

STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1 CRIS Number: BG2004/016-711.08.05

1.2 Title: ESTABLISHMENT OF MOBILE UNITS FOR BORDER CONTROL AND SURVEILLANCE ON THE BULGARIAN WESTERN BORDER AND IMPLEMENTATION OF THE EU BEST PRACTICES FOR INTEGRATED BORDER CONTROL IN THE BORDER AREA – THIRD STAGE

1.3 Sector: Justice and Home Affairs

1.4 Location: Bulgaria, Ministry of Interior, National Border Police Service

1.5 Duration: 2004 Financing Memorandum

2 Objectives

2.1 Overall Objective(s):

Further strengthening of Bulgarian border management through introduction of EU best standards and practices and modernization of technical equipment according the EU requirements for external borders. This project is a continuation of the 2003 PHARE programme project and PHARE 2004 Early Financing Memorandum

2.2. Project purpose

This project aims enhancement of effectiveness of border control and management and modernization of the equipment according the EU requirements for external borders guarding through introduction of surveillance equipment, mobility equipment and documents checking mobile systems in the border area of RBS of Dragoman (the border with Serbia and Monte Negro) and RBS of Kjustendil (the border with Macedonia).

2.3. Accession Partnership (AP) and NPAA priority

➤ **Convention Implementing the Schengen Agreement**

➤ **Common Manual on Border Traffic Control**

The proposed project will address the following objectives, included in the Accession Partnership, the Convention for Implementation of the Schengen Agreement, the Common Manual on External Border Control, NPAA, the National Strategy for External Borders Building of the Republic of Bulgaria and the requirements for Technical Assistance and the Concept for the Development of the National Border Police Service for the period 2001-2004.

Accession Partnership

- Implementation of effective border control and co-ordination between the agencies with a view of prevention of the illegal migration, high level of harmonisation with the Schengen Information System, implementation and application of the new legislation, related to the migration and border police co-operation.

Roadmap for Bulgaria

- “...with particular attention for the gradual modernisation of the border infrastructure and equipment.”

NPAA

Short-term priority

- Optimisation of the border control, provision of modern equipment for effective control at “green” border, intensification of the measures for combating the trafficking of people.

Medium-term priority

- Overall introduction and application of the Schengen standards and requirements for border control and management and achieving a border regime, corresponding to the requirements for external border of the European Union.

The NBPS Strategy for Strengthening of the Future External Borders of the Republic of Bulgaria and Requirement for Technical Assistance for 2004 - 2006

- Strengthening of border management, operative development and modernisation, significant increase of the operative capacity of Border Police, combating cross-border crimes.

Concept for the Development of the National Border Police Service for the period 2001-2004:

- Design and development of modern border police management, providing for optimum realisation of the operational capacity of Border Police during the period of reconstruction and changes from military structures into modern police in compliance with all EU standards and requirements;
- Counteract all kinds of border illegal migration, smuggling in people, trafficking in human beings for sexual exploitation, false and counterfeited documents for illegal crossing of state borders, trans-border crime.

2.4 Contribution to National Development Plan

NA

2.5 Cross Border Impact

N.A.

3 Description

3.1 Background and justification:

Most of the difficulties, related to the guarding of the state border, refer mainly to the great varieties in the Bulgarian relief: the cross-country border relief, the existence of both maritime and river borders which has to be considered as an International water way.

In the light of the new requirements for accession of the Republic of Bulgaria to EU and having in mind the introduction of the Schengen border management system, the main task of the National Border Police Service is the gradual harmonisation of legislation, as well as the standards and practices for border guarding in compliance with EU requirements and modernisation of the infrastructure in the field of border management.

The future EU external borders are of prime significance. It explains the necessity of strengthening the Black Sea, Bulgarian-Turkish and the Western borders.

The level of the border traffic and all border crimes are the two main external factors with directly influence the border management. In principle, a permanent increase of the border traffic is observed, while the forms of border crimes are different, depending on the characteristic of the border areas.

The harmonisation of the border system for guarding of the state border with the Schengen standards requires on one hand the introduction of procedures for border control of the external European borders, referring to Article 6 of the Agreement for Implementing of the Schengen Agreement, and on the other: improvement of the surveillance in the border area by mobile patrols. These mobile squads have already proven their efficiency in Schengen countries that is why their prompt establishment in the regional structures of the NBPS is of prime importance.

The deployment of the new technical facilities, under projects funded by the EC, the Bulgarian government and under the bilateral co-operation with the EU member states, considerably improved the efficiency of the fight against the illegal migration, trafficking in people and cross-border crimes. But it is still insufficient for effective border management. To a greater extend, this fact is valid for the National Border Police Service now, when the whole staff of Border Police is professional.

This project seeks to address the above-described considerations by introducing modern mobile surveillance, mobility equipment, documents control systems and maritime equipment at the Bulgarian Western border, that has status of future EU external border. These assets will allow the Border Police to deploy multi-faceted and integrated operational measures for counteracting border violations in this region.

The project constitutes the third stage of the delivery of surveillance equipment, mobility equipment and documents checking equipment for the future EU external borders; the new technical equipment will be located at the Bulgarian – Serbian border and at the Bulgarian – Macedonian border. The first stage includes delivery of similar equipment at the Bulgarian – Turkish border, and the second – for the Bulgarian – Turkish and the Bulgarian Black see Borders.

The restrictions in the financial resources for border control as well as reduction of financial means under PHARE budgeted projects resulted in statement of limited number of priorities reviewed in the first and second stage of the project – PHARE 2003 and PHARE 2004 Early Financing Memorandum. It is most natural in the frames of this project to be required additional financial fundings for technical equipment for Bulgarian Western borders, which also has a status of future EU external border. The necessity of technical equipment for the Bulgarian – Turkish and the Black see borders, indicated in the Survey on the available equipment for state border guard and necessity of investments and technical assistance (ANNEX 4) having in mind stated above is the same for the Bulgarian Western borders.

The mobile thermo-vision systems will insure: surveillance and control of flat-country areas; gathering of intelligence on preparation for committing offences or smuggling in precarious areas; and will assist the management of personnel and equipment in performing border police operations.

For the equipment for mobile groups are necessary mobile laboratories, which could serve the borders and could be in use in depth in the border area. Such laboratories are mounted on minibuses and their equipment allows checking the authenticity of the document on the spot.

For the operational-investigation activities in depth of the border area is necessary the delivery of motor vehicles, equipped with communication means and signal systems. For transiting of mobile groups is necessary delivery of adequate minibuses.

This project is a part of the multi-annual Strategy for modernisation of border management elaborated by NBPS as a precondition for receipt of financial aid under PHARE Program project. The project also corresponds to the objectives set out in the Concept for the Development of the National Border Police Service for the period 2001-2004.

The Project will significantly contribute to effectively implement the measures in the field of border control set out in the **National Schengen Action Plan**: in particular, combating cross-border crimes, smuggling and trafficking in people and illegal migration from and through the territory of the Republic of Bulgaria; introduction of modern forms of police co-operation and guarding of EU common borders in accordance with EU/Schengen requirements and criteria, including the development of joint mobile units for checks in depth in the border areas; provision of technical facilities for border guarding. This project is also in line with the Roadmap for Bulgaria, which states under Chapter 24 as regards border management “...with particular attention for the gradual modernisation of the border infrastructure and equipment.”

During its preparation the current project has been concerted with “Management of the EU funds” Directorate of the MoF, the CFCU and the Delegation of EC.

3.2 Sectoral rationale

N/A

3.3 Results

The successful realisation of the present project will provide partly improvement of the border control and limitation of the migration flows and the violations at the Bulgarian Western border.

Subproject 1 – Surveillance Equipment

Through the following equipment put into exploitation:

- 7-9 mobile thermo-vision systems mounted on 7-9 all-terrain vehicles, put into operation in RBS's of Dragoman and Kjustendil
- 10-12 hand-held thermo-vision cameras, put into operation in RBS's of Dragoman and Kjustendil
- 20-25 night-vision goggles, put into operation in RBS's of Dragoman and Kjustendil
- 50-55 night vision binoculars, put into operation in RBS's of Dragoman and Kjustendil

will be achieved the following results:

- Improvement of the surveillance and control of the Bulgarian-Serbian and Bulgarian – Macedonian

- Facilitation of the collection of operational information on the attempting and the committing of preparations of the State border
- Increase of the mobility and the effectiveness of the Border guard patrols and posts in the detection and apprehension of perpetrators of the State border in the conditions of reduced/bad visibility

Subproject 2 – Documents checking equipment

Through the following equipment put into exploitation:

- 3-4 mobile systems for documents checking, put into operation in RBS's of Dragoman and Kjustendil,
- will be achieved the following results:

- Improvement of the control in depth of the border zone
- Improvement and facilitation of the document checks of persons and vehicles

Subproject 3 – Mobility equipment

Through the following equipment put into exploitation:

- 20-25 motor vehicles for operational and investigation activities, put into operation in RBS's of Dragoman and Kjustendil
- 4-5 minibuses, put into operation in RBS's of Dragoman and Kjustendil

will be achieved the following results:

- Improvement of the effectiveness of the border control in depth of the border zone
- Improvement of the manoeuvring ability of the investigation forces

Indicators for results achieved in the end of the **second** phase of this project are:

- decreasing the cross-border crime toll through Bulgaria;
- decreasing state border violation attempts;
- increasing of the checks in depth in the border area;
- increasing the number of border police operations around-the-clock;
- decreasing the time needed for intervention of the border police patrols in order to identify and detain illegal groups;
- increasing the number of averted state border violations in bad weather conditions.

3.4 Activities

The concrete activities under this project will be:

Subproject 1 – Surveillance Equipment

- Procurement and deployment of 7-9 mobile thermo-vision systems mounted on 7-9 all-terrain vehicles in RBS's of Dragoman and Kjustendil ;
- Procurement and deployment of 10-12 hand-held thermo-vision cameras in RBS's of Dragoman and Kjustendil
- Procurement and deployment of 20-25 night-vision goggles in RBS's of Dragoman and Kjustendil

- Procurement and deployment of 50-55 night vision binoculars in RBS's of Dragoman and Kjustendil

Subproject 2 – Documents checking equipment

- Procurement and deployment of 3-4 mobile systems for documents checking, for RBS of Dragoman and Kjustendil

Subproject 3 – Mobility equipment

- Procurement and deployment of 20- 25 motor vehicles for operational and investigation activities for RBS's of Dragoman and Kjustendil
- Procurement and deployment of 4-5 minibuses, put into operation in RBS's of Dragoman and Kjustendil

3.5 Linked activities

This project is linked to PHARE 1999 Project – BG 9911.01 “Institutional Strengthening of the Bulgarian Border Police”(3 MEURO); PHARE 2000 Project – BG0005.02 “Modernising Border Police Equipment at the Turkish Border”(12 MEURO); PHARE 2000’ BG0012.02 “Strengthening Control of the Bulgarian Black Sea Maritime Border”; PHARE 2002-BG 0302.11 “Further Strengthening of Border Management and Control of the Future EU External Borders /Blue Borders/ (7.07 MEURO) and PHARE – CBC 2000 BG 0007.03.01 “Facilitation of Danube River Border Crossing” (3.15 MEURO), PHARE Project 2003 “Mobile Units for Border Control and Surveillance on the Bulgarian-Turkish Border and Implementation of the best EU Control Practices in the Border Area (“Green Border”) – first stage, PHARE Project Early 2004 Financing Memorandum “Mobile Units for Border Control and Surveillance on the Bulgarian-Turkish Border and Black Sea Border and Implementation of the best EU Control Practices in the Border Area” – second stage. All PHARE projects implemented by the Bulgarian Border police constitute a balanced programme of institutional building and investment in equipment.

The project constitutes the second stage of the delivery of equipment for the future EU external borders under PHARE Programme 2003 and PHARE Programme 2004 Early Financing Memorandum. The first stage, concerning the delivery of surveillance equipment and documents checking equipment at the Bulgarian - Turkish border, will be implemented under PHARE Project 2003 “Mobile Units for Border Control and Surveillance on the Bulgarian-Turkish Border and Implementation of the best EU Control Practices in the Border Area (“Green Border”)”. The second stage concerning the delivery of similar equipment, as well as mobility equipment and maritime equipment is planned under PHARE Project Early 2004 Financing Memorandum “Mobile Units for Border Control and Surveillance on the Bulgarian-Turkish Border and Black Sea Border and Implementation of the best EU Control Practices in the Border Area” – second stage.

There is coordination and complementarity with the aid under other PHARE Program Projects, bilateral aid and co-financing with national budget. There is no overlapping or duplication with investments in technical facilities.

3.6 Lessons learned

The Bulgarian Border Police gained considerable experience following the successful completion of the 1999 PHARE Project and the current implementation of the two 2000 PHARE Projects and the Project for 2002, which consisted of a balanced programme for institutional

building and investment. Substantial support has been given with the assignment of the Pre-accession Advisers, as well as with the system of regular monitoring in the frame of sector sub-committee "Justice and Home Affairs". The recommendations in the regular Projects assessment reports worked out by the EMS consultants contribute for the successful project management.

4 Institutional Framework

The project beneficiary will be the Bulgarian Ministry of the Interior and in particular the Bulgarian National Border Police Service. The National Border Police Service has about 8 000 staff, as on 31.12.2002, working in the National Border Police Service Directorate in Sofia and 9 regional border sectors (RBSs) throughout the country.

The responsible Project leader of the Beneficiary will be the Head of "Legal and International Co-operation" Departement at NBPS.

Project implementation unit at National Border Police Service will be responsible for technical realisation of a project, for which the CFCU/IA provides administrative and financial impletation.

Additionally, CFCU at the Ministry of Finance will work closely with the Border Police in order to ensure that all tenders are prepared in conformity with the stated requirements and PHARE tendering procedures.

5 Detailed Budget (million Euro)

MEURO						
	PHARE Support					
Surveillance Equipment	Investment Support	Institutional Building	Total PHARE (=I+IB)	National co-financing (25%)	IFI *	TOTAL
Sub-project 1 – Surveillance Equipment	2.180	-	2.180	0.727	-	2.907
Contract 1 - Delivery of mobile and hand-held thermo-vision systems	1.910	-	1.910	0.637	-	2.547
Contract 2 - Delivery of goggles and binoculars for night vision	0.270	-	0.270	0.090	-	0.360
Sub-project 2 – Documents checking equipment	0.180	-	0.180	0.060	-	0.240
Contract 3 – Delivery of mobile documents checking systems	0.180	-	0.180	0.060	-	0.240
Sub-project 3 – Mobility equipment	0.375	-	0.375	0.125	-	0.500
Contract 4 – Delivery of motor vehicles	0.300	-	0.300	0.100	-	0.400
Contract 5 – Delivery of minibuses	0.075	-	0.075	0.025	-	0.100
GRAND TOTAL	2.735	-	2.735	0.912	-	3.647

The Phare contribution for investment costs will be no more than 75% of eligible public expenditure, the balance having to be covered by the national co-financing. The national co-financing will be provided by the National Fund Directorate at the Ministry of Finance. All operational and running costs and the maintenance of the equipment will be provided by the final beneficiaries.

6 Implementation Arrangements

6.1 Implementing Agency

The CFCU in Sofia will be responsible as Implementing Agency (IA) for all the sub-projects and it will work in close co-operation with the beneficiary, the Ministry of the Interior and the Border Police, particularly the Border Police Project Implementation Unit.

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The Border Police will elaborate the technical specifications for all the investment subprojects as required for tender procedures. Finally, the Border Police will provide the experts for the tender evaluation process; oversee the equipment deployment and its subsequent installation, field testing and operational evaluation.

6.2 Twinning

NA

6.3 Non-standard aspects

All sub-projects will be thoroughly managed according to PHARE procedures (Practical Guide for PHARE, ISPA and SAPARD).

6.4 Contracts

For the investment component are envisaged several contracts, as follows:

Contract 1 – Delivery of mobile thermo-vision systems and hand-held thermo-vision cameras – 2.547 MEURO

Contract 2 – Delivery of night-vision goggles and night vision binoculars - 0.360 MEURO

Contract 3 – Delivery of mobile systems for documents checking – 0.240 MEURO

Contract 4 – Delivery of motor vehicles for operative and investigation activities – 0.400 MEURO

Contract 5 – Delivery of minibuses – 0.100 MEURO

National co-financing will be arranged according the joint co-financing requirements, which means that each project element will be simultaneously co-financed and payments will be made simultaneously by the partners - 75% by PHARE/ 25% by the Bulgarian National budget.

7 Implementation Schedule

7.1 Start of tendering/call for proposals – 1Q/2005

7.2 Start of project activity – 1Q/2006

7.3 Project Completion –3Q/2007

8 Equal Opportunity

The Bulgarian Border Police is an equal opportunity employer.

9 Environment

The equipment will not have any negative influence on the environment. The Bulgarian Border Police is bound to assist other competent authorities in environment protection activities. This project will support this sort of activities.

10 Rates of return

The usefulness of the investments and the institutional building is supported by the Survey on the available equipment for state border guard and necessity of investments and technical assistance - Feasibility study (Annex 4), updated in August 2003 by the NBPS experts

11 Investment criteria

11.1 Catalytic effect

The consultant help and the investments provided by PHARE will significantly speed up the operational strengthening of the Border Police and in turn this will lead to a more effective border management regime for Bulgaria. This is a key element of the Accession Partnership. Without this investment, it would take far longer for the Bulgarian border management to meet Schengen standards and for the level of cross-border crimes to be brought down.

11.2 Co-financing:

The Bulgarian authorities will provide as co-financing 25% of the total budget of the project through allocating 0.912 MEURO.

11.3 Additionally:

The PHARE assistance will not replaces other donors – such as bilateral agreements in this field of activities.

11.4 Project readiness and size:

PHARE Late 2004 Financing Memorandum Project is ready for contracting. Technical specifications Projects based on the Survey on the available equipment for state border guard

and necessity of investments and technical assistance - Feasibility Study (Annex 4) have been worked out.

11.5 Sustainability:

The strong political will for harmonisation of the legislation and the operative practices in border management of the Republic of Bulgaria with the European standards is the main precondition for the stability of the going on reform. The successful implementation is possible due to the strong Government commitment to build an efficient border guard system, combat crime and illegal actions and strengthen the future external EU borders. The Bulgarian Authorities are fully aware of their responsibilities for their financial participation concerning the co-financing of PHARE Programme and the due care and attention for all the equipment provided under the project in the future.

11.6 Compliance with state aids provisions

The investments are compliant with the concluded and rectified agreements between the EU and the Republic of Bulgaria on Pre-accession Aid.

12. Conditionality and sequencing

The Bulgarian MoI is required to ensure that the BP has sufficient resources for project management.

The Commission will review the progress of this project through its regular PHARE Review meetings. The effect on the reduction of illegal activity will be assessed in the Annual Progress Report on Bulgaria. Therefore the Border Police must provide full operational analysis of the statistics for the periods in question.

ANNEXES TO PROJECT FICHE

1. Logical framework matrix in standard format (compulsory)
2. Detailed implementation chart (compulsory)
3. Contracting and disbursement schedule by quarter for full duration of programme (including disbursement period) (compulsory)
4. Reference to feasibility / pre-feasibility studies. For all investment projects, the executive summary of the economic and financial appraisals, and the environmental impact assessment should be attached (compulsory)
5. List of relevant Laws and Regulations (optional)
6. List of relevant strategic plans and researches

Annex 1 - PHARE logframe

LOGFRAME PLANNING MATRIX FOR ESTABLISHMENT OF MOBILE UNITS FOR BORDER CONTROL AND SURVEILLANCE ON THE BULGARIAN WESTERN BORDER AND IMPLEMENTATION OF THE EU BEST PRACTICES FOR INTEGRATED BORDER CONTROL IN THE BORDER AREA – THIRD STAGE	Programme name and number: BG04xx	
	Contracting period expires: November 2006	Disbursement period expires: December 2007
	Total budget: 3.647 MEURO	PHARE budget: 2.735 MEURO

Overall objective	Objectively verifiable indicators	Sources of Verification	
Further strengthening of Bulgarian border management through introduction of EU best standards and practices and modernization of technical equipment according the EU requirements for external borders. This project is a continuation of the 2003 PHARE programme project and PHARE 2004 Early Financing Memorandum	<ul style="list-style-type: none"> Increasing of the level of compliance with the Schengen standards and best practices Reduction of the level of the trans-border crime 	<ul style="list-style-type: none"> Regular reports by Bulgarian Border police and EU experts Official statistics by the Bulgarian Border police Field studies PHARE monitoring reports 	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
Enhancement of effectiveness of border control an management and modernization of the equipment accordin the EU requirements for external borders guarding throug introduction of surveillance equipment, mobility equipmer and documents checking mobile systems in the border are of RBS of Dragoman (the border with Serbia and Mont Negro) and RBS of Kjustendil (the border with Macedonia).	<ul style="list-style-type: none"> Increase of the number of prevented perpetrations of the state border and the apprehended violators Suppression of the trans-border crimes in the border region of RBS Dragoman and RBS Kjustendil Decrease of the check-time 	<ul style="list-style-type: none"> Regular reports by Bulgarian Border police and EU experts Official statistics by the Bulgarian Border police Field studies PHARE monitoring reports 	<ul style="list-style-type: none"> The Bulgarian authorities to fulfil their obligations about the co-financing MoI demonstrate capacity for effective counteraction of crime in accordance with EU requirements and

	at the Bulgarian-Serbian and Bulgarian-Macedonian state borders preserving the efficiency of the control		standards
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p>Subproject 1 – Surveillance Equipment</p> <ul style="list-style-type: none"> ➤ Improvement of the surveillance and control of the Bulgarian-Serbian and Bulgarian – Macedonian ➤ Facilitation of the collection of operational information on the attempting and the committing of preparations of the State border ➤ Increase of the mobility and the effectiveness of the Border guard patrols and posts in the detection and apprehension of perpetrators of the State border in the conditions of reduced/bad visibility <p>Subproject 2- Documents checking equipment</p> <ul style="list-style-type: none"> ➤ improvement of the control in depth of the border zone ➤ improvement and facilitation of the document checks of persons and vehicles <p>Subproject 3 – Mobility equipment</p> <ul style="list-style-type: none"> ➤ improvement of the effectiveness of the border control in depth of the border zone ➤ improvement of manoeuvring ability of the investigation forces 	<ul style="list-style-type: none"> • Increase of the number of prevented perpetrations of the state border and the apprehended violators • Increase of the number of checks in depth of the border zone • Increase of the number of the border guard operations at day and night • Suppression of the trans-border crimes in the border regions of RBS of Dragoman and RBS of Kjustendil • Decrease of the check-time of documents • Decrease of the time for movement of the operational forces 	<ul style="list-style-type: none"> • Regular reports by Bulgarian Border police and EU experts • Official statistics by the Bulgarian Border police • Field studies • PHARE monitoring reports 	<ul style="list-style-type: none"> • The Bulgarian authorities to fulfil their obligations about the co-financing • MoI demonstrate capacity for effective counteraction of crime in accordance with EU requirements and standards • The Border Police officers are sufficiently trained to use the new equipment

Activities	Means	Sources of Verification	Assumptions
<p>Subproject 1 – Surveillance Equipment</p> <ul style="list-style-type: none"> ➤ Procurement and deployment of 7-9 mobile thermo-vision systems mounted on 7-9 all-terrain vehicles in RBS's of Dragoman and Kjustendil ; ➤ Procurement and deployment of 10-12 hand-held thermo-vision cameras in RBS's of Dragoman and Kjustendil ➤ Procurement and deployment of 20-25 night-vision goggles in RBS's of Dragoman and Kjustendil ➤ Procurement and deployment of 50-55 night vision binoculars in RBS's of Dragoman and Kjustendil <p>Subproject 2- Documents checking equipment</p> <ul style="list-style-type: none"> ➤ Procurement and deployment of 3-4 mobile systems for documents checking, for RBS's of Dragoman and Kjustendil <p>Subproject 3 – Mobility equipment</p> <ul style="list-style-type: none"> ➤ Procurement and deployment of 20- 25 motor vehicles for operational and investigation activities for RBS's of Dragoman and Kjustendil ➤ Procurement and deployment of 4-5 minibuses, put into operation in RBS's of Dragoman and Kjustendil 	<ul style="list-style-type: none"> ➤ Contracts for equipment supply ➤ Contracts for equipment supply ➤ Contracts for equipment supply 	<ul style="list-style-type: none"> • Regular reports by Bulgarian Border police and EU experts • PHARE monitoring reports 	<ul style="list-style-type: none"> • The Bulgarian authorities to fulfil their obligations about the co-financing • MoI demonstrate capacity for effective counteraction of crime in accordance with EU requirements and standards • The Border Police officers are sufficiently trained to use the new equipment

ANNEX 2

DETAILED TIME IMPLEMENTATION CHART FOR THE PROJECT

COMPONENTS	2004				2005												2006												2007											
	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	
Component - Investments		D	D	D	T	T	T	T	T	T	T	T	T	T	T	T	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	X		
	D = Design, T = Tendering, I = Implementation, X = Closure																																							

ANNEX 3

CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

All figures in million Euro

	4Q/04	1Q/05	2Q/05	3Q/05	4Q/05	1Q/06	2Q/06	3Q/06	4Q/06	1Q/07	2Q/07	3Q/07	4Q/07	TOTAL
Investment Component														
Contracted					3.647									3.647
Disbursed						2.188					3.282	3.647		3.647

NB:

1. All contracting should normally be completed within 6-12 months and **must** be completed within 24 months of signature of the FM.
2. All disbursements **must** be completed within 36 months of signature of the FM.

Note 1:

Investment Component, (sub-projects 1, 2 and 3)

Note 2: The figures are cumulative and include the PHARE financing component and the Bulgarian national co-financing

ANNEX 4

SURVEY ON THE AVAILABLE EQUIPMENT FOR STATE BORDER GUARD AND NECESSITY OF INVESTMENTS AND TECHNICAL ASSISTANCE - FEASIBILITY STUDY

INTRODUCTION

This Study is updated on the basis of The Preliminary Study on Surveillance and Terrestrial Border Protection Equipment and The Preliminary Study on Maritime Equipment, which were attached to the National Border Police Service (NBPS) Project Fiches of Phare Programme for 1999-2003.

The Study is in compliance with the priorities of the Concept for Development of NBPS and the Strategy for Establishment of Bulgarian External Borders till 2006. This Study proposes a programme for institutional development and modernisation, which will improve the Border Police operational capacity and will contribute for efficacy, effectiveness and sustainability of the planned changes.

The Study takes into consideration the European Commission recommendations set up in the Regular Reports on the Progress of Bulgaria from 2000, 2001 and 2002. In these Reports are defined the current requirements for the reforms of the Bulgarian Border Police and the modernisation of the equipment. The Study also reflects the main aspects of the Bulgaria's "Road map" for its accession to the European Union.

OBJECTIVE

The objective of this document is to expose the *status quo* of NBPS institutional strengthening and technical equipment and to assess the necessities of investments in the border management and control in view of the preparation of Bulgaria for accession to the EU.

The Study aims to present the problems and the necessity of further regulations in the institutional establishment, training and qualifications of the officers and the equipment modernisation in compliance with the standards and best EU practices in the border management. The Study emphasises the first priority in Justice and Home Affairs Sector and in particular in Sub-sector "Borders" – the strengthening and modernisation of the future EU external borders, in particular – the Bulgarian-Turkish and the Bulgarian Black Sea borders. The necessity of modernisation of the border equipment on the borders with Romania, Serbia and Monte Negro, Macedonia and Greece is also to be defined.

This document considers the geopolitical changes, the illegal migration and cross-border crime trends, the current Bulgarian Border Police reforms, the introduction of new equipment, financed by the Phare programme, State budget – national co-financing - and bilateral assistance. On this basis is determined the actual necessity for undertaking of additional steps for improvement of the administrative capacity of the Bulgarian Border Police, for introduction of the best methods and practices of border protection and infrastructure modernisation.

BORDER MANAGEMENT

The diversity and the specificity of the Bulgarian borders from topographical point of view, namely the extensively rugged relief, the maritime and fluvial borders, which is an international navigable itinerary, determine the complexity of the border protection.

The main task faced by The Bulgarian Border agency, evolving from the accession process and the introduction of the Schengen border management system, is the gradual harmonisation of the legislation, standards and border protection practices with the EU ones, as well as the infrastructure modernisation. For Bulgaria this harmonisation process meant reforming and professionalising the Border Police, transforming it from a paramilitary structure to a modern police agency. The particularities in the practical realisation of this task were a result from the necessity that the Border Police operational capacity should be kept and optimised during this restructuring.

The professionalisation and the already started process of Border Police restructuring are an entire stage of its development. In view of respecting the continuity of the modernisation process and achieving fuller harmonisation with the European border management standards, the Bulgarian Border Police main priorities are to be defined.

The accession of Bulgaria to the EU is linked to the harmonisation of border management principles and procedures and to the change of border protection system related to the competencies, logistics and recruitment policies.

The border protection system harmonisation with the Schengen standards requires, on one hand, introduction of external border control procedures, according to art. 6 of the Agreement on Application of Schengen Accord and, on the other hand, improving the internal borders surveillance through mobile patrols, modern technical and electronic means, in the same time respecting the principle of free movement of persons and goods.

The two key factors that directly affect the border management are the border traffic and the cross-border crime rate. In principle the border traffic is continuously increasing while the cross-border crime forms are different depending on the border portion particularities.

The adaptation of the border control and protection system to the European standards guarantees the effective countering of illegal migration, trafficking in human beings for sexual exploitation, documents crime, cross-border crime and other forms of crime and shapes up the NBPS priorities, which are directed to:

- Harmonisation of the border management legislation with the aquis communautaires;
- Completion of Border Police restructuring, in view of its adaptation to the new challenges;
- Intensifying the international co-operation;
- Improvement of control and protection equipment, according to the EU standards;
- Introduction of aerial surveillance.

The Border Police is also responsible for controlling motor vehicles, goods, freights, hazardous materials, Bulgarian and foreign vessels and aircraft and all other activities linked to the countering of the cross-border crime, corruption and smuggling.

The future EU external borders are of prime significance.

It explains the necessity of strengthening the Black Sea and Bulgarian-Turkish borders.

The future EU internal borders – with Greece and Romania – require the elaboration of operational strategy for internal border protection, which is not less important than the strengthening of the external borders.

The performance of effective border control, prevention and countering the illegal migration, implementation and application of new legislation, introduction of Schengen standards and requirements for border management and control, modernisation of border infrastructure and equipment are objectives underlying in the Accession Partnership, Convention of Application of the Schengen Accord, General Manual for External Borders Control, Bulgaria's Road Map, the NPAA, the National Strategy for the Development of the External Borders of the Republic of Bulgaria and the Requirement for Technical Assistance and in the Concept for the Development of the NBPS 2001-2004.

In this context, the accents in the Border Police activities and, respectively, the results of the accomplishment of the following Phare Programme projects should be the further establishment of effective, European standards compliant Border Police agency, which introduces and applies the best protection practices and standards, further border equipment modernisation and at last but not least, intensive co-operation between the Bulgarian security agencies, on one hand, and the neighbouring countries and member states border police agencies, on the other. Namely, this complex of measures and tasks, as a whole, guarantees the cross-border crime successful countering.

The accomplishment of these priorities requires, first, the Bulgarian authorities commitment and State budget financing and also the consulting and financial assistance, in the frame of pre-accession technical programmes, of the leading European agencies in border management.

INSTITUTIONAL STRENGTHENING

The successfully completed Phare project 9911.01 "Institutional strengthening of the Bulgarian Border Police" has a significant contribution to the Border Police restructuring process and to the legislation harmonisation. Apart the investment component, this Project included two Twinning projects with the Federal Republic of Germany, which have been directed to the institutional strengthening of the Border Police and to the establishment of a modern Training centre in the city of Pazarjik.

In the frame of the one-year Twinning project "Establishment of a modern Training centre for the Bulgarian Border Police" new modulus and training programmes, conformable to the EU standards and requirements, have been worked out.

Additionally, A Draft Ordinance on the Training, arranging the status of the trainees during the training, has been prepared. A new training plan and training programmes for the Centre of specialisation and professional training within the NBPS have been worked out. These documents envisage the extension of the training of the newly recruited sergeants up to 12 months. According to the new curriculum this training starts in 2003.

The adaptation of the Border Police to the European and Schengen standards requires the development of a new training and professional development system. This system should contribute to the training and the qualifications of the officers in order to achieving adequate protection of the future EU external borders. Furthermore, this system should guarantee the higher qualification of the officers and the improvement of their capabilities for handling the new technical equipment.

In the frame of the completed Phare project 9911.01 "Institutional strengthening of the Bulgarian Border Police" has been prepared the legislative basis of the border control and management. The acceptance, in the Ordinance for Application of the Law of the Ministry of Interior and in the Draft of Amendments of the Law of the Ministry of Interior, of the principles of the Draft Law on Border Protection, creates the legislative basis for the

harmonisation of the Bulgarian legislation in this area with the EU and Schengen regulations.

The adopted Ordinance on Border Crossing Checkpoints introduces the principle of integrated control as a main element of the integrated border management, which consolidates the efforts of all competent authorities. Draft agreements on border police co-operation with the similar agencies of the neighbour countries have been worked out and represent the legislative basis for application of up-to-date forms of police interaction as cross-border surveillance and cross-border pursuit.

In reference to the restructuring of the agency, a Plan for Border Police Modernisation has been elaborated in view of establishment of border police management system, compliant with the EU requirements and criteria. In the Frame of this Plan, pilot projects on the Bulgarian-Turkish and Black Sea borders have started. Thus, joint protection structures for that part of the borders have been established. The successful realisation of these pilot projects is the foundation of the whole agency structure optimisation. The structure and the functional characteristics of the Bulgarian-Greek, Bulgarian-Macedonian, Bulgarian-Serbian, Bulgarian-Romanian, as well as the Airports Regional Border Sectors have been worked out.

The ultimate objective of this agency restructuring is the reduction of the NBPS structural units, as result – one regional border structure will be responsible for one entire borderline.

The Twinning projects with an EU member-state are effective tools for further institutional strengthening of the Border Police in view of the harmonisation of the legislation and the establishment of an efficient institution capable to enforce the EU standards and laws.

EQUIPMENT REVIEW

The Border Police badly needs important investments for modernisation of the equipment. All types of the available equipment are out-dated, unreliable and in some cases – inappropriate. Undoubtedly, the expenses for replacement of the equipment are considerable but it should be noted that the operational expenses for the maintenance of the old equipment would be even bigger than the delivery of a new one.

The availability of new and sufficient equipment is exceptionally important for attaining efficient border management. This is even more relevant now when all Border Police personnel are professional. The personal equipment and the facilities are also very important.

The introduction of new equipment, delivered within the EC, bilateral and national financed projects considerably improved the fight against the illegal migration, trafficking in human beings and cross-border crime.

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Surveillance

The availability of more means for permanent surveillance in any whether conditions is the basis for effective border protection. The thermo-vision systems, the magnification of the images, the radar and the night vision goggles are additional technical solution of problems related to the identification of groups and individuals in the border area. Such surveillance equipment is needed for all borders but especially for the future EU external borders.

Currently the NBPS dispose of 11 thermo-visions systems, 2 “Snog” and 6 “Muson”.

Under Phare project 9911.01 “Institutional strengthening of the Bulgarian Border Police” the Border Police received 25 pairs of night vision goggles and one mobile thermo-vision camera. Other 10 thermo-vision cameras and 112 pairs of night vision goggles have been delivered under Phare project 0005.02 “Modernisation of the equipment for border police control on Bulgarian-Turkish border”.

The total cost of the delivered, up to now, surveillance equipment under the Phare Programme is **2,05 Million Euro**.

The following 2002 and 2003 Phare Programme projects envisage the delivery of 22 portable thermo-vision cameras, 15-17 mobile thermo-vision systems, 200-240 night vision goggles and 170-200 night vision binoculars.

The planned cost for this surveillance equipment is **7,73 Million Euro (1,93 Million Euro national co-financing)**.

Under the bilateral co-operation with the German Federal Ministry of Interior, NBPS has received 60 night vision devices.

12 posts for technical and visual surveillance have been built-up along the Black Sea coast strip. Three of them are equipped with new coast radio-location systems (RLS) and eight posts are equipped with RLS, manufactured in the period 1995-1998.

At the fluvial border 22 posts for technical and visual surveillance have been built-up. All RLS were bought with budget funds. This radio-location surveillance system is not automated and the data are transmitted by the means of speech information through the communication system of the National Border Police Service.

The radio-location system of the posts for technical and visual surveillance have a range distance for finding targets as follows:

- small targets – 5 nautical miles;
- middle targets – 12 nautical miles.

The RLS of the posts for technical and visual surveillance observe the targets entering/leaving the harbours, the targets with excise goods and such, abiding the peaceful passing through the territorial sea. The radio-location surveillance does not allow finding and tracking of small and middle targets along the whole length of the contingency waters, which are the most probable potential violators. The ships that are on roadstead when entering the harbours, the harbour piers and the small bays are not surveyed by the means of radio-location. There is no established Vessel Traffic Management And Information System (VTMIS), that makes impossible the recognition of the type of the surveyed targets.

The statistics about the zones out of the border crossing checkpoints pertaining to the regional border sectors (RBSs) of Elhovo and Bourgas for 2002 and the first six months of 2003 show the following:

- detained violators on the state border by technical means – 145 cases with 915 individuals for 2002 and 26 cases with 79 individuals for the first six months of 2003. Efficiency – 82 %.
- not allowed to enter the territory of the Republic of Bulgaria – 187 cases with 2150 individuals for 2002 and 11 cases with 94 individuals for the first six months of 2003. Efficiency – 98 %.

- observed targets, abiding the peaceful passing – 38 983 targets at sea and 49 915 motor ships and boats at river for 2002 and 19 001 targets at sea and about 25 000 motor ships and boats at river for the first six months of 2003.

Taking into consideration the above-mentioned statistics, the conclusion for an arduous operational situation in the zones of responsibility of the RBSs of Elhovo and Bourgas could be drawn. In order to secure the liable guard of the EU future external borders is needed additional quantity of mobile thermo-vision systems, hand-held thermo-vision cameras and equipment for the border police ships and border police patrols along the coast strip and the land border with night vision goggles and binoculars.

The mobile thermo-vision systems will insure: surveillance and control of flat-country areas; gathering of intelligence on preparation for committing offences or smuggling in precarious areas; and will assist the management of personnel and equipment in performing border police operations.

Mobile RLS for surveillance of the uncovered by the coast (stationary) ones zones of the territorial sea are needed.

The hand-held thermo-vision cameras are to be used for: increasing the efficiency of the border police patrols in guarding limited parts of the terrestrial borders; equipping the coast guard vessels; and recording the activities of the violators of state borders, navigation regime and fishing in internal and territorial seas.

The night vision goggles (350 items) will increase the manoeuvring of the mobile squads and coast guard vessels, will facilitate the disguised movement of the border police foot patrols, will assist the violators detaining units and will be in use by the drivers of the vehicles and the patrol cutters.

The goggles will be also used for intensifying the surveillance on ships that are on roadstead when entering the harbours, the harbour piers and the small bays.

Once these goggles delivered, practically all currently available out-dated Soviet type night vision devices will be replaced.

Mobility

The principle for the mobility means of the Border police is that the main category of vehicles should be a standard patrol type capable to perform routine, all-terrain patrolling in any weather conditions. The other two necessary basic types are vehicles carrying surveillance and communication systems and for transporting of personnel.

For control and guarding of the state border, the Bulgarian National Border Police Service use mainly vehicles of Soviet production - UAZ-469, VAZ-2121 – “Niva”, VAZ-2123 – “Niva”. A considerable part of them have been in exploitation since 1985-1990. These are all-terrain vehicles, capable to carry out tasks on black roads and off roads in bad environmental conditions. Due to their military purpose, the vehicles UAZ-469 do not offer comfort to the crew. In VAZ-2121 and VAZ-2123 the conditions for the users are improved, but the fact that they have only two doors could causes delay in the actions of bigger border patrols.

As a result of long years of exploitation on bad roads, their technical capacity had decreased and they have functional range of 120-150 km.

The NBPS disposes of other types of vehicles, but they are designated for other tasks such as the transport of mobile border police squads, transport of detained persons, performing border police operations or administrative-economic tasks.

The all-terrain vehicles used in control and guarding of the border have high fuel consumption (from 12.5 to 17.5 litres per 100 kilometres run).

In the period 2004-2006 a big number of vehicles will be 12 years in exploitation and 150 000 km of run and should be replaced. Their technical condition will be inadequate. In

the same time their rehabilitation is inexpedient because of the considerable cost. The delivery of new vehicles, which will be in exploitation at least 10 years, is more appropriate.

The conclusion to be drawn is that the NBPS performs its tasks in control and guarding of the terrestrial and maritime borders in conditions of great shortage of reliable all-terrain vehicles. To overcome this, a gradual modernisation of the motor park is needed.

In the period 2000 – 2002 National Border Police Service have received, under Phare Project BG9911.01 “Institutional Strengthening of the Bulgarian Border Police” and Phare Project BG0005.02 – “Modernisation of the Equipment at the Bulgarian-Turkish Border”, a total number of 80 vehicles “Land Rover Defender 110 TDI SW”, to the value of 1 761 271 Euros. The latter were mainly allocated on the Bulgarian-Turkish and Bulgarian-Greek borders.

Under the bilateral co-operation with the German Federal Ministry of Interior, the NBPS have received 36 “Niva” all-terrain vehicles.

For the adequate performance of the duties in the border area the delivery of new vehicles is required. With the actually available out-dated and insufficient motor means the efficient countering of the cross-border migration processes is impossible.

The emphasis is on the capability of: carrying out police operations in the border area; setting up checkpoints on vital crossroads; sealing off areas; and prompt intervention for identifying and detaining large groups of illegal migrants. These mobile squads have already proven their efficiency in Schengen countries that is why their prompt establishment in the regional structures of the NBPS is of prime importance.

The NBPS needs the delivery of minibuses. This type of vehicles is necessary for transiting of foreigners through Bulgaria when applying Readmission agreements with neighbouring countries. The minibuses will be equally used for escorting apprehended foreign citizens to the Detention centres and later on escorting them to the border for expelling into the country of origin. (Currently the above-mentioned is carried out with regular cars, which do not meet the requirements for this sort of activities.)

Communication

For the successful and efficient performing of the tasks of the border guard and the passport and visa control, the building within the National Border Police Service of a modern telecommunication system that meets the requirements and the standards of the EU and the Schengen Information System (SIS) for exchange of information and transmission of data is required.

A contemporary, efficient and secure communication system is a precondition for reliable border management. The communication system should include mobile and stationary radio stations, repeaters, personal mobile radio stations with hardware and software packages for equipping the regional operational, control and communicational centres.

Currently in the NBPS operates an autonomous telecommunication system, which is a part of the telecommunication system of the Ministry of Interior. The information exchange in the Border Police is done through communication means, which in their main part are produced in the 70^{-ies} of the past century and are already out-of-date. Modernisation of the communication system of National Border Police Service means a gradual transition from analogue system to digital one.

Under Phare Project BG 0005.02 “Modernising Border Police Equipment at the Bulgarian-Turkish Border” was built, and is already exploitable, TETRA digital radio communication system. With this project the Border police set up the beginning of the transition from analogue to digital mobile radio communication system, which is an established standard by the European Institute of telecommunication standardisation. The

TETRA system in the region of Svilengrad will operate on 70 km of the Bulgarian-Turkish Border. This is a Pilot project for the EC and allows the inclusion of other law enforcement agencies. A mid-term priority of the Border Police is the extension of the system on the whole Bulgarian-Turkish and Black Sea Borders and in long-term – its extension on national level.

Under Phare Project BG 0203.11 “Further strengthening of the border management and control of the future EU external borders (Blue border)”, which starts in 2003, the delivery of 410 stationary, mobile and radio-relay stations is envisaged.

Under the bilateral co-operation with the German Federal Ministry of Interior, the NBPS has received 600 hand-held radio stations “Motorola GP 380”, 60 stationary radio stations “Motorola GM 360”, 100 mobile radio stations “Motorola GM 360” and 20 radio-relay radio stations “Motorola GR 500”, to the value of **441 800 Euros**.

The expansion of TETRA digital radio communication system requires considerable budget investments and its feasibility remains more a long-term priority.

Information system and computer equipment

The first information system for operational backup of the work of border control and management bodies of the Ministry of Internal Affairs was developed and launched into operation in 1969. At the moment a third generation border control system is operational, which has been in use since 1997. It allows real time control and registration of the border crossing of all Bulgarian and foreign nationals and motor vehicles.

The Automated Information System (AIS) of Border Control has been designed and operates at two levels – central and regional – and draws on the information contained in the central and local databases, while the non-stop information flow among servers is ensured through the Data Transmission Network (DTN) of the Ministry of Internal Affairs (MIA).

The architecture of the technical facilities currently in use as Border Control AIS does not allow for adequate integration with the national copy of the Schengen Information System (SIS) databases. The Border Control AIS is based on a technology, which does not allow for the integration of modules and automation techniques for the passenger flow inspection process at border control points, the detection of forged and falsified documents, standards and technologies for detection of biometric data, identity verification, etc. The available technical facilities are dated and incapable of guaranteeing that EU standards with respect to optimal functioning and time needed for reliable and verifiable control of border crossing individuals and motor vehicles are adequately met.

The optimisation of the system is urgently required in order to improve reliability and information safety as well as to reduce operational costs.

A Register of Long-term Residence of Foreign Nationals is maintained at the Ministry of Internal Affairs. In order to ensure the execution of the functions assigned by law to the administrative control bodies the data of foreign nationals seeking or accorded special protection on the territory of the Republic of Bulgaria, the address registration of residing foreign nationals as well as the data on administrative sanctions and executable measures imposed on foreign nationals, the acquisition, loss or reinstatement of Bulgarian citizenship is processed. Need has been identified of further development of the information systems processing such data. One of the key shortcomings of the systems in operation is the inability to achieve full compliance with legal requirements with respect to the registration and control of foreign nationals.

In their entirety and scope the information systems used at the Ministry of Internal Affairs for border control, control of the residence of foreign nationals and illegal immigration do not fully comply with the key requirements of Bulgaria as a future external border of the EU.

We suggest a financing of Sub-project 2 to be ensured for building and development of automated information systems for border control and migration.

The gradual information and technological upgrading and development of centralised information systems for border control and migration is expected, compliant with the European standards for management of external EU borders, as well as creation of conditions for introduction of new technologies and modules for automation of the processes for data check of passengers and their documents.

It is expected:

- development, building and introduction of centralised information systems;
- high speed information channels from end-users working places;
- at local level – stationary and mobile working places, allowing processing in real time of passengers and freights at the border-crossing checkpoints – terrestrial, maritime and air.

For the building of the new MoI automated information system for border control the purchase of: appropriate software (basic and of development), programme applications, to be built-up in the system; technical means, supporting the design and the exploitation of the system – server of development, peripheral devices, envisaged to be operated by the system, are to be purchased.

For ensuring of high speed information channels to the end-users working places the delivery of specific types of communication devices – routers and modems – is required.

We have proposed the delivery of technical equipment for working places, intended to extend the access to the automated information system for border control for other structural units, involved in activities of prevention and state border control. These working places will be deployed in the national and territorial services of the MoI, the territorial units of Border police (the border-crossing checkpoints and regional border sectors) and CIAAD. Each of these units, detached in separate building, will be equipped with technical and programme means, providing access to the automated information system for border control, according to the their functions:

1. Working place for immediate passport control (at the border-crossing checkpoints).
Graphic terminal, without magnetic information disks; resistant to bad weather conditions, dust-proof; optical scanner connectable for introduction of different types of documents (passports, transport documents, etc.); printer; reader and/or camera for bio-metric identification of individuals and documents; devices for employees' identification for access to the automated information system for border control.
2. Verification working place.
PC allowing the installation of all automated information systems of the MoI; printer.
3. Mobile working place for documents processing in trains and ships.
Palm computer - resistant to bad weather conditions, minimal size, dust-proof, shockproof, radio-network interface for data transmission, built-up optical reader for automated introduction of documents.

Geo-information systems

The new NBPS structure requires the introduction of new organisation of the geo-information activity by the establishment of topographic database and the transition of all measurements and maps to the new unified European co-ordinates. Under the national co-financing of the Phare Project BG 0005.02 “Modernising Border Police Equipment at the Bulgarian-Turkish Border” has been delivered a modern geo-information equipment, to the

value of **255 470 Euros**. For 2003 is planned the contracting and delivery of the second part of the geo-information equipment, under the same Project, to the value of **244 530 Euros**

Border control equipment

The technical equipment of the border crossing checkpoints is intended to reduce the time for border passage.

Priority attention should be paid to passport and visa control of individuals; vehicles, goods and freights checks; Bulgarian and foreign vessels and aircraft checks and all other activities for countering the cross-border crime, corruption, smuggling of goods and illegal migration.

Under the bilateral co-operation with the German Federal Ministry of Interior, the NBPS has received 10 "Dokubox" devices for document checks.

Under Phare Project BG 0203.11 "Further strengthening of the border management and control of the future EU external borders (Blue border)", delivery of 7 mobile systems and 30 field kits for document checks is envisaged.

The statistics show that through the border crossing checkpoints in the area of responsibility of RBS Elhovo and RBS Burgas 3 837 761 individuals have passed in 2002 and 1 652 726 in the first half of 2003.

The NBPS badly needs document checks devices especially for identity documents, visas, vehicle and heavy-freight documents. These devices are needed particularly for the future EU external borders – Black Sea border, 412 km long and the Bulgarian-Turkish border, 268 km long. Through the area of responsibility of RBS Elhovo and RBS Burgas pass some of the most active trans-continental corridors.

The National Border Police Service does not dispose of mobile laboratories, which could serve the borders and could be in use in depth in the border area. Such laboratories are mounted on minibuses and their equipment allows checking the authenticity of the document on the spot.

The availability of documents exam kits, comprising the most necessary for primary document checks – magnifier, UV lamps, torch, microscope, etc – would be very useful. These kits would be important especially on Svilengrad railway station and for ships that are on roadstead when entering the harbours. The necessity is for 40 such kits for the Black Sea border, the Bulgarian-Turkish border and for the Training centre in Pazardjik.

Maritime equipment

The Bulgarian Black Sea border is one of the most vulnerable Bulgarian borderline areas. The strengthening of the border management and the modernisation of the equipment at the Bulgarian-Turkish border undoubtedly turns the migration flux to the sea. The higher expenses for maritime border investments are due to the cost of maritime patrol vessels and the cost of air surveillance equipment.

The achievement of efficient, European standards-met, protection of the future external borders requires the combination of guard, control and surveillance from the coast, air and the sea. The realisation of this task demands considerable investments and balanced deployment of the equipment. In principle the available maritime patrol vessels could be in use for a limited period of time. There is a necessity for 150-200 tonne vessels, self-contained in the limits of the territorial sea and the contiguous economic zone for 10 days, as well as for smaller vessels, approximately 150 tonne, for patrolling the internal seawater and territorial sea. It is important to say, that we need smaller high speed patrol cutters (20 tonne) for control of vessels at roadstead and prevention of attempts for people and goods transfer. These boats will contribute to better interaction between the duty units on land and the sea

forces. For this kind of control is necessary the delivery of minimum two patrol cutters for the areas of port Burgas and port Varna.

All these vessels require contemporary communication systems vessel-coast type and contemporary surveillance systems – thermo-vision and radar systems. The available equipment does not allow permanent maritime presence.

Under Phare Project BG 0012.02 “Strengthening of the control at the Bulgarian Black Sea border” a supply contract for two 50 tonne seaworthy patrol vessels, two rigid inflatable boats and foul-weather protective clothing has been concluded. This supply, in combination with the introduction of surveillance and communication systems, will provide much more systematic surveillance of the territorial sea and the internal seawater and will contribute to the efficient counteraction to the cross-border crime.

Under the national co-financing of the same project the procurement of floating ferro-concrete pier with onboard repair and maintenance facilities is envisaged. The training of the personnel in the new techniques of maritime surveillance and in new procedures of maritime evidence collection and processing is also planned.

Under the national co-financing of Phare Project BG 9911.01 and under the bilateral agreement with the German Federal Ministry of Interior, a large, 220 tonne, patrol vessel has been purchased from the Federal Border Guard.

Under Phare Project BG 0203.11 “Further strengthening of the border management and control of the future EU external borders (Blue border)”, procurement of one 50 tonne patrol vessel, two river-cutter for Danube river, as well as one large, 220 tonne, patrol vessel, under the national co-financing and the bilateral agreement with the German Federal Border Guard is expected.

The presence of political will for harmonisation of the legislation and the Bulgarian border management operational practices with the EU ones is a basic precondition for the efficiency, effectiveness and sustainability of the started reform. The professionalisation and the already started process of Border Police restructuring are a stage of its development. In view of respecting the continuity of the modernisation process and achieving fuller harmonisation with the European border management standards and best practices, transition from annual to multi-annual programming of the Phare projects is necessary. Such approach will allow the programming of all processes of restructuring and equipment of the agency and especially the training and the improvement of the qualifications and re-qualification of the personnel. Last but not least, the multi-annual approach will allow the efficient introduction of the contemporary methods of cross-border surveillance and cross-border pursuit in direct co-operation with the similar agencies of the 4 neighbouring countries.

ANNEX 5

LIST OF LAWS AND REGULATIONS

The legal basis of the activity on state border guard, the control on abiding the border regime and the legal powers of the Border Police officers are regulated by:

- The Ministry of the Interior Act (MIA) and the Rules for its Implementation, in which the functions, the bodies and the legal powers of National Border Police Service (NBPS) – MOI are exhaustively described;
- Penal Code, in which are incriminated the illegal border crossing, the illegal trafficking in human beings, the documentary crimes and other related to them actions;
- The Aliens Act, which regulates the conditions and the order for foreign nationals entering, staying in, or leaving the Republic of Bulgaria and their rights and obligations as well;
- The Rules for the Implementation of The Aliens Act, which clarifies the details of the conditions and the order for foreign nationals entering, staying in, or leaving the Republic of Bulgaria;
- The Maritime Territories, Interior Waterways and Ports of the Republic of Bulgaria Act, which regulates the legal regime of the maritime territories of the Republic of Bulgaria in the Black Sea, and on these territories the Republic of Bulgaria administers sovereignty, defined sovereign rights, jurisdiction and control;
- The Refugees Act which regulates the order and the conditions for conceding a refugee status, the rights and the obligations of the refugees, the state bodies and their competencies on the protection of the refugees in the Republic of Bulgaria as well;
- The Bulgarian Identity Documents Act, which regulates the conditions and the order for issuing, using and preserving of the Bulgarian identity documents of Bulgarian citizens and foreigners;
- Ordinance of the Council of the Ministers of the Republic of Bulgaria No 104/25.05.2002, by which was adopted Decree for the Border Control Check Points which defines the organization, the activity and the run of the Border Control Check Points and the interaction between the Border Control Bodies in the Republic of Bulgaria;
- Ordinance of the Bulgarian Council of the Ministers No 97/11.05.2002, by which was adopted Decree for the conditions and the order for issuing of visas
- Law for Protection of the Classified Information, In force – 04.05.2002 ;
- Law for Protection of Personal Data, In force – 01.01.2002.

The legal provisions, concerning the border management can be related to the most recent legislation of the Republic of Bulgaria and there is a striving to encompass all the aspects of the border control.

ANNEX 6

LIST OF THE RELEVANT STRATEGIC PLANS AND RESEARCHES

1. Concept for the Development of the National Border Police Service for the Period 2001-2004, approved by the Minister of interior
2. Strategy of the National Border Police Service for Strengthening of the Future External Borders of the Republic of Bulgaria and Requirements for Technical Assistance for 2004-2006, confirmed by the Director of the National Border Police Service- last updated version.