

Progress on Justice and Home Affairs

In 2006 the field of home affairs made the object of two peer-to-peer review missions, which took place during 6-10 February 2006 and 6-10 March 2006.

During 6-10 February 2006 took place a peer-to-peer review mission which aimed at evaluating the preparation degree Romania reached from the point of view of participating, in a future stage, at SIS II / VIS, as well as the current stage of the IT&C infrastructure in the purpose of ensuring a high level of control at the border at the date of accession.

The conclusions of the peer-to-peer mission stressed the fact that at present, the Romanian authorities hold all the necessary IT&C information in the purpose of acceding in the future in the Schengen area.

The only concerning aspect for the moment is the tight deadlines for fulfilling the commitments.

The mission from 6-10 March 2006 evaluated the progress in countering corruption and money laundering, border control, personal data protection, police co-operation and countering organised crime, the reform of the judiciary.

Preliminary conclusions appreciated the positive results as it concerns filling in the vacancies, training of the personnel and co-operation at the border.

It was underlined the efficiency of the information exchange and the new organisational chart of the GDCOC.

Efforts are still needed for refurbishing the arrest areas and for the endowment necessary to the centralisation of the data and information at national level.

During 2006 the Ministry of Administration and Interior elaborated the contribution to the Report forwarded to the European Commission as it concerns Chapter 24 - Justice and Home Affairs, as well as for the Addendum, covering the progress made during October 2005 - March 2006.

The progress made for the border security was remarked by the European Commissioner for Enlargement, Mr. Franco Frattini, with the occasion of his visit in Bucharest, in March 2006, which he considered as "an example of positive results".

➤ BORDER SECURITY AND CONTROL

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

Romania has forwarded to the European Commission, in March 2005, a first draft of the **Single Multi-annual Investment Plan** on infrastructure and equipments destined to border control and surveillance.

At the end of January 2006, **the Programme for Realizing and Implementing ISBS** was agreed upon and signed by the two parties. This document contains the schedule for the implementation of the entire Contract starting with its present phase.

The **Conception for surveillance of the naval traffic and monitoring suspect vessels on the interior Danube** (between Calarasi and Galati), Danube-Black Sea channel, lower Danube (between Galati and Black Sea) and Black Sea was drafted.

This Conception is currently being implemented in the following ports: Galati, Tulcea, Sulina, Constanta, Constanta Sud, Mangalia, Midia, Cernavoda, Calarasi and Braila.

The **draft Sectoral Strategy of the Romanian Border Police on Surveillance and Control of the Maritime border has been finalized**. It is currently being analyzed by the responsible institutions.

In order to provide a high level of **surveillance and control** at the future external borders, purchase of specialised equipment and upgrading the premises of the Border Police has continued.

With reference to the **Control and Surveillance Integrated System at the Black Sea** mention should be made of the fact that the implementation follows the agreed schedule. The supply procedure for Stage 1 of SCOMAR Project (Complex System for Surveillance, Observation and Control of the traffic on Black Sea), PHARE 2003 Fiche – Setting up the data-voice infrastructure (along Black Sea Coast) took place.

The contracting deadline was extended with 4 months. The new deadline is March 2006 is. Both the evaluation report and the contract were approved by the EC Delegation in Bucharest.

The tender dossier for the 2nd stage for implementing SCOMAR was also drafted – Technical Support – PHARE 2004 and was forwarded for approval to EC Delegation. The terms of reference for contracting Stage 2 in SCOMAR implementation Technical Assistance, under PHARE 2004 financing, were submitted to EC Delegation in Romania.

Institutional progress

It was set up the Schengen Unit within the European Integration and International relations GD.

The situation regarding personnel deficit at the Romanian Border Police

NECESSARY	DEFICIT DECEMBRE 2004	DEFICIT 31.12.2005	DEFICIT 31.12.2006
19260	4.438	3.436	2.242
100%	23 %	17,8 %	11,6 %

International co-operation

Ukraine

On February the 2nd, 2006, it was signed at Kyiv the **Draft Agreement between the Government of Romania and the Government of Ukraine on crossing the border through the border crossing points**. On February the 7th, 2006, it was signed the Protocol between the General Inspectorate of the Romanian Border Police and the Administration of the Ukrainian State Border Service on the setting up and the functioning of the Contact Point in Porubnoe.

Republic of Bulgaria

On 11.01.2006 the Common Action Plan between Giurgiu Border Police Directorate and Ruse Border Regional Sector was signed. The aim is to render efficient surveillance at the common fluvial border and joint control on the Danube.

Other activities

Internal co-operation

Co-operation Agreement on the introduction of the visa on-line system and on issuing visa sticker in Otopeni, Baneasa and Constanta -seaport cross border points has been concluded between the General Inspectorate of the Romanian Border Police, Authority for Aliens and the General Directorate for Consular Affairs. Starting with **01.02.2006**, only visa stickers are issued in cross border points.

Practical preparations for the participation in SIS II and the organizing of SIRENE Bureau

Recently, the Ministry of Administration and Interior has convened **a working group** with a view to **organize activities related to implementing SIS II in Romania**. According to the conclusions of the working groups, **a project manager will be designated as soon as possible**. He/She will have as sole task, the implementation of SIS II project. Also, this person will draft **a detailed working plan and an implementation timetable, as well as a budgetary planning of the measures foreseen**.

➤ **MIGRATION & ASYLUM**

Legislative progress

The GD no. **5/2006 on the amendment of Law no. 248/2005 on the regime of free movement of Romanian citizens abroad** sets the basis for the implementation of the **Council Regulation 2252/2004 on standards for security features and biometrics in passports and travel documents issued by Member States**. Thus, the legal framework for issuing simple passports with biometrics included is ensured

International Cooperation

Romania has concluded **32 re-admission agreements**, out of which 31 agreements were ratified.

On the basis of the MoU between the MoAI of Romania and the UK Home Office, signed on 03.03.2005, in order to combat THB and illegal migration, the **Reflex Programme Romania was extended, as concerns both logistic and human resources**.

➤ COMBATING TRAFFICKING IN HUMAN BEINGS (THB)

Legislative progress

Romania undertook important steps in all **3 pillars of THB**, namely in prevention, combating and assistance (for the victims of THB).

The final draft of the **“National Action Plan on preventing THB during 2006-2007”** and of the **“National Anti-traffic Strategy 2006-2010”** was sent for observations to all the ministries and NGOs active in the field of prevention and combating of trafficking in persons.

Internal Cooperation

The meetings of the Inter-ministerial Working Group for the Coordination and Evaluation of the Activities of Preventing Trafficking in Persons continued, this inter-agency body coordinating all the activities in the field of preventing and combating THB.

➤ COUNTERING CORRUPTION

Legislative progress

The 2005-2007 National Anti-corruption Strategy, whose primary scope is to **prevent and counter systemic corruption**, establishing the system's priorities, risk factors and vulnerabilities, mainly in the administrative and judiciary system was drafted.

It was issued the **OMoAI S1142/18.01.2006** on approving the Methodology on the organisation and carrying out of the fidelity and professional integrity tests of the MoAI personnel.

Institutional progress

A **Compartment for Intelligence Analysis** was set up within the General Anti-corruption Directorate. It will create the database regarding corruption deeds committed by the MoAI staff.

➤ POLICE CO-OPERATION AND FIGHT AGAINST ORGANISED CRIME

1. Legislative progress

A number of Orders of the Minister of Administration and Interior were elaborated and approved, out of which in 2006:

- MAI Order no. 1150/2006, on approving the MAI Strategy for preventing and countering internal staff corruption.

Institutional progress

443 informative reports and 174 pieces of information were implemented and processed in the unitary information management system, which collects informative materials in a 5x5x5 system between October 2005- January 2006. 26 tactical and operational reports were elaborated, and 1150 relational maps were drawn out. These informational packages were forwarded to DIOCTC prosecutors by case officers.

8 strategic analyses were elaborated in the reference period on: drug trends in Bucharest, IT criminality trends, analysis report on Austrian operations, analysis on asian mafia groups, analysis of drug entrances through fast delivery services, analysis of risk area on the line of drug trafficking, the status of counterfeited coins captures, the evolution in serious economic offences – all reports were submitted to the GIRP and GDCOC management.

The National Agency for Preventing Trafficking in Human Beings and Monitoring the Assistance given to the Human Trafficking Victims was set up¹, which has 8 regional compartments², is at the Ministry of Administration and Interior's orders and its goal is to coordinate and evaluate the human trafficking prevention activities, as well as to monitor the assistance given to the victims. The Agency cooperates with nongovernmental organisations, both Romanian and foreign, as well as with government organisations, in order to make the public opinion aware of the phenomenon and its consequences.

¹ According to the stipulations of **GO 1.584/08.12.2005**,

² The maximum number of positions in the Agency is 50, out of them, 34 in the central administration and 16 in the 8 regional compartments.

County Police Inspectorates

The new organisational structure of county police inspectorates came into force on 01.01.2006.

The main advantages of the institutional reform are as follows:

- Reducing the number of management positions by **76 at CPI level**.
- Reducing the number of management positions from 610 to **324, at the level of the Bucharest Police**
- Consolidating the public safety structures (public order and road police) consolidarea by **615** positions (440 redistributions and 175 supplemented positions).
- Transferring 1662 positions from auxiliary sectors to operative structures,
- Strengthening the public order structures, by redistribution and supplementing, with 1837 police officers, 217 of them having supplemented the staff of border departments.

Newly established territorial structures:

- 41 territorial units for intelligence analysis;
- 42 internal inspection departments;
- IT and communication services in 37 counties, established by reorganization;
- Through MAI Order no. I/0613 dated 28.09.2005, which came into force on 01.10.2005, 8 Regional Transport Police Departments (București, Craiova, Timișoara, Cluj, Brașov, Iași, Galați, Constanța), directly subordinated to the GIRP Transport Police. This reorganization, made after the european model, is covering the railway, sea and air. Exams for staffing 220 positions for transport police agents and 33 police officer positions from internal and external sources are being carried out in February 2006 at all 8 Regional Transport Police Departments.

In January 2006 the new staffing schedules for the positions within territorial police units were approved. According to these, 1,042 positions for proximity police were planned, representing an increase by 41% as compared to the past schedules. At present, 937 positions are filled; the rest of 105 are to be filled following contests.

7 protected witnesses were included in the Program for Witness Protection.

Human resources

During 30.09.2005 – 15.02.2006, the Romanian Police had overall progresses in what concerns de decrease in staff insufficiency as follows:

- 1884 police officers were recruited from external sources and moved to a superior professional structure.
- 817 agents from the 2005 series were distributed

In reference to the occupation of management positions at the level of the Romanian Police, the following positions were occupied: 2 chief inspectors, 6 depute chief inspectors, 48 managers in the 8 Regional Transport Police departments and the vacant positions from

county transport offices and transport police units, as well as the management of the Central Intelligence Analysis Unit and the two offices which are part of it – the Operational Analysis Office and the Strategic Analysis Office.

➤ **FIGHT AGAINST DRUGS**

Legislative progress

The Decision no. 1862064/23.01.2006 of the NAA President, adopting the **minimum quality standards** for school prevention programs and the **Decision no. 1862065/23.01.2006** of the NAA President, adopting the standards for drafting the school curricula for leisure, information, education and communication in schools were issued.

Institutional progress

On 15 February 2006, the situation of the staffing is as follows: NAA central apparatus: out of the 92 vacancies scheduled, 88 have been filled in. Ratio: 95.65%; Territorial Drug Prevention, Evaluation and Counseling Centers: out of the 235 vacancies, 222 have been occupied. Ratio: 94.46%.

The organizational chart of the **Service for Countering the Traffic with Forbidden Substances**, within the Directorate for Countering the Cross-border Criminality (General Inspectorate of Border Police) was supplemented with 5 positions of operational officers. At the same time, the General Inspectorate of the Border Police, the necessary procedures were adopted in order to fill in the vacancies in the specialized structured in countering drug trafficking - currently 2 vacancies out of 14 positions.