

## STANDARD SUMMARY PROJECT FICHE

### 1. Basic Information

1.1 Désirée Number: BG 0203.11  
Twinnig code: BG02/IB-JH-06

#### 1.2 Title:

**Further Strengthening of border Control and Management of future EU External Borders (blue borders)**

1.3 Sector: Justice and Home Affairs

1.4 Location: Republic of Bulgaria

### 2. Objectives

#### 2.1 Overall Objective(s):

The overall objective of this project is to further strengthen border management in Bulgaria by introducing operational standards and practices for the main border management authority – the Bulgarian Border Police using EU best practices in border control as well as through modernising equipment in accordance with EU standards for external border control. This project is a continuation of the Phare Multi-annual Programme, which supports the National operational strategy of the Bulgarian Border Police.

#### 2.2 Project purpose:

The project will seek to further stimulation of the process of strengthening border control and management in the Bulgarian Black Sea coasts and the Danube river regions through the establishment of regional Command Centres for both the Black Sea and Danube regions, supported by the supply of patrol vessels designed for continuous all-weather patrolling. These vessels, in addition to the introduction of a surveillance and communications systems, will facilitate a much more systematic observation of the territorial sea and inner coastal waters and will contribute greatly to the fight against all forms of crime, realised across the state border of the Republic Of Bulgaria.

#### **Relevant European Community Law (Acquis Communautaire):**

➤ **The Convention Implementing The Schengen Agreement**

➤ **The Common Manual On Border Traffic Control**

#### 2.3 Accession Partnership and NPAA priorities

The proposed project will address the following objectives, included in the Accession Partnership, the Convention Implementing the Schengen Agreement, the Common Manual On Border Traffic Control, and the National Programme for the Adoption of the Acquis (NPAA), the National Strategy for the Development of the External Borders of the Republic of Bulgaria and the Requirement for Technical Assistance until 2006, the

Concept for the Development of the National Border Police Service for the Period 2001-2004.

**Accession Partnership:**

- Implementation of effective border control and interagency co-ordination with a view to preventing illegal migration, implementing and applying the new legislation in the field of migration, asylum procedures and border police co-operation.

**NPAA:**

***Short-term priority***

- Optimisation of border control, supply of modern equipment for effective “green” and “blue” border control, intensification of the measures for combating illegal migration and trafficking in people.

***Medium-term priority***

- Full adoption and application of Schengen standards and requirements for border control and management and introduction of a border regime in accordance with EU requirements for external border control.

**The National Strategy for the Development of the External Borders of the Republic of Bulgaria and the Requirement for Technical Assistance until 2006**

- Enhancing of border control, operational development and modernisation, significant increase of the operational capacity of Border Police, combat against the cross-border crime

**The Concept for the Development of the National Border Police Service for the Period 2001-2004**

- Elaboration and establishment of modern border management to guarantee the preservation and optimisation of the operational capacity in the process of its restructuring from a military type service to a modern police structure in compliance with EU standards and requirements.
- Counteraction against: Illegal migration through the state border in all its existent forms, smuggling of people, trafficking in human beings aimed at sexual exploitation, usage of false, forged documents or such with false contents for crossing the state border, cross-border crime.

2.4 Contribution to National Development Plan : N.A.

2.5 Cross-Border Impact

The planned regional Command Centres and the enhanced control of the Black Sea zone and the river Danube international waterway will help to channel relevant operational information, which in turn will lead to increased co-operation with the Black Sea countries in the fight against cross-border crime, realised across the state border of the Republic of Bulgaria.

### 3. Description

#### 3.1 Background and justification:

The Bulgarian Black Sea maritime border region, approximately 320 km in length and with a territorial sea of about 7 500 sq. km, which is the focus of this project, is a particularly crucial area in relation to international criminal activity. This results from the intense maritime traffic in the region and to some extent from the proximity to violent armed conflicts and regions of political, economic and social instability.

The project refers to the implementing of the National Action Plan for the Adoption of the Schengen Acquis, adopted in November 2001. The realisation of the project will lead to the fulfilment of concrete measures contained in the Border Control Chapter of the Action Plan, especially: 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 in guarding of the common EU borders in accordance with the requirements and the criteria of the Convention Implementing the Schengen Agreement; provision of technical facilities for the Border Guard.

The Border Police plays an important role in the implementation of the National Strategy for Combating Crime. An institutional reform of the Border Police is already underway, which includes the introduction of new management structures and the development of new methodology and practices related to professional and efficient law enforcement in the field of border control.

However, much of the equipment available to the Bulgarian Border Police in the Maritime and River border region is obsolete and therefore it is considered a barrier to the adoption and implementation of new operational strategies. This deficiency was among the main findings of an EU-funded Bulgarian Border Police Equipment Feasibility Study completed in the autumn of 1999 and more recently of a similar study on Maritime Equipment Requirements for Border Police, which was completed in July 2000. These studies detailed the necessary equipment required to enhance operational effectiveness. Further to that, it should be noted that the “professionalisation” of the Border Police will lead to a significant decrease in the number of operational staff in 2002. Therefore it is deemed necessary and cost-effective to compensate the decrease of staff by the use of modern equipment.

As regards the further “professionalisation” of the Bulgarian Border Police staff, it will be necessary to update the existing training curricula and programs as well as to continue the training of trainers and management staff. All this is necessary with a view of establishing an effective system for state border control in line with European standards and harmonised with Schengen requirements.

The project is a follow-up to the Multi-annual Phased Reform Strategy, which has been developed by the Bulgarian Border Police as a precondition for receiving Phare support on a multi-annual basis. The said strategy, which started with the improvement of border control at the Bulgarian-Turkish border is planned to cover all Bulgarian borders and particularly those, which are future EU external borders. Finally, this project corresponds to the integrated approach to border management, which is generally composed of three phases: integrated technical solutions at operational level in the border region, greater interagency border co-operation and co-ordinated approaches at national and international levels.

### 3.2 Linked activities:

This project is linked to **Phare 1999 Project – BG 9911.01** (3 MEUR) and **Phare 2000 Projects – BG0005.02** (12 MEUR), but mostly to **BG0012.02** (8 MEUR). All Phare projects implemented by the Bulgarian Border police constitute a balanced programme of institution building and investment in equipment.

Meanwhile, the Bulgarian Authorities themselves have recently made substantial investments in procurement and deployment of a considerable number of shore-based radar stations in order to support the on-going enhancement of maritime surveillance along the Black Sea coast.

### 3.3 Results:

The concrete results from this project will be:

#### **Institutional Strengthening**

##### ***Subproject 1 – Twinning***

**Twinning Covenant - Drafting and implementation of a new legal framework in accordance with the Schengen Acquis, further introduction of new border management and training for the Bulgarian Border Police, methodological and technical assistance for the establishment of regional Command Centres for the Black Sea and the Danube river.**

- Elaborated new secondary legislation in the area of border control;
- Elaborated new agreements with neighbouring and Black Sea countries;
- Established regional Command Centres at the Black Sea and Danube river;
- Established new administrative structure of Border Police;
- Updated training programmes in the context of the Schengen standards and requirements;
- New surveillance equipment put into operation

#### **Investment projects**

##### ***Sub-project 2 – Patrol vessels***

- Delivered 1 big patrol vessel for continuous control of the Black Sea

##### ***Sub-project 3 – Patrol boats***

- Delivered 1 - 50 t vessel for operational control of the Black Sea
- Delivered 2 small patrol boats for operational control of the river Danube

##### ***Sub-project 4 – Surveillance equipment***

- Delivered 4 thermo-vision systems for RBS of Bourgas, Rousse, Varna and Vidin and 30-40 night vision goggles

##### ***Sub-project 5 – All-terrain vehicles***

- Delivered 21 all-terrain vehicles

##### ***Sub-project 6 – Standard communication equipment***

- Delivered 410 mobile and stationary radio-stations and repeaters

### 3.4 Activities:

The concrete activities under this project will be:

#### **Institutional Strengthening**

##### ***Subproject 1 – Twinning***

**Twining Covenant – Drafting and implementation of a new legal framework in accordance with the Schengen Acquis, further introduction of new border management and training for the Bulgarian Border Police, Methodological and technical assistance for the establishment of regional Command Centres for the Black Sea and the Danube river**

- Elaboration of new secondary legislation in the area of border control;
- Elaboration of new agreements with neighbouring and Black Sea countries;
- Establishment of regional Command Centres at the Black Sea and Danube river;
- Establishment of the new administrative structure of Border Police;
- Updating of training programmes in the context of the Schengen standards and requirements;
- Put into operation new surveillance equipment

#### **Investment projects**

##### ***Sub-project 2 – Patrol vessels***

- Delivery of a used big patrol vessel (200 t) as part of Bulgarian national co-financing through a bilateral agreement with the Federal German Border Guard

##### ***Sub-project 3 – Patrol boats***

- Construction and procurement of 1 sea vessel (50 tonne) for patrolling the territorial sea waters, equipped with rigid inflatable craft to support inspection

- Construction and procurement of 2 small patrol river vessels for the river Danube, equipped with rigid inflatable craft to support maritime inspection, modern radar and night surveillance equipment, appropriate ship to shore communications, GPS systems, foul-weather protective clothing and life safety vests.

##### ***Sub-project 4 – Surveillance equipment***

- Procurement of 4 thermo-vision systems (Bourgas, Rousse, Varna and Vidin) and 30-40 night vision goggles.

##### ***Sub-project 5 – All-terrain vehicles***

- Procurement of a total of 21 all-terrain vehicles including 15 patrol vehicles, 4 vehicles to mount surveillance units and 2 vehicles for communication equipment and 10-12 repair tools sets

##### ***Sub-project 6 – Standard communication equipment***

- Procurement of 410 mobile and stationary radiostations and repeaters

### 3.5 Lessons learned:

The Bulgarian Border Police gained considerable experience following the successful completion of the 1999 Phare project and the subsequent implementation of the two 2000

Phare projects, which consisted of a balanced programme of institutional building and investment. Substantial support was available also through the appointed PAAs of the Border Police and the newly introduced self-monitoring scheme.

#### 4. Institutional Framework

The project beneficiary will be the Bulgarian Ministry of the Interior and in particular the Bulgarian Border Police. The Border Police has over 8 000 staff working in the Directorate in Sofia and throughout the country in 13 regional commands. The Border Police has appointed project officers and a Strategic Advisor on the implementation of technical assistance projects. Additionally, the 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 procedure.

#### 5. Detailed Budget (MEUR)

	<b>Phare Support</b>					
	<b>Investment Support</b>	<b>Institution Building</b>	<b>Total Phare (=I+IB)</b>	<b>National co-financing *</b>	<b>IFI*</b>	<b>TOTAL</b>
1.Twinning – Schengen requirements and training and regional Command Centres	-	0.65	0.65	-	-	0.65
2. Patrol Vessels	-	-	-	1.02	-	1.02
3. Patrol Boats	3.9	-	3.9	-	-	3.9
4.Surveillance Equipment	0.75	-	0.75	-	-	0.75
5.Mobility Equipment	-	-	-	0.5	-	0.5
6.Standard Communication Equipment	-	-	-	0.25	-	0.25
<b>TOTAL</b>	<b>4.65</b>	<b>0.65</b>	<b>5.3</b>	<b>1.77</b>	<b>-</b>	<b>7.07</b>

#### 6. Implementation Arrangements

##### 6.1 Implementing Agency

As Implementing Agency (IA) the CFCU in Sofia will be responsible for the implementation of Sub-project 1 "Twinning" and Subprojects 3 "Patrol boats" and 4 "Surveillance equipment" of the Investment component, although it will work in close co-operation with the beneficiary - the Ministry of the Interior and the Border Police and in particular the new Border Police Project Implementation Unit. The Border Police will be the Contracting Authority for Sub-projects 2 "Patrol vessel", 5 "All-terrain vehicles" and 6 "Standard communication equipment". In addition, the Border Police have

elaborated the draft technical specifications and will elaborate ToRs for all the sub-projects as required for tenders.

Finally, the Border Police will nominate the experts for the tender evaluation process, oversee the deployment of equipment and its subsequent installation, field testing and operational evaluation.

## 6.2 Twinning

It is envisaged that subproject 1, will be implemented under the standard twinning procedures. The twinning project will be implemented within 18 months.

The successful implementation of the project will require a Pre-Accession Advisor with the following profile:

- Career professional policeman /officer-captain rank/
- Qualification and license for navigation of sea vessel
- Experience as a Commander of sea vessel /not less than 5 years/
- Administrative and management skills in the field of maritime border control
- Detailed knowledge of the national and international sea legislation and law
- Fluent English – both oral & written
- Experience in the field international cooperation, negotiations and agreements in the sea region
- Experience in dealing with confidential information.

## 6.3 Non-standard aspects

Subprojects 1, 3 and 4 will be managed under standard DIS rules and the recommendations of the Twinning Manual and Phare Guide.

Subprojects 2, 5 and 6 will be tendered according to the rules applicable to concerning projects with national co-financing.

## 6.4 Contracts

A number of contracts are envisaged for the investment component:

- Patrol vessels
- Patrol boats
- Surveillance equipment
- All-terrain vehicles
- Standard communication equipment

The delivery of the Patrol boats (Subproject 3) and the surveillance equipment (Subproject 4) will be administered under standard procedures, provided by the DIS Manual. The subprojects related to the delivery of one patrol vessel, all-terrain vehicles and standard communication equipment will be implemented using co-financing funds.

## 7. Implementation Schedule

7.1 Start of tendering/call for proposals – 4Q/2002

7.2 Start of project activity – 1Q/2003

7.3 Project Completion – 4Q/2005. Despite the projected completion date, an extra year for disbursement is justified given the complexity of the equipment requirements and, in particular, the risk of slippage on the contract for the large patrol vessel.

## **8. Equal Opportunity**

The Bulgarian Border Police is an equal opportunities employer.

## **9. Environment**

The training and investment activities are related mainly to institutional strengthening. However, it should be noted that the Border Police is engaged in supporting the competent state bodies for environmental protection of the Black sea and Danube river and this project will support activities in this field.

## **10. Rates of return**

The benefit of the investment and training is supported by a Maritime Equipment Feasibility Study (annex 4)

## **11. Investment criteria**

### **11.1 Catalytic effect:**

The investment provided by Phare will significantly speed up the operational enhancement 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 Bulgaria's border management to meet Schengen standards and for the level of cross-border crime to be brought down.

### **11.2 Co-financing:**

The Bulgarian authorities will provide 2 MEUR in cash (25%) in co-financing of the project through allocation of funds for the realisation of Sub-projects 2, 5 and 6. Sub-project 2 is related to the delivery of used big patrol vessel through a bilateral agreement with the Federal German Border Guard. This ship is necessary to complete the scheme of distant surveillance and control of the Black Sea border and will increase the possibility for carrying out continuous control in the contiguous and the economic zones of the Black Sea. Within the framework of Sub-projects 5 and 6, Bulgaria will allocate funds for the procurement of all-terrain vehicles and standard communication equipment.

### **11.3 Additionality:**

Phare assistance will not replace any other bilateral support in this area.

### **11.4 Project readiness and Size:**

Prepared Draft Technical Specifications for the investment subprojects.

### **11.5 Sustainability:**

The Bulgarian Authorities are fully aware of their responsibilities for the due care and attention for all the equipment provided under the project.

### **11.6 Compliance with state aids provisions**

N.A.



## 11.7 Contribution to National Development Plan

N.A.

## 12. Conditionality and sequencing

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

The Commission will review the progress of this project in its regular Phare Review meetings. The effect on the reduction of illegal activities 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. With regard to the institutional building activities foreseen under this project, particularly the training projects, these will also be monitored under traditional Phare procedures.

### **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. Purposes And Tasks To Be Carried Out By the Command Centre (optional)

## Annex 1 - Phare logframe

LOGFRAME PLANNING MATRIX FOR <b>FURTHER STRENGTHENING OF BORDER CONTROL AND MANAGEMENT OF FUTURE EU EXTERNAL BORDERS (BLUE BORDERS)</b>		Programme name and number: BG02xx	
		Contracting period expires: Nov 2004	Disbursement period expires: Nov 2006
		Total budget: 7.07 MEUR	Phare budget: 5.3 MEUR

Overall objective	Objectively verifiable indicators	Sources of Verification	
<ul style="list-style-type: none"> <li>Further strengthen border management in Bulgaria through the approximation of operational standards and practices and modernisation of equipment in accordance with the standards required for EU external borders</li> </ul>	<ul style="list-style-type: none"> <li>Compliance with the national strategy and the NPAA</li> <li>Adoption of Schengen standards</li> <li>Reduction of the levels of cross-border crime</li> </ul>	<ul style="list-style-type: none"> <li>Regular reports, operational analysis</li> <li>Bulgarian authorities and EC</li> <li>Phare annual reports</li> </ul>	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
<ul style="list-style-type: none"> <li>Enhancement of the border management regime at Bulgaria's blue borders</li> </ul>	<ul style="list-style-type: none"> <li>Reduction in cross-border crime along the Black Sea coast and the river Danube</li> <li>Enhancement of operational practice through TA, training and new equipment in blue border regions</li> <li>Improvement of logistic support and infrastructure</li> </ul>	<ul style="list-style-type: none"> <li>Regular reports, operational analysis</li> <li>Bulgarian Border Police and EC experts</li> <li>Phare 6-month and annual reports</li> </ul>	<ul style="list-style-type: none"> <li>MoI fulfils obligations for co-financing</li> <li>Levels of crime rises faster than institutional response</li> </ul>

Results	Objectively verifiable indicators	Sources of Verification	Assumptions
<p><b><i>Subproject 1 – Twinning</i></b></p> <p><b>Twining Covenant – Drafting and implementation of a new legal framework in accordance with the Schengen Acquis, further introduction of new border management and training for the Bulgarian Border Police, Methodological and technical assistance for the establishment of regional Command Centres for the Black Sea and the Danube river</b></p> <ul style="list-style-type: none"> <li>• Elaborated new secondary legislation in the area of border control;</li> <li>• Elaborated new agreements with neighbouring and Black Sea countries;</li> <li>• Established regional Command Centres at the Black Sea And Danube river;</li> <li>• Established the new administrative structure of Border Police;</li> <li>• Updated training programmes in the context of the Schengen standards and requirements;</li> <li>• Put into operation new surveillance equipment</li> </ul> <p><b><i>Sub-project 2 – Patrol vessels</i></b></p> <ul style="list-style-type: none"> <li>- Delivered 1 big patrol vessel for continuous control at the Black Sea delivered</li> </ul> <p><b><i>Sub-project 3 – Patrol boats</i></b></p> <ul style="list-style-type: none"> <li>- Delivered one 50 t vessel for operational control At the Black Sea</li> <li>- Delivered 2 small patrol boats for operational Control of river Danube,</li> </ul> <p><b><i>Sub-project 4 – Surveillance equipment</i></b></p> <ul style="list-style-type: none"> <li>- Delivery of 4 thermo-vision systems for RBS of Bourgas, Rousse, Varna and Vidin and 30-40 night vision goggles.</li> </ul> <p><b><i>Sub-project 5 – All-terrain vehicles</i></b></p> <ul style="list-style-type: none"> <li>- Delivered 21 all-terrain vehicles</li> </ul> <p><b><i>Sub-project 6 – Standard communication equipment</i></b></p> <ul style="list-style-type: none"> <li>- Delivered 410 mobile and stationary radio-stations and repeaters</li> </ul>	<ul style="list-style-type: none"> <li>• Enhanced border control</li> <li>• Improvement of the Border Police structures, systems and practices</li> <li>• Modern equipment</li> </ul>	<ul style="list-style-type: none"> <li>• Mission reports</li> <li>• Technical reports, statistical analysis</li> <li>• Inception period, quarterly reviews, end of project</li> <li>• Bulgarian Border Police, MoI, EC Delegation – Sofia, nominated EC Experts</li> </ul>	<ul style="list-style-type: none"> <li>• The Border Police staff has sufficient training to use the new equipment</li> <li>• The equipment fully meets the requirements for Border Police operations</li> <li>• The levels of criminal activity rise faster than institutional response</li> </ul>

Activities	Means	Assumptions
<p><b><i>Subproject 1 – Twinning</i></b></p> <p><b>Twining Covenant – Drafting and implementation of a new legal framework in accordance with the Schengen Acquis, further introduction of new border management and training for the Bulgarian Border Police, Methodological and technical assistance for the establishment of regional Command Centres for the Black Sea and the Danube river</b></p> <ul style="list-style-type: none"> <li>• Elaboration of new secondary legislation in the area of border control;</li> <li>• Elaboration of new agreements with neighbouring and Black Sea countries;</li> <li>• Establishment of regional Command Centres at the Black Sea and Danube river;</li> <li>• Establishment of the new administrative structure of Border Police;</li> <li>• Updating of training programmes in the context of the Schengen standards and requirements;</li> <li>• Putting into operation new surveillance equipment</li> </ul> <p><b><i>Sub-project 2 – Patrol vessels</i></b></p> <ul style="list-style-type: none"> <li>- Delivery of used big patrol vessel (200 t)</li> </ul> <p><b><i>Sub-project 3 – Patrol boats</i></b></p> <ul style="list-style-type: none"> <li>- Construction and procurement of 1 sea vessel (50 tonne) for patrolling the territorial sea waters</li> <li>- Construction and procurement of 2 small patrol river vessels for river Danube,</li> </ul> <p><b><i>Sub-project 4 – Surveillance equipment</i></b></p> <ul style="list-style-type: none"> <li>- Procurement of 4 thermo-vision systems and 30-40 goggles for night vision.</li> </ul> <p><b><i>Sub-project 5 – All-terrain vehicles</i></b></p> <ul style="list-style-type: none"> <li>- Procurement of 21 all-terrain vehicles including 15 patrol vehicles, 4 vehicles to mount surveillance units and 2 vehicles for communication equipment and 10-12 repair tools sets</li> </ul> <p><b><i>Sub-project 6 – Standard communication equipment</i></b></p> <ul style="list-style-type: none"> <li>- Procurement of 410 mobile and stationary radio-stations and repeaters</li> </ul>	<ul style="list-style-type: none"> <li>• Deployment of new patrol vessels</li> <li>• Deployment of new vehicles</li> <li>• Deployment of new surveillance equipment</li> <li>• Operation of the new communication equipment</li> <li>• Availability of repair and maintenance facilities with a view to extending the operational life of new and current vessels</li> <li>• Completion of operational training modules</li> <li>• Adequate TA to suit the operational needs of the Border Police</li> </ul>	<ul style="list-style-type: none"> <li>• The project will be implemented under Phare procedures</li> <li>• Elaborated impartial draft technical specifications</li> </ul>

## ANNEX 2

### DETAILED TIME IMPLEMENTATION CHART FOR THE PROJECT

COMPONENTS	2002			2003												2004												2005												
	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	D	
Component 1 – IB	D	D	D	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	I	X																		
Component 2 – Investment				D	D	D	T	T	T	T	T	T	T	T	T	T	T	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 are in MEUR

	4Q/02	1Q/03	2Q/03	3Q/03	4Q/03	1Q/04	2Q/04	3Q/04	4Q/04	1Q/05	2Q/05	3Q/05	4Q/05	TOTAL
<b>IB component</b>														
Contracted	0.85													0.85
Disbursed						0.15	0.35	0.45	0.66	0.65	0.75	0.85	0.85	0.85
<b>Investment component</b>														
Contracted			0.25	0.75	1.31	2.35	6.3							6.3
Disbursed							3.78		5.67				6.3	6.3

NB:

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

**Note 1: Investment Component, (sub-projects 2 to 6) IB Component – Subproject 1 - Twinning**

**Note 2: The figures are cumulative and include the Phare financing component AND the Bulgarian co-financing (the co-financing component may be subject to different contracting and disbursement schemes)**

**ANNEX 4****FEASIBILITY STUDY EXECUTIVE SUMMARY “PRELIMINARY ASSESSMENT OF BORDER MANAGEMENT OF BULGARIA’S BLACK SEA COAST AND RECOMMENDATIONS FOR PHARE TECHNICAL ASSISTANCE”**

**The Bulgarian Black Sea coast is a critical future external border of the enlarged European Union. Therefore the effective and professional management of this border zone is of high priority for the Bulgarian authorities and the Bulgarian Border Police in particular.**

A detailed examination of the operational policy and practice of the Border Police in the region shows that the Bulgarian authorities are facing illegal activities ranging from the smuggling of human beings, drugs and weapons to and through Bulgaria to illegal fishing and illegal environmental pollution. However, it should be noted that the Border Police, as well as combating the above illegal activities, continue to facilitate and administer the daily cross-border traffic within the coastal zone.

Serious operational deficiencies have been noted in terms of the ability of the Border Police to adequately manage the Black Sea border zone. These deficiencies, however, are not related to the system of border management or to the professional abilities of the Border Police officers. On the contrary, the maritime management system is well developed and operated by highly professional and motivated staff. The key deficiency lies in the inadequacy of much of the equipment currently being used by the Bulgarian Border Police.

Due to insufficient resources and funding, the Border Police continue to use outdated patrol vessels, surveillance devices and communication systems. Much of this equipment has been inherited from the Bulgarian Navy and practically all of it is of Soviet-made. Not being designed for police purposes, most of the equipment is of limited value and places unrealistic constraints on border management operations and seriously impedes efficiency. It certainly does not allow the Border Police to maintain constant maritime patrolling and it cannot counter the modern speedboats used by organised criminal groups in the region.

In order to bring border management of the Bulgarian Black Sea coast in line with Schengen standards, serious investment is required in the procurement of various types of maritime patrol vessels, ship and shore based surveillance systems and modern communication systems and their integration into a single operational management system. Additionally, the provision of modern personal equipment and training is also considered important.

Finally, if and when such a modernisation programme does take place, it is important that adequate emphasis is placed on logistic support, not only in terms of repair and maintenance but also in terms of the consolidation of all current shore-facilities into one operational and administrative base.

## 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;
- The Criminal 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 competences 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 213/15.05.1997, by which was adopted Regulation for the Border Control Check Points which defines the organisation, the activity and the run of the Border Control Check Points and the interaction between the Border Control Bodies in the Republic of Bulgaria; regulating also the establishment of the Interagency Council on the Border Control Check Points Issues;
- Ordinance of the Bulgarian Council of the Ministers No 35/25.02.1999, by which was adopted Regulation for the conditions and the order for issuing of visas by the diplomatic and consular missions of the Republic of Bulgaria.

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. In this connection has been defined the necessity for adopting Border Guard Act. The draft Border Guard Act is now in process of elaboration together with German experts within the framework of the Twinning Project 99/IB/JH-01. The new act will regulate the public relations, connected with the control and guard of the state border of the Republic of Bulgaria and also the specific activities, performed by the Border Guard, concerning the combat against the illegal migration and trafficking in human beings to, from and through the Republic of Bulgaria.

## **Purposes and Tasks to Be Carried Out By the Command Centre**

### **PURPOSE**

The main task of The Command Centre is the establishment of a unified management of control and guarding the Sea Border of Bulgaria, as well as the control of the navigation regime and the presence of Bulgarian and foreign sea vehicles in the territorial sea and the inner sea waters.

As a result of the realisation of the target stated above, we envisage the implementation of a unified system for surveillance, control, communication, combining all the activities of Border Police forces in the protection and guarding of the Sea border.

### **TASKS**

#### **I. Management**

1. Management of all forces and means for the protection of the Sea border: border police boats, devices for technical and vision surveillance and coast forces- Border Police Stations.
2. Command Centre for both border police operations and joint actions(checks of boats etc)

#### **II. Co-ordination**

1. Co-ordination of the activities of all structural units included in the protection of Sea border.
2. Co-ordination and interagency co-operation with other state authorities and law enforcement agencies within the sea areas of Bulgaria.
3. Operative, technical and information co-operation with the Border Police operative centres of the other countries from the Black Sea region.

#### **III. Analysis of information and communication**

1. Collection and analysis of information, concerning the guarding of the Sea border and the control of the sea traffic.
2. Establishment and maintenance of special database and unified exchange of information with the Navy, "Sea Administration" Agency and the Border Police Operative Centres of the countries from the Black Sea region.
3. Uninterrupted and stable channels for connections with the Navy, "Sea Administration" Agency and the Border Police Operative Centres of the countries from the Black Sea region (telephone, fax, frequency of sea channels, E-mail and mobile telephones).