

AGREEMENT
BETWEEN
THE GOVERNMENT OF THE REPUBLIC OF BULGARIA
AND
THE GOVERNMENT OF ROMANIA
ON
CROSS-BORDER POLICE COOPERATION IN CRIMINAL MATTERS

The Government of the Republic of Bulgaria and the Government of Romania hereinafter referred to as the Parties,

Desirous of further developing bilateral relations and strengthening police cooperation in criminal matters,

With the view of acceding to the Schengen Area,

Having in mind the importance of police cooperation in criminal matters for safeguarding national security and public order,

Wishing to efficiently counter-fight illegal migration, smuggling and trafficking in human beings, as well as other forms of cross-border criminality,

With a view to facilitate the fluency of cross-border movement,

Taking into consideration the provisions of the Convention implementing the Schengen Agreement of 14 June 1985 between the Governments of the States of the Benelux Economic Union, the Federal Republic of Germany and the French Republic on the gradual abolition of checks at their common borders, hereinafter named as the Schengen Convention, as well as the national legislations of the Parties' States,

Have agreed as follows:

PART I
OBJECTIVES AND DEFINITIONS

Article 1

Agreement's Objective and Its Relation with Other Regulations

- (1) The objective of this Agreement is strengthening the cooperation between the Parties in order to prevent the threats to public order and security, and countering trans-border crimes.
- (2) The obligation to inform the competent authority through the procedure used for the international police cooperation shall not be affected by the provisions of this Agreement.

Article 2

Definitions

For the purposes of this Agreement:

- (1) "Authorities" shall mean:

For the Bulgarian Party:

- Chief Directorate of Criminal Police, Chief Directorate of Public Order Police, Chief Directorate of Border Police, Chief Directorate for Pre-trial Proceedings, Specialized Directorate for Operational and Technical Operations of the Ministry of Interior and the territorial structures of the Ministry of Interior;
- The Customs Agency to the Minister of Finance.

For the Romanian Party:

- The Romanian Police and the Romanian Border Police within the Ministry of Administration and Interior;
- The National Customs Authority within the Ministry of Public Finance.

- (2) Central authorities for international police cooperation hereinafter referred to as "Central authorities":

For the Bulgarian Party:

- The International Operational Police Cooperation Directorate of the Ministry of Interior;

For the Romanian Party:

- Centre for International Police Cooperation within the Ministry of Administration and Interior.

(3) "Border areas" shall mean:

In the territory of the Republic of Bulgaria:

- The area within 30 km from the state border into the national territory

In the territory of Romania:

- The area within 30 km from the state border into the national territory

Border areas shall mean also the following:

- The train that is moving on the railway between the state border and the first stop station, according to the railway guide;
- The civil ships that are moving between the state border and the first moor location.

PART II

GENERAL FORMS OF COOPERATION

Article 3

General Measures of Cooperation

Within the limits of their own competencies, the Parties' Authorities may undertake all the necessary measures for strengthening cooperation, by:

- (1) Strengthening the information exchange and developing communication means by:
 1. Exchanging information on specific cases;
 2. Exchange of information in order to counteract the threats to public order and security, with regard to undertake the necessary activities in due time;
 3. Exchange of information on events which in the opinion of the sending authority might have effect on the state territory of the other Party;
 4. Until the use of the unitary radio system equipment at European standards and frequencies, setting up and using radio connection, by exchanging radio sets in order to improve the ways for communication, especially the radio traffic along the border. The technical solutions in the field of

communications necessary to improve and facilitate cross-border cooperation shall be additionally agreed by the competent authorities.

- (2) Carrying out activities and investigating the crimes and countering threats for public order and security, by:
1. Jointly planning of the personnel activities in the border areas;
 2. If needed, setting up joint activity command centres;
 3. If needed, setting up joint investigation teams, according to the stipulations of the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union adopted on 29 May 2000 in Brussels;
 4. Planning and carrying out joint programs for preventing and fighting crimes;
 5. Regularly and if needed, organising meetings for checking on the quality of the cooperation, debating the new strategies, for convening on the activities, pursuit and patrolling plans, for exchanging statistics and for coordinating work programs;
 6. Carrying out joint training sessions in the relevant institutions;
 7. Inviting the representatives of the authorities of the other Party to take part as observers to very important missions;
 8. Permanent/daily exchange of information bulletins, statistics, analysis of crime phenomena between territorial structures of the competent authorities of the Parties.

Article 4

Cooperation in the Field of Training and Qualification

The Parties shall cooperate in the field of training and qualification of the officials of the authorities especially by: designating contact persons, carrying out consultations, planning and carrying out joint meetings aiming at identification of common activities for training and qualification of the officials with a view of the implementation of this Agreement.

Article 5

Actions of the Officials of the Authorities of the Parties Performed under the Guidance of the Authorities of the Party on Which Territory the Actions Are Performed

- (1) In case of urgency the officials of the competent authorities can exceptionally be subordinated to the other Party's competent authorities in order to prevent the threats to public order and security, as well as for countering crime with the aim to ensure the performance of their duties, including those related to exercising state authority duties.
- (2) Case of urgency under Paragraph 1 exists when the measures which are going to be undertaken would lack success, would be seriously endangered or considerably hampered, in the absence of joint actions.
- (3) The officials mentioned in Paragraph 1 have the right to act as representatives of the state authority only under the command and in the presence of the competent officials of the Party's authorities on which state territory they act. In this case, they have to respect the national legislation of the State on which territory they act. The Party on which state territory the officials act shall assume responsibility for their actions.

Article 6

Co-operation upon Request

- (1) The authorities of the Parties shall grant each other assistance within the limits of their competencies upon request in a standard form provided by the Council Framework Decision 2006/960/JHA.
- (2) The Parties' authorities shall grant each other assistance for the purposes of the prevention and identification of offences, in so far as national law does not stipulate that the request has to be made and channelled via the judicial authorities and provided that the request or the implementation thereof does not involve the application of restrictive measures by the requested Party, in particular by:
 1. Identifying of owners and operators of vehicles, boats and aircrafts;
 2. Identifying the residence and the domicile;
 3. Checking residence permits;
 4. Checking documents for crossing the border, ID documents, driving licenses, registration certificates, transport documents and legal status acts;

5. Ascertaining the identity of telephone subscribers and subscribers to other telecommunication services where publicly accessible;
 6. Establishing the identity of persons;
 7. Checking the origin of goods, e.g. weapons, vehicles and boats, including requests regarding the tracing sales channels;
 8. Supplying data from police data bases, as well as information from the official records publicly accessible;
 9. Supplying information related to drugs, weapons and explosives, as well as information on forgery of money and other securities;
 10. Supplying information on practical implementation of the measures related to cross-border surveillance, hot pursuit and controlled deliveries;
 11. Comparison of traces from committed offences;
 12. Coordinating and deciding on the first pursuit measures;
 13. Supplying information on illegal migration and trafficking in human beings.
- (3) If the requested authority is not competent to solve the request, it shall forward it to the competent authority. This shall also apply if the competent authority is a judicial authority. The requested authority shall inform the requesting authority on having forwarded the request to the competent authority and the competent authority shall solve the request and transmit the result to the requesting authority.
- (4) The requests of the authorities according to Paragraphs 1 and 2 shall be transmitted through the central authorities of the Parties. Without any prejudice to Paragraph 1, the requests, others than those mentioned in Paragraph 2, can be transmitted and directly solved at the level of the competent authorities, if:
1. The cross-border information exchange concerns the offences which were committed or are investigated in the border areas, or
 2. A direct cooperation is necessary if imposed by the circumstances in which the act was committed or by the connections between persons involved and if agreed between the central authorities of the Parties.

PART III
SPECIAL FORMS OF COOPERATION

Article 7

Cross-border Surveillance

- (1) The officials of the one Party's authorities who, within the framework of a criminal investigation, are keeping under surveillance in their country a person who is presumed to have taken part in a criminal offence to which extradition may apply, or a person who it is strongly believed will lead to the identification or location of the above-mentioned person, shall be authorised to continue their surveillance in the state territory of the other Party where the latter has authorised cross-border surveillance in response to a request for assistance which has previously been submitted.
- (2) The request for assistance shall be in a standard form agreed by the competent authorities and submitted through the central authorities.
- (3) The request for assistance shall be submitted to the Supreme Prosecutor's Office of Cassation of the Republic of Bulgaria and to the Prosecutor's Office by the High Court of Cassation and Justice, in Romania. The request shall contain all the relevant information of the case. Conditions may be attached to the authorisation.
- (4) On request, the surveillance shall be entrusted to officials of the Party's authorities on which state territory this is carried out.
- (5) While performing cross-border surveillance, the officials of one of the Parties may carry out the surveillance within the state territory of the other Party as the common border of the States of the Parties can be crossed outside border crossing points as well as outside the work time of border crossing points.
- (6) In case of emergency cross-border surveillance of a person presumed to have committed criminal offences listed in Paragraph 8, all of the following conditions must be met:
 1. During the surveillance, the border crossing must be immediately notified to the Supreme Prosecutor's Office of Cassation of the Republic of Bulgaria and to Prosecutor's Office by the High Court of Cassation and Justice, in Romania, as well as to the competent authorities of the requested Party pointed out in the list, as provided for in Article 23, Paragraph 2 of this Agreement;
 2. A request for assistance submitted in accordance with Paragraph 3 and outlining the grounds for crossing the border without prior authorization shall be submitted immediately.

The surveillance shall cease as soon as the Party on which state territory it is taking place so requests, following the notification referred to item 1 or the request referred to in item 2 or where authorisation has not been obtained within five hours after the border was crossed.

- (7) The surveillance referred to in Paragraphs 1 and 6 shall be carried out only under the following general conditions:
1. The officials conducting the surveillance must comply with the provisions of this Article and with the legislation of the Party on which state territory they are operating; they must obey the instructions of the competent Party's authorities according to the place of surveillance;
 2. Except in the situations provided for in Paragraph 6, the officials shall, during the surveillance, carry a document certifying that authorisation has been granted;
 3. The officials conducting the surveillance must be able anytime to provide proof that they are acting in an official capacity; the Parties' authorities shall inform each other on the type of the relevant documents;
 4. The officials conducting the surveillance may carry their service weapons during the surveillance, unless specifically otherwise decided by the requested authority in accordance with Paragraph 3; the use of weapons is permitted only in cases of legitimate self-defence;
 5. Entry into private homes and places not accessible to the public shall be prohibited;
 6. If, in order to carry out the cross-border surveillance, technical means are necessary, these can be used only if this is allowed by the national legislation of the requested Party; technical means which will be used must be mentioned in the request sent according to Paragraph 3;
 7. The officials conducting the surveillance may neither detain nor question the person under surveillance;
 8. All operations shall be the subject of a report to the Party's authorities on which state territory the surveillance took place; the officials conducting the surveillance may be required to appear in person in order to clarify the circumstances related to the surveillance;
 9. The Party's authorities from which the observing officials have come shall, when requested by the Party's authorities on which state territory the surveillance took place, assist the investigation subsequent to the surveillance in which they took part, including legal proceedings.
- (8) The surveillance referred to in Paragraph 6 may be carried out only in relation with one of the criminal offences pointed out in Article 40, Paragraph 7 of the Schengen Convention; participation in a criminal organisation as referred to

in Council Joint Action 98/733/JHA of 21 December 1998 on making it a criminal offence to participate in a criminal organisation in the Member States of the European Union; terrorist offences as referred to in Council Framework Decision 2002/475/JHA of 13 June 2002 on combating terrorism.

Article 8

Hot pursuit

- (1) The officials of the authorities of one of the Parties who are pursuing in their country a person caught in the act of committing or of participating in a crime which is considered as the base of emission of an European Arrest Warrant shall be authorised to continue pursuit without limit of time, in the state territory of the other Party without the latter's prior authorisation where, given the particular urgency of the situation, it is not possible to notify the competent authorities of the other Party by one of the means provided for in Paragraph 2 prior to entry into that state territory or where these authorities are unable to reach the scene in time to take over the pursuit. The same shall apply where the person being pursued has escaped from provisional custody or while serving a sentence involving deprivation of liberty.
- (2) The notification referred to in Paragraph 1 shall be made in a secure way through one of the following means:
 1. Telephone, radio, and telex lines and other direct communication links in border areas;
 2. Liaison officers provided with appropriate radio equipment;
 3. Common links for police and customs services operating in these same areas;
 4. Standardised and compatible communications systems.
- (3) The pursuing officials shall, not later than when they cross the border, contact the competent authorities of the Party on which state territory the hot pursuit is to take place. The hot pursuit will cease as soon as the Party on which state territory the pursuit is taking place so requests.
- (4) At the request of the pursuing officials, the competent local authorities shall detain the pursued person in order to establish the person's identity or to take into custody, according to the national legislation of the Party on which state territory the pursuit is taking place.
- (5) If no request to cease the hot pursuit is made and if the competent local authorities are unable to intervene quickly enough, the pursuing officials may

detain the person pursued until the officials of the Party on which state territory the pursuit is taking place are able to establish the person's identity and to detain the person.

- (6) A person who, following the action provided for in Paragraph 5, has been detained by the competent authorities may, whatever that person's nationality, be held for questioning. The relevant rules of national law shall apply *mutatis mutandis*. If the person is not a national of the State of the Party on which state territory the person was detained, that person shall be released no later than six hours after the detention was made, not including the hours between midnight and 9.00 a.m., unless the competent local authorities have previously received a request for that person's provisional detention for the purposes of extradition in any form whatsoever.
- (7) The hot pursuit shall be carried out only under the following general conditions:
 1. The pursuing officials must comply with the provisions of this Article and with the legislation of the Party on which state territory they are operating; they must obey the instructions issued by the competent Party's authorities on which state territory the pursuit is taking place.
 2. The hot pursuit shall be solely over land border.
 3. Entry into private homes and places not accessible to the public shall be prohibited.
 4. The pursuing officials shall be easily identifiable, either by their uniform, by means of an armband or by accessories fitted to their vehicles; the use of civilian clothes combined with the use of unmarked vehicles without the aforementioned identification is prohibited; the pursuing officials must at all times be able to prove that they are acting in an official capacity.
 5. The pursuing officials may carry their service weapons; their use is permitted only in cases of legitimate self-defence;
 6. Once the pursued person has been detained as provided for in Paragraph 5, for the purpose of being brought before the competent authorities, that person may only be subject to a security search; handcuffs may be used during the transfer; objects carried by the pursued person may be seized.
 7. The pursuing officials shall appear before the competent authorities of the Party on which state territory they were operating and shall report on facts and circumstances of the case; at the request of those authorities, they shall remain at their disposal until the circumstances surrounding their action have been sufficiently clarified; this condition shall apply even where the hot pursuit has not resulted in the detention of the person pursued.

8. The authorities of the Party from which the pursuing officials have come shall, when requested by the authorities of the Party on which state territory the hot pursuit took place, assist the investigation subsequent to the operation in which they took part, including judicial proceedings.

PART IV

SPECIAL FORMS OF POLICE COOPERATION FOR PREVENTIVE PURPOSES

Article 9

Joint Operations for Prevention of Threats to the Public Order and Security

- (1) With a view to enhance the cooperation for prevention of threats to the public order and security, the Parties' authorities may establish joint patrols, joint control, evaluation and surveillance groups, as well as other joint operations.
- (2) The joint operations mentioned in Paragraph 1 shall be performed in accordance with the legislation of the Party in which state territory they take place.
- (3) The conditions for carrying out joint operations under Paragraph 1 shall be detailed by the Parties' authorities.

Article 10

Information Exchange for Prevention of Threats to Public Order and Security

The competent authorities of the Parties may exchange data, including personal data, mutually and without request, in compliance with their national legislation, if the circumstances give reason to believe that they could prevent certain threats to public order and security.

Article 11

Measures in the Event of Imminent Danger

- (1) In urgent situations, officials of the authorities of one of the Parties may, without other Party's prior consent, cross the common border so that, within the border area of the other Party they can take temporary measures necessary to avert imminent danger to the physical integrity and life of individuals. The

measures shall be taken in compliance with the national legislation of the Party on which state territory they have been undertaken.

- (2) An urgent situation as referred to in Paragraph 1 shall be deemed to arise if there is a risk that the danger will materialise in the event of waiting for the officials of the Party's authorities on which state territory danger appeared to act or to take charge.
- (3) The officials crossing the border must notify the competent authorities of the other Party without delay. The competent authorities of the Party on which state territory the danger has appeared shall confirm receipt of that notification and without delay take the necessary measures to avert the danger and take charge of the operation. The officials crossing the border may operate on the state territory of the other Party only until the competent authorities of the Party on which state territory the danger has appeared has taken the necessary measures. The officials crossing the border shall be required to follow the instructions of the competent authorities of the Party on which state territory the danger has appeared.
- (4) The Party on which state territory the measures as referred to in Paragraph 1 are taken shall assume responsibility for the measures taken by the officials crossing the border.

Article 12

Support for Major Events, Disasters and Serious Accidents

The Parties' authorities shall provide one another mutual support in compliance with national legislation on public gatherings and other major events, disasters and serious accidents, as follows:

1. Shall inform mutually, as soon as possible, on events which might have effect on the state territory of the other Party;
2. Shall undertake and coordinate the necessary measures on the national territory in case of events which might have effect on the state territory of the other Party;
3. Shall grant assistance, upon request of the Party on which state territory the event occurred, if possible, by sending experts, advisors and by making equipment available.

Article 13

Establishing Control Points in Case of Emergency

- (1) A control point in case of emergency may be established temporary on the state territory of the other Party if the following conditions are fulfilled:
 1. There is no available location on the other Party's state territory;
 2. The objective is not border control;
 3. It is based on general police information and expertise regarding possible menaces to public security and aims to fight cross-border criminality;
 4. It is authorized by the competent authority of the other Party.
- (2) The control point in case of emergency must be as close to border as possible, outside the city area, and is not allowed to be located more than 5 km away from the common border line.
- (3) The authorization as referred to in Paragraph 1 may be accompanied by conditions. The measure shall be stopped at the demand of the Party's authority on which state territory it is accomplished.
- (4) The border control is accomplished exclusively according to the national legislation of the Party's State that ordered the control, according to article 21 of EC Regulation No 562/2006 of the European Parliament and of the Council from 15 March 2006 regarding the establishment of a Community Code on the rules of governing the movement of persons across borders (Schengen Borders Code). Officials of both Parties' authorities shall be present at the control points in case of emergency.

Article 14

Co-operation within the Common Contact Centres

- (1) With a view to facilitate information exchange, the authorities of the Parties may use the common contact centres.
- (2) In the common contact centres, the officials of the Parties' authorities shall cooperate, within the limits of their competences, in order to exchange information, analyze and send further data in matters regarding the field of competence of the authorities in the border area, as well as support to the coordination of cross-border cooperation according to this Agreement.

- (3) The cooperation includes also preparation and working together in order to return third countries' nationals on the basis of agreements in this field concluded between the Parties.
- (4) The personnel of the common contact centres shall not participate directly in carrying out operational activities. The officials working in the common contact centres are subordinated administratively and professionally to their national authorities.
- (5) The officials of the common contact centres may also perform non-operative activities, especially public relations and assist in carrying out trainings and qualifications of the officials of the Parties' authorities.
- (6) Details regarding the place and conditions of setting up of the common contact centres cooperation, the manner of cooperation and uniform repartition of the costs will be regulated by separate arrangements concluded between the Parties.
- (7) The authorities of one of the Parties may participate in the common contact centres maintained by the other Party together with another neighbouring country of both States, if the other Party and the neighbouring country agree on this matter. Details on cooperation and repartition of costs shall be regulated between the Parties involved.

PART V
GENERAL PROVISIONS FOR COOPERATION

Article 15

Protection of Personal Data

The mutual exchange of personal data between the competent authorities of the Parties shall be made according to the national legislation, the conditions stated by the sending competent authority and to the following principles, which apply both to the automatic and non-automatic procession of data:

1. The data provided shall not be used for other purposes than those for which they were initially provided, without the consent of the sending authority;
2. The data provided shall be destroyed / updated if:
 - The data prove to be incorrect, or
 - The sending competent authority has informed that the data have been gathered or provided by breaching the law, or

- The data are no longer necessary for the purpose they have been provided for, except for the cases when there is a specific authorization according to which the data provided can be also used for other purposes;
- 3. Upon request of the sending competent authority, the receiving competent authority can provide information on the use of the data;
- 4. The sending competent authority shall make sure that the data provided are correct and satisfying. If it is further established that the provided data have been wrong or not meant to be sent, or that the data legally provided according to the national legislation of the sending or receiving competent authority should be afterwards destroyed, the sending or receiving competent authority should be immediately notified in order to destroy them or to make the appropriate modifications according to item 2;
- 5. The receiving competent authority has the duty to efficiently protect the provided data against unauthorized access, modifications or circulation;
- 6. In case of unauthorized access or dissemination of the provided data, the receiving competent authority shall immediately inform the sending competent authority about the circumstances involved by the unauthorized access or dissemination, as well as regarding the measures taken in order to avoid such incidents in the future;
- 7. Both the sending and the receiving competent authority shall keep records of providing, receiving, altering or destroying the data;
- 8. When providing data, the sending competent authority shall specify the deadline for destroying the data, according to the national legislation;
- 9. The person regarding to whom the data have been or shall be provided can receive, upon written request, information on the provided data and the purpose they are meant for, according to the national legislation of the States of the Parties. If the person to whom the data refer to submits a request for accessing, modifying or destroying these data, the receiving authority shall take a decision according to the declaration of the sending competent authority;
- 10. The competent authority having received a request for information from a citizen of the State of the other Party shall immediately inform the competent authority of the other Party before sending such information;
- 11. Data can also be provided to a third party only if there is a written consent from the sending competent authority;
- 12. A refusal for providing data can be registered only if there is a threat for the national security or public order;

13. The Parties shall take all necessary measures according to their national legislation in order to avoid any damages to a third party, resulting from providing, receiving or using data as well as to eliminate the essential conditions leading to eventual inauspicious consequences.

Article 16

Exchange of Classified Information

The classified information exchange shall be carried out with observance of the Agreement between the Government of the Republic of Bulgaria and the Government of Romania on Mutual Protection of Classified Information, signed in Bucharest on 13 of April 2006.

Article 17

Legal Status of the Officials

- (1) The officials of the authorities of one of the Parties acting on the state territory of the other Party as a result of cooperation under this Agreement have no competencies regarding the exercise of state authority duties, besides those provided by this Agreement. During their missions, they must comply with the national legislation of the Party on which state territory they act.
- (2) The officials of the authorities of one of the Parties acting on the state territory of the other Party as a result of the cooperation under this Agreement may wear official uniform as well as weapons and auxiliary devices. Service weapons and auxiliary devices can be used only in case of self-defence, unless the officials of the Party's authorities on which state territory the mission takes place or the head of the mission does not order explicitly a utilization of the service weapons and auxiliary devices, in compliance with national legislation. The Parties' authorities shall inform each other regarding the type and the number of the service weapons and auxiliary devices.
- (3) The officials of the authorities of one of the Parties using on the state territory of the other Party motor vehicles during the missions under this Agreement shall be subject, to the same legal provisions on traffic as the officials of the Party in which state territory the mission is taking place. This is valid also as regards the privileges in the traffic on public roads during the mission. The Parties shall inform each other of the regulations in force in this field.

Article 18
Criminal Liability

As regards the offences committed by them or against them, the officials acting under this Agreement on the state territory of the other Party have the same legal statute as the officials of the other Party's authorities.

Article 19
Civil Liability

- (1) Where officials of the authorities of one of the Parties who act in the state territory of the other Party while carrying out actions related to the implementation of Articles 7 and 8 of this Agreement or within a joint investigation team, according to the Convention established by the Council in accordance with Article 34 of the Treaty on European Union on Mutual Assistance in Criminal Matters between the Member States of the European Union, adopted in Brussels, on 29 May 2000, in Brussels, had caused damages, the authority whose officials caused the damages is responsible, according to the legislation of the Party on which state territory they act.
- (2) The Party on which state territory the damages were caused shall reimburse such damages under the conditions applicable to damages caused by its own officials.
- (3) The Party whose official has caused damage to any person in the state territory of the other Party shall reimburse the latter in full any sums it has paid on their behalf.
- (4) Without prejudice to the exercise of its rights vis-à-vis third parties and with the exception of Paragraph 3, each Party shall refrain, in the case provided for in Paragraph 1, from requesting reimbursement of damages it has sustained from another Party.

Article 20
Border Crossing

- (1) If necessary, in relation to traffic conditions, one Party's authorities officials are allowed to move in the state territory of the other Party for one of the purposes provided for by this Agreement, in order to reach the national territory on the shorter way. In case of necessity, the special provisions regarding the circulation on public roads during the mission may be used in

exceptional cases. The authorities of the Party on which state territory the traffic privileges were used shall be informed without delay.

- (2) For the actions they are executing according to the domestic provisions in the passenger trains and vessels that are on the parts of the routes situated on the national territory, one Party's authorities officials are allowed to come aboard when still located on the territory of the other Party's State or to descend there after finalizing the mission.

Article 21

Assistance Provided During the Missions

- (1) Each Party is obliged to provide for the officials of the other Party's authorities, during the execution of their missions, the same assistance and protection provided for their officials.
- (2) As regards the law applicable to the civil servants, in particular the disciplinary and liability matters, the officials of the other Party's authorities are subject to their national legislation.

Article 22

Refuse for Assistance

If a Party's authority considers that solving a request, executing or delaying a measure on the basis of this Agreement influences or jeopardises its sovereign rights, the national security or other fundamental interests, or infringes the public order, it may partially or fully refuse cooperation, in compliance with other international obligations regarding the cooperation, or it may condition it.

PART VI

FINAL PROVISIONS

Article 23

Provisions on the Implementation of the Agreement

- (1) On the basis and in the framework of this Agreement, the Parties' authorities may sign Protocols or other documents for the implementation of this Agreement.

- (2) The central authorities shall transmit a list containing the competent authorities at the central and local level and their competencies regarding the implementation of this Agreement, as well as their contact data. The list shall be updated in due time in cases of any changes of Parties' authorities titles, competences and contact data.
- (3) The Customs authorities of the Parties are object of this Agreement as far as they have also tasks related to the infringements of the interdictions or restrictions applied to goods cross-border movement.

Article 24

Languages

- (1) For the implementation of this Agreement, the Parties' authorities shall use Bulgarian, Romanian, or English language.
- (2) The requests send in pursuance to this Agreement shall be written in the language of the requested Party. If it is not possible for the request to be written in the language of the requested Party, the requests shall be written in English language.

Article 25

Verifying the Implementation and Amendments of the Agreement

- (1) Upon request of one of the Parties, a joint working group consisting of the representatives of the Parties shall verify the implementation of this Agreement and shall elaborate, if necessary, proposals for its amendment and supplement.
- (2) The amendments and supplements shall enter into force by the procedure set out in Article 27, Paragraph 1 of this Agreement.

Article 26

Costs

Each Party's authorities shall bear the costs of implementing this Agreement, if they do not decide otherwise in particular cases.

Article 27

Entering into Force, Denunciation

- (1) This Agreement is concluded for an undetermined period and shall enter into force on the date of receiving the last notification by which the Parties mutually inform each other, through diplomatic channels, on accomplishing the internal legal procedures required for its entry into force.
- (2) The provisions of Articles 8 and 13 of this Agreement shall enter into force on the date of lifting the controls at the internal borders.
- (3) Each Party may denounce this Agreement at any moment, through a written notification transmitted through diplomatic channels. The denunciation shall enter into force 6 months after the date of transmitting such a notification to the other Party.

Signed in Vidin on 19 May 2009, in two original copies, each in Bulgarian, Romanian and English languages, all texts being equally authentic. In case of difference in the interpretation, the English version will prevail.

**For the Government of
the Republic of Bulgaria**

**For the Government of
the Romania**
