STANDARD SUMMARY PROJECT FICHE

1. Basic Information

1.1 Désirée Number: **BG0007.03.01**

1.2 Title: FACILITATION OF DANUBE BORDER CROSSING

1.3. Sector: Justice and Home Affairs

1.4 Location: Bulgaria/Border posts on the Danube river.

2. OBJECTIVES

2.1 Wider Objective(s):

The facilitation of crossing the border between Romania and Bulgaria (in particular, reduction of waiting time at the borders), through the harmonisation of procedures, the improvement of co-operation and exchange of information between the relevant services of the two countries and the improvement of existing infrastructure.

2.2 Immediate Objective:

- To harmonise the procedures and the practices used by the Romanian and the Bulgarian agencies at the border, in line with EU standards and best practice;
- To improve co-operation and regular information exchange between the Bulgarian border control authorities and with their Romanian counterparts;

2.3 Accession Partnership and NPAA priority

AP

Short-term priorities: Institutional building in the field of customs control; strengthening of the phytosanitary and veterinary controls and particularly the external border inspection services; improvement of border management.

Mid-term priorities: Development and effective management of borders and border control systems.

NPAA:

Short-term priorities:

- Development of integrated information system for the basic border posts.
- Reorganisation of five basic border posts, including Rousse.
- Measures to improve the organisation and management of border control.

Mid-term priorities:

- Reinforcement of border control.

3. **DESCRIPTION:**

3.1 Background and justification

The Romanian and Bulgarian Governments are strongly committed to align their legislation with the EU legislation. The Customs administrations in both countries are well advanced: the Customs primary (Customs Act/Customs Code) and secondary (Application Rules/Customs Regulations/) legislation is compliant with the EU legislation. Now, both Customs administrations give high-priority to the development of the third-level legislation (Instructions to Officers), which will improve the consistent implementation of their Customs legislation, at national level.

However, concerning border crossing activities the harmonisation of procedures should be further continued to the level of working practices: co-ordinated opening hours and traffic management, joint contingency plans for dealing with unusual cases (illegal immigration, nuclear materials, hazardous chemical etc.), joint activities, standardised documentation etc.

A Joint Co-operation Committee Bulgaria-Romania was established, which decided in its 1st meeting the organisation of a Joint Technical Meeting, dealing with the importance of the actions related to justice and home affairs, and the standardisation of custom procedures, including veterinary and phyto-sanitary controls.



Since July 1998, simultaneous implementation of intensive control on transit freights, with reinforced teams and in co-ordination between both sides, took place mainly in the field of goods with possible dual-use and nuclear materials.

Since 1 February 1999, as a first stage of harmonising the Customs procedures, Customs officers worked with their colleagues on the other side of the border, at the Giurgiu and Rousse Customs houses. Similar, since April 1999, this initiative was extended to the Calafat and Vidin Customs houses.

In the last period, Bulgarian and Romanian senior Customs officials considered the possibilities for information exchange concerning the freight-flow from both countries and, subsequent agreement was reached: to collect in Rousse Customs house the information from the Vidin and Oriahovo border posts, and to collect in Giurgiu the similar information for the Romanian bank of the Danube. The exchange of such type of information sets obstacles to fraud, on one hand, and contributes to the reduction of waiting times at borders and the facilitation of transit, on the other hand.

The purpose of this project proposal is to assist the Bulgarian authorities to increase the effectiveness of the cross-border operations at the Romanian frontier, by providing the necessary support and expertise to develop and institutionalise harmonised procedures and working practices, to increase the exchange of information between the Bulgarian agencies and their counterparts in Romania, to improve the inter-agency co-operation at the national level and across the border, with the view to reduce the waiting time at the border for the trade operators and tourists. The activities of the project will concentrate on the Russe-Giurgiu border post together with the Bulgarian-Romanian border posts of Oryahovo- Beket, Silistra-Kalarash, Durankulak-Vama Veke and Yovkovo-Negro.

3.2 Linked activities

3.2.1 EU Phare - at national level

Harmonisation of Bulgarian Customs legislation

This twinning project aims at reviewing the Customs legislation and, especially, the related legislation in a comprehensive way vis-à-vis the EU legislation and to propose and promote necessary amendments.

Computerisation of Bulgarian Customs

Phare national project BG 98.06.02 on development and implementation of the Integrated Customs Information Systems (ICIS) nation-wide. The project is currently in the tendering phase.

Strategy for rationalisation of border posts operations

Phare national project BG 98.06.03 addresses the improvement of border posts operations through the rationalisation of use of existing inspection equipment (assessment, redistribution) and the provision of drug detection dogs, including the training of dog handlers, and inspection equipment, in accordance with the findings of the initial assessment.

3.2.2 EU Phare - at Multi-country level

Transit North-South

This project provides technical assistance to fulfil the necessary legal, organisational and procedural requirements for the alignment to the provisions of the Common Transit Convention.

Measures to Improve Efficiency at Border Posts (MIEABP)

This project aims at implementing risk analysis, selectivity and profiling technique in the Customs operational environment, enabling the targeting of high-risk consignments and traders, on one hand, and the facilitation of legitimate trade, on the other hand.

Customs Information and Intelligence

This project provided technique assistance for the establishment of Intelligence Units within the Customs administration and data analysis tools for the use of information available in-house for Intelligence purposes. Joint UNDCP – Phare Drug Law Enforcement Programme for South-eastern Europe (phase 1)

This programme seeks to improve and strengthen the effectiveness of law enforcement to combat drug trafficking in South-eastern Europe. It focuses on strengthening national capacities to dismantle drug trafficking organisations, to detect illicit drug manufacturing laboratories, to detect illicit drugs at border crossing points and to prosecute drug traffickers in Bulgaria, Former Yugoslav Republic of Macedonia, and Romania. Among other activities, the programme has enhanced the capacity of Customs and Border Police to apply selectivity and profiling techniques for control of road vehicles, addresses the commitment at policy level to increase co-operation in cross-border controlled delivery operations, and has enhanced the professional network at border crossing points level and at the level of heads of specialised Police and Customs drug enforcement services.

3.2.3 Other donors

World Bank - Trade and Transport facilitation in South-east Europe

This programme, designed to complement the EU programmes in Romania, Bulgaria, Former Yugoslav Republic of Macedonia, provides in Bulgaria/Rousse funding for construction of an administrative/



communication building for the Border Police and in Vidin the improvement of access roads and infrastructure of the border post.

3.3 Results

Assessment of current situation:

- Detailed assessment of current situation;
- Needs of each agency analysed in detailed
- Terms of Reference and Tender Dossier developed for each other two project components.

Harmonisation of procedures and working practices

- Legal basis for the inter-agency co-operation and co-ordination at the national and bilateral levels;
- Harmonised procedures and working practices at national and bilateral level;
- Improved traffic management;

Information exchange

- Legal basis for exchange of information at the national and bilateral levels;
- Exchange of information between the Bulgarian authorities at border posts and between them and their Romanian counterparts.

3.4 Activities:

3.4.1 Assessment of current situation

This project proposal involves the Bulgarian authorities involved in border posts operations: Ministry of Interior and Ministry of Finance/Customs. It addresses inter-agency co-operation and co-ordination of procedures, working practices and exchange of information, on the national level and bilaterally with Romania, complementary to the similar Cross Border Co-operation project.

Consequently, the elaboration of Terms of Reference (ToRs) for the components below should be based on a proper assessment of the current situation in the areas addressed by this project, on a detailed analysis of the needs of each agency and on the proper definition of the assistance needed to achieve the objectives of this project and to produce the expected outputs.

Consequently, this component will provide

- short-term assistance to
 - assess the current situation concerning the content of the components below;
 - identify the needs for assistance of each agency;
 - liaise with the respective project in Romania to identify the Bulgarian needs concerning bilateral activities;
 - define the assistance needed to achieve the objectives of the project, concerning each project component:
 - develop the ToRs and the necessary documentation for the contracting of each project component below.
- If necessary, co-ordination meetings at national and bilateral level;
- If necessary, support for an external programme manager (see point 4.)

3.4.2 Harmonisation of procedure and working practices

As already described in the Background section, Romania and Bulgaria, similar to all other Partner Countries, made significant efforts to align their legislation with the EU legislation. The process is now almost completed, but from the facilitation of trade viewpoint it is necessary that procedures and working practices of all agencies on both sides of the border (Ministry of Interior/Border Police and Ministry of Finance/Customs) be harmonised.

This covers a broad spectrum including harmonised procedures and use of standardised forms/documentation (bi-lingual to the extend possible), harmonised traffic management, joint activities and/or delegation of competence joint contingency plans for dealing with unusual cases (illegal immigration, nuclear materials, hazardous chemical etc.), to co-ordinated opening and shift hours, equivalent number of personnel in accordance with the dynamic of traffic (peaks) etc., with the final goal to facilitate the crossing of the border for trade operators and tourists, while reinforcing the border controls, through the use of the harmonised risk-assessment and selectivity tools techniques.

This component will provide the Bulgarian authorities involved in border posts operations with:

• short-term assistance to



- assess the legal basis for the activities of Bulgarian border control authorities and, eventually, to propose amendments;
- identify the basis for the harmonisation of procedures and working practices, at the national level and with the Romanian counterparts;
- develop and implement solutions/recommendations for the improvement of co-operation and coordination between the national agencies, and between them and their Romanian counterparts;
- improve the traffic management;
- implementation of harmonised procedures and working practices, in accordance with the agreed recommendations/solutions;
- development programme for staff involved in border posts operations (joint training courses, seminars, exchange of experience with EU Member States etc.);
- co-ordination meetings at national and bilateral level;
- if necessary, limited resources for the publicity of the project.

3.4.3 Information exchange and Technical facilities

The Bulgarian authorities responsible for border post activities, primarily the Ministries of Interior and of Finance/Customs are making significant efforts to develop and implement nation-wide IT systems, according to the specific activities performed by each institution.

From the traffic and trade facilitation viewpoint, it is deemed necessary that these systems exchange information between themselves and with the systems of the correspondent Romanian authorities, with a view to minimise the time of documentary and the number of physical inspections. However, the facilitation dimension of border post operations should be based on the use of risk-assessment, selectivity, profiling tools and techniques, and intelligence systems.

This will increase the efficiency of border controls in the field of illegal immigration and refugees, illegal traffic of goods (including drugs, historical and cultural valuables, intellectual piracy referring to false documents, stolen-motor vehicles), traffic of serious criminals, etc.

This component will provide

- short-term assistance to
 - assess the legal basis for the exchange of information between the Bulgarian authorities and the relevant Romanian authorities and, eventually to propose amendments to the respective national legislation;
 - identify, analyse, define and document the necessary interfaces between the Bulgarian authorities and the Bulgarian side of the interfaces with their Romanian counterparts, including the development of compatible procedures, rules, protocols, security mechanisms etc. for their cooperation;
 - develop, pilot and implement the agreed interfaces;
- appropriate software and associated equipment to allow information exchange between the Bulgarian agencies at the border and with the Romanian counterparts, e.g.
 - specialised interfaces between the Bulgarian Border Police and Customs administration and the local area network and equipment to support them;
 - specialised interfaces between Bulgarian and Romanian Border Police and, correspondingly, the Bulgarian and Romanian Customs administrations and the wide area networks and equipment to support them (optical cable link between the Rousse and Giurgiu border posts and wireless connections for the remaining border posts on the Danube, file and communication servers for each border posts, UPSs-Uninterruptible Power Sources etc.);
- development programme for staff involved in the use of these systems, i.e. joint training courses, seminars, exchange of experience etc.

4. INSTITUTIONAL FRAMEWORK

The Bulgarian Border Police and the Customs Administration will support the implementation of the proposed project by assuring the necessary organisational environment, making available the necessary personnel and covering the cost of the national experts, the necessary building infrastructure, including the training centres, and the related running and administrative costs.

A management structure with Romanian and Bulgarian partners will be established for the implementation of this project. A project manager (an official representative from one of the two countries or an external consultant) who will liaise with all parties from Bulgaria and Romania will be nominated.



5. DETAILED BUDGET (IN MEURO)

	Phare	support	Total	National		
COMPONENT	Investment support	Institution Building**	Phare (=I+IB)	co-finan- cing	IFI****	TOTAL
1. Assessment of current situation		0.30	0.30	0.05		0.35
Harmonisation of procedures and working practices	0.30	0.65	0.95	0.05	0.40	1.40
3. Information exchange & Technical facilities	0.80	0.45	1.25	0.15		1.40
TOTAL	1.10	1.40	2.50	0.25	0.40	3.15

- (*) In relation to software, related developments, equipment, installation, testing and documentation.
- (**) In relation to changes in management, procedures, legislation, enforcement, training and general activities and services as result of investments.
- (***) The funds under "National co-financing" column reflect the Bulgarian authorities' inputs to this project as outlined in section "Institutional framework".
- (****) World Bank' Trade and Transport Facilitation in South-east Europe (TTFSE) Infrastructure improvement in Rousse, as per section 3.2.3.

6. IMPLEMENTATION ARRANGEMENTS

6.1 Implementing Agency

The Project shall be managed under the Decentralised Implementation System (DIS). The Implementing Agency is the Ministry of Regional Development and Public Works (MRDPW). A Programme Authorising Officer (PAO) will be nominated for the Programme by the National Authorising Officer (NAO) after consultation of the National Aid Co-ordinator (NAC).

The CBC Implementing Agency retains overall responsibility for the implementation of the whole programme. This includes approval of terms of reference, of tender documents, of evaluation criteria, of evaluation of offers, signature of contracts, authorisation and payments of invoices.

The project beneficiary institutions are the Border Police within the Ministry of Internal Affairs and the General Customs Directorate within the Ministry of Finance. The project beneficiary institutions are responsible towards the CBC Implementing Agency for the operational management of the project: preparation of terms of reference, of tender documents, of evaluation criteria, of evaluation of offers, of contracts, of invoices for payment.

Project beneficiary reports monthly to the CBC Implementing Agency (with direct copies to the EC Delegation) with monthly disbursement and commitment schedules and with sufficient detail to allow assessment of progress made and remaining work to be accomplished.

Project beneficiary liaises with the EC Delegation all issues related to the operational management of the project.

The project team within the beneficiary institutions will be adequately staffed with qualified full-time experts.

Works will be tendered to pre qualified contractors with relevant financial capacity, and technical and FIDIC experience.

Additionally, for the better co-ordination of the project a Project Steering Committee (PSC) will be established, comprising representatives of all involved agencies. The PSC will monitor, supervise and co-ordinate the overall progress and implementation of the project.

6.2 Non-standard aspects

The project will be managed under DIS rules.



6.3 Contracts

The project components will be implemented through contracts awarded as result of open tender procedures.

7. IMPLEMENTATION SCHEDULE

7.1 Start of tendering/call for proposals: January 2001.

7.2 Start of project activities: March/December 2001.

7.3 Project completion: August 2003.

8. EQUAL OPPORTUNITY

Equal participation of women and men in this project will be ensured.

9. CONDITIONALITY AND SEQUENCING

This project proposal has been prepared in a way that fully takes into account the Commission's Preaccession Strategy, the ongoing initiatives within the Phare Programme and that ensures that no overlap with initiatives within other programmes can occur.

The two conditionalities are the following:

- Establishment of a management structure with Bulgarian and Romanian partners
- Nomination of a project manager (a single programme manager for the two countries)
- All interfaces and softwares to be procured under component n°3 shall be fully compatible with the forthcoming Bulgarian BICIS information system and with the operating Romanian ASYCUDA information system.

ANNEXES

- 1. Logical framework matrix in standard format
- Detailed implementation time chart in standard format
- Contracting and disbursement schedule by quarter for full duration of project.
- 4. List of relevant Laws and Regulations



ANNEX 1 - LOGFRAME PLANNING MATRIX

BG0007.03.01 - Facilitation of Danube border crossing	e border crossing	Contracting period	Disburse	xpires:
)	expires:	December 2003	0.3
		December 7007	7	
		, Total Budget: 3.15 MEURO	1EURO Phare contribution: 2.5 MEURO	5 MEURO
Wider Objective	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumptions and Risks	S
The facilitation of crossing the border between Romania and Bulgaria.	Decreased waiting time at the border. Decreased time of documentary and number of physical inspections at the border. Improved co-operation and exchange of information between the relevant border control agencies in Romania and Bulgaria.	European Commission/EC Delegation, Ministry of Foreign Affairs/Department for European Integration (DEI) and Regional Development Agency (RDA) at the end of the project.	Government maintains consistent policy and supports the inter-agency co-operation. National legislation in line with EU legislation and best practice enacted. Close co-ordination with other initiatives in the sector	cy and n. gislation and ves in the
Immediate Objectives	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumptions and Risks	S
To harmonise the procedures and the best practices used by the Romanian and Bulgarian agencies at the border.	National legislation supporting the inter-agency cooperation and co-ordination at national and bi-lateral level. Procedures and working practices harmonised. Improved traffic management assures decrease of waiting time at the border.	EC Delegation, RDA, DEI and the Ministry of Finance/CFCU during the implementation of the project, including the feedback of the Trade community.	Full commitment of the Bulgarian border control agencies and of their Romanian counterparts. Consistent support of the co-ordinating ministries. Timely approval of recommendations/solutions by the relevant Bulgarian and Romanian authorities.	der control srparts. g ministries. solutions by authorities.
2. To improve co-operation and regular information exchange between the Bulgarian border control authorities and with their Romanian counterparts.	National legislation supports the exchange of information between the national border control agencies and with their Bulgarian counterparts. Regular exchange of information between the Bulgarian border control agencies and with their Romanian counterparts. Decrease of waiting time at the border.	EC Delegation, RDA, DEI and the Ministry of Finance/CFCU during the implementation of the project, including the feedback of the Trade community.	Full commitment of the Bulgarian border control agencies and of their Romanian counterparts. Consistent support of the co-ordinating ministries. Timely approval of recommendations/solutions by the relevant Bulgarian and Romanian authorities.	der control rrparts. g ministries. solutions by utthorities.



	Outputs	Indicators of Achievement*	How, When and By Whom Indicators Will Be Measured	Assumptions and Risks
• • •	Comprehensive assessment of current situation; Terms of Reference (ToRs) for project components; Tender Dossier for project components:	 Assessment Reports produced; ToRs for project components developed, in accordance with Phare standards, rules and procedures; 	The Project Steering Committee (PSC) and the Project Implementation Unit (PIU), together with the CFCU and the European Commission's services the Triangle of the Project Implementation of of the Proj	Commitment of the border control agencies. Co-ordination with the following past and ongoing assistance: Phare national projects in the
•	Legal basis for inter-agency co-operation at the national level;	 Tender Dossier for project components developed, in accordance with Phare standards, rules and procedures; 	ure project implementation, the indicators of achievement, the outputs and the implementation plant, including the feedback of the Trade community.	Customs sector; Phare national projects in the
• •	Legal basis for inter-agency co-operation at the bilateral level; Procedures and working practices harmonised at	 Legal basis for inter-agency co-operation at the national level reviewed and, whenever necessary, amendments proposed and promoted; 	,	mo;
•	the national level; Procedures and working practices harmonised at the bilateral level;	 Legal basis for inter-agency co-operation at the bilateral level reviewed and, whenever necessary, amendments proposed and promoted; 		UNDCP-Phare Drag Law Enforcement Programme World Bank' Programme on
• •	Improved traffic management; Legal basis for exchange of information between	Harmonised procedures and working practices currently used at the national level;		Trade and Transport Facilitation in Southeast Europe.
•	the border control agencies at the national level; Legal basis for exchange of information between the border control agencies at the bilateral level;	Harmonised procedures and working practices currently used at the bilateral level; Traffic management immroved in line with EII		
•	Exchange of information between the border control agencies at the national level;	standards and best practice; • Waiting time at the border reduced;		
•	Exchange of information between the border control agencies at the bilateral level.	 Legal basis for exchange of information between the border control agencies at the national level reviewed and, whenever necessary, amendments proposed and promoted; 		
<u>-</u>		 Legal basis for exchange of information between the border control agencies at the bilateral level, reviewed and, whenever necessary, amendments proposed and promoted; 		
		 Information exchanged regularly between the border control agencies at the national level; 		
		 Information exchanged regularly between the border control agencies at the bilateral level. 		



Internal contribution: 0.25 MEURO Phare national contribution: 2.5 MEURO Additional Innute.		
nution: 0.25 MEURO contribution: 2.5 MEURO	The Ministry of Finance/CFUI and the Furneau Commitment of the Dulomine	Commitment of the Dulmaion
contribution: 2.5 MEURO		Annews of the European Commission
Additional Inputs		Approvation the European Commission. Rudgets approved and available
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World Bank: 0.40 MEURO.		

* Must be quantified and measurable

ANNEX 2 - DETAILED TIME IMPLEMENTATION CHART FOR THE PROJECT

BG0007.03.01 - Facilitation of Danube border crossing

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ANNEX 3 - CUMULATIVE CONTRACTING AND DISBURSEMENT SCHEDULE

BG0007.03.01 - Facilitation of Danube border crossing

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In Meuro	31/03/2001	30/06/2001	30/09/2001	31/12/2001	31/12/2001 31/03/2002	30/06/2002	30/09/2002	31/12/2002	31/03/2003	30/06/2003	30/09/2003
CONTRACTED	0.35	0.35	0.35	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.50
DISBURSEMENT	0.11	0.32	0.33	1.04	1.40	1.52	1.85	2.20	2.35	2.46	2.50



ANNEX 4 - LEGAL BASE OF THE PROJECT

BG0007.03.01 - Facilitation of Danube border crossing

COMMISSION REGULATION (EC) № 2760/18.12.1998 concerning the implementation of a programme for cross-border co-operation in the framework of the PHARE programme - art. 5, p. 1 (f)"Actions related to justice and home affairs Community policy";

AGREEMENT ON COOPERATION TO PREVENT AND COMBAT TRANS-BORDER CRIME – between the Governments of Bulgaria and Romania; on preventing, investigating and repressing trans-border crime; for the improvement of the effectiveness of prevention, detection and prosecution of cross-border criminal violations for the active members of ICPO – Interpol for police matters, World Customs Organisation for customs matters, the SECI countries, as well as for the exchange of criminal information in partnership with their enforcement authorities and the Interpol General Secretariat; SECI – Interpol co-operation.

AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF BULGARIA AND THE GOVERNMENT OF REPUBLIC OF ROMANIA ON COOPERATION AND MUTUAL ASSISTANCE IN CUSTOMS MATTERS, signed on 10 November 1998 in Bucharest. Under this Agreement Bulgaria and Romania will provide assistance to each other in the prevention and investigation of violations of the customs legislation in the field of commercial fraud and drug-trafficking and information will be provided on request and will be used for the purposes of the proper implementation of the customs legislation.

AGREEMENT BETWEEN BULGARIA, ROMANIA AND TURKEY FOR COMBATING TERRORISM AND ORGANISED CRIME signed in Antalia, Turkey.

The cooperation in the areas covered by this Agreement will be carried out by exchange of information and coordinated joint activities. The development of a computerised information system in the field of the cooperation in the fight against terrorism and organised crime is also foreseen in the future.

Particular attention is paid to the cooperation in the field of fight against drug-trafficking and smuggling of weapons, ammunitions, explosives, poisonous chemical, biological and nuclear substances as well as against illegal actions with these materials.

There is a special accent on joint activities of the competent border authorities of the three countries in the field of fight against illegal border crossings of persons and groups.

PROTOCOL FOR THE STRENGTHENING OF THE TRIPARTITE CO-OPERATION FOR COMBATING TRANS-BORDER CRIME — signed between Bulgaria, Romania and Greece on 8.09.1998 in Sofia, Bulgaria.

Charter of organisation and operation of a SECI Regional centre for the combating of trans-border crime

DECRREE NO 213 OF THE COUNCIL OF MINISTERS on construction, organisation, operation and management of border checkpoints in the Republic of Bulgaria – dated 15 May 1997, promulgated, OJ, No 41/23 May, as amended No 2/1998.

ART. 94 OF THE BULGARIAN MINISTRY OF INTERIOR ACT - the "...protection of the state border and the control over the enforcement of the border regime, which is performing its border zone functions in the border checkpoints areas, the inland sea waters the territorial sea, the adjoining zones the continental shelf, the Bulgarian section of the Danube River and other waterways and basins" is the whole responsibility of the Border Police National Service.

