control facilities and the partial installation of equipment are completed.

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At the moment, the building is entirely raised and closed, the roof is finalised, electrical and communication installations are in place and a few remaining finishing works are ongoing in the locations of the border police (equipment and furniture; preparations for a future move i. a. of second-line-equipment from the current to the new locations).

The works with the commercial areas, technical and auxiliary spaces, etc. will continue until March 2011.

The following overview shows the planning as regards the foreseen future separation of flows:



3.1.1. Signposting

For the new infrastructure new electronic signs offer the possibility of being relocated according to the operational needs were provided. The size allows adequate observation by passengers. Additional indicators are positioned in front of the booth line for informing the passengers about the way the lines are allocated for control. Although the signposting gives the impression of being very passenger-friendly it has to be mentioned that the colour of the lettering (in the sign for “EU/EEA/CH” as well as in the sign for “ALL PASSPORTS”) does not comply with the requirements of the SBC.

3.1.2. Separation of flows

Taking into account the newly built premises the new passenger flows (after start of full implementation of Schengen for Romania) will be as follows:

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- **The extension of the new building / Ground Floor and First Floor – Schengen/Non Schengen Departures**

In the expanded area of the building, 2 new check-in islands with 52 counters will be made available on ground floor and an automatic multi-level type baggage security control system will be implemented at the underground level. Processing capacity on the arrivals will be increased by adding also 2 new conveyor belts (at the ground floor; increasing the number of belts at the arrivals terminal to 6 conveyor belts).

The total number of boarding gates at Finger will reach 24 (out of which 15 new), divided between ground and first floor:

- ground floor 10 gates with boarding at buses (6 are new)
- 1st floor 14 gates with boarding through air-bridges (9 are new)
- 2nd Floor Schengen / Non Schengen Arrivals

The current International Arrivals and Domestic Departures/Arrivals terminal will be Schengen/ Non-Schengen luggage claim area.

- **Schengen/Non-Schengen Check-in & Security common flow**

The Schengen and Non-Schengen passengers will perform check-in formalities in the departure terminal, ground floor, pass through security check (x-ray filter-hand baggage) and proceed through the passageway towards the finger following dedicated Schengen or Non-Schengen flows.

- **Finger 1st Floor – Schengen / Non Schengen Boarding flow (air-bridges)**

After the check-in formalities, the passengers proceed, through the first level of the finger, to the boarding gates, for embarkation using air-bridges.

The passengers for Non-Schengen destinations are subjected to border check and then head to the Non-Schengen boarding area.

- **Finger Ground Floor - Non Schengen Boarding flow (apron)**

The passengers embarking into aircrafts parked on the apron proceed to the gates located at the ground floor of the Finger for Non-Schengen destinations, after passing the border control on the 1st floor.

- **Finger Ground Floor - Schengen Boarding flow (A/C on apron)**

The passengers embarking into aircrafts parked on the apron proceed to the gates located at the ground floor of the Finger for Schengen destinations.

- **The extension of the new building / transit area**

- **Non Schengen - Non Schengen Transit flow**

The passengers from Non-Schengen destinations in transit to other Non-Schengen flights are heading to the 1st floor, using an elevator (installation of an additional escalator possible, but due to number of passenger currently not considered necessary), to the Non-Schengen Departure area.

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- **Non Schengen - Schengen Transit flow**

The passengers from Non-Schengen destinations in transit to Schengen flights are passing the passport control, customs and security check and then proceed to the Schengen Departure area located at the 1st floor.

- **The extension of the new building / 2nd Floor Arrivals**

- **Finger 2nd floor - Schengen Arrivals flow**

The Schengen passengers coming from the aircrafts parked on the apron or air bridges go to the 2nd floor and heading to luggage claim area.

- **Finger 2nd floor – Non Schengen Arrivals flow**

Passengers disembarking to remote transit gate from the ground floor or to air-bridges, go using stairs/elevators linking the arrival gates to the arrivals area at the 2nd floor, pass the border check, customs and then proceed to the baggage claim area.

3.1.3. *Control and surveillance*

Border checks – first line:

New control booths are available for performing first line control. They host 2 work places each, face the passenger queue and allow the profiling due to the uplifted position.

The booth is closed in the back, on the laterals up to a height of 210 cm and at the front up to 240 cm (up to the false ceiling), for securing the border check area. The back closing glass walls are opalescent, the lateral ones are semi-opalescent (horizontal opalescent fasciae alternate with transparent fasciae) thus in general preventing the monitors from being observed by unauthorized persons. The front glasses of the booths are transparent and have spans allowing the passengers to present the documents for control. This wall goes from the floor to the false ceiling, it is 240 cm high and it is closed. The wall is made of Passport Control desks and doors between the booths. These doors have loops with automatic opening activated from the corresponding desk and automatic closing.

Separate lanes for the check of Diplomatic Passports, Crews and passengers with reduced mobility are available.

Low walls, 120 cm high, made of transparent glass, are also installed in front of the control booths in order to ensure the privacy of the control of passengers.

Over the passengers' passage area, there are also mirrors for preventing that children pass without being observed.

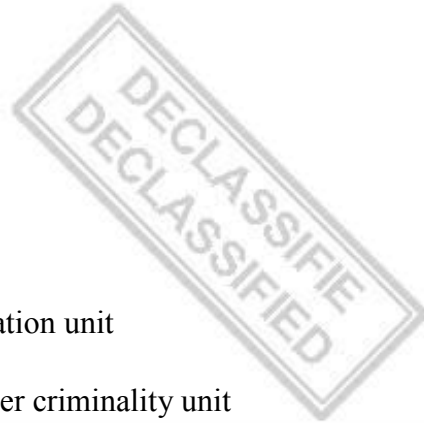
Next to the booths there are also the necessary accompanying offices, namely

next to the future Non-Schengen-arrival booths

- a countering cross-border criminality bureau
- a countering illegal migration bureau

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- a second line check room – forensic (foreseen equipment could be checked by EvalCom; currently the equipment is still in the old premises; equipment found to be complete)
- a body checks room
- the shift leader's bureau
- a preliminary hearing room
- 2 interview rooms
- a room for asylum seekers – men
- a room for asylum seekers– women
- a room for inadmissible persons – women
- a room for inadmissible persons – men



next to the future Non-Schengen departure booths

- a countering illegal migration bureau
- a bureau for the head of the countering illegal migration unit
- a countering cross – border criminality bureau
- a bureau for the head of the countering cross – border criminality unit
- 2 interview rooms
- a second line check room – forensic (foreseen equipment could be checked by EvalCom; currently the equipment is still in the old premises; equipment found to be complete)
- the shift leader's bureau
- a body checks room.

Information for border-checks – 2nd line:

Concerning the information given to travellers on the 2nd line activities, there is, on the intranet site of the Romanian Border Police (and therefore available and accessible to all the units of RBP), the form concerning Art. 7 para. 5 SBC available in 4 foreign languages (RO, EN, FR, and RU) as Annex 1 to the National Instructions for the Application of the Schengen Borders Code.

For the specific traffic at the BCP airport Bucharest further language-versions were drafted. In total there are now the forms available in altogether 6 languages (English, Russian, French, Italian, Spanish, and Serbian). Also the personnel were reinstructed for using them. As EvalCom was informed (due to the absence of an actual case it could not be observed in practice) the passengers are currently, due to possible time-problems, orally informed at 1st line, while the written form is being given to them in 2nd line.

Surveillance:

In the new terminal, a separate video-surveillance system belonging to the Border Police is available, apart from the CCTV system operated by the airport administration. The new system will be integrated in the old one once the new terminal is operational.

There are 18 fixed and 22 mobile surveillance and recording video cameras of the Border Police divided as follows:

- on the ground floor – 3 fixed and 8 mobile,
- at the first floor – 10 fixed and 14 mobile and
- at the second floor – 5 fixed.

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The airport CCTV network - indoor surveillance system is composed of 81 fixed and 22 mobile cameras (the outdoor surveillance-system comprising 7 fixed and 14 mobile cameras).

Images collected from all the surveillance cameras are recorded and stored by the equipment installed at the Border Police CCTV Dispatch, for at least 30 days. For the airport network surveillance, cameras will be integrated into the current CCTV network.

As regards the surveillance of the infrastructure – perimeter the following information on the details was forwarded to EvalCom:

- 15 fixed video cameras (VMD)
- 9 fixed video cameras
- 8 SPEED DOME
- 6 thermal video cameras
- 9 PTZ
- 3 Track control
- 2 Radars
- Access control system
- Patrolling vehicles endowed with Video cameras and PDA's
- Infrared projectors
- 42 fixed surveillance and protection posts
- 6 mobile patrols

The Romanian authorities furthermore informed EvalCom that perimeter-surveillance is taken care of by contracted private security coordinated by the airport security. Additional tasks are also taken care of by the anti-Terrorist unit and also the border Police can get involved within their competences if considered necessary by them.

Communication for digital coloured video surveillance cameras is of type TCP/IP. The technical features of the surveillance cameras are:

Cameras PTZ/dome:

- optical zoom 22x
- horizontal resolution: minimum 530 TV lines
- CCD sensor ¼ inch, interline transfer
- lens with auto- focus zoom
- variable focusing lens, focusing > fl. 4
- image collection - colour - at range of environmental illumination ≤ 0.3 lux
- images compressing format at least mpeg
- automatic illumination setting
- possibility for automatic contrast setting
- signal/noise ≥ 50 db
- horizontal/vertical movement speed $0.25^0 - 300^0$ second
- continuous horizontal movement 360^0
- vertical movement: minimum 90^0
- positions presetting ≥ 20
- movement sequences presetting ≥ 16
- minimum 4 alert stages configuration

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Fixed cameras:

- horizontal resolution: minimum 530 TV lines
- CCD sensor 3 inch, interline transfer
- lens with auto- focus zoom
- variable focusing lens, focusing $> f.l. 4$
- image collection - colour - at range of environmental illumination ≤ 0.3 lux
- images compressing format at least mpeg
- automatic illumination setting
- possibility for automatic/manual contrast setting
- signal/noise ≥ 50 db
- minimum 4 alert stages configuration

External PTZ dome cameras, additional to internal cameras:

- Optical zoom: minimum 35x
- Day/night visibility + IRE module
- Thermo stated exterior case with heating device

External fixed cameras, additional to internal cameras:

- Day/night visibility
- Thermo stated exterior case with heating device for outside installed cameras

The systems are equipped with active communication equipment into the technical rooms from the new finger (separate for the airport and for the Border Police) and also into the technical room of the Border Police next to CCTV Border Police Dispatch.

General Aviation:

The necessary works to improve the infrastructure of the GAT Tiriac Air are completed. A separation wall was installed, dividing the room for arrivals/departures and a control booth with 2 work places for performing entry- and exit-checks was also installed. The booth is facing the access door through which the passenger flow is crossing.

The security checking devices were moved towards the door for installing the control booth.

Following the demand of the Border Police, the passengers' list on private flights is supplied to the Border Police (shift-leaders-office and 2nd line-office) by fax in advance. The list is further uploaded in the eApis application, analysed and the necessary details are forwarded to the BP agents on duty in the Tiriac-terminal.

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4. TIMISOARA AIRPORT

During the first visit of EvalCom, there were construction works ongoing also at Timisoara airport. Therefore also here a revisit was requested. The Romanian authorities have since then made improvements in many fields that will be described in the following chapters.

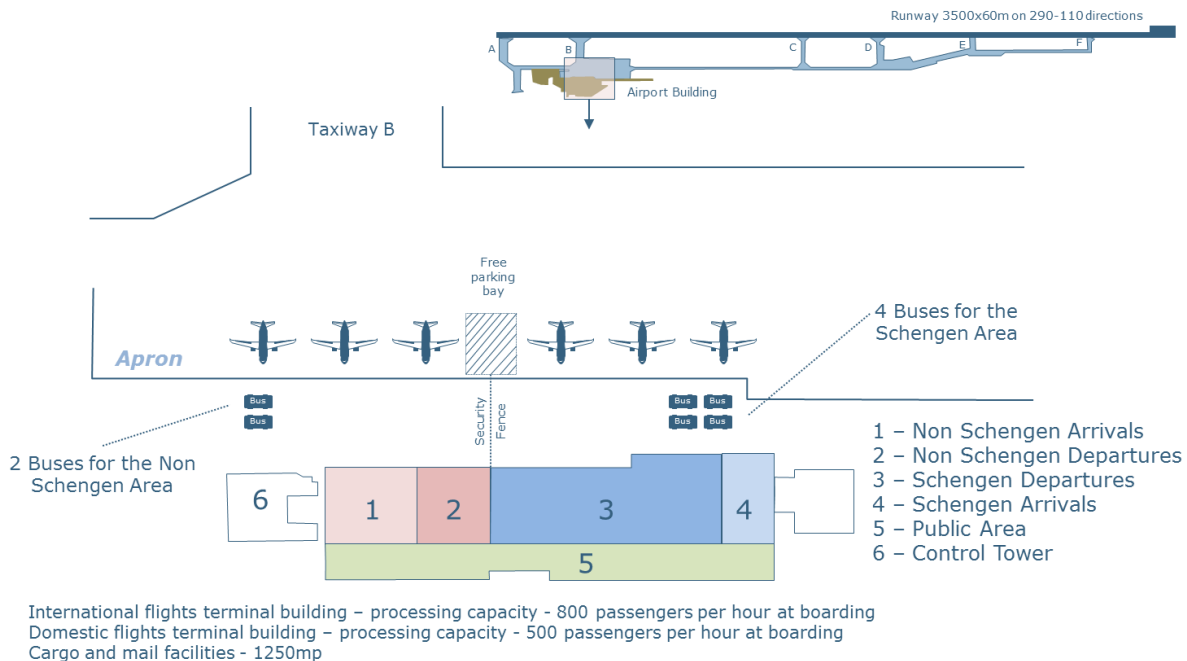
As regards future developments in the flight-schedule and taking into account Timisoara Airport's geographical position and the market trends, the airport administration is currently negotiating flights towards and from Ireland/Dublin, Turkey/ Istanbul, Russia/San Petersburg or/and Moscow. If agreed upon, the airport administration expects the flights towards these destinations to be operational starting with March or November 2011.

4.1. Infrastructure and equipment

The works as regards the infrastructure of the Non Schengen terminal and the separation of the Schengen/Non-Schengen areas, both indoor and on the apron, are completed.

The infrastructure of Timisoara International Airport consists of 4 terminals designed for Schengen/Non-Schengen flights (T1 - Non/Schengen). Also, a transit area for all 4 kinds of transit types is available.

The Border Police unit has already moved the equipment into the new facilities and carries out the second line – related activities in the new premises. Also in the control booths of the Non/Schengen first line/transit, the equipment was set and is ready to be used.



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The Border Police unit has already moved the equipment into the new facilities (1st and 2nd line) and also carries out the 2nd line – related activities already in the new premises. Also in the control booths of the Non/Schengen first line/transit (2 booths each; each booth with two workplaces; each workplace equipped with PC, reader, magnifier and UV-lamp), the equipment was set and is ready to be used.

As regards the 2nd line activities the following new premises are available next to the control-booths at Timisoara airport

- in the future non-Schengen departure
 - interview room
 - second line check room – the second line check room, checked by EvalCom, was found to be fully equipped and is used for both arrivals and departures.
- in the current Non-Schengen - Schengen transit
 - interview room
 - body check room

4.1.1. Separation of flows

Passengers arriving from Non-Schengen states enter the Non-Schengen-Arrivals terminal through its two gates on the Northern side of the building. Hence, according to their final destination, the passengers follow one of the next routes:

- Passengers having Timisoara as final destination follow the Non Schengen-Arrivals flow, they are subjected to the border control and after picking up their luggage from the baggage conveyor belt, they pass the customs control. After the customs clearance, the passengers arrive in the public area.
- Passengers having a Non-Schengen state as final destination, follow the Non-Schengen – Non Schengen transit flow. For this purpose, they are security screened and afterwards enter the boarding lounge on the ground floor of the Non-Schengen-Departures terminal, where they board for the requested destination through the boarding gates.
- Passengers with a Schengen state as final destination, follow the Non-Schengen – Schengen transit flow. They will be security screened, enter the terminal ground floor Non-Schengen-Departures and climb the stairs at the terminal building's first floor in order to get to the border police counters for control and to obtain the customs clearance. After the control, the passengers are in the Schengen-Departures area, and they enrol to the designated boarding gates.

Passengers arriving from Schengen states, enter the Schengen-Arrivals terminal through its sliding doors situated on the Northern side of the building. Hence, according to their final destination, the passengers follow one of the following routes:

- Passengers with Timisoara as final destination, enter the public area after reclaiming their luggage from the baggage conveyor belt of the terminal through the two sliding doors.
- Passengers with a Non-Schengen state as final destination, follow the transit flow Schengen – Non-Schengen. For this purpose, they arrive in the public area of the terminal, and go towards the public area of the Non-Schengen-Departures terminal where they follow the Non-Schengen flights departure flow.

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- Passengers with a Schengen state as final destination, follow the transit flow Schengen – Schengen. After entering the Schengen - Arrivals terminal, they climb the stairs at the first floor of the building and enter the designated boarding lounge for Schengen departures.

Passengers leaving Timisoara with the final destination a Non-Schengen state, follow the Non Schengen-Departures flow from the public area, they pass through the border and customs control, enter the security control area in the boarding lounge of the Non-Schengen-Departures terminal and then board for the requested destination.

Passengers leaving Timisoara with a Schengen destination: from the public area, they pass security check, enter the boarding lounges at the ground floor or (according to the designated boarding gate) at the first floor of the Schengen-Departures terminal, in order to board for the Schengen destinations.

4.1.2. Control and surveillance

Border checks:

10 new Schengen compatible traffic stamps and ink reserves were delivered to BCP TM (5 for entry and 5 for exit). Currently, 15 entry stamps and 15 exit stamps are available at Timisoara air BCP. It was decided to change the ink pads on a monthly basis or more often – according to the needs.

The control booths from the entry/exit flows of the non-Schengen terminal and transit are equipped with work stations, UV lamps, magnifiers, document readers; Schengen stamps are available for all work positions.

The 2nd line is equipped with a video spectral comparator, a stereomicroscope and a work station with access to the dedicated data bases. In the area of the 2nd line again additional rooms are available i. a. for interviewing, body-search, storage of stamps and blank visa-stickers and training.

Information for 2nd -line checks

Concerning the information given to travellers on the 2nd line activities, the BCP Timisoara Airport has made available forms drafted in 6 languages: English, Russian, French, Italian, Spanish, Serbian, and the personnel were reinstructed for using them. Contrary to Bucharest airport the forms were handed out in 1st line.

Surveillance

The electronic system of perimeter surveillance of Timisoara Airport was finalized in May 2010, ensuring real-time identification of any attempt against the security of the airport. The extension of the infrastructure led to the extension of the system and the installation of new features operated by Romanian Border Police personnel only, consisting of video cameras located in the control booths, on RBP offices and detention rooms etc.

The CCTV system is composed of indoor and outdoor features based on coloured images during daytime and black and white images during night time. The intrusion detection system is capable of distinguishing between intentional intrusions and storms, thunders, lightning, motor vehicles, thus reducing the false alarms to the minimum.

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The full and permanent coverage of the perimeter fence is achieved by fixed and mobile cameras, transmitting the signal to the CCTV dispatch through the optical fibre. Every 500 m, mobile cameras get view images by using pre-set positions, ordered by the perimeter intrusion detection subsystem. The mobile cameras Long-Range type cover large surveillance distance, have optical zoom and IR light.

The coverage of the perimeter is ensured by: 59 fixed, 3 mobile and 2 Long-Range cameras on the Northern Side, 84 fixed, 9 mobile and 3 Long-Range cameras on the Southern Side, 1 Long-Range camera on the Eastern Side, 1 fixed and 1 Long-Range camera on the Western Side and 7 fixed cameras into the access points.

8 monitors of the dispatch office ensure the visualisation of the images transmitted by the fixed and mobile cameras of the surrounding system. The capacity of the system cover non-stop recording of all cameras for 25,5 days, but the motion detection function will be used for increasing the storage period.

The indoor CCTV system installed in the Non-Schengen terminals is designed to support the responsible authorities for securing the passengers and luggage flows in the public area, control booths, check-in counters, customs area, etc. The indoor surveillance is achieved by Long-Range and fixed mobile cameras, operated by the dispatcher.

The cameras allow the memorization of pre-set positions (position and zoom), have controlled speed movement and may follow persons even when they pass underneath or in low light conditions.

The system is configured in such a manner that permits the upgrading or extension for other areas.

Separated by the airport administration system, the CCTV system in the administration of the Border Police is different as regards the coverage area, the purpose it serves and the recording specificity. The cameras ensure the surveillance and recording of the activity in the control booths from the Non-Schengen (arrivals, departures and transit) areas, escalators of the Non-Schengen/Schengen transit, the dedicated areas of border control second line activities, including the two detention rooms

The video-cameras have dedicated IP addresses, connected to a central server in the surveillance dispatch of the BCP. The video signal is transmitted also in the second line room, offering the possibility to record the audio signal.

4.1.3. *Detention facilities*

In the Non-Schengen terminal, at the first floor, two rooms (separate facilities for men and women) were installed as detention rooms being supervised by the Border Police.

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5. BCP MORAVITA AND STAMORA MORAVITA

5.1. Infrastructure and equipment

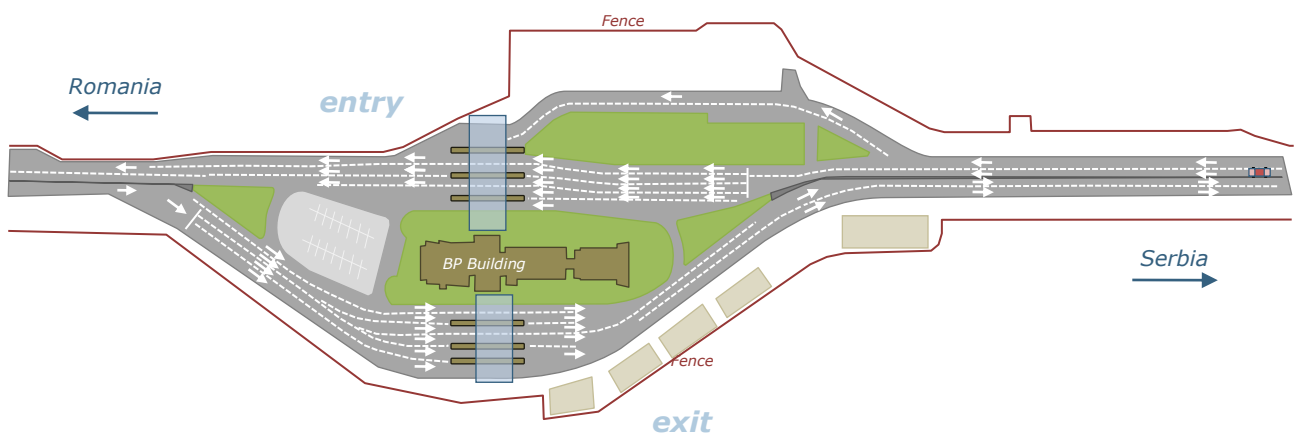
The Border Crossing Points Moravita and Stamora Moravita are located in Timiș County approximately 60 km away from Timisoara at the border to Serbia.

At the BCP Moravita there were, at the time of the first visit, construction-works on going covering both the entry- and exit-area as well as the administrative building and the area for lorry-control on entry.

In detail special attention was paid to the following improvements of the infrastructure (in accordance with the recommendations of the previous evaluation-report):

- License Plates Recognition System [ANPR; 13 cameras (7 Entry and 6 Exit) and 13 traffic lights (7 Entry and 6 Exit);].
- CCTV surveillance system [doom cameras (2Entry+2Exit) and 10 fixed cameras with 37X zoom having a covering area of 2 km in normal conditions of visibility; also a camera was installed into the detention room for the supervision of the persons held for verifications].
- Appropriate Border Police building facilities (2nd line room, rooms for interrogation, detention room)
- Traffic lights functional on each line, indicating if the respective line is closed or open (as regards signposting see further down below).
- Powerful lighting devices for good visibility (achieved by 5 pillars supporting 4 powerful spotlights (250 W) which ensure the general lighting of the BCP. Under the roof above the control booths, there are 16 spotlights on each flow (entry/exit) of 150 W (the perimeter lightening being achieved by 25 pillars supporting one spotlight each of 150W and 30 pillars supporting 2 spotlights each of 150W).
- appropriate fencing (the BCP is completely fenced in)

Since September 30th, 2010, when the mentioned improvements were finalized, the following infrastructure is available in full:



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In addition to the available lanes, which will be described further down below, the following rooms are available in the administrative building for the RBP:

- a dispatch room (with restroom and technical room)
- a training room
- a video-surveillance room
- a room for ammunition
- an interview room
- two second-line control rooms (both on entry and exit flow on entry with EURODAC and on exit with surveillance of the ANPR; both rooms checked by EvalCom and found to be fully equipped)
- 2 rooms for asylum seekers (male and female) with separate sanitary rooms
- a detention room
- 2 rooms for international cooperation (FRONTEX operations and Focal Points)
- the office of the BPS chief
- the office of the BCP chief
- the office of the BCP coordinator
- a room for archive
- a common locker room
- a deposit room

As regards the BCP Stamora Moravita, where shortcomings were identified in infrastructure as well as checks and procedures the Romanian authorities reported the following improvements (again in accordance with the recommendations of the previous evaluation-report):

- CCTV surveillance system
- appropriate fencing up to the border line (3,6 km between the borderline and the BCP and 1 km perimeter-fencing; total of 4,6 km)
- facilities for first- and second-line-controls and detention

The mentioned improvements were finalized on October 30th, 2010.

The main building, designed for domestic transfers, now accommodates the technical room of the Border Police with the other activities being transferred into the refurbished second facility. In this building there are available

- on ground-floor:
 - two control-booths each one with correct signposting and equipped with 2 PC, 2 optical readers and UV lamp.
 - a second-line control room
 - an interview room (with video-surveillance)
 - 2 rooms for Customs

In addition, there are available two technical rooms located inside the building nearby and linked with the main building by a corridor.

- on first-floor:
 - three rooms for asylum seekers (for men, women and families)
 - a detention room (with restroom)

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- on second-floor:
 - the dispatch room
 - 2 technical rooms
 - a room for documents
 - a room with restricted access (security level 1) for the storage of blank visa-stickers, stamps etc
 - a conference/training room
 - an audience room

Also, there is a terrace for discreet surveillance and for surveillance with technical equipment.

A corridor links the two buildings, to allow for smooth communication between the border agents; on the platform.

Outside the building, appropriate wiring and pillars were installed up to the border line to provide for the CCTV-system,

- the fence surrounding the station area,
- a fence separating the rail lines designed for merchandise from the ones for passengers (passenger-trains always arriving on track 2),
- a fence not allow mixing of the passengers from domestic routes with the ones departing/arriving from third countries and
- the fence at the track between the borderline and the station

was realized in full and deforestation as well as side roads have been worked out.

The CCTV system comprising 64 cameras is fully operational (to be under constant surveillance from the dispatch-room; lighting is achieved by 2 pillars; the cameras also have infrared-equipment; there is an additional pillar with a night-vision-camera with a range of 6 km at the BPS Moravita covering the whole area of the BCPs Stamora Moravita and Moravita).

As regards the BCP Moravita, EvalCom was informed that there is good cooperation with the Serbian side and there are regular meetings and a regular exchange on the traffic-situation (to harmonize, as far as possible, the opening of lanes), but there are currently no plans for refurbishment on the Serbian side.

Concerning the BCP Stamora Moravita, as regards cooperation with the local railway authority, on 14.01.2009 a cooperation protocol between local railway authority and BCP Moravita was signed, regulating, inter alia, the obligation of the railway company to provide the schedule of trains for goods or passengers, their composition, or any modifications in the programmed departure/arrival time.

EvalCom could observe that in fact the level and composition of the trains are reported by fax, while the number of passengers and any suspicious irregularities (e.g. unusual number of passengers of a particular nationality) are directly exchanged between the two border police authorities by phone (good cooperation; works in both directions).

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5.1.1. Signposting

There are electronic signs installed at the BCP Moravita in line with Annex III of the SBC with the possibility of relocating the lines, in accordance with the traffic volume.

Also, for directing the vehicles way in advance, signs were installed upon entering the BCP and there are additional stop-lines at every lane in front of the control-area.

5.1.2. Separation of flows

At the BCP Moravita there are 7 lanes on entry and 6 lanes on exit. One additional lane for thorough check is located in the vicinity of the entry flow. The lanes were allotted separately for cars/buses/lorries for EU/EEA/CH and ALL PASSPORTS, as it follows:

On Entry:

- 1 lane CD/Crew/PRM;
- 1 lane Cars EU/EEA/CH;
- 1 lane Cars All Passports;
- 1 lane Bus EU/EEA/CH;
- 1 lane Bus All Passports;
- 2 lanes Lorries.
- 1 lane for thorough checks.

On Exit:

- 1 lane CD/Crew/PRM;
- 1 lane Cars EU/EEA/CH;
- 1 lane Cars All Passports;
- 1 lane Bus EU/EEA/CH;
- 1 lane Bus All Passports;
- 1 lane Lorries.

There are control-booths each equipped with a PC, a reader and a UV-lamp

- on entry between the lanes 2/3, 4/5 as well and 6/7
- on exit between the lanes 2/3 and 4/5 as well as 6.

At the railway-station Stamura Moravita there is, as already described before, a general separation between domestic and international traffic being handled in two different buildings.

For the international traffic, being handled in the completely refurbished main building hosting the BCP, there are

- 1 lane with signposting for CD/Crew/PRM;
- 3 lanes with signposting for EU/EEA/CH and ALL PASSPORTS (to be turned on alternatively from within the booth);
- 2 control-booths equipped each with two workstations, two readers and two UV-lamps and positioned in a way so they can handle both entry- and exit-traffic (with appropriate curtains to respect privacy and hinder passengers from seeing the screens in the booths)

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Controls of outgoing and incoming passengers are performed in the way that passengers embarking or disembarking at Stamura Moravita are checked in the booths, while passengers remaining on the trains (incoming as well as outgoing) are checked with mobile equipment on board (with the train remaining in the railway-station until receiving full clearance to move on).

EvalCom could observe a check of one train and found the mobile equipment now in use fully functioning.

5.1.3. *Equipment: first line, second line, mobile*

The control booths both at the BCP Stamura Moravita and at the BCP Moravita are fully operational as of 30.09.2010 (as regards the description of the equipment of the booths see above).

The additional first-line equipment at BCP Moravita is the following:

- 3 mirrors for checking the vehicles;
- 2 endoscopes;
- 1 CO₂ detector;
- 1 Microsearch – portable heart beat detector;
- 2 drugs and explosives detectors SABRE 2000.
- 2 mirrors for vehicle technical inspection.
- 3 stationary UV lamps;
- 3 fixed devices for document checks EYE-D-R1;
- 9 forensic minikits;
- 2 scanners
- 30 Schengen stamps (checked by EvalCom with the obtained samples being in full compliance with the specifications i. a. as regards the two colours; stamps are safely stored)
- 4 document readers
- Access to databases

The second line equipment at BCP Moravita is the following:

- 1 spectral videocomparator VDSC 4+.
- 1 Livescan – finger print station for EURODAC.
- 1 stereomicroscope Discovery.
- 1 scanner in the dispatch office
- access to iFADO and national databases

The available equipment for the control of vehicles is the following:

- 3 mirrors for checking the vehicles;
- 2 endoscopes;
- 1 CO₂ detector
- 1 Microsearch – portable heart beat detector;
- 2 drugs and explosives detectors SABRE 2000.
- 2 mirrors for vehicle technical inspection.

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In addition the RBP at the BCP Moravita closely cooperates with the customs who have a ROBOSCAN-vehicle permanently deployed at the BCP and who, as EvalCom was informed, scan every inbound lorry. In case more in-depth-checks are needed there is the mentioned special lane in the entry-area. In case of need for thorough checks (including potential unloading of freight) the RBP can, due to the cooperation with the phytosanitary and veterinary authorities, use the hall in use for the inspection of animal- and plant-freight.

At the BCP Stamora-Moravita, the following equipment is available:

- 2 UV stationary lamps;
- 1 fixed device for documents checks
- 2 forensics mini- kits;
- 1 VDF 100 video spectral comparator;
- 1 HP scanner
- 1 Microsearch – portable heart beat detector;
- 2 drugs and explosives detectors SABRE 2000.
- 1 endoscope.

There are also dogs in use for checking especially the freight-trains.

As regards Border control stamps and visa-stickers there are 8 Schengen compatible stamps in use at BCP Stamora-Moravita railway (4 on entry and 4 on exit; also checked by EvalCom with the obtained samples being in full compliance with the specifications i. a. as regards the two colours). Also, 5 blank visa stickers were allocated to BCP Stamora-Moravita railway (both to be stored securely in the dispatch room located at the first floor of the Non-Schengen building). The old solution of distributing the stamps and visas by BCP Moravita road and bringing them to the railway BCP upon exchanging shift is no longer in force.

5.1.4. *Detention / readmission premises*

At the BCP Moravita one detention-room was available and at the BCP Stamora Moravita railway, a second detention room was established in the Non-Schengen building (1st floor). Both rooms contain

- secured windows (the one at Stamora Moravita also a restroom);
- Metallic door with eye slit;
- Permanent video surveillance system (CCTV).

At both BCPs there is also accommodation for asylum-seekers (at the BCP Stamora Moravita in specific for men, women and families; in both cases there are also the appropriate sanitary facilities attached).

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6. BORDER SURVEILLANCE

6.1. General information

The concept for border surveillance at the green border is made up of

- fixed surveillance equipment and sensors from the green border,
- mobile patrols with surveillance vehicles and
- portable night vision equipment, ensuring the detection of all illegal border crossing/attempts.

The mentioned system includes command and control features for ensuring the necessary links between means and forces deployed in the area of responsibility at routine surveillance and in case of border incidents, fixed and mobile equipment, communications (Tetra) and mobility means.

The goal of the command and control system is to ensure an optimized process of decision making in implementing tasks and responsibilities of the border police units. The system is designed to perform the following actions:

- to plan, generate, and control routine and ad-hoc border surveillance missions using integrated GIS map and AVL application;
- integrate image acquired from the fixed surveillance cameras, and signals (alerts) received from sensors in case of detection of illegal border crossing/attempt
- ensure the communication of alerts (voice/Tetra message) from the command and control level to border patrols operating in the area of responsibility
- management of available border police forces and available equipments/mobility means
- includes finalized missions reports

As regards the fixed surveillance equipment the Romanian authorities informed that 3 fixed opto-electronic surveillance cameras were delivered and installed to: Botosani BPCI (1- Oroftiana location), Timiș BPCI (1 – Moravita location), Vaslui BPCI (1- Albita location).

Other 13 fixed optoelectronics were already delivered to: Botoșani, Iasi, Caras Severin, Suceva, Mehedinți counties inspectorate and are ready to be installed – to be finalized as follows:

Maramureș	31.03.2011
Satu Mare	31.03.2011
Suceava	17.12.2010
Botoșani	17.12.2010
Iași	14.03.2011
Vaslui	14.03.2011
Galați	14.03.2011
Constanța	31.03.2011
Caraș Severin	31.03.2011
Timiș	31.03.2011
Tulcea	28.02.2011
Dolj	31.03.2011
Mehedinți	31.03.2011

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Starting with the beginning of November, also the command and control-application will be available in Timiș, Botoșani, Suceava, and Iasi BPCI and in all airports (until 31 March 2010 to be fully functional at all structures (local, regional and central).

Also, as the Romanian authorities informed, the acquisition of mobile and personal surveillance equipment is progressing (a detailed overview of the already delivered and the equipment foreseen until 31 March 2011 was provided to EvalCom).

6.2. Equipment

The following additional equipment for border surveillance was delivered to Timiș-county since the time of the first visit:

- 02 EADS thermal cameras with cooling (NESTOR)
- 02 EADS binoculars (LUCIE and MAGLIE)
- 84 EADS goggles (LUCIE)
- 12 surveillance vehicles

6.3. Staffing

The *Surveillance and Control Concept of the Romanian Border Police* adopted in 2009 stipulates that, after Schengen accession, the organisation of the personnel on 5 shifts will be implemented, so as to ensure the necessary personnel for the border control and surveillance. Practically, this modification allows for the supplementation of the duty shift's staff by ½.

This document will allow each BPS Chief to allot an appropriate number of border police officers for performing border checks tasks in the BCP. This number will depend on the operative situation and traffic values.

Starting with November, the 5 shifts system is being implemented for testing phase at the BPS Huși, BPS Moravița, and BPS Halmeu and also at air BCP Sibiu.

7. OVERVIEW RECOMMENDATIONS – FOLLOW-UP – STATE-OF-PLAY

In the following part, comments by the experts are - for each site - added to the comments and recommendations of the Evaluation Committee which formerly visited Romania and the progress Romania has reported in the meantime in the follow-up-process.

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CONCLUSIONS October 2009/March 2010	CHANGES INTRODUCED BY ROMANIA In the course of the follow-up	COMMENTS AND RECOMMENDATIONS OF THE EVALCOM
BCP Airport Henri Coanda – Bucharest		
<p>1. The EvalCom is of the opinion that border checks as described by the Romanian Border Police, monitored by the EvalCom and identified on the basis of verification of documents by the EvalCom are on the whole in compliance with Schengen provisions. The EvalCom recommends carrying out additional training on affixing stamps.</p>	<p>Monthly practical exercises were conducted with the BCP personnel on the provisions of Annex IV of the Schengen Borders Code by the Training compartment</p>	<p>Training (one day every four weeks for six hours on the basis of a monthly training-plan; current main focus on Schengen-legislation and practice incl. entry- and exit-checks, thorough checks, refusal of entry, stamping and SIRENE and counterfeited documents) was confirmed. As far as EvalCom could observe during the visit stamping was done in line with the SBC.</p>
<p>2. Verification of entry conditions during first-line checks was found to be satisfactory in the main. However, the profiling could be improved. The experts also recommend carrying out thorough examination of travel documents more frequently.</p>	<p>According to the monthly training programme (8 hours every month for each shift), the border policemen are receiving information on the way to perform profiling during forensic lessons. Also, with a view to facilitate profiling, the control booths have been set up and arranged according to profiling needs. On 01.02.2010, the Order of the General Inspector of the Romanian Border Police no. 111 was issued providing for the training of the entire personnel within air BCPs on the working procedures for carrying out border checks, as well as the way of acting in cases of detecting persons, goods or documents flagged with alerts at the border. Second line activities were increased, mainly as regards the documents of the travellers from states with high risk for migration and documents without biometric elements.</p>	<p>Training (one day every four weeks for six hours) was confirmed. Random document-checks with the equipment in 1st line and questions concerning entry-conditions could be observed, yet further questioning still could be done. EvalCom invites the Romanian authorities to continue with the training on these topics. .</p>
<p>3. The EvalCom found use of e-APIS to be best practice to provide risk analysis on flights arriving from third countries. However, the EvalCom calls for advanced passenger information to be processed fully in compliance with Council Directive 2004/82/EC and relevant national legislation.</p>	<p>All the air carriers are supplying data about passengers they transport. The storage of the data in the eAPIS application is of 5 years, as it is in the case of the Entry/Exit application for the third country nationals' data. The legal basis for the decision to store data for 5 years is art. 6 para 1 of the Council Directive 2004/82/EC of 29 April 2004 on the obligation of carriers to communicate passenger data, that stipulates as follows: "<u>After passengers have entered, these authorities shall delete the data, within 24 hours after transmission, unless the data</u></p>	<p>Due to the fact that the discussion on this issue, being merely of legal nature, is ongoing in the WP, there were no questions asked on this matter by EvalCom during the visit</p>

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	<p><u>are needed later for the purposes of exercising the statutory functions of the authorities responsible for carrying out checks on persons at external borders in accordance with national law and subject to data protection provisions under Directive 95/46/EC.”</u></p> <p>As a consequence, <u>the national legislation</u> transposing the Directive 2004/82 (Government Ordinance no. 34/2006 on the obligation of air carriers to communicate passengers data / Annex 33 to the Replies of Romania to the Schengen Questionnaire) <u>allows for the retention of the collected data beyond the 24 h term, with a view to carrying out the legal attributions of the competent authority</u> (art. 7 para. 2):</p> <p><i>“When data are necessary for the competent authority to perform the attributions granted by law, data referred at in article 3 para. 1 may be kept and processed, by fully observing the provisions of Law no.677/2001 (on the protection of persons against the processing of personal data and the free movement of such data), with the subsequent endorsements and supplements.”</i></p>	
<p>4. Language skills were in general sufficient; however, regarding some border guards the level of skills could be enhanced.</p>	<p>The Training Unit within the Center of Surveillance and Control of Air Border Crossing Points Bucharest - Otopeni delivered monthly training sessions on: working procedures, Schengen legislation, national legislation, profiling and English language. An annual plan for increasing English language skills of the entire personnel of the Henri Coandă BCP was drafted, and training is conducted according to themes provided by FRONTEX project „English for focal points and joint operation A1/A2 level” available in the electronic format on the intranet site of Romanian Border Police.</p>	<p>Communication with the members of Border Police during the visit in English was possible.</p> <p>Training (one day every four weeks for six hours) was confirmed.(also English; courses open for all levels of staff); EvalCom invites the Romanian authorities to continue with the training and continue to report regularly on the progress achieved.</p>
<p>5. Equipment for verification of data in databases and examination of travel documents at first and second line was found to be modern and sufficient in the main. However, optical passport readers were said not to be working reliably. The experts recommend equipping control booths with proper magnifying glasses and improving the quality of entry and exit stamps.</p>	<p>Under EADS contract, 410 document readers will be delivered for the local units. Under ROFSCH 23.4 „Traffic stamps”, 826 traffic stamps were already received by the Romanian Border Police in 4 instalments.</p> <p>Already, 5 Authenticator 3M passport readers were delivered for testing purposes to Henri Coandă BCP.</p> <p>20 UV lamps including X5 magnifying glasses and 18 ink reserves were delivered to Henri Coanda BCP. Also, 68 new traffic stamps were delivered to BCP Henri Coanda (34 for entry and 34 for exit), thus currently there are 74 stamps on entry and 74 on exit.</p>	<p>As regards the passport-readers EvalCom could see that they are working properly.</p> <p>As regards the equipment in 1st line it was found to be satisfactory and in line with the recommendations of the Catalogue.</p> <p>As regards Border Control Stamps EvalCom was told that at the day of the visit the ink-cartridges had been changed. There were problems with the mixing of red and black ink at some stamps, but the entry- and exit-stamps checked were mainly working properly.</p>

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	<p>10 new Schengen compatible traffic stamps and ink reserves were delivered to TM BCP (5 for entry and 5 for exit). Currently, 15 entry stamps and 15 exit stamps are available at Timisoara air BCP.</p>	
<p>6. The EvalCom found signposting, on the whole, to be in compliance with the model signs set out in the Schengen Borders code, except the pictograms for “All passports”. The EvalCom recommends adjusting the colours of the signs and increasing their size.</p>	<p>Signposting will be changed in the new terminal, according to construction plans.</p>	<p>EvalCom observed that there was proper signposting leading the passengers to the correct booth, yet there is still a problem with the colouring of the EU-EEA-CH-sign and the sign for “All Passports” (in both cases the letters being yellow instead of white). EvalCom recommends to correct those problems and to bring the signposting fully in line with the provisions of the SBC.</p>
<p>7. The infrastructure provides for physical separation of international and domestic passenger flows and the workstations correspond to the recommendations of the Schengen Catalogue. The EvalCom recommends installing doors or proper obstacles between control booths from the moment of entry to the Schengen area to avoid uncontrolled passing of the control line.</p>	<p>Doors will be installed between border police control booths in the new terminal.</p>	<p>The separation of flows as well as the doors between the booths (to be opened from inside the booth) was found to be correct.</p>
<p>8. Fines on carriers who do not meet their obligations were imposed regularly; however, not in all cases. The EvalCom recommends changing national legislation as regards the amount of sanctions in compliance with Council Directive 2001/51/EC of 28 June 2001.</p>	<p>The provisions of the Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of article 26 of the Convention implementing the Schengen Agreement of 14 June 1985, stipulate that the applicable fines are to be calculated in EUR or equivalent national currency at the rate of exchange published in the Official Journal on 10 August 2001 (1 EUR = 26623 ROL/1 EUR=2,66 RON, taking into account that since 2005, 1RON = 10000 ROL).</p> <p>Article 4 of Directive 2001/51/EC provides as follows: <i>1. Member States shall take the necessary measures to ensure that the penalties applicable to carriers under the provisions of Article 26(2) and (3) of the Schengen Convention are dissuasive, effective and proportionate and that:</i> <i>(a) either the maximum amount of the applicable financial penalties is not less than EUR 5000 or equivalent national currency at the rate of exchange published in the Official Journal on 10 August 2001, for</i></p>	<p>The explanation given by the Romanian authorities on the legislation (with the amendment on the law being currently under parliamentary procedures) was found to be satisfactory. The changes in the administrative practice dated 13 July 2010 were acknowledged. Taking into account that 19 out of the mentioned 20 fines were imposed since July 1st, the Romanian authorities are encouraged to continue on the way of implementation.</p>

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each person carried, or
(b) the minimum amount of these penalties is not less than EUR 3000 or equivalent national currency at the rate of exchange published in the Official Journal on 10 August 2001, for each person carried, or
(c) the maximum amount of the penalty imposed as a lump sum for each infringement is not less than EUR 500000 or equivalent national currency at the rate of exchange published in the Official Journal on 10 August 2001, irrespective of the number of persons carried.

Looking at the provisions of the Directive, the calculation of the fines as currently provided by the national law (between RON 5000 and 15.000) leads to limits of the penalties from EUR 1879 to 5639 (calculated to the exchange rate valid for 10.08.2001, as published in the Official Journal, taking as reference the rates published by European Central Bank) and consequently in accordance with the maximum amount of the penalty provided for by the Directive 51.

The draft Law amending and supplementing some legal acts promoted on 13.05.2010 by the Ministry of Administration and Interior for inter-institutional consultation aims at further adjusting the implementation of the Council Directive 2001/51 provisions. On 16.06.2010, public debates took place, a series of proposals and observations submitted by NGOs following to be taken into consideration.

The draft law will amend, among other legal acts, GEO no. 194/2002 on alien's regime in Romania in what it comes to the carriers' liability, the amount of financial penalties and the application of the sanctions.

According to the proposed amendments, the level of the fines will raise to limits of 8000 to 15000 RON.

As far as the administrative practice is concerned, for the correct application of Directive 2001/51 and of the national legislation, the general inspector of the RBP issued the Disposition no 191 of 13.07.2010, providing for the sanctioning with fine of all carriers in case of refusing entry of passengers for lack of valid travel

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	<p>documents, residence permits or visa (A or C motifs).</p> <p>At BCP Henri Coanda Bucharest International Airport, during 01.01-30.09.2010, 139 refusals of entry were recorded for A and C reasons, out of which 135 for C reason and 4 for A reason. As a consequence, 20 fines totalizing 105.000 RON were applied.</p> <p>From this amount, 95.000 RON fines were inflicted for cases of passengers refused entry for C reason and 2 fines for A reason. Also, 2 warnings were given to the air companies for C reason refusals.</p> <p>As regards the remaining refusals of entry, the carriers were not sanctioned because, for example, the transported passengers were in the possession of Schengen visa and heading to their places of origin, but they didn't justified the transit.</p> <p>In those cases, the Decision no. 582/2008 introducing a simplified regime for the control of persons at external borders was applied and therefore the carriers were not sanctioned.</p> <p>At BCP Traian Vuia Timisoara International Airport: During 01.01 – 30.09.2010, the sanctioning of air companies is as follows:</p> <ul style="list-style-type: none"> - 21 cases of refusals of entry were recorded, out of which: <ul style="list-style-type: none"> - 14 fines were inflicted, amounting 120.000 RON, as follows: <ul style="list-style-type: none"> - 9 cases for C reason, out of which 4 sanctioned by 15.000 RON fine each and 5 by 5000 RON each, , - 5 cases for C+E reasons, out of which 1 sanctioned by 15000 RON and 4 by 5000 RON each. - 7 warnings were applied. <p>At the level of the General Inspectorate of the Border Police a new application is available through <u>eSIF database</u>, comprising the sanctions applied to carriers, operational since <u>04.10.2010</u>.</p>	
<p>9. The EvalCom appreciates the existence of rooms for asylum seekers at the BCP, although consideration should be given to extending the capacity of the asylum reception facilities.</p>	<p>At Henri Coandă International Airport in Bucharest, 11 asylum applications were submitted in 2007, 6 applications in 2008 and 3 applications during the nine months of 2009, as presented to EvalCom.</p> <p>The reception capacity of the asylum reception facilities of the airport consists of 2 rooms / 8 beds, separated for women and men.</p> <p>In case the number of asylum seekers submitting an application in</p>	<p>The two new rooms could be inspected by EvalCom and were found to be satisfactory.</p> <p>As EvalCom was informed the two rooms available so far will remain available, so there will in total be four rooms at the disposal</p> <p>In case of applications of families additional rooms located outside the airport-premises are available.</p>

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	<p>Henri Coandă BCP overpasses the capacity of their facilities, RIO support is immediately requested. In such a case, RIO officers urgently come to the BCP and decide whether to grant access to the territory or to take the asylum seekers to the Open Accommodation Centre for Asylum Seekers in Bucharest (Vasile Stolnicu Centre). Once finished, the new terminal will provide 2 more rooms for asylum seekers.</p>	
<p>10. Border guards in the general aviation terminal should be provided with passenger information on private flights originating from third countries as set out in Annex 6 to the Schengen Borders Code.</p>	<p>On 09.04.2010, a meeting took place between the representatives of the Romanian Border Police and the management of ION ȚIRIAC AIR, establishing the measures to be applied with a view to fulfilling the Schengen standards. Currently, the passengers' list containing data about passengers on private flights are supplied to the Border Police by fax. The list is further uploaded in eApis application, analyzed and the necessary details are forwarded to the BP agents in Tiriac terminal.</p>	<p>EvalCom could observe that the RBP (shift-leaders-office and 2nd line-office) receives the number of planes and the number and names of passengers as well as place of origin in compliance with the provisions of the SBC.</p>
<p>11. The EvalCom noticed that the Border Police do not get enough information regarding cases of trafficking in human beings and that there are no clear risk profiles or risk indicators as regards trafficking in human beings. The EvalCom is of the opinion that Border Police should participate more in investigation of trafficking in human beings.</p> <p>This could be done by strengthening cooperation with the national police and the prosecutor's office and also involving the Trident office in combating trafficking of human beings. It is recommended that training as regards identifying victims and traffickers be stepped up.</p>	<p><u>The Romanian Border Police has the competence of investigating the smuggling of migrants, implying a person or a group of persons which address a guide in order to be crossed over the border. RBP has a general competence of a police force to detect any deeds, including the trafficking in human beings, after the completing of preliminary investigation having to notify the prosecutor, who will decide upon the competent authority to continue the investigation and the necessary measures to be taken.</u></p> <p>Art. 24 para. (3) of GEO no. 104/2001 on the organization and operation of the Romanian Border Police provides for the exception as regards the general territorial competence of 30 km inland to the entire territory in case of detection and investigation of transborder crimes:</p> <p><i>“As an exception to paragraph (1), in order to ascertain the border offences and border crossing criminal deeds, the border policemen can exceed their area of competence, operating together with specialized units throughout the country.”</i></p> <p>In 2010, the legal framework was supplemented by 3 agreements regulating the inter-institutional cooperation in fighting against illegal migration and transborder criminality:</p> <ul style="list-style-type: none"> ➤ Cooperation agreement between Romanian Border Police and National Customs Authority for fighting against illegal migration and transborder criminality; ➤ Cooperation agreement between Romanian Border Police 	<p>The risk-analysis-unit within the RBP at the airport develops daily and monthly reports, which are, together with risk indicators and profiles now available on the intranet also for Border Police 1st line. The shift-leaders and the responsible members of the RBP analyse those regularly and discuss them before every shift. Based on the profiles and indicators they then do even gate-checks or checks at the stairs already upon arrival when starting to disembark.</p> <p>In case of need they also conduct joint investigations (RBP and Office of the General Prosecutor; one specific case having occurred at the airport last year).</p> <p>Being questioned about the current risk-indicators the members of the RBP could give EvalCom a short overview on the current situation (on the profiles of male and female passengers as well as on the flights they are paying specific attention to).</p>

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	<p>and Romanian Immigration Office for preventing and combating illegal immigration at the border and inside the national territory;</p> <ul style="list-style-type: none"> ➤ Cooperation agreement between Romanian Border Police - Romanian Immigration Office – National Police - National Customs Authority for enhancing the cooperation activities through border contact points. <p>As far as the implication of the Romanian authorities in immigration control is concerned, during the <u>first 9 months of 2010</u>, the Romanian Immigration Office conducted 837 self-performed actions and 1910 actions in cooperation with other structures, as it follows: 981 actions with the National Police, 211 actions with the National Gendarmerie, 264 with the Border Police and 454 with Labour Inspectorate. As a result of these activities, 2587 aliens in illegal situation were detected.</p> <p>At national level, risk profiles on trafficking in migrants are being posted on the intranet site of the Romanian Border Police.</p> <p>The Compartment for Countering Illegal Migration within Henri Coandă Airport draws up risk profiles on traffickers in human beings and in migrants on the basis of the risk analysis reports submitted by FRONTEX, the informative bulletins, the risk analysis of the General Inspectorate of the Border Police as well as using the intelligence gathered by own resources.</p> <p>The judiciary police specialised units of the Romanian Border Police cooperates with the Romanian Immigration Office, the National Police and General Directorate of Intelligence on complex cases regarding trafficking in migrants, under direct authority of the prosecutor.</p>	
<p>12. Information sheets with information on the procedure and the purpose of second-line checks were available in Romanian. However, the EvalCom observed that these forms were not used in practice. The EvalCom recommends making these forms</p>	<p>At Henri Coanda BCP, the form provided for by art. 7 point 5 SBC is available in 2 foreign languages (English and French) and is regularly used in the daily work.</p> <p>On the intranet site of the Romanian Border Police, available and accessible to all the units of RBP, the art. 7 point 5 form provided for by the SBC has been posted in 4 foreign languages (RO, EN,</p>	<p>The forms were shown to EvalCom (available i. a. also in Spanish). As EvalCom was informed, the General Inspectorate of Border Police provides a basic set of language-versions available on the intranet, which are then complemented at each BCP with additional language-versions in accordance with the traffic-profile at the specific BCP.</p>

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<p>available in all the official languages of the EU and neighbouring countries and providing persons subject to the thorough second-line checks with this information.</p>	<p>FR, and RU) as Annex 1 to the National Instructions for the application of the Schengen Borders Code.</p>	<p>EvalCom was further informed that the information was transmitted to the passengers in 1st line only orally while they receive the form – due to time constraints – upon arrival in 2nd line. Due to the absence of a case no real handling-over could be observed. EvalCom nevertheless recommends to the Romanian authorities to continue to increase the number of language-versions and hand them over already in 1st line.</p>
<p>13. The EvalCom recommends using mainly booths 1 and 2 for border checks on third country nationals on entry as they provide better space for profiling.</p>	<p>The measure was implemented in the current international terminal of Henri Coandă Airport as recommended. Now, not only lines 1 and 2, but also lines 9 and 10 (the ones flanking the booths line on entry) are allocated to third country nationals, thus passengers are coming from escalators straight to the control booths. Additionally, for the control booths in the middle (from 3 to 8), the deputy shift leader (responsible for the entry flow) may assign a line to EU/EEA/CH or All passports, taking into account the amount of EU/EEA/CH passengers versus third country nationals on a flight, on the basis of passengers list.</p>	<p>Not applicable any more as the new terminal will be ready in due time.</p>
<p>14. The passenger terminal was under reconstruction and new infrastructure for separation of Schengen and non-Schengen passenger flows and for border checks was not in place. The future separation scheme, as presented to the experts, was found sufficient. The EvalCom takes note of the “Contingency Plan” to be used in case the reconstruction of the terminal is not completed as planned; however, it invites the Romanian authorities to complete the construction works in good time and recommends a return visit for evaluation of the new infrastructure before lifting border controls at internal air borders.</p>	<p>The construction works at Henri Coandă International Airport in Bucharest are ongoing.</p> <p><u>Until the date of the revisit, the construction works will be as follows:</u></p> <ul style="list-style-type: none"> • Structural strength, slabs, roof: finalized • For the main area, where the passenger flows cross by: first floor: embarking at the flexible gates – Schengen/Non-Schengen departures flow, Schengen/Non-Schengen transit; second floor: Schengen/Non-Schengen arrivals flow and ground floor: remote gates (embarking/disembark by bus) – departures and arrivals Schengen/Non-Schengen, the situation will be as follows: <ul style="list-style-type: none"> - Finishing: finalised - Indoor partitions, including the ones ensuring physical separation of flows: finalised - Installations and equipment: <ul style="list-style-type: none"> - electrical indoor installations: finalised - low voltage installations, phones: functional 	<p>EvalCom found the construction-works almost finished and the new infrastructure for the separation of passenger flows fully satisfactory. EvalCom took note of two gates, which can be used alternatively for Schengen- or Non-Schengen-traffic (depending on the season, the passenger-volume and the corresponding flight-schedule) and advises the Romanian authorities to pay special attention to the proper use of the gates.</p>

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	<ul style="list-style-type: none"> - Border check infrastructure: accomplished - Second line facilities: accomplished <p>As of 30.09.2010, the stage of the construction works is the following:</p> <ul style="list-style-type: none"> - Metal structure - finalised - Reinforced concrete structure – finalised - Floor – completed - Fire treatment – completed - Log finger with existing tunnel – casting and sealing finalised - Roof – complete - Floor screeds – 85% - Indoor delimitation – 90% - 2nd line facilities for the border control – 85% - Metal tunnel structure, suspended ceiling – 50% - Lifts and escalators – 40 % - Dispatch office, rooms for the Border Police – 65% - Cabling – 80% - CCTV system - 30 % - Normal and special phone lines – 80% 	
<p>15. Infrastructure for border checks in the general aviation terminal does not meet the recommendations of the Schengen Catalogue. The EvalCom invites the Romanian authorities to provide border guards in the GAT with a control booth or to carry out necessary reconstruction of the existing room in line with the Schengen Catalogue.</p>	<p>Following intensive talks between the Romanian Border Police and the management of Țiriac Air, a decision was taken to install 2 control booths for the Border Police and a second line office for thorough document checks. The works started on 15.09 and will be finalized until the end of October.</p> <p>In case the project will not be finalized by the end of October 2010, the terminal will be used exclusively for Schengen flights, while the non Schengen flights passengers will be compulsory processed in the main terminal.</p>	<p>EvalCom could observe that the works are finished and a control-booth fully equipped is available.</p> <p>There is no specific 2nd-line office, but, as the RBP receives the list of the incoming planes and passengers already prior to their arrival, preparations for thorough checks – if needed – can be undertaken in due time.</p> <p>EvalCom acknowledges the chosen solution.</p>

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BCP Airport Timisoara		
<p>16. The EvalCom recommends continuing the improvement of language skills of border guards.</p>	<p>The Support Missions Compartment within Timisoara Border Police Unit delivered monthly training sessions on: working procedures, Schengen legislation, national legislation, and profiling, English language. An annual plan for increasing English language skills of the entire personnel of the Timisoara BCP was drafted, and training is conducted according to themes provided by FRONTEX project „English for focal points and joint operation A1/A2 level” available in the electronic format on the intranet site of Romanian Border Police.</p>	<p>Communication with the members of Border Police during the visit in English was possible. EvalCom could observe that the personnel were following the FRONTEX-system. 60% of the personnel had knowledge of English. Training (one day every four weeks for six hours) was confirmed The current focus is on English and French. The courses are again open for all levels of staff); EvalCom invites the Romanian authorities to continue with the training and continue to report regularly on the progress achieved.</p>
<p>17. The EvalCom appreciated the risk indicators and risk profiles provided for officers on the ground. However, the EvalCom invites the Romanian Border Police to distribute the risk analysis products electronically instead of in hand-out format. In addition there was no full awareness of threats, risk profiles and risk indicators by some border guards. The EvalCom invites the Romanian Border Police also to draft risk profiles as regards human smugglers and traffickers.</p>	<p>The tactical risk analysis is currently drawn up by the operative compartments of the BPSs and is uploaded in eSIF application used by border police in 1st line checks. Furthermore, daily bulletins are drafted and presented at shift briefings.</p> <p>Daily risk analysis bulletins are drafted and presented at shift briefings. Also, risk profiles drafted at national and local level, including in the field of human smugglers and traffickers are available on the RBP intranet site.</p> <p>Every border policeman is instructed upon entering the shift with regard the tactical risk analysis covering risk profiles on smugglers and traffickers on human beings, illegal migration, trafficking in arms and ammunition etc.</p>	<p>Risk indicators and risk profiles were available electronically on the intranet in 1st and 2nd line. The personnel were aware of them. The profiles and indicators included traffickers and human smugglers and victims. Risk indicators and profiles were part of the briefing at the beginning of every shift. At the end the information is also forwarded by the shiftleader to the one following him in the next shift.</p>
<p>18. Information sheets with information on the procedure and the purpose of second line checks were available in Romanian, English, French and Russian languages. However, the EvalCom observed that these forms were not used in practice.</p>	<p>At Timisoara BCP, there are such forms available in 6 languages (Romanian, English, French, Russian, Italian and Serbian) and the personnel have been instructed to use them on a regular basis.</p> <p>On the intranet site of the Romanian Border Police, available and accessible to all the units of RBP, the art. 7 point 5 form provided for by the SBC has been posted in 4 foreign languages (RO, EN, FR, RU) as Annex 1 to the National Instructions for the application of the Schengen Borders Code</p>	<p>A case could be observed in practice by EvalCom. The forms were found to be available in the versions as stated in the follow-up and are handed out already in 1st line (one copy being kept for the file).</p>
<p>19. The EvalCom recommends consulting national and European databases on a non-systematic basis more often when carrying</p>	<p>During the monthly training sessions, the personnel within Timisoara International Airport BCP was drawn the attention on the control procedures to be applied for fully respecting the</p>	<p>EvalCom found the personnel in the booths aware of the requirements and acting in accordance.</p>

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out minimum checks on persons enjoying the Community right of free movement.	provisions of the Schengen Borders Code as regards the non-systematic consultation of national databases in case of persons enjoying the community right of free movement.	
20. Some of the entry and exit stamps did not meet the requirements of the specification set out in SCH/Com-ex (94) 16 rev as regards the use of ink in two colours.	10 new Schengen compatible traffic stamps and ink reserves were delivered to TM BCP	All the stamps observed by EvalCom were found to be in line with the specifications (correct use of two colours).
21. The EvalCom is of the opinion that the legal provisions implementing Directive 2001/51 in Romanian law should be thoroughly revised concerning not only the amount of the fines but also the immediacy of sanctions.	See remarks to BU BCP Nr. 8	The explanation given by the Romanian authorities on the legislation (with the amendment on the law being currently under parliamentary procedures) and the number of sanctions were found to be satisfactory. The changes in the administrative practice dated 13 July 2010 were acknowledged.
22. There is no direct cooperation with border control authorities at airports in neighbouring countries and third countries of destination.	A list was drawn up containing contact details of representatives of the Border Police and Air Companies from the origin airports from non Schengen countries operating direct flights to Timisoara Airport: Kishinev, Odessa, Lvov, Chernivski and London. The list is posted on the wall of the second line office and available anytime.	EvalCom could see the list of contacts, was informed that is being used and even a meeting of the contacts was foreseen to be organized November/December.
23. The room for thorough examination of travel documents at arrivals does not provide normal working conditions for experts due to its small size.	The second line office in the new terminal, already operational, provides for enough space for the examination of travel documents and other 2 nd line activities.	EvalCom could observe the new 2 nd line office (to be put in operation as from next week on) and found it to be well equipped and fully satisfactory concerning its size.
24. The EvalCom recommends additionally equipping the second-line office for thorough examination of travel documents with a stereomicroscope in line with recommendation 46 of the Schengen Catalogue.	In July, a stereomicroscope was delivered to TM Air BCP.	EvalCom could observe the stereomicroscope in the 2 nd line office. See comments to nr. 23.
25. The EvalCom was not able to evaluate infrastructure for the separation of Schengen and non-Schengen passenger flows and for border checks due to very early phase of construction work. The EvalCom calls for the construction works to be completed in good time and recommends a return visit to Timișoara	As of 30.09.2010, the construction works at the Non Schengen Terminal of Timisoara International Airport are completed. <ul style="list-style-type: none"> • Border Police control booths – installed • Indicators for the passenger flows – achieved • CCTV system – completed • Doors between control booths - in place • Furniture for the transit area – ready 	EvalCom could check the new infrastructure ready to be put in use, (passenger-flows, booths, signposting, and additional offices) and found it fully satisfactory and the passenger-flows fully clear. EvalCom just recommends adjusting the mirrors at the booths in the new terminal correctly so that bypassing of controls could fully be avoided and the passengers passing the booths could adequately be surveyed. EvalCom also recommends to continue informing the carriers and taking appropriate measures so that the crews correctly

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airport before lifting border checks at internal air borders.	The acquisition of the baggage conveyor system to the sorting room of the future non-Schengen Terminal is also ongoing. The installation of a baggage conveyor and the X ray equipment will be finished by <u>30.10.2010</u> .	use the dedicated lane available to them.
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BCP Airport Bucharest and Timisoara – General Conclusions

26. The EvalCom appreciates the comprehensive risk analysis system of the Romanian Border Police. The EvalCom stresses the importance of fast and smooth vertical dataflow between various levels along the chain of command, as well as interagency exchange of information between various authorities and neighbouring units. The EvalCom recommends creating conditions for providing the border guards in the first line with local risk profiles on-line	Information on local risk profiles were introduced into the RBP intranet site, on the eSIF application and it is available to the entire personnel performing duties in first line.	The availability of risk-profiles updated monthly in the e-SIF could be checked by EvalCom. EvalCom further acknowledges that the indicators and profiles are also a fixed part of every briefing and the information-flow between the shifts (handover for the following shift) is provided properly.
27. The EvalCom is of the opinion that the Romanian Border Police should put more effort into revealing and detecting human traffickers at air borders. This could be done by strengthening cooperation with the national police and prosecutors and also involving the Trident office in combating trafficking of human beings. The role of the Romanian Border Police in immigration control within the country is currently marginal. "The EvalCom recommends considering increasing the activities of competent authorities within the territory in this area.	See remarks to BU BCP Nr. 11	<p>EvalCom could observe at both airports that the RBP was aware of the profiles and indicators.</p> <p>While at Otopeni they then do even gate-checks or checks at the stairs already upon arrival when starting to disembark and, in case of need they also conduct joint investigations, there were no incidents reported to EvalCom for the airport of Timisoara.</p> <p>Being questioned about the current risk-indicators the members of the RBP at both airports could give EvalCom a short overview on the current situation (on the profiles of male and female passengers as well as on the flights they are paying specific attention to).</p>
28. Legislation on carrier liability and administrative practice on imposing fines on carriers are not fully in line with Council Directive 2001/51/EC of 28 June 2001. The EvalCom stresses a need to	See remarks to BU BCP Nr. 8 and TM BCP Nr.21	The explanation given by the Romanian authorities on the legislation (and the amendment to the law currently being under parliamentary procedures) and the number of sanctions (for Bucharest taking into account the obvious increase after the change in the administrative practice) was found to be satisfactory.

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<p>adopt national legislation and administrative practice on implementation of carrier liability fully in compliance with above Council Directive.</p>		<p>The changes in the administrative practice dated 13 July 2010 were acknowledged.</p>
<p>29. The Common Core Curriculum of the Border Guard Training is currently at the implementation stage in all educational institutions; EvalCom was informed, after tuitions of the Romanian Border Police. The EvalCom invites the Romanian authorities to implement CCC fully. The EvalCom regards the training at the BCP after graduation from basic training under tutorship, continuous on-the-job training, including e-learning and regular testing of knowledge as best practice.</p>	<p>The Common Core Curriculum was fully implemented by the training schools of the Romanian Border Police, the Police Academy Al. I. Cuza and also by the Naval Academy "Mircea cel Bătrân" Constanta subordinated to the Ministry of National Defense.</p> <p>The maritime module representing the 20% of CCC not being implemented until November 2008 is now integrated by the Initial and Continuous Training School of Border Police Personnel Constanta subordinated to RBP. The topics include: „<i>The characteristics of maritime operations</i>”, „<i>Endowment with technical equipment</i>”, „<i>Training in English on the sea borders specific technology</i>”, „<i>Communications equipment for the sea border</i>”, „<i>Technical equipment for the sea border</i>”.</p> <p>As regards the Naval Academy, on the basis of an agreement concluded between the Border Police and the Naval Academy, the training of officers following to be exclusively employed by RBP is achieved, using teachers of the Initial and Continuous Training School of Border Police Personnel Constanta. The curricula consist of: „<i>Border Police tactics</i>”, „<i>Legal training</i>” and „<i>National Security and Public Order</i>”.</p> <p>At the level of the Police Academy Al.I.Cuza, a Protocol of collaboration with the General Inspectorate of Border Police on the basic training of border police officers was signed on 14.10.2009.</p> <p>According to this protocol, each series of students will be trained on the topics of the maritime module in the second year of study.</p>	<p>EvalCom was informed by the Romanian authorities that, after the implementation of the maritime module, the CCC is indeed fully implemented and that training is conducted in full compliance with the CCC.</p>
<p>30. The EvalCom found the number of the personnel of the units visited sufficient. The EvalCom acknowledges the good knowledge of Schengen provisions by border guards on the whole. The EvalCom recommends continuing to provide</p>	<p>See remarks to BU BCP Nr.4 and TM BCP Nr. 16</p>	<p>EvalCom could assess form the information received that training, based on curricula developed jointly by the RBP, the police, the Customs and also with the participation of the ministry of Justice and the Public Ministry, is an ongoing process. There are, apart from the courses held, also 862 trainers available throughout the country. The training consists of three modules (General overview, Legal Bases and operational Skills).</p>

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<p>personnel with thorough training on the Schengen Borders Code and the Schengen Handbook and also continuously improving the language skills of the personnel.</p>		
<p>31. The planned schemes for physical separation of passenger flows presented to the EvalCom were found appropriate.</p>	<p>See remarks to BU BCP Nr. 15 and TM BCP Nr. 24</p>	<p>EvalCom could check both terminals and found them almost completed and the physical separation satisfactory.</p>
<p>32. Equipment used for the first and the second line checks is mainly sufficient. In the conclusions and recommendations on the sites visited the EvalCom noted some minor shortcomings which should be improved.</p>	<p>See remarks to BU BCP Nr. 5 and TM BCP Nr.24</p>	<p>EvalCom could check the equipment and found the level in 1st and 2nd line satisfactory. The shortcomings have been remedied.</p>
<p>33. The EvalCom is of the opinion that border control of the air border in Romania is in the main carried out in accordance with the Schengen acquis. Some shortcomings noted by the EvalCom should be corrected or improved. The EvalCom was not able to evaluate infrastructure for the separation of Schengen and non-Schengen passenger flows and for border checks due to the very early phase of construction work. The EvalCom calls for construction work to be completed in good time and recommends return visits to Bucharest and Timișoara airports before lifting border checks at internal air borders.</p>	<p>See remarks to BU BCP Nr. 14 and TM BCP Nr.25</p>	<p>EvalCom found the construction-work merely completed and the physical separation as well as the passenger-flows fully satisfactory. Shortcomings in the equipment have been, as stated above, been remedied. As regards training EvalCom recommends continuing the current efforts.</p>

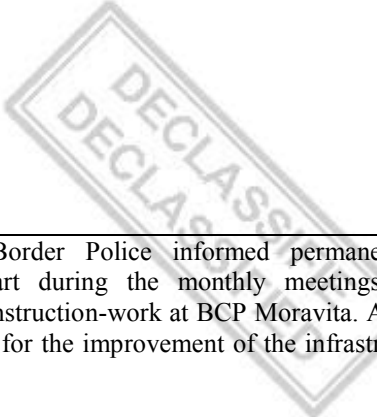
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BCP Moravita and BCP Stamora Moravita		
<p>34. Procedure of border checks was mostly considered to be in compliance with the Schengen provisions; however some shortcomings were noticed especially concerning the general execution of controls of means of transportation. The EvalCom recommends improving the level of professionalism of the border guards in charge of that particular task.</p>	<p>The Romanian Border Police enhanced the quality of controls on means of transportation. In order to do so, clear procedures were drawn up and implemented at the level of all Romanian BCPs.</p> <p>Decision no. 159 from the 6th of April 2010 contains measures for strengthening the controls on means of transportation in the BCPs. More in depth the disposition refers to the transport of goods moved by lorries and containers but also to ordinary passenger's luggage. Where the level of endowment permits, according to the Decision, x-ray devices will be used.</p> <p>Decision no. 168 from the 26th of April 2010 refers to the enhanced use of scanning devices of the means of transportation and luggage.</p>	<p>EvalCom could observe that the work in the booth was done correctly and the explanations received as regards the checks of buses and lorries were found to be correct. Still more could be done outside of the booth in the lane for cars (where a second member of the RBP present already in the lane for lorries might be necessary also in the lane for cars).</p>
<p>35. The personnel in the booths showed fairly good knowledge of the Schengen provisions (e.g. Schengen Border Code, Handbook); however more questions in depth concerning entry conditions could be asked.</p>	<p>The operative personnel were retrained, especially regarding the provisions of art. 5, 10, 13 and Annex I, IV, V of the Schengen Border Code and of the Practical Handbook for Border Guards, Annex 25.</p> <p>Starting with April 2010 several training sessions took place in all BPCI located on the future external land border (Botoșani, Galați, Maramureș, Mehedinți, Suceava, Timiș, Iași, Vaslui, Caraș, Satu-Mare) having as main topics the Schengen Border Code, the Practical Handbook for Border Guards and the stamping procedure of the travel documents. All the trained border policemen were accordingly tested.</p>	<p>In the few cases observed by EvalCom the questioning was correct.</p>
<p>36. EvalCom appreciates the overall language skills of the junior officers in English as well as in the foreign languages immediately useful for the checks quality. Considering the weak EN language skills of the senior and junior managers and taking into account the need of intense communication with border police of other Member States, the EvalCom recommends promoting such language courses for the managers and supporting them for attending those courses.</p>	<p>Starting with the 15th of April 2010 based on the Annual Training Plan of the Border Police Personnel, monthly training sessions in the field of foreign languages, especially English, for all managerial levels were introduced as part of their continuous training at the county inspectorate level.</p> <p>Moreover, up to now, 4 border police officers whit managerial positions attended foreign languages courses at the Institute for Public Order Studies.</p>	<p>EvalCom was informed that this is an ongoing process and members of the managerial staff have attended courses. EvalCom welcomes the effort and invites the Romanian authorities to keep the efforts ongoing.</p>

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<p>37. The EvalCom took note that the managers are rarely able to leave from their positions for the duration of the courses currently offered. Taking into account the need for such courses the EvalCom recommends organizing managerial courses for senior and junior managers at local/regional level.</p>	<p>The following courses were introduced in the annual training plans of the Romanian Border Police Training Institutions:</p> <ul style="list-style-type: none"> - Shift leader management course (Training School Iasi, July 2010, 13 police officers) - Head of sector management course (Training School Orsova, February 2010, 7 police officers) - Head of unit management course (Training School Orsova, March 2010, 7 police officers) - Shift leader management course (Training School Orsova, April 2010, 17 police officers) - Shift leader management course (Training School Oradea, December 2010) - “Organizing and planning response in crisis situations, planning and coordinating missions” (Institute for Public Order Studies, May 2010-1 police officer, August 2010-12 police officers) - Management course for police officers (Institute for Public Order Studies, February 2010, 2 officers) 	<p>The courses are being organized and followed, yet there are obviously still problems in attending as the functions of the persons have to be assumed by other members of the staff. EvalCom recommends further strengthening the procedures and making it possible for the managerial staff to attend the courses as they are necessary for leading the BCPs professionally.</p>
<p>38. In view of the ongoing construction-work EvalCom invites the Romanian authorities to ensure the following measures:</p> <ul style="list-style-type: none"> – appropriate functioning of ANPR system at the road BCP Moravita, which could contribute to detection of stolen vehicles and shorten the time of border check procedures. – necessary space at newly constructed road BCP Moravita to direct vehicle aside in order to perform thorough check of vehicles, without holding other vehicles in the line. – set up of a CCTV surveillance system at the BCP Moravita and the BCP Stamora Moravita, especially since there is free access to the border check area where coaches are occasionally parked. It also recommends that CCTV surveillance system covers 	<p>On 30.09.2010, the acceptance of the rehabilitation works for the modernisation of the infrastructure and for setting up the CCTV and ANPR (License Plate Recognition System with 6 video cameras installed on the exit flow) systems at BCP Moravita road took place, under RO FSCH 23.2.</p> <p>The construction-work at BCP Moravita (railway) has started and will be finalized by the end of October 2010.</p>	<p>EvalCom acknowledged the basically completed new infrastructure on entry and exit.</p> <p>The ANPR-system was completely installed but due to problems with the lines in the whole area at the moment of the visit it was not possible to fully check its proper functioning.</p> <p>The CCTV-system was found to be completely installed and working properly in Moravita as well as in Stamora Moravita.</p> <p>The infrastructure for checks of vehicles was found to be in place but was not found fully satisfactory. There were construction-problems at the area for through checks and it was found to be quite complicated to reach the dedicated lane as well as the hall, where – due to the cooperation with the veterinary, also further checks can be performed.</p>

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<p>entire track from the border line to the border check area at the BCP Stamora Moravita as well as the surrounding area of the BCP Moravita.</p>		
<p>39. Taking into account a probable future increase of illegal immigration after the Schengen accession and the need of adapting the number of officers to that challenge, EvalCom recommends to provide for the appropriate reallocation of human resources from the future internal border to this border sector</p>		<p>EvalCom was informed that, instead of the previous 15 there are now 18 members of the RBP available per shift. EvalCom recommends to the Romanian authorities to still observe closely future needs (especially when increasing the work outside the booths in the car-lanes) and continue adjusting the staffing-level according to the needs.</p>
<p>40. EvalCom takes note of the plans for reconstruction of the road BCP Moravita and recommends taking necessary steps in bilateral cooperation with Serbian authorities in order to assure smooth traffic through Serbian BCP where six lanes (currently only four lanes in use) are available for border checks, not to render improved infrastructure of the new BCP useless.</p>	<p>The Romanian Border Police informed permanently the Serbian counterpart during the monthly meetings on the progress of the construction-work at BCP Moravita. At present there are no plans for the improvement of the infrastructure at the Serbian BCP.</p>	<p>EvalCom was informed that there are in general good contacts and regular coordination with the Serbian side (with meetings possible whenever the need arises) and that there are in general 2+2 lanes open. EvalCom was furthermore informed that there are currently no plans for refurbishments on the Serbian side.</p>
<p>41. EvalCom recommends to assure that no passing persons will be able to observe activities in the interrogation, detention and asylum facilities at both road and railway BCP Moravita</p>	<p>At BCP Moravita drapes were installed at all windows of the rooms facing the traffic lanes (interrogation, detention, asylum and second line check rooms). At present unauthorized persons have no visual access in these rooms from outside the building.</p>	<p>The shades preventing unauthorized observation of the rooms were found in place at both BCPs.</p>
<p>42. EvalCom invites the Romanian authorities in light of the new facilities to be available in October 2010 to review the current staffing as regards quality and quantity and to have already now more police officers trained in use of second line equipment in order to improve the general capability and effectiveness of second line checks.</p>	<p>In order to strengthen the external border control after the Schengen accession, the number of border police personnel at the external borders will be increased by transferring personnel from the internal border. This action will be realised according to the <i>“The Redeployment Plan of Romanian Border Police personnel from the internal border, prior and subsequent to the accession of Romania to the Schengen area”</i> which was drafted and approved at the level of the Romanian Ministry of Administration and Interior.</p>	<p>The increase of staff already mentioned before includes also an increased in specialists for second line (up to six per shift in Moravita and 1 per shift in Stamora Moravita).</p>

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This document was also presented by the Romanian Delegation in the Schengen Evaluation Working Party meeting which took place on the 23 of June 2009.

The Concept provides that the reinforcement of border control at the external border after the Schengen accession will be realised by transferring RBP posts currently existent at the internal border mainly to the operative structures specialized in countering cross border crime, illegal migration and to work shifts at the external border. After the operational needs of RBP for external borders will be covered, the rest of the personnel will reinforce the National Police and the Romanian Immigration Office structures.

An analysis of threats of illegal migration at the Romanian borders was drafted at the Romanian Border Police level and contains social and demographic factors influencing the illegal migration phenomena, routes used by migrants and the future evolution of the migration phenomena on types of borders. The operational need for additional personnel is foreseen to be covered from the redeployment of the internal borders personnel.

In addition, a total number of 262 graduates of the Border Police training institutions (163 officers, 99 agents) were deployed during 2010 exclusively on the future external border.

As part of the redeployment plan and of the selection activities of the personnel to be deployed on the external border, a number of 502 options (100 police officers and 361 agents) were already registered.

Meetings were organised at the level of Border Police County Inspectorate Timiș with the specialists of the Forensic Compartment as regards the biometric passport, attended by 24 border policemen.

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<p>43. EvalCom took note that the current situation (ongoing construction work) at the road BCP Moravita does not allow using the heartbeat detectors, nevertheless it recommends to ensure putting in use all the other available equipment in order to further improve efficiency of the border checks at road and railway traffic.</p>	<p>In general, at all BCPs, the available detection equipment is used in the first line of control.</p> <p><u>At BCP Moravita</u> the border policemen are systematically using in the first line of control all the available detection equipment such as drug and smuggling detectors and heartbeat detectors.</p>	<p>The construction-works were found to be completed. The equipment (Roboscan, endoscope and CO2-probe at the road-BCP and endoscope at the railway-BCP) could also be observed in the operative practice. EvalCom acknowledged the progress in these fields but still recommends to store the mobile equipment in a way that easy availability and immediate access can be guaranteed. As regards the heart-beat-detectors EvalCom is concerned that the place foreseen for its use is not adequate and will not allow proper use. EvalCom recommends reviewing the places foreseen for its use.</p>
<p>44. EvalCom takes note of the near future replacement of current signposting for the separation of passenger flows at the road BCP Moravita with new electronic tables which will be in full accordance with Schengen Borders Code Provisions and invites Romanian authorities to report on progress. It also recommends installing appropriate signalization that would clearly indicate which lanes are opened or closed for traffic.</p>	<p>Work is in progress under the existing contracts.</p>	<p>The signposting was found to be in place and in full compliance with annex 3 of the SBC. The traffic-lights were in place and working properly. Also stop-lines could be observed in every lane. EvalCom still observed that drivers had difficulties when assessing whether they could move up to the booths in the different lanes. EvalCom therefore recommends to have the second policeman in the lane outside the boot also informing all drivers about the need to ensure privacy of the controls and when they can move up to the booth ; see also nr. 57).</p>
<p>45. EvalCom invites Romanian authorities to ensure good visibility during the night at the new terminal of the road BCP Moravita.</p>	<p>BCP Moravita A total number of 34 pillars with lightning devices were installed at Moravita BCP, as follows:</p> <ul style="list-style-type: none"> • 25 pillars for perimetral lightning (each pillar having 2 lightning devices – power 180 Watt) • 4 pillars for lightning the control booths area (4 projectors/each pillar – power 250 Watt) • 5 pillars for lighting the inner area of the BCP (4 projectors/each pillar – power 250 Watt) 	<p>EvalCom, present on the spot after sunset, found the lighting in place and fully satisfactory.</p>
<p>46. EvalCom also invites Romanian authorities to consider fencing in of the railway BCP Moravita border check area. EvalCom welcomes also the forthcoming set up of video surveillance at railway BCP Moravita and invites Romanian authorities to report on the progress of its establishment.</p>	<p>The construction-work at BCP Moravita (railway) has started and will be finalized by the end of October 2010.</p>	<p>EvalCom could observe that the fencing at the railway-BCP and the border-check-area were properly fenced in. As regards the fence on both sides of the track between the railway-BCP and the borderline EvalCom could observe a gap (due to agriculture-reasons). The combination of CCTV, patrolling and the fence in any case was found to be sufficient as regards surveillance of the track-area.</p>
<p>47. EvalCom recommends to ensure enough vehicles on both the road and railway BCP</p>	<p>At least one vehicle was allocated for each BCP located on the future external border in order to ensure basic mobility and</p>	<p>The available mobility at both BCPs and the possibility for further reinforcement through the BPS was found to be sufficient and</p>

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<p>Moravita for reaction capability and at least basic mobility</p>	<p>adequate reaction capability in case of emergency (for the road BCPs 2 vehicles and for the railway BCPs 1 vehicle).</p>	<p>satisfactory. Two cars at the road-BCP were also strategically properly placed on both sides of the BCP-area.</p>
<p>48. Since airborne surveillance is only available occasionally the EvalCom invites the Romanian Border Police to enhance this tactical means in appropriate time</p>	<p>In order to improve the procedure for requesting helicopters for airborne operations the „<i>Methodological norms regarding the procedures for the planning of aviation resources, cooperation and access in the MoAI aircraft cockpit</i>” were approved by Decision no 94 from 15th of April 2010. The Decision entered into force on the 20th of April 2010.</p> <p>Article 5 (2) of the Decision states that “<i>In emergency cases, special situations or when the operative situation imposes, the request can be addressed directly to the General Inspector of the General Inspectorate of Aviation (GIA), or depending on the situation, to the Commander of the Special Aviation Units who can decide the carrying out of the flight mission and who, in its turn, is obliged to report to the higher management of the decision taken.</i>” The request for airborne support can be submitted by any operative structure of the Ministry of Administration and Interior.</p> <p>At present, the GIA coordinates the activity of four Special Aviation Units located in Bucharest, Iasi, Cluj-Napoca and Tulcea. According to the Aircraft Development Strategy of the MoAI for the period 2010 – 2020, signed by the Minister of Administration and Interior on the 28th of May 2010, two further Special Aviation Units are foreseen to be set up in Craiova and Timisoara. Moreover, according to the strategy, 18 stationary posts will be established on the future external border to serve the airborne activity.</p> <p>The General Inspectorate of Aviation within the MoAI is planning to start the necessary legal steps after the Aircraft Development Strategy will be approved by the Supreme Council of National Defense.</p> <p>On 30.09.2010, the Supreme Council of National Defense approved the Aircraft Development Strategy of the Ministry of Administration and Interior for 2010 – 2020.</p>	<p>EvalCom was informed that the procedures were changed and made more flexible (requests directly placed the Director of the Aviation Inspectorate or the Commander of the special Aviation Unit). The still existing problems as regards availability will be solved when the 5 new helicopters planned to be purchased for all law enforcement authorities (i. a. 1 to be placed in Timisoara) will be available.</p>
<p>49. The EvalCom found the preparedness of some of the officers/agents for the daily work not sufficient and recommends clearly</p>	<p>The personnel of Moravita BPS were retrained regarding the use of risk analysis data. During the shift briefing the staff is permanently informed about the risk indicators and risk profiles.</p>	<p>EvalCom was informed that, in addition to the general profiles and indicators available of the intranet there is also a local information-sheet available, which is updated daily and handed over after each shift to the then incoming group.</p>

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<p>to permanently use the risk analysis model in place by ensuring that any officer/agent on duty is fully aware of the up-to-date situational picture</p>	<p>The risk indicators and profiles are also available on the intranet and can be accessed from the TETRA mobile terminals at any time.</p>	<p>As regards border surveillance EvalCom noted that the officers present at the Border Police Station were aware of the current situation and risks in their respective area.</p>
<p>50. There is room of improvement of the communication between the border police and the train companies concerning the time schedule of freight trains and the general cooperation.</p>	<p>Based on the existing cooperation plans with the National Railway Company the RBP is receiving the time schedule of both the freight and the passenger's trains. Moreover, based on a bilateral agreement, the Serbian counterpart communicates, before the train enters the Romanian territory, all available data regarding the type of the train, the time schedule, the number and citizenship of the passengers as well as any possible changes that may occur.</p>	<p>EvalCom was informed that the information (number of passengers, in case of freight-trains also the composition of the train) is forwarded from the Serbian side within 25 min. and from Timisoara 1 h in advance. The system was observed by EvalCom and was found to be functioning properly.</p>
<p>51. The EvalCom came to the conclusion that the timely implementation of the foreseen stationary surveillance system as well as further increasing the number of night-vision devices will be crucial. The EvalCom also came to the conclusion that the implementation of further technical surveillance and detection measures should be considered.</p>	<p>In addition to the existent equipment, the Romanian Border Police (RBP) contracted through Schengen Facility a high amount of technical surveillance devices. Since the evaluation visit on land borders, the equipment was received by the RBP and will be distributed to the local border police structures according to their operative needs in due time.</p> <p>Type and amount of the mobile surveillance equipment received (as of 30.09.2010):</p> <ul style="list-style-type: none"> - 27 mobile thermo-vision devices (with cooling system) - 52 mobile thermo-vision devices (without cooling system) - 59 vehicles endowed with surveillance equipment - 402 EADS goggles (Lucie) - 34 EADS binoculars (Lucie & Magalie) - 25 EADS cameras Nestor type - 2 EADS cameras OPUS-H type <p>The setting up process of the fixed surveillance system realized by EADS and financed through state budget funds is in progress. The system is foreseen to be completed by the 31st of March 2011.</p> <p>At BPS Moravița, the works for strengthening the tower and for installing the surveillance equipment are ongoing.</p>	<p>The new stationary equipment (thermo-vision-camera, long-range video-camera, laser-range finder; all connected to GPS), was observed by EvalCom and found to be well functioning and of high quality. Additionally seismic sensors were in place and automatically linked to the camera.</p> <p>The system was integrated into the Integrated Border Surveillance System, which is currently in the process of being set up. The remaining gaps are being monitored by mobile patrols with newly received cars (two equipped with mobile cameras) and a sufficient number of night-vision-devices.</p>

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<p>52. The EvalCom took special note that currently there is no sniffer dog available within the area of BPS Moravita. Because of the fact that dogs for tracking and protection are an indispensable part of an efficient integrated border surveillance system, Romania is invited to change this situation as soon as possible.</p>	<p>On the 2nd of September 2010 the <i>Concept regarding the use of duty dogs within the structures of the Border Police Sector</i> was approved.</p> <p>The Concept comprises rules and procedures regarding the use of duty dogs in the field of border control and surveillance. Moreover the document regulates important aspects regarding the training and evaluation of the dog handlers.</p> <p>A need of 528 duty dog was identified: 300 duty dogs for the land border (surveillance tasks) and 228 duty dogs for border checks specific tasks.</p> <p>At the level of BPCI Suceava 19 duty dogs with an age of 2 to 4 months were already received. When reaching the age of 1 year, the duty dogs will benefit of specialized training according to the operative needs (tracking, protection, interception, etc.).</p> <p>The 19 duty dogs will be distributed as follows: BPS Siret – 4 BPS Vicov – 5 BPS Brodina – 5 BPS Izvoarele Sucevei – 5</p> <p>At the level of BPCI Iasi 3 duty dogs were allocated (2 being specialized for tracking and 1 for cigarettes).</p> <p><u>For BPS Raducăneni, a tracking dog was distributed and is now in pre-training period.</u></p> <p>At the level of BPS <u>Moravita</u> there are 2 intervention dogs, 2 dogs for detecting drugs and 1 for explosives. In September, a dog was received from Sibiu Dog Centre, following to be in a pre-training period.</p> <p>21 dogs will be received from Sibiu Dog Centre by the Romanian Border Police units: 4 tracking dogs, 6 intervention dogs, 7 for drugs, 4 for cigarettes for all the BP county inspectorates located at the external borders.</p>	<p>EvalCom was informed that two tracking-dogs are in the pre- training-period at Moravita BPS.</p>
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<p>53. The EvalCom invites the Romanian authorities to pay special attention to preparing themselves to tackle probably future increasing human smuggling and trafficking in human beings.</p>	<p>In order to face a possible increase of the human smuggling and trafficking in human beings phenomena the RBP took the necessary steps for introducing several courses on this topic in the annual training plan of the Romanian Border Police Training Institutions.</p> <p>Following courses are now part of the training plan:</p> <p><u>Training School Oradea</u></p> <ul style="list-style-type: none">- “prevention and countering of the illegal migration and trafficking in human beings phenomena” <p><u>Training School Orsova</u></p> <ul style="list-style-type: none">- “countering illegal migration and knowing the procedures of asylum granting at the border”- “countering the illegal migration” <p><u>Training School Iasi</u></p> <ul style="list-style-type: none">- “countering illegal migration”- “countering smuggling” <p><u>School for Continuous Training Constanta</u></p> <p>“prevention and countering illegal migration” (July 2010)</p>	<p>EvalCom was informed that at the BCP there are officers available to work on possible information they receive from 1st line. They are regularly attending training-courses. EvalCom was furthermore informed that THB is no real problem at this BCP as it is not situated on any main trafficking-route (the main problems at this BCP being stolen cars and cigarette-smuggling).</p>
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General Conclusions Land borders		
<p>54. The measures applied in the field of Asylum were found to be quite well in place (EURODAC, Dublin-consultations, procedures in handling the cases). In order to further increase effectiveness of the EURODAC-system it is recommended to make EURODAC available not only at the BPCI but also at the BCP and thus allow for a more flexible (and increased) use.</p>	<p>Administrative measures were taken for the relocation of the existing EURODAC – system units from the County Border Police Inspectorates to the Border Crossing Points in order to assure flexibility in use.</p> <p>During 01.09 – 16.09.2010, the Eurodac stations were relocated to the bellow mentioned BCPs, where they are fully operational:</p> <ul style="list-style-type: none"> - BCP Siret; - BCP Sculeni; - BCP Albita; - BCP Moravita; - BCP Halmeu; - BCP Naidas; - BCP Portile de Fier I; - BCP Sighet; - BCP Jimbolia; - BCP Oancea; - BCP Calafat; - BCP Galati; 	<p>EURODAC was found to be operational at the BCP Moravita.</p>
<p>55. The staffing-level shown to EvalCom during the visit was appreciated. The table showed that the current staffing-level was sufficient for the time being. Since concern was raised whether the available staffing would also be sufficient in times of peak-traffic at the BCPs as well as under unforeseen circumstances at the green border, the Romanian authorities are invited to periodically review the HR-strategy in order to provide sufficient staffing at the future external borders also under unforeseen circumstances and also ensure appropriate police-measures after the lifting of controls at the internal border.</p>	<p>In order to strengthen the external border control after the Schengen accession, the number of border police personnel at the external borders will be increased by transferring personnel from the internal border. This action will be realised according to the <i>“The Redeployment Plan of Romanian Border Police personnel from the internal border, prior and subsequent to the accession of Romania to the Schengen area”</i> who was drafted and approved at the level of the Romanian Ministry of Administration and Interior.</p> <p>This document was also presented by the Romanian Delegation in the Schengen Evaluation Working Party meeting which took place on the 23 of June 2009.</p> <p>The Concept provides that the reinforcement of border control at the external border after the Schengen accession will be</p>	<p>A first increase in staffing was observed by EvalCom. EvalCom recommends to closely further develop the foreseen measures in this field.</p>

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	<p>realised by transferring RBP posts currently existent at the internal border mainly to the operative structures specialized in countering cross border crime, illegal migration and to work shifts at the external border. After the operational needs of RBP for external borders will be covered, the rest of the personnel will reinforce the National Police and the Romanian Immigration Office structures.</p> <p>An analysis of threats of illegal migration at the Romanian borders was drafted at the Romanian Border Police level and contains social and demographic factors influencing the illegal migration phenomena, routes used by migrants and the future evolution of the migration phenomena on types of borders. The operational need for additional personnel is foreseen to be covered from the redeployment of the internal borders personnel.</p> <p>In addition, a total number of 262 graduates of the Border Police training institutions (163 officers, 99 agents) were deployed during 2010 exclusively on the future external border.</p> <p>As part of the redeployment plan and of the selection activities of the personnel to be deployed on the external border, a number of 502 options (100 police officers and 361 agents) were already registered.</p>	
<p>56. Studying best practices in other EU-MS for an optimal use of the EU-EBF and the EU-RF are recommended.</p>	<p>The best practices in other EU Member States in the field of EU-External Border Fund were studied by the responsible personnel of the Border Police. Taking the findings into account, the RBP drafted the “Multiannual Plan for the External Border Fund”</p>	<p>EvalCom could observe that the procedures are well-known to the Romanian authorities and that they are not only using the available funds for the purchase of new equipment but also making plans already for future maintenance and possible replacement.</p>
<p>57. In general the EvalCom invites the Romanian authorities to increase the number of border police outside the booths to secure the thorough border checks.</p>	<p>The Surveillance and Control Concept of the Romanian Border Police adopted in 2009 stipulates that, after Schengen accession, the organisation of the personnel on 5 shifts will be implemented, so as to ensure the necessary personnel for the border control and surveillance. Practically, this modification allows for the supplementation of the duty shift’s staff by ½.</p> <p>Starting with November, the 5 shifts system will be implemented for testing phase at BPS Huși, BPS Moravița, and</p>	<p>EvalCom reiterates this recommendation as there were no border police officers performing tasks outside the booths in the car-lanes at BCP Moravita.</p>

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	<p>BPS Siret and also at air BCP Sibiu.</p> <p>This document will allow each BPS Chief to allot an appropriate number of border police officers for performing border checks tasks in the BCP. This number will depend on the operative situation and traffic values.</p>	
<p>58. EvalCom was very appreciative of the level of technical equipment already available. It was taken on board that there is still a considerable amount of control- and surveillance-equipment to be received. The Romanian authorities are invited to ensure that the delivery is completed in due time and to increase their efforts in training the police-officers in the use of this equipment in order to rapidly provide for its optimal use.</p>	<p>All contracts for the acquisition and delivery of new equipment stipulate also training activities for the proper use of the technical devices. Before the equipment is delivered, training sessions are organized by the delivering company with border police trainers. The border police trainers (one for each BPCI) conduct training session with the end-users of the devices from al 12 Border County Inspectorates.</p> <p>For example, on the 29th of June 2010 12 border police trainers were instructed on the use of the Lucie and Magalie binoculars and on the 21st and 22nd of July 12 border police trainers were instructed on the use of the OPUS-H thermal camera.</p> <p>During 09–13.08 and 16-18.08.2010, train the trainers courses for the operators and technicians responsible for using and maintaining the fixed surveillance opto-electronic system „Attica” were organised at the headquarters of EADS company, attended by 12 representatives of the BPC Iasi, Vaslui, Maramures, Galati, Constanta, Botosani, Satu-Mare, Suceava, Timiș, Caransebes and also of the GIBP.</p> <p><u>The Technical Compartment of BPCI Mehedinti trained the personnel for using the surveillance camera Nestor, as well as mini bino-kits equipment; the Forensic Compartment trained the personnel in using the control equipment.</u></p> <p>At the level of BPCI Suceava, the entire personnel were instructed for using TETRA radio stations and the NESTOR devices. On 08.07.2010, 11 border policemen of BCP Siret and BCP Vicșani were instructed on using the fixed document examination devices. On 24.08.2010, a training session on using the night vision binoculars Lucie & Magalie took place at BPS Brodina and Izvoarele Sucevei.</p> <p>At BPCI <u>TM and IS</u>, the personnel (in total over 265 persons)</p>	<p>EvalCom acknowledges that new equipment is arriving in time and encourages the Romanian authorities to continue with the training to provide for optimal use.</p>

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	<p>was trained by the 2nd line specialists for using the newly delivered technical devices, mainly on using the video spectral comparator VDF 100.</p> <p>During 20-24.09.2010, the training of the specialists of BPCI Mehedinți, Caraș Severin and Timiș on using the thermo-vision surveillance vehicles supplied under RO FSCH 23,3 – lot 3.</p>	
<p>59. The personnel in the booths showed good knowledge of the Schengen provisions (e.g. Schengen Border Code, Handbook) in general. However, the EvalCom recommends checks on entry conditions to be carried out more thoroughly.</p>	<p>The operative personnel were retrained, especially regarding the provisions of art. 5, 10, 13 and Annex I, IV, V of the Schengen Border Code and of the Practical Handbook for Border Guards, Annex 25.</p> <p>Starting with April 2010 several training sessions took place in all BPCI located on the future external land border (Botoșani, Galați, Maramureș, Mehedinți, Suceava, Timiș, Iași, Vaslui, Caraș, Satu-Mare) having as main topics the Schengen Border Code, the Practical Handbook for Border Guards and the stamping procedure of the travel documents. All the trained border policemen were accordingly tested. (a clear situation on the number of trained personnel and number of courses can be provided if needed).</p>	<p>EvalCom could observe that progress is being achieved and recommends keeping up the efforts.</p>
<p>60. EvalCom noted that mobile devices for border checks on trains have difficulties with remote access to Border Police databases, and recommends to improve the system in order that would allow reliable and constant check of relevant passengers against police databases and future SIS during border check procedures on trains.</p>	<p>The mobile devices for border checks on trains used during the evaluation visits that didn't function well were returned to the manufacturing company for overhauling work.</p> <p>A number of 68 mobile devices for border checks on trains were contracted through Schengen facility.</p> <p>The distribution of these devices started. In September, 11 mobile devices were delivered to each BPCI from the external border. In addition, 16 mobile devices were delivered to Constanta BPCI.</p> <p>The necessary IT application design was launched and it will be tested on place, in order to establish the communication solution to be used.</p> <p>The deadline for delivery of all mobile devices is the 31st of December 2010.</p>	<p>EvalCom could see in practice that the devices (GPRS instead of previously TETRA) now in use were functioning properly outside and inside the train.</p>
<p>61. The EvalCom recommends continuing with unannounced inspections from the County Inspectorate and the General Inspectorate level in Border Police sectors, independently of local management, in order to make sure</p>	<p>A system of unannounced inspections is in place at the level of RBP. It functions on the basis of a written disposition of the general inspector of the Romanian Border Police, providing for:</p> <ul style="list-style-type: none"> - stepping up the guidance and control actions to the subordinated units with a view to follow the correct application of the legislation in force and for preventing the 	<p>EvalCom was informed that unannounced visits are taking place.</p>

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<p>that corruption for facilitating illegal immigrants would not arise.</p>	<p>committing of criminal deeds and serious misbehaviours; - intensification of on the spot controls to the subordinated units, looking for the immediate remediation of deficiencies.</p> <p>Based on this system, several on the spot activities carried out with a view to countering corruption deeds among RBP personnel were organized both at the central and at the territorial level.</p> <p><u>Central level</u> The General Inspectorate of the Border Police conducted in the last 9 months a total number of 11 unannounced inspections at 10 BCPs with the following outcome: 8 warnings, 2 internal inquiries and 4 remedying measures.</p> <p><u>Local level</u> Between April and September 2010 a total number of 467 unannounced inspections took place under the coordination of the BPCI in the border police structures located in counties at the future external land border having as a result 33 warnings and 16 internal inquiries.</p>	
<p>62. Generally the Romanian Border Police has both the human and technical means to secure a certain level of border surveillance. However, there is still room for improvement in the fields of technical surveillance means and in the provision of duty dogs.</p>	<p>On the 2nd of September 2010 the <i>Concept regarding the use of duty dogs within the structures of the Border Police Sector</i> was approved.</p> <p>The Concept comprises rules and procedures regarding the use of duty dogs in the field of border control and surveillance. Moreover the document regulates important aspects regarding the training and evaluation of the dog handlers.</p> <p>A need of 528 duty dog was identified: 300 duty dogs for the land border (surveillance tasks) and 228 duty dogs for border checks specific tasks.</p> <p>At the level of BPCI Suceava 19 duty dogs with an age of 2 to 4 months were already received. When reaching the age of 1 year, the duty dogs will benefit of specialized training according to the operative needs (tracking, protection, interception, etc.).</p> <p>The 19 duty dogs will be distributed as follows: BPS Siret – 4 BPS Vicov – 5 BPS Brodina – 5 BPS Izvoarele Sucevei – 5</p>	<p>EvalCom took note of significant progress in this field and invites the Romanian authorities to keep up the efforts in order to have the whole IBS-system available as soon as possible.</p>

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	<p>At the level of BPCI Iasi 3 duty dogs were allocated (2 being specialized for tracking and 1 for cigarettes).</p> <p><u>For BPS Raducăneni, a tracking dog was distributed and is now in pre-training period.</u></p> <p>At the level of BPS <u>Moravița</u> there are 2 intervention dogs, 2 dogs for detecting drugs and 1 for explosives. In September, a dog was received from Sibiu Dog Centre, following to be in a pre-training period.</p> <p>21 dogs will be received from Sibiu Dog Centre by the Romanian Border Police units: 4 tracking dogs, 6 intervention dogs, 7 for drugs, 4 for cigarettes for all the BP county inspectorates located at the external borders.</p>	
<p>63. EvalCom invites the Romanian authorities to review the organizational model of the BP Sector, providing enhanced managerial capacity to the BCP leadership in view of enhancing the overall efficiency of the local border management.</p>	<p>The Decision providing for permanently rotation of personnel (between the BCP and the BPS) was revoked. In order to put power and rigidity off the chain of command at local level the Decision no 173 was approved on the 2nd of July 2010. According to this, each BCP Chief decides on his own, based on a semestrial selection process, which border guards will carry out border checks activities in the BCP.</p>	<p>EvalCom could observe progress in this field as more autonomy and decision-power was given to the head of the BCP as regards the staffing-level.</p>
<p>64. About the detection capability there is room for improvement. This includes especially installing technical devices that can detect border crossing in all-weather condition. This applies in particular to those areas that hardly can be monitored only by (the actual number of) mobile units due to the terrain and topography.</p>	<p>In addition to the existent equipment, the Romanian contracted through Schengen Facility a high amount of technical surveillance devices. Since the evaluation visit on land borders, the equipment was received by the RBP and will be distributed to the local border police structures according to their operative needs in due time.</p> <p>Type and amount of the mobile surveillance equipment received (as of 30.09.2010):</p> <ul style="list-style-type: none"> - 27 mobile thermo-vision devices (with cooling system) - 52 mobile thermo-vision devices (without cooling system) - 59 vehicles endowed with surveillance equipment - 402 EADS goggles (Lucie) - 34 EADS binoculars (Lucie & Magalie) 	<p>EvalCom could observe considerable progress in the deployment of fixed devices including thermo-vision devices and attached seismic detectors. In addition to that they have an increased number of mobile devices at their disposal.</p>

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	<ul style="list-style-type: none"> - 25 EADS cameras Nestor type - 2 EADS cameras OPUS-H type <p>The setting up process of the fixed surveillance system realized by EADS and financed through state budget funds is in progress. The system is foreseen to be completed by the 31st of March 2011.</p> <p>At BPS Moravița, the works for strengthening the tower and for installing the surveillance equipment are ongoing.</p> <p>At BPS SPF Siret and BPS Vicov, the building structural survey of the telecommunications metal constructions in order to verify the main indicators for the alignment of the parameters of the constructions to those of the fixed surveillance equipment took place.</p> <p>The situation of the distribution of portable surveillance devices delivered by EADS for the evaluated locations is as follows:</p> <ul style="list-style-type: none"> - <u>For BPS Orșova</u>: 1 portable thermal camera with cooling NESTOR and 5 night vision goggles Lucie - For BPS Raducaneni: 3 portable thermal cameras with cooling NESTOR, 1 night vision binocular Lucie & Magalie and 4 night vision goggles Lucie - For BPS Vicov: 2 portable thermal cameras with cooling NESTOR and 10 night vision goggles Lucie - For BPS Siret: 1 portable thermal camera with cooling NESTOR, 8 night vision goggles Lucie and 1 night vision binocular Lucie & Magalie - For BPS Moravita: 1 portable thermal camera with cooling NESTOR, 1 portable IR camera without cooling OPUS-H, 4 night vision binoculars Lucie & Magalie and 27 night vision goggles Lucie 	
<p>65. The reaction capability in general looks sufficient do to the current situation. However, there is room for improvement. The number of staff and vehicle can hardly handle more than one case at the time. In this matter, the sector level should execute several joint action exercises that also include the national police as well as the custom</p>	<p>Starting with April 2010 a total number of 56 joint action exercises took place with corresponding structures of the National Police, General Inspectorate of the Romanian Gendarmerie, National Customs Authority and Financial Guard, as follows:</p> <ul style="list-style-type: none"> - BPCI Maramures – 8 joint action exercises with the Gendarmerie - BPCI Iasi – 2 joint action exercises with the Gendarmerie 	<p>EvalCom could observe that the reaction capability of the RBP has increased due to the acquisition of new vehicles. . Redeployment of the staffing is foreseen after lifting of border control at the internal border.</p>

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<p>service.</p>	<p>and the National Police</p> <ul style="list-style-type: none"> – BPCI Timiș – 10 joint action exercises with the Customs Authority; 26 joint action exercises with the National Police; 6 joint action exercises with the National Police together with the Gendarmerie. – BPCI Suceava – 1 joint action exercise with the National Police – BPCI Mehedinti – 1 joint action exercise with the Gendarmerie; 1 joint action exercise with the National Police; – BPCI Maramures – 1 joint action exercise with the Financial Guard; 	
<p>66. EvalCom invites the Romanian authorities to promote the management training for the junior managers of the BCPs in order to enhance their decision making capacity.</p>	<p>From the total number of 52 BCPs located on the future external border 27 positions are occupied by personnel who already attended management training courses. It is foreseen that all BCP Chiefs will attend such courses in the near future. To this end, a planning of management courses for the 1st semester of 2011 was drafted and the heads of BCPs not having such courses were included</p>	<p>EvalCom could observe progress and invites the Romanian authorities to keep up the effort and provide for a better system for taking over the tasks of the junior managers so that they can actually attend the courses.</p>
<p>67. The Romanian authorities are finally invited to report regularly on the progress as regards equipment, training and construction work. An additional visit to evaluate the BCPs Moravita and Stamura Moravita and the management of integrated border surveillance with the new equipment might be considered necessary at a later stage.</p>	<p>In the SchEval meeting from the 9th of September 2010 the Romanian Delegation gave a detailed presentation of the progress as regards the newly received equipment and the construction work at Moravita BCP (road & railway).</p> <p>A detailed situation on the status of receiving/distributing the new equipment was presented in an annex.</p>	<p>EvalCom found the construction works completed and satisfactory. As regards the deployment of the IBS there is good progress. Shortcomings in the field of equipment have been remedied. Training is ongoing (efforts need to be maintained).</p>

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8. GENERAL CONCLUSIONS

- EvalCom was overall very appreciative of the general level and state-of-play as regards the construction-work at all visited BCPs. The infrastructure at all visited BCPs is either already working in full or shortly before completion. The separation of passenger-flows at the airports was found to be fully in place. The infrastructure now available at the BCP Stamora Moravita seemed to EvalCom more than sufficient compared to the number of passenger- and freight-trains they have to deal with and the infrastructure available at the BCP Moravita allowed for checks in full compliance with the SBC and the recommendations of the Schengen Catalogue.
- In addition the detected shortcomings at the Henri Coanda airport in Bucharest were correctly remedied and also the procedures observed by EvalCom seemed to be well in place. Minor remaining shortcomings (handling of the art. 7 (5) information-sheets in 2nd instead of 1st line, to continue with the improvements in language-skills and in border-checks in general) should continue to be addressed in the follow-up.
- Also at the airport of Timisoara the former shortcomings were remedied correctly. Remaining recommendations again concern the improvements in language-skills and training in border-checks in general, where the current efforts should be continued in order to provide for fully reliable and professional checks.
- The BCP Stamora Moravita was found to be fully operational considering the number of passenger-and freight-trains to be handled at this BCP.
- Also the BCP Moravita is now operational in full. The division of tasks between 1st and 2nd line is well in place and the interagency- as well as the international cooperation seems to be well established. EvalCom just recalls the – already previously stated - recommendation that more work should be performed outside the booth and invites the Romanian authorities to consider this in their shift-planning and also in the ongoing training. Minor shortcomings in infrastructure (i. a. 2nd line checks of vehicles) should be solved.
- The technical equipment used for border checks at the first and second line at the mentioned BCPs was found to be modern, complete and corresponding to Schengen standards.
- There are improvements as regards the shortcomings in border checks observed during the evaluation in 2009 and 2010. The experts found procedures for border checks to be generally in line with the provisions of the SBC. The EvalCom, as already mentioned, recommends continuing with the ongoing training and also with the close observation of potential further staffing-needs.

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- EvalCom could also observe considerable progress as regards technical surveillance (fixed and mobile devices) and found border surveillance in the area visited now already at a good level. Mobility and reaction capacity was found to be sufficient. The foreseen improvements in the availability of dogs and airborne surveillance and the redeployment of personnel (as already planned for the time after lifting of border control) will further improve the situation. EvalCom recommends to continue with the ongoing works in order to have the IBS implemented countrywide and available in due time. EvalCom invites the Romanian authorities to continue to report on the progress achieved in the WP on Schengen Matters.
- The EvalCom is of the opinion that border checks at the airports of Bucharest and Timisoara and at the BCP Moravita and Stamora Moravita comply with the requirements of the Schengen acquis.

