

**OPERATING PROCEDURES
FOR CARRYING OUT BORDER CHECKS
AND THE MANNER OF FUNCTIONING OF RAILWAY BORDER
CROSSING POINT RÖSZKE – HORGOSŽ (HORGOS)**

EXTRACT

2023.

I.**GENERAL PROVISIONS**

- 1) The Manner of Functioning is defined in the valid legal provisions that have to be applied and implemented by all authorised staff involved in border checks, passengers and all persons who remain in the area of the border crossing point in order to carry out their tasks without the intention to cross the border.
- 2) The Manner of Functioning of the border crossing point is part of the ordered conditions of the border and by the provisions on the regulations, restrictions and bans regarding the stay at the border crossing point, ensures the following:
 - a) surveillanced crossing of persons and railway vehicles,
 - b) safe performance of border checks and railway traffic control,
 - c) execution and implementation of international and national legal provisions,
 - d) continued mutual cooperation of border authorities.
- 3) The border crossing point is located in Hungarian-Serbian relations, in Hungary, at the following address: Rösztke (6758) MÁV railway guard house 104.
 - a) The border crossing point is opened for international passenger and goods traffic.
 - b) The opening hours are from 00:00 to 24:00.
 - c) Railway vehicles carrying dangerous goods may travel at the border crossing point.
It is possible to carry out plant and animal health checks at the border crossing.
- 4) Responsible authorities are:
 - a) police authorities
 - ai) Hungary: Csongrád-Csanád County Police Headquarters, Szeged Border Policing Office,
 - aii) the Republic of Serbia: Ministry of the Interior, General Police Directorate, Regional Border Police Centre for Hungary located at Subotica, Horgoš Border Station;
 - b) customs authorities
 - bi) Hungary: National Tax and Customs Administration, Csongrád-Csanád County Customs and Financial Guard Directorate, Rösztke Border Station Department,
 - bii) the Republic of Serbia: Ministry of Finance, Customs Administration Subotica Customs Office.

III.**MANNER OF BORDER CHECKS**

- 1) Advance notification, reception and sequence check of international passenger trains**
 - a) The Hungarian and Serbian border/custom checks of international passenger trains shall be carried out on the territory of Hungary at Horgoš (Horgos) railway border crossing point.
 - b) The railway traffic officer of Hungarian State Railways Ltd. (hereinafter: MÁV) and the railway staff shall carry out the advance reporting and reception of the arriving passenger train. The traffic attendant shall keep in constant contact with the traffic attendant of the

railway company of the Republic of Serbia and they shall agree on the dates of receiving and starting trains.

- c) After a passenger train arriving at the border crossing from any direction has stopped safely, the Hungarian police ensures that no one get off or board it.

1.1) Check sequence of passenger trains applying for entry:

- a) When a passenger trains enter Hungary, the Serbian and Hungarian authorities (police and customs check) shall start the check together, so that the Serbian police and customs inspection shall be closely followed by the Hungarian police and customs inspection. In the process of doing so, the Serbian authorities shall carry out the exit check of passengers from the Republic of Serbia, including the necessary control and registration tasks, as well as customs checks in accordance with Serbian national legislation. After that, the Hungarian authorities shall carry out border and customs checks of persons traveling on the passenger train.
- b) The search of passenger trains applying for entry shall be primarily carried out by the Hungarian authorities.
- c) The Serbian authorities shall carry out search on the passenger train during in case of suspicion or randomly. If necessary, the Hungarian authorities can also carry out a repeated search of the entire train set.

1.2) Check sequence of passenger trains applying for exit:

- a) When a passenger trains enter Hungary, the Serbian and Hungarian authorities (police and customs check) shall start the check together, so that the Hungarian police and customs inspection shall be closely followed by the Serbian police and customs inspection. In the process of doing so, the Serbian authorities shall carry out the exit check of passengers from the Hungary, including the necessary control and registration tasks, as well as customs checks in accordance with Hungarian national legislation. After that, the Serbian authorities shall carry out border and customs checks of persons traveling on the passenger train.
- b) The search of passenger trains applying for exit shall be primarily carried out by the Serbian authorities.
- c) The Hungarian authorities shall carry out search on the passenger train during in case of suspicion or randomly. If necessary, the Serbian authorities can also carry out a repeated search of the entire train set.

2) Advance notification, reception and sequence check of international freight trains

Checks of freight trains traveling at the border crossing point are carried out by the responsible authorities in the territory of their own state, in a manner regulated by a separate procedural order.

3) The manner of the check

3.2) Place of check of trains in international traffic:

- a) A maximum of one entering and one exiting train shall be at the railway station at the same time, regardless of whether it carries freight or passengers.
- b) The reception and departure of international freight trains shall basically implement on platforms I-II.
- c) The reception and departure of international passenger trains shall basically implement on platforms II-III.
- d) During on duty, the railway traffic officer shall strive to ensure receiving trains and the conditions for checking are met on the above platforms.
- e) The arrival, reception and place of check of special-purpose trains shall be coordinated in advance by the railway traffic officer and the authorities participating in Hungarian border check.
- f) During stopping trains arriving at the border crossing point, efforts shall be made to stop:
 - fi) entering freight trains before of the barrier covering signal from the direction of the Szeged-Managing railway station,
 - fii) the exiting freight trains before of the barrier covering signal of the Horgos railway station,
 - fiii) passenger trains at the designated stop on the platform designed for the safe movement of passenger traffic.

4) Carrying out of border and customs check of international passenger trains:

- a) Passenger trains shall be checked by the Hungarian and Serbian authorities at the railway station, on the train, so that the passengers remain on the train.
- b) Taking off or getting on a passenger train shall be only after checking by the Serbian and Hungarian authorities.
- c) Taking off or getting on an exiting passenger train shall be before the start of the Serbian and Hungarian checks. After the start or end of the checks it shall only be possible with the permission of the checking authorities, so that they shall inform each other about the taking off or getting on out of turn.
- d) The Serbian and Hungarian authorities shall basically use mobile devices to carry out checks in border checking systems. If a more detailed check and document examination is necessary carried out, the technical devices in the designated service room shall be used. In this case, the passenger shall take off the train and shall go to the place of the check together with the officer.
- e) Passengers are not allowed to leave their seats on the train during person checks on the train.

5) Regulations Relating to the Passengers

- a) In the case of an entering passenger train, passengers are obliged to stay on the train until the official checks have been carried out by the Serbian and Hungarian authorities.
- b) The passengers can take off or get on the train before the check begins.
- c) During border checks the separation of a passenger or vehicle subject of further checks shall be supervised by the authority responsible for the checks. If needed the responsible authorities can provide mutual support during carrying out their tasks.
- d) During border checks the responsible authority shall ensure that the already checked passengers are separated from those who are under check or who are waiting to be checked, and that they can move in the secured area according to this.

V.

OTHER REGULATIONS

1) The manner of conduct in relation to the persons arriving to the border crossing point without the intention of crossing it

- a) The national legislation shall apply in case of the persons entering the border crossing point area without the intention of crossing the state border.
- b) The responsible authorities shall be obliged to inform each other on the persons entering the border crossing point without the intention of crossing the state border.

2) The manner of parking at the border crossing point

- a) The Serbian and Hungarian authorities, as well as the employees of the cooperating bodies, may use the designated space at the border crossing to park their vehicles.
- b) The owners of the vehicles shall be obliged to lock their vehicles and shall be held responsible for their vehicles' safety.
- c) In justified cases (including the parking of the cars of the heads of the control authorities) derogation from the above provisions related to the vehicles parking shall be approved by the authorised officer of the Hungarian police authority.

3) Informing obligation

- a) The passengers can be provided information by any authorised officer of the responsible authorities within his/her scope while respecting the obligation of keeping the service secret.

- b) The media representatives may take statements, make photos and videos in relation to the passengers' and vehicles' traffic at the border crossing point and its facilities only with the prior consent of the competent control authority.

4) Maintaining communication with the passengers

- a) The obligation to undergo border checks at the border crossing point should be communicated to the passengers.
- b) In cases of intending second line border checks, detailed customs checks or other restrictive measures the authorised officer carrying out the details checked shall inform thereon the person subject to the said checks at the beginning of the procedure.

5) Activities associated to the respect of provisions relating an accident, fire and security

- a) IT IS PROHIBITED at the railway border crossing point:
 - a. To step on the rail, and also to step between the standing top rail and the main rail at the switches,
 - b. Apart from the performance of the service activity, to stay under the vehicles and near the vehicles,
 - c. To take off or get on a moving vehicle from uneven, slippery, icy or tripping-hazardous ground,
 - d. To approach the live overhead wire within 2 meters, to stay close to it, in this case, to start the train/car check before performing the grounding and signing the permit on any train,
 - e. To start the check of the train until all the representatives of the responsible authorities have appeared at the train,
 - f. To enter the animals without the caretaker in case of checking a shipment of animals,
 - g. To stay and travel within the gauge,
 - h. To get on or to take off a moving train,
 - i. To touch a dangerous shipment without protective equipment, or starting a check of this type of train without a special permit,
 - j. To get on a vehicle containing flammable or explosive goods with spiked or horseshoe footwear or to smoke near them or to use an open flame,
 - k. To pass between railway vehicles closer than 10 meters on the same platforms,
 - l. To jump from one to another on top of railway cars,
 - m. To travel on the steps and bumpers of railway cars, to step on the bumpers,
 - n. To break or open brake and air lines connecting railway cars,
 - o. To hold any object that hinders handling in case of being outside the cargo area of railway carriages,
 - p. To give a misleading signal to the railway staff,
 - q. To handle railway technical and signaling equipment,
 - r. To move the train while checking it,
 - s. To pull the locomotive out of the train before starting the checks,
 - t. To hide through under stationary railway vehicles.

10) Other provisions

- a) In case that while performing his/her duty, any Hungarian or Serbian border police or customs' authority officer is verbally or physically attacked by a passenger, the authorised officers shall be obliged to help each other and take up appropriate measures against the person concerned.
- b) The control authorities' personnel shall be obliged to inform the head of the control authority on the problems and experiences regarding the practical implementation of the provisions of this Manner of Functioning.
- c) In case any items are found at the border crossing point, any officer of any of the responsible authorities shall be obliged to act in accordance with the applicable regulations.

VI.**CLOSING PROVISIONS**

Done at _____ on _____ 2023, in two originals, each in the Hungarian, Serbian and English languages, all texts being equally authentic. In case of different interpretation the English text shall prevail.

On behalf of Hungary

On behalf of the Republic of Serbia

Pol. Brigadier General Dr. Zsolt Polyák
senior police counsellor
honorary professor
head of county police

Pol. Major Zoran Cmiljanić
Head of Regional Centre

ZÁRADÉK

A dokumentum elektronikus aláírással hitelesített
29000/1893-51/2023.ált.