



Council of the
European Union

Brussels, 31 May 2018
(OR. en)

8396/1/06
REV 1 EXT 1 DCL 1

SCH-EVAL 62
ENFOPOL 70
COMIX 364

DECLASSIFICATION

of document: ST8396/06 REV 1 EXT 1 RESTREINT UE/EU RESTRICTED
dated: 7 August 2006
new status: Public

Subject: Schengen evaluation of the new Member States
- Report on the Schengen Police Cooperation evaluation of
SLOVENIA
(February 2006)

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

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



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 August 2006

**8396/1/06
REV 1 EXT 1**

RESTREINT UE

**SCH-EVAL 62
ENFOPOL 70
COMIX 364**

EXTRACT FROM REPORT

from : the Schengen Evaluation Committee
to : the Schengen Evaluation Working Party
Subject : Schengen evaluation of the new Member States
- Report on the Schengen Police Cooperation evaluation of SLOVENIA
(February 2006)

2. Management summary

The evaluation took place on four sites (Ljubljana, Vrata-Megvarje/Thörl Maglern, Maribor and Murska Sobota) in order to show all various types of bi- and multilateral cooperation with the neighbouring countries. For Slovenia, the evaluation is therefore based on presentations by the General Police Directorate on police cooperation from a national management point of view, and on-site visits to the trilateral Centre for Police Cooperation in Vrata-Megvarje/Thörl Maglern (border between Austria, Italy and Slovenia), to the police district of Maribor on Slovenian-Austrian cooperation and to the police district of Murska Sobota regarding Slovenian-Hungarian cooperation.

Experts from the Slovenian General Police Directorate were present during the whole evaluation time and were able to provide any information requested.

The report is therefore based mainly on the replies to the questionnaire and includes information given during the presentation and during the visit. As the information given by the local authorities was very extensive, the Evaluation Committee did get a very good basis to make its assessment.

The evaluation committee rated it as very positive, that the preparation for the full application of the Schengen Convention was undertaken by a coordination group, established on a governmental level. The creation of the Schengen Action Plan which includes a detailed operational plan of all measures to be achieved in order to meet the Schengen requirements can be considered as a result of these efforts which were urged by this coordination group.

The Evaluation Committee has made a number of detailed recommendations throughout this report, but the main recommendations concern the exchange of information and the development of a common intelligence led policing approach.

3. Law enforcement and police organisation

Comments and recommendations of the Evaluation Committee:

A visit to the International Police Cooperation Section, where the experts could have direct contacts with the officers of such authorities in order to obtain first-hand experience in addition to the management overview that was given, was not included in the program. So the opinion of the Evaluation Committee regarding the central service of Slovenia for international police cooperation was limited to formal presentations by the Slovenian authorities and answers to questions asked by the experts at that occasion.

The current lack of a 24/7 service in the International Police Cooperation Section (Interpol, SIRENE) to cover requests for assistance and reply of other MS or national authorities, is not in line with the relevant recommendations and best practices of the Schengen Catalogue, and will not cope with the future increased amount of requests for exchange of information with other Member States and at national level.

Special emphasis should be given to a constantly recurring training regime of all officers, including those at management level, seconded to the International Police Cooperation Section and all police officers involved in police cooperation.

Comments of Slovenia:

At the time of drawing up the programme - together with the Troika and the SCH-EVAL working group - no visit to the International Police Cooperation Section was foreseen, neither did the evaluation group express their wish to pay a visit during their stay in Slovenia.

Slovenia will provide a 24/7 service in the International Police Cooperation Section in accordance with the Schengen implementation agreement – SIN 2 for period 2005 – 2007. In addition, an adequate number of properly trained staff will be posted to cope with the expected increased amount of requests referring to police cooperation (including translators).

In the second half of year 2006, Slovenia will begin with the Twinning light project by using the Transition facility in cooperation with a Member State SIS user (most likely Belgium) and will focus on training in line with the recommendations in your report.

4. Operational cooperation

Comments and recommendations of the Evaluation Committee:

In order to enhance the effectiveness of the deployment and use of liaison officers seconded to third States, the possibility of bi- or multilateral agreements, that liaison officers from other Member States shall also represent the interests of Slovenia in accordance with Article 47 (4) of the Schengen Convention and Article 1 of the Council Decision 2003/170/JHA on the common use of liaison officers posted abroad by the law enforcement agencies of the Member States, should be promoted.

The cooperation between police and customs appears to be rather problematic, as customs are not included in any bilateral cooperation agreement. The Evaluation Committee shares the opinion that the custom service should be invited to participate more in international cross-border cooperation, i.e. by seconding customs liaison officers to the cooperation centres and the Schengen central body (IPCS), which will attain higher priority through the Naples II initiative of the EC.

The Evaluation Committee is of the opinion, that the Slovenian authorities should develop reliable and comparable statistics, in order to be able to follow the evaluation of cross-border cooperation and compare these findings with other Member States.

It is felt that the compiling of statistics would at a strategic level help determine the threat assessment and assist in the prioritisation of resources. Such lack of information at the central level can lead to overlaps and even conflicts between different operations and agencies. In the longer term this can influence the threat assessments and the solutions that are defined in response to them.

The introduction of mixed patrols based on bilateral agreements with neighbouring countries (Italy, Austria and Croatia) has to be mentioned as a very important and positive initiative to enhance security in border zones as it improves cross-border cooperation.

Comments of Slovenia:

With regard to the 1st comment:

Slovenia will consider the above recommendation and try to implement it.

For the time being it is not envisaged, either in the trilateral agreement or based on the assessment and analysis of the performance of the CPC (Centre for Police Cooperation) in 2005, for customs officers, Slovenian or Austrian, to participate in the CPC. Should the need for customs participation appear, we will consider amending the trilateral agreement.

With regard to the 3rd comment:

Slovenia agrees with the recommendation. It should also be noted that on 1 January 2006, the application »SPIS 4« was introduced, which enables the implementation of the above recommendation.

»Mixed patrols« are also laid down in the agreement with Hungary.

5. Reports on individual sites visited/case studies

Comments and recommendations of the Evaluation Committee

A) Tri-lateral Police Cooperation Centre in Vrata-Megvarje/Thörl Maglern

In the face of the already high number of request for exchange of information, the introduction of the 24/7 shift service at the CPC should be implemented as soon as possible, in order to cover all possible urgent cases coming up outside the current opening hours. Taking into account that the future workload and the demands will increase in the near future, especially after the abolishment of the internal Schengen borders, further manpower will be needed in order to comply with the higher demands.

The fact, that Slovenia has readjusted its internal communication channels between the CPC and the Police Units right after an obstacle in the flow of information has been identified, gives a good indication for the well functioning of the management system in the General Police Directorate. The procedure of registering all the activities in written and also in electronic form allows a permanent control and follow up of each inquiry proceeded by the CPC. The existence of such a log file, enables an anytime control visit by their own data control units in order to monitor the correct proceedings according to the national data protection law.

Finally it has to be mentioned, that the participation of the Slovenian Customs in the cooperation centre would allow all three national customs services in the CPC to cooperate in a permanent cooperation structure. The presence of the Slovenian customs could enhance the inter-agency cooperation and would be in compliance with the recommendations and best practices of the Schengen Catalogue on Police Cooperation.

B) PD Maribor and PD Murska Sobota

The level of the regional police cooperation demonstrated in both Police Directorates can be considered as well established. Although the relevant agreement with Hungary is still pending, joint operations and exchange of information is already a day-to-day routine. This agreement should be ratified as soon as possible, in order to allow mixed patrols, cross border surveillance and hot pursuit and furthermore to establish a bi- or even trilateral Police Cooperation Centre in this area.

Regarding the lack of interoperability of the communications systems of Slovenia and Hungary, Slovenia should try to find together with the Hungarian Police Authorities a technical solution for this problem, either by a change of the respective frequencies or with technical adoptions of the currently used devices. Slovenia is invited to examine operational and technical interoperability issues together with its EU partners in the context of the PCWG, in order to meet the Schengen technical, operational and tactical requirements.

The presence of the custom officers in the presentation at the PD Maribor has shown that the Customs Service is cooperating well with the police on a regional level, mainly because they know each other. It is obvious that the presence of the Customs Services on the more strategic level could enhance their role according to the Naples II convention and extend the performance of the Police Cooperation Centres with the aspect concerning infringements of national and Community Customs Provisions.

Comments of Slovenia:

With regard to point A:

As of 1 April 2006, full 24/7 service will be introduced in the CPC Vrata Megvarje/Thörl Maglern. Slovenia has increased the number of personnel at the CPC accordingly.

With regard to 3rd comment:

See our 2nd comment on chapter 4

With regard to point B:

There is already an in-principle agreement in place between Slovenia, Hungary and Croatia that the trilateral centre for police cooperation will be located on the Slovenian side on the premises of the Border Police Station Dolga vas.

Slovenia is developing the system TETRA, although the implementation of the recommendation is not only dependent on our national project.

With regard to the 3rd comment:

See our 2nd comment on chapter 4

6. General conclusions including recommendations and follow up

The Evaluation Committee has gained a comprehensive picture of the current situation in Slovenia regarding international police cooperation. It has been shown, that the main part of the tasks indicated in the National Action Plan for the Implementation of the Schengen Standards has already been achieved. It is obvious, that international police cooperation is not only performed on regional and local level, but also within the central authorities, based on the recommendations and best practices of the Schengen Catalogue on Police Cooperation.

There are a few areas that require further improvement:

In order to ensure that comprehensive analysis and relevant threat assessments are produced from the intelligence and information gathered, the Slovenian authorities may consider the introduction of European Criminal Intelligence Model (ECIM).

Slovenia should accelerate the conclusion of outstanding bilateral agreements and these should, where possible, correspond to the Schengen Convention. This will enable the law enforcement authorities of neighboring countries to perform cross-border surveillance and hot pursuit at the common borders..

The Slovenian authorities should provide full 24/7 service in the central authority with the appropriate number of personnel and professional background for proceeding with the increasing amount of requests for exchange of information both with other Member States and at a national level. Whilst there is good foreign language capacity in the central services responsible for police cooperation, the expected increase of the work load and more complex legal issues they will have to deal with (e.g. European Arrest Warrant) the absence of professional translators might create problems in the future and cause delays in the response capability of these services.

The establishment of further Police Cooperation Centres should be considered, for which the trilateral CPC Vrata-Megvarje/Thörl Maglern can be seen as best practice for enhancing and encouraging the exchange of information of police forces from three countries. In order to increase the effectiveness and efficiency of this cooperation centre, their working hours should be extended to a full 24/7 service.

The national Customs Service should be fully represented in the permanent cooperation structures at the borders and the Schengen central authority to allow the emergence of a permanent cooperation with customs services of the neighbouring Member States.

The Evaluation Committee is of the opinion, that the Slovenian authorities should develop reliable and comparable statistics, in order to be able to follow the evaluation of cross-border cooperation and compare these findings with other Member States. It is felt that the compiling of statistics would at a strategic level help determine the threat assessment and assist in the prioritisation of resources. Such lack of information at the central level can lead to overlaps and even conflicts between different operations and agencies. In the longer term this can influence the threat assessments and the solutions that are defined in response to them.

Slovenia should continue with the strategy to implement cross-border telecommunication structures, especially in the design and deployment of a Digital Trunked Radio Systems (TETRA) with neighbouring countries.

Comments of Slovenia:

Slovenia has concluded an agreement with Austria and Croatia. As regards the agreement with Hungary, we are in the final negotiation phase. Furthermore, we have transferred a draft agreement to Italy and are now waiting for their response.

Pursuant to the Schengen Implementation Plan - SIN 2 for the period 2005 - 2007, Slovenia will ensure full 24/7 service in the International Police Cooperation Section, as well as the corresponding number of qualified personnel with regard to the anticipated increase of activities in the field of police cooperation (including the translation service).

As of 1 April 2006, full 24/7 service will be introduced in the CPC Vrata Megvarje/Thörl Maglern.

Slovenia is fully aware of the importance of customs cooperation and has already been implementing such cooperation in accordance with the legal competences of both the customs and the police.

The introduction of the new application »SPIS 4« (1 January 2006) has enabled us to keep comparable statistics in the field of cross border police cooperation.

DECLASSIFIED