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- SLOVENIA : report on Sea Borders

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THE EUROPEAN UNION**

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REPORT

from : the Evaluation Committee Sea Borders
to : the Schengen Evaluation Working Party

Subject : Schengen evaluation of the new Member States
- SLOVENIA : report on Sea Borders

This report was made by the Evaluation Committee Sea Borders and will be brought to the attention of the Sch-Eval Working Party which will ensure a report and the presentation of the follow-up thereto to the Council.

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1. INTRODUCTION

Based on the mandate of the Schengen Evaluation Working Party (SCH/Com-ex (98) 26 def) and the programme of evaluations adopted by the Council (15275/04 SCH-EVAL 70 COMIX 718, and 7638/2/05 SCH-EVAL 20 COMIX 200), the Sea Borders Evaluation Committee carried out a visit to Slovenia between 2 and 5 April 2006.

The visit was scheduled as shown below:

- 2 April 2006: Arrival in Slovenia
- 3 April 2006: Presentations and evaluation of the port of Koper
- 4 April 2006: Evaluation of the port of Piran
- 5 April 2006: Departure to Poland

The experts on the Committee's list consisted of :

Mr Andreas HOCHEGGER (Austria leading expert)
Mr Marios CHRISTOFIDES (Cyprus)
Mr Aldo RAUK (Estonia)
Mr Henrik WÄRNHJELM (Finland)
Mr Jacques LAINE (France)
Mr Helmut LENZ (Germany)
Mr Raimonds DEICMANIS (Latvia)
Mr Arne-Dag FRIVÅG (Norway)
Mr Sigitas RATKEVICIUS (Lithuania)
Mr Ramón CORTES MÁRQUEZ (Spain)
Mr Sven Åke ERIKSSON (Sweden)
Mrs Swaan ZONNEVELD (The Netherlands)
Mrs Monika MOSSHAMMER (European Commission)
Mr Erwin BUYSENS (EU Council SG)

The Committee would like to thank the Slovenian authorities for their hospitality during the visit and, in particular, extend its appreciation on the openness and close cooperation shown. It would particularly like to thank all authorities involved for having sent the answers to the detailed questionnaire well in advance which allowed the Committee to prepare in the best possible way for the visit.

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2. MANAGEMENT SUMMARY

The Committee visited two ports in Slovenia, the port of Koper and the port of Piran. The port of Koper has only one weekly ferry connection with Croatia during the summer season and periodical RoRo connections with ports in Albania (Durrës) and Serbia and Montenegro. The Koper Maritime Police station is the only authority competent to carry out border control for the sea border.

The threat of illegal immigration via the Slovenian maritime border has been low over recent years and this situation seems to be stable. The Committee underlines, however, the need to continue closely monitoring this situation since the migratory pressure can easily change, especially if new ferry connections would be established. The future abolition of internal border controls could also negatively influence this situation. Furthermore, the fact that the land borders are confronted with a migratory pressure, underlines the need to closely monitor the situation at the ports and the blue borders and calls for efficient border surveillance and border checks.

The port of Koper has no terminal to handle and control passengers. This situation is explained by the absence of regular ferry connections and the low number of cruise ships. New border check facilities will, however, be constructed for the handling of RoRo ships. The works, which are expected to be ready by the end of 2006, foresee the construction of two booths for border checks as well as a building for the border police.

The current infrastructure does not comply with the Schengen standards and it would be necessary that the SCH-EVAL Working Party is regularly informed on the progress with regard to the construction of the check point and the final result. Only at that moment a complete evaluation can be made in terms of infrastructure and equipment. The equipment currently available is also expected to be upgraded under the Schengen facility. Furthermore, the Committee would also recommend to moor cruise ships at this terminal, which seems not to be planned at the moment.

The blue border surveillance is based on one coastal radar sensor complemented by patrolling by boats, cars with thermal vision cameras as well as regular information exchanges (between the different authorities and with local people). This surveillance system is considered as sufficient taking into account that it will be further enlarged by combining the Police radar with the radar of the Maritime Administration of the Republic of Slovenia (MARS) which will be built in the Koper cargo port as well as by the purchase of another boat. The stationary radar currently only covers the area with Croatia and a part of the borders with Italy. This deficiency will be solved by linking the two radars and the Police will also get access to the AIS system. The Safe Sea Net, an information system for the exchange of data on vessels positioned in the internal waters, in the territorial sea and the exclusive economic zone, will be built by the MARS and is expected to be ready by December 2007. This system will also provide data to the Police and in this way, complement the surveillance of the blue borders.

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The number of personnel in the ports of Koper and Piran is considered as limited, taking into account the volume and type of traffic. The current number of officers (53 in total) is expected to increase to 71 by mid 2007. This increase could solve the high workload the officers are currently experiencing during the Summer season. The Committee supports the increase in the number of personnel and suggests the Slovenian authorities report to SCH-EVAL when this increase is carried out.

The training of personnel is a crucial element in preparing a State to comply with the Schengen standards. Slovenia has already started this training and will continue doing so under two Twinning light projects. In general, the Committee noted that various officers were already well acquainted with the Schengen acquis.

The border control procedures comply with the Schengen standards although the absence of a terminal does not facilitate the way border checks are carried out.

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3. GENERAL INFORMATION

The information of a more general nature is contained in the answer from Slovenia to the questionnaire which was addressed to the Slovenian authorities with a view to the evaluation of the application of the Schengen acquis i.e. doc. 15563/05 SCH-EVAL 122 COMIX 827 (RESTREINT UE). Reference is also made to the Slovenian replies to additional questions, as contained in docs. 7253/06 SCH-EVAL 50 COMIX 257 and 7233/06 SCH-EVAL 48 COMIX 255.

However, for reasons of clarity the Committee recalls some of the main elements contained in these answers.

3.1. Strategy

3.1.1. Legislation

The organisation and the method for implementing border control are defined by the State Border Control Act which also contains provisions on the implementation of police measures within the country and international police cooperation. This Act is complemented by the Rules on the implementation of the State Border Control Act.

The Police powers, both at land and at sea, are defined by the Police Act and are complemented by the so-called Rules on Police powers.

The Aliens Act defines the conditions for and ways in which aliens enter, leave and reside in the Republic of Slovenia. The Act defines the powers of state authorities in procedures with aliens, as well as rights and obligations of aliens entering, residing in and leaving the country.

3.1.2. General strategy for border management

The State border control concept is governed by three main elements; the State Border Control Act, the Rules on the Implementation of the State Border Control Act and the Police Border Management Strategy .

In its reply to the general questionnaire, Slovenia refers to an organisation of the state border surveillance on three levels:

- 1) segments (a part of the state border falling within the area of a Police Directorate),
- 2) sectors (a part of the state border falling within the area of a police station)
- 3) sections (the smallest operational part of the state border).

Police Directorates and police stations conduct risk analyses for each sector and section that are based on geographical data, data concerning the infrastructure and population density, as well as the already known data concerning illegal and smuggling channels.

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On the basis of the analysis, the level of criticality is determined, i.e.:

- I level of criticality (particularly important for state border surveillance),
- II level of criticality (important for state border surveillance), and
- III level of criticality (of minor importance for state border surveillance).

Intermediate levels of criticality are also possible. On the basis of the level of criticality, average norms of state border surveillance are set out defining the minimum time of the police presence in individual areas. These are:

- for I level of criticality: 24 hours/day
- for I/II level of criticality: 12 hours/day
- for II level of criticality: 8 hours/day
- for II/III level of criticality: 32 hours/week
- for III level of criticality: 12 hours/week.

On the basis of the above mentioned parameters, police units prepare activity plans of the police along the state border and concrete plans for performing police services. The plans are kept up to date and altered in the light of the results of the analyses.

With regard to the sea borders the level of criticality is divided as follows:

- 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 at least 8 hours each 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 at least 12 hours each 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, a stationary radar is also used for state border surveillance purposes.

The Police also uses the concept of "percentage filtration" for the state border surveillance. The latter means that Slovenia monitors, at the local, regional and national levels, the data on how many aliens have been apprehended while illegally crossing the state border at individual locations, how many of these aliens were apprehended within the country and how many of them managed to cross the territory of the Republic of Slovenia. In compliance with internal instructions, the data concerning the place where an alien crossed the state border must be entered into the computer system, irrespective of the location where the alien was apprehended. On the basis of these data, the units calculate the percentage of apprehension effectiveness.

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The level of detected and apprehended persons illegally crossing the state border in the last four years was as follows:

Year	Illegal crossings	Readmitted from foreign security authorities	Filtration rate
2002	6.926	1.369	80,2 %
2003	5.018	948	81,1 %
2004	5.646	768	86,4 %
2005 (9 months)	4.059	529	87 %

The filtration level evaluation is based on the share of persons who were returned to Slovenia by foreign security authorities in relation to the number of recorded illegal crossings of the border of the Republic of Slovenia.

The Slovenian concept of external border control is, above all, based on an adequate number of police units and police officers performing border checks at border crossing-points and state border surveillance outside border crossing-points (the green and blue borders). They can be reinforced by the Special Police Unit and the mobile police units of the implementation of "standard compensatory" measures.

3.1.3 *The analysis of environments and threats in Slovenia:*

The risk analysis is carried out at both national and regional/local level, at the end of each quarter. At the national level, risk analysis is based mainly on the experience gained in the preceding quarter and takes into account the "push" and "pull" factors in the countries of origin, transit and final destination.

At regional and local level, the risk analysis covers current trends, taking into consideration the information gained from the risk analysis at national level. At local level, and on the basis of the risk analysis, police officers develop and implement appropriate measures to combat illegal immigration.

Through cooperation, the police ensures information exchange and verification on the local (cooperation with administrative units, employment offices), regional (cooperation and designing common measures with inspection services responsible for individual fields), as well as national levels (cooperation with other Ministries and government services, up-dating and presentation of problems).

The tactical method of analysing illegal migration flows employed by the Slovenian Police is the calculation of percentage filtration (see also under the chapter "general strategy for border management").

The number of illegal state border crossings is considered as 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 and 2004.

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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;

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.

The most exposed areas for illegal border crossings lie at the land borders within the areas of the Police Directorates Nova Gorica and Koper, due to the shortest distance across the Slovenian territory from the direction of Croatia to Italy. Due to traditional illegal routes running from the Balkans through the Republic of Croatia (the Balkan Route), also the state border with the Republic of Croatia in the area of the Police Directorate Maribor belongs among the most exposed areas. A large number of illegal border crossings has also been dealt with within the country, in the Ljubljana area, where international road links intersect.

3.1.4. International cooperation (regional, bilateral and readmission agreements)

Slovenia has an intensive cooperation with the neighbouring countries with regard to border issues and foreigners i.a. by the introduction of the one stop control system at the land borders with Austria and Hungary and by mixed patrols between Slovenia and Italy, between Slovenia and Croatia as well as between Slovenia and Austria¹. There are, however, no mixed patrols at sea with Italy. Slovenia considers that, in view of the security circumstances, there has been no need for organising such patrols. It pointed out that it is 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.

In the framework of multilateral cooperation in the area of border issues and foreigners the Slovenian police is actively involved in:

- the activities of International Conference of Border Police (managing the working group »Prevention of illegal migration« in the period 2001–2005, active cooperation in working groups »Heads of Border Services«, »Control of cross-border traffic«, »Visa arrangement and conditions for entry«);

¹ The Committee was informed that the mixed patrols at future internal land borders will cease their activities upon lifting of internal border control.

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- activities of the Geneva Centre for the Democratic Control of Armed Forces – DCAF (organization and implementation of workshops, membership in the international advisory committee).

Slovenia has also concluded bilateral agreements on police cooperation with all four neighbouring countries.

There is also cooperation with the representatives of the Italian national police, carabinieri and financial guard as well as with the Austrian Police in a trilateral centre for police cooperation in Thörl Maglern – Vrata Megvarje on the basis of the Agreement between the Government of the Italian Republic, Federal Government of the Republic of Austria and Government of the Republic of Slovenia on cooperation in the police centre in Thörl Maglern – Vrata Megvarje (OJ RS Nr. 27/2005 – MP Nr. 4/2005, valid from 1 May 2005).

The Maritime Police Station of Koper closely cooperates at bilateral level with the Federal Police Inspection in Kiel (Germany). This cooperation involves i.a. the exchange of officers and gives special attention to the training of the officers of the Maritime Police Station.

The Slovenian government has also decided to post liaison officers in Serbia and Montenegro and Croatia as well as in Europol, Frontex and the SECI Centre (Romania) to combat illegal immigration and trafficking in human beings. The Slovenian Police also cooperate directly with the diplomatic missions and consular representations of Slovenia.

3.2 Organisational (functional) structure

3.2.1. Centralised supervision and instructions

The Republic of Slovenia does not have an independent border police. Pursuant to the first paragraph of Article 4 of State Border Control Act, the implementation of state border control falls within the jurisdiction of the Police. In accordance with the Police Act, the police is also charged with protecting the state border, as well as carrying out border checks and the tasks specified in the aliens regulations.

The Police is an authority under the Ministry of the Interior. It consists of the General Police Directorate, Police Directorates (11) and police stations (106). The Police is headed by the Director General of the Police, who also directs the activities of the General Police Directorate. The internal organisation of the Police is defined in the Decree on the Internal Organisation, Systematisation, Posts and Titles within the Police. The Police performs its tasks at three levels, i.e. the national, regional and local level.

The state border at sea is controlled by one single unit i.e. the Koper Maritime Police Station.

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3.2.2. Coordination and inter-agency cooperation, division of responsibilities

At the national level, the Border Police Section operates within the Uniformed Police Directorate, which is an internal organisational unit of the General Police Directorate. The task of the Section is to plan, organise, provide professional guidance and monitor the implementation of duties concerning border affairs and aliens, cooperate in the preparation of regulations within its sphere of activities, ensure the fulfilment of commitments arising from international regulations, cooperate with foreign security authorities and international institutions.

The Border Police Section consists of three divisions:

- 1.) The State Border Division performs tasks related to state border crossings, as well as the protection of land and maritime state borders and airports. Operating within the Division is the Specialised Unit for State Border Surveillance.
- 2.) The Illegal Migration and Foreigners Division ensures the efficiency and effectiveness of the work of the police in connection with illegal migrations and aliens.
- 3.) The Compensatory Measures Division is involved in international border police cooperation, participation in work carried out by EU institutions responsible for border police work and in classic compensatory police measures (intensified, targeted police controls on international traffic connections and facilities relating to cross-border traffic if security situation so requires).

There are 11 Police Directorates (i.a. the Koper Police Directorate) representing the organisation of the police at the regional level. At each Police Directorate, within the framework of the Uniformed Police Sections, the tasks in the field of state border control and aliens regulations are performed by Divisions for state border control and inspectors for state border control, respectively. Their work and tasks are similar to those carried out at the national level, except that they are limited to the jurisdiction of each individual Police Directorate.

106 Police stations are organised at the local level.

Border checks at border crossing points are, as a rule, carried out by specialised border police stations. However, in certain exceptional cases (due to the remoteness of a border crossing point from the nearest police unit or other specific circumstances), border checks are carried out by police officers of general police units where groups for border checks are established for this purpose. State border surveillance outside border crossing points (green and blue borders) is conducted by general police stations where groups for state border surveillance have been established.

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 Maritime Police Station. The unit is composed of two groups, one for border checks and one for state border surveillance. 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.

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The Customs are not involved in carrying out border control. However, Article 4 (2) of the National Border Control Act foresees the possibility that »If the security situation so permits, the Government of the Republic of Slovenia shall, on grounds of economy, determine with a decree on which border controls the control may be carried out by the customs authority«. The second paragraph of Article 5 of the same Act stipulates: »If the national border control is carried out by another national authority, the employees of this authority, in addition to their powers, also have the powers of the police necessary to carry out tasks laid down in the decree from the second paragraph of the previous article«. The government of the Republic of Slovenia has not made use of this competence and is not planning to use it in the future.

With regard to the control of vessels there is a cooperation with the harbour master officers of the Maritime Administration of the Republic of Slovenia (MARS). The MARS has 25 harbour master officers with heads of units and 5 port state control inspectors who can also indirectly take part in the border control of vessel traffic. The MARS daily cooperates with the Ministry of the Interior and other services on an operational level depending on the current needs and once a week on the level of heads of operational units.

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 Environmental Agency.

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, 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.

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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 System (AIS),
- 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.

3.2.3. Specialised services

There is a Special Police Unit. This Special Unit is a call-up unit composed of police officers who perform their regular work at various police units and are especially qualified as well as equipped for carrying out intervention activities. In the case they are needed, an adequate number of these police officers are “activated” and for a shorter or longer period target-deployed to perform specific intervention tasks. This Unit has been already deployed a number of times to perform stricter border control, in particular surveillance tasks. The Special Police Unit of the Slovenian Police counts 727 members. The number of police officers in this Unit varies between individual Police Directorates, ranging from a minimum of 30 to a maximum of 132. For the Koper Police Directorate, the number is 70.

There are also mobile police units for the implementation of “standard” compensatory measures (Specialised Unit for State Border Control – police units for compensatory measures). There will be eight such units: one at the national level and seven at the regional level with a total of approximately 240 police officers.

At the national level, the Specialised Unit for State Border Control – police unit for compensatory measures has existed since July 2002, performing stricter, targeted police controls on main road communications and international trains. It also conducts controls at external border crossing-points. Its work is targeted in accordance with the conclusions of the risk analysis. At present, the Unit has 36 systemised posts, with the envisaged target systemisation of 58 posts. At the regional level, such units will, until the full implementation of the Schengen acquis in Slovenia, also be established in all six Police Directorates along the future internal Schengen borders with Italy, Austria and Hungary (Koper, Nova Gorica, Kranj, Slovenj Gradec, Maribor and Murska Sobota), and, due to the current border and aliens problem, also in the Police Directorate Ljubljana. These units will number a minimum of eight (in Slovenj Gradec) to a maximum of 48 police officers (in Murska Sobota).

The units will be created gradually but completed before the full implementation of Schengen acquis in the Republic of Slovenia.

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The officers working in these units will have specialist qualifications, especially in the field of prevention and detection of document abuse, smuggling of stolen vehicles, arms, ammunition, drugs and other forms of cross-border crime, particularly the verification of stay of aliens in the Republic of Slovenia.

The Units for Compensatory Measures will be equipped in such a way as will ensure their maximum mobility and communication capability and will have all the specialist equipment required for the performance of their specific tasks.

The Slovenia authorities underlined that these police units for "compensatory measures" will act within the remits of Article 21 a) of the Schengen Border Code.

In addition to these "specialised" groups, police stations have also set up local crime investigation groups into which crime investigators are assigned. These are groups of police officers who are especially qualified to work in the field of detecting and investigating criminal offences. In the last two years, local crime investigation groups received additional staff reinforcements with criminal investigators for detecting and investigating cross-border crime (organised transfer of persons across the state border, smuggling, trading in persons, tracking stolen vehicles, etc.).

As in the case of the crime investigation groups at police stations, staff reinforcements were also provided to the criminal investigation police at the regional and national levels, which ensures the coordination of work between local crime investigation groups, as well as detects and investigates cross-border crime within a wider area.

3.3. Operational effectiveness

3.3.1. Resources

On the external border at the local level (police stations), 51 police officers are assigned to the maritime border, 1519 to the land border and 88 police officers to the air border.

Police officers at the regional and state levels, amounting to 133, are not specifically included into any of the borders, but the vast majority of them cover the area of the land border.

Slovenia is also planning to reinforce the Police staff as follows:

- in 2006, the employment of 230 new police candidates is envisaged,
- in 2007, the transfer of 307 police officers from police stations in the interior of the country,
- 490 police officers will be transferred from internal borders, at present performing border checks.

The total number of Customs staff for customs control amounts to 880.

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3.3.2. Level of controls at external border

In addition to border check measures carried out at border crossing points, border surveillance is carried out outside these crossing points. This State border surveillance outside border crossing-points targets the following three main segments:

- controlling the movement of persons at and along the state border (patrols, ambushes),
- other operational and technical activities conducted along the border and within the border zone, and
- operational and technical activities conducted within the country.

The tasks of state border surveillance are performed by the police throughout the territory of the country.

Controlling of the movement of persons at and along the state border is carried out by police officers organised in groups for state border protection at police stations located along the state border. On the basis of risk evaluation relating to individual parts of the state border, other police structures may also be assigned to carry out these tasks, i.e.:

- police dog handlers,
- mounted police,
- crime investigators,
- airport police.
- Specialised Unit for State Border Control, and
- Special Police Unit.

3.3.3. Situational awareness and reaction capability at different parts of the borders

Blue border surveillance

As already mentioned before, the surveillance of state border at sea is carried out 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.

With regard to 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.

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For the purpose of sea border surveillance, there is a coastal radar by Northrop Grumman, model Sperry Marine. The antenna of the radar is in Bernardin (Portorož). The radar system has two displays, one at the Police Station in Koper and one at the BCP in Piran. By the end of the year 2006, the radar is planned to be connected with a performance camera, so that the object in the radar imaging can actually be seen. There are plans to link this radar to a radar of the MARS which would be installed in the cargo port of Koper. This system would cover the whole Bay of Trieste and provide an overview of the entire vessel traffic in the coastal waters of the Republic of Slovenia. Radar sensors will contribute in particular to the control of fishing, tourist and other smaller vessels, which are not required to be equipped with AIS stations.

The MARS is about to build up Safe Sea Net, an information system for the exchange of data on vessels positioned in internal waters, in the territorial sea or in the exclusive economic zone of EU Member States. The process of building up the above stated system is laid down in Directive 2002/59/EC. The system must be completed in all EU Member States by December 2007 at the latest.

Three boats are currently used for sea border surveillance and in 2006, the purchase is envisaged of another rubber police boat of 8 m in length.

At present, 5 mobile thermovision systems are used (for land- and sea border surveillance) that are installed in combined vehicles with a four-wheel drive and 1 mobile thermovision system installed in a terrain vehicle. Undergoing purchasing procedure are 7 additional thermovision systems, 1 of which will be installed in a terrain vehicle. Furthermore, 1 fixed thermovision system is used at the border crossing-point for international traffic Obrežje, while the second, intended for the purposes of the Police Directorate Koper, has not yet been installed. In addition to mobile and fixed thermovision systems, 14 hand thermovision systems Sagem Matis are currently in use (until the end of 2006, 18 hand thermovision systems of the same type will be purchased; these also include the hand thermovision systems that will be purchased by the end of 2006 at the latest), together with 13 monocular and 75 binocular night vision devices.

The MARS, Department for Maritime Traffic Control and Rescue, is equipped with a VHF GMDSS station operating on frequencies used in maritime traffic. The station is connected to a recording device, which constantly records conversations on four permanent channels (16, 12, 8, 7). The Department has also a shore-based Automatic Identification System (AIS) station, which can display the obtained data on an electronic chart of the Northern Adriatic Sea, where the traffic of vessels equipped with AIS transponders is monitored.

The Slovenian Maritime Administration also participates in the mandatory VHF Ship Reporting System, which applies to vessels carrying dangerous or polluting materials in the Adriatic Sea. Through the data being substantively similar to the AIS data, the ship is monitored on its entire voyage in the Adriatic Sea. The monitoring is carried out via electronic data flow between the competent authorities of the Adriatic States.

In the light of implementing the Decree on the implementation of protective measures in ports and on board ships (Official Gazette of the Republic of Slovenia No. 13/04) each vessel is obliged to submit prior to its arrival in the port a special form containing safety assessment data, otherwise it does not get permission by the MARS to sail in.

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Finally the MARS has two patrol boats of 7.5 meters in lengths as well as one patrol rescue boat of 13.7 meters in length. All three boats are equipped with ship radars and VHF stations, day and night binoculars, whereas the larger boat has also a thermovision device for the search of persons hurt in accidents in conditions of poor visibility.

3.4. Risk analysis \ intelligence and Data-flow management

3.4.1. Organisation

Handling of information on illegal immigration, organised and cross-border crime:

The handling of police information is generally governed by relevant legislation: the Police Act, Act on the Access to Information of Public Character, Public Media Act, etc. Information handling procedures are also laid down in appropriate secondary acts and internal instructions applying to the handling of data and information contained in all statutory police records. While no specific strategies vis-a-vis the handling of information on cross-border criminality and organised crime have been prepared, there are routine procedures for obtaining and analysing such information.

The Slovenian Police also keep operational information records into which all police officers and criminal investigators can enter their observations, actions and generated information, also with regard to the above mentioned affairs. This is a common database in the central computer of the police to which police officers are granted access on the basis of their posts and the type of work they perform. The broadest access is afforded to criminal analysts who have an overall view of all information in the system. At the national level, crime analysis employs a special analyst for the field of illegal migrations.

3.4.2. Methods

In handling the information relating to illegal immigration, cross-border crime and organised crime it is necessary to distinguish between general information, such as statistical data, trends and directions of illegal migrations, on the one hand, and individual (operational) information on each suspect, organised groups, phenomena and other elements of criminal offence in the field concerned, on the other.

1) General information is, to a large extent, also accessible to public and serves to both elevate the general public's awareness on the existence and the problem of illegal migrations, as the basis for the shaping of common measures of several state services in this area (e.g.: Ministry of Labour, Family and Social Affairs, Ministry of Foreign Affairs...), while in combination with risk analysis and evaluation being quarterly transferred from the national to the regional level, it also serves to plan the measures to control the state border and detect any illegal residence in the country. The risk evaluation is thus carried out at both the national and regional levels, following the end of each quarter.

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2) Individual (operational) pieces of information, however, are reserved exclusively for police officers who develop such information (input) and also have the opportunity to use them (output), or are subject to special analytical treatment.

Risk analysis at blue borders is primarily carried out through consulting the national records of previously treated ships, and the SEA SEARCHER ship position tracking programme, which allows to control ships prior to their arrival into the Port of Koper. Control of the crew is performed at ship's arrival, while cruise ship passengers are controlled prior to arrival, which reduces the required border check time to a minimum.

Only a very small number of illegal refugees were recorded at the blue borders in the last years. The Slovenian authorities therefore reported that it is practically impossible to perform, on the basis of statistical data on implemented police measures, any analysis based on which state Sea border control could be carried out. In 2003, shipmasters of vessels reported 9 stowaways, in 2004 - 5, and in 2005 - 9. Distribution of patrols controlling state Sea border is effected on the grounds of anticipation as to where illegal crossing or smuggling might occur.

Electronic data interchange is currently not used at the maritime borders. As soon as an unified computerised data interchange system is established (within the framework of Frontex), the Slovenian Police would start using it.

3.5. Investigation and alien policing

3.5.1. Legal background

a) Aliens entering the territory of the Republic of Slovenia illegally are committing an offence under Article 98 of the Aliens Act, for which a fine of between SIT 20.000 and 100.000 (approx. EUR 83 to 417) may be imposed. Apart from the said fine a further sanction of deportation from the country for a period of six months to five years may be imposed on such an alien under Article 24 of The General Offences Act.

Under Article 43 of the State Border Control Act a fine of at least SIT 100,000 (roughly EUR 417) shall be imposed on:

- A natural person crossing the state border outside the designated border crossing or in contravention with its intended purpose, outside its working hours or range;
- A natural person crossing the state border due to "vis major", but failing to immediately notify the police about it;
- A natural person avoiding the border checks;
- A natural person attempting to avoid the border checks or arbitrarily abandoning the border crossing area before the completion of the border checks, or attempting to avoid the border control in any other way.

b) Persons engaging in facilitating/assisting or attempting to facilitate/assist an alien to enter, travel in transit or reside on the territory of the Republic of Slovenia commit an offence under Article 99 of the Aliens Act for which a fine of between SIT 100.000 and 240.000 (approx. EUR 417 to 1000) shall be imposed. In the case of the said offence being committed by a legal person, a fine of between SIT 500,000 to 1.000.000 (approx. EUR 2083 to 4167) shall be imposed on such a person and a fine of between SIT 150,000 to 300,000 (approx. EUR 625 to 1250 EUR) on the responsible person of the legal person.

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Anyone engaged in unlawfully bringing aliens to the territory of the Republic of Slovenia, transporting them on the said territory, helping them to hide or bringing a group of such aliens over the border or territory of the state for payment shall be liable for up to five years imprisonment and fined under Article 311 of the Penal Code. An official who abuses their official position or rights by enabling an alien to unlawfully enter the territory of the Republic of Slovenia or unlawfully reside in the said territory shall be subject to the same fine specified in the preceding paragraph.

If, by committing the offences from the preceding paragraph of this article, the perpetrator obtains, for themselves or for another, a disproportionate pecuniary advantage, procures an illegal labour force, or commits such offences as a member of a criminal association, they shall be sentenced to between one and eight years imprisonment and fined.

c) Offences regarding illegal labour are specified in the Employment and Work of Aliens Act which, under penal provisions in Articles 36 to 49, prescribes sanctions for the employers – legal or natural persons employing aliens without work or residence permit. For the said offences, fines between SIT 100,000 (approx. EUR 417) for natural persons and SIT 10,000,000 (approx. EUR 41,667) for legal persons are prescribed.

A further fine of SIT 100,000 (approx. EUR 417) is prescribed for an alien engaging in work for which no work permit has been issued.

Article 311 of the Penal Code (Official Gazette of the RS, No. 95/04 – official consolidated text 1) defines the offence of illegal crossing of the state border or state territory.

3.6. Staff and training

General information

The number of police officers and a description of the resources is set out under point 3.3.1.

The Slovenian Police puts great emphasis on the training on EU and Schengen issues. The training efforts were intensified during the last two years, viewing the implementation of the Schengen Convention. In this framework, a training strategy has been set up, which is implemented through a Training Action Plan.

Training of the police officers on EU and Schengen issues is mainly the responsibility of the Police Academy, which falls under the jurisdiction of the Directorate General of the Police.

The training of the police officers is carried out with the assistance of multipliers. Training activities have been and are still implemented at the regional and local levels. Also, trainers from other Member States were invited to provide lectures on EU and Schengen issues to the Slovenian police officers (for instance Austrian, Italian, German and Spanish).

Presently, two Twinning Light Projects are under preparation. The first one focuses on the checks at external borders, while the second one focuses on police cooperation, **SIRENE**.

The following permanent training programmes for border police officers were implemented by the Police Academy at national level. The numbers refer to the number of participants.

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Programme	2003	2004	2005
Training of multipliers for detection and prevention of document abuse at border crossings	66	101	75
Training of multipliers for use of special equipment to control state border outside border crossings	20		
Traffic in human beings	89		
Detection of smuggling of stolen vehicles at border crossings	22	23	50
Training of heads of shifts at border crossings	50	21	30
State border monitoring from a helicopter	22	23	25
Removal of aliens from the state	20	19	
Humanitarian law and human rights	26		
Training for entry and use of data from the computer application ISPP – MEJA		22	
Conducting an interview with illegal immigrants		109	
Rights of aliens, who in the procedures with police officers apply for asylum		20	
Basic training of police officers-controllers at border crossings			60
Basic training of police officers for state border control			275
Total:	315	247	515

Training activities organised at regional and local level:

Programme	2003	2004	2005
Training for detection and prevention of document abuse at border crossings	250	170	140
Training for entry of data in the FIO computer records, application ISPP – MEJA	72		
Schengen border – responsibility for common security	73		
Training for work at border crossings for local border traffic	12		
Use of special equipment to control state border outside border crossings	26	20	25
The EU acquis			110
Border check		1643	
State border surveillance		2200	
EU training day			440
Total:	433	4033	715

Apart from the training at national, regional and local level, Police officers participated in international training activities:

An employee at the Training Centre at the Police Academy, performed support activities in the period from 1 February 2005 to 29 July 2005 at the Ad-hoc Centre for training border police officers of the European Union in Traiskirchen, Austria.

An employee of the Training Centre at the Police Academy carried out in-class observations at the school of the German federal police in Lubeck, Germany, where he acquired appropriate practical knowledge on the contents and organisation of Schengen training activities in the framework of the German federal police. In addition to the existing knowledge, the employee applied the acquired experience and knowledge in the training of multipliers in the field of the EU law.

The police staff cooperated in various courses and training activities under the MEPA and CEPOL.

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3.6.1. Responsibilities of the Police in the field of border security

Activities on external borders:

- border checks at BCP's
- surveillance of the green/blue borders
- readmission of foreigners

Activities inland:

- combating illegal immigration
- combating irregular work
- removal of foreigners
- combating crime

Activities on internal borders:

- combating illegal migration
- combating cross-border crime
- assuring public safety

3.6.2. Basic training

Within the framework of the Police Academy, the Slovene Police organises the following training programmes:

Training programme for the profession of POLICE OFFICER:

The training of cadets for the profession of police officer is based on a verified programme of re-qualification for acquiring the police officer profession, which lasts 18 months. The programme also includes an independent subject on border matters and aliens which, among other things, puts emphasis on the presentation of the EU acquis and the Schengen acquis.

In the basic training course there are 50 lessons devoted to the Schengen acquis.

Year	Generation	Successfully completed
2003/2004	5	260
2004/2005 (January)	6	170
2004/2005 (May)	7	159
2005/2006	8	183 – enrolled

Training programme for the profession of SENIOR POLICE OFFICER:

The training based on a publicly recognised programme of higher vocational education is organised in two years and is meant for the training of senior police officers in leadership and management. The second year of education enables the acquisition of knowledge in special subsidiary subjects (e.g. the border).

Year	Generation	Successfully completed	Subsidiary subject – Border
2003	4	31	8
2004	5	- (enrolled 58)	14
2005	6	- (enrolled 33)	7

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Training for police personnel performing CONTROL TASKS:

Training programme for police personnel that will perform control tasks at the external border of the EU. The training lasts 720 hours (6 months)

Year	Generation	Enrolled
2006	1	250

Training on BORDER MATTERS and ALIENS:

The police also organises and conducts further training programmes. In 2005, the following training courses were conducted at the national level in the field of border matters and aliens:

In 2005:

- detection and prevention of document abuse at border crossings, basic course 1 x 5 days for 28 multipliers and advanced course, 2 x 2 days for 34 multipliers,
- detection of the smuggling of stolen vehicles at border crossing points, 2 x 4 days for 48 police officers,
- shift leaders at border crossing points, 1 x 3 days for 30 shift leaders,
- surveillance of the state from the helicopter, 1 x 3 days for 10 police officers,
- , 3 x 3 days for 51 multipliers,
- questioning illegal asylum seekers, 5 x 1 day for 109 police officers,
- performance of border check at border crossing points , 2 x 4 days for 57 police officers,
- state border surveillance, 10 x 1 day for 297 police officers.

In addition in 2005 training courses in night flying were also organised for helicopter crews at the flight school of the Bell Helicopter Company in the USA and also at the Flight Unit of the German Federal Police. Seven pilots took courses in night flight.

The training of officers that perform state border check tasks was organised also at the regional and local levels. Whenever individual police directorates find the need for additional training, they organise and conduct training according to verified programmes. Each police officer monthly receives at least 8 hours of training on a specific part of his duty. Training is conducted by 60 qualified multipliers and 179 instructors in the following fields: document abuse detection, detection of stolen vehicles at border crossings, knowledge of the EU acquis and the Schengen acquis, the use of special equipment in state border control and the detection of illegal drugs.

3.6.3 Further continuing education

The follow-up training for the Schengen acquis is provided through the train-the-trainer system. Slovenia has trained 60 multipliers. They were trained in the course of two Phare Twinning projects over the period of two years (2002-2003), and have at least one follow-up training every year provided by the Police Academy. They also received intensive training in the framework of the Twinning Light project in the duration of six months. Two additional Twinning Light projects are foreseen to take place in 2006 and 2007, one of them on SIS-related matters and the other one on external border control issues.

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The briefing of personnel on new EU acquis is carried out in the following ways:

- by means of written instructions that all officers have to be acquainted with,
- during short training courses at police stations
- follow-up seminars for multipliers as part of specialist courses for e.g. shift leaders, management staff, officers carrying out border checks, border surveillance etc.

3.6.4. Linguistic training

The Police Academy organises courses on foreign languages (English, German, Italian) in which all the recruit officers are obliged to attend. This forms part of the basic training. Furthermore advance training courses are organised by the Police Academy for police officers depending on their duties and personal necessities. In addition, on the border with Croatia the majority of the officers can communicate in Croatian language, if this is needed.

3.6.5. Specialised document checking training

The Police have a system of planned training for police officers in document abuse detection called the PROGLIS programme. This programme is conducted in 4 modules:

a) Training of police officers who begin working at border crossing points:

All police officers who begin working at border crossing points and mobile police units for the control of the state border are obliged to complete, within 4 months, the initial training course in document abuse detection (PROGLIS I).

b) Continuing training for police officers-controllers:

Subsequently, all police officers-controllers engaged in border checks at border crossing points and mobile police units for the control of the state border are obliged to attend at least one course in continuing training for document abuse detection (PROGLIS II) within five years-time.

c) Training of senior police officers

The programme also envisages the possibility of training for senior police officers in charge of criminal offences at border crossing points (police middle management) (PROGLIS III)

d) Training for police officers- multipliers

The programme envisages training for police officers-multipliers who are then commissioned to conduct training at regional and local levels (PROGLIS I in PROGLIS II). The programme also envisages continuing training for police officers-multipliers. Such continuing training is held at least once a year. The police officers-multipliers also attend seminars abroad. By 2005 the Police had trained 71 police officers-multipliers from all police directorates in the Republic of Slovenia.

The PROGLIS programme also prescribes compulsory content-components which are comprised in all the aforementioned modules (one-year training). All of the presentations used by police officers-multipliers in their training have also been prepared.

A CD-Rom is also used in training, which was produced under the auspices of the Ad-hoc Centre for border police training.

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3.6.6. *Specialised training for different managerial levels*

Senior police officers receive an advanced level of education that is related to management and leadership. This training takes two years, the last of which is devoted to special subsidiary subjects, for example border management.

3.7. **Readmission, expulsion and illegal immigration, carriers' liability**

Readmission:

The Republic of Slovenia has concluded agreements on return and readmission with the following Schengen states: Austria, the Benelux countries, Denmark, France, Greece and Italy. Agreements on return were concluded with the following non-Schengen EU Member States: the Czech Republic, Estonia, Latvia, Lithuania, Hungary, Poland and the Slovak Republic.

Agreements on readmission were concluded with the following non-EU states: Bulgaria, Croatia, Canada, FYROM, Romania, the Swiss Confederation and the Federal Republic of Yugoslavia (presently Serbia and Montenegro).

The Republic of Slovenia is at the negotiation stage in concluding an agreement with Bosnia and Herzegovina.

In 2005, 1.394 persons were sent back to Croatia, 25 to Italy, 22 to Hungary and 3 to Austria.

The Police shall ensure that the alien leaves the country by bringing him/her to the state border, directing him/her to leave the country or deliver him/her to authorities of the other country. If this is not possible, such person shall be accommodated in the Alien's centre, which shall provide for his/her removal from the country. If a suspicion exists that the alien may be tempted to avoid forced removal or this is required pursuant to the reasons of public order, national security or international relationships, the police may issue a decision ordering such person to remain under more severe police supervision.

In the Republic of Slovenia aliens who may not be immediately removed due to various reasons, may be subject to two possible solutions. The police and the Alien's centre may, upon his/her request or ex officio, impose on the alien a permission to remain in the Republic of Slovenia pursuant to Article 52 of the Aliens Act. The authority shall, upon such decision, determine the place of stay at a given fixed address for six months with the possibility of extension, provided there are justified grounds for this. In such event, the obligation of the alien to leave the country shall not expire.

The Alien's Centre may, upon his request or ex officio, impose on the alien a milder measure pursuant to Article 59 of the Aliens Act. In such case the alien shall provide a guarantee to ensure him/her accommodation and basic living conditions outside the centre.

Such measures may be imposed also on persons illegally entering the territory of the Republic of Slovenia and not having applied for asylum.

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Carrier's liability:

Article 24 of the Aliens Act specifying that a carrier may bring an alien to the state border or the territory of the Republic of Slovenia by way of land, air or water, only on condition that they are in possession of an appropriate document and entry permit, if this is required from them as citizens of a specific country.

A carrier is defined in Article 2 of the Aliens Act as a natural or legal person who is professionally engaged in the transportation of passengers by air, sea or land.

Under Article 24 of the Aliens Act, a carrier is obliged to verify for every alien brought to the state border (for entry to and exit from the country) as to whether they are in possession of an appropriate document and an entry permit. Under the second paragraph of Article 24 of the Aliens Act carriers are legally obliged to return the aliens not in possession of the required documents.

Article 95 of the Aliens Act prescribes a fine ranging from SIT 850,000 to 1,500,000 (approx. EUR 3,542 to 6,250) for non-compliance with this duty.

The fifth paragraph of Article 26 of the State Border Control Act prescribes that the shipmaster shall take all necessary measures to prevent any passengers who do not possess a valid document for the crossing of the national border or were refused entry to the Republic of Slovenia from disembarking the vessel to the port without the permission of the police. The same duty shall also apply for air traffic. The provisions of the State Border Control Act prescribe a fine of at least SIT 100,000 (approx. EUR 417) for the shipmaster or other person failing to comply with the duties of the shipmaster specified in Article 26 of the said Act. A fine of at least SIT 500.000 SIT (approx. EUR 2083) shall be imposed on the legal person whose shipmaster or other person fails to comply with the duties of the shipmaster specified in Article 26 of the State Border Control Act.

According to the 2004 Statistics on misdemeanours there were:

- **976** misdemeanour cases received under the State Border Control Act. **744** admonitions and fines were pronounced, and 34 protective measures of removal of foreigners from the country taken;
- **2749** misdemeanour cases were received under the regulations governing foreigners, temporary protection and asylum. **2366** admonitions and fines were pronounced, and 389 protective measures of removal of foreigners from the country taken.

Under the State Border Control Act (Official Gazette of the RS, No. 20/2004 – official consolidated text), Asylum Act (Official Gazette of the RS, No. 134/2003) and Aliens Act (Official Gazette of the RS, No. 108/2002), the police are responsible for removal of an alien if the alien was side sentenced to expulsion or if the protective measure of removal was pronounced against him.

In 2002 fines were imposed on 6 carriers, in 2003 on 77, in 2004 on 68, and in the first nine months of 2005 on 14.

Until 2005 the police submitted proposals for the initiation of penal procedures to misdemeanours judges, but from 1 January 2005, under the new General Offences Act the police are also empowered to manage such offences and issue decisions.

4. REPORT ON THE PORT OF KOPER

4.1. General information

4.1.1. *Environment, structure of border crossing point, organisations, traffic, threats, crime statistics*

- **location**

The Slovenian coast, with a total length of 46.6 km, is located in the northern part of the Adriatic Sea on the eastern coast of the Gulf of Trieste. There are three international maritime traffic border crossing points on this coast i.e. Koper, Piran and Izola. The sea is demarcated in the northern and western parts by the borderline of the Republic of Italy while the southern borderline (the border with the Republic of Croatia) has not yet been determined.

- **type of traffic**

The Koper border crossing point includes a cargo port with three basins managed by the Luka Koper Company as well as a pier for pleasure boats located outside the area of the Koper cargo port. The Port of Koper is meant primarily for cargo traffic arriving from Mediterranean ports (approximately 65% from European Union Member States and 35% from non-European Union countries - Mediterranean ports). In 2005, 4 cruise ships called at the port. There are no ferry lines except for a weekly ferry during the Summer season connecting Koper with Croatia (Reka-Zadar). The number of passengers on this ferry is low. Most of them are EU nationals starting their holidays or returning from their holidays.

There are periodical RORO connections with ports in Albania (Durrës) and Serbia and Montenegro (Bar). The RORO ships carry often semi-trailers and the passengers are in the majority of cases the drivers, accompanying the vehicles.

- **threats for illegal immigration**

Only a very small number of illegal migrants were recorded at the blue borders in recent years. In 2004, only 3 cases of illegal immigration were recorded. It seems that illegal migrants prefer crossing the land borders than the sea borders. This situation should, however, be closely monitored, in particular when the Schengen acquis is due to enter into force.

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4.1.2. Regional or local strategy, inter-agency cooperation, international cooperation (regional and cross border cooperation)

There is a special action plan for cases where a ship with a large number of illegal migrants arrives. This plan was approved by the Coordination Group for the Sea. The Committee was provided with a copy of this plan (in Slovenian).

The Koper Police Directorate has also a general contingency plan of action, which also covers interventions at sea in case of emergencies (search and rescue, pollution, etc.).

The Police closely cooperates with the Customs and the Maritime Administration of the Republic of Slovenia as well as with other authorities performing various tasks in ports and at sea. Based on signed agreements, this cooperation, is implemented at the local level in the form of direct contacts between the border police staff performing tasks during the arrival and departure of ships, as well as at the regional level between the Koper Police Directorate, Koper Customs and the Maritime Administration of the Republic of Slovenia. This cooperation includes notifying and exchanging information as well as planning and executing joint operations and coordinated action during events of security interest.

The Coordination Group for the Sea, which was established in 2001 upon the initiative of the Koper Maritime Police Station, plays an important role in the cooperation between the different forces. It includes representatives of the Police Directorate Koper, the Slovenian Maritime Administration, the Customs Office Koper, the Fisheries inspectorate, the Slovenian Army and the Environmental Agency. They analyse all violations of Slovenian laws, fisheries and border regimes at sea and are coordinating joint activities.

Furthermore, there is also the Permanent Coordination Group of MARS and Police for Enhancing Security Measures on ships and in Ports, which was set up in 2005. They assess the security on ships and in ports and suggest i.a. protective measures or amendments to regulations in the field of navigation safety.

Finally, there is also the Port of Koper Security Advisory Committee, established in 2005, to provide for a higher security in the port and to coordinate all authorities and organisations performing tasks in the port.

In case of an event at sea, coordination falls under the jurisdiction of various centres, depending on the nature of the particular event. In case of misdemeanours and criminal offences committed at sea, coordination proceeds through the Operations and Communications Centre of the Koper Police Directorate. In case of a search and rescue operation at sea, coordination falls under the jurisdiction of the Koper Maritime Rescue Coordination Centre, managed by the Maritime Administration of the Republic of Slovenia. In the case of a natural disaster and pollution, coordination falls under the jurisdiction of the Civil Protection Regional Staff.

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International cooperation takes place on the basis of agreements and treaties at various levels. At the regional level, special intensive cooperation is taking place with the Pula Police Directorate (Croatia) and with the Police Border Section from Trieste (Italy). Cooperation is also taking place between the competent criminal investigation services, especially regarding the execution of joint operations. There are, however, no mixed patrols at the sea borders, in contrast to the situation at the land borders.

The maritime police station also works in cooperation with the maritime police from Trieste as well as with border police units in Croatian ports. Cooperation has also been established with the Bundespolizei Kiel (Germany) especially in the area of training, and exchanging good practices and experiences. This training took place in the framework of the PHARE project.

4.1.3. Risk analysis and intelligence functions

At local level, risk analysis is performed by the Maritime Police Station Koper primarily through the following means;

- operational information (observation, every day police work, ...)
- Slovenian records of previous controlled ships,
- the SEA SEARCHER ship position tracking programme, which allows to control ships prior to their entry into the Port of Koper.
- the crew list which is sent in advance to the Police,
- the passenger list, which is also sent in advance,
- exchange of information with the Customs and the Maritime Administration

This risk analysis is submitted to the State Border and Foreigners Division at the Police Directorate Koper.

The risk analysis for the blue borders is primarily the responsibility of the State Border and Foreigners Division at the Police Directorate and Foreigners Division at the Police Directorate Koper. This division is assisted by the Analysis Service within the Director's Office and the Criminal Police Office. This analysis is based on general risk analyses regarding illegal immigration and cross-border crime and on the basis of information received from other sources such as the Sea Searcher System, the Early Warning System, etc.

The Koper Maritime Police Station has also access to the "RISK REPORT" database, which has information on risk matters (persons, materials, vessels, etc.), in connection with terrorism, military equipment and weapons of mass destruction.

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4.2. Infrastructure and equipment

4.2.1. Signposting, separation of flows, lanes or checks and control facilities

At the time of the visit of the Committee there was a no infrastructure to carry out border checks in the port. There were no signposting, no separation of flows, no lanes for checks nor any other control facilities. Border checks were performed aboard ships and not in booths. However, the type of traffic does normally not include passenger traffic (except one ferry connection per week to Croatia in summer time) since it is mainly concentrated on cargo traffic and on pleasure boat traffic.

Plans on how the port operator intends to develop the facilities were presented to the Committee. According to these plans, the new constructions for the RoRo traffic will be in use in the beginning of 2007. Besides offices for the Police, there will also be an area covered by a protective roof for border checks of cars, lorries and passengers, including two frontally-positioned booths with first line equipment and a special room for thorough checks.

4.2.2. Equipment: first line, second line, mobile

a) first line

Each of the officers is equipped with stamps for arrival and exit. There are 18 stamps available at BCP Koper. The control-codes are changed every month.

In every BCP, there is a computer connected with the national system. The officers performing controls on the pier or aboard of the vessel can call the shift leader to carry out a search in the national system. The officers have also a portable set with a handheld UV lamp, magnifying glass, pocket microscope, tweezers, measuring scale for stamps, pocket flashlight and retroview lamp). There is one set available in each of the three BCP's (Koper, Piran, Izola).

The following equipment is also available:

	Maritime Police Station Koper	State Border Surveillance group	BCP Piran	BCP Izola	BCP Koper
document examination system with camera and printer			1	1	1
document examination devise - basic			1	1	1
UV lamp with magnifying glass	1		1	1	1
UV lamp handheld		2	1	1	1
Magnifying glass	3		3	1	1
microscope			1		
mirror on telescopic arm with flashlight for examination of vehicles		2	1	1	1
IR camera on telescopic arm					1
CO2 detectors					1

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Contraband detector					1
Ultrasound, IR or laser distance meter					1
OCR-B optical reader					1
night vision device	1				
radioactivity detector			1	1	1
endoscope with camera					1
binoculars wit compass		3	1		
binoculars with stabilisation	2				

b) second line

The second line office is established in the Maritime Police Station, which is located near the port. The staff have access to the police computer systems, including the domestic policy register, Intranet and internet. There are also printers, a scanner, fax transmitter, photographic equipment and fingerprints facilities, UV – lamps and phones (see the above-mentioned list). Video Spectral Comparator VSC 4CX is used for a detailed examination of travel documents. The latest edition of the Common Manual was available in paper format in English. No microscope was available.

The Police operate in close co-operation with the Customs. The Customs is equipped with one mobile X-ray truck which can be used for the control of containers and vehicles.

4.2.3. Communication

The computers of the Maritime Police station Koper and BCP Piran are equipped with an Internet/intranet connection. The intranet covers the different national databases. For communications during border checks the shift leader can be consulted through radio and phone.

4.2.4. Access control / fencing

The RoRo port in Koper is totally fenced. The pleasure boat harbour in Koper is not fenced. It is only controlled with video surveillance equipment.

4.2.5. Video cameras monitor the control zone in the Port of Koper and there is a control tower where the images taken by the cameras are monitored.

No video cameras for surveillance are used for Border officers during the border check procedures.

4.2.6. Readmission/detention premises

- In the second line in Koper there are waiting rooms for non accepted passengers. These rooms are well equipped with table, chairs and toilets.

- Storage of blank visa

Blank visas are stored in a safe in the shift leader's office in Koper. A visa-printer is available in the second line office.

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Comments and recommendations of the Evaluation Committee:

At the moment of the visit, the infrastructure for border checks at the port of Koper does not live up to the Schengen standards. There are no booths for border checks, no signposting, no separation of flows nor any lanes for checks. The Committee was told that there is no need for this kind of infrastructure because of the frequency and the type of the traffic. According to existing plans on developing the port facilities and estimates of increasing passenger traffic, the existing infrastructure is at the moment not sufficient. The Committee notes that there are plans to develop this infrastructure in the new RoRo terminal in the port of Koper whereby two booths will be constructed. The Committee invites the Slovenian authorities to keep the Schengen Evaluation Working Party updated on the progress in these works and the final result.

The Committee considers the equipment as sufficient taking into account the current traffic and low migratory pressure. It, however, recommends that more first line equipment such as UV lamps and document examination suitcases as well as a microscope for the second line check should be purchased for the port of Koper.

4.3. Controls and procedures

Preliminary remark: The experts participated in a check carried out on a cargo vessel which consisted in verifying the correctness of the crew list and the verification of the passports of the crew members (without a face to face check). The statements on the different procedures are based on the replies of the Slovenian authorities during the visit and in the questionnaire and on the additional written information given to the experts.

4.3.1. Traffic handling/traffic modes

In Slovenia different procedures are followed according to the type of traffic concerned:

4.3.1.1. Ferries

There are no regular ferry lines from Slovenian ports. There are periodical RO/RO connections from Koper with ports in Albania (Durrës) and Croatia – Serbia Montenegro. The number of passengers is limited, as these ships largely convey semi trailers. In case there are passengers on board, he/she usually is the driver accompanying the vehicle.

Up to September 2005, 12 Ro/Ro ships with 277 crew members and 13 passengers from EU ports and 26 Ro/Ro ships with 646 crew members and 227 passengers from ports outside the EU called in the port of Koper.

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In summer time there is a weekly tourist ferry from Koper to Croatia (in 2004: 246 entry and 378 exits; in 2005: 253 entered and 346 exited). Most of these passengers are EU citizens embarking on or returning from holidays.

There are no premises (control booths) to carry out the checks. There is no separation of passengers into EU citizens and non-EU citizens.

It is planned to build a new RO/RO terminal with control booths on the pier. The constructions have not yet started, but are expected to be finalised in December 2006.

At these facilities, border checks will be carried out on the lorry drivers accompanying the freight on the Ro/Ro ships, eventual passenger on Ro/Ro ships and those passengers on the ferry to and from Croatia.

In addition, Slovenia also envisages building a new passenger terminal, which will enable passengers travelling within the Schengen territory to be physically and administratively separated from passengers travelling on routes outside the Schengen territory. Passengers will use separate entry premises or will embark on ships via physically separate entry corridors.

In the future, should passengers or crew members embark on ships outside the passenger terminal, the terminal manager will take them to their ship by bus or another vehicle under appropriate surveillance.

4.3.1.2. Cargo vessels

In 2005, 1048 cargo ships with 13.892 crew members and 118 passengers called in from EU-ports. 536 cargo ships with 9.048 crew members and 334 passengers called in from non EU-ports.

4.3.1.3 Cruise ships

There is no special cruise ship terminal. In 2005, 4 cruise ships from EU ports with 397 crew members and 740 passengers called in the port of Koper. The Committee was told that the new RO/RO terminal will not be used for cruise ships.

4.3.1.4 Pleasure boats:

There were 458 pleasure boats submitted to border checks in the BCP Koper at the pier outside the Maritime Police Station.

In addition, in the reply to the questionnaire it is indicated that one excursion vessel with 14 crew members and 153 passengers called in Koper from an EU-port and one excursion vessel with 7 crew members and 105 passengers called in from Koper outside the EU.

4.3.2. Procedure of checking on entry and exit (profiling, interrogation, checking conditions of entry, checking the documents, stamping)

The Committee was informed that all passports of non-EU nationals are stamped, and in case of refusal, the uniform format of refusal is given to the person concerned, the entry stamp in the passport is crossed out and the reason for refusal (letter) is indicated.

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4.3.2.1. Ferries and Ro/Ro connections

The police receive a list of the number of lorries, drivers and passengers in advance, both from persons on Ro/Ro ships as on ferries at their departure to Koper. These lists are submitted to an administrative check.

Drivers of lorries which use the RO/RO connection are checked outside the ship on the pier. Only if the number of trucks on the ship is limited, the drivers are checked on board the ship. Passengers are always checked on board of the ship. This procedure is applied for entry and exit checks. EU citizens are submitted to a minimal check consisting of the verification of the identity. Third country nationals are submitted to a thorough check consisting of, in addition to the verification of identity, a verification of the reasons for the stay and the sufficient means of subsistence. They are also checked against the police records.

The Committee was informed that all persons on entry and exit undergo a check to establish their identities on the basis of the presentation of their travel documents. In case of doubts on the validity of the document, the police officers contact the shift leader or carry out an in - depth - check in the second line.

4.3.2.2. Cargo vessels

All information required for maritime traffic is sent to the maritime authorities. These send the list of crews (and passengers) immediately to the police. A first administrative check including checks in data bases is carried out on the basis of that list. At the time of the visit the Committee was told, that according to the risk analysis (previous inspections, route, port of departure, flag of the ship, nationality of the crew members etc), the police decides whether it is necessary to go on board of the ship. In this case, the correctness of the crew list and the passports are verified, and only on the basis of an additional risk analysis, face to face checks are carried out on board.

After the visit the Slovenian authorities pointed out that border checks aboard cargo vessels are always carried out regardless of risk analysis. However, the manner in which border checks are carried out depends on nationality of the crew and passengers as well as on risk analysis.

The Committee was told that in case passengers are on board of these ships, they are always submitted to a face to face check on board of the vessel.

The list is signed and the names of crew member, who are allowed to go ashore is marked on the list. One copy of the list remains on board, another copy remains with the Police and a third copy is given to the port security service.

In case there are doubts on the validity of the documents presented on board, the police officer can check the police records via radio connection.

During the check on board, also a Custom's officer and a representative of the maritime administration are present.

Stowaways remain on board under the responsibility of the shipmaster. The names of the stowaways are checked in police records; fingerprints and photographs are taken.

In case, a person asks for asylum, the police inform the asylum authority, which is obliged to start its procedure within 48 hours.

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4.3.2.3. Cruise ships

The passenger and crew lists are received in advanced and administratively checked. Disembarking passengers are subject to a border check. EU citizens are submitted to a minimum check, whereas third country nationals are submitted to a thorough check. In case of need, names can be checked in databases via radio communication.

The Committee was informed that upon entry into force of the Schengen Borders Code, passengers and crews on cruise ships will be checked according to the new procedures.

BCP Izola:

The Committee did not visit the BCP Izola.

Fishing vessels:

There are only two big fishing vessels and about 170 smaller fishing vessels in the Slovenian ports. Only the two big fishing vessels are fishing outside the waters of the Republic of Slovenia, which do not call in ports outside Slovenia. When entering or leaving the territorial waters of Slovenia they give notice and with regard to the fact that the crews on these ships do not change, they are only checked occasionally at sea or at entry into the waters of Slovenia.

The Slovenian authorities informed the Committee after the visit that also the small fishing vessels are controlled by the Maritime Police.

Comments and recommendations of the Evaluation Committee:

In general, the experts are satisfied with the application of the procedures. However, the procedure for the following points should be modified:

With regard to EU citizens figuring on passenger list, they should not be submitted to systematic administrative checks against the national (and future SIS) data bases.

The Committee also noted that crew and passenger lists are not directly sent to the Police, but to the MARS. However, the Schengen Borders Code sets out that these lists should be sent directly to the Police. This practice should, in this respect, be reconsidered.

Comment from Slovenia

Border checks on cruise ships will be carried out in compliance with the Schengen Borders Code. So the ships which are considered to pose risk and on which border checks need to be carried out will land at the RO/RO terminal where by the end of the year 2006 a new border crossing point will be built. However, ships which are considered to pose no risk will land at the first pier of the port of Koper.

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5. REPORT ON THE PORT OF PIRAN

5.1. General information:

The port of Piran, 12 NM from Italy, is only used as a port for pleasure boats and passenger vessels (one day excursions). More than 90% of the pleasure boats belong to EU citizens. The traffic increases significantly in summer time.

In 2005, 10990 boats out of them 340 passenger vessels were submitted to border control. 65.000 passengers were on board of these boats.

There are two kinds of passenger vessels (one day excursions) operating only in summer time:

Three passenger boats with a capacity of 50 to 100 passengers starting their journey in Slovenia, which take tourists on one day charters to Italy or Croatia.

Besides these, three other passengers with a capacity of up to 300 passengers operate between the ports of Croatia, Slovenia and Italy. While stopping in Slovenia, approximately 20 to 30 passengers embark and disembark the ship.

5.2. Infrastructure and equipment

The Police share a building with the Customs at the entrance of the Piran pleasure boat harbour. Since there is no ferry traffic, no passengers terminal exist. Vessels, crew and passengers are checked on the pier at the BCP or inside the building when a second line check has to be carried out. The pier of the Piran BCP is not fenced. There are two video cameras installed which overview the pier and the entrance of the harbour. There are no waiting rooms for non accepted passengers but detention rooms are available at the police station in the city of Piran. In Piran BCP no visas are issued and no blank visas stored. Blank visas are stored in a safety box at the Maritime Police station in Koper.

5.3. Controls and procedures

5.3.1. *Pleasure boats:*

All pleasure boats coming from abroad are checked. Most of them come from Italy and Croatia. The police have in advance knowledge on the arrival of these pleasure boats via radar or visual surveillance.

At the pier after mooring, the police officer verifies the number of the persons on board and the identity of the persons on the basis of their passport. EU citizens are only submitted to a minimum check consisting in the verification of the identity and the authenticity of the travel document. Third country nationals are submitted to a thorough check going beyond the minimum check including the verification of the reasons for entry, the possession of sufficient means of subsistence and the check against data bases.

Passports of third country national are stamped.

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According to the Slovenian State Border Control Act, the vessel master submits all travel documents to the shift leader, and the list of persons on board the pleasure boat is filled in at the station. In case of doubts on the authenticity of the travel document, a second line check is carried out in the station.

5.3.2. Passenger boats (excursions):

The organisers of excursions operating from Slovenia which call in other ports outside Slovenia submit the passenger lists 12 hours in advance. The passenger list is subject of an administrative check against the available databases.

These passenger vessels moor on a separate part of the pier, and access to these boats is only granted to persons figuring on the passenger list. The police check the passports of all persons going on board the vessels and on return of the vessel.

Also the person embarking or disembarking in Piran from passenger vessels operating from Italy or Croatia are submitted to border checks. The experts were told that these vessels only more for the time needed to embark and disembark passengers.

In 2005 there were no refusals of entry, no asylum applications and no stowaways recorded.

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6. BORDER SURVEILLANCE

6.1. Tactics applied, including system of border patrolling, command and control

There is no operational plan to manage maritime operations. The police performs operations at sea in accordance with the plans prepared within the framework of the strategy for the protection of the state border.

As already mentioned before the Police use a specific radar to manage the blue border surveillance, a Sperry Marine model of the Northrop Grumman radar. This radar covers the entire external border with Croatia and a part of the border with Italy. In 2007, the Maritime Administration of the Republic of Slovenia intends to install a similar radar in the area of the town of Koper. There are plans to link the two radars which will result in the coverage with radar images of practically the entire Slovene sea. Both radars will also be connected to the system for the automatic identification of vessels – AIS.

The information provided by the radar sensor is monitored at the maritime police station in Koper and at the BCP Piran. In addition to this, the Maritime Administration of the Republic of Slovenia also has its centre for the coordination of the execution of its tasks.

This radar surveillance is supplemented by patrol boats at sea. The three patrol boats of the Border Police are based in the port of Koper. The Committee was informed that the fourth boat, which will be purchased in the near future, will be based in the port of Piran. The plan for patrolling is established at local level by the Maritime Police station in Koper, taking into account risk analysis and intelligence gathered by the combined patrolling at sea and on land. Each border policeman has at his own disposal a manual about the management of the border surveillance : risk analysis, main tasks, maps with sectors of surveillance. This document is updated as often as needed when they receive new important information according to risk analysis, local authority proposes the change, approved at regional and central level.

6.2. Situational awareness (description of methods of surveillance used in order to detect and identify potential illegal crossing of the border)

For the surveillance, the sea is considered as only one sector called “J” (the first letter for “Adriatic” in Slovenian). At national, regional and local level the risk analysis is based on geographic, demographic and threaten risk assessments. Following this analysis, the two above-mentioned levels are defined.

The Maritime Administration of the Republic of Slovenia, the Department for Maritime Traffic Control and Rescue is equipped with a VHF GMDSS station which operates on maritime frequencies. The station is connected to a recording device that continuously records conversations on four permanent channels (16, 12, 8 and 7). The Department is also equipped with an AIS coastal station which can show gathered information on the electronic map of the Northern Adriatic Sea locating vessels equipped with AIS devices.

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This information includes:

- permanent data on the vessel: name, call mark, number issued by the International Maritime Organisation, identification number of the vessel's radio station, type (tanker, RoRo, container, etc.) and the length and width of the vessel;
- AIS data in connection with GPS: location of vessel (latitude and longitude), AIS data in connection with the giro compass: course, rudder declination;
- variable data: vessel status (sailing, anchored, moored), type of cargo, destination port and time of arrival and vessel draught.

In the near future this AIS information will be on direct line with the Border police.

6.3. Reaction capability (ability to encounter posing an intensified threat)

Presently, the surveillance group is composed of 17 police officers. At the end of 2007 this group will be enlarged with two new posts.

When the crew is on duty, the boat can leave the port in less than 20 minutes. However, when the crew is not on duty (i.e. at least 12 hrs/day in summer time and at least 8 hrs/day in winter time), the time for interception will exceed one hour.

The following equipment is used for blue border surveillance:

- a) Three boats, based in the port of Koper, are used for purposes of sea border surveillance:
- Police boat P-111 was built in 1994; length 19.86 m, width 5 m, speed 40 Nm/h; 4/5 crew members
 - Police boat P-66 was built in 2003; length 13.55 m, width 3.75 m, speed 45 Nm/h; 3/4 crew members
 - Rubber police boat P-88 was built in 1999; length 7.49, width 2.93, speed 42 Nm/, 2 crew members.

In 2006 purchase is envisaged of another rubber police boat of 8 m in length.

- b) Police cars for carrying out surveillance ashore,
If necessary, one mobile thermal-vision system,
2 day/night binoculars with stabiliser,
3 hand-operated devices for observation at night.

- c) Twice a month, or more if needed, one helicopter from the police air unit in Ljubljana airport flies to the coast for surveillance mission.

The Maritime Administration of the Republic of Slovenia also has two 7.5-m long patrol boats with a maximum speed of 30 Nm/h and a 13.7-m long patrol-rescue boat with a maximum speed of 40 Nm/h. All three boats are equipped with radar and VHF stations as well as with day and night binoculars. The bigger boat is also equipped with a thermovision device for searching for accident victims during poor visibility conditions.

If needed, especially in case of long maintenance, it is possible for the maritime unit to ask for the boat belonging to the MARS.

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6.4. Availability and permanency of the above mentioned (human and technical) resources

During the months of January, February, March, April, November and December, the patrolling, with boat and vehicle, along the state border at sea is, at least 8 hours a day (Criticality level II). During the months of May, June, July, August, September and October, at least 12 hours a day (Criticality level I/II).

6.5. Communication and encryption

On each BCP, there are specific communication means : police radio, VHF, intranet with access to the national data bases. If needed, it is possible for a crew member to call the shift leader to have information about ships and crews controlled at sea.

Comments and recommendations of the Evaluation Committee:

The Committee considers that the blue border surveillance is carried out in accordance with the Schengen standards, taking into consideration the short length of the coast (46,6 km) and the low threat assessment.

It underlines, however, that the narrowness of the bay of Piran puts special demands on the border surveillance and the capacity of interception. The Committee therefore recommends that one boat should constantly be kept in the port of Piran or at sea for rapid reaction. It also recommends that the intervention time for crews not on duty should never exceed half an hour.

The Committee points out that the border surveillance in the Adriatic Sea could be improved by setting up a coordination centre for all countries involved.

The fact that the maritime border between Slovenia and Croatia has not been agreed influences the way blue border surveillance is carried out. Even though Croatia is most likely to join the EU within a few years the Committee would like to encourage Slovenia to make any efforts available in order to reach a border agreement with Croatia.

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7. STAFF AND TRAINING

7.1. Number of staff

In 2005 the total amount of police officers employed in the Maritime Police Station Koper was 53. They are deployed in all three of the BCP's (Koper, Piran and Izola). The number of officers planned is 71 (including surveillance), so there are currently 18 vacancies in the Police Directorate of Koper. It is expected to have the vacancies filled up by mid 2007.

17 Police officers work in the state border surveillance group and 30 officers work in the border check group.

In Koper the total number of police officers is not increased during peak/summer periods. However, the police management adjusts the number of officers on duty every day at a specific border crossing point to the density of traffic and prevailing security situation. Normally one shift leader and two police officers are on duty. During wintertime the personnel is adjusted according to the problems and necessities.

In case reinforcement is needed e.g. for a rapid reaction, there is a "call-up" unit composed of Police officers who are specially qualified and equipped for carrying out interventions. The total number of this unit is 727, of which 70 are employed at the Police Directorate Koper.

7.2. Working hours

Koper border crossing points is open 24 hours a day throughout the year. In accordance with the work schedule prepared a week in advance, police officers normally work in 8-hour shifts while the shift leaders work in 12-hour shifts. During the daytime working hours (7.00 - 22.00), border checks on vessels and radar operation tasks are normally performed by the shift leaders, a criminal investigations officer and two to three police officers. During the night shift (22.00 - 7.00), border control is performed by the shift leader and one to two police officers.

7.3. Adequacy and the level of professionalism

The Committee was satisfied by the level of professionalism shown by the border guards in their daily duty. The vast majority of the police officers who carry out border guard duties communicate in at least one foreign language.

7.4. Basic training

All police officers get basic training at the Police Academy for a period of 18 months. This programme also includes courses on border matters and aliens, which, among other things, put special emphasis on the Schengen acquis.

7.5. Further continuing education

Further training at local (and regional) level is conducted on the basis of annual training programmes for police officers controllers. These trainings focus on, for instance, border and alien matters, deportation of aliens, vehicle related crimes, drugs smuggling prevention, performance of border checks in accordance with the Schengen provisions, air surveillance, questioning asylum seekers, and the performance of border checks on ships. Additionally, training for the maritime police officers is provided (GMDSS, navigation, blue border surveillance etc.). These programmes are prepared by the General Police Directorate and the Police Directorate as well.

The follow-up training for the Schengen acquis is provided through the train-the trainer system. There are 60 trained multipliers. They were trained in the course of two Twinning projects in 2002-2003 and have at least one follow-up training every year provided by the Police Academy. They also received intensive training in the framework of the Twinning light project during 6 months. Two additional Twinning light projects are foreseen to take place in 2006 and 2007, one on SIS-related matters and the other one on external border control issues.

7.6. Linguistic skills and training

Koper police officers have the ability to communicate in several foreign languages (i.e. English, Italian, German, Croatian). The candidates for police officers must have completed their secondary education which means that they have had at least 8 years of lessons in a foreign language (usually English or German). Furthermore, linguistic training is provided by the Police Academy during the basic training for recruits officers (65 lessons). However, when needed police officers can get extra linguistic training.

During the last three years eight officers of the Maritime Police Station Koper attended additional English language courses.

7.7. Specialised document checking skills and training

Training on the detection of forged and falsified documents is conducted in accordance with the Slovenian PROGLIS programme. Training for multipliers and unit officers is conducted at the national level. At local and regional levels, multipliers offer training to new police officers according to the PROGLIS I module. Advanced training for older police officers is conducted according to the PROGLIS II module.

7.8. Specialised training for different managerial levels

Senior police officers receive an advanced level of education that is related to management and leadership. This training takes two years, the last of which is devoted to special subsidiary subjects, for example border management.

The briefing of the personnel on the new EU acquis is carried out in the following ways:

- by means of written instructions,
- during short training courses at Police stations (at least 8 lessons per month),
- follow-up seminars for multipliers,
- as part of specialist courses e.g. shift leaders, management staff, etc.

The basic training course already includes 50 lessons on the Schengen acquis.

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Comments and recommendations of the Evaluation Committee:

The number of personnel is considered as limited, especially in the Summer season. The number (53) is expected to increase to 71 by mid 2007 which will solve the heavy workload the Police currently faces in the Summer Season.

The training for police officers is considered to be of a satisfactory level. The provisions of Schengen manuals, catalogues etc. are taken into account in the preparation of the Schengen training Strategy. The Committee points out that in the light of the Twinning light projects further training is foreseen. The language skills of the police officers are also considered as satisfactory.

8. READMISSION, EXPULSION AND ILLEGAL IMMIGRATION, CARRIER LIABILITY

The Koper Maritime Police Station only recorded a very few cases of illegal immigration.

In 2005:

- 24 January: Turkish national – a crew member left the ship and did not return for its departure;
- 7 September: Algerian national – stowaway passenger 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;

No fines were imposed on carriers and no vessels were confiscated.

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9. GENERAL CONCLUSIONS INCLUDING RECOMMENDATIONS AND FOLLOW-UP

The Committee is of the opinion that the ports of Koper and Piran fulfil the Schengen standards with regard to the number of personnel, the training, the border control procedures, risk analysis and equipment. The infrastructure does, however, not live up to the Schengen standards in the port of Koper. The Committee notes that a new terminal will be built and recommends that the Schengen Evaluation Working Party will be kept informed on the progress of the works and the final result. It is expected that this new infrastructure will be ready by the end of 2006 or the beginning of 2007. Only at that moment, a correct evaluation can be made of the infrastructure. Controls are currently carried out on board the vessels or on shore which has clearly some disadvantages e.g. in case of bad weather conditions, or when the officer wants to consult the national database.

The blue border surveillance is performed by radar surveillance of which the coverage will be extended by linking it to a new additional radar so that it will cover the entire Slovenian coast. The Committee notes that this surveillance is correctly carried out but is faced with one difficulty i.e. the fact that the maritime border between Slovenia and Croatia is not agreed yet.

The Committee is aware of the current low migratory pressure but underlines the need to closely monitor this situation. The narrowness of the Bay of Piran put special demands on border surveillance and the interception capacity.

Finally, it recommends the following;

- to inform SCH-EVAL on the increase of personnel which is expected to be completed in 2007, as well as on the progress realised in the construction of the new facilities for border control in the RoRo terminal,
- to purchase more equipment for first line control,
- to keep one Police boat in the port of Piran,
- to limit the intervention time for the blue border surveillance to a maximum of half an hour,
- to send crew and passenger lists directly to the Police.