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COMIX 255

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- Questionnaire - Additional questions presented by the Commission
Services - Reply from SLOVENIA

Delegations will find attached the declassified version of the above document.

The text of this document is identical to the previous version.

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THE EUROPEAN UNION

Brussels, 13 March 2006

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SCH-EVAL 48
COMIX 255

NOTE

from : the Republic of Slovenia

to : the Schengen evaluation Working Party

No. prev. doc. : 6558/06 SCHEVAL 26 COMIX 184

Subject : Schengen evaluation of the new Member States

- Questionnaire - Additional questions presented by the Commission Services - Reply from SLOVENIA

Please find hereunder the response to the additional inquiries included in doc. 6558/06 SCH-EVAL 26 COMIX 184, which were made by the Commission on 20 February 2006.

Question 1 (p. 4)

Are the checks at the sea border carried out by specialised border police stations or by general police units?

The checks at maritime traffic border crossings and checks performed for the protection of the state border at sea, fall under the exclusive competence of the Koper Marine Police Station. The police officers that perform border checks on ships have the same skills as the police officers that carry out border checks at other border crossings. Training for the performance of border checks on ships is conducted through mentors, i.e., more experienced police officers with a longer period of service in the unit.

RESTREINT UE

Question 1 (p. 4)

It is stated that, in exceptional cases, border checks may be carried out by “police officers of general police”. In such cases, is specific training on border control procedures/Schengen acquis provided to such officers? Please provide details on that.

Border checks are carried out by police officers from general police stations at border crossings with light traffic and a very low level of security problems, at smaller border crossings (border crossings for border traffic) that are located away from border police stations specialised in carrying out border checks. Border checks are carried out solely by police officers organised in groups for performing border checks. This means that border checks are carried out solely by police officers with additional qualifications for the performance of such work.

Police officers also carry out border checks at border crossings that have been created for a specific group of persons as well as at temporary border crossings that have been created for the purpose of short-term cross-border activities (for example, natural disaster exercises, sports events, traffic diversions, cultural, scientific, expert or tourism events) or for activities based on international agreements, farming and forestry work as well as other work of a wider public interest (in accordance with point 1.3.1 of the first part of the joint Schengen handbook).

Question 2 (p. 5)

Very detailed explanations are given about the data to be stored in the Register of Motor Vehicles. Could details be provided also about the police central database? Which data related to persons are stored into that database?

Data are grouped in the police central database into the following three main sets:

- general personal data,
- data on police incidents in which an individual was involved and
- data on the objects used by a person as a means for committing an act or which were the subject of an attack

The general personal data are: the personal identification number (PIN, if known), data on personal names, birth information and age, address at the time of consideration and citizenship.

RESTREINT UE

The additional data on individuals, concerning their role in specific important police incidents include the following:

- in relation to criminal offences, an indication whether the individual is the victim or offender. In case the individual is the offender, records are also made of other aliases or false names, personal descriptions, nationality, education, profession and employment as well as information on the criminal offence itself, such as, the type of crime, place and time of committing the crime, method of committing the crime, motive, subjects of criminal offences, damage caused, other circumstances concerning the criminal offence and the objects used to commit the crime or the object that was targeted;
- in relation to misdemeanours, profession and employment as well as information on the misdemeanour itself, such as, the type of violation, the place and time of committing the violation, method of violation, damage caused and the objects that are the subject of the misdemeanour;
- in relation to wanted persons, a photograph and personal description, family and property circumstances, education, profession and employment;
- in relation to establishing identification, the grounds, place and time and the means of transport;
- in relation to operational information, data on police findings in connection with the prevention and investigation of criminal offences;
- in relation to DNA, an examination of the scene, time and reason for taking a sample and profile;
- in relation to general events, type of event, place, time and other circumstances;
- in relation to taking fingerprints (dactyloscopy) and photographing, aliases and false names, place, time and grounds for taking fingerprints, the basis on which identity was confirmed, the finger- and palm prints themselves and photographs;
- in relation to lost and found objects, a description and photograph of the objects.

RESTREINT UE

Question 3 (p. 8)

What level of criticality does the sea border have? How many hours a day is surveillance ensured and with what coverage?

With respect to the number of illegal crossings and other cross-border crimes investigated we believe that the level of criticality of the sea border is minimal. Legal traffic, on the other hand, is characterised by a great deal of fluctuation depending on the calendar season. As such, there are considerable increases in the amount of traffic, especially pleasure boats, during the summer months. For this reason, the following level of criticality has been determined for the border sector:

- CRITICALITY LEVEL II - during the months of January, February, March, April, November and December. During these months, the direct physical protection of the state border at sea is, on the average, carried out 8 hours a day.

- CRITICALITY LEVEL I/II - during the months of May, June, July, August, September and October. During these months, the direct physical protection of the state border at sea is, on the average, carried out 12 hours a day.

The prescribed level of protection of the state border at sea is ensured by conducting patrols with patrol boats at sea and with official vehicles at the coast.

In addition to these, the stationary radar which guarantees control for 24 hours a day is also used for state border check purposes.

Question 5 (pp. 11-12)

What is meant by “interstate border crossing points”? Does this refer to BCPs which are only open to nationals of the two neighbouring countries?

- *What is meant exactly by “transit crossing points”?*

The interstate border crossing points are intended for the use of the nationals of neighbouring countries. In the case of the Slovene-Croatian border, this means that these points may be crossed by nationals of the Republic of Slovenia and those of the Republic of Croatia.

RESTREINT UE

Since the accession of the Republic of Slovenia to the European Union (1 January 2004) these border points may be crossed, in addition to Slovenian and Croatian nationals, also by the nationals of European Union Member States and those of the European Economic Area and Switzerland in accordance with the principle of non-discriminatory treatment.

The crossing points are determined on the basis of an interstate agreement on border traffic and cooperation between the Republic of Slovenia and the Republic of Croatia (an agreement governing border traffic). Holders of a border laissez-passé may be allowed (also in accordance with the Regulation of the European Commission and European Parliament on border traffic):

- on the basis of a farming request, to cross the border also at points where there is no border crossing which are registered in the farming request (dual landlords, family members and hired workforce, owners of herds and specific animals and bees, persons with easement in the neighbouring border area, foresters and charcoal makers working in the neighbouring area, cooperatives workers and other legal persons that own such property) and if they have a justifiable interest for crossing the border outside the border crossing points designated for these purposes or outside the official working time provided this is not in contrast with public interest. In these cases, the time and place of crossing the border are registered in the individual's laissez-passé and such a request must be approved also by the authority (the police) of the other party to the contract.

Question 5 (p. 13)

Are any works planned in the BCP Izola? (fencing) How is the passage of persons between the pier and the border check facilities organised?

Talks are underway with Izola Municipality on the construction of a new border crossing facility in Izola. The border crossing point is open only during daytime, seven months a year, while the pier is open to all vessels during the rest of the time. In view of the amount and structure of traffic (mostly EU nationals that travel to Izola by pleasure boats) and due to the fact that the border crossing facility is situated alongside the pier (10 m away), there is no need for fencing off the entire area. Passengers travelling on passenger vessels are border checked directly in front of the ship or onboard.

RESTREINT UE

Question 5 (p. 14)

Maritime border protection: Could you describe how it is organised and how it operates? (the replies given to the questionnaire only say that the same principles apply as for land surveillance but that the working methodology and equipment are slightly different).

The state border at sea is surveillance by only one unit, namely the Koper Maritime Police Station. Within this unit operates a group for the surveillance of the state border, made up of police officers performing tasks in connection with maritime border surveillance.

In the surveillance of the state border at sea, the following types of operations are carried out:

- control of the movement of vessels at and along the state border at sea with patrol boats (patrols, surveillance, ambushes),
- operations at the coast with official vehicles (surveillance, ambush) and surveillance from border crossing points for maritime traffic,
- control over the border sector with the help of technical equipment (stationary radar, thermal vision cameras, radars mounted on patrol boats, etc.),
- information exchanges with other state authorities and organisations that perform tasks at sea as well as cooperation with inhabitants.

Question 6 (p. 19)

Could you provide the figures for illegal crossings through the sea border?

The number of illegal state border crossings is exceptionally small. Listed below are all the cases of illegal border crossings or attempts by nationals of third countries to illegally enter the Republic of Slovenia through the state border at sea.

In 2005:

- 24 January: Turkish national – a crew member left the ship and did not return for its departure;
- 7 September: Algerian national – stowaway on a ship filed an application for asylum;
- 12 December: 2 Egyptian nationals - two crew members left the ship and did not return for its departure;

RESTREINT UE

In 2004:

- 10 March: Algerian national – stowaway on a ship attempted to illegally cross the border with Italy – he was returned to the ship;
- 11 March: “ Turkish nationals – two stowaways on a ship wanted to purchase food and drinks in Slovenia and continue with the journey. In the process, one got injured and was taken to the hospital, while the other was returned to the ship;
- 19 August: National of Serbia and Montenegro; transported to the Republic of Slovenia (Seča Peninsula) from the Republic of Croatia (Kanegra) by boat by a Slovenian national – caught and returned to the Republic of Croatia;
- 15 October: Albanian national: stowaway on a ship attempted to illegally cross the border with Italy – he was returned to the ship.

In 2003:

- 24 October: 4 Algerian nationals - stowaways on a ship attempted to illegally cross the border with the Republic of Italy – they were returned to the ship;
- 15 November: 1 National of Serbia and Montenegro and 1 national of Bosnia and Herzegovina; transported to the Republic of Slovenia (Seča Peninsula) from the Republic of Croatia (Kanegra) by boat by a Slovenian national – caught and returned to the Republic of Croatia;

Question 7 (p. 22)

What specific training (see table on p. 22) is foreseen for people working at BPCs reserved to local border traffic?

In the Republic of Slovenia we have a uniform common programme for training police officers that carry out border checks. This means that police officers receive training in the performance of border checks irrespective of the type of border crossing point they perform border checks.

Within the framework of the training programme, police officers performing border checks at smaller and unproblematic border crossing points are periodically transferred to bigger border crossing points where they gain further experiences. This enables the transfer of practices and knowledge also to police officers performing tasks at smaller border crossing points

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Question 16 (p. 32)

Could you provide more details on how and on what basis (MoU, etc.) cooperation between the Police and the Maritime Administration takes place? (there are mentions at different places, but some more systematic information would be useful, for example on the cases in which information is exchanged, when the joint inspections take place, etc.).

A Permanent Coordination Group for the Sea has been in operation since 2001. This group operates as a special form of partnership cooperation between state authorities and organisations performing operations at sea or in connection with the sea with the aim of ensuring closer cooperation and greater efficiency in the performance of tasks at sea. The Coordination Group consists of representatives of the Koper Police Directorate, The Maritime Administration of the Republic of Slovenia, The Koper Customs Office, The Fisheries Inspectorate, the Slovene Armed Forces and the Agency for the Environment and Space.

The Coordination Group performs, especially, the following tasks:

- considers and analyses the security situation and circumstances at the sea and the coastal area,
- proposes measures concerning the improvement of the situation,
- coordinates the work of individual authorities for the purposes of ensuring greater efficiency of execution of tasks and a more rational use available technical resources,
- cooperates with other authorities and organisations engaged in activities related to the sea,
- reports to the competent authorities, organisations and institutions about the occurrence of specific problems concerning security at sea,
- develops and promotes activities aimed at guaranteeing a higher level of security for people at the sea.

On the basis of the Regulation of the Council of the European Community No. 725/2004 on the improvement of the security of ships and port facilities and on the basis of the Regulation of the Government of the Republic of Slovenia on the implementation of protective measures on ships and in ports (Official Gazette of the Republic of Slovenia, No. 64/2004), the Permanent Coordination Group for the implementation of protective measures on ships and ports was created in 2005. This coordination is headed by the Police and the Maritime Administration of the Republic of Slovenia

RESTREINT UE

(hereinafter referred to as the MARS), with the cooperation of representatives from the Customs, the Intelligence Service and the Port of Koper. The main tasks of the Group include the assessment of security circumstances in the field of shipping traffic, exchanging information, determining the level of protection, coordinating the implementation of protective measures, and proposing changes to regulations on shipping safety.

In addition to this cooperation which is formally governed by an agreement, active cooperation is also conducted everyday among the shifts of services that perform tasks in ports or on ships. This cooperation is conducted in the following forms:

- MARS provides the police in advance with data on the crew members and the passengers (crew and passenger list) before the boat sails into the port or to the anchoring place,
- MARS notifies the police in cases whereby the ship is coming from a risk port (Decree on the implementation of protective measures on ships and in ports),
- if necessary, MARS provides information on a particular ship from the Automatic Identification Station,
- MARS provides other information concerning ship moors, movements from anchoring places to moors and vice versa,
- the police notifies MARS about violations of provisions concerning shipping security.

Question 20 (p. 36)

Mixed patrols with Italy. Do they also take place for the surveillance of the blue border?

There are no mixed patrols at sea with Italian security authorities. In view of the security circumstances, there has been no need for organising such patrols. It is however normal practice that the crews of patrol boats from both countries do meet at sea whenever necessary (at the border line) and exchange important operational information.

RESTREINT UE

Question 23 (p. 38-39)

Why is it not possible to have data on the number of pleasure boats? Is there any data on the number of fishing vessels?

The programme for gathering police statistical data had envisaged the separation of vessels into domestic and foreign ships and domestic and foreign pleasure boats (according to the flag under which they are sailing). As of 1 February 2006, there were no records on vessels that would separately identify ships or pleasure boats according to sailing direction (EU/Non EU).

For this reason, it is possible to present statistical data prior to 1 February 2006 for the number pleasure boats but not in accordance with the requirements of the questionnaire. Data on ship traffic, shown in the presentations according to direction of arrivals or departures, were obtained manually on the basis of the records of the Koper Maritime Police Station (which is not possible for pleasure boats).

From 1 February 2006, the Police regulated the coverage of statistical data in accordance with the methodology of the questionnaire which means that it is possible to show statistically also the categorisation of ships (cargo, passenger, ferries, or fishing) and pleasure boats as well as other boats that arrived from EU or third countries.

The total number of all vessels that underwent border checks (entry and exit) at Koper, Piran and Izola border crossing points is as follows:

BORDER CROSSING POINT	2003	2004	2005
KOPER	4,568	4,628	4,995
PIRAN	13,674	12,336	10,990
IZOLA	2,984	2,690	2,671

RESTREINT UE

Of these, the number of ships was:

BORDER CROSSING POINT	2003	2004	2005
KOPER	4,022	4,263	4,537
PIRAN	678	621	367
IZOLA	187	173	176

The number of pleasure boats was:

BORDER CROSSING POINT	2003	2004	2005
KOPER	546	365	458
PIRAN	12,996	11,715	10,623
IZOLA	2,797	2,517	2,495

There are 500 vessels registered in Koper, 900 in Izola and 1300 in Piran, 2 of them trawlers and 170 are smaller fishing boats.

Question 27 (p. 43)

Can you give further information on the state of play of the construction works at the airport in Ljubljana and Maribor?

Airport Ljubljana

The projects are undergoing the process of obtaining a planning permit for the reconstruction and extension of the existing passenger terminal T1 and for the construction of a new terminal T2 which is planned to have a capacity for 2,000,000 passengers annually.

RESTREINT UE

Airport Maribor

The tender documentation for the preparation of the plan for the renovation and extension of the existing terminal in order to meet all the Schengen requirements is under approval procedure. The planned facility will have an initial capacity for 250,000 passengers annually and this will grow later to 500.000 passengers annually.

Question 35 (p. 48-49)

Please clarify if, in the future, mobile devices for searches in the SIS will be provided to all border officers carrying out checks in the trains.

Yes. There are plans to provide, in the future, mobile devices to all police officers who carry out border checks on trains. For these purposes we shall use data terminals within the framework of the Tetra digital radio system. It is already possible today to use the mobile access to the national information system via the GSM (UMTS, GPRS) network.

Question 36 (p. 63)

Could you provide data/statistics, if available, on the following:

a) persons benefiting of the local border traffic regime (Slovenian nationals and, if known, Croatian nationals)

On the basis of the Agreement between the Republic of Slovenia and the Republic of Croatia on Border Traffic and Cooperation, the public administration authorities of the Republic of Slovenia had issued 17,293 border passes (as of 1 February 2006) and 5,210 farming permits (as of 1 February 2006) for the purposes of local border traffic.

We do not have current statistical data on the documents issued by the public administration authorities of the Republic of Croatia. We do, however, have data that we obtained during the last meeting of the Permanent Joint Commission for the implementation of the agreement which was held on 3 June 2005, which stated that 8,576 border passes and 1,710 farming permits had been issued in the Republic of Croatia as of 1 June 2005. Given the slow rate of issuing documents, we are led to assume that there have been no significant increases in these numbers.

RESTREINT UE

b) persons sanctioned for having abused the system/whose border pass has been withdrawn.

In 2003, two (2) border passes were withdrawn under the provisions of the Agreement on border traffic and cooperation (hereinafter: ABTC).

In the year 2004 no border pass was withdrawn, however, the Slovene administrative authorities refused to visa (certify) two (2) border passes, issued by Croatian authorities, while the Croatian authorities refused to visa (certify) one (1) border pass, issued by Slovene authorities. We have no data for the year 2005 yet, but we expect them by the end of this month.

- *Which measures are taken in order to avoid that the system is abused and the border crossed illegally?*

Control over the crossing of the border by holders of local border traffic documents is carried out at the border crossing points within the framework of border checks. Control over the crossing of the border by those categories of beneficiaries that are permitted to cross the border outside border crossing points is carried out by the police within the framework of state border surveillance outside border crossing points. Additional control is carried out also by the heads of the district police who perform the so-called “community policing” in the border area and cooperate directly with the border inhabitants in the prevention and detection of crimes.

In the event of an abuse police officers must, in accordance with the Agreement between the Republic of Slovenia and the Republic of Croatia on Border Traffic and Cooperation, withdraw the document, thus disabling the holder to cross the border under the local border traffic regime. Given the vital interest of the local population in implementing the local border traffic regime, the threat of withdrawal of the document and consequent loss of benefits present a very efficient deterrent against abuses.

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RESTREINT UE

Additional clarification - Visa

60. *How do you store the visa stickers?*

After a prior order the visa stickers are sent to diplomatic missions and consular posts by a diplomatic courier. The stickers are received by a person authorised to conduct visa procedure – a consul. He/she must confirm the receipt of visa stickers in the information system and store the stickers in a safe that may be accessed only by him/her or the person replacing him/her.

The consul distributes the sent stickers to the competent employees on a daily basis. Every employee must provide the allotted stickers with their electronic signature – in the computer system. At the end of each working day, all unused and cancelled stickers are returned to the consul. A report is daily drawn up on the number of printed, cancelled and unused visa stickers, and signed by the employee handling the visas and by the consul, who stores the unused and annulled stickers into a safe. Other employees of a diplomatic mission and consular post have no access to visa stickers.

69. *Do you require travel medical insurance also from nationals of third countries listed in Annex II of Council Regulation 539/2001?*

Please give more detailed information about the agreement Slovenia/FYROM. Does this agreement cover all risks referred to in Council Decision 2004/17 ?

The travel medical insurance represents part of the supporting documentation that has to be submitted to the visa application for the grant of a travel visa. Additionally, the travel medical insurance represents one of the entry conditions for the third country nationals with visa obligation. On the contrary the travel medical insurance as regulated in the Council Decision 2004/17/EC does not represent an entry condition for the nationals of those third countries listed in Annex 2 of the Council Regulation 539/2001.

The bilateral agreement between the Republic of Slovenia and FYROM on social affairs (hereinafter referred to as: Agreement) regulates medical insurance for nationals of both countries and represents an equivalent to the travel medical insurance according to the Council Decision 2004/17/EC. Medical insurance as regulated in the Agreement covers all costs arising from

RESTREINT UE

repatriation for medical reasons (including hospital treatment). Due to the fact that the Agreement is territorially limited, its time validity is limited to the interim period before Slovene entry to Schengen. After that the provisions of Council Decision 2004/17/EC will fully apply also to the nationals of FYROM.

72. *Do you give the grounds for refusal in case of family members of EU citizens?*

Family members of the EU citizens who have been refused a visa are orally as well as in written informed of the grounds for refusal. There is a uniform form of notification for refusal to issue a visa to all third country nationals prescribed by Slovene legislation (see below).

OBVESTILO O ZAVRNITVI IZDAJE VIZUMA NOTIFICATION ON REFUSAL OF A VISA

Veleposlaništvo/Generalni konzulat Republike Slovenije v _____
The Embassy/General Consulate of the Republic of Slovenia in _____

je obravnavalo vašo vizumsko vlogo, vloženo _____ (dan, mesec, leto).
has considered your visa application made on _____ (day, month, year).

Izdaja vizuma je bila zavrnjena na podlagi 15. in 5. člena Konvencije, ki izvaja
The issue of visa is refused by virtue of Articles 15 and 5 of the Convention applying

Schengenski sporazum, sklenjen 19. junija 1990, ter 9. in 20. člena Zakona o tujcih
the Schengen Agreement, done at 19 June 1990, and Articles 9 and 20 of the Aliens Act

(Uradni list RS, številka 108/2003 - uradno prečiščeno besedilo).
(Official Gazette, number 108/2003 - last official text).

Razlogi za zavrnitev izdaje vizuma:
Reason(s) for refusal:

RESTREINT UE

Neveljavna potna listina/Invalid travel document	
Nezadostna pomožna dokumentacija/Lack of supporting documents	
Nezadostna sredstva za preživljanje/Lack of means of subsistence	
Izrečena prepoved vstopa/Alert for the purpose of entry issued	
Nevarnost za javni red, varnost ali mednarodne odnose/Threat to the public policy, national security or international relations	
Nezmožnost utemeljiti namen in okoliščine nameravanega prihoda in bivanja v državi/Inability to justify the purpose and conditions of the planned entry and stay in the country	
Zavrnitev osebnega prihoda/Refusal of personal appearance	
Sum za zaposlitev in delo v državi v nasprotju s predpisi o zavarovanju in delu/Suspicion of employment or work in the country, contrary to the law on employment and work	

Pritožba zoper zavrnitev izdaje vizuma ni dovoljena (65. člen Zakona o tujcih)

An appeal against the refusal to issue a visa shall not be permitted (Article 65 of Aliens Act)

Datum in kraj

Date and place

Podpis in žig Veleposlaništva/Generalnega konzulata

Signature and stamp of the Embassy/General Consulate

73. *Do you issue visas free of charge to citizens of third countries on the basis of nationality?*

Slovenia charges no visa fees when processing visa applications submitted by the nationals of Bosnia and Herzegovina. The Council Decision (EC) 454/2003 constitutes an act building on the *Schengen Acquis* within the meaning of the Article 3(2) of the Act of Accession. Slovenia shall, at the latest after joining Schengen, start charging visa fees to nationals of Bosnia and Herzegovina for processing visa applications as prescribed by the corresponding *acquis*. The exemptions allowed shall be only those regulated by the *Schengen Acquis*.

RESTREINT UE

74. *Statistics for the Czech Republic : please verify the “B” and “C” figures (the figures for 2003 seem to be in contradiction with the figures for 2002 and 2004).*

There had been a mistake made when entering the data in the table. In year 2003 1564 entry and 138 transit visas were issued at the Slovene embassy in Prague.

Please provide information on Airport Transit Visas issued (they are not indicated in your statistical tables).

The Airport Transit visa (visa A) has to be obtained by the nationals of 12 countries (corresponding to the joint list in Annex 3 of the CCI). Due to limited number of international flight connections via Slovene airports there have been no nationals with the above mentioned visa obligation flying through Slovenia.

75. *Do you issue visas at the border to family members of Union citizens?*

Issuing visas at the border is stipulated by the Instructions on refusal of entry to an alien, conditions for issuing visas at the border, conditions for issuing visas for humanitarian reasons, and regarding the procedure of repealing a visa (Official Journal of the Republic of Slovenia, no. 2/2001). The Instructions define in more details the procedure and conditions as stipulated by the Council Regulation (EC) no. 415/2003 of 27 February 2003 on issuing visas at the border, including issuing of these visas to seamen in transit. According to the same conditions visas at the border are issued also to family members of the EU citizens.

Number of visas issued at the border. How many of those visas have been issued at the sea border and in particular to seamen?

	2003	2004	2005
Number of visas issued at the border	256	295	483

All visas issued at the Koper Border Crossing Point were issued to seamen. Transit visas were issued primarily for repatriation reasons. The entry and exit visas were, likewise, issued to seamen who stayed in Slovenia for health treatment or who left the ship for personal reasons (for example due to death or sickness in the family).

RESTREINT UE

	VISAS ISSUED AT THE KOPER BORDER CROSSING POINT		
	Total	Entry-exit	Transit
Belarus	5	0	5
Bosnia and Herzegovina	1	0	1
The Philippines	65	2	63
Georgia	9	0	9
Guinea	4	0	4
India	22	0	22
South Africa	1	0	1
China	9	0	9
Korea	2	0	2
Lebanon	1	0	1
Myanmar	21	0	21
Pakistan	5	0	5
Russian Federation	119	0	119
The Syrian Arab Republic	12	0	12
Serbia and Montenegro	10	0	10
Turkey	27	1	26
Ukraine	170	2	168
TOTAL	483	5	478

81. On the basis of what criteria do you intend to include third countries in Annex 5A and B.

The criteria are the following:

- current security and political circumstances in the third country,
- current security circumstances of the nationals of a third country in EU Member States and Slovenia,
- current international community restrictive measures imposed against a third country,
- current categorisation of a third country on the country lists of the Schengen Agreement Member States,
- frequency of refusal of entry into the country or applications for entry visas by the nationals of a third country.

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Additional questions - Visa

- *Are your diplomatic missions and consular posts empowered to issue residence permits ?*

Slovene diplomatic missions and consular post have no competence in issuing residence permits. Residence permits may be issued solely by the competent Administrative Units in Slovenia, whereas the diplomatic missions and consular posts serve only as a post box (receiving applications for residence permits, handing out the issued residence permits or written refusals).

- *In Annex 15 CCI your country provides no form for proof of invitation, sponsorship and accommodation.*

Are there no legal provisions/administrative rules or practices on such forms ?

According to the Slovene provisions an applicant has to submit an invitation letter, which is one of the essential documents of the visa application. Furthermore, each invitation has to be verified either by the competent Administrative Unit or notary, whereby the invitation includes the information on accommodation as well as financial status of the sponsor. Slovenia is in the process of upgrading the rules introducing and regulating a uniform form for proof of invitation, sponsorship and accommodation.

- *Please describe the practice followed when issuing visas to applicants who are non-residents in the country where they lodge their application ?*

Slovenia has worldwide 43 diplomatic missions and consular posts (DMCP) competent to process visa applications. The cases of non-residents who apply for a visa are therefore quite frequent and are regulated in the following way:

- a) non-residents from third countries where Slovenia has no DMCP are allowed to apply at any Slovene DMCP according to their choosing.
- b) non-residents from third countries where Slovenia has DMCP may exceptionally submit visa applications at the other DMCP. The competent person (consul) decides whether in individual case justified circumstances exist or not. In case there are some doubts as to the purpose and the conditions of travel the consul has to, prior to issue a visa, contact the territorially competent DMCP or the central authority.

RESTREINT UE

In order to expand the consular network Slovenia is intensively looking for different ways of cooperation with other EU countries in visa matters. Thus Slovenia already cooperates with Sweden (as of December 1, 2005) and Austria (as of April 1, 2006).

- *Please describe the practice followed when issuing visas to holders of travel documents which you do not recognise ?*

When issuing visas the employees use the list of travel documents recognized by Slovenia for affixing a visa. In case a travel document is not recognized a visa may not be affixed to it and must therefore be affixed to a separate form as prescribed by the Council Regulation 333/2002.

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