

OPERATION NORMS ON PHYSICAL AND ANTIDRUG CUSTOMS CONTROL COMPARTMENT

Chapter 1

Definition:

1.1. Physical and Antidrug Customs Control Compartment is a customs officers group organized at the level of the customs office which ensures the selection and physical control of the means of transport and persons in order to combat the illicit drug traffic.

Chapter 2

Objectives:

2.1. To increase the number of drug and special regime products at the level of the customs offices by carrying out a risk analysis in order to make an efficient control selection.

2.2. To facilitate the traffic by reducing the number of controls and increasing the number of findings (to optimize the efficiency index: the number of controls referred to the number of findings).

2.3. To carry out an efficient physical control which should reduce the stopping time of the means of transport subjected to physical control.

2.4. To make the physical control more professional within the customs offices.

Chapter 2

The structure:

The Antidrug and Physical Customs Control Compartment should ensure two basic components: the selection for carrying out the control and the actual control.

Each Antidrug and Physical Customs Control Compartment within the customs office is coordinated by a head of compartment who has all the responsibilities. He is in charge of the entire activity of the compartment together with the heads of shifts and the head of the customs office according to their competences.

Within the border customs offices, each shift will have a representative for the Antidrug and Physical Customs Control Compartment ensuring the selection and control operations through staff especially designated for these activities. The activity at the level of the shift will be coordinated by an APCCC responsible within the shift.

When he is not present, the activity will be coordinated by his substitute who takes over all the responsibilities.

This compartment ensures the performance of the risk analysis for selection, the selection and the antidrug control.

The canine team with dogs for the antidrug control belongs also to the Antidrug and Physical Customs Control Compartment.

Chapter 3

The staff:

3.1. In order to make the selection:

The customs staff of the APCCC that will be recruited for the selection must have good skills in carrying out an efficient risk analysis, in administering the databases, IT knowledge, enough foreign languages knowledge often used by the persons who cross the border through the customs office (for being able to carry out specific interrogation techniques), to have good skills in carrying out the analysis and synthesis of the cross-border crime etc.

The selection activities will be performed, as necessary, by a number of customs officers determined by the operational situation at the level of the customs office and depending on the total of the customs staff and on the risk profile specific to the customs office.

3.2. Physical control activities:

The staff of the APCCC who carries out physical control activities must face the weather and physical effort conditions, must have skills in technical matters, ability, knowledge of using the control equipment.

The physical control of the road means of transport will be carried out by at least **2** customs officers per means of transport.

Depending on the staff of each customs office, it will be had in view that when carrying out the checks on the passenger ships and trains the team should be sized in accordance with the complexity of the control.

Chapter 4. Attributions of the APCCC:

4.1. The attributions of the APCCC regarding selection:

4.1.1. It carries out the risk analysis and the selection in order to perform the check at the level of the shift (within the border customs offices) and respectively at the level of the customs office.

4.1.2. It examines travelers' accompanying and transport documents, customs declarations, asks the drivers and travelers specific questions to decide the performance of the control and to gather information according to the information file.

4.1.3. It administers the database regarding the orders, the alerts as well as some other databases used to carry out the risk analysis and selection.

4.1.4. It draws up and sends information sheets (according to the Annex F Info) collected as a result of carrying out of the job duty, for centralizing and setting up of the regional, respectively national risk profile to the Customs Information Compartment within the Division Surveillance and Customs Control and to the Management Information Compartment within the Directorate Surveillance and Customs Control. It sends the sheets F Info drawn up by the Physical Control Unit staff.

4.1.5. It carries out the link between the customs office and the superior levels concerning the specific activity issues and ensures the contact with the specialized inspectors within the Division Surveillance and Customs Control and, as the case may be, with the inspectors from the Division Anti-drug and Special Regime Products.

4.1.6. It draws up monthly proposals for the training plan of the Anti-drug and Physical Customs Control Compartment within the customs office.

4.1.7. It manages the data and synthesis received from the regional and central level, on order to optimize the selection.

4.1.8. It ensures the good performance of the controlled deliveries, according to the attendance methodology.

4.1.9. It draws up reports concerning the special events (any event related to the field activity occurred within the customs office: controls conducted by institutions excepting the customs office or the border-crossing point – Romanian Information Service, Police, CCOA, notifications of the radiation level over the normal allowed limit, visits of the foreign specialized delegations etc.

4.1.10. It draws up and sends the reports imposed by the methodologies in force.

4.1.11. It draws up the measures plan with proposals to improve the activity.

4.1.12. It ensures the sending of the evidences of substances susceptible to be drugs to the analysis laboratory, besides the case when the drugs are handed over to the competent authority.

4.1.13. It draws up the investigation file and the case sheet which it sends to the superior level according to the methodology.

4.1.14. It ensures the fulfillment of the procedure laid down by the methodologies when notifying the existence of a radioactive source.

4.1.15. It verifies the list of the postal mails in order to select the parcels for control, at the level of the postal specific customs offices.

4.1.16. It draws up the synthesis sheet of the controls carried out during the working shift, explaining, according to the boxes of the sheet M IV of the control methodology, the way in which the risk analysis for selection was made. (The Annex M IV replaces the Annex IV of the Methodology).

4.2. Attributions of the Anti-drug and Physical Customs Control Compartment:

4.2.1. It carries out the physical control according to the control methodology in accordance with the Annex III – Control methodology.

4.2.2. It manages the equipment and control devices from the customs office according to the Order no. 980/2005 or to the subsequent provisions.

4.2.3. It ensures the handing over/reception of the control equipment when entering/leaving the shift, according to the procedures established by the Annex III- Methodology.

4.2.4. It draws the evidences of the substances susceptible to be drugs and draws up the accompanying documents of the evidences according to the legal and methodological regulations.

4.2.5. It draws up the physical controls reports according to the methodology and it is responsible for sending of these ones at superior level.

4.2.6. It draws up the physical controls reports as a result of the watch lists and alerts according to the methodologies in force.

4.2.7. It draws up the finding documents when discovering the legal regulations infringement.

4.2.8. It draws up collecting information sheets (F Info), which will subsequently be sent.

4.2.9. It inserts the reporting sheet in the ARGUS module.

4.2.10. It draws up the activity plan of the team dealing with the anti-drugs dogs at the customs office level. It attends, upon request, the control activities at regional or national level.

4.2.11. It cooperates with the mobile teams within the Division Surveillance and Customs Control, involving on the spot mobile teams in order to prevent customs legislation infringements.

Chapter 5

Attributions of the head of the Anti-drug and Physical Customs Control Compartment and of the shift managers:

5.1. He coordinates directly the activity of the Anti-drug and Physical Customs Control Compartment, based on the regulations in force and on the hierarchical heads' orders.

5.2. He draws up, when occupying this position, the Anti-drug and Physical Customs Control Plan, according to the Annex F- Planning, to the Order for the approval of the operation norms of the Anti-drug and Physical Customs Control Compartment.

5.3. He makes the selection for control, together with the Selection Compartment members.

5.4. He ensures the continuous training of the Compartment's members, and he endorses the completion of the compartment structure with new members.

5.5. He draws up the synthesis sheet of the anti-drug and physical control team activity at the end of each shift, registering it in the shift records. The sheet will consist of the controls carried out according to the boxes and guidelines of the annex M IV (annex M IV replaces the annex IV of the Methodology, which is annex to the Order no. 980/2005. All the annexes to this order were renamed, by adding the letter M).

5.6. He is responsible for the usage of the equipment and the control systems during the shift.

5.7. He is responsible for handing over/reception of the control equipment when leaving/entering the shift and he registers in the handing over/reception ledger for the equipment its status when taking over/handing over of this one.

5.8. He verifies the functioning way of the radiological equipment with which the compartment is equipped and he carries out all the activities in order to obtain the legal abilities for its function.

Chapter 6

General responsibilities:

6.1. The head of Anti-drug and Physical Customs Control Compartment, the heads of shift and the customs office head are, solidary, responsible for the entire anti/drug and physical control activity at the customs office level. The executive directors of the regional customs directorates, the heads of surveillance divisions and inspectors from the Anti-drug and Special Regime Compartment are responsible for this activity at regional level.

6.2. The executive directors of the regional customs directorates and the heads of customs office will take all necessary measures in order to select and keep the staff nominated in the teams' structure for a permanent specialized training and, as far as possible, to reduce their other activities which could brake the good performance of anti-drug and physical activities.

6.3. The relocation of the Anti-drug and Physical Customs Control Compartment staff to other working points than those specific to activities mentioned in this order will be allowed only in the case of promotion, of cessation of the individual employment contract or at the customs officer express request.

The relocation of the staff to other working points is allowed only according to a justificatory document, if some of the Compartment's members do not fulfill the efficiency criteria within the Compartment. In this case, the document will consist, too, of the nomination of the persons who replace the persons relocated, as well as enough arguments concerning the qualities of the nominated persons.

The staff relocation should be justified based on the evaluation reports conclusions too, drawn up by the specialized activity evaluation teams from the Division Surveillance and Customs Control within the Directorate Surveillance and Customs Control.

In the case of relocation at request, the opinion of the Division Anti-drug and Special Regime Products within the Directorate Surveillance and Customs Control will be requested.

6.4. The management of the customs offices and of the regional directorates will take the necessary measures for conferring, as far as possible, of the locations destined exclusively to the Anti-drug and Physical Customs Control Compartment and for ensuring of the logistics necessary to carry out, optimally, the specialized activities (computers, access to the customs authority IT network, office equipment, control locations, platforms etc.).

6.5. The evaluation of the anti/drug and physical control activity is made at the customs office, the Division Surveillance and Customs Control and the National Customs Authority level, through the compartments and specialized services, based on the reports sent and of the evaluation controls.

The National Customs Authority, through their directorates and specialized services, as well as the management of the regional customs directorates and of the customs offices will ensure the methodological frame for carrying out of the training, improvement and evaluation of the activities and of the anti-drug and physical control staff.