



UNION INTERNATIONALE DES CHEMINS DE FER  
INTERNATIONALER EISENBAHNVERBAND  
INTERNATIONAL UNION OF RAILWAYS

UIC SCHENGENRAIL PROJECT  
ČIERNA NAD TISOU – CHOP  
ASUR/03/U/300  
FINAL REPORT



ŽELEZNIČNÁ SPOLOČNOSŤ, a.s.



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## Introduction

The UIC Schengenrail Project ASUR/03/U/300 on railway border crossing with the change of gauge – 1435/1520 mm in Čierna nad Tisou – Chop is aimed at the analysis and consequent specialized recommendations and calculation of the assumed investment needs in relation with the accession of the new EU Member States to the Schengen Agreement in the field of railway border operation. The project was initiated by the UIC Regional group – by railways of G4 and UIC East West Task Force and approved by the statutory meeting of the UIC – the Assembly of Active Members in November 2003. Besides the leading railway of the project – PKP, the project is monitored also by the UIC Safety Platform. Both small border crossings with the same gauge and the railway border crossing with the change of gauge – Čierna nad Tisou – Chop were included into the first phase of the project

During the project work it was necessary to consider sensitively the complexity of the border crossing on the joint of two gauges where the operational activities on the border besides the usual procedures at the border crossing of the same gauge, (i.e. mutual handing and takeover of railway vehicles and consignments, the check of persons by the Border Police, the check of goods, customs and phyto- and sanitary service) include also the activities of goods transshipment. All these activities on the joint of two gauges consequently imply a big amount of railway and non-railway employees within the area and the large manipulation with goods of extensive assortment including large shift of railway vehicles in the entire junction.

The first change which substantially influenced the existing procedures at the border transition junction was the accession of the Slovak Republic to the EU and the resulting accession to the single European market with the border with a third country (Ukraine). This change modifies the conditions for the customs clearance procedures and influences the use of consignment notes as well as shipments checks. Another change having substantial influence on the existing procedures is the commitment to achieve compliance with the Schengen criteria within two years. Concurrently it is necessary to consider both the existing criteria, and the newly-prepared more strict criteria for the future (extended) Schengen area.

The changes in question caused the pressure on the adjustment of the existing intergovernmental and inter-railway contracts concerning the given border crossing.

The project therefore analyses and considers all aspects which can be divided into legal, technical, technological and operational ones.

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The priority objective is to analyze possible solutions to the question of the protection of the European Community area on the external border in places of the railway border crossings in conditions of the extended European Union and in compliance with the implementation of the Treaty of Amsterdam (1997). The consequent implementation of measures satisfying the required criteria has a substantial influence on the change of the railway transport in the border-crossing stations, and in the wider sense it concerns all European railways, both in the EU and outside the EU.

Due to these reasons the project was included within the UIC priority projects for this year and was divided into two working groups, one for the crossings of standard gauge and one for the crossings on the joint of various gauges. The project work in the first phase is aimed at the pilot crossings (including the crossing in Čierna nad Tisou – Chop), while the experience from the pilot study shall be extended and applied to other concerned crossings of a similar character.

The concerned issue is directly related to the railways and states which have similar border transitional stations: LG (Lithuania), PKP (Poland), BC (Belarus), ZSR and ZSSK (Slovakia), UZ (Ukraine), MÁV (Hungary), CFR (Romania) and a non-member of the UIC, RZD (Russia - Kaliningrad). In the broader context of the border stations with wide gauge between the EU and the non-EU the topic applies also to VR (Finland), EVR (Estonia), LDZ (Latvia) and, in the space of the Black Sea, to BDZ (Bulgaria), TCDD (Turkey) and an associated member of the UIC, GR (Georgia).

## Project objectives

## 1. Character of the border crossing

Railway border station in Čierna nad Tisou is located in the territory of the Slovak Republic, in the district of the town of Trebišov, 3.9 km from the state border with Ukraine. Railway border station Chop is located in the territory of Ukraine, 5.1 km from the common state border.

Railway border crossing Čierna nad Tisou – Chop lies on the Pan-European Corridor V on the external border of the European Union, on the border with Ukraine.

The railway station Čierna nad Tisou is an interface of railway tracks of:

- Ukrainian Railways (UZ), with gauge of 1520 mm,
- Railways of the Slovak Republic (ZSR), with gauge of 1435 mm.

Besides, it is an interface of two transport regimes SMGS/SMPS and CIM.

This border crossing is the only railway border crossing between the SR and Ukraine for passenger and freight traffic of normal gauge and freight traffic of broad gauge.

The continual operation of the Alien Police Department of Police Force in Čierna nad Tisou and of the Customs Administration of the SR in Čierna nad Tisou is provided for at this border crossing. The crossing is designated for persons from all other states without a limitation, and for transport of goods. Alien Police Department is situated in the town of Čierna nad Tisou on the premises of the Ministry of Interior of the SR together with the Border Department of Police Force in Čierna nad Tisou.

Railway transport between the Slovak Republic and Ukraine is carried out via two railway border crossings with gauge of 1 435 mm and 1 520 mm:

On the side of UZ		On the side of ZSR	
Name of the border station	Distance in km to the state border	Name of the border station	Distance in km to the state border
On tracks 1520 mm			
Chop	5,1	Čierna nad Tisou	4,0
Uzhorod	8,7	Maťovce	2,4
On tracks 1435 mm			
Chop	6,7	Čierna nad Tisou	4,0
Uzhorod	6,9	Maťovce	2,9

## 2. History of Schengen

The original initiative of the Schengen process, which includes especially the simplification of checks at border crossings, was the Saarbrücken Convention in 1984. In this Convention, France and Germany agreed on abolition of border technicalities for the members of the European Community. At the end of 1984 the Benelux countries joined the German-French initiative and developed the Agreement on the gradual Abolition of Checks on Common Borders signed on 14<sup>th</sup> June 1985 in Schengen, Luxembourg known as Schengen Agreement (Schengen I). In the Article 2 of the Schengen Agreement the contracting parties agreed on the “long-term implementation of the measures” based on which personal checks on the internal borders should have been abolished and moved to the external borders, as of 1<sup>st</sup> January 1990.

On 19<sup>th</sup> June 1990 the countries to the Schengen Agreement signed the Convention Implementing the Schengen Agreement, dated 14<sup>th</sup> June 1985 concerning the gradual abolition of checks on common borders - Schengen II (hereinafter referred to as the Agreement). This required the ratification process, and consequently the Convention Implementing the Schengen Agreement came into force in international extent after the submission of instruments of ratification on 1<sup>st</sup> September 1993. In the common declaration in relation to the Article 139 which was added to the final act, the contracting parties determined that the Agreement shall come into force "when there shall be effective conditions for the Agreement application in the signatory states ". However, the assimilation of the national legislation of some contracting parties (France, Germany) resulted in the Agreement coming into force on 26<sup>th</sup> March 1995. In further five years Spain, Portugal, Italy, Greece and Austria joined the Agreement, in 1996 it was Denmark, Finland and Sweden. By accession to the Agreement these states could commence their participation in all decisions of common authorities and were obliged to accept the list of countries that need visa for entry into the Schengen states. The common agreement on accession establishes that individual accession agreements shall come into force after there are created conditions and prerequisites for their application. The agreements in all these states as well as checks on the external borders shall be actually carried out in these states. This took place on 1<sup>st</sup> April 1998, thus canceling the checks on the internal borders of the Agreement states.

The agreements on cooperation were signed with Norway and Island since these states, as non-member states of the EU, cannot join the Agreement and acquire the status of the associated countries.

The EU member states which acceded to the Schengen acquis:  
France, Germany, Belgium, Spain, Portugal, Italy, Greece, Austria, Island, Norway, the Netherlands, Luxembourg, Denmark, Finland and Sweden

Member states which make effort to accede to the Schengen acquis:  
Estonia, Latvia, Lithuania, Poland, the Czech Republic, Slovakia, Slovenia, Hungary, Malta, Cyprus



### 3. Slovakia and the Schengen acquis

*The Slovak Republic does not require either exceptions or transitional periods for the implementation of the acquis in the Chapter 24 – Cooperation in the field of justice and home affairs*



The European Agreement on Association concluded between the European Communities and their Member States on one side and the Slovak Republic on the other side was signed on 4<sup>th</sup> October 1993 and came into force on 1<sup>st</sup> February 1995. The Slovak Republic submitted the application for the membership in the EU on 27<sup>th</sup> June 1995. At the meeting in Helsinki in December 1999 the European Council made a decision on the commencement of the accession talks with the Slovak Republic in 2000. The Slovak Republic expressed in the "Negotiation position of the Slovak Republic in Chapter 24 – Cooperation in the field of justice and home affairs (CONF-SK 74/00)" the commitment to accept and implement the acquis in given field including the Schengen acquis. On 27<sup>th</sup> June 2001 Chapter no. 24 – "Cooperation in the field of justice and domestic affairs" was opened, and then pre-concluded on 11<sup>th</sup> June 2002.

The Slovak Republic gradually creates conditions and implements the measures necessary for the application of the Schengen acquis and the cooperation with the Member States of the European Union at its implementation. The Slovak Republic devotes special attention to the effective protection of its borders especially with the priority emphasis on the building of border with Ukraine according to the Schengen standards with respect to its character of the external border of the European Union.

The Slovak Republic shall take the responsibility for the execution of the effective border check in compliance with the Schengen requirements especially for the part of the common border with Ukraine. This border after the extension of the EU changed its national character and became the European Union external border. The Slovak Republic borders with one Member State of the European Union (Austria), three newly acceded countries (the Czech Republic, Poland and Hungary) and the third state (Ukraine).

The priority aim is to build a model of the integrated security of the state border targeted at elimination of progressive illegal migration and related criminality by increasing the efficiency and effectiveness of the police work in all fields of activity.

The establishment and action of authorities and institutions which are partially or entirely missing in the service of the Border as well as Alien Police is ensured within the plan for enhancing the necessary capacities. It includes especially the completion of managing structures in the field of economy, human resources, management and home affairs, enforcement of authorities responsible for physical, technical and operative protection of the state border, establishment of authorities responsible for the activities related to the detecting of false and fraudulently altered travel documents. Other important tasks comprise ensuring conditions for the achievement of maximum safety of the documents issued by the Slovak Republic, as well as establishment of the authorities of the international police cooperation with the neighbouring countries border authorities.

The central authority responsible for the implementation and application of the Schengen acquis is the Ministry of Interior of the Slovak Republic. On 15<sup>th</sup> June 2001 an inter-departmental working group for the implementation of the Schengen acquis was established. The President of the Police Force was assigned as the manager of this working group. The working group for the implementation of the Schengen acquis consists of fourteen implementation groups. The individual implementation groups consist of the representatives of the relevant ministries and other central authorities of the state administration which participate in solving of particular tasks resulting from the implementation of the Schengen acquis. Each implementation group comes under the authority of relevant department or institution.

#### Implementation groups:

- Police cooperation
- National SIS and SIRENE authority
- External borders
- Migration (CIREFI)
- Asylum (CIREA)
- Visa policy
- Customs cooperation
- Personal data protection
- Education for the field of European integration and the Schengen acquis
- Fight against organized crime
- Fight against terrorism
- Fight against drug crime
- Fight against corruption and legalization of revenues from criminality
- Judicial cooperation

The Agreement consists of 142 Articles arranged in eight heads with the following contents:

- Head I. Definition of notions
- Head II. Abolition of checks on the internal borders and free movement of persons
- Head III. Police and safety
- Head IV. Schengen information system (SIS)
- Head V. Transportation and movement of goods
- Head VI. Protection of personal data
- Head VII. Executive committee
- Head VIII. Final provisions

#### Abolition of checks on the internal borders and protection of external borders (Articles 2 - 8 of the Schengen Agreement)

To comply with the requirements of the Schengen acquis implementation there is a system of the state border monitoring based on the active cooperation between the departments responsible for the protection of the state border on its both sides. The Office of Border and Alien Police cooperates in this field with the border authorities of the neighbouring states at establishment of common contact workplaces.

The date of the complete involvement into the Schengen cooperation shall depend on the success of the so-called Schengen evaluation and on the availability of the Schengen information system of the second generation (hereinafter referred to as SIS II) for the new Member States, which is planned for the end of 2006. The Slovak Republic assumes that the abolition of checks on the internal borders shall not occur sooner than 1<sup>st</sup> January 2007, however, all related tasks shall be fulfilled no later than 30<sup>th</sup> June 2006. Although SIS II shall not be in operation within the existing EU Member States to that date, it is very important to coordinate the development of SIS II, so that the Slovak Republic can be prepared for the connection to the system at the end of 2006 together with other current and new Member States.

The abolition of checks on the internal borders shall be possible after the connection of the Slovak Republic to the Schengen information system and on the basis of the decision of the Council of the EU. In relation to that it shall be necessary to assimilate the infrastructure and accept the organizational, technical and personal measures for the abolition of checks and for their eventual temporary application on the internal borders, airports and river border crossings.

It is necessary to emphasize the importance of the common coordination of the preparations for the application of free movement of persons with other neighbouring states with respect to the fact that the Schengen cooperation is based on the thorough cooperation of directly neighbouring states.

The internal border is defined in the Act no. 477/2003 Coll. on the protection of the state border of the Slovak Republic. The competence to re-introduce checks on the internal border is defined by the Amendment of the Act no. 48/2002 Coll. on the stay of Aliens on the territory of the Slovak Republic and entrusted to the Government of the Slovak Republic. New legal regulations of the entry and stay of Aliens on the territory of the Slovak Republic have incorporated the relevant provisions of the Treaty on the establishment of the European Community, Treaty on the European Union and the Schengen Agreements.

Upon the date of the accession of the Slovak Republic to the EU the regular customs inspections were abolished on the internal border. The character of activities of the customs authorities changed, which meant transition from mostly financial tasks to ensuring economic and social protection of the State, and thus the protection of interests of the entire European Union. Gradually the number of customs administration employees shall be reduced and the supervision in the field of border crossings shall be changed.

The conditions for the internal border crossings shall be adjusted within the domestic order, in the Act on protection of the state border.

In years 2004 - 2006 it will be necessary to prepare and conclude the agreements with the neighbouring states on the common service in the state border protection.

## 4. Study of legal aspects

### 4.1 Analysis of the Schengen acquis implementation

*The Convention Implementing the Schengen Agreement concerning the gradual abolition of checks on the common borders, dated 19th June 1990 (Schengen II)*

## Crossing of external borders (Articles 3-8 of the Schengen Agreement)

In terms of legislation the Slovak Republic has implemented the Articles 3 – 8.

The protection of the state border of the Slovak Republic is ensured by the Police Force via the Office of Border and Alien Police pursuant to the Act no. 171/1993 Coll. on the Police Force as amended.

The fundamental tasks executed by the service of the Alien Police and the service of the Border Police are related to the state border protection and the check of crossings of the border in places of official border crossings and at international airports, including cooperation with the passport section in fight against the illegal migration.

The Alien Police and the Border Police cooperate in fight against the organized crime, in ensuring the public order in the vicinity of the state border and in supervision of the security and smoothness of traffic in the vicinity of the state border.

Protection of the state border was enhanced by creation of the National Unit for Fight against Illegal Migration, established on 1<sup>st</sup> April 2002 with a national scope of function to prevent, detect, and register criminal offences related to illegal migration.

The National Unit prevents, discovers and documents criminal offences related to illegal migration and other cross-border crime with operation on the whole territory of the Slovak Republic as well as internationally organized illegal migration.

The Slovak Republic puts great emphasis on ensuring the effective protection of its border and especially it concentrates on the protection of the state border with Ukraine, the external border of the European Union. The efficiency of the state border protection is ensured also by the implementation of conclusions set in the following documents approved by the government:

- The concept of the service of the Border and Alien Police in the perspective of accession of the Slovak Republic to the states of the Schengen Agreement – protection of the external border of the European Union – the purpose of the agreed concept is the assimilation of the execution of the state border protection of the Slovak Republic to the standards in force in the EU Member States and the Schengen Agreement;
- The concept of the harmonization of the visa policy of the Slovak Republic and the visa policy of the EU;
- Termination of the Visa-Free agreements with Belarus, Republic of Cuba, Russian Federation and Ukraine;
- The change in issuing the visa with a visa label for the Slovak Republic from 1<sup>st</sup> January 2000;
- The strategy of the completion of the state border protection of the Schengen type.

### *Visa policy*

The Slovak Republic has brought its visa policy into compliance with the EU visa policy pursuant to the valid Council Regulation 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement.

### *International police cooperation*

The efficiency of the Schengen police cooperation is based on several principles:

- Operative exchange of information for the purpose of prevention and discovery of crime among the central national authorities as well as among the authorities on the regional level in extraordinary situations. The exchange of information on the regional level is adjusted by the bilateral cooperation agreements;
- High technical level of the communication system among the authorities which mutually cooperate;
- Exchange of contact officers sent to the Police Forces of the contracting parties;
- New manners of the police service execution, e.g. entitlement to continue pursuing under the same conditions on the territory of the other contracting party or the entitlement to continue pursuing on the territory of other contracting party without the prior consent.

The border area of the Slovak Republic and Ukraine in rail transport (external border of the European Union) is covered by the following documents:

1. Agreement between the Governments of the Slovak Republic and Ukraine on railway transport across the state border, No. 108/1996 Coll.
2. Agreement between the State Administration of Ukrainian Railway Transport, Directorate General of the Railways of the Slovak Republic (ZSR) and the Headquarters of Železničná spoločnosť, a.s. (ZSSK) on railway transport across the state border, dated 17<sup>th</sup> December, 2003.
3. Regime provisions of the international border crossing in Čierna nad Tisou, signed in 2001 by ZSR, Customs Administration and Department of Border and Alien Police of the Ministry of Interior of the SR, directing the activities of supervisory bodies.
4. Implementation provisions for train traffic in the border area of Chop - passing point at 271 km - Čierna nad Tisou.

In the agreement the contractual parties commit themselves to cooperate, provide the necessary assistance in the further development of border railway traffic between both states, and adopt necessary measures to enhance international passenger and freight transport.

The activities of mutual deliveries on railway tracks connecting Slovakia and Ukraine are carried out at the border-crossing stations. The list of these stations and the procedural rules for mutual deliveries are set in the agreement concluded between the railways in compliance with the international documents adjusting mutual relations between the Railways of the Slovak Republic (ZSR) and Ukrainian Railways (UZ).

According to the above mentioned Intergovernmental Agreement, the Border and Alien Police of the Ministry of Interior of the SR and the Customs Administration have chosen the area between the entry signal and the state border as the check point to carry out the inspections of freight trains. Currently, the checking area for freight transport is located between the border stone 360 and signal 1Ls for broad gauge and signal 2L for normal gauge, currently in the length of 700 m, which is contrary to the Article 9 of the Agreement.

Pursuant to the Article 9 of the Agreement, the railways of both contractual parties have to provide passing of trains without stop on border lines between border stations (check points).

This analysis results in the necessity to amend wording of the Article 9 in terms of planned investment activities providing the implementation of Schengen acquis, as described in the part 5.5 of this document.

According to the Article V of the Agreement - "Train stops on the border line sections between stations outside check points are not allowed."

The current procedure of stopping freight trains before the entry signal by the Border and Alien Police is contrary to this Agreement. It results necessary to solve this situation similarly as in case of the Article 9 of the Intergovernmental Agreement between the SR and UA on railway transport.

The given Agreement defines:

- Border stations and the line sections between the stations,
- Tariff point marking the state border,
- Technical equipment of the border stations and the line sections between them,
- Transport conditions and the way of train marshalling,
- Communication means for operational problems connected to international railway transport,
- The rules and procedures when disruption of transport occurs,
- Stay of railway personnel in the territory of another state,
- Transport and delivery of goods and containers,
- Delivery of freight wagons and transloading of goods,
- Customs provisions.

## 4.2. Analysis of legal documents in railway transport

1. Agreement between the Governments of the Slovak Republic and Ukraine on railway transport across the state border No. 108/1996 Coll.

2. Agreement between the State Administration of Ukrainian Railway Transport, Directorate General of the Railways of the Slovak Republic (ZSR) and the Headquarters of Železničná spoločnosť, a.s. (ZSSK) on railway transport across the state border, dated 17<sup>th</sup> December, 2003

The Agreement covers also the movement and stay of railway personnel in the territory of another country. Railway personnel cross the state border in line with the valid legislation according to name lists and passes signed by the stationmasters of the border stations. Railway personnel performing their duties on the train or in single wagons, is not allowed to leave the wagons and locomotive on the line section between the border stations with the exception of cases when it is necessary to ensure traffic safety. During their stay in the territory of the other state railway personnel is granted the right to free use of telephone for service calls, and other cooperation in performing their duties. The Railway Administration is responsible for the activities of its personnel during their stay in the territory of the other state and controls their work. The relevant state bodies of the contractual parties can, on the basis of mutual agreement, change or amend this way of crossing the state border.

Goods transloading and coupling operations between gauges of 1435 mm and 1520 mm are carried out in the territory of both contractual parties in accordance with the valid international norms and regulations.

### 3. Regime provisions of the international railway border crossing Čierna nad Tisou – FREIGHT TRANSPORT

The Regime provisions were signed by the Border and Alien Police Department of the Ministry of Interior of the SR, Customs Administration and ZSR in 2001. Their aim is to coordinate stopping and checks of freight trains in the check area between the border stone 360 and signal 1Ls for broad gauge and signal 2L for normal gauge, in the length of 700 m.

The freight trains are stopped before the entry signal by the train dispatcher in the station Čierna nad Tisou, on the basis of the signed Regime provisions as described above.

Before each crossing of the border by a freight train-set or single locomotive the dispatchers at broad-gauge track and normal-gauge track are obliged to notify the assumed time of the crossing and consult the precise arrival time of the freight train with the Alien Police Department of the Police Force of the SR and report it to the customs bodies.

The executive bodies participating in the control:

- Police Force bodies – Border and Alien Police Section,
- Customs Administration bodies.

**Without the approval of the head of the duty period at the Alien Police Department of the Police Force, the freight train is not allowed to enter the territory of the SR.**

The Regime provisions were adopted due to practices contrary to Article 9 of the Intergovernmental Agreement. The validity of the Regime provisions will be terminated after the Intergovernmental Agreement is amended.

### 4. Implementation provision for the train traffic in the border area Chop – passing point at 271<sup>st</sup> km – Čierna nad Tisou

The implementation provision directs the activity of the executive bodies for train traffic in the border area between Chop – 271<sup>st</sup> km – Čierna nad Tisou.

After the Intergovernmental Agreement between UA and SR on railway transport is amended, the new conditions will have to be elaborated into the Implementation provision.

#### Proposal of necessary measures for total implementation of the Schengen acquis

##### 1. On the intergovernmental level:

- Amendment of the Agreement between the Governments of the SR and UA on railway transport across the state border, and modification of the controversial Article 9 defined in the Act no. 108/1996 Coll. on traffic organisation;

##### 2. On the railway level:

- Amendment of the Agreement between the State Administration of Ukrainian Railway Transport, Directorate General of the Railways of the Slovak Republic and Železničná spoločnosť, a.s on railway transport across the state border, and modification of Article 5 on transport conditions,
- Cancellation of the Regime provision of the international railway border crossing in Čierna nad Tisou,
- Modification of the Implementation provision,
- Conclusion of Local connecting contract for Čierna nad Tisou – Chop.

The railway station Čierna nad Tisou is situated at km 4.006 of the line Chop UZ - Čierna nad Tisou - Košice which is engineered as the single-track line on the section Chop - Čierna nad Tisou and double-track line on the section Čierna nad Tisou - Košice.

The railway station Čierna nad Tisou shows the following features:

- station of 1<sup>st</sup> category
- miscellaneous station - as to the type of activity,
- marshalling yard as regards the operation,
- border crossing station to UZ,
- disposition station – for the line Čierna nad Tisou - Chop UZ NG and the line Čierna nad Tisou - Košice.



The station is divided into:

- a) district of passenger sidings of normal gauge
- b) district of transit sidings
- c) district of arrival sidings
- d) marshalling district
- e) hold and loading sidings
- f) transshipment sidings

#### Wagon - carriage office (WCO)

Wagon - carriage office (WCO) manages and organizes the activities related to freight wagons and passenger coaches. It comprises the 'WCO – Arrival' located at the Chop gridiron near the central signal tower and 'WCO – departure' located at the Košice gridiron near the crossover 90 R. WCO employees carry out the inspection of departing and arriving trains and provide the transport documents processing for departing and arriving trains.

#### Forwarding district

Forwarding district is a part of the Commercial – Transshipment Centre Čierna nad Tisou.

## 5. Study of technical aspects

### 5.1. Description of the existing condition of the technical facilities specific for the respective border crossing

#### 1. NORMAL GAUGE (NG) – Location and purpose

*Layout:*

### Customs agent district

The customs procedure is performed at the following delimited areas within the railway station:

- arrival sidings No. 106,108,110,112 and 114,
- transit sidings No. 1, 2, 3, 5 and 7,
- hold sidings No. 501,502,503,505,507,509 and 511,
- unloading and loading tracks No. 11a,13a,15 and 15a,
- transshipment platform and tracks No. 102 and 104.

Customs clearance of consignments is performed at two branches affiliated to the Customs Office located at the railway station:

- branch "A" - 5311,
- branch "B" - 5312.

Branch "A" is situated at the ground floor of the Customs Office premises in Čierna nad Tisou. The branch performs the customs check of passengers in international transport and customs clearance of export and import consignments ingoing or outgoing on gauge 1435 mm.

Branch "B" is situated at the II. floor of the Centre of Informatics premises. The branch performs the customs clearance of import and export consignments transhipped from the wagons of one gauge to wagons of the other gauge. The branch affiliates the workplace of Customs Office of the SR located at the I. floor of the receiving agency for the broad gauge.

The customs agent is entitled to perform the customs procedure only within the district of Čierna nad Tisou station.

### Hump description

The railway station Čierna nad Tisou disposes of one mechanized hump, the top of which is situated at km 3.325.

There is one hump approach track, eventually formation track No. 90 H passing over the hump and branching off into three lines underneath its top. Each line is equipped with a sequence of air-pressure track brakes.

Wagons can be pushed on the hump from the tracks No.102-114 and 202-212.

### Electric traction device

- Traction supply system - unidirectional traction supply system - 3 000 V.

Electricity supply network leads from the 110 kV switching station in Kráľovský Chlmec and continues to 22 kV traction station in Dobrá.

The nearest transformer and supply substation is in Dobrá at km 7.810.

### *Control and command devices*

#### a) At the station:

The station is equipped with the control and command devices of the 3<sup>rd</sup> category, i.e. the relay interlocking system (RIS) in a block version. The station RIS is controlled from the central block St 3 which is fitted with the control panel containing all control and operating components.

#### b) On the adjacent inter-station section Čierna nad Tisou – passing point at 271 km - Chop

The inter-station section Chop – passing point at 271.0 km - Čierna nad Tisou has a double-track operation. The gauge of track no.1š is 1520mm and the other track, no.2, is 1435 mm. The traffic along the two tracks is bi-directional.

The track interlocking device controlling the traffic along tracks no. 1š and 2 is the 2nd category bi-directional relay semi-automatic block (RSAB). Beyond the operation of RSAB, the trains are offered and received by the telex.

### c) Level crossing interlocking system (LCIS) at the station

There is a level crossing at km 0.715 in the district of the station which is equipped with danger light device and automatic level crossing barrier PZS-3Z ZSSR without an active white light. The level crossing is dependent on the signalling device. Operation of level crossing barriers is automatic for each of the two tracks and for both directions. After the train arrives to Chop via the tracks 1š or 2, the position of signalling devices 2L and 1Lš depends on closure of the barriers. At the departure of train to Chop, passage to the respective track (turn-out) section controlled by the signalling device will automatically activate the level crossing barriers. Monitoring of operation of the LCIS is provided by means of the control panel at the central block.



## 2. BROAD GAUGE – Location and purpose

Subordinated railway station 'Čierna nad Tisou – broad gauge' is situated at km 3.208 on the single-track broad gauge line Chop UZ - Čierna nad Tisou ZSR.

The subordinated station features the following:

- it is a station belonging to the overall organizational complex of the station Čierna nad Tisou,
- freight-oriented station – pursuant to the type of activity,
- marshalling yard as regards the operation,
- border crossing station on the line Čierna nad Tisou ZSR - Chop UZ.

The station is divided into:

- a) district of arriving sidings,
- b) district of departing sidings,
- c) marshalling sidings,
- d) hold sidings.

*Layout:*

### Wagon - traffic office (WTO)

The wagon traffic office (WTO) – is placed in the premises of the central block in Čierna nad Tisou. WTO manages and commands the operation of the freight and passenger wagons. It is sub-divided into the 'WTO - arrival' situated at the Chop gridiron nearby the central signal tower and the 'WTO - departure' situated at the Košice gridiron nearby the crossover 90 R.

WTO employees carry out the inspection of departing and arriving trains and provide the transport documents processing for departing and arriving trains.

## Tracks for excessive load

Re-labelled covered wagons for normal gauge are shunted to tracks where the load is positioned in a more balanced way, or to tracks dedicated for excessive load: no. 824 with the effective track length of 395 m, no. 825 with the effective track length of 400 m and switches no. 833 and 834. The area is equipped with a conveyer, electric winch of EN1 type, and other working tools such as sack truck, heaver, shovels and brooms.

## Customs clearance platform

The platform serves for manipulation of goods arrived on broad gauge tracks. It is equipped with goods warehouse for storing individual packages for which there are not free dispositions, or their quantity is not sufficient for creating a tranship wagon or a complete wagon load.

## Hump

There are two non-mechanized humps for broad gauge tracks. One serves for separation of arrived sets – hump A, the other – hump B, where the separation by gravity rolling of wagons is not possible, serves for assessing tare weight of wagons on the weighbridge build into the top of hump. Wagons are shunted through the hump B to the departure sidings. The hump A is situated between the set of reception and formation sidings.

## *Safety and communication installations*

### Safety installations

#### a) At the station:

The station has got a safety installation of the 2<sup>nd</sup> class. All switches in the station are served manually, except for the switches no. R1š, R2š and R4š (all of broad gauge). These switches, instruction for an intermediate stop signal to be set up, entry and exit signals are served centrally from the Central Signal Box in Čierna nad Tisou via a panel dispatcher. Interlocking plan, location plan and track plan of the broad gauge station are shown in the Annex 6 of the Station Code of the station in Čierna nad Tisou.

#### b) On adjacent sections in between the stations:

A single-line relay block is built on the line section Chop – Čierna nad Tisou. However, communication when serving this relay block is done via telephone. The line track has two-way train traffic. Operation directives are included in the Implementation regulation for train traffic on the line section between stations Chop – Čierna nad Tisou.

#### c) Level-crossing safety installations

Level-crossing safety installation of PZS 3Z type at 0.715 km (in the check area for freight trains) is operated automatically by the passing train. For manual operation there are control elements for closing and opening barriers on the control panel in the Central Signal Box for normal gauge.

## Communication installations

#### a) Telex and telephone connection:

1. Telex connection Chop UZ - Čierna nad Tisou,
2. Track telephone line Chop UZ - Čierna nad Tisou,
3. Telephone circuit at switches from signal box Iš (broad gauge) to dispatcher to signal box IIš (broad gauge),
4. Local telephone line via automatic telephone exchange,
5. Loud speech-set for communication of traffic controller with: train dispatcher and operation supervisor.

b) Public-address system at the station: operated from the dispatcher's office, 10 loudspeakers at the set of formation sidings 600. Description and operation are shown in the Annex no. 5 of the Station Code of the station in Čierna nad Tisou.

c) Radio – telephone connection: –description and operation are shown in the Annex no. 21 of the Station Code of the station in Čierna nad Tisou and in the operational rules for radio stations.

## Telex and telephone connection

The station in Čierna nad Tisou has at its disposal the following lines:

- Telegraph line no. 20 756 Chop UZ – Čierna nad Tisou,
- Telex (Traffic Control Centre in Košice no. 914 253, at the conveyance district no. 914 255),
- Main line Čierna nad Tisou – Košice,
- Service telephone line Čierna nad Tisou - Michalany,
- High-frequency telephone line of metallic cable - Čierna nad Tisou – Michalany and Z - 12 Čierna nad Tisou - Košice,
- Operational telephone line Čierna nad Tisou - Košice,
- Telephone line of the train dispatcher Čierna nad Tisou – Košice,
- Track telephone line Chop UZ - Čierna nad Tisou,
- Track telephone line Čierna nad Tisou – Dobrá,
- Track telephone line Čierna nad Tisou – crossing keeper's point no. IV, VI,
- Telephone at switches at signal boxes I, II, V,
- Local line directed via automatic telephone exchange,
- Local telephone line of the pointsman at signal box V with the pointsman in the depot.

Control centres for telegraph stations are Čierna nad Tisou and Košice.

## Public-address system at the station

At the station in Čierna nad Tisou (normal gauge) the following public-address systems are at disposal:

- public-address system to inform the passengers, located in the office of the head of the operation,
- OSR 1 set located at the station dispatcher I and at the train dispatcher,
- OSR 2 set located at station dispatcher I, transport dispatcher (normal gauge) and train dispatcher,
- OSR 3 set located at the switch point at the signal box I.

## Electronic exchange of information

For the needs of electronic exchange of information, a cross connection “point to point” with transfer speed of 1200 B/s has been built between the stations in Čierna nad Tisou and Chop. Higher transfer speed is not possible to achieve due to the quality disruptions.

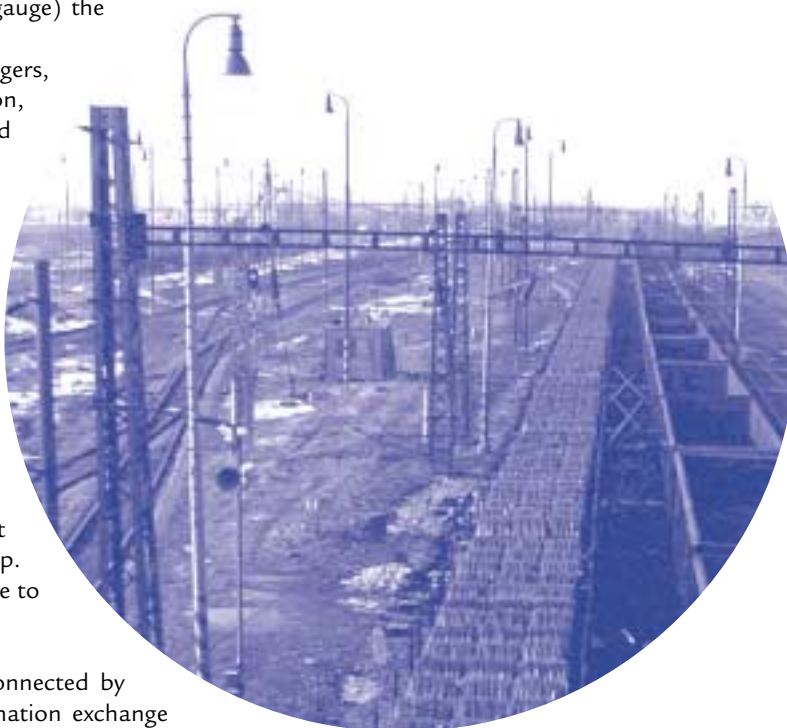
The transfer networks of ZSR and UZ are connected by optical cable to Chop. From the point of information exchange needs between the information systems of both railways, a critical point is on the side of UZ in the section Chop – Lvov, where there is available only classic metallic cable with transfer speed of 9,6 kB.

As to the philosophy of transfer between border station in Čierna nad Tisou (local) – Information system of ZSR (central) – Information system of UZ (central) – border station Chop (local), this status is insufficient. Meanwhile, the existing system may be used in the transitional period. The exchanged data can be provided also to the state administration bodies.

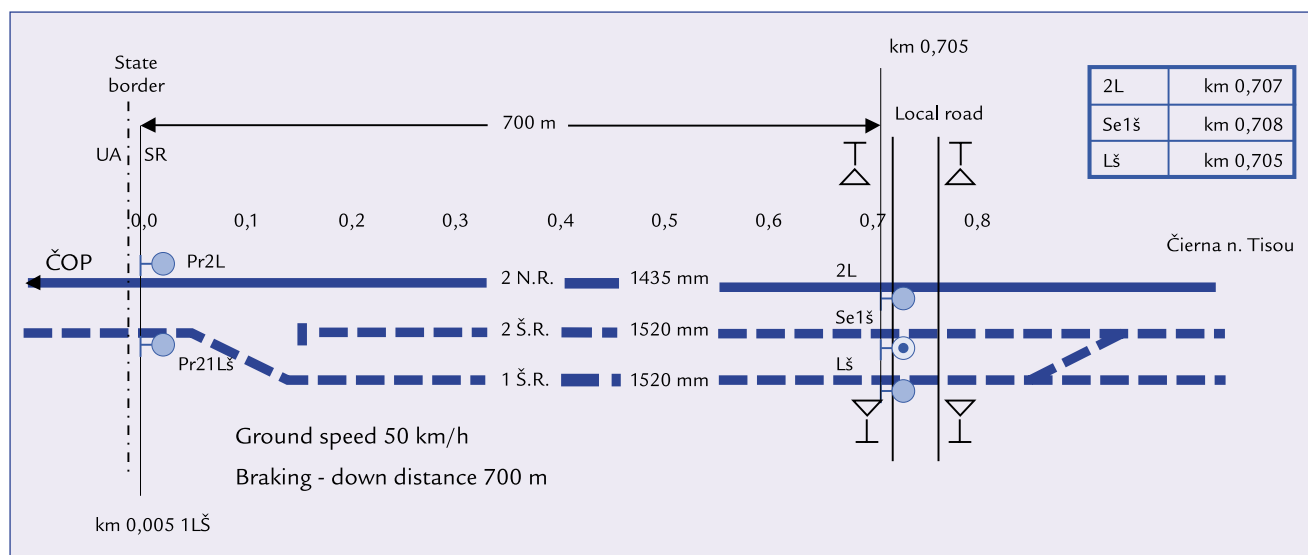
The information exchange in the form of international standards (Application of the UIC Leaflet 30 on “Previous notice of train dispatch”) between the information systems of ZSR and UZ is currently in the stage of further elaboration.

## 5.2. Description and requirements of communication, information and registering facilities and devices for the service use of railway personnel

*Communication devices and facilities*



### 5.3. The current state of the check point for freight trains



Among the equipment included in the planned technological processes, a renewal of the tracks no. 1 (of broad gauge) and no. 2 seems necessary.

Shifting of the turn-out track no. 2 (of broad gauge) is required to create check area for both broad and normal gauge.

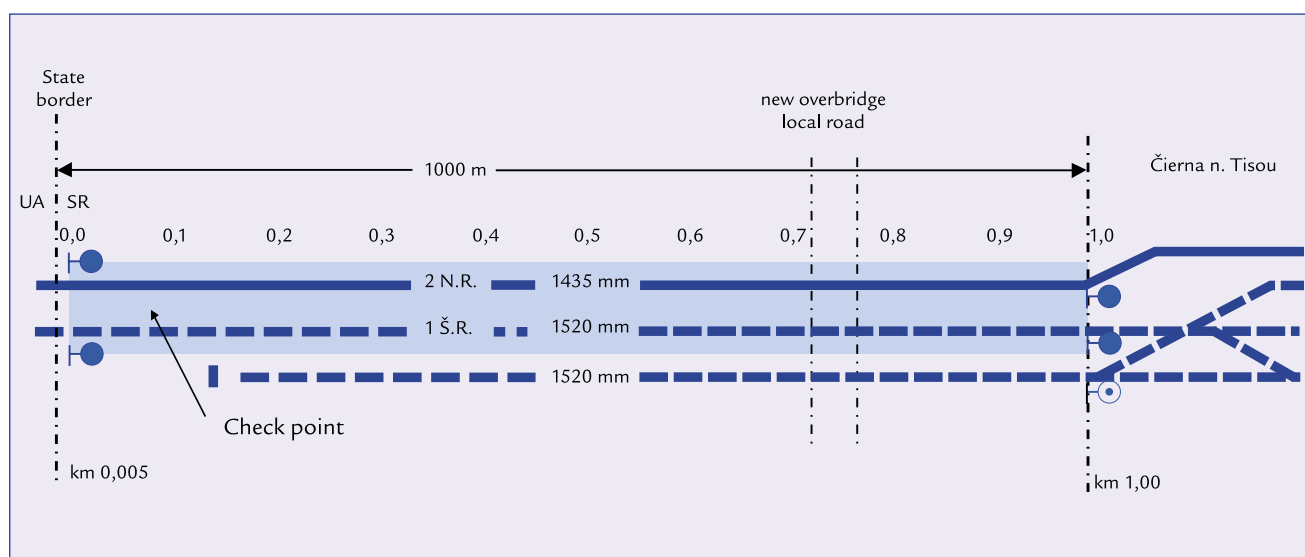
The whole length of the line from the entry signal of the station in Čierna nad Tisou in the Ukrainian direction till the state border was proposed as the section with permanent monitoring.

At the moment it is not possible to carry out a thorough inspection of train sets in the check area, because the staff of the Border and Alien Police Section of the Police Force of the SR do not have the necessary technical equipment at their disposal that would enable them to perform elevated checks of individual wagons or monitor the passage area and the vicinity of train sets during both night and day.

A monitoring camera system should be installed in the check area, consisting of two rotatable thermo-visual cameras and one CO<sub>2</sub> detector. One camera will be installed on the right side of the track facing the state border and the second camera specularly on the other side of the track. The visual output of the cameras and detector should be displayed in the check office, a former railway building at 0.110 km from the state border. This building will have to be equipped with the relevant networks (electricity connection, telecommunication cable, camera and detector output). There has to be an emergency electrical source with the possibility of manual disconnecting from the electric network. The system is designed for harsh external conditions and the transmission has to be ensured also in bad weather conditions. At the arrival of a train set to the monitored section, the system has to automatically start the visual transmission even in case it was switched off before.

## 5.4. Comparison of the current conditions of the equipment and its suitability to meet the requirements of the Schengen Agreement

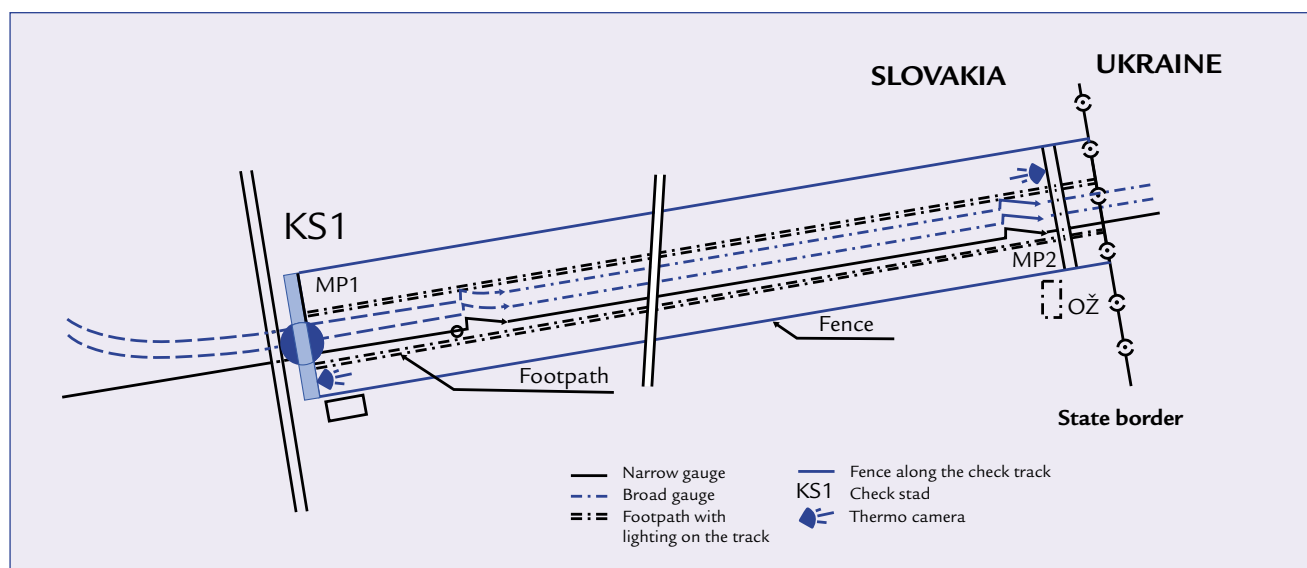
## 5.5. Proposed model of the check area for freight trains



## 5.6. Need for new equipment and installation

- Building up of the check area on the line section between the state border of the SR and the entry signal at the railway border crossing station in Čierna nad Tisou in the length of 1 000 m,
- The length of the check area - 1 000 metres,
- Fencing of the check area up to the height of 2.8 m,
- Building up of pavements along the check area on both sides of the line and between the tracks,
- Lighting of the whole check area,
- Building up of two inspection platform ramps (at the entry and exit of the line section),
- Construction of a building for technology installation, i.e. monitoring and camera system (at km 0.110 from the state border, to the left of the track no.2). A building of ZSR will be used for these purposes, which is kept under the identification number 2162 in the Property Administration Centre in Bratislava, with the ground plan of 85.5 m<sup>2</sup>. The building requires a reconstruction.
- Overhead lines have to be constructed in a way that enables their switching off while performing the train inspections,
- Interconnection of the information systems of the railways and the state administration bodies (the structure of exchanged information, physical connection),
- Building up of connection to the relevant networks (electricity connection, telecommunication cable, camera and detector output),
- Monitoring camera system installation (2 rotatable thermo-visual cameras and a CO<sub>2</sub> detector – movable and stationary),
- 0.715 metres from the entry signal of the station in Čierna nad Tisou there is a level crossing of railway track and road, the level-crossing safety installation of which is dependent on the entry and departure signal. The project of modernisation of Čierna nad Tisou plans to equip this level crossing with a new safety installation of a new type ELEKSA 93 S by Siemens,
- Building up of an overpass, or shifting the level crossing to 2.043 km (taking into account construction of a road border crossing in the vicinity of the level crossing; as well as stochastic acceptance of trains and presumed increased frequency of road traffic).

### Check point Čierna nad Tisou



## Estimate of induced expenses:

1.	Comprehensive track reconstruction:	
	Track 1 (broad gauge) from km 0.000 to 0.974 km	570 thou €
	from km 0.974 to km 2.680	980 thou €
	Track 2 (broad gauge) from km 0.974 to km 2.680	980 thou €
2.	Orientation estimate for construction of border check premises	350 thou €
3.	Fencing of 1000 m of railway line up to 2800 mm	85 thou €
4.	Firm checking footpath, 1 m wide (3x 1000 m)	65 thou €
5.	Lighting 2 x 1000 m	1 80 thou €
6.	Checking portals on entry and exit of the line section	30 thou €
7.	New level-crossing safety installation	600 thou €
8.	Catenary suspension of the inspection Track 1 (broad gauge) in length of 1000 m, possibility to shut down	180 thou €
9.	Modification of catenary suspension of Tack 2 (broad gauge)	15 thou €
10.	Electricity connection and other communication networks for the inspection premises of customs bodies	5 thou €
11.	Monitoring system	300 thou €
12.	New overpass	1.6 mill €
	<b>Total estimated expenses</b>	<b>5.94 mill €</b>

## 5.7. Cost/benefit analysis

Anticipated benefits of Schengen acquis implementation in the border crossing station Čierna nad Tisou:

- More effective state border protection,
- Enhanced and faster process of border trespassers and illegal immigrants detection,
- Enhanced protection against global terrorism,
- Enhancement of safety and smoothness of road and railway traffic,
- Smoother passenger inspection,
- More successful detection of undesirable persons aboard trains,
- Involvement of the Border and Alien Police and Customs Administration bodies into electronic system of previous notices of train dispatch, and consequent shortening of the inspection time freight trains spend in the check area,
- Shortening of the stay of trains in the border and transloading station Čierna nad Tisou,
- Increased road traffic capacity due to overpass construction together with the planned construction of road border crossing,
- Enforcement of inspection of goods subject to phyto and veterinary control and elimination of potential disease spreading.

The effect of the Schengen acquis implementation is difficult to assess, as enhancement of the state border protection has a direct impact on the European Union as such. The benefits of the measures executed for the Schengen Agreement implementation will be several times higher from the long-term perspective than the total financial means expended.

## 5.8. The Schengen information system

The Schengen information system enables each Member State to use the central database consisting of police and judicial information concerning the security of each state of the Schengen Community on all matters and persons wanted by the police departments and customs authorities.

SIS shall enable the collection and international exchange of information on:

- Persons who shall be arrested for the purpose of their surrender,
- Aliens from the third countries who are not entitled to enter the territory of the contracting states of the Schengen Agreement,
- Dependent and missing persons,
- Persons whose place of stay shall be found out for the judicial authorities,
- Persons who are secretly followed on the basis of permission or order, or the purposeful check.

The Schengen search system shall include also the objects:

- Stolen or the objects and proper evidence intended for court criminal proceedings,
- Vehicles and trailers,
- Guns,
- Blank forms of ID documents.

In relation with the development of the Schengen information system II the most priority current task is the solution of the adjustment of national police information systems without which it is impossible to commence other works on the Schengen information system, i.e. assimilate item compositions, software functions, technological platform and elements of either physical or logical security to the needs of SIS.

At present work is being carried out on the development of the central computer centre with the unified technological platform. Individual information systems shall be gradually updated and engaged in the new technological platform with the new and unified user interface. The terms of employment of the new innovated systems are adjusted to the needs of the employment of the information systems related to the satisfaction of the Schengen standards (the Schengen information system, IS VISA and others). Concurrently the schedule of the development of new information systems, which were not in operation within the Police Forces so far, is being developed.

After the disclosure of the results of the tender for the delivery of the technical solution of SIS II within the existing Schengen states, it is possible to proceed to the development and purchase of a new hardware for the needs of the very SIS II in the Slovak Republic.

The first priority in relation to building of the National Schengen information system infrastructure (hereinafter referred to as "N.SIS") is the harmonization of data, analyses of the necessary adjustments of the data formats and the definition of the interface for communication between the police information systems and N.SIS. The first analysis of the national police databases has been already elaborated within the twinning project SR98/IB/JH/01.

The basis for the development of the Schengen information system in the Slovak Republic already exists in the form of information systems of the Ministry of Interior of the Slovak Republic (MV NET). The prepared systems, especially the framework of the Automated information system of the police is a satisfactory and flexible technical basis.

At present it is necessary to ensure the communication interface between the network which is built within the department of the Ministry of Interior of the Slovak Republic – network MV NET, to which all local networks of particular departments of the Police Forces within the whole Slovak Republic including the border crossings are connected, and networks of the Schengen information system users outside the department. The given interface shall contain the connecting junction and shall consist of the special firewall with the appropriate number of interfaces and a web server for the connection of external networks. The access web server shall be located behind the firewall in MV NET.

The functional N.SIS is one of the most important conditions of the abolition of checks on the internal borders. This system is one of the main compensatory measures for the ensurance of public security in the Schengen area along with the implementation of provisions concerning the movement of persons within the European Union /Schengen area/. N.SIS is not used merely on border crossings but assists the discovery of crime also on the territory of particular Member States. After the first analysis of the possible use of N.SIS by the involved ministries there is an assumption that N.SIS shall be, pursuant to the Schengen agreement, used by all authorities ensuring the public order and safety.

The second generation of the Central Schengen information system ("C.SIS") shall not be in operation before the end of 2005. There are on-going discussions on the future technical specifications and new operation requirements. The second generation of C.SIS shall not influence the establishment of N.SIS. All data formats shall be preserved. The second generation of C.SIS shall be fully compatible with the present conditions extended by the possibilities of picture processing and dactyloscopic prints. At initiation of the C.SIS of the second generation it shall not be necessary to change the entire system just to complete and upgrade it.

Survey of authorities entitled to immediate search of the data included in N.SIS:

- Office of Border and Alien Police
- Administration of Criminal and Financial Police
- Traffic Police
- Disciplinary Police
- Office of International Police cooperation (SIRENE, INTERPOL, EUROPOL )
- Ministry of Finance (MF)/Customs Headquarters
- Ministry of Transport, Posts and Telecommunications
- Railway Police
- Central visa authority
- General office of the public prosecution of the Slovak Republic
- Office of supervision of the Ministry of Interior of the Slovak Republic

It was inevitable to establish the SIRENE office as the only contact point for the communication with workplaces of other Member States focused on the flow of additional information for the ensurance of the external border protection including the information necessary for the issuance of visa, residence permits and processing of the documentation for other Member States.

SIRENE (Supplementary Information Request at the National Entry) is the so-called team for N.SIS. It is a body at the national level ensuring the exchange of all additional information which cannot be ensured by the Schengen information system. It is the only contact point for the ensurance of the information flow towards the SIRENE offices of the Member States.

Workplace of SIRENE in the Slovak Republic was established on 1<sup>st</sup> January 2004.

**Main tasks:**

- serves as a contact workplace for the SIRENE offices in other contracting states,
- ensures the connection with national institutions,
- provides the information on each record according to Art. 95 of the Agreement to other SIRENE central office,
- is responsible for the content of data entered into the Schengen information system according to the Schengen Agreement,
- accepts and assigns the documents concerning the decisions, arrests, orders on expulsions, dactyloscopic prints, etc. The additional information is exchanged by means of the set forms via electronic mail.

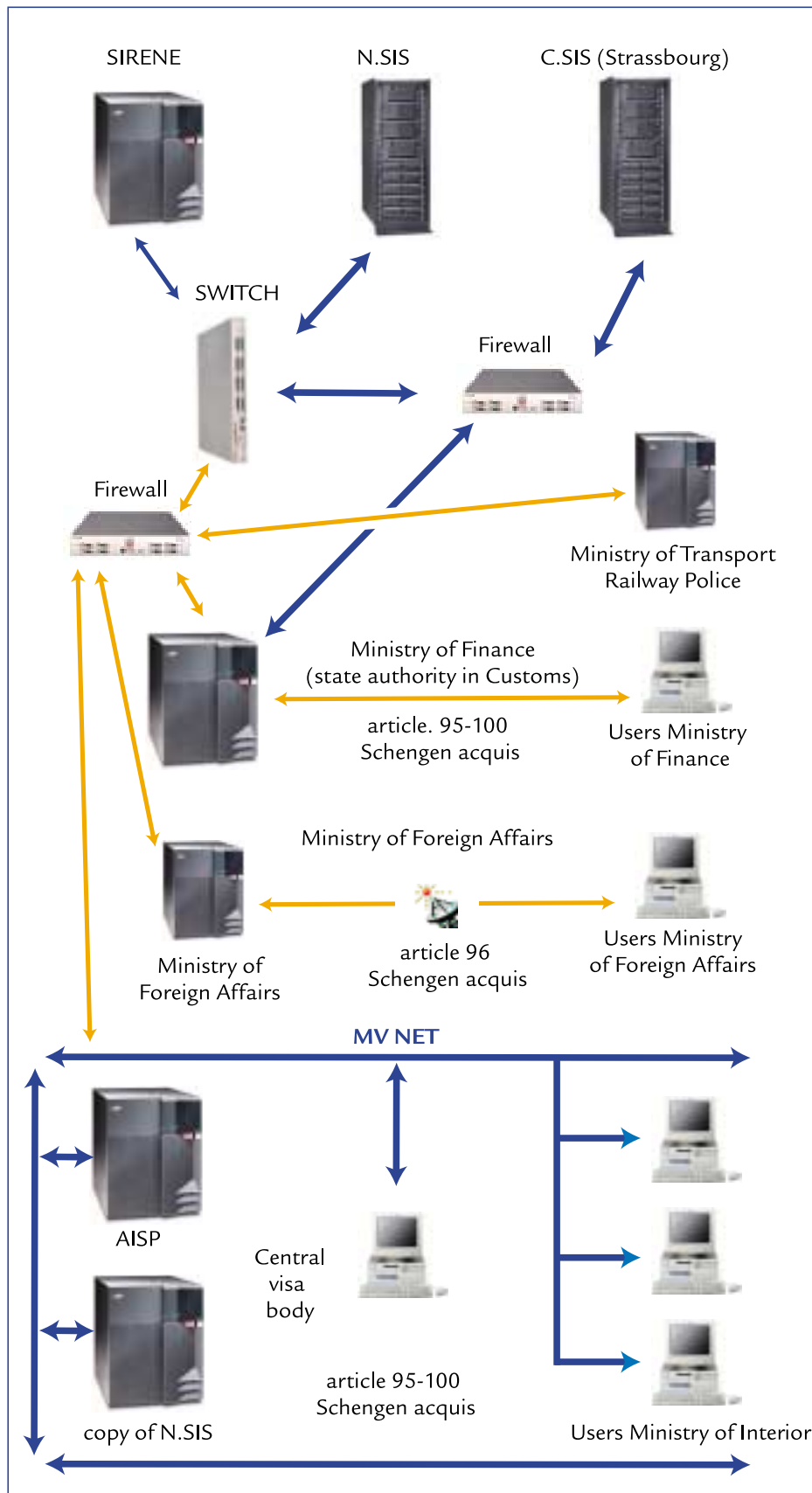
In the field of SW it is the ensurance of the application software which shall provide the mutual communication of the access server and information systems operated within the department and the mutual safe data exchange to the extent which shall be necessary for the activity of C.SIS.



It is necessary to complete the equipment of the workplace of N.SIS with the technique for the documents processing and the communication with foreign partners according to the criteria of C.SIS II. It shall be necessary to carry out the professional and language training of N.SIS employees.

Throughout the year 2006 it is necessary to lease the line for the connection of N.SIS - C.SIS (Strasbourg) pursuant to the technical standard for SIS.

*Technical solution for data flow N.SIS*



Every change of train timetable requires technological procedures for the station to be developed. On the basis of these procedures the railway station prepares a list of staff crossing the state border while performing service duties. The justification for crossing of the border for service reasons is checked and confirmed by a supervisory body. The list is sent to the customs bodies that issue a certificate on its basis – a permit enabling crossing of the state border for service reasons.

At the moment the list includes only employees of ZSSK on the post of:

- Agent of border crossing station (2 per shift),
- Wagon examiner (3 per shift),
- Locomotive driver.

Building-up of a check area will result in the need to issue the permits also for the posts of a ganger, and in case of preservation of the level-crossing also for an inspection technician at the level-crossing safety installation.

The Ministry of Interior has made a request for a revision of entitlement, central register and issuing office issuing permits for service crossing of the border with Ukraine.

The inspection of persons crossing the state border of the SR and Ukraine through the border crossing Čierna nad Tisou – Chop is currently carried out in compliance with the provisions of the Act no. 48/2002 Coll. on Alien stay and on modification of other acts, as amended, and the Act no. 381/1997 Coll. on travelling documents as amended.

The border passenger inspections have already been carried out in accordance with the Schengen acquis, norms and recommendations. They resulted from the requirement of the EU to ensure enhanced border checks before the entry of new Member States into the common Schengen area.

The inspection is performed by the Border and Alien Police Office on board during the stay of train at the border crossing station. Check of identity and admission terms is guaranteed also to passengers travelling in couchettes and sleeping compartments.

The Ministry of Interior of the SR is planning to continue with the passengers inspections in Čierna nad Tisou during the stay of the train. In case of entry into force of the Agreement on simplification of border procedures in road, rail and water transport as drafted, the passenger inspection shall be feasible on the run of train.

The expected purchase of passenger inspection devices:

- Passport reader,
- Connecting equipment to SIS II and SIRENE systems monitoring and recording the movement of persons.

Equipment used currently for detecting false and modified travelling documents: video-spectral comparator and documents testing devices (Waldman, Dokubox, Inspect, as well as magnifiers and UV magnifiers).

#### Passenger inspection in the border-crossing station Chop:

In case of transit transport the inspection is performed on board during the stay of train at the border crossing station. Check of identity and admission terms is guaranteed also to passengers travelling in couchette and sleeping compartments.

Passengers boarding in Chop pass the customs and passport check in service area of the railway station. The area is equipped with check devices, in future also with the metal detector and X-ray equipment for check of luggage.

## 6. Technological and operational aspects study

### 6.1. Procedures and rules for controlled cross-border movement of railway personnel of the Transshipment Centre in Čierna nad Tisou

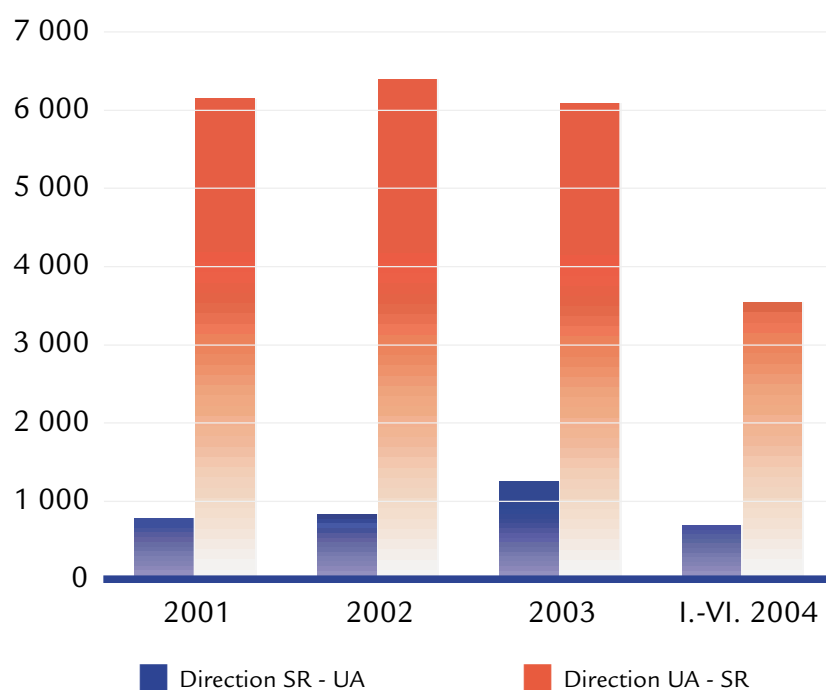
### 6.2. Cross-border movement of passengers

### 6.3. Performance indicators of the border crossing Čierna nad Tisou - Chop

*Total performance indicators in freight transport*

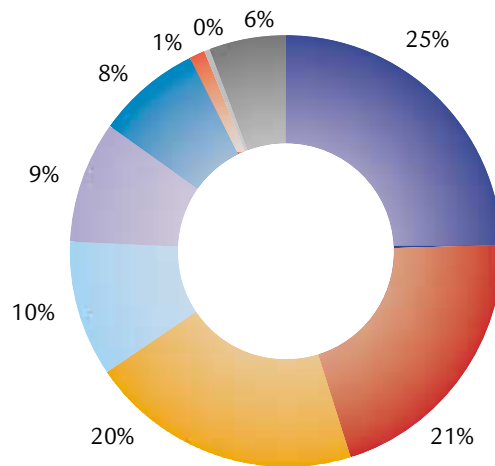
Category/ indicator	2001 Weigh in thousands of tons	Number of wagons	2002 Weigh in thousands of tons	Number of wagons	2003 Weigh in thousands of tons	Number of wagons	I.-VI.2004 Weigh in thousands of tons	Number of wagons
Import	2242.1	42 722	2245.1	43 282	1 695.5	34 676	925.0	17 650
Transit at entry	3904.0	48 952	4148.7	92 481	4 388.4	98 055	2 613.7	56 704
Total in direction to SR	6146.1	91 674	6393.8	135 763	6 083.9	123 731	3 538.7	74 354
Export	345.8	9 831	343.4	10 346	491.5	22 488	283.2	8 061
Transit at exit	435.7	11 410	483.0	13 433	758	22 385	403.5	11 341
Total in direction from SR	781.5	21 241	826.4	23 779	1 249.5	44 873	686.7	19 402
<b>Total indicator</b>	<b>6927.6</b>	<b>112 915</b>	<b>7220.2</b>	<b>159 542</b>	<b>7 333.4</b>	<b>168 604</b>	<b>4 225.4</b>	<b>93 756</b>

(Data in  
thousands of  
tons)

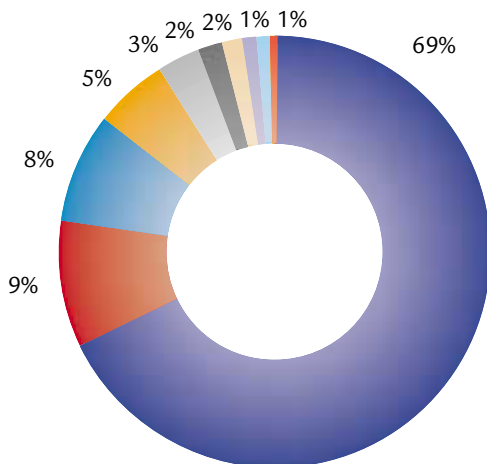
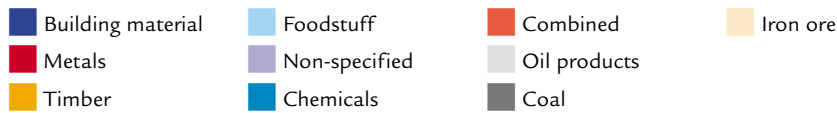


Performance indicators according to individual commodities in freight transport in 2003

Commodity	volume in tones
Building material	426 033
Metals	214 120
Timber	180 165
Foodstuff	178 172
Non-specified	89 023
Chemicals	79 591
Coal	68 592
Combined	10 107
Oil products	3 663
Iron ore	50
<b>Total</b>	<b>1 249 516</b>

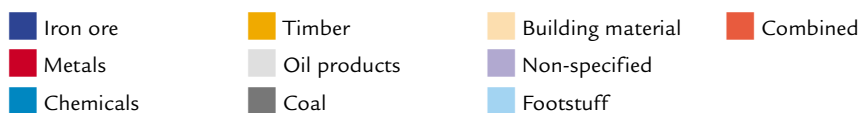


Direction SR – UA



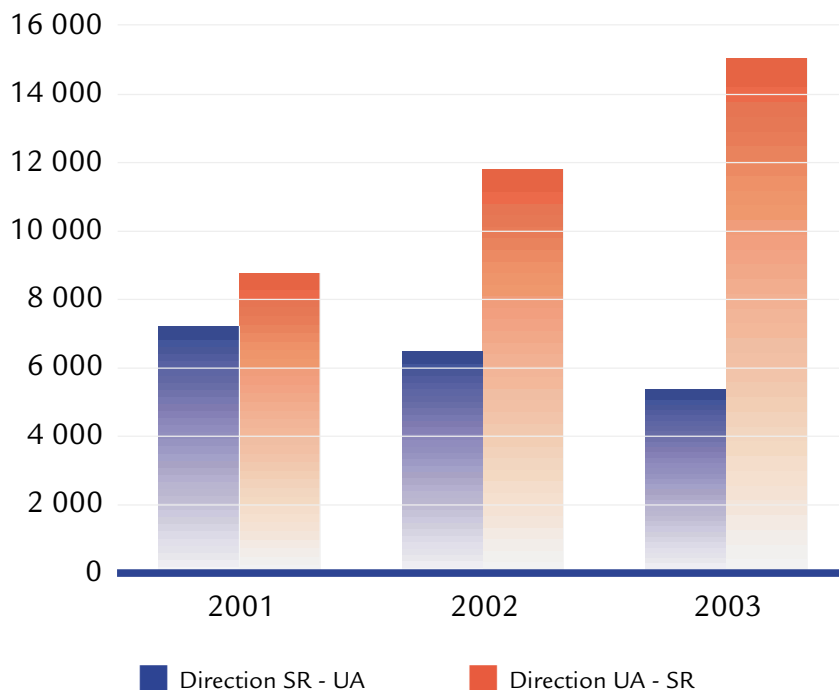
Commodity	volume in tones
Iron ore	4 127 947
Metals	576 245
Chemicals	500 328
Timber	334 516
Oil products	195 093
Coal	110 361
Building material	93 703
Non- specified	65 113
Foodstuff	59 984
Combined	20 617
<b>Total</b>	<b>6 083 907</b>

Direction UA – SR



*Total performance indicators  
in passenger transport*

Year	from Ukraine (number of passengers)	to Ukraine (number of passengers)
2001	8 763	7 200
2002	11 795	6 481
2003	15 042	5 368

(number of  
passengers)

Presumed growth of passengers from Ukraine to Slovakia in the next years, and presumed decrease of the number of passengers to Ukraine on the other hand.

## 6.4. Mutual delivery of freight trains

After the freight train has crossed the state border, the Border Police of the SR carries out the inspection in the check area located in front of the entry signal to detect illegal migration and smuggled goods.

The inspection lasts about 30 minutes. The inspection time depends on the length of the train arrived from Ukraine that is to be accepted on the Slovak side.

### Broad gauge:

The mutual handover of trains at the UA-SR border lasts 330 minutes, including the shipping and technical inspection, customs check in the track area, customs check of the accompanying documents and finally the preparation of the train for splitting up. The shunting operations are followed by transshipment of goods to the normal gauge.

The train delivery to Ukraine lasts 205 minutes, including shipping and technical inspection, accompanying documents preparation, customs check of the train, accompanying documents, and the overall brake test.

### Normal gauge:

According to the technological procedures the mutual handover of trains in the direction UA-SR lasts 96 minutes without the time for the train inspection by the Border Police and customs check.

In August 2002 the Government of the Slovak Republic in the Decree no. 835/2002 approved the document called “Strategy of completion of the state border protection of the Schengen type” with the priority aim to build a model of the integrated state border security pursuant to the requirements of the EU countries and the Schengen Agreement in order to eliminate the increasing illegal migration and the related crime by the enhancement of efficiency and effectiveness of police work in all spheres of activity of the Border and Alien Police.

On the basis of the analysis of needs with respect to the general outfitting of the Border Police units the “Project of material supply of the executive units of Border and Alien Police dislocated at the state border with Ukraine“ was elaborated in 2002.

The assurance of the protection of the state border with Ukraine shall be divided into two fields. One of them is material supply of units of the Border and Alien Police on the Slovak-Ukrainian state border and the second one is the technical protection of the state border. It includes especially provision of the effective technical devices for the discovery of illegal migration directly on the state border or in its immediate vicinity. The prime objective is to enable the units responsible for the state border protection to obtain the primary information or the signal about the state border violation in order to evaluate the information in an adequate manner and consequently arrest the illegal migrants who crossed the state border unlawfully.

The fight against the forged and fraudulently altered travel documents is a part of establishing the integrated state border security targeted on fight against the organized crime and illegal immigration into the European Union, and both the Slovak Republic and the European Union Member States consider it to be an important aspect of their common interests. One of the tasks is the participation in the creation and operation of the European archive system FADO. With this aim, a project for issuance of travel documents of the Slovak Republic corresponding with the format of the European Union shall be elaborated in the near future.

To ensure the effective and systematic protection of the state border in compliance with the Schengen requirements aimed at enhancing the quality of the Border and Alien Police service management, the Office of Border and Alien Police at the Presidium of the Police Force was established on 1<sup>st</sup> April 2001 with the nation-wide scope of activity, which is an independent budgetary organization with its own funds from 1<sup>st</sup> January 2002.

### Office of Border and Alien Police

The Office of Border and Alien Police of the Police Force Bratislava is a central authority responsible for the activity of Border and Alien Police which pursuant to the Act no. 171/1993 Coll. on Police Force as later amended ensures the protection of the state borders of the Slovak Republic.

The service of the Border and Alien Police is divided into three levels:

- Central level – the Office of Border and Alien Police of the Police Force Bratislava,
- Regional level – departments of Border and Alien Police,
- Local level – executive units – departments of border check of the Police Force (green border and border crossings).

### Office of Border and Alien Police:

- provides state border protection,
- cooperates in fight against the organized crime,
- ensures the public order close to the state border,
- supervises over the security and fluency of traffic close to the state border,
- executes the cross-border check of persons,
- fulfils the tasks of the Central Visa Authority,
- keeps central records related to the alien agenda, statistical surveys and central register of undesirable persons,

## 7. Current conditions of the state border security

- fulfils the task of supervisor and administrator of data systems of the Border Police and the Alien Police; it performs activities related to the administration of the information systems of the Border Police and Alien Police,
- prevents, discovers and documents the crime related to illegal migration, state border crossing and other cross-border crime.

To fulfil the tasks of the Border and Alien Police and to enhance the protection of the future external state border of the Slovak Republic the level in the field of cynology (specialized preparation of dog handlers, numbers, quality, selection and training of service dogs and building of cynological facilities) shall be increased. Besides this there shall be made an analysis of the possibilities of hypology use at the state border protection and in case of need a proposal of the conceptual solution of their further engagement in the service of Border and Alien Police would be requested.

**The National Unit of Fight against the Illegal Migration** established on 1<sup>st</sup> April 2002, with the nation-wide scope of activity, commissioned to discover, document and punish the crime related to the illegal migration contributes substantially to the enhancement of the state border protection. The National Unit is an organizational unit of the Office of Border and Alien Police of the Presidium of the Police Force.

The aim of the National Unit is to be concurrently the executive, analytic, organizational, coordination and conceptual workplace of the Office of Border and Alien Police of the Presidium of Police Force in the field of fight against the illegal migration and other cross-border crime.

The National Unit prevents, discovers and documents the crime related to illegal migration and other cross-border crime with the terms of reference on the whole territory of the Slovak Republic and even the internationally organized illegal migration.

It cooperates and participates in the exchange of experience between the operative authorities of the Criminal Police, other units of the Police Force and other non-departmental units, the Slovak Information Service, the Military Intelligence, operative authorities of the Customs Headquarters of the Slovak Republic and border authorities of the neighbouring states. The further task of the National Unit is the evaluation of the operative situation in the field of illegal migration and state border protection, based on which appropriate measures for the discovery of the substantial crime related to the illegal migration and state border protection shall be taken.

The National Unit disposes with particular amount of armament, outfit, sapper equipment, supplies, lodging material and automobile fleet, reporting, operative, telecommunication, computer and cryptographic technique. Its task is the execution of operative-search activity and the direct service execution aimed at discovery of illegal migration and operative dealing with suspect persons organizing the cross-border crime.

The crime related to the illegal crossing of the state border at present shows the signs of the organized crime with international contacts. The establishment of the National Unit with the nation-wide scope of activity shall increase the fighting power and shall support the achievement of the system of protection of the so called “green border” between the Slovak Republic and Ukraine which is perceived as a future external state border of the Schengen area.

**The required increase of employees number of the Office of Border and Alien Police dislocated on the state border with Ukraine after the Schengen acquis implementation.**

	current state	proposal of increase	final state
Čierna nad Tisou	42	8	50
Employees total	309	138	447

1. Authorities of the Customs Administration of the Ministry of Finance of the Slovak Republic – Customs Headquarters, Customs Offices
2. Railway Police of the Ministry of Transport, Posts and Telecommunications of the Slovak Republic

Further executive and supervision authorities:

1. Customs Office under the Act no. 199/2004 Coll., Tariff Act and on change and supplementation of some acts which is in compliance with the EU special regulations:

Customs Office

- assesses, collects and registers customs duty, taxes and other payments collected at the import and export of goods,
- decides about the determination of the dutiable value,
- creates, maintains and operates the information systems on persons who violated customs regulations,
- executes the check after the goods release,
- executes customs supervision,
- decides on the goods customs statute,
- executes customs procedure,
- decides on the goods release into the customs regime.

2. **Railway Police** is an armed security force which ensures the protection of the railway traffic, public order, security of persons and property in the zone of railways including the railway border crossings pursuant to the Act no.57/1998 Coll. on the railway police as later amended.

Railway Police

Within its operation the Railway Police:

- cooperates at the protection of the basic rights and freedoms especially at the protection of life, health, personal freedom, safety of persons and the property protection,
- discovers crime and detects the offenders,
- ensures the safety of railway transport of nuclear materials, special materials and devices in cooperation with the forwarder and carrier,
- protects the security and fluency of the railway traffic, movement of objects, devices and persons within the zone of railways,
- it participates in the detection and discovery of causes of safety and railway traffic jeopardy,
- ensures the public order in the zone of railways; in case of its violation it takes measures to restore it,
- supervises the safety and fluency of the road traffic in the zone of railways,
- discovers offences,
- executes the investigation of missing or wanted persons and things especially the lost and stolen shipments transported by rail, guns, ammunition, explosives and drugs,
- executes the activities related to the protection and takeover of special sets of the fresh nuclear fuel transported from Russia to the Slovak Republic via Ukraine executed pursuant to the Agreement among the Governments of the Slovak Republic, Ukraine and Russia, signed in 1993.

Railway Police in the fulfilment of its tasks cooperates with:

- Railways of the Slovak Republic,
- Železničná spoločnosť, a. s.,
- Public authorities,
- Armed Force and Armed Security Force,
- the Slovak Information Service,
- National Security Authority,
- Authorities of territorial self-governments at the fight with crime and public order protection,
- Police of other states which ensure the protection of the railway traffic on the basis of the international contracts and within their scope of action,
- International organization of railway police bodies COLPOFER.

## 8. Time schedule of the implementation of the Schengen acquis in the Slovak Republic

### I<sup>st</sup> phase (year 2004)

- The completion of technical devices (base stations) shall cover the whole section of the state border with Ukraine by the signal in the SITNO system, which is an inevitable assumption for further implementation of the approved system of technical and physical protection of the state border of the Slovak Republic with Ukraine. The mentioned system shall be put into operation within the end of 2004.
- It is necessary to commence the implementation of the approved system of physical protection of the state border of the Slovak Republic with Ukraine. Within the technical support of the approved system of physical protection of the state border of the Slovak Republic with Ukraine it is also necessary to ensure the delivery of specially adjusted 12 pieces of containers, 20 pieces of observation towers and their installation in the set places of the state border to provide for direct execution of service of the Border Police members in sections of their particular divisions dislocated on the state border of the Slovak Republic with Ukraine.
- At the same time it is necessary to ensure adjustment of the border intervention routes in the total length of 68 km.

### II<sup>nd</sup> phase (year 2005)

- Implementation of the approved system of technical protection of the state border of the Slovak Republic with Ukraine is the priority and decisive task. Therefore it is necessary to ensure the legal settlement of the location of technical devices pursuant to the submitted and approved project for the system of technical protection of the state border (by dealing with the owners of the relevant land – preferably the land in the ownership of the Slovak Real Estate Fund).
- Implementation of the telephone technology digitizing for determined Divisions of the border check of the Police Force dislocated on the state border of the Slovak Republic with Ukraine.
- Implementation of the system of technical protection of the state border of the Slovak Republic with Ukraine according to the specification for particular sections of the state border (flat terrain, hilly forested terrain, technical solution of the state border protection at railways crossing of the state border and the technical solution on road border crossings with Ukraine).

### III<sup>rd</sup> phase (year 2006)

- It will be necessary to call a tender for purchase of a suitable type of helicopter technique intended for the direct protection of the state border of the Slovak Republic with Ukraine, taking into account the remaining financial means.
- The financing of the approved system of technical and physical protection of the state border of the Slovak Republic with Ukraine shall be realized from the means of the Schengen temporary fund. On the basis of the national implementation strategy a management committee for the Schengen temporary fund has been established and is responsible for its implementation. Pursuant to the settled principles of the funds release from the Schengen temporary fund, the project forms, used after being approved in Brussels, shall be elaborated. A project proposal drafts the implementation of capacity extension at particular Divisions of the border checks of the Police Forces dislocated on the state border of the Slovak Republic with Ukraine, including the project for special equipment of the Police Force members providing direct protection of the state border of the Slovak Republic with Ukraine.

All activities related to the implementation of the Schengen acquis are intended to be completed till 30<sup>th</sup> June 2006.

*Time schedule of the implementation of the changes necessary in the border crossing station Čierna nad Tisou*

	2004				2005				2006				2007	
	I.	II.	III.	IV.	I.	II.	III.	IV.	I.	II.	III.	IV.	I.	II.
Project documentation of the check point				■	■	■	■							
Infrastructure modification in the check point								■	■	■				
Equipment installation in the check point								■	■	■				
Training of the Border Police employees for SIS II									■	■				
Connection to SIS II				■	■	■	■	■	■	■				
Modification of the Intergovernmental Agreement 108/1996 Coll. between UZ, ZSR, ZSSK									■	■				

## Conclusion

The Schengenrail Project was initiated especially due to the need of thorough and comprehensive analysis of the railway needs in the field of railway border crossings after the accession of the new Member States to the European Union in terms of both investment and operational needs resulting from the new framework conditions within the membership of particular countries in the Schengen Agreement. In the first part of this UIC priority project implementation, besides the border crossings with the same gauge, the border crossing with the change of the gauge - Čierna nad Tisou – Chop was selected. It is situated on the new external border of the EU between Slovakia and Ukraine.

The important objective of the project, monitored by the project team during the entire period of the implementation of their work, was the establishment of the model project structure applicable in the further phase of this project to other border crossings with similar conditions.

The project team followed two basic objectives:

- to analyze the requirements resulting from the Schengen acquis in the field of the railway border crossing and to evaluate or quantify the investment needs necessary for the implementation of these measures aimed at the needs of enhancement of the safety and efficiency of the state border protection; concurrently the project team made attempt to provide the comparison of costs and benefits resulting from their implementation;
- to create working project model including the analysis of legal, technical, technological and operational aspects - in order to apply this working model to other border crossings related to this matter with similar conditions which shall be analyzed in further part of the UIC Schengenrail Project.

In terms of legislation it will become inevitable to bring into compliance the legislation on the basis of the Schengen Agreement, amend the legal documents in the domestic legal order of the Slovak Republic, agreements governing the international railway transport between Ukraine and the Slovak Republic and the internal regulations of all participating railway companies in order to ensure the full implementation of the Schengen acquis.

The border crossing Čierna nad Tisou – Chop is the border crossing which is aimed mostly at the freight railway transport. In this field the measures for building of the protected and monitored area shall be taken in order to create conditions for the enhanced and more effective checks of trains arriving from Ukraine. To increase the state border protection in the field of the railway border crossing it shall be inevitable to implement the investment activities at the check point of the freight trains in the total amount of ca 6 million € while all investment activities are intended to be completed no later than 30<sup>th</sup> June 2006.

The positive fact is that the implementation of the Schengen acquis in passenger transport is almost completed. The check of passengers as well as of railway employees shall be realized in a similar manner as at present, however, more intensive check devices shall be employed. Due to the full implementation of the Schengen acquis it is extremely important to coordinate the development of SIS II in order to prepare the Slovak Republic for the connection to the information system at the end of 2006 together with other Member States. The mutual connection of information systems shall enhance the level of the security databases and improve the communication among the particular check units. It is fundamental that all participating railway companies contribute to the successful completion of this process.

The results of this project shall bring in the valuable contribution both for the particular railways (since they provides the overall survey of the respective issue) and the UIC – the project beneficiary providing its members with working model usable in their conditions. In relation to this it is necessary to emphasize that this matter does not relate only to the railways directly affected but it proves its European character.

The accession to the Schengen Agreement shall bring lots of advantages both for the new Member States and for the railways. This membership shall ensure the enhancement of quality of the railway operation, increase of security on the state border, more effective protection against global terrorism, illegal migrants or goods smuggling. The Slovak Republic – currently the country with the external border of the EU – and in the future the country which shall form the external border of the Schengen Agreement shall have, in relation to the European Union, an extremely responsible and demanding task. Therefore the results of this project considering the European Union are a substantial contribution since they provide valuable and important information in the specific field of railways.

Due to this reason it is a great contribution that UIC, as the major world railway association, devotes adequate attention to this matter and assists in simplification, unification and rendering the work and procedures of its members in the relevant field more effective.

## List of abbreviations

AISP	Automatized Information System of the Police
BG	Broad gauge
CIM	Freight transport regime
CIREA	Centre for Information, Discussion and Exchange on Asylum
CIREFI	Centre for Information, Discussion and Exchange on the Crossing of Frontiers and Immigration
COLPOFER	Collaboration of Railway Police and Security Services
C.SIS	Central Schengen Information System
G4	Group 4
EU	the European Union
LCIS	Level-crossing interlocking system
MV NET	Information network of the Ministry of Interior of the SR
NG	Normal gauge
N.SIS	National Schengen Information System
PKP	Polish Railways
RIS	Relay interlocking system
RSAB	Relay semi - automatic block
SIRENE	Supplementary Information Request at the National Entry
SIS	Schengen Information System
SMGS/SMPS	Freight transport regimes
SR	the Slovak Republic
SW	Software
UA	Ukraine
UIC	the International Union of Railways
UZ	Ukrainian Railways
ZSR	Railways of the Slovak Republic
ZSSK	Železničná spoločnosť, a.s.
WCO	Wagon-carriage office
WTO	Wagon- traffic office

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