

**THE PROGRESS MADE BY THE SPECIALISED STRUCTURES OF THE
GENERAL INSPECTORATE OF THE ROMANIAN BORDER POLICE IN THE
FIELD OF PREVENTION AND CONTROL OF THE ACTIONS SPECIFIC TO
TRANSNATIONAL CRIMINALITY**

In the present context, in which the threats to security acquire a global meaning, the Romanian Border Police is directing its efforts towards a significant reduction of their consequences.

The Romanian Border Police is one of the specialized state institutions entrusted with attributions in the field of prevention and control of the actions specific to transnational criminality.

The analysis of the internal and international evolutions in the field of the phenomenon of transnational criminality, in the context of the geostrategic position of Romania, has determined the identification of many risk factors, out of which we can mention:

- the enlargement of the action area of the international groups of organized criminality;
- the pregnant manifestation of some groups of the international networks of organised criminality, experienced worldwide (globalization of organized criminality);
- illegal immigration generated by the economic, social or political situation from the countries of origin, which might lead to the apparition of some massive flows of immigrants towards Romania;
- the proliferation of the networks of human beings traffickers;
- the vicinity of Romania to some geographic areas with conflictual potential;
- the presence on the territory of Romania of many foreign citizens, involved in illegal activities, originating from geographical areas with major risk potential;
- the proliferation of terrorist networks with all their implications;
- the illegal trade with strategic products, radioactive substances, toxic waste materials and other dangerous materials;
- commercial customs frauds, inclusively the ones from the category of money laundering, which are manifest at the borders, and not at last,
- the amplification of illegal transit and the development of the internal market of drugs and precursors.

In our opinion, special attention should be paid to this last risk factor, the phenomenon tending to diversify and amplify, being found

continuous modifications of the used routes and of the types of smuggled drugs.

The Romanian Border Police, by virtue of its role conferred by the law, is an active participant in the counteraction of this type of risk by:

- intensifying the activities of information gathering and of surveillance, based on this information;
- putting together through a computerized system all data and information, with a view to improving the activities of risk analysis;
- perfecting the effected check, in accordance with the national and international legislation;
- intensifying the activities of inter-institutional and international cooperation and of operational exchanges of information through the instrumentality of the liaison officers;
- actively participating in interstatal operations: TOPAZ, PURPLE, PALAS etc.

Activities carried out by the Romanian Border Police with a view to controlling illegal immigration and persons' traffic:

The control of illegal immigration and persons' traffic has been constituting a top priority goal of the activities of prevention, finding and punishing within the control and surveillance of state borders.

The activity of the Romanian Border Police in this sense is being performed in accordance with the legislation in effect and with some national strategies involving all state institutions entrusted with tasks and responsibilities related to the prevention and control of illegal immigration and persons' traffic, aiming at knowing the internal and external risk factors existent at the borders of Romania.

The accession of our country to the European Union will transform the current east, north and south-west borders of Romania into external frontiers of the European Union on a distance of 2070 km.

The right to free circulation represents a liberty which requires, in exchange, the reinforcement of the external frontiers of Romania and the adoption of an efficient policy of illegal immigration control.

At the level of the Romanian Border Police specific measures are being implemented, designed to increase the level of monitoring the flows of illegal immigration affecting the territory of Romania.

Considering the technical progresses made in the field of securing travel and identity documents, the General Border Police Inspectorate is permanently trying to ensure a level compatible with the European standards.

The General Border Police Inspectorate promotes the dispatch of officers specialized in the control of illegal immigration in the destination countries for illegal immigration.

In order to discourage illegal immigration, both as concerns individual cases, as well as through the instrumentality of organized crime networks, it is required to be developed some channels of information of the potential immigrants about the legal conditions of admission and residence in Romania, as well as about the risks to which they are exposed by choosing some illegal immigration channels, similarly to the campaigns for the prevention of illegal immigration of Romanian citizens.

With a view to enhancing and unitarily plan the activity for the control of illegal immigration, there have been created and implemented a series of strategies, within which the Border Police has a series of responsibilities, whose purpose is to achieve a complete compatibility with the similar structures from the countries members of E.U., as follows:

- The National Strategy regarding Immigration, approved through *Governmental Decree No. 616 dated 21/04/2004*, published in the Official Gazette, Part I, No. 406 from 06/05/2004;
- The strategy of the Romanian Border Police for State Borders' Securing for the period between 2005 – 2008;
- "The National Strategy of integrated management of the state borders of Romania during the interval between 2005-2009", - constitutes an update of the National Strategy for Integrated Management of State Borders during the interval between 2004-2006, approved through Governmental Decree No. 471 from 01.04.2004, as well as its extension until year 2009.
- The strategy of the Romanian Border Police for the Control of Illegal Immigration No. DM/S1/37100, from 05.05.2006, contains strict stipulations referring to the organization and effectuation of the surveillance and control of the state borders of Romania, per filters and alignments, as follows:

The control of border crossing is organized in accordance with the European standards in the field, on 3 lines, in accordance with the Schengen procedures.

Depending on the operational situation, on the obtained information, on the characteristics of the borders, on the season and on weather conditions, on the available staff and technical equipments, the lay-out of forces and technical surveillance equipment will be carried out per three alignments.

At the same time, the Strategy contains the stipulations of the Schengen Catalogue referring to the 4 levels for border securing, thus:

(a) The activities from third countries, especially in the countries of origin and transit, inclusively the gathering of information by liaison officers, as well as the important role of consulates as concerns visa issuance.

(b) International cooperation as far as borders are concerned.

(c) Measures at the external border: border management (border control and surveillance)

(d) The future activities inside the territory of the Schengen States and between the Schengen States.

Cooperation

Amplification of bilateral and multilateral international cooperation, regarding borders' management can be achieved by:

a) Intensifying cooperation with the neighboring countries in the field of common border management:

- amplification of managerial and operational cooperation with similar structures from the neighboring states;

- intensification of the information exchange, the supply of thorough and trustworthy data regarding border situation, the check ups and applied surveillance measures.

b) Contact Centers and Points:

Currently, the following contact points and centers are operational: The Romanian – Bulgarian Contact Office from Giurgiu; the Contact Point from Oradea; The Common Romanian – Hungarian Contact Point Artand-Borş.

At present are being taken steps towards establishing new contact points at Porubne (Romanian - Ukrainian) and at Iron Gates I (Romanian - Serbian), as well as towards the operationalization of the Trilateral Contact Center from Galaţi with the Republic of Moldova and Ukraine.

c) Development of regional cooperation with the states neighboring the Black Sea.

d) Intensification of the cooperation with the States Members of the European Union through an exchange of data and information, useful and relevant in the field of illegal immigration:

- protocols /agreements for readmission cases;

- intensification of the cooperation actions, in accordance with the specific plans, procedures and bodies of the European Union.

As regards cooperation at the maritime border, the Romanian Border Police is an active participant in the biannual meetings at the level of experts/heads of the border authorities/ coast guards of the states neighboring the Black Sea. In this context, in course of year 2006, the Romanian Border Police will organize in the month of August an exercise in the field of information exchange between the border authorities/ coast guards of the states neighboring the Black Sea.

Institutional Construction

With a view to increasing the operational capacity of the Romanian Border Police, in March 2005, at the General Border Police Inspectorate was set up the Department for the Control of Illegal Immigration, through a reorganization of the former Department for the Control of Transnational Criminality.

At the same time, in March 2005, was established the Risks' Analysis Bureau, with the subordinated territorial departments.

Starting from October 2005, within the above mentioned department there has been created the Office for the Control of Illegal Immigration, through a reorganization of the former Department for the Control of Persons' Traffic.

Currently it's being analyzed the possibility to establish some specialized structures for the control of illegal immigration at the territorial level, corresponding to the central ones, up to the sectorial level of the border police.

Manifestation of the phenomenon of illegal immigration at the Romanian borders

Following the analysis of the operational situation at the level of the Romanian Border Police, there have been identified the following 3 principal routes of illegal immigration:

1. Central Asia / Africa – Russia / Ukraine (Moscow/Kiev)– Republic of Moldova (Chişinău) – East frontier of Romania – Hungary/Serbia – E.U. states.

This route was active until year 2004, at present moving northward and southward to Romania, but after the accession of Romania to the European Union we anticipate a resuming and intensification of pressures at the East border. The access will be effected illegally, beyond the green border through the East, followed by submission of applications for getting refugee status. During the procedure for the receipt of the refugee status, most people were trying to illegally get access beyond the green frontier towards Western countries.

Involved citizens - of Afro-Asian origin (China, Somalia, India, Iraq, Pakistan, Sierra Leone, Sudan, Afghanistan, Bangladesh, etc.).

Guides - members of some criminal organizations from the former states of the Community of Independent States (Russians, Ukrainians, Moldavians).

2. Central Asia – Syria – Turkey – Bulgaria – South border of Romania – Hungary – E.U. States.

Involved citizens - of Afro-Asian origin or of Kurdish nationality (Iran, Iraq, Pakistan, Turkey, Sierra Leone, Sudan, Afghanistan, Bangladesh, etc.).

Guides - Turkish, Iraqi or Syrian citizens of Kurdish nationality – members of some international channels of illegal immigration from the south of Turkey or from the North of Iraq.

By air Kurdish, Chinese, Iraqi, Iranian citizens use false Schengen visas (through chemical and mechanic deletions), passports forged by replacement of photos, of some pages from other passports or by person substitution (especially those whose access was banned in a certain country), as well as by using adjacent routes, which include transit through an airport from Western Europe.

In order to obtain entry visas for Romania, some foreign citizens present a series of false/fictitious documents (invitations, approvals, etc.).

Persons of Afro-Asian origin (Iraqi, Afghans, Iranian, Pakistani, etc.) or Kurdish, inclusively those who applied for asylum on the Bulgarian territory, intend to transit our country to a state from Western Europe.

3. The route of Moldavian citizens

Access is made **legally** through the points opened for international traffic from the East border of Romania. It is attempted the illegal exit from the country both beyond the green border with the Hungarian Republic and the Union of Serbia and Montenegro and through the border points hidden in the transportation vehicle, or with false/forged documents/visas towards states of the European Union.

OBTAINED RESULTS

As concerns the control of illegal immigration, during the interval between 01.01-31.05.2006 were tracked:

- 27 channels of illegal immigration, in which 263 persons were involved (77 traffickers and 186 immigrants)
- 38 guides / transporters (34 Romanian citizens and 4 foreign citizens) with the support of whom, different persons – Romanian or foreign citizens were trying to illegally cross the state borders by using various methods. During a similar period in 2005, 49 guides – transporters were tracked.
- 244 persons who illegally crossed the borders (35 Romanian citizens and 209 foreign citizens);
- 520 persons who attempted to illegally cross the borders (230 Romanian citizens and 290 foreign citizens);

In the course of year 2005 were tracked:

- **38 channels of illegal immigration**, in which 243 persons were involved;
- **115 guides / transporters** (82 Romanians and 33 foreigners), comparatively to 73 discovered during the last year, with whose help, different people - Romanian or foreign citizens were trying to illegally cross the state border by using various methods.

As concerns the control of persons' traffic, during the interval between 01.01-31.05.2006, were registered 42 cases of persons' traffic, out of which 22 channels, in which were identified 128 traffickers and 226 victims:

- 26 cases of sexual exploitation (Spain, Italy, Turkey and France);
- 14 cases of work exploitation (Spain, Greece, Germany and Turkey);
- 2 cases of beggarhood exploitation (Italy and Spain).

In 2005, were tracked **42 channels of human beings' traffic**, involving **137** persons. At the same time, 241 persons (238 – Romanian citizens and 3 foreign citizens) were arrested for sexual traffic, 117 women trafficked for prostitution, 148 persons trafficked for work exploitation and 22 children.