

BULLETIN
No. 625, the 28th of September 2006

THE GOVERNMENT OF THE USA FINANCES THE ROMANIAN LAW ENFORCEMENT
AGENCIES DEVELOPMENT WITH 1,724,000 USD

The Minister of Administration and Interior, Vasile Blaga, and the Ambassador of the United States of America in Bucharest, Nicholas F. Taubman, will sign – **on Friday, September 29, 2006, at the headquarters of the M.A.I.** – the *Protocol Additional to the Agreement Letter between the Romanian Government and the Government of the United States of America on the law enforcement and drugs control, signed on July 3, 2001 (the fiscal year 2006)*.

Based on this official document, the US Government will grant funds amounting to **1,724,000 USD**, representing the costs of the actions related to additional training and technical assistance, to the Romanian authorities. This sum of money will be supporting two projects: firstly, strengthening the capacity of the Romanian criminal pursuit/ legal institutions to effectively identify and/or investigate the corruption-related deeds, trafficking in human beings, organized crime, terrorism and other crimes; secondly, the development of the law enforcement agencies' capacity to combat computer and drug-related crimes, at national and local level.

At the same time, this agreement is aimed at supporting the Romanian Police General Inspectorate in its efforts to decentralize the decision-making process, and, to this end, a part of the funds will be used for extending the US assistance at the local level. Thus, the American partners will plan, facilitate, organize and develop training courses in different areas, offering the necessary expertise in investigating the case related to organized crime, computer crime, corruption in the public system, lab analyses, files management and undercover operations. These training courses will be attended by police officers and prosecutors, in view of enhancing the prompt and effective information exchange.

The continuation of the management programme for the Romanian Police General Inspectorate, meant to support the institution's decentralization initiative, will be ensured by the training of approximately 280 police officers (in their great majority holding leading positions at regional level-counties and municipalities), so that the Police managers could be granted enhanced authority and responsibility. Among the agencies involved in this training courses are the following organisms: the Anti-Drug Administration, the Federal Bureau of Investigations, the Immigration and Customs Service, and the Secret Service of the United States.

Considering the responsibilities assigned to Romania as a NATO Member State, this event represents a new opportunity for the two states to join their efforts; at the same time, the US authorities' support proves once more that our country is regarded as a trustful partner in reaching the targeted objective - creating a space of liberty, security and justice.

The journalists accredited to the Ministry of Administration and Interior are invited to take part in this event, at the M.A.I. headquarters, starting with 13.30 hrs.

BULLETIN
No. 622, September the 25th, 2006

THE MINISTRY OF ADMINISTRATION AND INTERIOR HAS CONTINUED TAKING THE
MEASURES NECESSARY TO FULFIL THE COMMITMENTS MADE IN VIEW OF THE EU
ACCESSION ON JANUARY 1st, 2007

*** Documentary on the progress made by MAI in 2006 in view of the European Integration**

As compared to early 2005, when the Ministry of Administration and Interior had five “**red flags**” and eight “**yellow flags**” – as a sign of 56 serious shortcomings – the Monitoring Report issued by the European Commission on May 16, 2006 demonstrated the progress achieved by our institution, for aligning with the European standards.

According to this Monitoring Report, MAI has now no “**red flags**” on the areas within its jurisdiction, but only one “**yellow flag**” on the issue of **countering trafficking in human beings (THB)**.

For removing all the doubts regarding Romania's capacity to take actions against THB, the Ministry of Administration and Interior started, considering the recommendations of the European Commission, a complex undertaking meant to combat this phenomenon by co-ordinated actions, based on statistical specialty analyses, special attention being paid to the victims of the THB.

In line with this, in August this year, by G.O. No. 1083, the enactment referring to the setting up and functioning of the *Agency for preventing the trafficking in human beings and for monitoring the assistance provided to the victims of THB* was modified. The amendments were mainly aimed at raising the Agency's personnel, at both the central and territorial levels, as well as at strengthening the Agency's role in co-ordinating the activities of countering THB.

In this new structure, the organisation chart of the Agency includes 100 positions, out of which 55 in the central unit and 45 in regional units, and it is authorised to draft and administrate the national programmes on preventing THB and the assistance of the THB victims, from budgetary funds.

At the same time, the number of the regional units was raised from 8 to 15; the centres will be situated in the counties where Courts of Appeal are functional. This measure will ensure a better co-operation with the law enforcement agencies (police, border police) whose co-ordinating units are functional in the same counties, so that the victims, as well as the victims' accounts, could be taken over by the specialised assistance-related services existing at the local and regional level.

By consulting with different NGOs and involved institutions, there were started the measures necessary to identify the assistance services destined to the THB victims (medical, psychological, juridical measures, etc.). At the moment the co-operation protocols with CARITAS Organisation and AIDRom are being finalised and soon they are to be signed by the Agency. Presently the Agency is negotiating a protocol with UNHCR (United Nations High Commissariat for Refugees).

When they are identified and recorded by the authorities, victims benefit from primary assistance, and they are informed of their rights and the assistance services available for them, the victims being able to choose to get accommodation at the centre or not.

**The number of the victims that benefiting from assistance
between January 1 – September 2006**

Age Sex	under 14	14-17	18-25	over 25	TOTAL
Men	0	0	2	0	2
Women	4	40	71	15	130
TOTAL	4	40	73	15	132

The total number (132) represents the victims that benefited from assistance in special centres and those who were assisted in other locations (at the residence, for example).

For **improving the system of monitoring the assistance granted to the THB victims**, the Agency drafted a complex victim's form including the qualitative and quantitative indicators to be used in statistical processing of the data acquired. There were also drafted the following forms: trafficked victim's assistance form, the trafficked victim's monitoring form and the victim's initial evaluation form.

Moreover, there was drafted a victim's call form, meant to register and record the calls made by the potential THB victims, by the means of the Free Line (TELVÉRDE).

There have been recorded legislative achievements recently, meant to counter THB phenomenon in a co-ordinated manner, which could ensure the effectiveness of the undertakings accomplished in this respect at the level of the Ministry of Administration and Interior. Therefore, there were finalised the projects on the National Strategy for Countering Trafficking in Human Beings between 2006 and 2010 and the National Action Plan 2006-2007. They were displayed, so as to be publicly debated on, on the MAI website (www.mai.gov.ro), as well as on the websites of the NGOs involved in the THB countering and in providing victims' assistance (www.antitrafic.ro).

At the same time, Law no. 300/ 11.07.2006 for ratifying the European Council Convention on the THB countering, adopted on May 3, 2005, available for being signed and signed by Romania in Warsaw, on May 16, 2005. The law was published in the Official Gazette no.622/ July 19, 2006.

There were finalised the following documents: *The National Strategy for the Child's Rights Protection*, for 2006-20013, and the due *National Action Plan*, where the children – THB victims – are regarded as a special target group.

The main goals of the National Action Plan are raising awareness of the THB risks, in view of the immediate notification of the cases related to children negligence, abuse, exploitation and trafficking, as well as of the cases of illegal migration. At the same time, it was aimed at increasing the effectiveness of the specialised interventions meant to ensure that the children rights' are not violated, for the full physical, psychological and social rehabilitation of the children - THB victims. Another purpose of the Plan was to provide a unitary institutional framework for preventing and fighting child's abuse, negligence and exploitation, children trafficking, torture, illegal migration, cruel inhuman and humiliating punishment, as well as other types of violent acts against children.

The two documents are currently submitted to the approval of the ministries involved, and afterwards they are going to be passed by Government Decision.

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Although the only “yellow flag” which the European Commission specified in the Monitoring Report on the activity of our institution refers to the fight against trafficking in human beings, the Ministry of Administration and Interior focused its efforts on the issue of the border security, migration and asylum, countering corruption, on internal and international co-operation, as well as on countering drug trafficking.

Ø BORDER SECURITY AND CONTROL

Legislation

The Schengen Action Plan was revised, passed by the Romanian Government on May 24, 2006, and transmitted to the European Commission on May 31, 2006.

The Schengen Action Plan 2006 represents a revised version of the Schengen Action Plan presented by the Romanian authorities in 2004. This amendment was made for updating the information regarding the acquis implementation stage, and it was required by the legislative, institutional and operational achievements made by Romania in the domains provided by the Schengen Action Plan.

“The Strategy on Countering the Document and Visa Forgery” was approved for the period between 01.01.2006 and 01.01.2007, as well as for the post-accession period (01.01.2007-01.01.2009).

By the **Government Ordinance no.34** regarding the obligation of the air transporters to provide information on the passengers on board, the provisions of the Council Directions 2004/82/EC (April 29, 2004) on the obligation of the air transporters to provide information on the passengers on board (OJ L 261, 6.8.2004, page 24) were introduced in the national legislation.

The National Strategy for Joining the Schengen Territory was drafted. It is aimed at creating a unitary and coherent general framework for reaching this goal and at unifying the efforts of all the institutions with responsibilities in this area.

Upgrading the equipment and infrastructure at the green and blue border, as well as at the cross border points

On September 6, 2006 there was signed the contract with the company that won the acquisition for “Material resources – the logistics necessary to develop specific activities of record, co-operation – online information exchange with the institutions involved in law enforcing and in investigating the intellectual property-related frauds”. According to the delivery roadmap, BPGI (Border Police General Inspectorate) and the Territorial Directorates of Border Police acquired the equipment by 15.09.2006. As regards the Border Police County Inspectorates, they will acquire the equipment in 30 days from the contract signing date.

Human Resources

The positions existing at the level of the Border Police are **91 percent** filled in, and **at the level of the outer border – 100%**, as 2,800 vacancies were filled in between December 1, 2005 and August 17, 2006.

There was drafted an integrated system for MAI personnel training in all the relevant Schengen areas. The purpose is to create the general framework for providing the personnel with initial and continue training.

Institutional Level

By GD no.882/05.07.2006, the Schengen Self-Evaluation Commission was set up, and it includes representatives of all the institutions involved in this area.

The Commission Secretariat is provided by the Ministry of Administration and Interior and it is aimed at coordinating the national strategies and policies in this field. It also informs the Government of the progress achieved.

Progress achieved in implementing the Integrated System for Border Security (ISBS)

Steps have been taken for installing the online visa system in the over 200 locations of the Romanian Border Police (RBP), where the IT Back-up Subsystem is implemented.

In 82 cross border points, there will be the possibility of the visa stickers printing, according to the law.

Equipment

For ensuring a high level of surveillance and control at the future outer border, the specialised equipment acquisition process continued, and so did the process of modernizing of the Border Police premises.

The acquired equipment was distributed to the operational units of the Border Police, according to the provisions of Chapter 5 from the Schengen Catalogue referring to the equipment distribution. At the same time, the principles of the equipment distribution provided by the Schengen Catalogue were firmly followed.

Countering Illegal Migration and Trafficking in Human Beings

Starting with **June 15, 2006** some officers within MAI developed a 3-month temporary mission at the French-Spanish border.

Since **July 1, 2006**, officers within the Border Police General Inspectorate (Department for Countering the Persons Trafficking) have also been developing a temporary mission at the French-Spanish and Hungarian-Austrian borders.

ØMIGRATION & ASYLUM

Legislative achievements

GD no. 5/2006 on the amendment of Law no. 248/2005 on the free movement of Romanian citizens abroad sets the basis for the implementation of the **Council Regulation 2252/2004 on the issuance of the passports with biometrics included**. Thus, the legal framework for issuing simple passports with biometrics included is ensured.

GD no. 557/26.04.2006 sets up **the date on which the electronic passports are in force, as well as the description – form and content – of these documents**. It is provided that the electronic passport will be manufactured starting with 1 January 2007 and shall include an electronic storage medium for biometrics, namely facial image, fingerprints as well as any other personal data that may be introduced in this electronic device.

On August 16, 2006, the Romanian Government approved on the enactment amending the GO no.44/2004 regarding the social rehabilitation of the foreign citizens who obtained a type of protection in Romania, so that the integration of other categories of citizens legally residing in Romania could be allowed.

By GO no.30/2006 (O.G. 636/24.07.2006) - amending and supplementing the GEO no. 102/2005 on the free movement in Romania of the citizens of the E.U. Member-States as well as of the European Economic Territory Member-States - the Directions 2004/ 38/EC on April 29 on the right to free movement and residence of the citizens of the EU member-states and their relatives in the Member-States territory was fully integrated.

So far, Romania has concluded **32 readmission agreements** which have been ratified.

Ø COUNTERING CORRUPTION

In the above-mentioned period of time, at the General Anti-Corruption Directorate (GAD) a number of **346 penal files** were registered and, after the investigations conducted, **359 penal files and works** were forwarded to the competent prosecutor's offices.

During the same period of time, the GAD officers investigated **615 people**, **157** of them being accused of/ charged with different types of crime (out of the letter **63 are MAI workers**).

The situation of the persons accused of/ charged with different crimes is as follows: 58 – taking bribe, 61 – giving bribe, 43 – breach of duty, 23 – crime provided by Law no. 78/ 2002, 30 – other crimes.

At the same time, at the national level over **900 meetings** were organised, preventively, which were attended by over **27,000 workers**, within both the Directorates of the MAI Central Apparatus and the territorial units of the ministry.

There was made a first evaluation of the Anti-Corruption Campaign of Raising Awareness, resulting in the conclusion that the video spot was broadcast **15,000 times** on different TV channels, being watched by approximately **13 million viewers**. The campaign led to a significant increase in the number of the phone calls received on the Free Line (TELVERDE), and this is the reason why steps are being taken to set up a new free line.

According to the statistical data, 459 persons were granted audience by the MAI decision makers, and 696 notifications were received at the level of our institution, at the central level having been solved 453 of them. On the Free Line (TELVERDE) 5,102 phone calls were received, and another 2,021 messages were recorded in the voice message box.

ØDRUG TRAFFICKING COUNTERING

Between July 17 and August 15, 2006, the law enforcement authorities recorded **139 crimes**, a number of **50** persons were investigated, out of whom **36** – under preventive arrest. The quantities of drugs which were seized from the persons involved in drug trafficking and consumption are as follows:

DRUGS TAKEN OVER IN VIEW OF SEIZURE between 17.07 and 15.08.2006	
- TOTAL.	279,492.52 g., 2,128 tablets, 0.27 l.
high risk	120.07 g., 1,982 tablets, 0.27 l
- heroin	103.63 g.
- cocaine	9.4 g.
- amphetamine and derived substances (tablets)	1,180
- amphetamine (powder)	1.64 g.
- methadone (tablets)	802
- methadone (litres)	0.27 l
- methadone (powder)	5.4 g.
risk	279,372.45 g., 146 tablets.
- hashish	1,470.4 g.
- cannabis	277,902.05 g.
- benzodiazepine (tablets)	146

At the same time, on August 1, 2006, the Order no. 7929 of the vice-president of the National Agency of Fiscal Administration was issued, referring to the setting up of the **Committee for Co-ordinating the National Customs Authority (NCA)**, of the **Work Group for the Implementation of the Phare Project 2006 at the level of NCA** "Improving the border management and control" RO 2006/016-772.03.04, and of the component "Creating and implementing a computerized anti-drug program for gathering, processing and disseminating the data and intelligence specific to this domain".

Inter-institutional co-operation

Between the **National Anti-Drug Agency** and the **National Administration of Penitentiaries** a **Co-operation protocol** was concluded, for taking the necessary steps so that the drugs consumers serving different sentences of freedom confinement could be included in the integrated system of bio-psycho-social assistance, for developing this system in penitentiaries and carrying out different related activities of the kind.

The National Customs Authority signed **two Co-operation Protocols with two fast delivery operators**, acting on the airports Aurel Vlaicu – Baneasa and Timisoara, mainly meant to counter the illegal trafficking in drugs.

There was also concluded the Co-operation Protocol between the National Anti-Drug Agency and the Ministry of Labour, Social Solidarity and Family, focused on the co-operation of the parties, for building an integrated system of bio-psycho-social assistance designed for the drugs consumers, on developing different programmes, projects and common activities for drugs consumption prevention, at the level of the general public and at the level of the vulnerable groups; it also focused on making some psycho-social research on the drugs consumption and on the general attitude towards drugs consumption.

On July 24, the president of the National Anti-Drug Agency and the county public authorities launched the campaign of informing and raising awareness of the drug consumption-related risks, named “**SEASIDE WITHOUT DRUGS**”. The partners in this project were the National Anti-drug Agency by the means of its Prevention, Evaluation and Counselling Anti-Drug Centre - Constanta and the Romanian Anti-AIDS Association – Constanta Branch. The target group of the population was represented by 8,000 youngsters residing in Constanta or being on holiday in Constanta between July 23 and August 12 (when the informative activities of the campaign developed on the beach), 40 high school students, 30 volunteers of the Prevention, Evaluation and Counselling Anti-Drug Centres in Constanta, Cluj, Bihor and Valcea and 5 volunteers of ARAS – Constanta Branch. During this campaign, with the support of the volunteers and the MAI aviation, approximately 2,900 brochures with drug-related information, 2,900 brochures with HIV/AIDS-related information, 250 posters and 1,330 questionnaires were distributed.

As regards the co-operation with the **penitentiary system**, 9 CPECA (Alba, Arad, Brăila, Dâmbovița, Gorj, Harghita, Maramures, Vaslui and Vrancea) developed different specific activities in penitentiaries in the competence areas, each Centre mentioned above developing a programme for drug consumption prevention.

The county anti-drug strategies were adopted by the local public authorities, of which 15 local strategies have already been approved by **Prefect’s Order**.

On August 3, in Moscow/ the Russian Federation there were finalised the negotiations on the Agreement between the **Ministry of Administration and Interior of Romania and the Federal Service for Drug trafficking Control of the Russian Federation** regarding the co-operation in countering the illicit trafficking in narcotic drugs, psychotropic substances and their precursors.